

A regular meeting of the Board of Aldermen was held Tuesday, May 24, 2005 at 7:30 p.m. in the Aldermanic Chamber.

President Brian S. McCarthy presided; Deputy City Clerk Patricia E. Lucier recorded.

Prayer was offered by Deputy City Clerk Patricia E. Lucier; Alderman Robert A. Dion leading in the Pledge to the Flag.

President McCarthy

I would like to remind the members 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 first.

The roll call was taken with 13 members of the Board of Aldermen present; Aldermen Shaw and Cardin were not in attendance.

The roll call was taken with 13 members of the Board of Aldermen present; Aldermen Shaw and Cardin were not in attendance.

President McCarthy

Alderman Shaw and Alderman Cardin are away and unable to attend.

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

REMARKS BY THE MAYOR

Thank you Mr. President. I want to thank the members of the new Pride organization for being with us this evening. Peter Kirk is recognized as being one of the biggest names in minor league baseball in our country, and his association with the Pride along with his partners and associates bodes well for this franchise. All I can say at this point Mr. President is that a night at the Pride is one of the best family entertainment values going in our city.

Our rail project continues to gather momentum. Steve Williams from the Planning Commission appeared before a Massachusetts joint legislative committee last week and had the following to report: And I quote: "The rail meeting in Boston went great. The joint committee was very supportive of our project and said they would report it out to the floor with a positive recommendation. The Mayor of Lowell sent a representative who told the committee this was the most important thing the MBTA was doing in their area. He said the extension to Nashua was an obvious priority and should be done as soon as possible". I will be attending a meeting in Concord within the next 2 weeks with Governor Lynch and Manchester Mayor Baines along with NH DOT officials and representatives of Guilford Transportation to hear a proposal form

Guilford that they become more involved in the process.

Mo Qamarudeen in the Finance Office reports that over 900 hundred local families and individuals took advantage of the Greater Nashua Asset Building Coalition's free tax preparation this year. It was held at the Nashua Public Library, the Triangle Credit Union, and at the Nashua Economic Opportunity Center. Volunteers from the Greater Nashua service and business community came together last month to make tax time as painless as possible. Clients received free tax preparation and free filing. This was the second year that the Coalition has provided the service. The Coalition's membership includes: Southern NH Services Inc., City of Nashua, YMCA of Greater Nashua, Nashua Pastoral Care Center, Triangle Credit Union, Nashua Soup Kitchen and Shelter Inc., along with a number of other local non-profits.

The Conway Arena and the City of Nashua Ice Rink Commission are extremely pleased to be able to offer grants totaling \$16,000.00 to Nashua non-profit organizations for their youth sports activities.

These activities, although not necessarily skating related, must be in conjunction with the Arena's "Mission Statement": To foster the athletic and social development of the citizens of Nashua through sports competition and recreation in hockey, figure skating and public skating, while realizing the educational and life-long benefits of healthy competition and physical activity.

Grant applications can either be picked up at the Conway Arena or may be obtained at: www.conwayarena.com . The deadline for filing of all applications is 5:00 PM, Wednesday, June 15th, and all grant winners will receive their awards Thursday, June 30th.

As you probably read in last week's Telegraph the City has launched an Internet-based telecommunications service that provides local residents who are TTY/TDD users to now have confidential and direct access to city departments for the first time. The implementation of this service provides personalized links to city staff in the Mayor's office as well as the City Clerk's, Motor Vehicle Registration, Tax Collection, Public Works, Solid Waste, Community Health, Community Development, and the Welfare office. The Nashua Public Library is also participating in the service. All citizens of Nashua, regardless of any disability or circumstances, should be able to communicate directly with us to get the information and services they require.

This is an important and needed initiative for the deaf community, and I'm proud that Nashua is the first City in the entire Eastern United States to utilize this brand new technology. The new service, called TEXTNET, integrates the public telephone network, the Internet, and the city's local data network to transmit calls. Employees can now type on their keyboards and read off their screens in the same way they would with any other program, and it is much easier for them to use in communicating with the deaf, hard of hearing and speech restricted rather than use a TTY. It is a joint venture among three companies including a Nashua firm, Equivalent Communications, LLC.

While I was excited to learn about the availability of this new communication and compliance breakthrough, I credit my business liaison, Mark Sousa whose cousin is deaf, for making it happen. This shows we are also trying to practice what we preach by supporting both an emerging technology and a local business.

Also, Mr. President, congratulations go to Diane Denver of Nashua who last month was honored as a Granite State Hero at the NH Hero's Award Ceremony in Manchester. The ceremony honored those who risked their lives to save the lives of others. When her friend and neighbor became trapped in her apartment during an October 27th fire, Diane had the woman, who was 9 months pregnant, jump from the second story window into her arms. Both women and the unborn baby survived.

The Division of Public Works FY '05 Paving Program scheduled for the next 3 weeks includes the following streets: Cotton, Ferry, Charlotte, Baker, Bartlett, Bible Way, Durham, Derry, Artillery, West Prescott, Intervale, Pleasant, Church, North West Blvd., and Celina.

The Memorial Day Soccer Tournament, weather permitting, will be held this weekend with over 100 teams from the New England area playing at Mine Falls Park, Main Dunstable School and Stellos Stadium. I might add the fiscal impact on our community is well over \$2 million that the people attending these tournaments bring to our community.

The new portable stage donated to the City by the Nashua Rotary West Club will be utilized for the first time during Monday's Memorial Day parade. City officials are more than welcome and in fact urged to march with me in this parade which steps off at 10:30 a.m. at Holman Stadium. A special note of thanks to Nashua Rotary West. That stage will be officially dedicated at SummerFun opening ceremonies on June 4th.

In the area of Information Technology, the virtualization of servers continues. To date we have virtualized 4 servers and continue to make progress taking servers out of inventory. The conversion to our new Assessing Software also continues. We are still working on fixing some data conversion errors and will hopefully begin installation next week.

Further, our web site data conversion is proceeding. The decision has been made to support only one device for Community Development Software Cityview field devices. Toughbooks were chosen since the Blackberry server application was found to be lacking in some desired functionality.

This evening I am requesting that the Board suspend its rules to allow for the introduction and first reading of Resolution R-05-229. This resolution deals with the FY '05 supplemental appropriation for the self-insurance fund. We are requesting that \$3.5 million be transferred to this fund from excess revenues and/or unexpended appropriations. Members of my staff will be available to discuss this resolution with the Budget Review Committee at their convenience.

City Treasurer, Dave Fredette, reports that he will be mailing out property tax bills first thing in the morning. Approximately 27,000 bills will be mailed and will be due on July 1. As customary this bill is half of the 2004 tax bill. Anyone who does not receive a bill should contact the Tax Office. We will promptly provide you with a duplicate copy. To avoid a short wait in line, taxpayers are encouraged to use the mail in service. A paid receipt will be returned in your self-addressed stamped envelope once the collection season has passed. Payments to the City must be postmarked July 1st in order to avoid the accrual of 12% interest thereafter.

The Rotary Common project is moving along. A public workshop is scheduled for Tuesday, June 7th at the Adult Learning Center from 6:30 to 8:30 p.m. This two-acre site on Main St., which is being supported by the Nashua Rotary Club will be a focal point as people enter downtown from the south. Everyone is welcome and encouraged to attend the public workshop. Its goal will be to understand the community's vision for the future of the park. Community participation is vitally important if this park is going to be an asset to the neighborhoods, schools and businesses in its vicinity. With that Mr. President thank you.

RESPONSE TO REMARKS OF THE MAYOR

Alderman Bolton

With regard to the proposal resolution 05-229, I have been asked to make the motion to suspend the rules to introduce that later in the meeting, and when I consider whether I ought to do that I am wondering if the Mayor can enlighten myself and the rest of the Board as to why this could not have been prepared and submitted in the regular fashion and why it is going to require a suspension of the rules. It seems to me the Administration has known of the necessity to correct this under-funding since at least March.

Mayor Streeter

I think that question should probably be posed to both the Legal Department and our CFO. I know that this has been in preparation for the last several days and that it was just recently signed off on by the Office of Corporation Counsel this afternoon.

David Connell

We received the information mid afternoon today.

Alderman Johnson

I have to concur with my colleague to my right. We have known about this for a while, and to ask for a suspension of the rules at this point in time – this should have probably been brought in weeks ago. Now we are rushing this. I think this really needs to go to committee, and I think we

really need to talk about this in committee and discuss this. I am going to support when it comes around to go to committee. That is where it belongs not the full Board to vote on it and move it on. Thank you.

President McCarthy

I think the request for suspension was simply for first reading because it wasn't on the agenda.

Alderman Plamondon

I am very encouraged to hear about the rail extension in Nashua moving along at a quicker pace. I have mentioned this before, and I just want to reiterate one more time I really hope that there is conversation between NH DOT, the NRPC, and Nashua Economic Development Director with all of the communities in Massachusetts that are adjacent to the rail bed. I would hate to see the millions of dollars that New Hampshire is putting forward and the City of Nashua and in addition to potentially a developer to one day once this comes to fruition rail stops start popping up like in Chelmsford and Billerica. I think if we approach them now, and if they can pony up to the table with some money it would move this project along even quicker. I would encourage some communication there. Thank you.

President McCarthy

Are there any other responses to the remarks of the Mayor?

RECOGNITION PERIOD - None

READING MINUTES OF PREVIOUS MEETINGS AND PUBLIC HEARINGS

**MOTION BY ALDERMAN TOLLNER THAT THE MINUTES OF THE SPECIAL MEETING OF THE BOARD OF ALDERMEN OF MAY 9, 2005, THE REGULAR MEETING OF MAY 10, 2005, AND THE PUBLIC HEARINGS CONDUCTED BY THE BUDGET REVIEW COMMITTEE OF MAY 5, 2005, AND THE COMMITTEE ON INFRASTRUCTURE OF MAY 11, 2005, BE ACCEPTED, PLACED ON FILE, AND THE READINGS SUSPENDED
MOTION CARRIED**

-
President McCarthy

Before we proceed to communications and what I think will be a lengthy part of the agenda, we have a Resolution that anticipates being passed under suspension, which is the accepting of a gift of a mobile stage trailer from the Rotary Club of Nashua West. I know there is a representative of the Rotary West here in case there are questions, and I would hate to have him have to stay to the end of a long agenda if there aren't.

Alderman Tollner

I think that gentleman left because .. is that correct June?

June Caron

Yes. However Joseph Dionne is here.

MOTION BY ALDERMAN BOLTON THAT THE RULES BE SO FAR SUSPENDED TO GO OUT OF THE REGULAR ORDER OF BUSINESS TO TAKE UP R-05-225
MOTION CARRIED

R-05-225

Endorsers: Mayor Bernard A. Streeter
Alderman-at-Large David W. Deane

ACCEPTING THE GIFT OF A MOBILE STAGE TRAILER "QUIKSTAGE" FROM ROTARY CLUB OF NASHUA WEST

Given its first reading;

MOTION BY ALDERMAN DEANE THAT THE RULES BE SO FAR SUSPENDED AS TO ALLOW FOR THE SECOND READING OF R-05-225
MOTION CARRIED

Resolution R-05-225 given its second reading

MOTION BY ALDERMAN DEANE FOR FINAL PASSAGE OF R-05-225

ON THE QUESTION

Alderman Tollner

I would like to recognize Ken Mermer who came down here this evening to discuss this with us. If we had any questions he has left because I told him we probably couldn't move it along on the agenda, but I appreciate his support as well as that of the Rotary Club.

Alderman Deane

I would like to thank Rotary Club West of Nashua for this generous gift to the City. Thank you.

MOTION CARRIED

Resolution R-05-225 declared duly adopted.

