

A regular meeting of the Board of Aldermen was held Tuesday, June 14, 2005 at 7:30 p.m. in the Aldermanic Chamber.

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

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

President McCarthy

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

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

Alderman Tollner and Alderman Vitale are at the Nashua High North Awards Banquet this evening, and will be joining us later.

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

REMARKS BY THE MAYOR

There are a number of items I would like to bring to the attention of the Board and the public via TV 16. Funeral services were held today in Malden, MA, the hometown of Richard J. Maggs II, 19, who died suddenly by accident, last Thursday evening here in Nashua. Richard was a Solid Waste Department employee, and our condolences go to his family and co-workers.

The annual city auction was held this past Saturday. City employees volunteered their Saturday morning to assist with the sale of a number of items including bicycles, a diamond necklaces, computer monitors, etc. The City realized over \$3,500 for the general fund. Members of the auction committee included: Janice Tremblay our Purchasing Director, along with Ron Jenkins, Roger Bertrand, Kevin Teeboom, Diane Sweeny, Mary Sanchez, Katrina Sweeny, Dan McMullen, Louise Brown, Roland Tremblay, Daniel Brown, Bob Fernandes, Noreen Duxbury, and Carolyn Walley.

Kathy Hersh reports that in the on-going acquisition of Pennichuck Water Works, the city submitted its responses to the first round of data requests this past Friday. The process is continuing per the PUC schedule with the responses to the second data requests due on July 22nd. A technical session is scheduled by the PUC for 9:00 a.m. on July 27th. There has been a lot of interest in the RFPs for both the operation and maintenance contracts and oversight services for the proposed water district. Proposals are due July 14th, at which time the Board of Aldermen will ultimately select the preferred consultants.

The Senior Center project is underway. Asbestos is being removed from the site per the detailed work plan approved by New Hampshire DES. Residents who have any questions or concerns about the construction on the site are encouraged to contact Kathy Hersh, Director of Community Development or my office.

The Assessing Department continues to process records in anticipation of the 2005 update of assessments. The 2004 building permit activity has recently concluded, and the sales qualification period has begun. Once the sales are qualified for their validity, they will be utilized to assist in the modification of assessment level for all properties. This year, the Assessing Department anticipates utilizing the newly acquired Patriot Software to accomplish the update. The software is more user-friendly than existing software, and will hopefully bring more efficiency to that department. Currently, the Assessing Department is in the initial stages of analyzing the sales and hopes to have preliminary results by the end of June.

Last evening I addressed the Budget Review Committee, and would like to repeat just a few of the comments for the benefit of those board members who were not present last evening as well as for our Channel 16 viewing audience.

As you well know, this has been a very difficult budget season as we have grappled with increased health costs, our solid waste deficit, and continued uncertainty regarding education funding. The process has been further compounded by the action taken by the New Hampshire Senate this past Thursday. The City of Nashua is now scheduled to receive \$2.1 million less education aid than we received last year. This \$2.1 million will have a dramatic affect on our City. I have spoken with Governor Lynch last week and 3 times this week as late as late this afternoon to impress upon him the severe implications for our City if the reduction is ultimately upheld. I have also met with and spoken with many members of our delegation, and I urge everyone to do the same before tomorrow.

Tomorrow the House of Representatives will be asked to concur or non-concur with the action of the Senate. We are urging our delegation to vote for non-concurrence and to impress upon other members of the House the impact this reduction will have on the City of Nashua and other area communities such as Londonderry and Derry.

I also assured the Budget Committee that I could support whatever budget decrease this Board approves, within reason. More importantly the Division Directors including Police, Fire and Public Works, Community Services, and others have assured me they would cooperate and live within reasonable guidelines. The general feeling is we know there are funding problems - give us a budget within reason and we will implement it. Although a level funded or an even lower budget than that will be extremely difficult to implement, and will surely result in the elimination of some City positions, it is something that I am prepared to consider.

While we must continue to provide a superior level of services to our citizens, we must also pass along a reasonable tax rate increase. We must move forward and cooperatively and make cost cutting decisions with the best interests of the citizens in mind.

In the Public Works arena as you probably read, Wayne Danforth, Collection Systems Technician, at the Wastewater Treatment Facility passed away recently. He was employed for 20 years at the Wastewater Treatment Facility and his dedication, professionalism, and enthusiasm will be greatly missed.

The Street Department assisted the Fire Department with the preparation of the East Hollis St. site for the new station. The department worked in May to remove old foundations, demolish a small barn, and remove existing pavement. The wood was sorted for use as fire training material and the concrete and asphalt were saved for future processing as recycled gravel type material.

We have received notification from the State that FEMA funds are available for the storm of March 10th through 13th of this year. About \$130,000 may be recovered for this storm.

The Solid Waste Department is providing asbestos air monitoring services during the asbestos abatement and removal work at the Senior Activity Center. Staff from the landfill have been trained and licensed in this NIOSH 582 equivalency. By performing this service with Solid Waste personnel, the City will realize contract projected savings of over \$18,000.

On June 7th, inspectors from both the New Hampshire DES and EPA Region One visited the Solid Waste facility for an unscheduled compliance inspection. Their focus was on the Title V Air Resources Division, and EPA permit along with overall disposal site requirements. The initial findings indicate no critical deficiencies related to City operations and a complimentary letter will be forthcoming.

The opening of the storm water detention ponds at the Nashua Country Club is planned for June 29th. Actual flow into the system will occur the week of June 20.

Construction on the Ledge Street Area Sewer Rehabilitation project is scheduled to begin August 1st, but may start earlier due to a blocked/collapsed sewer line on Ledge St. A neighborhood meeting with Alderman Plamondon and DPW staff is scheduled for June 21st at DPW Headquarters on 165 Ledge Street. This will begin at 6:30 p.m.

I am happy to report the Division of Public Works Wastewater Treatment Facility has been selected to receive a Silver Peak Performance Award. This award is presented by the National Association of Clean Water Agencies and recognizes public wastewater treatment facilities for their outstanding compliance records. The Wet Weather Flow Treatment Facility is progressing. As a result of the Value Engineering process performed by the Army Corp of Engineers for the City, several cost saving concepts are being pursued. This will add an additional 6 weeks for the design phase but results hopefully in an approximate cost savings of at least \$1.4 million dollars. The bid opening for the Primary Clarifier Rehabilitation at the Wastewater Treatment Facility at the Waste Water Treatment Facility is scheduled for June 16th.

The FY '05 Paving Program is progressing. Brox Paving has recently completed pavement overlay on Gilson Rd, Langholm Drive, Lockness Drive, Shelton St, Shetland Drive, Stonehaven Road, Thornton Road, Celina Ave, and Cotton Rd., and others will follow.

Advertisement for bids for FY '05 Sidewalk Program took place on Friday with a pre-bid conference scheduled for June 20th. The bids are due June 30th and include proposed improvements in the following areas: Bramble Drive, Harris Road, Manchester St., Tinker Road, and Whitford Rd. A public participation workshop on the Rotary Common was held on June 7th. Consultants presented concepts to the public and steering committee.

The Lamb Road Sidewalk Construction project began May 31st. The work consists of sidewalk construction from East Dunstable Rd. to Stillwater Drive and it will take approximately 8 to 9 weeks. Discussions are continuing with Verizon for the potential addition of another cell tower to one of the light poles at Holman Stadium. If this agreement were finalized, revenues to the cell trust would increase by \$20,000 per year.

The cities swimming pools are being prepared for the summer season with the anticipation of opening June 22nd. The SummerFun Program opened this previous Saturday at Greeley Park. The official presentation of the portable stage to the city from the Rotary West Club was part of the festivities.

Treasurer Fredette reports that he has received the first installment payment for 2005 from the Pride that was due June 15th. This was in the amount of \$10,000.

On Monday, I had the pleasure along with other members of the Board and members of the public in participating in the Grand Opening of the Peddler's Daughter on Main Street. The Restaurant and Pub is the first portion of the Jackson Falls/Riverwalk project to be completed and is a welcome addition to our downtown. I am confident that the Peddler's Daughter will be a success, and it was well worth the wait.

On Wednesday June 8th, we held the first in a series of three Conversations on the Arts at 14 Court Street. Over 70 people including artists, artisans, musicians, and representatives of various arts organizations participated in a professionally facilitated discussion to identify critical issues currently affecting the arts today. Two additional meetings are scheduled for June 15th and the 21st. The goal of the process is to identify strategies to increase awareness and support for the arts in our city.

Jay Minkarah reports that a recent report from CB Richard Ellis New England indicates that the Office Market has improved significantly in Nashua over the past year. Though still high, the vacancy rate for office space was reported at 14.8% for our city for year-end 2004, which was a substantial drop from last year's year-end rate of 21.2%. Vacant office space dropped from 834,000 square feet to 532,000 square feet meaning that over 290,000 square feet was absorbed over the year. The City's vacancy rate is lower than the regional average of 16.4% and certainly lower than surrounding communities such as Merrimack and Hudson.

Vacant Industrial Space has also dropped, but at a lesser rate, from 20.1% to 17.7%. Though about 169,000 square feet of industrial space was absorbed over 2004. The total of 1.5 million remained vacant at year-end. Increased activity in the Northeastern Boulevard area such as the sale of the

IPBM Building and the redevelopment of the former Teradyne Building at 12 Murphy Drive, along with recent activity on Burke Street, are encouraging and will help absorb some of the vacant space. However, as the coming closure of Batesville Casket demonstrates, stress on the manufacturing sector in this region continues.

The Division of Public Health and Community Services recently received two citations from the NH Division of Health and Human Services - one was for reaching the Healthy New Hampshire 2010 goal of 90% immunization coverage of children at age 2 years, and the second was for participating in the efforts to ensure maximum vaccination coverage during the flu vaccine shortage of 2004-2005.

Deborah McLaughlin, the Chief Public Health Nurse, was named the New England Representative to the Association of State and Territorial Directors of Nursing. Also the Division was given an increase of \$8,000 for its bio-terrorism grant renewal application.

Last week I had the opportunity to visit Fairgrounds Middle School and attended a quilt unveiling entitled "People Who Make a Difference". The quilt was signed by a number of national figures including John Glenn, Colin Powell, Maya Angelo and a host of others. Local quilters Julie Crossland, Jessie Sweeney and Sue Levesque did the actual quilt sewing. I offer my congratulations to the Fairgrounds 6th grade Starfish Team and the REACH program as well as faculty member Mary Coe Foran for highlighting that people can make a difference.

In conclusion Mr. President, and maybe on a lighter note, I receive a number of e-mails each day and most of them from folks who speak well of our city or those who seek information or letting me know of a problem in their neighborhood. Last week I received an e-mail from a former City Hall regular who once served as an Alderman and from what I am told he will be running this fall hoping to continue to serve as a member of this august body. The e-mail was irrational, inflammatory, and frankly I expected something better from this individual. His e-mail and I quote went as follows:

"Folks: I hope you all get behind me in stopping the insanity of purchasing Pennichuck. The cost will be in the hundreds of millions, borne by the taxpayer/ratepayers (the same people). Legal fees and administrative fees and damage awards alone awarded by statute against Nashua will reach into the tens of millions. On top of this, nearly \$100 million in capital improvements (see the Rizzo Report).

The e-mail went to say "STOP THIS INSANITY!! GET THE GOVERNMENT, ESPECIALLY THE IDIOTS WHO RUN NASHUA, FROM RUINING THIS AS THEY HAVE RUINED SO MUCH ELSE!!!!!"

My response went as follows:

"The 'idiots who run Nashua' are following through on a public referendum when more than 77% of those who voted wanted the city acquire Pennichuck. Were they idiots? Over 85 % of all municipalities in this nation own their water companies and their rates are much lower than publicly owned companies. Are the folks who live in 85% of all cities and towns in this nation considered

idiots? In fact, look at Manchester's rates ... the water bills for people who live in the Queen City are 40% lower than ours. I wonder are they idiots?" I ended with "Perhaps, sir, maybe we need more idiots. Signed: An idiot who helps run Nashua."

In conclusion, I would like to report that despite the millions of dollars of ratepayers' funds that Pennichuck officials are spending on advertising and public relations attempting to discredit us. To date it has fallen on a large majority of deaf ears.

As a city we cannot spend taxpayers' monies on newspaper and television advertising. However, we are continuing our efforts in a quiet dignified manner. And I might add that we have won every legal battle to date. And with that, thank you Mr. President.

President McCarthy

Before I ask for responses to remarks I wonder if the Mayor could spend a few minutes educating the Board and the public on what the impact on services of the budget plan that you now support will be.

Mayor Streeter

I don't believe the Budget Committee Mr. President has completed its review where they asked each Division Director to report to them what the impact of a 1%, 3% or 5% reduction in the budget that I presented in February – I think that we should wait until each Division Director reports what the impact will be. I think it will be quite telling.

President McCarthy

So we don't know what the impact of the level funding will be is that the answer?

Mayor Streeter

That is in the request that the Budget Committee Chair asked of the Division Directors he asked for a 1%, 3% or a 5% reduction. The 3% reduction is in essence a level funded budget. The Division Directors – some have already appeared before the Budget Committee and some are scheduled for the end of the month. Each of them has prepared responses and impacts to the proposed reductions. They will be available for the full Board once they appear.

RESPONSE TO REMARKS OF THE MAYOR

President McCarthy

I guess I would want to respond that I am very concerned about not where we are with the budget this year – I think we are moving in a direction that will get us to a compromise, but I think the way we are doing it is going to cause us more and more trouble in the years to come. We are once again taking small amounts from here and there to solve the problem that haunts us in the budget

this year and will continue to from every piece of information we have had for the coming years.

Alderman Rootovich pointed out several weeks ago that our budget basically consists of salaries and benefits and then there is everything else, which is miniscule basically, and is in control. What we are doing is attacking the everything else for the most part and ignoring the big problem, which is we have got to get control over some of those other items. Every projection we have seen for the tax rate shows us with the same or a worse problem next year than the one we have this year. If we continue in this direction what we will have next year is a library that is closed on Sundays without a chance to refund the opening on that day and a 10% tax increase. We will have a road fund that has no money to pave our roads and a 10% tax increase. We will have capital equipment reserve fund, which has no money to replace our capital equipment and a 10% tax increase. It goes on and on. I think if we want to get out of this we need to stop this year and decide on policy issues that are going to drive the way we deal with our employees. It is not going to be easy. It is not going to be pretty. We are just going to face this again and again until we take that issue on.

We have dealt with discussions about merit employee salary increases. We are proposing to put them off. Those increases are miniscule in the scheme of the budget compared particularly to health care. Personally especially looking at my experience with companies that have gone through down sizing over the last 15 years we would be better off with 118 satisfied merit employees than 120 disgruntled ones. We need to understand how to get some of those major expenses out or we have to understand that the services that we provide are going to cost us money. I am disappointed that I see a plan before us that cuts bottom lines without understanding what the impact is, and without addressing the long term problem. When I ask what is the impact I can't get an answer. I really believe that this Board needs to make some fundamental decisions about policy around where we are going in the next few years and adjust our budget accordingly or we are not going to get out of the cycle that we are trying to get out of.

Alderman Deane

Thank you. Since this is response to the Mayor's remarks, and probably I shouldn't be responding to you, but since you are speaking to us I think it is appropriate for me to respond. To date..

President McCarthy

If I might just – I was responding to the Mayor's remarks...

