

PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE

MARCH 2, 2020

7:00 PM

City Hall Auditorium, 3rd Floor

ROLL CALL

PUBLIC COMMENT

COMMUNICATIONS

From: Fred Teeboom
Re: O-20-005 – Maintaining Gender Identity

From: Fred Teeboom
Re: O-20-005 Violates Charter and State Laws

INTERVIEWS

Nashua Housing and Redevelopment Authority

Helen Honorow (New Appointment)
46 Raymond Street
Nashua, NH 03064

Term to Expire: October 14, 2024

Conservation Commission

Carol Sarno (New Appointment Alternate)
15 Rocky Hill Drive
Nashua, New Hampshire 03062

Term to Expire: February 28, 2023

Cultural Connections Committee

Rosemary Ford (New Appointment)
22 Nova Road
Nashua, NH 03064

Term to Expire: March 1, 2022

Donna Marceau (New Appointment)
37 Pinewood Road
Hudson, NH 03051

Term to Expire: February 28, 2023

Cecelia Ulibarri (New Appointment)
229 Main Street
Nashua, NH 03060

Term to Expire: February 28, 2023

Nashua Airport Authority

Jessica Holland (New Appointment)
34 Franklin Street, Apt. 442
Nashua, NH 03064

Term to Expire: December 31, 2024

APPLICATION TO LICENSE HAWKER'S, PEDDLER'S, ITINERANT VENDOR'S LICENSE

APPOINTMENTS BY THE MAYOR

Conservation Commission

Gene Porter (Reappointment)
77 Concord Street
Nashua, NH 03064

Term to Expire: December 31, 2022

Carol Sarno (New Appointment Alternate)
15 Rocky Hill Drive
Nashua, New Hampshire 03062

Term to Expire: February 28, 2023

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Donna Marceau (New Appointment)
37 Pinewood Road
Hudson, NH 03051

Term to Expire: February 28, 2023

Cecelia Ulibarri (New Appointment)
229 Main Street
Nashua, NH 03060

Term to Expire: February 28, 2023

Energy and Environment Committee

Gary Lambert (Reappointment)
32 Columbia Avenue
Nashua, NH 03064

Term to Expire: January 31, 2023

Bob Hayden (Reappointment)
84 Dutton Road
Lyndeborough, NH 03082

Term to Expire: January 31, 2023

Sylvie Stewart (Reappointment)
44 Spring Cove Road
Nashua, NH 03062

Term to Expire: January 31, 2023

Nashua Airport Authority

Jessica Holland (New Appointment)
34 Franklin Street, Apt. 442
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Nashua Housing and Redevelopment Authority

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46 Raymond Street
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UNFINISHED BUSINESS

NEW BUSINESS – RESOLUTIONS

NEW BUSINESS – ORDINANCES

O-20-005

Endorsers: Alderman-at-Large Ben Clemons
Alderman-at-Large Brandon Michael Laws
RELATIVE TO TITLES OF MEMBERS OF THE BOARD

O-20-008

Endorsers: Alderman-at-Large Ben Clemons
Alderman Patricia Klee
Alderman-at-Large Michael B. O'Brien
Alderman Thomas Lopez
**CHANGING THE STARTING TIME OF THE OVERNIGHT PARKING TIME LIMIT RESTRICTION
IN CERTAIN LOCATIONS**

O-20-009

Endorsers: Alderman-at-Large Richard A. Dowd
Alderman-at-Large Ben Clemons
Alderwoman Linda Harriott-Gathright
Alderman Patricia Klee
RELATIVE TO PUBLIC COMMENT

O-20-010

Endorsers: Alderman-at-Large David C. Tencza
Alderman Thomas Lopez
Alderman Patricia Klee
Alderman-at-Large Lori Wilshire
CLARIFYING THAT COIN DEALERS ARE NOT SECONDHAND DEALERS