MOTION BY ALDERMAN BOLTON TO RETURN TO THE REGULAR ORDER OF BUSINESS
MOTION CARRIED

COMMUNICATIONS - None

PERIOD FOR PUBLIC COMMENT RELATIVE TO ITEMS ON THE AGENDA

Karen Gaber, 36 Stattuck Street

I am here on behalf of the library. I am an employee there. I have a couple of questions, and I would like to address Mr. Tollner. On behalf of myself and my co-workers at the library I want to ask one question – why was the library singled out not to receive salary increases? I have to say that with the 30 years of professional experience that I have 11 of which have been with the Nashua Public Library, my salary is hardly livable at this point. To deny us the lower 3% increase is shocking especially when my property taxes doubled. You approved the other 9 contracts for all of the other city departments. We are public servants. We work nights and weekends, and are expected to do our job with the utmost positiveness and professionalism. I want to hear why you made this decision. If it is a medical cost issue why did you approve the other contracts that are making the same medical coverage available? Why are we at the library valued less than other city employees? Those are my questions. Thank you.

Bob Burgess, 32 Bates Drive

Reference the library I think we ought to grant these people their raise. I think the health insurance was a sticky point, but these people are making very little money here, and I think we ought to grant it.

Getting on to this one with the Principal, I believe it is Approve and Adjustment to the Upper End of the Salary Range for Non-Affiliated Personnel of the Nashua School District. I thought this thing came before the Board once and it was indefinitely postponed. I am kind of leery why this is back on the agenda here tonight.

I think a good many people that were brought out here tonight were here for the Pride as it was published in the paper. Since the Mayor mentioned the Pride I think we should have the opportunity to talk a little bit about it. If we look at the mission of this league apparently nobody wanted to put this question to these people that were here tonight – they are required to have a ballpark size that will keep between 5,000 and 7,500 seats. If we remove those bleachers we are down to what 2,800 they said in the paper. A far cry from the 5,000 or 7,500. These bleachers have been here for years, and I think all we have to do is probably repair. I think it is a necessity whether this ball club is here or future ones down the road. We will have a problem with the seating in this ballpark. I think this is probably a quick fix way to make some money by putting a playground or whatever it is out there. We never heard it tonight. Maybe they should have told the Aldermen really what their plans are for this site. I go to a baseball game and I think that thing ought to be out behind the outfield wall somewhere if they want to. One of the gentlemen that spoke here said me and my wife just send them down to the playground and play. Anybody that picks up the paper in today's day and age you just don't let the kids go down

to the playground and play especially in that age group. I sure wouldn't today with the good many sick people out there walking around. I can't see anybody that would just send their kids out to play in a playground. I think this field is here. I think the lack of communication with this ball club is the whole thing, and I really think those seats ought to stay put. I think we ought to really sit down and ask them why they ain't paying some of the utilities that the taxpayer – we heard now that the tax bills are on their way out the door. Well a good many seniors out there that are paying for the electricity, heat, and water for this facility and what money have we got back except the initial payments that they give us if they come through with it? I think we have been very good to this ball club. We have bent over backwards. A few weeks ago or a month ago we sat in here and we didn't even know if the Pride would be back this year. There was very little communication with that ball club and the city. I think those stands ought to stay put. I think whether they are there or some other ball club was there and I kind of wonder really if we look at the attendance figures really if they are really every going to make it.

Manchester right now is averaging close to 4,000 people per ballgame and they are at 1,000 and probably maybe 600 of those season ticket holders that in inclement weather don't show up. As much as I hope it stays, but it turned me off I know a few years ago when we built this stadium and they were supposed to kick into the renovation of this stadium and the taxpayers picked up the whole tab on this because money was short. Well money is short out there for the seniors, money is short for those people at Batesville Casket that are going to get laid off, and a good many in the city and we ought to start worrying about the taxpayers in the city. Thank you.

Rick Dowd, 74 Lochmere Lane

I am the Clerk of the Board of Education. I am here to provide some personal thoughts on R-05-209 – Approving the Cost Items of a Collective Bargaining Agreement Between the Nashua Board of Education and the Nashua Association of School Principals through June 30, 2006. The contract before you this evening is the third iteration of a new contract between the City and the Principal's Bargaining Unit. There have been one-sided concessions in both previous iterations of the contract proposal, and this current proposal represents a reasonable salary increase with no additional benefit changes. Since it is much easier to deal with factual bullets rather than wordy explanations I will throw out the following points in bullet form: The current contract before you represents a two year contract retroactive to the beginning of the 2004/2005 school year. The funding necessary to cover this wage increase is already covered in the Board of Education's current FY '05 budget and does not require any additional funds from the city this year for these increases.

Funding required for the FY '06 portion of this contract is covered in the Board of Education's current FY '06 budget request. There are no requests in this contract for any annuities. Sick leave buy back has been eliminated from the contract – two days originally proposed. Masters Degree with over 30 years experience added stipend request was eliminated. FY '05 and '06 increases represent approximately a 3% increase for each year. These negotiations have been ongoing since before the 2004/2005 school year. The increase is less than the other bargaining groups have been receiving during this compatible timeframe. This is the smallest and most

important of our staff positions. This bargaining group represents the leaders of our 18 schools in the district. Approval of this contract will show that the city values their service and dedication for our students, our school system, and the city. Most of those people in that bargaining unit are here this evening.

I ask you to please vote to pass this contract this evening, which will allow our school leadership team to receive a modest increase in compensation in return for the valuable job they perform. We have lost administrators to surrounding cities this year because of higher pay and benefits, and lost two additional administrators today. Thank you.

Edmund Lowe, 6 Sheffield Road

I am a Library Assistant in the Technical Services Department at the Nashua Public Library. The duration of the contract before you this evening is already nearly half over. I would urge all of you to pass it so that we can move forward and address the issue of healthcare in a fair and sensible manner. The 95% HMO co-payment that some of you have said you object to is still 10-15% cheaper depending on the carrier than the 85% POS co-payment that this contract prohibits new hires from choosing for one year. Just for the record I have the Harvard Program, which is the less expensive of the two. I have been with the library 4.5 years. I don't plan on changing it so I think that bears out what Mr. Dionne told you at a previous meeting that new hires would tend to keep their HMO plan rather than switch to the more expensive plan.

Given that you did not press this issue with 7 out of 8 other units in the same negotiation cycle, and given that you waited until the last minute to raise your objections blind sighting management and labor alike, I for one can only conclude that some of you are playing politics with our livelihoods. Perhaps you feel that our union is too small and under-appreciated to affect your reelection bids. Perhaps you are right. I stood in the cold in November and held a campaign sign at my polling place for one of you and I proudly displayed your bumper sticker on my car and this did not endear me to my colleagues let me tell you. I believe that you are fair minded and reasonable and sensible person and leader, and I hope that was not misguided. Thank you.

Scott Cote, 39 Tenby Drive

Mr. President, Mr. Mayor, Members of the Board my name is Scott Cote. I reside at 39 Tenby Drive, and I am also a member of the Board of Education. I have two items I wanted to speak to this evening. The first was R-05-209 concerning the Principal's contract. I think Mr. Dowd put my feelings in that regard pretty well, and I hope you consider that. I would like to echo his comments.

The second is R-05-195, which the actions of that Resolution are reflected in the minutes of your meeting that were accepted this evening, and that is in regards to the Superintendent's salary adjustment. My plea to each of you this evening is to reconsider your position on that Resolution. I would ask that somebody from the prevailing side of the action of that legislation

from your last meeting make a motion to reconsider. The Board of Education and its Budget Committee met last Thursday and made additional adjustments to its budget to make a number of changes based on what we have heard from the public and others. Those changes include the restoration of transportation to the secondary level, which we agree is a very important issue. It comes obviously at the sacrifice of other issues that certainly I am sure you have read about and we will discuss as situations continue. It is also important to mention that the Board of Education took action to increase the budgeted dollar amount for the Superintendent's salary for the FY '06 proposed fiscal year. We increased that salary level to \$150,000. The question was asked by members of this Board as to where the money was going to come from to do that, and we have responded to those requests and we understand those requests. We are looking for a compromise and we are looking to meet you half way. We still believe that the information that was provided to us by our consultant is fair and accurate in terms of what the appropriate salary level should be. We do recognize your concern. We are aggressively moving forward with the Superintendent search. We do believe that \$150,000 upper end salary level is the appropriate level, and we would ask you to reconsider that this evening – we would beg you to reconsider that this evening. We believe that it is the right thing and the best thing to do for the district to move forward. Thank you.

Joe Dionne, 8 Strawberry Bank

Good evening. I am the Public Library Director and member of the Nashua West Rotary Club and on behalf of them I say you are welcome.

In regard to R-05-208, we have a Budget Review Committee recommendation for final passage and we hope that you will do that this evening. This agreement carries with it no additional costs for the City of Nashua. The '05 funding is already in contingency for this year. The '06 funds will come directly out of the library's operating budget for '06. There is no additional cost associated with this contract; there is no city contingency money for it in '06. This is as you know the last of the earlier round of contracts. We are all anxious to move on to the next round, and to begin a serious discussion about important issues. I hope you will put this behind us tonight so we can move forward. Thank you.

Karen Beaver, 47 Lawton Road, Shirley, MA

Good evening. I am an employee of the Nashua Public Library. I would like to say that we provide a really important service at the library. Our circulation has increased between 2002 and 2004 by 50%. I work in the Music, Art & Media Department. We are very busy there and getting busier, and really short staffed not having had a staff increase. We are handling more and more circulation. I feel that I work very hard. My colleagues and I are very committed and knowledgeable. We provide really good and friendly service. It is a very valuable thing for this city. It is disconcerting to me to feel that our services are not really valued by this city in the way that our contract has been handled.

I do want to thank the Board members who have sponsored our contract and have supported

us. I really want to urge a positive vote on this tonight. I feel that the negotiations for this contract were done in good faith and following the guidelines that were presented to the negotiator. It seems unfair to me that the rules have been changed after the fact, after a contract was reached in good faith. I find that is really unfortunate. I really would urge a positive vote for this contract. Thank you.

Michael Vivelros, 32 Wason Avenue

Good evening. I would like to address the Board concerning R-05-224 – Approving the second amendment to the concession agreement between the City of Nashua and BKK. When I woke up this morning and I picked up the paper I was very angry. I brought some of the paper with me. Some of the things that came out at me that made me angry was when I hear at the urging of the Nashua Pride city leaders are considering tearing out the 60 year old bleachers. I am not going to stand before you tonight and tell you that I am here to defend bleachers. What I am here to tell you is that I am upset at the way that we do business. I am reading things in the paper like the Pride's company that insures the bleachers is concerned. They won't cover the bleachers because they do not meet the Consumer Product Safety Commission's Safety Guidelines according to a memo that was prepared by our Mayor to the Public Works.

The bleachers were installed in Holman in 1945 as a gift from the Knights of Columbus. An annual inspection by a structural engineer from our parks department found the bleachers in safe condition except for several wooden planks that needed to be repaired, which is normal maintenance. What alarmed me most was our Mayor who is also the Chairman of the Board of Public Works said the proposal was not met with any opposition from the Public Works Commissioners. Mayor Streeter said he would like to do anything he can to help the Pride market their team. After I read the column I got the real story. This is another deal. After I read it I found out the deal would freeze the average turnstile per game attendance requirements in the team's contract starting in 2008. The team would agree to lower the attendance requirement in the contract as a concession for the bleacher removal. If the average attendance is below the mark the team can exercise its options to leave the stadium without penalty.

Why do we put up a smoke screen? We are talking bleachers. The bottom line is we want to take the bleachers out to promote their business. This is what we are talking about. We are not talking about safety. We want to promote their business again. A year ago on April 1st I was before this Board. We put in \$4.5 million renovation at the stadium. Alderman McCarthy said to me it is for the youth of the city. No it wasn't. It was skyboxes. We lowered their rent 72%. That is not enough. Now they are before you asking to promote their business, tear down some bleachers so they can bring some business in. One of the biggest supporters of this team is Tom King from the Nashua Telegraph who just sat down with these people and asked them some serious questions about where they are going. What bothers me is we are going to any length to help this business. Did we do that for the casket company? Did we go all out to save the 200 jobs? Did we give them concessions and say hey look please say in the city? Why are we bending over backwards for this team? I just don't understand it. I look at some of the things – their interviews in the paper from their ownership group. The new ownership of the Nashua

Pride have chosen despite the presence of the Fischer Cats to dip their toes in the pool and test the water before diving in. They have been here for eight years. Dive in. What is going on here? Team officials including General Manager, Todd Marlin, have talked about building the infrastructure of the ball club first. Don't you think it should be built? What are we doing?