Alderman Deane

You were talking to us. You weren't talking to the Mayor. You were talking to us. Am I right to assume that?

President McCarthy

I am responding to the remarks the Mayor made to this Board. Everybody speaks to this Board when they speak.

Alderman Deane

And you were talking to us.

President McCarthy

Yes.

Alderman Deane

So I am going to respond.

President McCarthy

You may do that.

Alderman Deane

First off you have attended a number of Budget meetings. I don't know how many, but I would say probably 70% of them. You have offered the Budget Committee absolutely nothing. Then you have the audacity to stand up there and scold us for what we are doing. Okay I am not done yet. I can't believe I am hearing this from you. A lot of people have spent a lot of time and a lot of effort and a lot of energy on this budget, and I for one think I am one of them. Yes I am getting phone calls and I am getting e-mails from people that aren't happy with what is going on, but you know what nothing was going on. We have to do something. We have a problem. We have to address it. I would love to see your plan. I would be more than willing to look at what you have to offer, but you have offered us nothing. You have offered us nothing. We hear comments about stipends or this or that. If you have a be all/end all plan that will take us out of this problem I am more than willing to listen to anyone who has a plan or may have a plan to help us, but you haven't offered us that. I really don't think you have the – you shouldn't be standing up there talking down to us and scolding us for the job that we have done as a committee. That is how I am taking it, and I think it is absolutely wrong.

Until such time as you can come and help and be part of the process then I don't think you really have anything to say to us.

President McCarthy

It is not my intention to scold or talk down to this Board Alderman Deane and particularly to you. I believe that you have done yeoman's work probably more than any other member of this Board in terms of examining and dealing with the budget this year. I am dissatisfied that we have not seen from the Administration a plan that helps us to get past next year. I believe that what we have done is great, but I think we have to go further. I will be the first to admit I do not have a plan. The Board has not had a plan so far. One of the reasons I wanted to hear from the Division Directors is to understand what a plan might be and one of the reasons that I wanted to ask why we should ask for larger cuts than we had asked for is in some places I think we need to look at reduction in head

count. Getting the opportunity to do that involves getting that information.

I apologize profusely if the members of this Board think I am talking down to them. I am simply saying I don't think we have concluded the work yet because we have to deal with the issue that will take place next year. When we see spreadsheets that detail what happens with what we have done so far we have barely fixed the problem this year and it still has substantial increases in the coming years. I am just saying that I would like the Board as a whole to concentrate on looking at how we can further deal with the upcoming years. Once again I will apologize profusely to the Board and particularly to you Alderman Deane because I know the amount of work you have done in this year's budget. I want to see us deal with the long-term problem. I think we are going to be back in a problem that is much worse next year if we don't do that.

Alderman Johnson

Alderman Deane said a lot of what I was going to say, but you know Alderman Deane has done a lot of work on the budget, I have gone through the budget this year like I have done every year, and every time I know I make motions and it goes on deaf ears sometimes. Last night I was really shocked and appalled by the attitude about our stipends. I got a call on that today and I think people need to realize we don't all make \$75,000 a year on a stipend we make \$5,000 a year, which covers our expenses to and from and to be here like all of the other commissioners and boards that are appointed. I guess what bothers me more than anything is that I don't have a problem if I have to reduce headcount. For many years I sat in this Chamber for four years now and said there is a hiring freeze and we haven't frozen anything. Yet now we are looking to expand City Hall. That is more money. Rather than looking to increase costs we should be decreasing our costs. I keep asking on that one that will be another bond so that is more money that we are going to have to spend and more debt. More and more debt on the citizens of this city, and the attitude is sometimes it is 20 years – we can extend the life of the debt for 20 years well that means my kids and my grandkids are going to pay for my debt.

We don't have a handle on this. We sit here and we nitpick little line items, a little amount here and there, rather than I keep asking every night I want to do a bottom line reduction, but then that takes the power away from us because in the division who is going to be the authoritative one to then make the adjustments in each department. The issue is we have a big deficit in this city. This is when companies go bankrupt when they can't pay, and we are getting towards this. The issue is the other night and I am listening to everything that is going on – the Mayor doesn't have a plan, nobody else comes in to sit down and say to us where the reductions should be – we have worked hard on this. We are no further than we were from day 1 because of the fact that we keep running into more and more problems. I for one if Division Directors want to come before us and say how many they would like to reduce in headcount and where they will be at that point in time maybe that is what they should be telling us at this point in time – how many people can they reduce by – the library is going to close on Sunday, this is what is going to happen, the sky is going to fall – the sky is going to fall more if we don't know what these new assessments are going to be like with the – which we are talking right now with the 7% tax rate, and to me I cannot pass that on to my constituents in this city not now, not later. We need to think about who is paying the bills in this city. It is not our money it is their money. Thank you.

Alderman MacLaughlin

Thank you Mr. President. I agree with your observation about Alderman Rootovich's summary of our situation. The large part of the burden is personnel and it is weighing heavily on the budget situation. It seems that what we should do when we had the chance, looking ahead since these agreements with contracts and unions are already in place, is change the way the figure the healthcare co-pay and make them more aligned to that of private industry, make it reflect the reality that this expense is enormous. We should take a look at how we are defining a 40-hour workweek. We have heard how certain shifts are paid for ½ day work being performed for a full day's worth of work being compensated. We have to also take a look at those stipends, which are obviously an issue.

We can't necessarily send a signal that the Board of Aldermen is going to substantially reduce the problem we are in by eliminating our own stipends completely. We will lose the ability to communicate at least in part to our constituents we are trying to represent. We would do better if we were to take that step to look at the Strategic Planning position because I have maintained before and I will say it again this evening that the experience to manage our way and manage the affairs of the city lies within this room. We have 4 veteran Aldermen that have been here for 10 years or longer. They have seen the pattern of growing deficit and they have the experience and some ideas on how to help us out. We have 1/3 of our membership who are brand new to the Board and offer energy and other perspectives that perhaps are useful to the debate. So, I think that what we have to do is we have to really get focused on the contracts and hope that the negotiator negotiates for the taxpayers and that we take a look at those issues. That is what is causing the problem. Thank you.

Alderman Bolton

Thank you. There is no doubt we are faced with a challenge this year and by all we can predict at this point the challenge is expected to be even worse next year. In the constant ramping up of the rhetoric, I feel we are creating an impression that things are even much worse than they truly are. I've heard the deficit mentioned more than once. The fact is the City of Nashua is not in a deficit situation. We will take in more money this year than we will spend, and that has been the case virtually every year for decades. Presumably it will be the case next year. Certain accounts project to be overspent unless money is added to those accounts we are in the process of doing that. Ultimately that means more money has to get raised in taxes next year and the year after. That is what we are looking for ways to economize and avoid. We are not facing bankruptcy. We are not in a deficit situation. This is manageable. It has been managed in the past by our forbearers who have occupied these positions before us. It will be managed by us, and it will be managed by those who take our places in future years. I think what we have to be concerned over is creating the impression that somehow the City is on the brink of bankruptcy, is suffering massive deficits, and therefore cannot afford to have the kinds of services that the people who live in Nashua – many of them moved here because of. Many who have lived here their whole life have stayed here because of the quality schools. The superior public safety services. The fact that we do have attractive parks and recreation programs that keep our young people busy and give them those opportunities. We have to preserve all of that, and I expect we will because we can and we should. We are not on

the brink of bankruptcy and we should not be acting like it.

Alderman Tollner

Thank you. It's a heck of a way to start a meeting. I concur with some of the comments that have been made – Alderman McCarthy I do think some of your comments if not most of them were directed at the Board of Aldermen. I spoke to you last night. I think it has been mentioned here that there are a number of veteran aldermen. I think it is inherent upon us to go around and converse at different times with the entire board to find out where each member of the Board of Aldermen is during this process. I know that the Budget Committee has been very diligent and meeting quite often. I've tried to attend as many of those meetings as I can. I spoke to you last night as far as trying to gauge what this Board as a whole would think of as a reasonable tax rate to present to the citizens, help us process that outcome of a reasonable tax rate, and helping us make the difficult decisions that we have. Alderman Bolton just mentioned – I was going to mention we are not in a deficit position. Compared to some other cities, we are in a pretty good position. We are struggling right now with a budget and a tax rate and struggling with insurance funding problems, State education problems, and some other ones. I don't think the library is going to be closed on a Sunday. After the library came here last night, I think most of the conversation was concentrating on a 3 or 5 percent reduction. The 3 percent leaving the library at a level budget. If I'm not mistaken, the variance between where they are at right now and a level budget is approximately \$23,000. I am sure during the budget process before everything is said and done working with the library trustees and Mr. Dionne, we will be able to find that \$23,000. I think it is important for us to stay focused. We are all going to feel pressure. A number of us got e-mails today about the concerns over different department's budget and the effect of decisions that we make. Every decision we make in the City is going to have an affect. We have to consider the entire population when we make these decisions.

I think the Budget Committee has done a very good job in trying to work their way through this position. The sands have changed and that is why we are asking some of those department heads to come back. Tonight I was going to make a motion to move the budget to the full Board. I won't make that motion. We'll leave that to the Budget Committee, but I would hope that as many members of this Board could attend the Budget Committee. My concern here is that we finish with the Budget Committee and we go through the same process at the full Board of Aldermen meeting. We need to be respectful and patient of each other's opinions. This is going to be a very difficult process. As I think Alderman Bolton or somebody else said that the flares that are thrown back and forth about different things that are going to occur, we won't know that and we have to process those very carefully. I for one have tried to speak with a number of aldermen to see where they were. The requests that I made earlier about of level budget wasn't to say that we have to have a level budget. I think in my correspondence was let's look at a level budget and see the repercussions or ramifications of the affect of a level budget. A comment was made earlier well we'll have to fund these programs. We may have to fund some of them, but there are going to be other funds – let's not make any bones about it, they're going to have to be cut. I do not think that we are in a position to forward to the taxpayers of this City a 9, 10, 11, 12 percent tax increase. So some time between and hopefully the next 30 to 45 days we are going to have to come up with some agreement on some very difficult decisions. I hope that we can do that in a respectful and professional manner. Thank you.

Alderman Rootovich

Thank you, Mr. President. I want to follow up on a couple of comments you had made with respect to what I had said during the beginning of the budget season. I had made a proposal to the Board and I spoke to many of you after that meeting and the following week about my proposal of cutting head cut. My proposal at the time was cutting about 75 city wide, which is about 2 percent of the work force in Nashua. We've got about 35-3,600 people citywide. We cut 75 personnel that's about 2 percent. That would save us approximately between \$4.2 and \$4.5 million. As Alderman McCarthy eloquently pointed out, we have a tendency to cut the things that are non-payroll. The ones that have the most dramatic affect on our City. When we cut statistics based on my research in the last 5 years the City has hired – these are statistics I took off of Mrs. Lemieux's own documents, about 260 people. If you look back 10 years we hired about 425 people. Our services have not gone up since that time. When you take the 425 people, that's about \$21 million on our payroll. We cut everything but. If you look at the other items in the payroll that Alderman McCarthy talked about, those pretty much over the last 10 budgets most have been either level funded, some have gone up, and some have gone down. Payroll continues to rise. It's not just the payroll; it's the insurance costs and the other benefits that are associated with that. Any business whether it is a small business or large business, and you are in the free markets and you have to control your prices, the first place you look is your payroll. I still think and I say today that the City can make a 2 percent reduction in its work force and still provide quality services to the public out there at a fair and equitable price. It's got to be in payroll. It is the only significant area you are going to make a cut in. It's not gasoline. It's not books and pencils and papers for school children. It's not transportation. It's not paving. It's in payroll. If you look at the amount of people again that we hired over the last 10 years, we hired over 400 and we can't cut 75 and still provide the majority of the services at a good quality, then maybe we should look at our management. I do think we have great managers, by the way in all divisions. I respect them. I think they are all professionals. They've been around a long time. It is not the low end of people we need to look as well. There are some middle managers and higher managers we need to look at as well when we look at our payroll deductions.

As Alderman McCarthy has stated, and I believe in that totally, we set the policy in the City. Maybe we need to set a policy in looking at the levels of management we have and how many people we have in each one of those divisions. It is the only true way you are going to make any significant impact in that budget. Again, I ask my colleagues as we look for direction, I would hope that we would take a hard look at that as we go forward in our budget deliberations. Thank you.

Alderman Dion

Mr. Chairman, I wasn't about to respond but I have to because I heard the word "deficit". I guess there's all kinds of definitions of the word "deficit". I want to remind my colleagues, and I brought it out before and I'll bring it out again so that it will sink in even more. The City of Nashua is between 240 and 250 million in debt. Bonded debt. Money that we borrowed. It's like myself having a credit card and borrowing money on that credit card – keep buying, and buying, and buying. Eventually, you got to pay it back. We didn't have that \$250 million bonded debt, that's costing us over \$22 to 23 million a year in interest. In interest for the City of Nashua. So call I a shortfall, don't call it a

deficit. Call it owing money. Call it anything you want. We are still \$240 to \$250 million in debt.
Thank you Mr. Chair.

RECOGNITION PERIOD

R-05-230

Endorsers: Mayor Bernard A. Streeter
Board of Aldermen

**HONORING THE TOWN OF NASHUA, IOWA, ON THE OCCASION OF ITS
SESQUICENTENNIAL CELEBRATION**

Given its first reading;

**MOTION BY ALDERMAN JOHNSON THAT THE RULES BE SO FAR SUSPENDED AS TO
ALLOW FOR THE SECOND READING OF R-05-230**

MOTION CARRIED

Resolution R-05-230 given its second reading

MOTION BY ALDERMAN JOHNSON FOR FINAL PASSAGE OF R-05-230

MOTION CARRIED

Resolution R-05-230 declared duly adopted.

READING MINUTES OF PREVIOUS MEETINGS AND PUBLIC HEARINGS

**MOTION BY ALDERMAN BOLTON THAT THE MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF ALDERMEN OF MAY 19, 2005 AND THE REGULAR MEETING OF
MAY 24, 2005, BE ACCEPTED, PLACED ON FILE, AND THE READINGS SUSPENDED**

MOTION CARRIED

COMMUNICATIONS

**MOTION BY ALDERMAN MACLAUGHLIN THAT ALL COMMUNICATIONS BE READ BY TITLE
ONLY**

MOTION CARRIED

From: David Campbell, Superintendent, Woodlawn Cemetery

Re: Request for Joint Convention with Woodlawn Cemetery Board of Trustees

**MOTION BY ALDERMAN DION TO ACCEPT, PLACE ON FILE AND THAT THE BOARD OF
ALDERMEN MEET IN JOINT CONVENTION WITH THE WOODLAWN CEMETERY BOARD OF
TRUSTEES TUESDAY, JUNE 28, 2005 AT 7:30 PM IN THE ALDERMANIC CHAMBER**

MOTION CARRIED

PERIOD FOR PUBLIC COMMENT RELATIVE TO ITEMS ON THE AGENDA

-

Bernie Plante, 41 Parrish Hill Drive

Thank you, Mr. Chairman. I'm here before the Board of Aldermen about a petition that is pending relative to a school impact waiver request for a development that I have under way on Daniel Webster Highway in Nashua. Is this the appropriate time to address that?

President McCarthy

Yes.

