

PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE

JULY 6, 2021

7:20 PM or immediately after Special BOA

Aldermanic Chamber and via Zoom

Join Zoom Meeting: <https://us02web.zoom.us/j/82077287504?pwd=SHJTB3JRTVI2MVJLN0V0WkNocmdaUT09>

Meeting ID: 820 7728 7504

Passcode: 551797

Join by telephone: 1-929-205-6099

Meeting ID: 820 7728 7504

Passcode: 5511797

If anybody has a problem accessing the meeting via phone or Channel 16, please call 603-589-3329 and they will help you connect.

ROLL CALL

PUBLIC COMMENT

COMMUNICATIONS

From: Susan K. Lovering, City Clerk

Re: Issuance of Warrant to Chief of Police for Unlicensed Dogs

From: Susan K. Lovering, City Clerk

Re: Issuance of Warrant to for Unlicensed Dogs

INTERVIEWS

Mark Meehan (new appointment)

65 Walden Pond Drive

Nashua, NH 03064

Term to Expire: May 31, 2024

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

APPOINTMENTS BY THE MAYOR

Planning Board

Mark Meehan (new appointment)

65 Walden Pond Drive

Nashua, NH 03064

Term to Expire: May 31, 2024

UNFINISHED BUSINESS

NEW BUSINESS – RESOLUTIONS

R-21-143

Endorsers: Mayor Jim Donchess

Alderman Thomas Lopez

Alderman-at-Large Brandon Michael Laws

Alderman-at-Large Shoshanna Kelly
Alderman Patricia Klee
Alderman Jan Schmidt

PROPOSING AN AMENDMENT TO THE CITY CHARTER RELATIVE TO THE MANNER OF APPOINTMENTS TO THE NASHUA BOARD OF POLICE COMMISSIONERS

R-21-151

Endorsers: Alderman-at-Large Michael B. O'Brien, Sr.
Alderman-at-Large Ben Clemons
Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman Jan Schmidt
Alderman-at-Large David C. Tencza
Alderman Thomas Lopez
Alderman Linda Harriott-Gathright
Alderman-at-Large Brandon Michael Laws
Alderman Skip Cleaver
Alderman-at-Large Lori Wilshire

RELATIVE TO A BALLOT REFERENDUM CONCERNING SPORTS BETTING WITHIN THE CITY OF NASHUA

R-21-152

Endorsers: Alderman Thomas Lopez
Alderman Linda Harriott-Gathright

PROPOSING AN AMENDMENT TO THE CITY CHARTER RELATIVE TO ADDING TWO ADDITIONAL MEMBERS TO THE BOARD OF HEALTH

NEW BUSINESS – ORDINANCES

O-21-066

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman Thomas Lopez
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt
Alderman Linda Harriott-Gathright

PROVIDING FOR ALDERMEN-AT-LARGE TO ACT IN COMMITTEES TO MEET REQUIREMENT THAT QUORUMS BE PHYSICALLY PRESENT

TABLED IN COMMITTEE

R-20-021

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien
Alderman Patricia Klee
Alderman Thomas Lopez
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt
Alderman Skip Cleaver
Alderman Linda Harriott-Gathright

ESTABLISHING AN INFORMATION TECHNOLOGY STUDY COMMITTEE

- tabled at 6-1-20 mtg

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 at 3-2-20 mtg

O-20-032

Endorsers: Alderman-at-Large Brandon Laws
Alderman Thomas Lopez
Alderman Jan Schmidt
Alderman Skip Cleaver
Alderwoman-at-Large Shoshanna Kelly
Alderwoman Elizabeth Lu

REDUCING THE FINE FOR OVERNIGHT PARKING VIOLATIONS

- Tabled at 10/28/20 meeting held jointly with Cte on Infrastructure

PUBLIC COMMENT

GENERAL DISCUSSION

REMARKS BY THE ALDERMEN

POSSIBLE NON-PUBLIC SESSION

ADJOURNMENT

Office of the City Clerk


City of Nashua
229 Main Street
Nashua, NH 03061-2019
(603) 589-3010, Option #5
CityClerkDept@NashuaNH.Gov