TABLED IN COMMITTEE

O-20-001

Endorser: Alderman-at-Large Ben Clemons
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Richard A. Dowd
Alderman Thomas Lopez
Alderman Linda Harriott-Gathright
Alderman-at-Large Lori Wilshire
**EXTENDING THE HOURS OF SALE OF ALCOHOLIC BEVERAGES BY ON-PREMISES
LICENSEES TO 2:00 A.M.**

GENERAL DISCUSSION

PUBLIC COMMENT

REMARKS BY THE ALDERMEN

POSSIBLE NON-PUBLIC SESSION

ADJOURNMENT

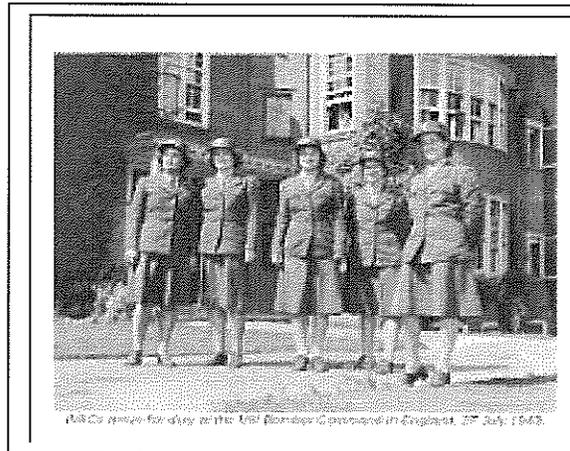
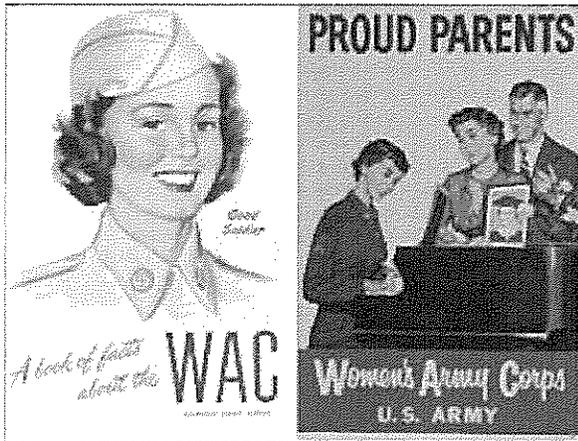
Graham, Donna

From: Fred Teeboom <fredtee@comcast.net>
Sent: Tuesday, February 11, 2020 11:08 PM
To: Board of Aldermen
Subject: O-20-005: Maintaining Gender Identity

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

All:

I recommend an amendment to Clemons' O-20-005 ordinance, to rename women soldiers as WACs. That way, like alderwomen and alderpersons, they will retain their gender identity.



Fred Teeboom

Graham, Donna

From: Fred Teeboom <fredtee@comcast.net>
Sent: Monday, February 10, 2020 2:02 PM
To: Board of Aldermen; Donchess, James
Cc: Clarke, Dorothy
Subject: Proposed ordinance O-20-005 violates charter and state law

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

All:

Proposed ordinance O-20-005 changes titles of the board of aldermen to "alderpersons" and alderman to "alderman, alderwoman or alderperson."

This ordinance appears to violate both Nashua charter and NH state law.

I suggest our "#MeToo" representatives introduce a change to state law, if they have not already done so.

"§ 5-10.2. Titles of members of the board.

Members of the Board of Aldermen may choose to be referred to as Alderman, Alderwoman, or Alderperson. Whenever possible, members of the Board of Aldermen will be known collectively as Alderpersons."