Bernie Plante

Yes. The City has an ordinance – a school impact fee ordinance that requires payment for construction of any new housing in the City. The City ordinance also provides for a waiver of that fee requirement for subsidized housing and elderly housing. My partner and I presently have a 75-unit condominium under construction in South Nashua known as Colliston Yard. It is a 55+ housing development which requires all residents – actually it is governed by federal law – it requires that 80 percent of the residents be 55 and older and permits 20 percent of the residents to be less than 55. Nevertheless, we have amended – actually we provided in the Declaration of Condominium which was recorded about 2 weeks ago, a condition that no school aid, no children under the age of 18 could reside at the condominium for greater than a 2 month period every calendar year. The standard for the test for the waiver of the impact fee is that a development such as this would not cause the City of a school board to incur any costs to increase the capacity of schools within the City. This project is being constructed as a result of variances granted by the Zoning Board of Adjustments. Under the elderly housing ordinances of the City of Nashua, also by permits issued by the State of New Hampshire, which restricted the residency to 55 and older. In short, there will be people likely residing in the project that are under the age of 55. However, no children will reside in the project for greater than 2 months a year under the age of 18. So my request simply is that the petition that is before you to grant the school impact fee waiver request be granted. Thank you.

Terrence Navin, 10 Tinker Road

I'm here in regards to the R-05-215 in regards to Tinker Road sidewalks. I attended a meeting quite some time ago at Pennichuck Jr. High. Most of the residents of Tinker Road at that time expressed concerns as to whether or not we really need a sidewalk. I've lived there since 1978. All of my children attended Pennichuck Jr. High School. If you take the number of homes that are on Tinker Road today, I don't believe out of all of them there might be 75 percent of them that no longer have children attending those schools. Those that do take back roads over by Deerhaven Drive to get to the school today. I'm just here today that with the budget constraints that we have today, it might be considered not to put that sidewalk in. If it is decided to go ahead with the sidewalks, I would recommend that it be put on the north northwest side of Tinker Road where it would be less costly to the City as opposed to going through all of the resident's homes that they have today on properties that trees and underground utilities may be disrupted for that purpose. Thank you.

John Hennessey, 2 Tuckerwood Court

Yes, my name is John Hennessey from 2 Tuckerwood Court, which is at the corner of Tuckerwood and Tinker Road. I'm also here to speak in opposition to the proposed sidewalk on Tinker Road. First, thank you for the opportunity to speak to you and also thank you for your thoughtful consideration of all the issues on this sidewalk before you actually render your votes.

I speak in opposition on the proposed plan for two primary reasons. One is first the proposed location of the sidewalk. That being on the south side of Tinker Road. And two, the design of the sidewalk itself. First on the location. As my neighbor down the street alluded to. If you are familiar with Tinker Road on the north side of the road there are no homes and no existing or very minimal utilities infrastructure. But the proposal is to put it on the south side of the road and impacting all of the properties on that side. I would just seem to me that it would be less invasive to put it on the north side. I also would think it would be much less expensive to do so as well. I think the primary reason for my opposition to the location is the fact that the original request for the sidewalk came from the School Department because, again, we are within proximity to Pennichuck Jr. High. But for those familiar with that area, I think it is reasonable to assume that any children that would be taking that sidewalk to school would be the children from Harris Preserve, which is near the north side of the road. For those students who are either on Tinker Road or Tuckerwood Court, or some of the streets on the south side of Tinker, they simply cut through the neighborhoods – the Deerhaven section of town on the way to school. I've lived there for 15 years. Fifteen years of experience tells me that no kids on the south side of the street walk to school on Tinker Road.

Second, my opposition is on the design. Irregardless of the side of the street that the sidewalk is put on, the design plans that I saw called for a 3 to 4 foot grass buffer, then a 5 foot wide sidewalk. If I look anywhere else in that part of the City or throughout most of the City, the sidewalks that I see installed are simple 5-foot wide sidewalks that are backed up right against the curb. I would think that would be an adequate design for our section of town, and by doing so, it would greatly minimize the impacts on either side of the road irregardless of which side it is put on.

Lastly, just some comments on this process. I must admit I'm not familiar with the dealing of this City because I'm quite busy in my personal life, but we first became aware of the sidewalk project when surveyors were in our yard doing some surveying. That was in the holiday time. Since that time, there have been 2 public meetings on this matter. One was a public review period where affected property owners could see the plans. The second was, I believe, before this body just 2 weeks ago. In neither instance were myself or my neighbor, Charlie Katsois, ever received any notification of these public hearing. I would think that affected property owner I would received such notification. So I certainly would ask the City in the future if they review they processes for sending out adequate notices to affected property owners so that could be done more effectively. Thank you for your time.

Robert Hallowell, 6 Chaucer Road

I come before you to talk about R-05-226, which is the additional transfer of \$110,000 for the Pennichuck acquisition. At the public budget meeting I specifically asked the Mayor if he really thought that the additional 300k for Pennichuck takeover was the final request for the additional dollars. I did ask it sarcastically because I didn't believe it would be. At the time he said – we

believe at this time, yes. Of course at this time means 4 weeks later they first floated the idea that they needed another \$110,000. So I guess my mistake was asking and expecting to get a truthful answer. The bottom line is I think every time we think this is going to be done; it's not going to be done. I don't think, much like a lot of the budget numbers, that the administration has a good handle on how much this is all going to cost. That is a big concern for this City. Thank you.

President McCarthy

Mr. Hallowell, just as a point of information. I believe the answer to the question that you asked at the Budget hearing was about next year's budget. At that time we understood that this \$110,000 was being requested in the current fiscal year. So there may have been a misunderstanding as to what the total was. The amount for next year has not changed since you asked that question I do not believe.

Robert Hallowell

So the amount for next year is \$300,000?

President McCarthy

It's whatever is in the budget that was finally arrived at, which is in the vicinity of \$300,000. I'm just saying when that was arranged; this \$110,000 was known to be in the '05 budget.

Robert Hallowell

Okay. The first time I saw it floated was a resolution at an aldermen's meeting that appeared after the public meeting. So I don't think it was publicly known.

President McCarthy

I will agree with you. It probably was not.

Robert Hallowell

So perhaps the appropriate answer to the question was it's really \$410,000. Thank you.

Fred Teeboom, 24 Cheyenne Drive

To go back to the public hearing R-04-126. I hope this Board goes to the language and the proposal that is on your agenda and not what I consider to be an abortion that was presented as a proposed amendment that we discussed at a public hearing, which I think is the worst of all possible worlds. It cost elections and it costs vacancies for people that aren't represented.

The next one is R-05-226. This is another \$110,000. Now if you watch the moving ball on this thing, the total money spent is \$737,000 on this taking so far. There is another \$510 – including this

new proposal request, that's another \$510,000. \$100,000 for the '06 budget, another \$300,000 by the Mayor's supplemental budget on 29 of April, and now \$110,000. You add that together it's \$1.247 million expended projected. I'll tell you that is only the very beginning. This case is going to go well into '07 and probably beyond it. I'm an intervener. I happen to know quite a bit of what is going on. I have access to all the information. This is a drop in the bucket. I would like to remind the board that votes before the public, and this is maybe to remind the Mayor, and I have it right here – the vote before the public was although yes with a no vote in a special election in 14th of January. A yes vote the City may continue to pursue acquisition. That is the exact wording. I'm reading it to the voter information. A no vote means it may not acquire the system now. That is before eminent domain. That's ... **Tape 1, Side A – flipped** ... so what I've been saying, stop this insanity. A hundred million dollars, yes there is a Rizzo report that says about \$80 million will have to be spent on capital improvements. If you look at the RSAs leading to eminent domain, which is not before Nashua – Nashua being the filing complaining party, there are damages to be assessed, the administrative costs to be assessed. All assessed and evaluated by the PUC. Take a look at it 38:9 I believe. This is a very, very serious expense. You are sitting here talking earlier about having expenses and out of your control. This is under your control. This is not people. This is not insurance. This is under your control. The spending is under your control. I urge you to stop the spending and stop with putting a no on this \$110,000 further request, which is the first of many more to come.

The next item I wanted to address is R-05-229. I heard it earlier stated there is no deficit. Take a look at the language in R-05-229. It asks for \$3.5 million against excess access or unanticipated revenues, or under expended appropriations. In other words, there is no funding site. There is no funding site for this \$3.5 million. It is against future earnings. This is sort of like writing a check to the bank. It's a rubber check. The check bounces. However you tell the bank it's okay I got my Christmas bonus. My uncle is going to leave me some money that will cover your check and Christmas. Do you think the bank is going to accept that? That's what this funding site is. I'm not even sure it is appropriate legal funding site because the funding site for money is supposed to show where the money comes from. The unanticipated money I'm told by Carol Anderson is the \$1.85 million one time Pennichuck roof collapse insurance money. Also, unanticipated funds are normally supposed to be offset tax increases the follow year. There will be nothing left. This \$3.5 million is definitely a deficit. I don't see how anybody can argue it's not. I ask the Board of Aldermen to form an investigative committee and I have heard none of it. I heard about leadership earlier and I agree there is a lack of that. They should examine the clean costs; they should take a look at dropping the indemnity plan, which is a Cadillac plan. They ought to look at only offering HMOs. They ought to look at increasing the contributions by employees. It ought to look at making all of the context the same. It ought to take a look at self-insurance in detail – should we have self-insurance – should we lower the \$150,000 upper high deductible limit to a lower limit? All of these things ought to be discussed.

If you look at the minutes of May 31st, the Action Report, there was lots of discussion on how accounts are moved around, but not a single question about the ... **tape inaudible...** take a look at the accounts. Why are we in this mess? If you look at the total deficit – under-funded by \$10 million. That is why you have a problem you have \$10 million in under-funded insurance money.

One other thing, the Charter has a provision that says if you are in deficit you are supposed to cut across the board. That is Charter Paragraph 56G – that is supposed to be invoked at this point. You also have a Paragraph 56C you can only override the Spending Cap once. This is going to require 10 votes. The reason this is going to require the votes is because you are trying to override the Spending Cap again because you already did it when you approved the budget in '05. There are two Charter provisions that you are going to be violating if you pass this.

Final point – there is a collective bargaining agreement before you – new introduction – Nashua Board of Education – the Principals. I thought this same legislation had failed the last time. It is exactly the same legislation. The only thing that has changed is from '06 it became '05. I looked at it at the policy it is exactly the same. In fact, the Board of Education hasn't even signed it yet. When I was at the Board of Education yesterday I pointed out the insurance problem and they said that is not our problem – that is the Board of Education view. If you look at the two in comparison of policies that are not alike – take a look at the library collective bargaining agreement you approved last time. It says any new employee shall not be allowed to select an indemnity plan, which is a very expensive plan. This contract has no such language – anybody can join any plan. A very great example of where plans are not the same – one employee union is highly favored over another employee union. In this case a school union is highly favored over the library union. You should kill this again. It shouldn't even be introduced as new legislation. I don't know how it happened. It violates your own rules. You should start really seriously looking at insurance policies. You say you have no control over the insurance problem. You have control over the insurance problem when you approve these contracts. Thank you.

Elaine Levesque, 3 Horizon Circle

I am for the sidewalks. I go by Pennichuck Junior High all the time, and there are children that are walking 3 and 4 abreast. I don't know if they go out Tinker Road, but I do know they go through our development. I find it very dangerous without a sidewalk. Thank you.

Norbert Levesque, 3 Horizon Circle

I am very much for a sidewalk. There are people opposing it. I think maybe to have it on the North side of the road may be a compromise. I can see what has been brought up earlier – to have it on the South side of the road may be a problem. I am in favor of a sidewalk both on Tinker Road and on Manchester Street as proposed. I will recommend consideration of having a sidewalk on the North side. Thank you.

Greg Clukey, 16 Preserve Drive

I would like to speak to the funding specifically of the sidewalks for Manchester and Tinker that you are considering tonight. I strongly support the building of these sidewalks. In fact it was about a year ago, May, 2004, that my wife and I put together a Petition signed by over 100 of the taxpayers in and around that area, not just in Harris Preserve, but some on Tinker and some of the routes that come down there. The primary driver was as other people have said the pathway for the children to be walking to Pennichuck. That was the primary concern that we were trying to address with that.

That particular stretch of road for those that know it has a sidewalk from Pennichuck up to Deerhaven and then it stops there. It is a no salt route so it gets very treacherous in the winter. There are some areas where there is really no walking space whatsoever on those roads. It is not just for the children it is for the residents as well. As was pointed out that stretch, those roads from Manchester down to the fork, up Tinker Road as well as up Manchester toward Preserve Drive have been identified by the School Department for a number of years as areas that are in need of a sidewalk. We have already identified what we were trying to do was to bump it up in priority and to go ahead and get that addressed.

Pennichuck being a middle school now obviously kids are now 10 and 11 going into that school so we have even younger kids. That whole area is a walking area so there are no buses so the kids must walk to school. Yes some go up the back roads to Deerhaven, but some can't or would rather not do that. That is what we were pushing for, and that is what we would really like to see you keep all the funding for that sidewalk as it is proposed. A couple of other comments – one is that the sidewalk design itself as presented made a lot of sense in that the design is better, it is a little wider, which means that snow plowed from the road or snow plowed from the sidewalk doesn't build up on the sidewalk. I think we have all seen the sidewalks in front of Pennichuck being so small – one with a telephone pole stuck right in the middle of it – during the winter they can sometimes become impassable. The new design that is being proposed for these makes allocation of some extra room.

With all due respect and actually gratitude to the folks on Tinker and on Manchester that are going to be impacted, it is about the safety – the folks walking down those roads and of the children. That is really what we are going after. If there are alternatives that is great as long as the sidewalk gets covered in that area is what we were looking for. I would like to really have you and I guess it is 05-215 to fully support that including all the funding for the Tinker and the Manchester sidewalks. Thank you.

Susan Clukey, 16 Preserve Drive

I am 100% in support of a sidewalk for our children. I will have two children walking next year to Pennichuck, and there is no safe route to Pennichuck for my children where they don't have a bus. My daughter this year almost got hit twice by a car. We really need to do something about this before something happens to one of our children. It is very, very important. I would also like to say that I can understand what people are upset about losing frontage on the front of their house, but when it comes to our children we need to do good. We need to put in a sidewalk and protect them. Thank you.

Robert Burgess, 32 Bates Drive

There were no agendas there, but I would like to speak on the sidewalk on Manchester Street. Coming in here tonight I took a ride down Manchester Street. From Tinker Road to Preserve Drive, 1,056 feet, no houses. We're going to put in 1,056 feet of sidewalks – who will use it? There is no way – Preserve is gated on the backside – people could very easily go out through the back gate and cut through like the other youngsters. For some time in Ward 3 we have been trying to get the sidewalks on Concord Street. Which street is more heavily traveled than Concord Street today?

We went and robbed Peter out of this to get the money out of this. Apparently these funds come from the Southwest – one of these funds I believe Mr. Deane put in and now we have already started to grab the till from other sites. Maybe we could go to Target and get some of that money and have the sidewalk put in from Hills ferry Road to the Henry Bourque Highway that we have been trying to get for years.