One of the things that – I thought the paper out from the Telegraph Monday and I thought it was a joke. There is a full-page ad from a guy that is running a business constipated, bloated, irritable bowels. A full-page ad trying to sell some herbal medicine. He is promoting his business. Where is the Pride's full-page ad? We can't do it for the team. They need to promote their business. You know what alarms me too when we have the Board of Education here tonight – they are going to go back and they are going to sit there and they are going to figure out what it is going to cost for every kid in this city to play sports not to mention the \$200 to park their car. They are going to go figure that out and we are going to give deals to the baseball team. You know what we should be doing we should be making them pay what they owe us. That is what we should be doing. We shouldn't be nitpicking and making concession deals. We should be sitting here charging them rent for our stadium and they pay it or get out. Former administration locked the doors. This is what we need to do. We can't sit here and hash over well if you sell 20 hot dogs we will get so much money and everything. Yeah it would be nice if they stayed, but you know what it is up to them to promote their business. They are not doing it. We need to look at that. I urge you step back, worry about the kids in the city, the budget – things of importance. The Nashua Pride aren't. They are a business. Thank you.

MOTION BY ALDERMAN ROOTOVICH THAT THE RULES BE SO FAR SUSPENDED AS TO ALLOW FOR AN ADDITIONAL 15 MINUTES FOR PUBLIC COMMENT

MOTION CARRIED

John Pilla, 51 Palisade Drive

I do not work at the library, but I am here on behalf of the library. I figured they may have a vested interest – obviously they want to get paid – it would be nice. We all would like to get paid. This contract has dragged out far too long. It does seem to me as a citizen who uses the library that it is a valuable service – why you have singled out one group – from all of the research I have done this afternoon I can find that it seems like their contract is even better than the previous 8 contracts. The health benefits are better. They are giving up this HMO or this other thing for the HMO health benefit. The other 8 contracts do not have that provision. They do. That will save money in the long run. It seems like you have really taken a target at this group, and I don't know why. They are probably the lowest paid in the city. They have been working for a year and a half without a contract, without any increases. It seems like you should be giving them recognition and applauding them not slapping them in the face. I urge you to vote and give them positive – the recognition they deserve. Thank you library people.

Phil Schappler, 97 Switer Road

I am the Assistant Principal at Birch Hill Elementary School in Nashua. I am here as a member of the Nashua Association of School Principals Negotiating Team. I would like to begin by clarifying some information that was given at the Finance Committee back on May 3, 2005. Chris Hagan of the Nashua School District reported the percentage increase for the two year Nashua Association of School Principals' proposal at 3.15% for '04/'05, and 3.13% for '05/'06. These percentages represent costing numbers she received from City Hall. Let me be clear, however, that union in a tentative agreement with the Nashua Board of Education had agreed with the Mayor's recent directive of a 3% increase. Therefore, I would like to reiterate that a 3% increase in each of the two years is what we had agreed to and what we had accepted. This decision did not come easily to our group as we have made a number of other concessions since July, 2004 when the Board of Aldermen rejected the first contract. The initial proposal included a three-year contract with increases of 4%, 3.7%, and 3.5%. It included a \$500 annuity, an increase of \$500 in the stipend for a Masters plus 30 employee, and the option of 2 sick days being bought back. At our second presentation to the Finance Committee, in October of 2004, the language regarding the \$500 annuity was deleted and the money was placed back in the salary pool thinking that the precedent of establishing an annuity was the only controversial issue and therefore all other language in the contract remained the same.

Understanding the difficult budgetary issues this city is facing concessions were made once again. At our third presentation before the Finance Committee both the money for the annuity and the annuity language were deleted. The sick day buy back language was deleted and the \$500 stipend language was removed. The length of the contract was changed from a three-year contract to a two-year contract, and percentage increase of 4%, 3.7%, and 3.5% were reduced to a 3% increase for two years.

This professional association represents a group of administrators that have assisted in the significant transition and reconfiguration of all of our schools during the past four years. They are looking forward to taking the facilities and support you have given us to provide our students an educational environment that will be second to none. To do this however we need quality administrators in place and Nashua is unfortunately losing some of them. Tim Kelley is leaving Nashua High School South not because of our contract difficulties, but because of personal reasons that have been well publicized. In doing this he has found that his skills and experience are marketable and appreciated in other towns as is evidenced by his new position in house that offers a comparable salary, greater benefits, and 2/3 fewer students to service. Anna Parell is leaving Sunset Heights Elementary School after being offered a position for more than a \$6,000 increase for a kindergarten through fourth grade building with approximately 100 fewer students than she currently services. Two Nashua High School Headmasters have decided to take positions in other districts without even considering the openings in Nashua. Our Assistant Superintendent Richard LaSalle an incredible educational leader is departing to a district willing to pay him considerably more. It is apparent that surrounding New Hampshire towns are willing to compensate their administrators leaving Nashua further behind in the area of School Principal salaries. If Nashua is unwilling to offer competitive salaries, we will continue to lose quality leaders that may impact the quality of our educational services.

In closing, I feel that the union has acted in good faith throughout negotiations attempting to fulfill the guidelines proposed by the Mayor's office. I ask you to strongly consider passing this contract and sending a message to the educational leaders of Nashua that we have your support. Thank you.

Linda Dougherty, 14 Courtland Street

I am a Nashua Public Library employee and I was a member of the negotiating committee. I want to speak regarding R-05-208. I would like to start by thanking all of those who signed on as endorsers. Thank you Mayor Bernard Streeter, Alderman Robert Shaw, Alderman-at-Large James Tollner, Alderman-at-Large Brian McCarthy, Alderman Lori Cardin, Alderman Richard LaRose, and Alderman Kathryn Vitale. I have sat in this room many times since November, 2004 and listened to supporters of this contract speak on its behalf. Some spoke eloquently about the value of the library to taxpayers. Other spoke efficiently presenting facts and figures to clarify the impact of the contract. Another spoke passionately and emotionally about the efforts of library staff and how their pay scale compared with other libraries and city departments. What else can I say to the members of the Board of Aldermen who remain unconvinced that this contract is fair and reasonable?

Last night as I was reviewing the minutes of the Aldermanic committee meetings and papers I had collected during this whole negotiating process, I came across an article by Andrew Nelson that was published in the Telegraph December 7, 2004 following the Board's rejection of the library contract. In that article, Nelson reported that the rejection left Library Trustee Chairman Arthur Barrett blindsided. Barrett said that the contract was available for review for weeks and no Alderman expressed problems about the health coverage, which was one of the main sticking points for the Board until the last minute. He also reported that Library Director Joe Dionne was surprised. Negotiations followed the guidelines set by the Human Resources Department, which was to limit pay increases to 3% and move employees to the cheaper HMO program. The negotiators for the union were taken aback by the Aldermen's actions viewing the contract largely as a concession to management's concerns. Our reactions were not unwarranted and Alderman Tollner's statement during the Finance Committee meeting on November 15, 2004 would seem to corroborate our comments. He stated "If I recall correctly when the library came to us some time ago and asked for some direction from this Board at that time I think we provided some suggestions as far as guidelines. I think they have delivered on what we asked from them on that time. That was a number of months ago. I think the 3% that they have come up with is pretty much what we asked them to work with. While the concept of moving new employees to HMO might look miniscule at this particular time, it is in the contract now. From the financial perspective of the city I think we will definitely benefit. I think a couple of other unions have adopted a similar clause for new employees to join one of the HMOs. I appreciate the work and I will support it." In fact, and in the fact finders report, the city has negotiated 8 other contracts that contain health insurance provisions. They are Public Works, Fire fighters, Police civilian employees, Police supervisors, Police patrolmen, Police communication, clerical and technical and professional. All 8 contracts provide that the city shall pay 85% of the premium for POS

plans, 95% for HMO plans, and contribute towards the indemnity plan the same dollar amount that it contributes towards the premium of the POS plan. Seven of the eight contracts contain no language restricting new hires to an HMO for the first year of their employment. Five of the b8 contracts do not contain language ending the indemnity plan.

To ask one small group of city employees to contribute more than the vast majority of the other city employees during the same time period is unfair. Further, how can negotiations continue if we can't trust the city to support its own guidelines? We have made numerous concessions to meet all of the needs and expectations of the City only to have the City reject them and ask for more. We are almost one year without a contract. Library employees have not had a pay increase since July 2003. The contract in front of you is a two-year contract beginning July 1, 2004 and ending June 30, 2006. Last year and this coming year. If the contract is passed here tonight it will be time to begin negotiations for the next contract. What I can say is let's pass this contract and let's move forward. Thank you.

Carol Eyeman, 26 Pinebrook Road

I am the Library's Outreach and Community Services Coordinator. After the Board of Aldermen voted down this contract several months ago, a neutral third party fact finding team was assigned to review the contract and the negotiations between the union and management. The report of the fact finders, which can be reviewed on line at www.naft.org/hph/htm stated that the negotiations followed the guidelines stipulated by the Board of Aldermen for raises and benefits and that the union made generous concessions to management. I ask you to follow the recommendations of the neutral third party fact finders.

Kim Shaw, 14 Sweet William Circle

I am here this evening to reiterate Mr. Dowd's comments regarding the Principal's contract and also some of the comments that Mr. Schappler so eloquently made. I would just like to add that Mr. Giuliano said to me that he has never seen moral among our administrators any lower than it is right now and due large part to the lack of a contract. We are losing administrators as you heard from Mr. Schappler. In fact I think you could say we are hemorrhaging administrators at this point in time, and it is getting to the point where I am very, very concerned about what we are going to be doing next fall.

I would also like to reiterate Mr. Cote's comments and humbly ask that the Board think about reconsidering the salary range for the new Superintendent. If we could get the salary up to \$150,000 I think that we would be able to attract reasonable candidates to run what is basically a \$100 million business and also be at the head of making sure that we take good care of the vast investment of \$140 millions for those two new high schools. I ask that we not be penny wise and pound-foolish. I realize that the city is in an economic crunch right now, but I think we all know that one of the keys to economic development and also one of the keys to maintaining people's property values, which for most of us is our largest investment that we will ever make, is to keep up the quality of services in the city. Whether that is the library or the fire and police

or DPW or the schools, we have to maintain those services so that we can attract businesses, keep this city vibrant, and employ people and attract people here, and also to protect people 's investments. I would just conclude by asking you very humbly if you might reconsider the Superintendent's salary and to please pass the principal's contract tonight. Thank you.

Fred Teeboom, 24 Cheyenne Drive

I have a question for the President. That resolution that just got introduced for \$3.5 million from '05, is that in addition to the \$6 million or \$7 million more that is being asked for to cover insurance costs for '06?

President McCarthy

I don't know. You will have to ask when it gets to committee.

Fred Teeboom

You don't know the answer? Can we ask the Mayor?

-
President McCarthy

It is not even on the agenda at the moment. The suspension hasn't been made. It will go to committee after this evening and there will be ample time to discuss it.

Fred Teeboom

Well on the assumption there for that \$3.5 million more will be asked for an addition to the \$6 million or \$7 million more that is going to be asked for in '06. You can see that the insurance costs are totally out of control. That brings me to the two resolutions; 208 and 209 that deal with collective bargaining contracts. If you look at the contracts you will find that Blue Cross/Blue Shield is one of the three options covered. The other two are POS option and HMO option. I don't know if anybody has done an analysis. Blue Cross/Blue Shield is the top of the line. It is

the most expensive. This City is self-insured. One of the things this Board ought to do is send both contracts back for further negotiation and eliminate from these contracts the Blue Cross/Blue Shield option. Maintain the HMO and POS option. I think you will see a significant reduction in these insurance costs.