Susan Lovering
City Clerk
Allison D. Waite
Deputy City Clerk



MEMORANDUM

TO: Board of Aldermen

FROM: Susan K. Lovering, City Clerk 

DATE: June 16, 2021

RE: Issuance of Warrant to Chief of Police for Unlicensed Dogs

Pursuant to RSA 466:14, the Board of Aldermen shall annually issue a warrant to the local official authorized to issue a civil forfeiture. Therefore, this memorandum serves as a formal request that the Board of Aldermen commit the warrant to the Chief of Police so that either he or his designee may issue the Notice of Civil Forfeiture to those dog owners who have failed to renew or license their dog(s) as required under state law.

As a reference for this licensing year, a total of 9,751 notices were sent, both by email and first class mail, to the owners of 10,681 dogs. In May, we sent reminder postcards to those who had not yet licensed their dogs.

Those owners identified on the warrant will be notified that they are required to license their dog(s) and pay a \$25 civil forfeiture fee per dog and a \$7 cost of service fee within 15 calendar days of said notice. To provide every opportunity for our residents to bring their accounts current and avoid additional fees, our offices will begin to reach out to them by phone in the upcoming weeks.

Thank you for your attention to this matter.

cc: Chief of Police Michael Carignan
Mayor James W. Donchess



2020-2021 Warrant for Unlicensed Dogs

To Michael Carignan, Chief of Police for the City of Nashua, in the County of Hillsborough, State of New Hampshire.

In the name of the City of Nashua, you or your designee, are directed and required, pursuant to RSA 466:14; to issue a civil forfeiture for each unlicensed dog to the persons named in the list hereby committed to you.

Given under this hand and seal of the Board of Aldermen, of the City of Nashua, ____ day of _____ 2021.

BOARD OF ALDERMEN

Alderman-at-Large Lori Wilshire

Alderman Patricia Klee

Alderman-at-Large Michael B. O'Brien, Sr.

Alderman Thomas Lopez

Alderman-at-Large Ben Clemons

Alderman Ernest A. Jette

Alderwoman-at-Large Shoshanna Kelly

Alderwoman Elizabeth Lu

Alderman-at-Large Brandon Michael Laws

Alderman June M. Caron

Alderman-at-Large David C. Tencza

Alderman Linda Harriott-Gathright

Alderman Jan Schmidt

Alderman Skip Cleaver

Alderman Richard A. Dowd

Office of the City Clerk

City of Nashua
229 Main Street
Nashua, NH 03061-2019
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Susan Lovering
City Clerk
Allison D. Waite
Deputy City Clerk



MEMORANDUM

TO: Personnel/Administrative Affairs Committee
FROM: Susan K. Lovering, City Clerk
DATE: June 30, 2021
RE: Issuance of Warrant for Unlicensed Dogs

Due to a scheduling conflict, I will be unable to attend the Personnel/Administrative Affairs Committee meeting to discuss my communication referred to committee regarding civil forfeiture notices.

As previously mentioned in my communication of June 16, our office sent out renewals for the 10,681 active dogs in our database, and followed up with an additional 4,345 reminder notices. As of this writing, 3,106 owners have yet to license their dogs. Should the Board of Aldermen vote to commit the warrant to the Chief of Police, those owners identified will be required to license their dog(s) and pay a \$25 civil forfeiture fee per dog and a \$7 cost of service fee within 15 calendar days of said notice.

To continue to strive and provide every opportunity for our residents to bring their accounts current and avoid these additional fees, a second and final mailing is planned for the first week in July. Therefore, I respectfully request that the Personnel/Administrative Affairs Committee recommend that the Board of Aldermen issue a warrant to owners of unlicensed dogs at its full Board meeting in August.