Talking with somebody from the School Board this piece of road from Manchester Street from Tinker Road to Preserve Drive never was on their agenda. This was – I believe listening to the meeting the other night when the engineer was in here from the Board of Public Works he said this was through a Petition that the people wanted this. Further up this development they have their sidewalks in the Pennichuck – we have then farther up on Tinker Road. Maybe this should have been another deal where the developer should have put it in like the bypass road through Tinker Road that the taxpayers are going to end up funding some day. Could be much worse though these people up here – take a ride down to Charlotte Ave. and look at their beautiful 8-foot sidewalk. This is nothing but a travel lane down there. There is no way the Board of Public Works – there are sidewalk stipulations say that the 8 foot sidewalk is a legal sidewalk, but nobody wanted to do it but one of our Aldermen lives on that street there and I guess he is pretty happy with it. If it were in my neighborhood I would be raising hell.

Let's get on to another one tonight the Principal's salary, which is coming up there. As I look at this I think it ought to go down the tubes again - \$100,000 life insurance policy. Thirty-nine days off a year – we have 20 vacation days, 15 sick days, 4 personal days that is 8 weeks off a year. I wish I had that. I never had it. They want the full dental plan that the teachers have. The teachers are getting braces and everything else. The health insurance we have been talking about this for years in here. Something has to stop. As one of the previous speakers said the big problem here is the salaries – the benefits that we gave with these contracts – these were all given out in this room. This is the biggest problem with our budget today the contracts. As I mentioned a few times I wish Mr. Mayor you could approach the unions in this city and ask them for maybe a freeze or maybe a 1% cut this year. This would really save a lot of jobs. We wouldn't have to go to the extent that some of these good Aldermen have tried to cut this budget some things that are going to be really faced – this would have been an honorable thing for some of these unions to do. Like I have said in the past I have done it to preserve my job and keep my fellow workers working, but apparently nobody wants to hear that in this room or none of the unions want to hear that, but I think it would be an honorable thing in a budget crisis that we are in now.

The Budget Committee they have been pulling out their hair and I have to commend them for the hard work that they have given this. I would really like to get on the sidewalks up on Concord Street later on that the State said they don't want to put in. I will bring that up at the end of the meeting.

President McCarthy

Mr. Trimarco looking at the issue that you want to address – it is not an issue that is on our agenda. By our rules I am going to have to ask you to wait until the second comment period this evening.

Thomas Trimarco, 162 Tolles Street

That is fine. Thank you.

PETITIONS – None

NOMINATIONS, APPOINTMENTS AND ELECTIONS - None

REPORTS OF COMMITTEE

Budget Review Committee..... 05/17/05

There being no objection, President McCarthy declared the report of the May 17, 2005 Budget Review Committee accepted and placed on file.

Budget Review Committee..... 05/19/05

There being no objection, President McCarthy declared the report of the May 19, 2005 Budget Review Committee accepted and placed on file.

Budget Review Committee..... 05/26/05

There being no objection, President McCarthy declared the report of the May 26, 2005 Budget Review Committee accepted and placed on file.

Budget Review Committee **Action Report** 05/31/05

There being no objection, President McCarthy declared the **action report** of the May 31, 2005 Budget Review Committee accepted and placed on file.

Budget Review Committee..... 06/02/05

There being no objection, President McCarthy declared the report of the June 2, 2005 Budget Review Committee accepted and placed on file.

Finance Committee..... 05/16/05

There being no objection, President McCarthy declared the report of the May 16, 2005 Finance Committee accepted and placed on file.

Finance Committee..... 06/01/05

There being no objection, President McCarthy declared the report of the June 1, 2005 Finance Committee accepted and placed on file.

Human Affairs Committee..... 05/18/05

There being no objection, President McCarthy declared the report of the May 18, 2005 Human Affairs Committee accepted and placed on file.

Committee on Infrastructure 05/25/05

There being no objection, President McCarthy declared the report of the May 25, 2005 Committee on Infrastructure Committee accepted and placed on file.

Planning & Economic Development Committee..... 05/17/05

MOTION BY ALDERMAN ROOTOVICH TO ACCEPT THE REPORT OF THE PLANNING & ECONOMIC DEVELOPMENT COMMITTEE MEETING OF MAY 17, 2005, PLACE IT ON FILE AND GRANT THE PETITION FOR WAIVER OF PUBLIC SCHOOLS FACILITIES IMPACT FEES FOR COLLISTON YARD CONDOMINIUM, 160 DANIEL WEBSTER HIGHWAY, NASHUA

ON THE QUESTION

Alderman Lozeau

Thank you Mr. President. I will not be supporting this Resolution to grant the exclusion of the School Impact Fee. I don't know enough about it, and I understand that this is a \$100,000 a year impact. I am not sure if that is every year for a tax abatement or if it is only one year, but I would like to go on to say that \$100,000 today would buy you the rental of the Public Works garage for a year, it would buy you the rental of the alternative middle school for a year, and it would also fund the needed funds for the continued acquisition of the Pennichuck that is owed for this year. Thank you Mr. President.

President McCarthy

As a point of information it is a one-time fee that is paid when the Certification of Occupancy is acquired.

Alderman Lozeau

Thank you.

Alderman Rootovich

Thank you Mr. President. I am going to support it. We have had many in the prior years that have come before us some a lot larger than this and the Board voted for them unanimously. I don't think

it is fair to pick on this one gentleman. They came to committee – there were various members of the committee as well as Mr. Lowe who is the liaison to the Planning Board, with respect to having children live there. We went back and asked the proprietor, Mr. Plante, to go back and redo his Condominium Association documents. He was kind enough to do that. He re-filed them. AS you heard this evening they will have no children there under 18 years of age for anything over 2 months, which would evade the necessary impact fees. I will be supporting it. I think it is unjust to select this individual and not the past. I will be supporting it.

Alderman Deane

I won't be supporting it. I think we really have to look into waving these types of monies. I would like to get some clarification perhaps from Corporation Counsel, but I believe in some instances our school district offers the services of giving education in some instances the students are up to the age of 21 years old. There are instances where that does happen in the City of Nashua. Are you aware of that Alderman McCarthy?

President McCarthy

No I am not, but I am not aware that it doesn't happen either.

Alderman Deane

I have heard of some areas where people move to the community just for that purpose where the child might have some problems and the parents want to be able to keep that child's medical insurance in place, and they come to Nashua for that purpose. I agree with Alderman Lozeau – enough is enough. I think we make amends for our seniors and our veterans in these forms. There may be a Condominium Document in place, but once the buildings are full and everything rolls out who will control who lives there and who does not? Thank you.

Alderman Shaw

I will be supporting this. We had asked and discussed with the developer and their legal representation at the Planning & Economic Development Committee. I felt that they did their due-diligence in going back and trying to address the concerns that we had. I think especially with further implementation of what they did in their condominium documents it is definitely worth an effort of good faith to try to satisfy the requirements of the committee and what we expected that they should be doing to make sure that there was no true impact by any school age population/ children residents in that condominium development. Thank you.

Alderman Tollner

I will be supporting this for a couple of reasons – one that they have made the adjustments to their condominium document as has been stated. Nashua has a serious need and void for senior housing. I think this is a very good example of a good project that addresses the senior housing need that we have, and it will fill it nicely. Also I think that they have shown themselves even before

they have opened it up to be a partner of the community participating in a number of community projects. While I understand the concern that we are losing out on possibly \$100,000 I also think that we have approved other situations like this in the past, and I think it is safe to say that there won't be people moving in there that will have permanent children attending the Nashua schools given the fact that they cannot live there more than 2 months. If anything they might be visiting, but that would be about it. If we want to bring in more senior housing in Nashua to fill that need I think this is a good step. Thank you.

Alderman LaRose

Thank you Mr. President. From some of the comments I have heard I am not sure that every member understand the school impact fees. My understanding of the school impact fees are that when you build a new home or this condominium type of structure there can be an impact fee, and the impact fee monies go into a fund for the construction of new classrooms. It isn't used for all kinds of different things. It can only be used as I understand it for new construction of classrooms. There is a five-year period that after five years if that money is not used for the construction of new classrooms that money goes back to whoever paid for it. Now I don't know how much money is in reserve at this time, but that is the situation. I don't know if in the past we have had to rebate people because that money was not used. I would also say that as a member of the Planning Board I did vote with the Planning Board. There is some feeling on the Planning Board because of the federal laws that 20% of the units can be sold to people who are under 55 and probably have children. That is where some of the members feel that there should be an impact fee. We have asked or I have spoken to the Chairman of the Planning & Economic Development Committee, Alderman Rootovich, that the Planning Board would like to sit down with the committee so that the Planning Board can give their point of view and so that the members of the Planning & Economic Development Committee can understand where they are coming from. Thank you.

Alderman Rootovich

I have scheduled that meeting for next Tuesday with the Planning Board. Again the concerns that you share and the concerns from other individuals that would be the night to bring that up with respect to making some amendments to that current ordinance. However, we just passed one about a month and a half back with a much larger condominium development off Spit Brook Road that involved a lot more money that the entire Board passed. I still think this is somewhat selective to point out this one individual now that he has made more than a good faith effort to come back and do what was asked of him and then not grant him at this time I think is ill advised. Again that is why I will be supporting it.

Alderman Deane

Could I ask through you Mr. Chairman to Alderman LaRose how the Planning Board voted on this?

Alderman LaRose

The Planning Board voted unanimously to give an unfavorable recommendation.

Alderman Deane

Thank you.

Alderman Rootovich

That is just it, it is a recommendation. It doesn't require a 2/3 vote by override of the Board of Aldermen. One of the reasons why I believe was because of the concern that the original documents that he had with the condo association with respect to having children there under the age of 18 was rectified. That was addressed and why we held it in committee and asked him to change those, which he did.

Alderman Deane

Through you to Alderman Rootovich – did the adjusted or amended documents go back to the Planning Board for further review or did they just stay with their unfavorable recommendation?

Alderman Rootovich

I don't know if they did or did not to be honest with you. I guess they didn't.

Alderman Cardin

I am going to support this. I think if the developer has met the conditions that were set forth and other developers meet the conditions that we set forth why are we picking and choosing which developers we are going to waive this impact fee for?

President McCarthy

Alderman Rootovich if I could ask you to clarify the language regarding the percentage of the units that could be sold without the restriction on them has in fact been removed from the condo association?

Alderman Rootovich

I am going to allow Mr. Plante to respond if you don't mind. My understanding is the documents would not allow any children to reside there longer than 2 months under the age of 18. For that specific clarification unless Corporation Counsel has the answer I would ask Mr. Plante to respond.

Alderman Bolton

A couple of things – the documents provide that no one under the age of 18 can reside there for longer than 2 months. The documents have further been amended to provide that any amendment to that section would have to be approved by the Nashua Planning Board so it locks it in essentially as a condition of getting the waiver of the impact fees. I think the bigger issue is that the only

reason why a municipality as part of its planning process has authority to collect impact fees is because there is a reasonable belief that an impact will be the result of the particular plan that is under consideration, and you have to have enabling legislation from the State and we have to have the regulation adopted that establishes what the impact fee will be, how it will be assessed and calculated, and so forth, and we have that. But when you have a project where you can't reasonably say that it will have that resulting impact you can't collect the fee. That is the situation we are in not only with this project, but with a lot of projects that have come before us and asked that this be waived. This is the procedure. It is particularly in there because it envisions this precise situation. There is no reasonable likelihood that any large number of school aged children will live in this project, and certainly that no large number of children or adults or whomever will be attending our public schools – certainly not enough that would warrant additional construction to the tune of \$100,000 there just isn't.

The idea that we need money and here is someone that we can get money from is not really the appropriate analysis and it is not an analysis the courts will look with favor upon if we start going down that road. I can't urge more strongly that fair is fair. It is not going to have the impact and we ought not be collecting an impact fee for an impact that is not there.

Alderman Johnson

Thank you Mr. President. May I ask a question through the Chair to Alderman Rootovich?

President McCarthy

Certainly.

Alderman Johnson

Thank you. It is supposed to be 55 years and older the development am I correct?

Alderman Rootovich

Correct.

Alderman Johnson

Eighty percent of the residents have to be 55 years and older am I correct?

Alderman Rootovich

No it could be more.

Alderman Johnson

But it came up with a 20% it couldn't be more than 20% under the age of ...

President McCarthy

I will ask Mr. Plante if he can ...

Alderman Bolton

I can resolve this. Eighty percent of the units have to be occupied by one person age 55 or older so it is possible to have a 55 year old person with a 52 year old spouse, and that unit would count for that 80% at 55 and older. Twenty percent of the units can be occupied by people in their 30s or 40s or 20s, but without regard to the Federal regulations, by restriction in the condominium documents no one 18 years of age or younger can reside there for more than 2 months in 100% of the units.

Alderman Johnson

That is what I wanted to get back to the Federal regulations. What exactly does the Federal regulations say? We keep talking about the Federal regulations, and that is what I would like to know.

President McCarthy

I think Alderman Bolton just clarified that with ...

Alderman Johnson

Well then why do we have Federal regulations?

President McCarthy

My understanding from what Alderman Bolton said was the Federal regulation applied to the 55 year old provision and does not override the covenant that no one can be under 18.

Alderman Johnson

Thank you.

President McCarthy

The motion before us is not accept the report of the Planning & Economic Development Committee of May 17th, place it on file, grant the Petition for Waiver of Public School Impact Fees for Colliston Yard Condominium, 160 D.W. Highway, Nashua. Is there any further discussion?

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

Yea: Alderman Tollner, Alderman Vitale, Alderman LaRose, Alderman Gage, Alderman Cardin, Alderman MacLaughlin, Alderman Plamondon, Alderman Shaw, Alderman

Rootovich,
Alderman Bolton, Alderman McCarthy

11

Nay: Alderman Deane, Alderman Lozeau, Alderman Dion, Alderman Johnson
4

MOTION CARRIED

CONFIRMATION OF MAYOR'S APPOINTMENTS – None

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 SPECIAL ELECTION IF MORE THAN SIX (6) MONTHS REMAIN IN THE UNEXPIRED TERMS OTHERWISE AT THE NEXT REGULARLY SCHEDULED MUNICIPAL ELECTION

Given its third reading;

MOTION BY ALDERMAN LOZEAU THAT R-04-126, AS AMENDED, BE PLACED ON THE BALLOT AT THE NEXT REGULAR MUNICIPAL ELECTION AND THAT COPIES OF THE PROPOSED AMENDMENT AND A SUMMARY THEREOF BE MADE AVAILABLE TO THE PUBLIC IN THE CITY CLERK'S OFFICE AT LEAST TWO WEEK'S PRIOR TO THE ELECTION

ON THE QUESTION

Alderman Tollner

Yes this was bouncing around Personnel for quite some time, and I think probably after the second or third time we had a discussion at the guts of it changed dramatically. I would just like to take a second to recognize the effort of Alderman LaRose from Ward 2 along with the endorsers. They really did stick with this, worked with ... he really had a sense of diligence throughout this process,

and stuck with it and did a nice job in communicating with the endorsers throughout the process. The end result I think is a very good piece of legislation. I want to thank him for his effort.

MOTION CARRIED

R-05-207

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 \$192,500 FROM THE OFFICE OF DOMESTIC PREPAREDNESS, GRANTS MANAGEMENT DIVISION INTO SPECIAL REVENUE ACCOUNT #332-6316 "ODP GRANT 2004"

Given its second reading;

MOTION BY ALDERMAN CARDIN FOR FINAL PASSAGE OF R-05-207

MOTION CARRIED

Resolution R-05-207 declared duly adopted.