I would also like to make a comment about R-05-226. Here is another \$110,000 being asked for to transfer – I believe that deals with the Pennichuck eminent domain. That \$110,000 is in addition to at one time it was \$100,000 for FY '06, which is now \$300,000 for FY '06. I think there was about \$700,000 already allocated in '05. This money keeps going. It keeps going. It is like a bottle of spit. I want to remind you that the PUC in responding to the Nashua attorney representing this case before the PUC, Nashua asked to have the Interrogatories reduced in scope and the PUC declined to do so. The reason for that was – data request they call it – they refused to do so because they particularly mentioned damages. The PUC wants to take a very close look at damages. That is in a memorandum sent out by the PUC just a week ago. If we want to save money drop that Pennichuck takeover attempt. It is a bottomless pit. It is endless. It is going to cost untold amounts of damage into the future, and you keep spending money on that now. Here is another \$100,000 you are spending. I would tell the Mayor forget it. Turn this down and tell him to stop it.

My final comment is on 05-228. I don't understand what is going on here. That bill is for the salary ranges for the administrators and the Superintendent. That was voted down in the last session. The only way that can be brought back is by a reconsideration vote, and that would have to be done tonight brought by a member that was on the prevailing side. There is no way to introduce new legislation dealing with the same subject. Mason's Rules, Rule 161 specifically addresses this question that any new business dealing with what was previous business or substantially – use of the word, Alderman Bolton is the sponsor of this legislation certainly knows this. It uses terms like substantially the same legislation cannot be brought before this body again. Therefore, I would like to understand..

Alderman Bolton

Point of Personal Privilege.

Fred Teeboom

Let me finish here. I would like to understand why this legislation is again brought before the body..

Alderman Bolton

Point of Personal Privilege.

President McCarthy

Let me recognize Alderman Bolton to address why the legislation is before us.

Alderman Bolton

The speaker has impugned my knowledge of the rules of the operation of this Board and I have a right under those rules to respond when that happens. In fact, the speaker is entirely wrong when he says that legislation having a similar title was rejected by this Board. In fact, it was not. It was fully amended in its title and body so it dealt just with the salary of the Superintendent and then it was passed as it was amended. This Board never took action on the salary ranges of the other unaffiliated employees in the School Department. This new legislation deals with a completely different schedule of those employees who were not dealt with in the other piece of legislation, which passed, and as such it is perfectly appropriate for introduction. ... **tape flipped** ...

Fred Teeboom

... Alderman Bolton. It says new proposal Board of Education says approved 5-9-05 3% added to the upper salary range so this legislation as far as I understand it has to be before this Board. Now the Superintendent's salary is missing, and I see this as a backdoor attempt to get the Superintendent's salary back into the picture by amending this legislation. Thank you.

Christopher Gosselin, Nashua School District

Good evening Mr. Streeter and Board of Aldermen. I am a proud Principal at Main Dunstable Elementary School, incoming Nashua Association of School Principals President. Tonight I just want to make a couple of personal observations. Several of my colleagues have stated tonight with regard to specifics with our contract the numbers that are out there and how we worked together as an association to try to come up with an equitable document for us to work through. Tonight I am going to talk a little bit about not so much the numbers, but the passion that we as

educators really need to have and do have as we stand before you as building leaders in our wonderful school district. As I look at the word principal and I again being an elementary principal I look at words quite often – the word principal has a history of being the principal educator in a building, establishment of education. We are principal educators in our book. We are charged with the overseeing of the education of Nashua's children, and I will repeat that Nashua's children. That is a big word. It is a big group of words for us. Not only on a daily basis do we make a difference in the children's daily lives, but we also believe that we make a difference in Nashua. This is passion that grows inside of us. This is passion that we communicate to our children everyday they come in the doors.

From our pre-schoolers that come in as young minds they are about to be molded into scholars to our graduation seniors that will be graduating in just a few weeks, we truly believe that we make a difference in their lives. Education is a very difficult profession. There are a lot of aspects that go into it, but I truly believe that passion, the passion for the love of children, the love of learning, the love of teaching is truly what governs our schools and truly what must govern our school principals, our teachers, any educator that works with children. In closing, it is this passion that drives me tonight to kind of speak a little bit impromptu to speak a little bit of history for us, but it is that passion that drives us to do what is right, what is just, and what is good. Again I want to thank you for this evening.

Jack Kelley, 12 Skyline Drive

I am a member of the Board of Education. I have only been on the Board of Education for a short year and a half, and I guess maybe because I am the short man on the list, after the contract was turned back by the Board here on the principals, it was decided I would be the sacrificial lamb that would go and meet with the principals since they wanted to find out what had happened. I found that after meeting with them on several occasions most of what they wanted to express was a lot of hurt and sorrow that they felt that they were completely not well thought of by the administrators of this city. They felt they had done an excellent job of turning this city into a new school system basically by changing our elementary, middle, and high schools. They have sat quietly and done their work, and believe me none of them work a 40 hour week – 60-70 is more likely if it is even that little. They just could not understand how the people on this Board could sit there and just turn their contract back and say forget it. I felt that sitting there and taking as I say anger and hurt I could sympathize with a lot of what they were saying, and had to deliver the message that was delivered to me from your Board to my own Board that it was going to be 3%, forget anything else that was in the contract, and we don't think you will get that passed because it seemed like at that point it was the library and the principal's association were going to take the heat for all of the anx that this Board had built up over the past year. I am sorry, but I truly believe that is what is happening.

I would like to go back on one other instance and talk about the library just for a second. This is a personal experience. When myself and Mrs. Melizzi-Golja were first elected to the School Board, the only organization in this city outside of my own members of the Board of Education

that came to me to ask me if there was anything they could do to help me were the people from the library – to ask me if there was any information they could bring to me, anything they could tell me to help me in the job that I was taking as a member of the Board of Education. They are a very underpaid, overworked staff. I believe that both of these organizations definitely need their contracts passed. Any changes that have to be made in our negotiation style fine we start with the next group of contracts, we start with the health insurance, and I think you will find that every administrator in this city director on down would be more than happy to work with out on that. Holding these two groups hostage here is not a very pleasant sight to see. Thank you.

Charlie Katsohis, 52 Tinker Road

I don't have a script for this evening, but I was born in Mesadonia, Greece, and when I was two years old my dad decided to come to Nashua, New Hampshire. I have been here ever since then. I say that because I probably are going to look around here and except for a couple of people I probably have been here the longest, and a lot of you people are brand new to Nashua so I have a lot of history about this City and a lot of respect for this city as well. I am hoping as much respect for our association as well for you people who are sitting in front of me this evening. I have worked one job all my life and that is as an educator in the City of Nashua. It will be a total of 38 years come this June. I should say August really.

As I look back, people ask me how many years do you have to go Charlie and I think that I have a few more good years and I want to I think probably beat a record of 40 years of some of my former colleagues as far as working in the City of Nashua. That is my game plan at least I hope for it to be. I want to be able to leave working for the City of Nashua and primarily for the school district of Nashua saying that I worked and helped many students for my entire career as an educator in the city that I was basically born in and love to be in. You heard from Board members and my colleagues as to why our association should get this raise. Phil Schappler said it well – you have a fact sheet that we presented to all of you through the mail I believe. Mr. Kelley said it extremely well. Thank you. I won't repeat what you said because I know they were listening to what you mentioned to them. I have spoken to three different school districts in the past couple of months myself just shopping as members have told you that many in the City of Nashua are doing right now regarding maybe the possibility of looking elsewhere. I don't want to do that. I think what I am going try to leave you with is two things this evening. In my 38 years in the City of Nashua and working for the school district, I have personally worked with I believe over 6 contracts in negotiating them with the School Board and not only with Mr. Giuliano who is the Superintendent right now, but the former Superintendent Dr. Massey and for those of you who have been around here long enough and remember Dr. Massey there was a guy I tell you you couldn't beat him he always beat us, but at the end each of our Superintendents that I worked for in addition to the School Board that we as administrators negotiated a contract with came up with a an agreement, a compromise, and we did have a contract to go by. The School Board has done that again for us, but why, why, why does this Board feel that they have to step over their bounds and feel that they have to also negotiate with us? We are not negotiating with the Board of Aldermen. We did what we had to do by the State Labor Board, and we came up with what we consider a good contract, well I shouldn't say a good contract, but we came up with

Nashua, NH 03064

MOTION BY ALDERMAN TOLLNER TO ACCEPT THE APPOINTMENTS BY THE MAYOR AS READ AND REFER THEM TO THE PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE
MOTION CARRIED

Alderman Deane

Mr. Katowis just informed me that Mrs. Hagen's name was on the list. It was overlooked, and she would like to speak.

President McCarthy

I am sorry. How did that happen? He is quite correct. My apologies.

Chris Hagen, School District

I am the Director of Human Resources, and I did sit on the negotiation team for the Principal's contract. Thank you for the opportunity to speak to you tonight. Very briefly, two issues that are near and dear to my heart. You have heard from numerous people behind me tonight regarding the different cost items where concessions were made. We did truly bargain in good faith. We did listen to you. When we came in with our first TA on the annuity issue – gone. The second TA we listened to you – no sick day buy back, no increase to the stipends. We are back here in good faith asking you to please approve this contract.

I also just want to briefly remind you that these are the very people that have made our schools successful. The successful opening of the second high school this year, the successful restructuring of the junior highs to the middle schools, the successful restructuring of our elementary schools to K-5. You notice I use the word successful because this has been a tremendous year for our district. The people around me and behind me are directly responsible for that. What we really are asking for is just compensation.

One quick point that I don't believe anybody mentioned is that in this particular contract, steps are frozen. There will be no step movements for any Assistant Principals or Principals. That means for some Principals and Assistants behind me there has been no step movement for almost three years. I just wanted to point that out.

The second issue that I would like to speak to briefly is R-05-228, and that is the proposed increase to the non-affiliated employees' wage ranges. By approving this legislation you are not approving a 3% increase for every non-affiliated person in the school district. What this is aimed to do is to give 12 staff members that did not get their full 3% increase in July 1, 2004 to give

them that increase. I wanted to make that clear. There are about 12 people. The cost is just over \$16,000. Again looking for fair compensation for these people that just like the Principals have not had an increase going back to July 1,2004. Thank you very much.

REPORTS OF COMMITTEE

Budget Review Committee..... 05/03/05

There being no objection, President McCarthy declared the report of the May 3, 2005 Budget Review Committee accepted and placed on file.

Committee on Infrastructure 05/11/05

MOTION BY ALDERMAN DION TO ACCEPT THE COMMITTEE ON INFRASTRUCTURE REPORT OF MAY 11, 2005, PLACE IT ON FILE, AND GRANT THE PETITION FOR STREET DISCONTINUANCE OF AN UNMARKED WAY OFF OF EDINBURGH DRIVE

MOTION CARRIED

IT Ad Hoc Committee..... 05/12/05

There being no objection, President McCarthy declared the report of the May 12, 2005 IT Ad Hoc Committee accepted and placed on file.

Personnel/Administrative Affairs Committee 05/12/05

There being no objection, President McCarthy declared the report of the May 12, 2005 Personnel/Administrative Affairs Committee accepted and placed on file.

Planning & Economic Development Committee..... 05/03/05

There being no objection, President McCarthy declared the report of the May 3, 2005 Planning & Economic Development Committee accepted and placed on file.

CONFIRMATION OF MAYOR'S APPOINTMENTS

TIF Advisory Board

MOTION BY ALDERMAN PLAMONDON TO CONFIRM BY VOICE VOTE THE APPOINTMENT OF THOMAS CORBETT, TWO COURT STREET, NASHUA, TO THE TIF ADVISORY BOARD FOR A TERM TO EXPIRE ONE YEAR FROM THE DATE OF CONFIRMATION

MOTION CARRIED

President McCarthy declared Thomas Corbett duly appointed to the TIF Advisory Board for a term to expire May 24, 2006.

Oath of Office administered by Corporation Counsel.