Thank you for your attention to this matter.

cc: Mayor James W. Donchess
Chief of Police Michael Carignan



RESOLUTION

PROPOSING AN AMENDMENT TO THE CITY CHARTER RELATIVE TO THE MANNER OF APPOINTMENTS TO THE NASHUA BOARD OF POLICE COMMISSIONERS

CITY OF NASHUA

In the Year Two Thousand and Twenty-One

RESOLVED by the Board of Aldermen of the City of Nashua that pursuant to RSA 49-B:5, the following amendment to the Nashua City Charter is deemed necessary and shall be submitted to the voters by placing it on the ballot at the next regular municipal election on November 2, 2021, in the manner required by NH RSA 49-B with the following question and summary:

Shall the municipality approve the charter amendment summarized below?

SUMMARY

This amendment would provide for appointment of Board of Police Commissioners by the Mayor and the President of the Board of Aldermen upon approval of the Board of Aldermen. Appointments shall be based upon qualifications, merit and record of community service and should be balanced so that the membership of the Commission reflects the citizenship of the City. Members of the immediate family of and residents of the same household with the Mayor and any Alderman would be ineligible.

The Nashua City Charter shall be amended by deletion of the current sections A-101 through A-102 and A-141 through A-146 and by addition of the following new A-100 through A-102:

§ A-100. Appointments Based Upon Qualifications, Merit, and/or History of Community Involvement

The Board of Police Commissioners of the City of Nashua shall consist of five (5) members. Appointments will be based upon qualifications, merit and record of community service. The Mayor and the President of the Board of Aldermen should use their best efforts to balance the membership of the Commission to reflect the citizenship of the City. In no event shall a member of the immediate family or a resident of the household with the Mayor or any Alderman be eligible for appointment.

§ A-101. Appointment of commissioners

The Mayor shall, with the advice and approval of the Board of Aldermen, appoint three (3) persons to the Board of Police Commissioners, each holding office for a three (3) year term, or until his or her successor is duly appointed and qualified. The President of the Board of Aldermen shall with the advice and approval of the Board of Aldermen appoint two (2) persons to the Board of Police Commissioners, each holding office for a three (3) year term, or until her or his successor is duly appointed and qualified. Notwithstanding the foregoing any person holding office as a commissioner under the appointment of the governor and council under the authority of Laws 1913, chapter 148, at the date of the passage of this section shall continue in office as such commissioner until the expiration of his or her said term of office. The first, third, and fifth appointments following such term expirations shall be by the Mayor and the second and fourth by the President of the Board of Aldermen and shall be staggered such that the term of one or of two commissioners shall expire each year. Thereafter any vacancy from any cause shall be filled by the original appointing authority with approval of the Board of Aldermen for the remainder of the term or for a new term as is applicable. Each said commissioner shall have been a resident of the City of Nashua when appointed for at least five years immediately preceding the date of her or his appointment and shall remain a resident during said term. The Mayor or the President of the Board of Aldermen shall, annually, on or before the first day of August thereafter, with the advice and approval of the Board of Aldermen, appoint one or two commissioners, who shall succeed the ones whose term expires and who shall serve for three (3) years from September first unless sooner removed as (hereinafter) provided. Not more than three commissioners shall be of the same political party.

§ A-102. Removal of commissioners

The Mayor or President of the Board of Aldermen with the advice and approval of the Board of Aldermen shall have full power to remove any commissioner which he or she or her or his predecessor has appointed.

...

LEGISLATIVE YEAR 2021

RESOLUTION: R-21-143

PURPOSE: Proposing an amendment to the City Charter relative to the manner of appointment of the Nashua Police Commission.

SPONSOR(S): Mayor Jim Donchess
Alderman Thomas Lopez
Alderman Brandon M. Laws
Alderwomen Shoshanna Kelly
Alderwoman Patricia Klee
Alderwoman Jan Schmidt

COMMITTEE ASSIGNMENT: Personnel/Administrative Affairs Committee

FISCAL NOTE: The City Clerk estimates the cost associated with a charter amendment as approximately \$200 during a regular municipal election.

ANALYSIS


This Resolution would submit to the voters a proposed amendment to the City Charter providing for appointment of police commissioners by the mayor and the president of the board of aldermen with the approval of the board of aldermen.