R-05-212

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

APPROVING AN AGREEMENT BETWEEN THE CITY OF NASHUA AND THE NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION FOR THE CITY OF NASHUA,

WITH THE HELP OF THE NASHUA REGIONAL PLANNING COMMISSION, TO

MUNICIPALLY MANAGE THE RECONSTRUCTION AND WIDENING OF NH

101-A FROM CELINA AVENUE TO THE SOMERSET PLAZA ENTRANCE

Given its second reading;

MOTION BY ALDERMAN DEANE FOR FINAL PASSAGE OF R-05-212

MOTION CARRIED

Resolution R-05-212 declared duly adopted.

R-05-213

Endorsers: Mayor Bernard A. Streeter
Alderman David D. Lozeau

RELATIVE TO THE TRANSFER OF \$104,020 FROM EXPENDABLE TRUST FUND ACCOUNT #596-5330 "CITY RETIREMENT FUND" INTO ACCOUNT #531-11900

“POLICE – FULL-TIME PAYROLL”

Given its second reading;

MOTION BY ALDERMAN LOZEAU FOR FINAL PASSAGE OF R-05-213

MOTION CARRIED

Resolution R-05-213 declared duly adopted.

R-05-214

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

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$47,750 FROM THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF SAFETY INTO SPECIAL REVENUE ACCOUNT #331-6218 “SRT COMPETITIVE HOMELAND 2004 GRANT”

Given its second reading;

MOTION BY ALDERMAN PLAMONDON FOR FINAL PASSAGE OF R-05-214

MOTION CARRIED

Resolution R-05-214 declared duly adopted.

R-05-215

Endorsers: Alderman Kevin E. Gage
Alderman Richard LaRose
Alderman Rob Shaw
Alderman-at-Large David Rootovich
Alderman David D. Lozeau

RELATIVE TO AUTHORIZING THE DIVISION OF PUBLIC WORKS TO EXPEND THE SUM OF \$21,727 FROM THE “EXPENDABLE TRUST FUND, SIDEWALK CONTRIBUTIONS – SOUTHWEST QUADRANT” TO HELP FUND THE CONSTRUCTION OF SIDEWALKS ON BRAMBLE DRIVE, HARRIS ROAD, AND WHITFORD ROAD AND TO EXPEND THE SUM OF \$13,580 FROM THE “EXPENDABLE TRUST FUND, SIDEWALK CONTRIBUTIONS – NORTHEAST QUADRANT” TO HELP FUND THE CONSTRUCTION OF SIDEWALKS ON MANCHESTER STREET AND TINKER ROAD

Given its second reading;

MOTION BY ALDERMAN LAROSE TO AMEND R-05-215 BY REPLACING IT IN ITS ENTIRETY WITH THE AMENDED COPY PLACED ON OUR DESKS THIS EVENING

ON THE QUESTION

Alderman LaRose

On the other side of the paper that is on your desk is the Resolution. Mr. President the reason I brought in this amended Resolution is because at the last – I believe it was the last Infrastructure Committee meeting after we had discussed the Resolution I left, it passed, and one of the people in the area happened to be watching the proceedings on television and as I left she came in and she was recognized by the Chairman and she spoke against the Tinker Road sidewalks. They were here this evening, The Hennessy's – the husband got up and spoke. Some of the members of the committee mentioned the fact maybe we could have it sent back to committee. The reason I am doing this is that there are sidewalks to be built in Ward 5 and in Ward 9. If this goes back to committee it holds back everything. What I did is I took out the portion that the monies that talked about the Tinker Road. What this will do is it will allow the sidewalks in Ward 5 and 9 to be constructed, and apparently from what the Mayor said in his opening remarks the projects have gone out to bid. It also still allows the sidewalks to be built on Manchester Street. It still allows the city to get a bid on Tinker Road to find out what the cost is going to be.

Alderman Lozeau and I went to Tinker Road and looked at it and we knocked at the door of the Hennessy's and we had a discussion with Mrs. Hennessy. If you look at Tinker Road there is in the right of way there are underground cables for – I don't know if it is just for the telephone, but there are underground conduits and about 6 different little green boxes I guess for the telephone company that I assumed that some of them may or may not have to be moved – the topography on a few of the homes – kind of hilly. I suspect that they don't really have enough money even if we gave them \$13,000. This gives Public Works the chance to get the bid to find out what the true costs might be and possibly redesign it for whatever reason they may deem necessary. When I brought this amendment forward I did talk to the Director of Public Works. I spoke to the gentleman who engineered the project. I talked to the City Engineer so that they would know that I was doing this so that it wouldn't surprise them. They may not like the idea too much, but I think they can live with it. I would ask that you support this amended version so that most of the project can go forward.

Alderman Gage

I just want to as the Alderman of Ward 3 and have also gone to some of these meetings with constituents from both Ward 2 and Ward 3 and Alderman LaRose I just want to rise in support of this amendment. Alderman LaRose has done a lot of this work and I want to commend him on that. I will support this. Thank you.

Alderman Deane

I will be supporting the amendment as well. I think we really have to understand what is going on up in that area pertaining to the right of way issues as well as the fact that I talked to Director Seymour and they don't have nearly enough money to get anywhere near the amount of sidewalk that they are trying to go after this year. I believe the utilities are PSNH as well as telephone that are underground. The costs of moving those are prohibitive. Putting the sidewalk on the other side of the street may be an alternative way to get the sidewalk and not have to deal with the utilities. I will be supporting the amendment as well. Thank you.

Alderman Shaw

I will definitely be supporting it, and I would like to thank Alderman LaRose for being sensitive to the projects in Ward 9 and Ward 5, and trying to make sure that those could go forward while these issues at Tinker get resolved. Just again thank you for that.

Alderman Dion

I am a little confused. Maybe Alderman LaRose can clue me in, but I am reading the Resolution as amended, and I see three areas where we are going to construct sidewalks; from Bramble Drive, Harris Road, and Whitford Road, but yet Alderman LaRose mentioned the fact that we were going to proceed with Manchester Street and Manchester Street is not on the proposed amendment. I am just curious as to whether we are going to do Manchester Street or not. If we are going to do Manchester Street why is it not included?

Alderman LaRose

Thank you. This Resolution is really about \$21,000, and not necessarily the streets that it names. The way the Resolution reads is they are naming the streets that they are going to use the \$21,727 on plus whatever has been allocated from the budget for the sidewalks. In the Manchester Street and Tinker Road what I have done is I have taken out the \$13,580 from this Resolution and they will be using monies that have been allocated in the budget for the sidewalks on Manchester Street. That is why it doesn't have to be in here.

Alderman Dion

It doesn't have to be?

Alderman LaRose

It doesn't have to be in here. They still don't lose that opportunity.

Alderman Dion

But Tinker Road is out of the picture?

Alderman LaRose

Tinker Road is on hold not necessarily out of the picture in the future.

Alderman Tollner

I will support the amendment to the legislation. I would also hope that the Alderman from Ward 2 would work with those neighbors – I think there are a couple of people here tonight that were very much in favor of those sidewalks and wanted to see those sidewalks along Tinker Road even if they

were going to be on the other side of the road because there are kids that walk to school. I will support the motion. I would hope that we would continue to proceed in some fashion to try and come up with a somewhat quick resolution for those people that live in that area of the city. At the same time make sure that we work and continue the dialogue with the neighborhood. Thank you.

Alderman LaRose

The odd thing of this whole thing is it is 2 houses in Ward 2 and the rest of it is in Ward 3 that used to be Ward 2 before redistricting. The people who make the most noise are the people that live in my Ward. That is how I more or less got involved. I did tell the Hennessy's that I was an advocate of sidewalks and I did tell them that in the future there may be a sidewalk on Tinker Road and it may be in front of their house. Thank you.

President McCarthy

Is there any further discussion? The motion is to amend R-05-215 in its entirety by replacing it with the amended copy placed on our desks.

MOTION CARRIED

**MOTION BY ALDERMAN LAROSE FOR FINAL PASSAGE OF R-05-215 AS AMENDED
MOTION CARRIED**

Resolution R-05-215 declared duly adopted as amended.

R-05-216

Endorser: Mayor Bernard A. Streeter

**RELATIVE TO THE TRANSFER OF \$9,069 FROM EXPENDABLE TRUST FUND
ACCOUNT #996-5330 "CITY RETIREMENT FUND" INTO ACCOUNT #575-11900
"LIBRARY – FULL-TIME PAYROLL"**

Given its second reading;

**MOTION BY ALDERMAN SHAW FOR FINAL PASSAGE OF R-05-216
MOTION CARRIED**

Resolution R-05-216 declared duly adopted.

R-05-217

Endorsers: Mayor Bernard A. Streeter

Alderman Marc W. Plamondon

Alderman Kathryn D. Vitale

**OFFICIALLY NAMING THE ISLAND IN THE CUL-DE-SAC ON PETERBOROUGH
PLACE "IN MEMORY OF CHRISTOPHER ROLLINS AND ALL AFFLICTED WITH
DUCHENNE MUSCULAR DYSTROPHY"**

Given its second reading;

**MOTION BY ALDERMAN PLAMONDON FOR FINAL PASSAGE OF R-05-217
MOTION CARRIED**

Resolution R-05-217 declared duly adopted.

R-05-218

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

**RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF THE SUM OF \$3,980.76
FROM THE STATE OF NEW HAMPSHIRE INTO SPECIAL REVENUE ACCOUNT #331-**

6216 "NH CLIQUE SEATBELT GRANT 2005"

Given its second reading;

**MOTION BY ALDERMAN GAGE FOR FINAL PASSAGE OF R-05-218
MOTION CARRIED**

Resolution R-05-218 declared duly adopted.

R-05-220

Endorser: Mayor Bernard A. Streeter
**RELATIVE TO THE APPROPRIATION OF \$8,000 INTO ACCOUNT #511-53025
CONSULTING SERVICES" TO BE OFFSET BY THE TRANSFER OF THE SUM
OF \$8,000 INTO SAID ACCOUNT FROM ACCOUNT #511-11234 "DIRECTOR
ADMINISTRATIVE SERVICES"**

Given its second reading;

**MOTION BY ALDERMAN BOLTON FOR INDEFINITE POSTPONEMENT OF R-05-220
MOTION CARRIED**

Resolution R-05-220 declared indefinitely postponed.

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 second reading;

MOTION BY ALDERMAN SHAW FOR FINAL PASSAGE OF R-05-226

ON THE QUESTION

Alderman Tollner

I will vote in favor of this. The one request I have of both you Mr. President and the Mayor is hereon forward if you could provide the Board of Aldermen with an update on all of the meetings that pertain to the Pennichuck acquisition and maybe a brief summary of what took place during those meetings whether they be with another municipality or our consultant – I would appreciate that.

Alderman Johnson

I have asked and I am going to ask again since the consultant came in – I would like to get a guesstimate as to what we are going to foresee in '06 because it has been changed. The original proposal was for \$100,000 then \$300,000 was added into the budget. I am going to ask that we start getting guesstimates – what do we really project the cost is going to be because somehow my gut feeling says the amount that we are being told for '06 is not going to be the right amount, and we are going to be coming back – the Mayor is going to be coming back to the Board asking for more money again. When you are running on a tight budget next year there might not be any extra money to give. I would like that information.

MOTION CARRIED

Resolution R-05-226 declared duly adopted.

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 second reading;

MOTION BY ALDERMAN DEANE FOR FINAL PASSAGE OF R-05-227 BY ROLL CALL

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

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

14

Nay: 0

MOTION CARRIED

Resolution R-05-227 declared duly adopted.

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 second reading;

MOTION BY ALDERMAN BOLTON FOR FINAL PASSAGE OF R-05-229 BY ROLL CALL

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

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

11

Nay: Alderman MacLaughlin, Alderman Lozeau, Alderman Johnson

3

MOTION CARRIED

Resolution R-05-229 declared duly adopted

UNFINISHED BUSINESS – ORDINANCES

O-05-80

Endorser: Alderman-at-Large David W. Deane
Alderman-at-Large James R. Tollner

REGARDING MUNICIPAL CHANNEL PROGRAMMING

Given its second reading;

**MOTION BY ALDERMAN DEANE TO AMEND O-05-80 IN ITS ENTIRETY BY REPLACING IT WITH THE GOLDEN ROD COPY PROVIDED WITH THE AGENDA
MOTION CARRIED**

MOTION BY ALDERMAN DEANE FOR FINAL PASSAGE OF O-05-80 AS AMENDED

ON THE QUESTION

Alderman Shaw

I would like to thank Alderman Deane for his efforts on trying to bring this legislation forward, and then also trying to work with the various inputs that we had. I know there were some challenges in how to properly balance getting the right meetings available for viewing and try to take the disagreements over how things were handled. I think this is a good step forward in trying to resolve that. Thank you.

MOTION CARRIED

Ordinance O-05-80 declared duly adopted as amended.

NEW BUSINESS – RESOLUTIONS

R-05-231

Endorsers: Mayor Bernard A. Streeter
Alderman Lori Cardin
Alderman-at-Large James R. Tollner
Alderman Marc W. Plamondon
Alderman Kevin E. Gage
Alderman Rob Shaw
Alderman David Lozeau
Alderman-at-Large David W. Deane
Alderman David MacLaughlin

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF THE SUM OF UP TO \$32,000 RECEIVED FROM THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF SAFETY INTO SPECIAL REVENUE ACCOUNT #331-6222 “GANG INTERDICTION PATROL – ODP”

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

R-05-232

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

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF THE SUM OF \$27,207.68 RECEIVED FROM THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF SAFETY, INTO SPECIAL REVENUE ACCOUNT #331-6221 “HOMELAND GRANT 2005 - SRT”

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

R-05-233

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

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF THE SUM OF \$27,207.68 RECEIVED FROM THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF SAFETY, INTO SPECIAL REVENUE ACCOUNT #331-6220 "HOMELAND GRANT 2005 - BOMB"

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

R-05-234

Endorsers: Mayor Bernard A. Streeter
Alderman David Lozeau

RELATIVE TO THE TRANSFER OF \$36,812 FROM ACCOUNT #597-86605 "CONTINGENCY NEGOTIATIONS" INTO ACCOUNT #575-11900 "LIBRARY – FULL-TIME PAYROLL"

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

R-05-235

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 \$4,200 RECEIVED FROM THE STATE OF NEW HAMPSHIRE, FISH AND GAME DEPARTMENT, INTO SPECIAL REVENUE ACCOUNT #331-6219 "NH FISH AND GAME OHRV 2005 GRANT"

Given its first reading;

**MOTION BY ALDERMAN CARDIN THAT THE RULES BE SO FAR SUSPENDED AS TO ALLOW FOR THE SECOND READING OF R-05-235
MOTION CARRIED**

Resolution R-05-235 given its second reading

MOTION BY ALDERMAN CARDIN FOR FINAL PASSAGE OF R-05-235

ON THE QUESTION

-
Alderman Cardin

-
This is a grant that was awarded at the end of May. It is due back by June 25th, so it wouldn't have made our next meeting. It is time sensitive. It's for law enforcement patrol during the period of July 1st through June 30, 2006. I would beg the board's indulgence on passing this this evening.

MOTION CARRIED

Resolution R-05-235 declared duly adopted.