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

R-04-126

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

PROPOSING AN AMENDMENT TO THE CITY CHARTER RELATIVE TO FILLING VACANCIES IN ELECTED BOARDS BY APPOINTMENT OF THE PERSON WHO RECEIVED THE MOST VOTES FOR THE OFFICE AT THE PREVIOUS ELECTION WITHOUT BEING ELECTED

R-05-208

Endorsers: Mayor Bernard A. Streeter
Alderman Robert Shaw
Alderman-at-Large James R. Tollner
Alderman-at-Large Brian S. McCarthy
Alderman Lori Cardin
Alderman Richard LaRose
Alderman Kathryn D. Vitale

**APPROVING THE COST ITEMS OF A COLLECTIVE BARGAINING AGREEMENT
BETWEEN THE BOARD OF TRUSTEES OF THE NASHUA PUBLIC LIBRARY AND
THE NASHUA PUBLIC LIBRARY EMPLOYEES, LOCAL #4831, AFT, FPE, AFL-CIO,
THROUGH JUNE 30, 2006**

Given its second reading;

MOTION BY ALDERMAN VITALE FOR FINAL PASSAGE OF R-05-208

ON THE QUESTION

-
Alderman Dion

The Mayor put his name to this Resolution along with the one for the school Principals, but yet in his second amendment to the city budget he has put a freeze on non-merit employees for a cost savings of X amount of dollars – I don't have the figure in front of me. What I can't understand is how can you put a freeze on wages on non-merit employees and grant raises for organized union people. It just doesn't make sense. Either you are one way or the other. Therefore Mr. Chairman seeing that we are in a budget crisis and that we have this non-merit employee freeze on wages, and due to the fact that the insurance situation hasn't been solved yet and we are looking for that in the contracts, and to increase wages at this time during this budget crisis I think is not the proper thing to do. Therefore Mr. Chairman I cannot vote. Although I know the people involved should have a raise, but due to the circumstances that the city is facing I cannot vote for this contract.

Alderman Tollner

I am an endorser of this particular piece of legislation. At the time that I was an endorser of this legislation I should say since that time a number of things have changed in the city. Let me state that some of the comments that were made earlier this evening are comments that I still support and agree with. I think this contract is a fair and a good one. I think the services that the employees at the library provide for the citizens are very good and they provide a very valuable service for the public. They along with the Principal's are I guess you could say stuck in the last round of contracts. Sometimes it is good to be in the first round of the contracts and sometimes it is not a good position to be in the first round of contracts. The same goes with the last round of contracts. This contract deals with some of the things that we were looking for as far as concessions with the health insurance. I agree with some of the union members and what they stated tonight that they have followed what has been asked of them and what the city was looking for. They asked us to be fair minded and reasonable in making our decisions.

My issue with this contract is not that I think the contract isn't fair. It is a fair contract. My concern with this contract goes back to the comments that Alderman Dion just made. Although we have not approved the budget yet, but the submission by the Mayor in his budget stated that the merit employees of the City of Nashua and there are a fair number of them and they are equally as hard working and diligent as the people we are talking about tonight – as of this particular point in time they are scheduled not to get a raise in FY '06. I called every single member of the library Board of Trustees yesterday. The only person I was not able to reach was Mr. Pinsonneault. I explained my position as far as the way the contract is structured right now being a two-year arrangement. Given what is going on right now with the city and our position presently on the merit employees not getting a raise, I couldn't support the contract. I explained my reasons to each and every trustee. I think at the end of the conversation almost to a person while I would say that they were disappointed I think they understood the position that I was taking.

It is easy to say we will pass this contract because it is the last one, but a month from now or two months from now we will be presented with another contract from the union where we would not have a handle on what those salary increases are, and I think it is very fair of them to say and they probably would, well you gave the library union a raise in FY '06 why are you not interested in providing an increase to us. I think that we need to be consistent and fair with everybody. If this library contract contained a one-year agreement where we were providing them the raises that they deserve for FY '05 I would be able to approve it in a heartbeat, in a second. Given the fact that we are dealing with FY '06 and we have at this present time some changes, and I can change our opinion, that other people are not getting one I don't know how we can say to the merit employees you are not going to be able to have a salary increase in FY '06, but to another group where we have the contract in front of us at this present time, you can get an increase.

I understand that there are other contracts that we have approved two years ago, three years ago, a year ago, but we approved those contracts with different information in front of us than we presently have here today. The information that we have here today is quite different than the information we had a couple of years ago. I won't be supporting this contract this evening. It doesn't mean that I don't think it is a good one, but given the fact that we are talking about FY '06 I am not comfortable approving the second year of the contract. Thank you.

Alderman LaRose

Mr. President I believe that we should pass this contract. This is really an old contract that was not approved. If we want to talk about fairness it would seem to me that the previous contracts that were approved are in the same category as this contract. This contract should be approved. The money is there. It is not increasing the budget. As was stated everybody says that these people deserve the contract, etc., yet we seem to be reluctant. I understand that we have a budget crunch that a proposal has been made that merit employees will not get a raise in the '06/'07 budget, but that is part of the negotiation that we will be doing when we finally get into the budget. I believe that in fairness to these people they should receive their raise that was due to them over a year ago. Thank you.

Alderman Vitale

I also will be supporting this contract. Libraries are strong indicators of the health of the community. The employees of the library are an integral part of that health. I think that they have brought forward a fair contract. As Alderman LaRose indicated it is within the budget. I believe they have indicated that they acknowledged the healthcare portion of it. The contract is already a year into it. We have another year left. We can further address other healthcare concerns as we move forward. I will support this contract. Thank you.

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

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

7

Nay: Alderman Tollner, Alderman Deane, Alderman Dion, Alderman Rootovich,
Alderman Johnson

5

MOTION CARRIED

Alderman Bolton Abstained

Resolution R-05-208 declared duly adopted.

R-05-209

Endorsers: Mayor Bernard A. Streeter
Alderman-at-Large Steven A. Bolton

**APPROVING THE COST ITEMS OF A COLLECTIVE BARGAINING AGREEMENT
BETWEEN THE NASHUA BOARD OF EDUCATION AND THE NASHUA ASSOCIATION
OF SCHOOL PRINCIPALS THROUGH JUNE 30, 2006**

Given its second reading;

President McCarthy

The recommendation from the committee was that of indefinite postponement. Is there anyone who would like to make that motion?

MOTION BY ALDERMAN DEANE FOR INDEFINITE POSTPONEMENT OF R-05-209

ON THE QUESTION

Alderman Bolton

Being the Chair of that committee I normally make the motions in accordance with the committee's recommendations. In this occasion, I could not in good conscience do that. I think much of what we heard during the public comment period screams at us that we should treat these important people fairly. We give them an extremely important obligation in entrusting our children to them. By and large they have met those expectations and fulfilled the duties with which they have been entrusted. Much of what was said with regard to the last piece of legislation is equally true with this group. We are at the end of a cycle. It is time to treat this group with the same fairness and evenhandedness that other larger, more politically – those with a greater political cloud have been able to command our attention. Though they are small in numbers the role that these people have is as I said very important. It is of enormous concern that we lose good people in these positions because of the way they are paid, but also because of the way they are treated.

I was particularly embarrassed at the Budget Committee when this recommendation for indefinite postponement was made that there was not anyone who could even articulate the reason why they would vote to do this to them. I think decency commands that if we have to disappoint people that we have entrusted in the way we have entrusted these people we owe them a reasonable explanation. The only thing I have heard that possibly accounts for the treatment of this legislation in committee was that the percentages quoted were slightly over 3%, but in fact at the bargaining table 3% was the figure used. I can only attribute the difference to the sort of round off error you get when you individually apply a percentage to various items and then later you go and add it up and you find out there have been differentials small to one side or the other side of that figure. That is essentially what we have so instead of a 3% increase it is 3.16% or 3.17% or something like that. That in the big picture is inconsequential. What is very consequential is how we treat people for whom we should have more respect and regard. Thank you.

Alderman Vitale

We received a fact sheet that I made sure was distributed to each of you, and every question that I heard people ask or had concerns about regarding this contract I believe was answered within that fact sheet. Any concerns that I heard raised I thought this fact sheet answered those as to what the concerns seemed to be. I will not vote to indefinitely postpone this. I believe that we should vote for this contract. I believe it is extremely reasonable contract. I have been in every school in this district; I have watched the principals in action. I will say that they work more hours in a week than most of us do. They know their students' names. I believe again as somebody that has moved many times, there is more than one way to show what a community stands for. In this case, education is the primary thing that people that look at a community they really look at this. They look at how you treat your schools, how you support your schools. How the employees are treated, what the students say when they leave the school. Principals are an important part of that and they shape a city. They shape our students. The contract is a reasonable contract. It is a two-year contract. Again just like the libraries contract we will have the ability to address our healthcare concerns, which everybody in this city at this point knows is an issue. I believe that the next round for this contract we can address the healthcare. We can address it on the next one. I believe that when they went into negotiations on this that they have come and met us half way – more than half way. I will not vote to indefinitely postpone this.

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

Yea: Alderman Gage, Alderman MacLaughlin, Alderman Deane, Alderman Plamondon,
Alderman Lozeau, Alderman Dion, Alderman Rootovich, Alderman Johnson

8

Nay: Alderman Tollner, Alderman Vitale, Alderman LaRose, Alderman Bolton,
Alderman McCarthy

MOTION CARRIED

Resolution R-05-209 declared indefinitely postponed.

UNFINISHED BUSINESS – ORDINANCES

O-05-72

Endorser: Alderman David MacLaughlin

PROHIBITING UNLAWFUL GAMBLING

Given its second reading;

MOTION BY ALDERMAN MACLAUGHLIN FOR INDEFINITE POSTPONEMENT OF O-05-72

ON THE QUESTION

Alderman MacLaughlin

The reason I offer this recommendation is that it is clear to me at the moment that the type of gambling I was trying to aim at is currently considered illegal by the State, and therefore protected against such by State Statute. I was further concerned that earlier in the legislative session there might be an effort by the Legislature to legalize certain forms of gambling and while I still feel that could be an outcome of the legislative session at some point perhaps in the next term. I don't feel it is going to happen this term. I see it at the moment as a duplicate layer of law that at this time is unnecessary. However, if in fact it does become clear that the intent of the Legislature is to do such a thing I will make every effort to reintroduce this type of motion. Thank you.

MOTION CARRIED

Ordinance O-05-72 declared indefinitely postponed.

-

O-05-84

Endorser: Alderman Kathryn D. Vitale

ESTABLISHING A 25 M.P.H. SPEED LIMIT ON BELFAST STREET, BOXWOOD COURT, BUTTERNUT DRIVE, CARDINAL CIRCLE, CATHEDRAL CIRCLE, CHRISTIAN DRIVE, CIDER LANE, FROST DRIVE, HAMPTON DRIVE, HEMLOCK COURT, POPE CIRCLE, RESURRECTION CIRCLE AND SUNSHINE COURT

Given its second reading;

MOTION BY ALDERMAN VITALE TO AMEND O-05-84 IN ITS ENTIRETY BY REPLACING IT WITH THE GOLDEN ROD COPY PROVIDED WITH THE AGENDA

ON THE QUESTION

Alderman MacLaughlin

Very technical thing, but the word street is singular in the amended copy. Perhaps we should make it plural.

President McCarthy

Can you read it in context?

Alderman MacLaughlin

I am sorry yes – my apologies. The sentence in Section 13-121 Speed Limit Signs, Subsection and so forth “as amended be and is hereby further amended by adding the following street to the 25 m.p.h. list in the appropriate alphabetical order.”

President McCarthy

What I suggest is that we take the amendment to the golden rod copy first and then make the change from “street” to “streets”.

Alderman Vitale

We changed this because this is a whole neighborhood, but most of it is cul-de-sacs. What we did is to reduce the cost we are just doing the main streets. Most people will not get above 25 coming out of a cul-de-sac anyhow. Even though we do believe that hopefully everybody will know that it is meant for the whole neighborhood.

Alderman Plamondon

On the golden rod amendment, I think I was the lone opponent to supporting this in committee. The reason was that there was no traffic counts done, there was no speed – proof of speeding vehicles done, and in the past this pretty much has been the norm. Based on that I did not

support it in committee, and on that basis I will not support it at the full Board.

Alderman Dion

To answer why the word street hasn't got an S on it is because, Alderman Vitale I believe will probably support this, is that one of these streets was not on the original ordinance. This is a street that was added. I think it was Parish Hill Drive that was not on the original proposal so that is why the word street is singular not plural.

Alderman Johnson

Thank you. May I ask a question of Alderman Vitale through the Chair please?

President McCarthy

Certainly.

Alderman Johnson

Thank you. Could you just refresh my memory – was all your constituents in that area in agreement of this speed limit to be changed?