This ordinance violates the Nashua Charter which reads:

Mayor and Board of Aldermen

§ 4. Mayor and board of aldermen

The administration of the fiscal, prudential, municipal and other affairs of the city and the government thereof shall, except as herein otherwise provided, be vested in a principal officer to be called the mayor, and a board to be called the board of aldermen. The board of aldermen shall consist of fifteen aldermen, sitting and acting together as a single body. The mayor and six aldermen shall be chosen by the qualified voters of the city at large, voting in their respective wards, and the other nine aldermen shall be elected, one from each ward, by the qualified voters thereof. The board of aldermen shall be the final judge of the election and qualification of its members. The board of aldermen shall choose one of its own members, an alderman-at-large, as president, who shall be its presiding officer. A majority of said board shall constitute a quorum for the transaction of business. The city clerk shall act as clerk of said board.

This ordinance also violates state law Chapter 46:1 which reads:

46:1 Election. - There shall be chosen in each ward, at the regular meeting thereof, by ballot and by plurality of votes, so many aldermen and common councilmen as shall be authorized by law or ordinance. If the choice of aldermen, common councilmen and ward officers cannot be conveniently completed on that day the meeting may be adjourned from day to day to complete the choice.

Fred Teeboom

APPOINTMENTS BY THE MAYOR

FEBRUARY 25, 2020

Conservation Commission

Gene Porter (Reappointment) Term to Expire: December 31, 2022
77 Concord Street
Nashua, NH 03064

Carol Sarno (New Appointment Alternate) Term to Expire: February 28, 2023
15 Rocky Hill Drive
Nashua, New Hampshire 03062

Cultural Connections Committee

Rosemary Ford (New Appointment) Term to Expire: March 1, 2022
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Nashua Airport Authority

Jessica Holland (New Appointment) Term to Expire: December 31, 2024
34 Franklin Street, Apt. 442
Nashua, NH 03064

I respectfully request that these appointments be confirmed.

Jim Donchess, Mayor



ORDINANCE

RELATIVE TO TITLES OF MEMBERS OF THE BOARD

CITY OF NASHUA

In the Year Two Thousand and Twenty

The City of Nashua ordains that Part I “Administrative Legislation”, Chapter 5 “Administration of Government”, Part 2 “Board of Aldermen”, Article II “General Provisions” of the Nashua Revised Ordinances, as amended, be and hereby is further amended by adding the new underlined section:

“§ 5-10.2. Titles of members of the board.

Members of the Board of Aldermen may choose to be referred to as Alderman, Alderwoman, or Alderperson. Whenever possible, members of the Board of Aldermen will be known collectively as Alderpersons.”

This legislation shall take effect following its passage.

LEGISLATIVE YEAR 2020

ORDINANCE: O-20-005

PURPOSE: Relative to titles of members of the board

ENDORSERS: Alderman-at-Large Ben Clemons
Alderman-at-Large Brandon Michael Laws

COMMITTEE
ASSIGNMENT: Personnel/Administrative Affairs Committee

FISCAL NOTE: Small administrative costs.

ANALYSIS

This legislation permits members of the Board of Aldermen to choose to use the title Alderman, Alderwoman, or Alderperson. It also provides that, whenever possible, members of the Board of Aldermen be referred to collectively as Alderpersons.

Approved as to form: Office of Corporation Counsel

By: Dorothy Clarke

Date: 29 January 2020



ORDINANCE

CHANGING THE STARTING TIME OF THE OVERNIGHT PARKING TIME LIMIT RESTRICTION IN CERTAIN LOCATIONS

CITY OF NASHUA

In the Year Two Thousand and Twenty

The City of Nashua ordains that Part II “General Legislation”, Chapter 320 “Vehicles and Traffic”, Article XIII “Night Parking” Section 320-78 “Parking time limits” of the Nashua Revised Ordinances, as amended, be and hereby is further amended by deleting the struck-through language and adding the new underlined language as follows:

“320-78. Parking time limits.

A. Except in the locations described in Subsection B ~~as hereinafter provided~~, it shall be unlawful for an operator of any vehicle to park the vehicle for a period longer than two hours between 12:00 midnight and 6:00 a.m., daily, on any public way in the City where overnight on-street permit parking is not allowed. It shall be unlawful for an operator of any vehicle to park the vehicle for any time period between the hours of 12:00 midnight and 6:00 a.m., daily, without a permit on the public ways where overnight on-street permit parking is allowed.