R-05-236

Endorser: Mayor Bernard A. Streeeter

RELATIVE TO THE TRANSFER OF \$52,010 FROM EXPENDABLE TRUST FUND ACCOUNT #996-5330 "CITY RETIREMENT" INTO ACCOUNT #531-11900 "POLICE – FULL-TIME PAYROLL"

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

R-05-237

Endorser: Mayor Bernard A. Streeeter

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, 2005

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

NEW BUSINESS – ORDINANCES

O-05-91

Endorser: Alderman Kevin E. Gage

Alderman-at-Large David W. Deane

Alderman James R. Tollner

AMENDING THE PARKING ORDINANCES ON WHITNEY STREET

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

MOTION BY ALDERMAN DION THAT THE RULES BE SO FAR SUSPENDED AS TO ALLOW FOR THE FIRST READING OF AN ORDINANCE RECEIVED AFTER THE AGENDA WAS PREPARED

ON THE QUESTION

-
Alderman Tollner

-
I would like to be added as a co-sponsor and I would like to ask Alderman Gage again to contact that gentleman. I did speak with him a couple of days ago, and he still has some issues with the

way this particular piece of legislation is written.

MOTION CARRIED

O-05-92

Endorser: Board of Aldermen

AMENDING THE ZONING ORDINANCE TO REQUIRE A SPECIAL USE PERMIT FOR DEVELOPMENT OF LOTS WHOSE SOLE ACCESS IS BY A RIGHT OF WAY RELEASED FROM DEDICATION TO PUBLIC USE (“PAPER STREET”)

Given its first reading;

MOTION BY ALDERMAN ROOTOVICH TO ACCEPT THE FIRST READING OF O-05-92, REFER IT TO THE PLANNING & ECONOMIC DEVELOPMENT COMMITTEE AND THE NASHUA CITY PLANNING BOARD AND SCHEDULE A PUBLIC HEARING FOR WEDNESDAY, JULY 6, 2005, AT 7:00 PM IN THE ALDERMANIC CHAMBER

MOTION CARRIED

PERIOD FOR PUBLIC COMMENT

Thomas Trimarco, 162 Tolles St., Nashua

I represent the majority of the people who live on Tolles – most are elderly or have children who couldn't make it tonight. I have two concerns. One is, and I do apologize if I seem a little frustrated, but I find it inexcusable and unacceptable for two months that my alderman cannot return a call with regard to safety, speeding and issues on Tolles Street. I have come several times to the Mayor's Office, and we've talked about it. I have gone to the traffic department, who has told me on the phone that I need to set up a meeting with my alderman with regards to having a community meeting regarding speed and traffic. Tolles is off of Courtland on the corner. In the last two years, we have had a motorcycle and a car go through the corner there. They have put in sidewalks 2-3 years ago. That made a street 25 wide now 10 feet wide. We are getting excessive traffic and speeding through those areas. No one that goes down Tolles or Courtland live on Tolles or Courtland. They are using Merrimack to go to Hudson and back. There are children and young adults; there are dogs, and families that live on that street. There are motorcycles, cars and trucks speeding throughout that whole area. I have addressed the issue with the police department. I don't feel it is their responsibility solely. They have told me that there are only three traffic police for the entire city. I don't know if that is true or not, but there is 90,000 plus people in Nashua. Three dedicated traffic police for the entire police – I don't see how that is going to work. Just driving here today, I have seen signs that say “no trucks” “no left turns 3-7”. We are looking for some way that we, as a community – and we've even have offered to pay for this – to watch for the safety of our children. I don't want to come to this board with a child killed because there's too many issues on the board about other things because I can't speak to my alderman. That's why I am here today. I thank you for your time.

President McCarthy

As I mentioned to you on the phone when you called me, I will make sure that the traffic department...

Mr. Trimarco

... yes, but I wanted to voice my concerns in the public forum.

Laura Kane, 7 Silver Drive, # 3, Nashua

I have some issues that have been brewing in my life for a little while, so I am going to address them tonight. One of the good things that I would like to bring up is that I have been involved for some time in trying to combat affordable housing in this town. One of the good things that I am involved is Habitat for Humanity. Recently we picked a family – a single mother with two children – who is one of the hardest working person I have ever met in my life. That's what I love about Habitat. You see the people who are really trying and you give them a hand up, and not a handout over and over again. The people you give handout over and over again never stops – ever, ever. One of the good things that has happened with this is that GMAC has kind of adopted this house. They have contributed \$60,000 through fundraising. I think that is amazing because there are so many corporations out there that, as far as I am concerned, are making more money than they know what to do with but never seem to put it towards any charitable functions. The family was also required to apply for a grant that French Hill told us about which was \$15,000. That \$15,000 will go towards the \$45,000 that the land is going to cost us. GMAC says they are going to be there almost every single day to help us build this. It's a great family; it's a great project. I feel like finally we're getting somewhere with this affordable housing issue. We talk about it a lot, but I don't see a lot of movement on the issue a lot of issue.

Now I am going to talk about some other things that have really been bothering me lately. Number one, we need to keep the kids out of the middle of the street. I don't know what is going on. Number one, I talked to Alderman Gage about this when the little boy got hit on Concord Street. I was two cars behind that person. I could have hit that child. You could not have seen him. It was 8:00 – 8:15 p.m. Eventually we all had to figure out how to go around him so nobody would keep continuously hitting the child over and over again. There's too many kids I see in the middle of the street, and I don't know why they are there. I live on Silver Drive. There were kids waiting for a school bus and they were continuously crossing the street over and over again, playing some kind of game. That's cute, but it's 7:00 – 7:15 a.m. and you're hoping all the people aren't changing their radio stations or talking on their cells and not seeing them. It's sad when kids get hit, but what are they doing in the middle of the street needlessly half the time? I had to take someone home from church and I was going up Ledge Street. I had to go home a different way and kids were playing street hockey in the middle of the street. They seemed mad because they had to move. If this is where the kids are playing, we need some place else for them to play. It's just needless. We need to find things for kids to do.

Issue number two. Lately we have been talking a whole lot about illegal immigration. Supposedly people tell me that the thing that decided this last election was whether or not gay people could get married. That certainly was not my issue. My issue was I didn't have a job and I better have a job pretty soon or someone is going to discuss real fast. The job I have pays half or less of what my

master's degree cost me, and it's a job that took me more than a year to find. To me, the whole issue is just driving down the wages. It's a darn good thing I speak some Spanish because 99 percent of them don't speak English. A whole lot of them live in groups together. In some of our apartments there are as many as ten in one apartment. Nobody seems to want to talk about it, but I am telling you that this issue will decide the next election because we are tired of it. We don't have the resources to continuously house people. We don't seem to have the work or at least we do, but why do we let them stay here over and over again? To me, this is going to decide the next election.

Last but not least, I wonder about the control about some children in this town. I have been to the Pheasant Lane mall and they are supposed to have some kind of regulation as to their behavior. I have seen so many of them scream across the mall, running back and forth. Someone has said something to them and made them leave, but I wonder why they are there unsupervised. Why are there no parents? When I was growing up, we had a few rules. One of them was not a lot of that. Number two, we had things we could discuss and we had other things that were just not negotiable. I could sit there and say I wanted to go to Aruba with a class trip, but there was no way I would be able to that. Maybe my parents were strict, but at least I am still here to talk about it. I think that is the job of parents – to get them safely to be 21. I don't understand why some of them are allowed to dress like they dress, act like they act.

Robert Hallowell, 6 Chaucer Road, Nashua

I thank Alderman McCarthy, however abruptly it may have been raised at the beginning of this meeting, about the need to think long term on these budget issues. I have said all along that I would just assume pay more money this year if someone could convince me that they have a plan for the next years ahead. I think what we are going to find is we are going to fight really hard to get this tax rate to some number that somebody is going to make up and then next year, you are all going to be sitting back in this room and I will be sitting in the audience discussing all the same issues. I don't think any of you guys want to go through this again either. Health care is really the lion's share of the problem, and yet the cuts I have seen really don't even touch this issue. There is really only two ways to do that. One is to increase the percent that is paid by the city employees, which by contract; we can't do at the moment or reduce the total number of employees. Those are your two choices. That's the only way you are going to reduce the budget. Eighty percent of the money you are spending is on people and benefits, if not more. I just think the sooner we address these issues, the better so we should start this year.

It's almost impossible to find the e-mail addresses of the aldermen on the Nashua website. I can find your phone number, I can find your address, but if I want to find you an e-mail I can send one to all of the aldermen or to Alderman Bolton – who probably doesn't want to hear everything I have to say. If someone could look into that. Every e-mail that I have found has been through personal contact.

Secondly, the sign up time for public comment is always at the beginning of the meeting. I would like to suggest that it might make more sense if it was at the start of the first public comment session. You often get people that drop in a few minutes late, as many aldermen do, who don't know enough to go to their alderman and say they want to be able to talk. It's something you might

consider. Thanks.

President McCarthy

I want to address your e-mail comments. We did have a spirited discussion on that several months ago when the Telegraph asked if they could publish e-mail addresses and put them on websites. My response to that was I don't mind if people know what my e-mail address is, but I do not want it posted on a web site where the web crawlers of spam companies can find it. That is a guaranteed way to get what I actually do get now, which is somewhere around 200 e-mails a day, 20 of which are actually something with content. There are ways to make it possible, and in fact, for the most part, the members of this Board have e-mail addresses that are the same as other city employees.

Robert Hallowell

I understand that now, but I didn't at the time but I didn't at the time and most people wouldn't know what the city's criteria is. A suggestion would be to put it in an image that can't be searched. That's a very simple way to do it.

President McCarthy

That's a good idea.

Bob Burgess, 32 Bates Drive, Nashua

First a few things on the city budget. The police were in here last night I believe and they said each officer has a radio for \$1,200 each. You look at the Police Department and we probably have a couple hundred people there. I kind of wonder if we are going a little bit overboard with the communications that they have to take these radios at home with them. First of all I came in here tonight – I live up off Concord Street. The construction that has been going on there I thought I was going to be able to give my Alderman hell tonight, but I can't about it. Talking with Mr. Seymour up there the road construction that is going on by the State up there – I was very surprised no sidewalks have been put in with this new construction. Mr. Seymour informed me that first the State was going to do it then they weren't going to do it and I was wondering if maybe the Mayor could answer us how much pressure was put on these people – really we need sidewalks up there. According to Mr. Seymour the city couldn't put them in if they wanted to that this is a State road from the Henry Bourque on. I was wondering if the Mayor has tried to use his influence in Concord to try to really get these sidewalks in.

I think it is really a crucial thing for the youngsters up in the area and the people that are walking probably from the Merrimack line down toward Greeley Park. I don't know if you would like to address that or not.

Getting on to another thing I guess my Alderman can't win. I have been after him on this Tolles Street to get rid of the stop signs. I wish this gentleman was still here. Time and time we have that conversation and now it has gone on for years. He said those signs won't come down unless something else is done.

I sent a letter to the Board of Aldermen on June 30, 2003. In it I requested removal of the three way stop signs at Gerard Avenue and Tolles Street, removal of all four-way stop signs along the length of Courtland Street. Looked good to all four way stops down throughout the city and several don't meet the Warrant guidelines. These signs, as stated above do not meet the guidelines in the Manual of Uniform Traffic Control Devices and the guidelines for installation of stop signs – city and Board of Public Works per their Warrants. I have been before I don't know how many times the Infrastructure Committee. I have heard such things as we are the law, we make the rules, we have the final say, and on May 11th the Traffic Department came back and took a study with the Warrants. They said these signs should be removed. There were 1,300 and something cars going down Tolles Street and 9 on Gerard Avenue. I have been arguing now for 3 or 4 years it don't take an engineer to tell you these signs don't meet the warrants.

A couple of Aldermen were going to take the ball and throw out an Ordinance on this to remove them. Well I didn't sit tight. I went to the Federal Highway Administration up in Concord. They told me according to this, and I will read this, and I would like to give you a copy of this maybe to the Head of the Infrastructure Committee and maybe he could look into this. According to this the city isn't following the guidelines. This is referring to the stop signs. "To answer your question in regard to the authority of the Manual of the Federal MUTCD is the national standard for traffic control devices, and applies to all traffic control devices on all city streets and highways open to public travel as stated in Section 1A of the manual and federal regulations Title 23 Code of Federal Regulations 655603. In addition, the State of New Hampshire also requires by law its cities to comply with the Federal MUTCD in regard to the posting of traffic control devices." Getting this back if this is true we have several four-way stop signs that were put in. I went to the Traffic Department. This was back when I started this two years ago I requested a copy of all the Warrants that were met with the four way stop signs in Ward 3 since 2001. They said they didn't exist. The only thing they had was when the signs went up. I strongly urge the head of the Infrastructure Committee to pass this to the city attorney and I would appreciate an answer back – are we violating these codes and have we got to comply with them as stated by this agency. I hope one of these days I can get an answer back on this. I know it is pretty hard. I wish one of the Aldermen could take action on this. They say well we go by the traffic studies. They recommended to take these signs down on Tolles Street that they are not warranted. A good many times we follow this, but all of a sudden now I don't know I run into a road block it seems like wherever I go. Well this is his step and there is always one step further. Since the city is taking federal highway funds have we got to comply with this, which would be the next step if we can't get an answer.

I would appreciate an answer maybe from the head of the Infrastructure Committee, and after the meeting I will give him a copy of this that I received. Thank you very much.

John Koutsos, 3 East Dunstable Road, Nashua.

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Good evening. Thank you for letting me speak. I know I wasn't here quite on time tonight. I promise you the next time I will be. I would also like to thank Alderman Bob Dion who is a great Alderman. He has listened to us. He is always there to listen to our phone calls, and has a keen

understanding of this issue, which is affecting our neighborhood. As I am sure many of you have received a package that I mailed – I mailed one to almost everybody in this room I believe. Our neighborhood as you know – not to go over the whole thing because I know you know the issue – was randomly in January received this letter out of clear blue why we were selected to have a so called paper street in our block supposedly discontinued – unfortunately we haven't been able to find a reason why it was done and who did it. I would like to challenge all of you here tonight if any one of you could find the answer to that question because we have gone to the – well we started at the Tax Assessor's office and they said to go to the Planning Department. The Planning Department said go back to the Assessor's Office. Somebody sent us to the Registry and then finally someone said call your attorney.

Nobody knows where this letter came from so we would like to find an answer to that first of all. Our street was selected when there were many hundreds of paper streets in the city and we were selected to have our parceled out to the abutters and therefore taxed. There is one obviously landlocked piece of land in our neighborhood. In 35 years nobody has ever tried to build on it. I think they always thought they would probably have to build a street. They left this lot there purposely with the person who built out the whole subdivision in back of our homes. Actually I grew up on a street called Oaken Avenue, my father still lives there. In 1969 when they subdivided – when they started selling off the lots there that piece of land is nothing more than a steep sandpit that dropped 20 feet front to back. I believe the owner of that made a conscious decision to leave it there because in 1969 nobody was building on lots like that. It was a totally worthless piece of land so they purposely sold up all the land around it leaving it there and then you fast forward 35 years and we get a letter out of the clear blue that says your street has been selected and oh by the way the right to pass over it may still exist which also means it may not still exist and we are all supposed to line up in back of this and say oh that sounds reasonable.