Alderman Vitale

Yes, and I had received many calls from the area about speeding within the area. Coburn Avenue runs next to it – if you come up Coburn in the morning in particular and there is a backup students and others will cut through the neighborhoods to try to get down to Broad Street and then make a left and then go into the school property. It is strictly at those times, but not always. I am having phone calls of almost anytime of speeding, which I think is becoming epidemic within the city if I hear different Aldermen speak at any time. We have mentioned about going to yourself as a Legislator to ask the State to lower the 30 m.p.h. throughout the city to a 25 m.p.h. so we can take care of our neighborhoods that maybe need to see reduced speed and then leave our main arteries at 30 m.p.h. The cost to the city would be less expensive than changing all of our local neighborhoods to 25 m.p.h., which requires a sign on every single street that is changed.

MOTION CARRIED

MOTION BY ALDERMAN MACLAUGHLIN TO FURTHER AMEND O-05-84 BY CHANGING THE WORD “STREET” TO “STREETS”

ON THE QUESTION

Alderman Dion

If we take a second here and look at the ordinance that is before us, not the amendment, but the ordinance – 05-84 – if you look at the names listed there you will see that Parish Hill Drive is not on there that is why the word street is street not streets.

President McCarthy

But the ordinance now anticipates adding multiple streets to the list in the ordinance.

Alderman Dion

One.

President McCarthy

No.

Alderman Vitale

If you look it does say it is further amended by adding the following streets. That is because Parish Hill was added.

Alderman Plamondon

I think maybe why it is singular is in the NROs and by State law each street has to be itemized individually in the NROs. I think the heading in the NROs looks at it street by street thereby the reason currently by state RSA we can't go in and say the entire city or an entire block ...

President McCarthy

It is not it is the language that refers to adding those streets to the appropriate ordinance. I don't know whether it is street or streets at the moment. I don't have the text in front of me.

Alderman Bolton

I think it ought to be streets. We do have salvation no matter what we do because our general statutory interpretation as set forth early in the codification of our ordinances provides that the singular includes the plural when the context so requires. Whatever you want let's just pass it.

President McCarthy

Thank you Alderman Bolton.

MOTION FAILED

MOTION BY ALDERMAN VITALE FOR FINAL PASSAGE OF O-05-84 AS AMENDED

MOTION CARRIED

Ordinance O-05-84 declared duly adopted as amended.

O-05-88

Endorser: Alderman-at-Large Steven A. Bolton
Alderman Marc W. Plamondon

Alderman Lori Cardin

Alderman Rob Shaw

**AMENDING THE BOARD OF ALDERMEN'S RULES RELATED TO MOTIONS
TO MOVE THE QUESTION**

Given its second reading;

MOTION BY ALDERMAN ROOTOVICH FOR INDEFINITE POSTPONEMENT OF O-05-88

ON THE QUESTION

Alderman Bolton

Thank you Mr. President. I think this legislation is needed. I am sorry that it is needed. I wish it were not needed. Previously I have attempted through suggestions and reminders and recommendations to persuade informally the members of this Board that we ought to have enough respect for one another that each of us get the opportunity to speak to any piece of legislation to which we desire to speak. Regrettably more and more often that courtesy that I think we owe to one another is not recognized. At a recent special meeting of this Board when I wasn't even in attendance, but I was able to view the recording of, I saw an absolute travesty of the use of the motion to call the question when what had been under discussion was not even the substance of the question itself that was before the Board, but whether other people would be allowed to speak – the Acting Mayor at the time and persons the one notable one being Alderman Shaw who wished to address the substance of the legislation was denied the opportunity to do so by the use of the motion to call the question.

As we saw earlier this evening during the public comment period we try to hold ourselves out as being willing to listen to the opinion of others and to be open minded enough to believe that we might be convinced when people make persuasive arguments. While I have still agreement with doing that with regard to public comment period and I have had the occasion to be convinced by members of the public who speak during the public comment period as to how I should cast my vote on a particular piece of legislation, I believe that respect for the opinions of others is even

more important with regard to members of this Board who in fact speak not only for themselves but for the citizens of this city who have elected them and entrusted them to do their duty here and bring their energy and their intellect to bear on the important issues we face. I have more often been convinced by the well-reasoned input from colleagues on this Board and our entire process of representative democracy suffers if we are unwilling to listen to one another.

During the end of that special meeting of a few weeks ago, when Alderman Shaw indicated his disappointment in not being able to speak he was told in a loud and hostile manner by another member you better develop a thick skin. That indication that this is a tactic that is accepted, desired, and presumably will be repeated is what I introduced this piece of legislation to curtail. As I started with I believe it is necessary, I am very disappointed that it is necessary. Thank you.

Alderman Rootovich

Thank you Mr. President. I first find it very ironic that the speaker before me chooses to point out of an indiscretion that I used in my selected verbiage during that time, but never seems to include himself in the many instances of improper decorum and verbiage towards other members of the Board including the Administration. I apologized for my verbiage and I apologize again to the Board and to that particular member which I used that uncalled for verbiage. I don't think that any of us on this Board, and I think I speak for everybody here, disrespects anybody, I think we all respect ones opinions, but I want to point out that not one individual shut off that speaker. That was a vote, a majority vote just like we vote on everything else on the Board, it is a majority vote. If the Board at that time felt that Alderman Shaw or any individual wished to speak they could have voted in the negative and they didn't. That particular motion is in our parliamentary rules for various reasons. It gives any one of us an opportunity where one or more of us might feel that the debate may have become very repetitious. The debate many times during the discussion in this room has gone off track, completely off track, and we don't even discuss the legislation before us.

I learned one thing from it that I am going to be very careful before I ever use that again, and I think the rest of us have learned that lesson, but I don't think that the way you change it is take that rule away from the Board. The majority of this Board rules. It rules on everything. I think it should continue to be that way. I guess parallel to that if some of us are not happy there are other motions that are non-debatable – I guess the motion to adjourn we should also take out because some of us may have other comments we want to give and we should allow to go

around the room several times. Again because of one indiscretion made by myself, which I apologize I don't think the rules should be changed. I think it is a tool that is there and a tool that on a very rare occasion needs to be used. Again to penalize the Board or take it away from this Board is not the right thing to do. Thank you.

Alderman Tollner

I don't think this legislation is necessary. I think it falls into the category of knee-jerk because it takes a majority of this Board to actually move the question. It takes one member to pose it, but it takes the majority of this Board of Aldermen to move the question. I don't think that the Personnel/Administrative Affairs Committee thought that was in order as well. I think with the exception of the endorser I think it was a consensus that while that one meeting was a difficult meeting we should not be submitting legislation and voting on legislation based upon a meeting that happened to be a little heated. It has been a part of our rules and regulations that we have gone by for years and we shouldn't wily nilly go around changing that. A number of people that night did have an opportunity to speak. Some people chose to speak later. There was a motion made just like any other motion and if the majority of the Board that particular evening was uncomfortable with moving the question they could have voted against the motion and we would have proceeded with our business. I myself voted against that particular motion, but again I think this legislation is unnecessary.

... tape ended ...

MOTION BY ALDERMAN PLAMONDON TO MOVE THE QUESTION

Division Taken

MOTION FAILED

Alderman LaRose

The truth is I am probably the one that precipitated all of this brouhaha when I questioned if the Acting Mayor should be speaking on his veto of the legislation that was in front of us. What I saw sitting on this side of the isle was three hands went up simultaneously. The presiding officer had he started at the other end and gone down that motion would have been the last motion, however, the presiding officer chose to go to the nearest person to him, which happened to be Alderman Rootovich, and he made a legitimate motion. It so happened that it passed. I don't think that we should change the rules. I think the rules work. It was an unfortunate incident, but those are apt to happen. It almost happened again this time. Alderman Plamondon decided that we had discussed this enough, and he made a motion to move the question. It so happened that the majority decided that they would allow somebody else to speak and it happened to be me. Thank you Mr. President.

President McCarthy

Is there any further discussion? The motion is for indefinite postponement of O-05-88.

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

Yea: Alderman Tollner, Alderman Vitale, Alderman LaRose, Alderman Gage,
Alderman MacLaughlin, Alderman Deane, Alderman Plamondon, Alderman Lozeau,
Alderman Dion, Alderman Rootovich, Alderman Johnson

11

Nay: Alderman Bolton, Alderman McCarthy

2

MOTION CARRIED

Ordinance O-05-88 declared indefinitely postponed.

O-05-89

Endorsers: Alderman Robert A. Dion
Alderman-at-Large David W. Deane

**CREATING NO PARKING ZONES BETWEEN 7 A.M. AND 10 A.M., MONDAY
THROUGH FRIDAY WHILE SCHOOL IS IN SESSION, ON FAIRLANE AVENUE,
FOREST PARK DRIVE, AND WILDWOOD LANE**

Given its second reading;

MOTION BY ALDERMAN DION FOR FINAL PASSAGE OF O-05-89

MOTION CARRIED

Ordinance O-05-89 declared duly adopted.

NEW BUSINESS - RESOLUTIONS

R-05-221

Endorser: Alderman Kevin E. Gage
**DESIGNATING CITY-OWNED LAND ON SHATTUCK STREET, IDENTIFIED AS TAX
LOTS 44-89 AND 44-90, AS A PUBLIC PARK**

Given its first reading; assigned to the COMMITTEE ON INFRASTRUCTURE and the BOARD OF PUBLIC WORKS by President McCarthy

R-05-222

Endorsers: Mayor Bernard A. Streeter
Alderman-at-Large Brian S. McCarthy
Alderman-at-Large Paula I. Johnson
Alderman-at-Large David Rootovich

**DETERMINING THAT REVISION OF THE CITY CHARTER IS NECESSARY AND
PROPOSING THE ESTABLISHMENT OF A CHARTER COMMISSION**

Given its first reading; assigned to the PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE
by President McCarthy

R-05-223

Endorsers: Mayor Bernard A. Streeter
Alderman Lori Cardin
Alderman-at-Large James R. Tollner
Alderman Marc W. Plamondon

**RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF THE SUM OF \$2,250
FROM THE NEW HAMPSHIRE CHARITABLE FOUNDATION INTO SPECIAL REVENUE
ACCOUNT #371-7028 "LIVABLE, WALKABLE COMMUNITIES PROGRAM"**

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

R-05-224

Endorsers: Mayor Bernard A. Streeter

**APPROVING THE "SECOND AMENDMENT TO CONCESSION AGREEMENT"
BETWEEN THE CITY OF NASHUA AND BKK NASHUA, LLC**

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

R-05-226

Endorsers: Mayor Bernard A. Streeter
Alderman-at-Large Brian S. McCarthy

**RELATIVE TO THE TRANSFER OF \$110,000 FROM ACCOUNT #591-86005
"GENERAL CONTINGENCY" INTO ACCOUNT #69907 "WATER SUPPLY
ACQUISITION"**

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

R-05-227

Endorsers: Mayor Bernard A. Streeter
Alderman-at-Large David W. Deane
Alderman Marc W. Plamondon
Alderman Kevin E. Gage
Alderman Robert A. Dion
Alderman-at-Large David Rootovich

RELATIVE TO THE APPROPRIATION OF \$8,559 INTO ACCOUNT #555-68070,

**TRAFFIC DEPARTMENT, "TRUCKS, PICK-UP" TO BE FUNDED BY THE
TRANSFER OF THE SUM OF \$8,559 INTO SAID ACCOUNT FROM ACCOUNT
#591-86005 "CONTINGENCY – GENERAL"**

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

R-05-228

Endorser: Alderman-at-Large Steven A. Bolton

**APPROVING AN ADJUSTMENT TO THE UPPER ENDS OF SALARY RANGES
FOR NON-AFFILIATED PERSONNEL OF THE NASHUA SCHOOL DISTRICT**

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

**MOTION BY ALDERMAN BOLTON THAT THE RULES BE SO FAR SUSPENDED AS TO
ALLOW FOR THE FIRST READING OF A RESOLUTION RECEIVED AFTER THE AGENDA
WAS PREPARED
MOTION CARRIED**

R-05-229

Endorser: Mayor Bernard A. Streeter

**RELATIVE TO THE APPROPRIATION OF \$3,500,000 FROM EXCESS/UNANTICIPATED
REVENUES/UNEXPENDED APPROPRIATIONS INTO ACCOUNT #508-83995
"INSURANCE POLICY COSTS – BENEFITS"**

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

NEW BUSINESS – ORDINANCES – None

PERIOD FOR PUBLIC COMMENT

Dot Nice, 8 Maywood Drive

As you know in the Chamber I passed all the properties around to everyone. I had put 8 hours in for the VFW American Legion. These properties belong to the American Legion. I am now wearing one for the VFW, which I will wear on Monday. I hope I see a lot of you people there in the parade on Monday. It is the same and the money that we have collected is going to the families of the children that their husbands are still in the service for this war. Thank you. I wish you all good luck. By the way everybody in the Chamber read the sign on the door.