(B) It shall be unlawful for an operator of any vehicle to park the vehicle for a period longer than two hours between 2:00 a.m. and 6:00 a.m., daily:

(a) in any metered space; or

(b) in any nonmetered space on:

[1] Clinton Street;

[2] Lowell Street;

[3] Orange Street, between Canal Street and Lowell Street; or

[4] Canal Street, between Main Street and Lowell Street

unless the operator has a overnight on-street parking permit and is parked in a location where overnight on-street permit parking is allowed.

ORDINANCE

O-20-008

- BC. Anyone violating this provision shall be fined a minimum of \$25. If such fine is not paid within seven days, the fine shall increase by \$10, to \$35.
- CD. Residences within the City of Nashua who have overnight guests occasionally may call the Parking Department and ask for temporary relief from the overnight ban when their guests must park on city streets.”

This ordinance shall become effective upon passage.

LEGISLATIVE YEAR 2020

ORDINANCE:

O-20-008

PURPOSE:

Changing the starting time of the overnight parking time limit restriction in certain locations

ENDORSERS:

Alderman-at-Large Ben Clemons
Alderman Patricia Klee
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Thomas Lopez

**COMMITTEE
ASSIGNMENT:**

Committee on Infrastructure
Personnel/Administrative Affairs Committee

FISCAL NOTE:

Possible loss of some revenue from overnight parking tickets.

ANALYSIS

This legislation changes the starting time of the general restriction on overnight parking in certain locations, starting the two-hour restriction at 2 a.m. instead of midnight.

Approved as to form:

Office of Corporation Counsel

By: Donny Clarke

Date: 18 February 2020



ORDINANCE
RELATIVE TO PUBLIC COMMENT

CITY OF NASHUA

In the Year Two Thousand and Twenty

The City of Nashua ordains that Part I “Administrative Legislation”, Chapter 5 “Administration of Government”, Part 2 “Board of Aldermen”, Article III “Rules and Order of Business”, Section 5-14, “Order of Business”, of the Nashua Revised Ordinances, as amended, be hereby further amended by deleting the struck-through language and adding the new underlined language, as follows:

“A. The order of business for regular meetings of the Board of Aldermen shall be as follows:

...
(9a) A period not to exceed 15 minutes for the acceptance of orally presented communications or comments from the public or others relative to resolutions, ordinances, or communications to be accepted in Subsection A(9b) upon which final action is expected to be taken at the meeting. If there is a reasonable expectation by the President of the Board that final action shall be taken on such an item not on the agenda, the President shall allow comment on that item of business.

(9b) Communications requiring final approval by the Board of Aldermen, including but not limited to awards of contracts and expenditure of funds;

...

(16) Communications, to include a period not to exceed 15 minutes for the acceptance of orally presented communications or comments from the public or others;

....

B. Meetings of ~~standing~~ committees of the Board of Aldermen shall include the following:

(1) Public comment at the beginning of the meeting, which comments shall be germane to the meeting’s agenda ~~for a period not to exceed five (5) minutes per presentation;~~

(2) Public comment at the end of the meeting, for a period not to exceed five (5) fifteen (15) minutes per presentation; and

- (3) Remarks by the aldermen.