Well at the time the variance was granted, which was done in April they mentioned a building lot granted on a paper street – well at that time there was no paper street it was already taken off the GIS map, all of the abutters said they are receiving to the center line of the road and they would be taxed on it. At the point in time when that variance was granted there was no paper street. The reason we are here tonight is just to forewarn you that we think tons of these requests will be forthcoming in the years ahead. We all know the shortage of land in Nashua today and what has gone on. There seems to be a tremendous land grab going on in this city and honestly my group has started to really scrutinize kind of some of the ZBA decisions in the last few years actually starting back in 2003. We are finding that – we are just astounded at how lenient the ZBA has become. The definition of hardship is just there is none – hardship let's give an example of a corner lot – well you knew it was a corner lot when you bought the house, but anyway – that seems to be the excuses that they have been given. We just feel that the people that own lots abutting paper streets and right of ways need some protection because in our particular instance these people that are trying to build this home they are not the only one that can build there there is a potential for 6 other homes to be built, but they just want to sneak it by without any Planning Board approval and there is no system of checks and balances to protect the people that live around these so called paper streets or right of ways or however you want to refer to them.

It seems to be a little technicality or we don't know what, but I think you are going to see a lot of these requests coming forward because I think some people feel they have found some technicality

or legal maneuvering that makes what they are doing seem right. You know it is very expensive to protect yourself these days if you are going against a decision that is unfavorable to you from the ZBA. People at 192 Kinsley Street I mean it cost them \$10,000 fighting that. It passed and I am sure you all know it ended up going to court and of course they said it could go through there. I don't know anybody that has driven down Kinsley Street and driven by 192 Kinsley Street with 7 units crammed in between two single-family homes who thinks that really looks good. I haven't found one person – you might feel different, but take a ride by it and I think you probably will agree.

We are all very concerned that the more modest neighborhoods in the City of Nashua need to be protected. What you will see coming forward are the requests that will be a single family home let's say on the Lake Street area, Kinsley Street with a little oversized lot and bingo they are asking to add 2-4 units onto it, they are asking if it request 15,000 feet of land we want to have 11,000 and oh sure you can do that and all of the neighbors are opposing it and it is just getting passed.

We also really think the Board of Aldermen should be looking at the ZBA members carefully, screening them to make sure that they are qualified for the position that they are in. We just think there needs to be a little bit more watch on things going on in the city. I think if the statistics were compiled, which we are in the process of doing, for those 2.5 years and present it to you on paper you would be astounded yourselves as to how lenient things have become. I have lived in Nashua my whole life, my business has been in Nashua, my family we love Nashua, but I tell you the way it is going you just need to drive around a little bit and see Roy Street I believe Williams Street – some of these bad developments that they are allowing. I don't know who is really overall paying attention and unless we all start to stand up and do something and the majority of the people are going to suffer for the benefit of a very few small group of developers and their friends. I also think there are a couple of certain attorneys in town that are getting a pretty good free pass at the ZBA. You guys probably all know who that might be. Take it from that. Anyway I thank you so much for the interest in supporting our ordinance. I think it is very important. I think it will protect the people, but especially I want you to know who it really is protecting – Mrs. Craft can you stand up please and Ruth – these are the two ladies who the paper street goes between their homes who now own that land, and Mrs. Craft right here is the one that is supposed to be paying the taxes on the land, which she now has, and bear the burden of the driveway going over her land at the same time.

I don't know how many people in Nashua are paying taxes for somebody else's driveway, but that is what they are doing. I just wanted everybody to know. Thank you very much for considering our legislation. I hope you will support it. Again Alderman Dion thank you very much. You are a good man. Thank you folks.

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman Tollner

I think the comments that were made at the start of tonight's meeting weren't very productive. I think they set a tone in the very beginning of the meeting. I will only speak for myself; I did get the

impression that the President was speaking to the Board. I think maybe he shares the frustration that this entire Board does with regard to the budget and what has transpired on the budget, but in listening to your comments I did feel that you were speaking to us. If you felt compelled to make those comments you probably should have stepped down to make those comments prior to making them from the pulpit there.

Public comment period – I remember when we passed this legislation. I thought the legislation was very good, but it was very clear that when we approved that legislation the way it was set up was that we were to listen to public comment and that was it. There wasn't to be dialogue back and forth between the different participants. It was an opportunity for the public to provide us with comments and then later in the meeting if we wanted to respond to those comments we could. I think over the last few months we have engaged in a back and forth dialogue and conversation with the participants and I think we need to go back to the original intent of that legislation.

There was legislation presented to us tonight that is going to the Budget Committee and I think a number of people came and spoke during the public comment period on the Principal's contract especially this contract us urging them to make changes in the insurance that they choose. If you have an opportunity I know the Board of Aldermen knows this – for the most part this is a retroactive contract. This is a one-year arrangement that if it is approved by this Board if I am not mistaken will end in two weeks. This is the last contract that we are trying to wrap up. For the public's information this is just a time period and the policy period is already taken place.

With regard to getting back to the budget – I urge the President of the Board in his leadership role to initiate dialogue with every member of this Board of Aldermen not just the 3 or 4 individuals that he has been speaking to lately. We all need to start developing some dialogue together especially dialogue between the different factions of this Board. I do not think that we are in a position to wait until all of the department presentations have been made and then decide at that time to start having conversations with each other. If I am not mistaken we have another 2 weeks or so for the department heads to come in. I think we need to take an opportunity to start some of that dialogue right now. There are a number of different opinions and differences on this Board with regard to the budget. I look forward to any Alderman's ideas, presentations, plans as far as where they think and what they think we should do with the budget. I don't think again that we are in a position to wait for all of the presentations to be done. We have seen some departments already – last night was police, library, there were departments prior to that. I think we should initiate dialogue or at least provide each other with our opinions as far as what we should do.

The bottom line is the public expects us to come up with a budget and I don't think that they expect us to come up with a budget in August or September. I think they expect us to have some dialogue and come up with a budget in a very reasonable period of time. If we are to make these reductions whether it be in programs or staff positions every day that goes by July 1st you are eating away at those affects of those adjustments in the budget. I think that we need to act quickly and work together as a group and I think we need to stretch ourselves a bit to come up with an arrangement that probably in the end no one will like the budget, but we will have one. If that is the case then I think we have done a reasonable job. Thank you.

Alderman Vitale

Thank you for allowing me to be late tonight to attend my daughter's award ceremony at the Nashua North High School. Just something fun to know – R-05-230 honoring Nashua Iowa was read tonight. There is a building in Nashua, IA called Little Brown Church, and another tie that we can have or I have is that my uncle wrote the song about the brown church that happens to be located in Nashua, IA and has been there many times. It is a nice little town. I wish them well on their Sesquicentennial celebration. Thank you.

Alderman LaRose

Mr. Burgess alluded to Charlotte Ave. sidewalks and he mentioned that an Alderman lives there. I happen to be that Alderman. The fact of the matter is that sidewalk was planned and built before I became an Alderman so I really had nothing to do with it, but I do enjoy that sidewalk. Not only do I – I am not the only one that enjoys it. What I have noticed is that since that sidewalk has been built there are many, many people who are walking with young children walking their dogs – elderly people are using that sidewalk and it is continuously all day. The Junior High kids most of the time use that sidewalk. That is something that is kind of surprising.

On a second note and maybe I should keep my mouth shut, but I can't – Ms. Cane made a reference about the Hispanic community. Well it turns out that I happen to be first generation American. I am a Franco American. My father came from Canada. Obviously when he came here he could not speak English. He learned how to speak English as a youth. My grandmother who was actually my father's stepmother was French Canadian and she could not speak English and never would speak English. The point I am trying to make is that when I was growing up in the City of Nashua Nashua was a very ethnic community. It was made up mostly of Franco Americans, a large group of Greek Americans, we had some small minority of Italians, the Utheranians and the Polish and when you took a city bus in Nashua the languages that you heard on the bus were generally English, broken French, and Greek. As time went on the siblings of a lot of these people lost their actual native tongue. In today's U.S. News & World Report there is an editorial that talked about the Hispanic community and they give all kinds of statistics, etc., and I read that and looked at that and when my wife came home I said you know I read this editorial and said boy did that remind me of what the French community was like in the City of Nashua at one time. What is happening is just a different nationality.

Now when you go to Mt. Pleasant School and I am sure that is not the only school, but when you go to Mt. Pleasant – I happen to live in the North End so I go by there often – when kids get out of school you see a lot of parents there picking up there kids. You see the Hispanic people, you see the people who live on Berkeley Street, Wood Street, and that real nice section of the North Nashua. They all have one thing in common. The thing they have in common is they want their kids to get a good education. Yes there are many Hispanics that cannot speak English at this point in time, but I am telling you right now that one or two more generations and most of those kids won't be able to speak Spanish. Thank you.

Alderman Cardin

Just to follow along the lines of what Alderman LaRose just said – he is talking about the education kids get in our schools – I really feel pretty strongly that we have an excellent school system here in the city, and just a moment of personal privilege if I may – over the past month my son graduated from George Washington University Magnum Cum Lade. That speaks highly of the good education he got at the Dr. Crisp Elementary School, Elm Street Junior High School, and Nashua High School. My daughter graduated with a degree last month from the New England School of Law. That speaks highly of our school system, the Dr. Crisp School, the Elm Street School, and Nashua High School. Thanks to all of the teachers and administrators out there for helping make my kids successful. Thank you.

Alderman MacLaughlin

The one lesson I have learned in my short time here so far as if you want to roust out the French members of this particular Board just try to rename a street like Pisson Avenue. That being said I would like to wish all of my colleagues and citizens of Nashua a Happy Flag Day. This is a very unique day in our history. It is very important that we remind people of the importance of the flag what it stands for, and the fact that so many patriots of this generation are making the ultimate sacrifice so we can sit here and have the kind of dialogue every other week as week do some of whom have come from Nashua. Thank you.

Alderman Deane

I have something here that I think might be of interest to some of you folks. This Saturday at 10:00 a.m. the Nashua Citywide Cal Ripken Baseball Tournament starts where the 8 top finishers from the four leagues will be participating citywide. The tournament will run from next Friday. The first game will be played at Lincoln Park and will pit the Northwest against the North. The second game is at 1:00 p.m. at Matt DUBY Field on Harris Road, which will be South 1 against West 2. The third game will be played at West Field on Ledge and North 7th and will be West 1 and South 2 at 4:00 p.m., and the 7:00 p.m. game will be Nashua North 1 against Northwest 2. The brackets are on Nnbaseball.com. We have arranged the tournament brackets to give people enough opportunity to travel throughout the city. These are some really good baseball games. They are really good competitive games. Prior to the tournaments this year Nashua Northwest starting on the 26th of June will be hosting the 10-year-old district tournament and on July 7th Nashua North will be hosting a 12-year-old district tournament, which is also some real good baseball. Hopefully we will yield some state champions out of the Nashua area for the 12 and under Cal Ripken tournaments. Thank you.

Alderman Plamondon

Earlier this evening I was given the honor to help change out the street sign on what was unofficially known as Spring Street Extension to Medical Center Drive. It did keep it in English. I was tempted to put it in French. Interestingly enough before I went this evening I looked to the Nashua experience to kind of see the history of it. Tomorrow morning I am going to Nashua High School South to a history class, and the students have done research on the city streets on the origins of

the names and so on. I looked up the history of our hospital – the hospital downtown I should say. About 15-20 years ago that used to be Tyler Street, and then when we extended Kinsley we didn't really name it we just kind of started calling it the extension. With the growth of Southern New Hampshire Medical and their attention to the residents of Nashua, Southern New Hampshire, and Northern Massachusetts, and their growth has expanded beyond both sides of the road, it was only appropriate for all of us to vote accordingly to rename that road Medical Center Drive. My research 110-112 years ago in the late 1880s Nashua's medical facilities was in a basement room in the police station on Spring Street. We have kind of gone full circle removing that Spring Street Extension and renaming it Medical Center Drive.

Back in those days in fact city records document 1895 200 infant mortalities in the town. Life expectancy for adults is 46 years old. It is through the dedicated efforts of our medical professionals, the administration of our hospitals, and their futuristic views and goals and plans to address our health care needs that we can be very proud that we have two establishments in this city of such a caliber that is hard to find anywhere in cities our size in this country. My hat is off to both of our hospitals and with their growth.

Another point I want to briefly address a letter to the Editor that was given by the CEO of Pennichuck that really irked me. I wish I had brought it with me. I meant to. It alleged that how can we think of running a water company when we can't handle a combined sewer overflow. That was just the biggest bunch of bunk I have read in probably ten years that I have been involved. The CSO mandates are federal mandates that started with large cities such as Chicago, New York, Boston, and has now reached cities our size. We are doing our CSO work as federally required. It will continue with smaller cities afterwards. This is something that is out of our control and we are doing it.

Finally earlier it was mentioned about public comment. I remember when we voted that in. There was also a stipulation for 15 minutes. A few years later we added public comment at the end of the meeting so we have two. In those discussions I think it was in Personnel and we always had concerns about dialogue occurring and about our meetings going on in the late hours. It might be something that we might want to revisit again not in as much as removing them, but to maybe have an Aldermanic response time of 10 minutes after so that there wouldn't be dialogue however we would have a chance to speak whereas right now the Aldermen don't have a chance to speak or reply until the very end of the meeting and by that time the audience is empty. It might be time that we review both the public comments. Thank you Mr. President.

Alderman Shaw

First off I would like to also offer my sincere condolences to the Danforth family. I attend church with that family, and Wayne Danforth was a very great individual. Again condolences to their family on their loss.

Lamb Road construction the Mayor updated us earlier – has been proceeding over the last couple of weeks. A lot of progress has been made already. I ask for the patience of those that are being detoured and also the indulgences of those who live along Searles, New Searles, and East Dunstable needing to deal with the additional traffic from the detours of that work.

Another item – while we don't have nearly as many people in the audience as we did earlier, I actually, and I know a lot of them were motivated by very specific issues to come out, but I always find that reassuring when we have a fairly full Chamber here and that sense of participation. While I know many people watch us on Channel 16 from all the comments I know both myself and all my colleagues receive, I think it is a different experience when you are down here in the Chamber and watching live and have a different sense of participation. I just continue to welcome that attendance.

I would like to address a couple of things that Mr. Hallowell brought up regarding e-mail. We are in the process of having a new re-designed web site put out for the city, and there is supposedly opportunity for this Board to review some of the things that will be part of some of the things that are put out there. I know this item about e-mail and access to some of that kind of information has been an issue for not only yourself, but others so it should be a very good time to try to address that so others aren't frustrated by that kind of thing.

Another item Mr. Hallowell also brought up tonight – I think it is an excellent point that we remain and very might be so focused on what has to happen for our FY '06 budget that we will potentially once again be looking at unknown impacts into FY '07 and beyond. We have seen certain predictions through the various spreadsheets that we have been given, but we do remain in this problematic situation only being able to solve what is in front of us right now, and being right back in the same thing next year. I do think it is an extremely valid challenge to us to look at what we can do to address that. I know as a freshman last year it was something I spoke about and hoped we would do, but we have already got to the next budget season and we didn't really get the progress I think many of us would have like to have had so I think it remains a challenge that we need to continue to consider and work towards addressing.

Congratulations and best wishes to all of those that will be graduating from both Nashua High South and Nashua High North this coming Saturday. On somewhat of a lighter note and a response to the reminder from Alderman MacLaughlin I would like to wish my Mom a Happy Birthday today who was as a child led to believe that all the flags put out for Flag Day were actually in honor of her Birthday. It took her a few years to catch onto that. Thank you.