Bob Burgess, 32 Bates Drive

Last week the town of Tyngsboro voted on a thing to enter into a Municipal Agreement with Nashua to reserve future flow along the Middlesex corridor. This is with our sewer system. I would be curious I think the taxpayers should know just what kind of deals are being negotiated

with surrounding towns and are they for our benefit or what – what will be the costs.

At the public hearing a few weeks ago I asked the Police Chief in reference to outside details is that money put into their retirement system at the expense of the taxpayers. I found out this week the outside details for the police department last year was \$850,987.84. I would just be curious down the road how much this will affect how much the city is paying into these retirement systems for these police officers. Looking into their contract I don't see nothing in there that deals with outside details. These gentlemen are making about \$35 an hour for outside details for work at probably a good expense to the taxpayer in their retirement system.

On June 30, 2003 I sent a letter to the Board of Aldermen requesting removal of a three way stop sign at Gerard Avenue and Tolles Street – almost two years ago. Last week I got the traffic count for this intersection – 1,305 cars going down Tolles Street, 9 cars coming out of Gerard Avenue. For years now, I think it is 3 or 4 years I could go back and I said you didn't need a traffic engineer to see this count. I don't know how we can go about getting this stop sign removed on Tolles Street. I think if there is a stop sign it should be on Gerard Avenue. Tolles Street is a through street. The State Statute says you can't use stop signs to control speed. Mr. Bibbo the traffic manager that was on at the time said he was out at numerous times checking this intersection. I don't know who we were paying for somebody that couldn't have been surely taking a traffic count on this intersection. I hope in the near future we can get this sign removed off Tolles Street. This is just one of the many.

We have been told that they go by – we make the law in here, but I think if we look at the regulations they come out of the Federal Government and we are taking highway funds. I am going to attempt to find out if we have to go by these regulations. This is referring to Manual of Uniform Traffic Control put out by the Department of Transportation – the Federal Government. This week here we had a bad accident at Hills Ferry Road and Concord Street once again – another one. We were up there I think it was last year or the year before money was put into a special account and it still sits there. I think it is \$41,000. I hope we can get some action here on this thing. Like I say it is just a matter of time. Thank you.

Rick Dowd, 74 Lochmere Lane

Two items – one is the Principals contract. I am very disappointed at the message we sent to the principals as they left here today. I would like to ask the Board President or the Chairman of the Budget Committee if they could possibly at our joint meeting, give us some direction as to where you want us to go. They have come back here three times, and with the line in the sand changing. I think we are at a loss as to exactly what we are trying to do with this particular contract.

The other thing is Mr. Cote asked for possible reconsideration of the Superintendent's salary. I just wanted to again point that out and see if that could be brought up this meeting so that a compromise position could be worked out. Thank you.

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman Tollner

I got a call from a gentleman a couple of days ago, maybe to the Chair or the Chairman of Infrastructure can refresh my memory. He called – his street runs into St. Francis. It is over in Ward 3 where apparently we had passed some legislation with no parking on the whole side of the street.

President McCarthy

That was Mr. Durant who apparently is not here for the public comment period but had signed up. It is Whitney Street that he was referring to.

Alderman Tollner

Yeah that wasn't the gentleman that I spoke with, but this gentleman lives at 3 Whitney is that it? I told him I would speak with the Chairman of Infrastructure, but he said he was not notified that there was going to be no parking on that whole street prior to the legislation being passed.

I wanted to talk a little bit about the budget for a second. I think we all got Alderman Bolton's e-mail this afternoon. I appreciate the memo. However, I think the schedule that was laid out in front of us is not aggressive enough. I think it takes us from pretty much for the most part right now all the way through the end of June. In my opinion, and I have spoken to a couple of department heads, is I don't think we need to bring in every department to go through another full round of presentations. I would ask the committee and the Board to consider possibly setting something up where there is probably roughly about a half hour update from each department with highlights on the affects of a level budget and a further reduction of 2% what that would have on their department because I do think with July 1st coming very quickly, the beginning of a new fiscal year, I am not sure if we want to attack the budget and gain anything we have another month time to spend going through in great detail every single department.

We approved the contract tonight and I guess what we really do need to decide is we have a couple more contracts that probably come before us is do we want to be equitable with the union contracts that come as well as the merit employees. Again while we have not decided yet formally whether the merit employees would get raises, right now on the table is that the merit employees will not get a raise. I have approved most of those contracts over the years and tonight was an example of one coming before us, and while I was not formally in favor of not approving that contract I know we had to because of the 30-day window. If we had the flexibility I would like to have held that contract at the full Board level and go through the budget process to see where we are before we vote on contracts. I think that is a decision this Board needs to make on how we are going to treat union employees as well as merit employees. My feeling is that we should treat them equitably.

A number of times tonight there were comments during the formal meeting where the audience applauded and I thought that in years past from the Chair I think comments were made for the audience not to clap. After different speakers got up to talk – it is irrelevant what their opinion was, but I thought in the past that we were not comfortable with that or we did not allow that. Maybe when the Chairman comments he can provide comments as far as whether that is a practice we are going to continue or that was just for this evening. Thank you.

Alderman Vitale

I wanted to thank the Pride management for coming before us this evening. One of the things that was mentioned to me as Attorney Bennett was leaving the room he wanted to let us know that Curtis Pride was called up to Anaheim Angels and I am sure many of you have watched him play at our field, and we do lead the league in having the players called up. It is a pretty exciting thing.

I was disappointed tonight that the Principal's contract didn't pass. I know everybody has their own reasons for that and I respect that. I am curious to see what we give them as to where do they go from here on that. Thank you.

Alderman LaRose

Thank you Mr. President. Last Sunday Alderman MacLaughlin and myself were privileged to partake in the Riverwalk that was sponsored by the Community Development Director, Mrs. Hersh. They had a nice little crowd really. Usually what happens is most of those people you don't know and you start walking and you start talking to this and that individual. It so happened that I was talking to a gentleman from Holden, MA. We started talking about water and he talked about how privileged we are in New England to have the lakes, rivers, etc., that there are a lot of places in the world that lacked water. Then he mentioned that in Holden there are 3 ponds for their drinking water and some time ago the rights to two of the ponds were sold to Worcester, MA, which left one pond for the citizens of Holden. As time passed now the citizens of Holden have to buy water from Worcester because their one pond cannot supply their needs. He said something that really struck home. He said to me do not ever sell your grandchildren's water rights away. It seems to me that is what we are trying to do in the City of Nashua. We are trying to protect our grandchildren's water rights by purchasing Pennichuck. Thank you.

Alderman Gage

Thank you. To respond to a couple of things this evening. The Hills Ferry and Concord Street traffic plan has taken shape very quickly and should be coming forward very shortly to allay some of the issues that we have had during the last few years.

Regarding Whitney Street, I had spoken to several residents on that street when I first brought that forward including a resident on 3 Whitney Street early on in the process. I also put a Letter to the Editor in the Telegraph plus the Infrastructure Committee meeting at which several area residents attended and spoke in favor of acting on the parking issue there. The Traffic Department and I are currently working on the issue over there to see if we can come up with a compromise with some of the folks that have some issues over there.

Lastly, a week from this past Thursday after a Personnel Committee meeting, I had a chance to go over with, there were four other Aldermen at the Nashua High School South. That was to watch and attend the Superintendent Search Committee, which I believe comprised of all 9 members of the Board of Education. We sat there and it seemed to me it started somewhere around 8:30 p.m. and ended somewhere around 10:30 p.m. or so. There were several members of the public along with several members of this Board in attendance. I was encouraged to hear some of the discussion that occurred regarding the Board – Mr. Cote stated the Board of Aldermen wants to know where we are going to get the money to come up with the difference added on to the Superintendent's salary. He said I think we should find out exactly where this money is going to come from and I think we should inform the Board of Aldermen – they have a right to know that. I think he said that would allay some of their fears. I was glad to see that there was concern as to trying to work something out for the time.

I was also glad to see that they decided at that meeting not to cancel the search for a Superintendent. I think the City of Nashua and the Board of Education made the right decision to continue to do their search. I did have some concerns with comments that were made in the newspaper after our meeting Tuesday night and reading the newspaper comments that were made by members of the Board of Education regarding this Board and our and even educators of superintendent and assistant superintendent level in the State of New Hampshire in general. I believe there was one Board of Education member that said that they were looking for more than your average New Hampshire Superintendent. I think that is insulting to some members of – some Superintendents here in the State of New Hampshire and certainly the Assistant Superintendent of Manchester would probably – are used to something the size of the City of Nashua certainly could contend with this city's population and size.

I was also surprised to hear this evening from Mrs. Shaw, Mr. Cote regarding their suggestions that we bring up the Superintendent's salary again and asking us to look at it again. Unless things have changed from the meeting that I attended what I heard from those individuals was I don't think we should ask them it is not appropriate to do that, they have made their decision, and we have to make ours and move forward even though we don't like their decision. I know I believe it was Mrs. Mangipudi that made a motion to ask us to look at the salary again, and it was voted down. There was quite a lively discussion between Mrs. Mangipudi and Mr. Cote

regarding that position. Also it was stated at that meeting that the 5 or 6 candidates that were being interviewed currently by the search company that the Board of Education hired were in the range of making \$150,000. What I heard tonight was asking us to come up with \$150,000. They are asking – to me it doesn't make sense because you are asking us to look at something where their search company has said these are the requirements you are looking for, this is what you gave us so this is the salary range that the people are going to be looking for to fit these requirements, and being the high range of \$175,000 if you are looking at people that are already making \$150,000 to ask us to consider \$150,000 doesn't make sense if they are going to move from Indiana or California or wherever. To me it doesn't make sense.

I was very disappointed in also the prior to the end of the committee meeting where there were numerous members of the public there there was no member of the committee or the Chairman did not ask if any members of the public wanted to make any comments. I know that of my almost 6 years here I think every single member of the Board here that I have met in my 6 years that has sat as Committee Chairman or Vice Chairman that has run a meeting if there is one member of the public that has come in and sat in the back of this room somebody will say to them either prior to or if they come in during the meeting somebody will come up and say hi how are you I am so and so what brings you here this evening. The Committee Chairman during the meeting sees somebody come in he or she will ask before the meeting ends – what brings you here this evening? Did you have something that you wanted to talk to us about. That committee meeting ended with no public comment, and when it was brought to their attention I stood up and I asked I said is there any public comment? They said the motion to adjourn was made and the vote was taken. I was told by the Chairman this is a public meeting, but not does require public comment and there won't be any. I was very surprised at that and very disappointed. I know there were other members of the Board, and I don't know if they wanted to speak or whatever, but I certainly had a few things that I wanted to say and was not given that opportunity as a member of the general public to a committee. That was just very disappointing.

The other comment I wanted to make was I had a discussion with a member of the Board of Education, and they said well don't you want the best Superintendent that we can get, and I said yes, but the difference between your position and mine I want the best I can afford. Thank you.