C. Public comment allowed in A and B above shall be conducted as follows:

- (1) Speaker must sign-in prior to the start of the meeting to indicate intent to speak during public comment;
- (2) Speaker may not speak until recognized by the presiding officer;
- (3) Speaker shall identify him or herself by name and addresses when beginning to speak.
- (4) One person speaks at a time.
- (5) Each speaker is limited to speaking once per public comment period and is limited to five (5) minutes during the first public comment period and three (3) minutes during the second comment period;
- (6) The presiding officer may allow questions at the presiding officer's discretion;
- (7) Prior to or at a meeting, members of the public may submit written comments to the full Board of Aldermen or the committee by email or paper copy. It is the responsibility of the member of the public to have enough paper copies and such copies shall be handed to the clerk for distribution prior to the start of the meeting. Written comments may be accepted as correspondence but shall not be read in to the record.
- (8) Excessive repetition and irrelevant remarks are discouraged;
- (9) Remarks shall be civil; rude or profane remarks are prohibited; and
- (10) The presiding officer has authority to terminate the remarks of any speaker when such remarks do not adhere to this ordinance or other applicable law."

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This legislation shall take effect following its passage.

LEGISLATIVE YEAR 2020

ORDINANCE: O-20-009

PURPOSE: Relative to Public Comment

ENDORSERS: Alderman-at-Large Richard A. Dowd
Alderman-at-Large Ben Clemons
Alderwoman Linda Harriott-Gathright
Alderman Patricia Klee

**COMMITTEE
ASSIGNMENT:** Personnel/Administrative Affairs Committee

FISCAL NOTE: None.

ANALYSIS

This ordinance provides rules of order for public comment at regular Board of Aldermen meetings.

Approved as to form: Office of Corporation Counsel

By:  _____

Date: 2/19/2020



ORDINANCE

CLARIFYING THAT COIN DEALERS ARE NOT SECONDHAND DEALERS

CITY OF NASHUA

In the Year Two Thousand and Twenty

The City of Nashua ordains that Part II “General Legislation”, Chapter 220 “Pawnbrokers and Secondhand Dealers”, Section 220-2 “Definitions” of the Nashua Revised Ordinances, as amended, be and hereby is further amended by deleting the struck-through language and adding the new underlined language as follows:

“§ 220-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

COMMODITY METALS – Any metal traded on the commodity market that sells for \$0.50 per pound or greater, including, but not limited to, gold, silver, platinum, brass, copper, copper alloy, aluminum, stainless steel, rhodium, palladium, titanium and magnesium. Commodity metals shall not include numismatic coins, currency and precious metal coins and ingots.

...

PROPERTY - Anything of value, including but not limited to jewelry, watches, clocks, diamonds or other precious stones or gems, gold, silver, platinum, other precious metals or commodity metals, musical instruments and equipment, cameras, furs, fur coats or other kinds of wearing apparel, televisions, DVD players, videocassette recorders and other electronic equipment, tools, computers and computer equipment, firearms, auto accessories and office and store fixtures and related equipment. Property shall not include secondhand furniture, ~~or books,~~ numismatic coins, currency and precious metal coins and ingots.

SECONDHAND DEALER –

- A. Any person, firm, partnership or corporation whose business is the retail buying, selling, buy-back, exchanging, dealing in or dealing with secondhand articles and property. Secondhand dealers are regulated according to New Hampshire Revised Statutes Annotated Chapter 322.

- B. However, the definition of “secondhand dealer” shall not apply to any person, firm, partnership, or corporation who does not purchase secondhand articles directly from the general public; or whose primary business is the purchase and sale of numismatic coins, currency and precious metal coins and ingots.”

This ordinance shall become effective upon passage.

LEGISLATIVE YEAR 2020

ORDINANCE: O-20-010

PURPOSE: Clarifying that coin dealers are not secondhand dealers

ENDORSERS: Alderman-at-Large David C. Tencza
Alderman Thomas Lopez
Alderman Patricia Klee
Alderman-at-Large Lori Wilshire

COMMITTEE
ASSIGNMENT: Personnel/Administrative Affairs Committee

FISCAL NOTE: None.

ANALYSIS

This legislation amends several of the definitions in the "Pawnbrokers and Secondhand Dealers" chapter of the ordinances to clarify that coin dealers will not be considered secondhand dealers under the ordinances.

Approved as to form: Office of Corporation Counsel

By: Dorothy Clarke

Date: 19 February 2020