Alderman Lozeau

I too would like to make comment on the way the meeting started this evening. I feel that our President unduly criticized the members of the Budget Committee. I would like to remind you that there are three major reasons for the situation that the City is in. One is the health care crisis, which I would urge you Mr. President to start an investigative committee regarding how this happened, why it happened, and if it was something as simple as a misinterpretation of the consultant's report. We also have a deficit in the Solid Waste Division. There is legislation sitting in committee that is targeted to help deal with that. I would encourage everybody to participate in that. There is legislation on hold in the committee to deal with some of the health care costs and that is also on hold in committee. I believe we have very little control over the third influence over our budget, and that is the state funding. Thank you.

Alderman Dion

Before I make my comments I would like to just comment on Alderman LaRose's statement about ethnic, French, Polish, and Greek during the roaring '20s was that ... that was way before my time, but I wish I could have been in that era with you. Thank you Mr. Chairman.

I want to address something serious now. I am not in the mood to joke right now. Right now I am in a bad mood. The Zoning Board of Adjustment has got me frustrated. Gentlemen and Ladies and members of the Board, we starting from the Mayor's office down to Alderman Tollner and his Personnel/Administrative Affairs Committee (I wish I was still part of that committee) and ultimately the decision to confirm appointments to that Board is with the Board of Aldermen. The decisions that I have seen for the last 2-3 years have been so bad and so biased that I can't help but think that the little people, the people that live in the residential areas their concerns are not even being listened to. In participating in some of these meetings of the Zoning Board and speaking at some of these meetings of the Zoning Board pertaining to issues in my Ward I have come to the conclusion that certain members of this committee have got their mind made up before the meeting even begins. It is quite apparent they don't listen to the direct abutters, the people in the neighborhood, the Petitions that are submitted – they use these 5 points of law – I can't recall all of them, but one of them is hardship. Every time they make a decision for the developer and the builder and that is practically all of the time, they use these 5 points of law to justify their decisions. What rights do the people that came here this evening what rights do they have? Where is that 5 points of law for them? Apparently it is a one-way street and I don't like it and you shouldn't like it. Something has got to be done starting from the Mayor's office and ultimately the final vote comes to us. Let me give you a brief scenario of what happened in my Ward – I wish that all of you would take 5 minutes of your time and drive to 192 Kinsley Street and look at this lot that is less than ½ an acre that had a two apartment house on that lot – they are converting that to – they are repairing that house and adding 5 condos on that ½ acre lot. It is there now for you to see. You tell me how you would like to have that complex next to your house in your residential area. It was granted, the project is built, and it is there. I wish you would go look at it. That is one of their decisions.

Let me go to the next one. Across the street 189 Kinsley just recently in fact maybe three weeks ago there is a pizzeria restaurant take out place there on the corner of Liberty and Kinsley right across from that 192 Kinsley Street. They came in with a plan, same builder now as across the street with the same lawyer representing them, come with a plan to add three apartments to that little pizzeria, that little lot of land, and it is strictly a money making proposition – let's face it they are not going to build this place to lose money it is to make money – so the board sort of postponed it so they came in with another plan – instead of adding 3 apartments they wanted to add 2 apartments so in other words with the existing apartment and the 2 new ones you would have 3 apartments plus the pizza shop right on the corner of Liberty and Kinsley. It is not built yet, but they just passed it. The people hired a lawyer. They fought the case – denied. The builder got his variance. In fact there were 3 or 4 variances that were granted.

Let me go back to 192 where that condo is – the people, there must have been a dozen – I went to a neighborhood meeting and these are all elderly people – if you could have seen the tears in their eyes to see their neighborhood being invaded by a project like this after they have spent all of their lives to build their house or own that house and be retired, and all they are asking for is to be left in

peace. That is all they are asking for – don't bother me I want to retire in a quiet neighborhood. If you could have seen the tears in their eyes. They pooled over \$1,000 each, hired a lawyer, went to Superior Court – the Judge heard the case and he was just as bad as the Zoning Board thought the same way pro builder, pro developer denied their claim. They lost again.

Now we go back to the pizza place – the lady that lives next door a direct abutter her name is Diane Lavoie – you probably recall there was a store there called Lavoie's Market – people used to go there to buy their meats. He had terrific meats. That is his daughter. She lives next door. She was so upset with what is going on there that she hired a lawyer. He came to the hearing and I was right shoulder to shoulder with those people in both cases to try to help them to try to get these variances denied – lost another case. Meanwhile if the Board of Aldermen recalls another area in my Ward on Main Street the old Nightingale Nursing Home where there were going to convert it into a rooming house on Main Street – the Board of Aldermen heard about it, and the only reason they heard about it is because the Welfare Department was sending people over there and paying for their rooms, and that is how the people on the Board heard about it and they got up in arms about it and told the Welfare Department to stop sending people over there. Meanwhile the developer, the buyer, the owner, the new owner was trying to convert this into a rooming house – another moneymaker. That was the only one we won – it got denied, and he had to turn around and make an office building out of it.

Let's get back to what is happening right now. Mr. John Koutsas is here this evening along with the two ladies he introduced; Mrs. Craft and Mrs. Lyons – you have to go look at this one. You talk about another lousy decision – you have to see this to believe it. Mr. Koutsas lives on East Dunstable Road. His house faces East Dunstable. His back yard and the back of his house abuts this paper street. These two ladies live on Katherine Street side by side and here is the right of way about 40 feet between their houses. They were deeded this 40 feet by the city because it has been 30 years since this paper street was done so now they own 20 feet each. The people that own the land want to sell it, but the developer won't buy it of course unless he can get a variance to build a house on it – what good is the land if he buys it and can't build? He goes to the Zoning Board and they agree to let him build a house there. Here is a house here, here is a house here, here is the 40 foot right of way – they have a beautiful lawn, flamingos by the way, the paper street goes all the way down to Oakland – is an extension of Oakland Street that goes all the way down to the next street. They are going to put – there are 5 lots there – they can conceivably build 5 houses there. In this plan they are building one for the time being.

Now you are going to have a bulldozer between these two ladies' houses, you will have backhoes, trucks, blazing this driveway through their to build a house. How is the rubbish going to get picked up? They will have to bring their barrel all the way down to Katherine Street to get picked up? What if there is a fire in that house? How are the fire trucks going to get to their house to put the fire out? There are a lot of issues involved. They granted it. It doesn't have to go to the Planning Board either that is why I filed this legislation tonight. A lot of you people signed on and endorsed it, and I really appreciate that.

There is another project going at the end of Katherine Street across Lawndale going towards Salmon Brook. There is a Mr. Hammell who made a comment the other day and I went to his home

and looked at the situation with him and it looks like the same kind of a deal. It looks like it is going to be an epidemic of this. These paper streets like Mr. Koutsas told you were out of land and they are trying to get every piece of land available to build houses. They don't care who they upset. They don't care what yard they go through they want to build them. When I saw this situation over there I told Mr. Hammell - he said I am going to get a Petition and I said you go right ahead and when you are ready to go to the Zoning Board when they bring it up before the Zoning Board I will be there with you to fight it.

You know something it seems to be a losing battle. Something has got to be done. We have to change the makeup of that Zoning Board. It is very, very bad. We have to change the personnel. There is only one gentleman on that board that listens to the regular people, the people that have concerns, the people that have Petitions, the neighborhood people themselves. There is only one person on that board that listens. The rest of them all pro developer all pro builder. It is unfortunate it has to be that way, but that is the way it is. If people don't like what I am saying that is tough because it is the truth.

Gentlemen I just thought I would bring that to light. Alderman Tollner the next time you have one of these people in your committee don't think that re-appointment is an automatic deal it is not.

Alderman Rootovich

Mr. President there is no way I can follow that so I will pass on to Alderman Johnson.

Alderman Johnson

Please go down to 192 Kinsley Street. I pass it every time I go to downtown. It is an eyesore with the size of it. Also I want to let Mr. Burgess know that I have sent an e-mail to Ms. Klasen and I sent you correspondence basically and told you that she is looking into the Tolles Street stop signs. I am waiting for an answer back from her.

I just want to let people know that the County has passed a collective bargaining contract and if you think that things can't be changed it can be. A two-year agreement from 7-1-05 to 6-30-07 no retroactive costs or language items in the settlement. Employee contribution to healthcare increases from 20% to 22.5% on 7-1-05, mail in prescription employee co-pay starts at \$10, \$20, and \$30, across the board wages of 1.95% effective 7-1-05 and 1.95% affective 7-1-06, merit increases 2% on each year of the employee's anniversary date upon satisfactory evaluation. No steps. The step schedule was eliminated in this settlement. The cost of the wage increases in this tentative agreement is 3.22% for FY '06 and 3.99% for FY '07. This is a fair and reasonable settlement particularly considering the health insurance and prescription concessions made by the union. I guess it can be done if you work hard enough.

It is also important to understand that the elimination of steps schedule means that the employees in this unit will no longer be eligible for automatic wage increases of up to 5% per year. All wage increases in future contracts will have to be negotiated at the bargaining table. This is for the Clerical Unions, Chemical Workers, Supervise and Professional Employees and also for the Secretarial and Professional employees of Hillsborough County Attorney's Office.

There has been a lot of talk about health insurance and contracts. We have a lot of contracts that are coming up this year – a lot expiring as of June 30th. As of July 1 there will be many unions that will be without contracts, but basically I have been talking to Corporation Counsel we still follow the contracts until a new one is reached. Here the County was able to do this and you mean to tell me we in the City can't tell the negotiator where we want to start and where we want to end. Obviously it started the last time and it did not work. This time we have a new negotiator. The unions gave concessions. It is the beginning and if the County can do it it can happen in Nashua. We have no choice anymore because of the fact of where we are.

Mr. President I sent you a memo regarding setting up an investigative committee regarding the self-funding insurance and what happened. I never heard back from you. I would be more than happy as I said in that memo to sit on that committee to have an investigative committee. I think we need to take a look. I think we need to take a look in the future where we are going with our health insurance, with the self-funding. We can no longer sit back and just say well tomorrow it will get better because as we have seen this year with this budget it hasn't gotten better. Every time we turn around something worse happens. Tomorrow I will be in Concord and education funding will be on the table with a vote. Nashua needs to come out better than we are. The question is will the rest of the state agree with us.

Thank you.

Alderman Bolton

I will follow the fine example of Alderman Rootovich and hope it catches on.

President McCarthy

I first want to reiterate my apology if anybody on the Budget Committee thought those remarks were aimed at them. I made them at the end of the Mayor's remarks because frankly I am very frustrated with the position this Board is being put in. I don't think we are seeing a plan that will provide us with answers that last more than a year. I am concerned that the Board is being put in a position where once again it will have to take action in the best way that it can that will in fact cause us to be back in a worse situation next year.

Alderman Tollner I absolutely want to hear from every member of this Board as to where they are on

the Budget Committee – that is why over and over again I have encouraged every member of the Board to attend the meetings of the Budget Committee and I have asked at those Budget Committee meetings for people to comment. Some have chosen to come and comment on what they think the tax rate should be and others have not. That is the appropriate place for that discussion to take place. I will continue to ask for that information. I would like at our next Budget meeting if we could have some discussion of that so we will understand where we are and where we need to go to. I also would like to understand the opinions of the Board on what we are going to do for a multi-year solution. We really need to understand that. I hope to have some discussion of that this Thursday at the Budget Committee meeting. I will certainly attempt to make my remarks in a more positive light, but I think we are all frustrated by the situation, and I think that we need to demand more in terms of what is given to the committee and the Board to work with.

I also wanted to comment on Alderman Dion's comments. When I sat on the Zoning Board of Adjustment in the early '90s and Bob Nerny was our Zoning Administrator the first thing he said to me when I came into that whatever orientation it was was when in doubt deny, and I thought that was a really great rule for Zoning Boards of Adjustment to use in general.

Alderman Dion

I guess they forgot that.

President McCarthy

I have spent more hours than I care to tell in front of that Board both on personal matters prior to my election and on matters representing constituents in my Ward and in other wards since. I share your frustration. I will tell you in the past I have tried to make some changes in the personnel on that board at great difficulty and little success. I wish you more luck than I had in some of those endeavors.

Alderman Dion

Thank you for your comments.

President McCarthy

Lastly I just want to express my thanks to one of my constituents for her patience and

understanding, and that would be my wife of 30 years this evening.

Committee announcements:

-
Alderman Rootovich

Finance tomorrow night in the Aldermanic Chamber. Next Tuesday Planning & Economic Development. It will be discussing the School Impact Fees.

Alderman Tollner

As far as committees or workgroups has the meeting been scheduled with the work group and the ownership of the Pride yet?

President McCarthy

I don't believe it has. I asked Mr. Marlin yesterday to encourage Attorney Atkins to respond to the requests to have that meeting.

Alderman Rootovich

I will take the role in calling Mr. Atkins and set something up as soon as possible.

Alderman Vitale

I have spoken to Attorney Atkins and it is just a matter of getting some dates together. He has spoken to me and supposedly we are going to get some dates and meet.

Alderman Tollner

What will happen first the budget or

Alderman Rootovich

My apologies ...

President McCarthy

Actually I am glad that you asked that question because I wanted to go back to Alderman Johnson's question – I have a committee in mind – I have not had a chance to talk to all of its potential members. If you would like I can just ask that question now and we will see if we can get it started. It was my intention to ask you, Alderman Lozeau, Alderman LaRose, Alderman Shaw, and Alderman Vitale to serve on that committee, and if that pleases the Board I will gladly put that in place at this moment.

Alderman Deane

Which committee are you referring to?

President McCarthy

This is the committee to look at the insurance shortfall and makes suggestions for how to avoid that in the future.

Alderman Deane

Could you read the membership again please?

President McCarthy

Alderman Johnson, Alderman Lozeau, Alderman Shaw, Alderman LaRose, and Alderman Vitale.

Alderman Deane

I don't have a problem with that. I do have a problem with the lack of this Pride committee doing nothing. I will state that I did attend a game with 300 adults and children from our program and people were sitting in the bleachers. I believe you were there roasting with the rest of us Alderman McCarthy.

President McCarthy

I have to admit that since that committee was formed while I was not President I don't remember its exact membership. Who are the members of that committee?

Alderman Tollner

Alderman Rootovich, Alderman Lozeau, Alderman Vitale, and Alderman Gage.

President McCarthy

You have not designated anyone as a Chair to that committee had you?

Alderman Tollner

Nope.

President McCarthy

I think that one of the things that would benefit that would be to have someone who is the point person for that committee.

Alderman Lozeau

I would like to nominate Alderman Rootovich for that point person.

Alderman Vitale

I have no objection I would just point out that I have started collecting information from various locations so there is a common file to go to versus running to different offices. I have started to get that in place.

President McCarthy

Alderman Rootovich given the discussions you and I have had of your schedule recently, would you object if Alderman Vitale chaired that committee instead?

Alderman Rootovich

Not at all.

President McCarthy

Does anyone have a problem with that?

Alderman Plamondon

Not being on the committee I would like to nominate Alderman Lozeau as Clerk for that committee.

ADJOURNMENT

**MOTION BY ALDERMAN DEANE THAT THE JUNE 14, 2005 MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED
MOTION CARRIED**

The meeting was declared adjourned at 10:55 p.m.

Attest: Paul R. Bergeron, City Clerk