Alderman MacLaughlin

Due to my late arrival earlier this evening I was not able to converse with the Pride ownership the way the majority of the Board was able to. However, I was able to go to the Board of Public Works meeting this morning. I still maintain even hearing from the audience what I heard from the ownership this evening has not convinced me that we need to remove the bleachers at Holman Stadium. In fact I am more reinforced that we shouldn't. I also feel that the proposed legislation we are going to be dealing with is something at the moment I cannot support either. Having said that, having been a big supporter and continuing to be a big supporter of the team, the reason I say that is this new ownership lives for baseball. It is what they do. If anyone can

make baseball at Holman Stadium work it is supposedly the pros who comprise BKK. If they are saying that they need to make the changes we heard earlier this evening to make it more attractive to go see the games it is not so much about the game as it is about something else. To me this issue is about baseball. I think the city has been very generous and very supportive of the team up until now. To me I want to see the ownership of this team deliver some of their renowned credentials in the world of baseball. They have made other franchises work. They have made the businesses run more smoothly. I just feel that this team is getting its bases cleaned by the team to the North of us. Everywhere you go you see evidence of the marketing campaign. I strongly believe you have to hype the team, you have to have pride in the Pride, and so far I am not seeing a whole lot of evidence. I just wanted to say that. I do apologize for coming as I did at 7:15 p.m. Thank you.

Alderman Deane

Thank you. First off I would like to send my condolences out to Mike Francoeur and his family for the sudden passing of his wife, Faye. They are the owners of M&N Sports down on Bridge Street. They are a well-known family in the community. She will be sadly missed.

I wanted to take a couple of minutes and echo some of Alderman MacLaughlin's comments, and I would also like to thank the Mayor for the motion that he made at the Board of Public Works meeting, which the removal of the bleachers is contingent on the passage of R-05-224. It gave us an opportunity – the Board of Public Works has the authority to move that, and I was a little concerned. We did have some good conversation and some dialogue at the Board of Public Works meeting this morning. I believe we are in need of some more.

I wanted to talk a little bit about these contracts and Mr. Dowd's concern with what do you want to see. I haven't supported any of the contracts. Quite frankly we are at a point now where we are trying to unravel the existing budget issues that we have before us. As you can see we had another \$3.5 million piece of legislation come in to make up for shortfalls in '05. It has been proposed to not give pay increases to merit employees for FY '06. Although it is only a proposal it is still something that is on the table. When you vote for contracts and approve them and sign them into law then you are giving people pay increases. I think that currently where we stand that we shouldn't be spending or approving contracts that have affects even though there is money, which was stated well we have the money in our budget – that money could be deemed as unexpended appropriations I believe and used to reduce the tax rate. Just because you have it doesn't mean you have to spend it all.

We are dealing with a \$10 million insurance issue, which Mr. Teeboom hit on, and yes I believe it is \$10 million. We also have Step II of the assessment updating that we have yet to get an update ourselves on just exactly what the percentage of increase is that some of the residents are going to see in their tax bills. There is more to it. I feel I am sorry if the employees feel

discouraged by the fact that the contract – one of the two contracts weren't passed. It is nothing personal, but we have 89,000 people that live in this community and we have to think of their quality of life as well. I know these principals are involved with educating their children, and I am very appreciative and well aware of the fact of what they do and the impact that they have on the community. Before we go leaping into any more commitments to increase people's pay or anything else for that matter, I think we really have to settle down on what we are going to do with this budget to issue a reasonable tax increase to the citizens. Thank you.

Alderman Plamondon

Basically Alderman Deane hit on what I was going to say so very briefly I just want to send the message out that it is not anything personal. If it was personal I would have supported it, however, this seat is the seat of the people we work for and I have to try to vote accordingly. I concur that we need to get our arms around this budget. The bulk of the budget is salaries. That is why I voted the way I did.

Very briefly next week I will be having an informal meeting with the Traffic Department, Police Department, Fire Department, and the City Engineers on a traffic condition that we have been looking at for years. That is Hellenic Circle. I don't have the date. We have not set a date yet, but I am anticipating it to be next week. There is a small amount of money set aside and hopefully we can try to address the horrendous traffic situation with Hellenic Circle. Thank you.

Alderman Lozeau

I would just like to reiterate what Alderman Tollner had to say regarding getting a handle on the budget and getting it done. The schedule that we saw today brings us to the end of June and the budget runs at the beginning of July. That worries me a little bit. I would like to move forward with the budget deliberations and get going. Thank you.

Alderman Dion

Thank you Mr. Chairman. I too am disappointed by the Board passing this library contract this evening. I think it sends mixed messages to our negotiator, Attorney McNamee, who is in the process of trying to negotiate contracts with much bigger unions. It certainly isn't giving him any ammunition by what we did here this evening. It certainly is not helping our efforts to get this budget under control by spending money before we even pass the budget. It just doesn't make sense to me, but what is done is done.

I would like to share the same concerns as Alderman Tollner pertaining to the demonstrations that go on in these Chambers whenever there is a contract; school, police, fire, whatever. The demonstrations that go on in these Chambers should not be allowed. Mr. Chairman I remember at one time – this has been going on for too long in fact. At one time I thought we had it under control. The President of the Board addressed the situation and tried to put a stop to it, but here we are being intimidated again, and I don't get intimidated. Some of us might, but I don't.

Nevertheless I don't think this should – this kind of demonstrations in these Chambers should not be allowed to continue. Therefore, I urge you Mr. Chairman to put a stop to it. Thank you.

Alderman Rootovich

Thank you Mr. President. I want to address some of the comments that many members of the bargaining units spoke to about tonight on both bargaining units with respect to that if we don't support the contract then we don't support them, the school system, what they do, and we don't support them educating our children. From my perspective that is the farthest thing from the truth. I will explain my reasoning in a moment on both contracts. The Principal of Bicentennial School said that when he moved here he was two years old and his roots were in the community. Well my roots are in the community too. I am a native. I was born here and I have lived here my whole life for almost 50 years, and I have seen Nashua change considerably. I didn't vote for the contract because of our continued budget crisis. I think there are so many unknowns right now, and it is a very scary situation. I have heard around this Chamber several times that it took us 146 years to get to a \$100 million budget and in 10 years we have doubled it. Well according to Mrs. Lemieux's spreadsheet that she gave us another night we are going to go up another \$100 million in the next 7 years, and that includes no additional bonding. That itself scares me. I think before I support any labor contract, before I support any further bonding issues, before I support any major spending issues that I not only feel comfortable with this year's budget but as we go forward. Lacking the wisdom of Solomon I don't know where to start again not only to address this year's budget, but the spending that is going to happen in the next 3-5 years. It is one scary thing right now.

I don't want anybody from the both unions or the audience that is watching at home to think that my vote has any less respect for the teachers, for the principals, the hard workers at the libraries or the administrators. I know most of those people personally. I had some of those individuals when I was in high school myself teaching me in their very first year of the school system, and I think they know that.

On another note, Alderman Shaw had e-mailed me with respect to him being on business, and wanted me to address the constituents that live along Lamb Road that the improvements are scheduled to start next Tuesday the 31st, and there may be some construction not only on that street but in the surrounding areas. For the people that are watching at home in that area there will be construction that will start next week. Thank you Mr. President.

Alderman Johnson

Thank you. I did not vote for the contracts tonight because I felt we would be sending the wrong message that we are asking for the merit employees to possibly not take an increase in their salaries and yet we are giving it to the unions. That is two sets of standards and this is what it is in our country the merit and the union. The unions come in and bargain and merit gets their normal review and they get an increase. Given the budget and I have said many a times I am really concerned about the new assessments. I was talking to an Alderman in Manchester who

is also a colleague of mine as a State Representative. We were talking about tax rates and increases and assessments. We are going to raise the taxes, raise the assessment, and in real dollars no matter what anybody says that their tax rate will go down, but they will be paying more. The city needs the cash. The city needs the money as we are in a hole.

I am going to bring up another point right now. Pennichuck – I left another message for Mrs. Lemieux today and I am sorry Mayor I couldn't send it to you due to voice mail because I was on the road so I couldn't copy you over the voicemail. We are now asking – we started with \$100,000 in the budget and we have asked for \$300,000 more that equals \$400,000. It would be irresponsible of us to even try to pass a budget without getting the true affect of how much money we are going to ask for this year for Pennichuck in FY '06 budget. I want to know. I want a guesstimate because I don't think \$400,000 is going to be enough. I think they are going to come back again and then the question is going to be where are we going to find the money. Where are we going to rob Peter to pay Paul and that is exactly what we are doing right now in the city we are robbing Peter to pay Paul to cover debts. The perfect example is with the insurance fund – we were short. I am not going to play the shell game. I want the truth and accountability here. This is a big investment that we have undertaken, and in order to keep continuing with this investment that we are talking about we need to know in FY '06, and now we have been told that FY '07 is going to be worse than FY '06 the money that is going to be needed to be appropriated for Pennichuck. I am not going to support that. I am not even at this point in time going to support moving the budget out of the committee stage because I am not confident at this point in time that we have found enough areas to clog up this hole.

Mr. President I can't...

President McCarthy

Can we please have quiet in the audience?

Alderman Johnson

Thank you. This is where I am standing right now with the budget. I stayed up until 1:00 a.m. and found about maybe \$3 million. Talking about maybe Division Directors taking a cut in pay maybe 2-3 or even up to 5%. I didn't make this mess. You can count on how many contracts I did not vote on. I am consistent. I always felt that the city you can't give contracts 4% higher than 3% and then keep a budget at a reasonable rate and then have your health insurance go up 15% - higher than inflation. It doesn't work. The numbers don't jive. The only way to do it is if you are going to be like a company and you want to start taking a look at what jobs are not critical, not crucial, and can be eliminated in this city. That is my issue with Pennichuck and the money.

Also I have spoken with the woman at Whitney Street. As a matter of fact I visited her yesterday. I believe Alderman Gage, myself and Sue Klasen are supposed to meet on Friday to take a look at the area. He called me and left me a message. She was calling me frantic – not a

happy camper.

Also I just want to say Hills Ferry Road I know it is coming along with the legislation that I had proposed over a year ago and East Hollis Street is coming along. About applauding with members in the audience – when I used to sit out there and we used to applaud we were chastised. We were told that they can't transcribe the tapes and please do not applaud. I think that needs to be – if we are going to do it for some and not for others I think we need to be consistent with our policy. If we are talking about our own code of conduct here then I think it is only fair that the audience now has to abide by it because if you can't I feel bad when they try to transcribe the minutes at this point and that is what was always told to us when we did it. Thank you.

President McCarthy

I will be more than happy to enforce whatever standard we would like with the public. In the past you are right we have asked that there not be applause, we have asked it 10 or 15 times in the same meeting. I will warn you that if sometimes it has very little affect. I will note that our own budget hearing a couple of weeks ago was interrupted numerous times for the same reason – different factions and in fact with very few objections from this Board. If we are in agreement that the standard is that at all of our meetings applause from the audience will not be accepted and if all of our membership is willing to adhere to that standard no matter who is making the applause I will be more than happy to apply that as a standard that we use and I will encourage the committee Chairmen to do exactly the same thing.

Alderman Bolton

I think we should allow polite applause from whomever wants to deliver it.

President McCarthy

Perhaps someone would like to introduce an ordinance to amend our rules about applause.

Committee announcements:

Alderman Dion

The Committee on Infrastructure will meet tomorrow evening at 7:00 p.m. I thought I would bring this up Mr. Chairman because you and I discussed this is Mr. Steve Williams the Executive Director of the Nashua Regional Planning Commission and Mr. Matt Watkins the primary author of the draft on regional bike and pedestrian plan will be in attendance tomorrow evening at the Infrastructure meeting and highlights of the plans will be presented. They would like to get comments from members of the Board of Aldermen. I am inviting all of the members of the Board of Aldermen who want to attend tomorrow evening and present any questions that they have and the general public too of course. Anyone who would like to come to the meeting

tomorrow night and listen to the discussion and give us some input they are perfectly welcome.
Thank you Mr. Chairman.

President McCarthy

Will that be the first item on the agenda?

Alderman Dion

Yes it is Mr. Chairman. I am going to see to it that it is.

President McCarthy

Thank you.

ADJOURNMENT

**MOTION BY ALDERMAN DEANE THAT THE MAY 24, 2005 MEETING OF THE BOARD OF
ALDERMEN BE ADJOURNED
MOTION CARRIED**

The meeting was declared adjourned at 9:45 p.m.

Attest:

Patricia E. Lucier, Deputy City Clerk