The procedure for charter amendments is set forth in RSA 49-B:5. The Board of Aldermen must hold an initial vote to determine if the amendment is "necessary". If the amendment is determined to be necessary, the Board of Aldermen must order that notice be given for a public hearing on the amendment. Notice of the public hearing must be published in a newspaper of general circulation at least seven (7) days prior to the scheduled hearing. The notice must contain the text of the proposed amendment and a brief explanation.

Within seven (7) days after the public hearing, the Board of Aldermen shall file with the City Clerk a report containing the proposed amendment. Within ten (10) days of filing, the City Clerk files a certified copy of the report to the secretary of state, the attorney general, and the commissioner of the department of revenue administration pursuant to RSA 49-B:4-a. Within seven (7) days after receiving approval from the secretary of state, the attorney general, and the commissioner of the department of revenue administration, the Board of Aldermen may vote to order the proposed amendment to be placed on a ballot at the next regular municipal election.

Approved as to form:

Office of Corporation Counsel

By: 

Date: May 6, 2021



RESOLUTION

RELATIVE TO A BALLOT REFERENDUM CONCERNING SPORTS BETTING
WITHIN THE CITY OF NASHUA

CITY OF NASHUA

In the Year Two Thousand and Twenty-One

RESOLVED by the Board of Aldermen of the City of Nashua that the following question be placed on a ballot for the municipal election to be held on November 2, 2021:

“Shall the City of Nashua allow the operation of sports book retail locations within the City of Nashua?”

FURTHER RESOLVED that the Board of Aldermen will hold a public hearing at least 15 days and no less than 30 days before the question is to be voted on and that notice of said public hearing be posted in two public places and published in a newspaper of general circulation at least 7 days before said public hearing.

LEGISLATIVE YEAR 2021

RESOLUTION:

R-21-151

PURPOSE:

Relative to a ballot referendum concerning sports betting within the City of Nashua

ENDORSER(S):

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

**COMMITTEE
ASSIGNMENT:**

Personnel/Administrative Affairs Committee

FISCAL NOTE:

It is estimated that the additional costs for printing of ballots and programming voting machines will not be more than \$500.

ANALYSIS

This resolution follows the procedure required by RSA 287-I:6 which requires that if the operation of sports book retail locations is to be allowed in a city or town that the question be put to the voters of said city or town. If a majority of the voters vote "yes" on the question, sports book retail locations will be allowed in Nashua in accordance with other lawful requirements of the statutes and regulations.

Approved as to form:

Office of Corporation Counsel

By: Donny Clarke

Date: 2 June 2021



RESOLUTION

PROPOSING AN AMENDMENT TO THE CITY CHARTER RELATIVE TO ADDING TWO ADDITIONAL MEMBERS TO THE BOARD OF HEALTH

CITY OF NASHUA

In the Year Two Thousand and Twenty-One

RESOLVED by the Board of Aldermen of the City of Nashua that pursuant to RSA 49-B:5, the following amendment to the Nashua City Charter is deemed necessary and shall be submitted to the voters by placing it on the ballot at the next regular municipal election on November 2, 2021, in the manner required by NH RSA 49-B with the following question and summary:

Shall the municipality approve the charter amendment summarized below?

SUMMARY

This amendment would provide for two additional Board of Health members, so that the Board of Health would have five members instead of three. One of the two new members would be either a physician or an individual who has completed a doctorate level medical degree, and the other would be an individual with advanced professional credentials in the field of public health.

The Nashua City Charter shall be amended by adding the new underlined language to Charter Section 78 as follows:

“§ 78. Board of Health, how chosen

The board of aldermen on the first secular day of January, 1915, shall elect a board of health, to be composed of three members, whose terms of office shall be for one year, and on the first secular day of January in 1916 and thereafter biennially on said first secular day of January following the regular municipal election through the end of 2021, they shall elect said board of health for the term of two years, to be composed of three members, two of who shall be physicians. On the first secular day of January in 2022 following the regular municipal election, and thereafter biennially, the board of aldermen shall elect said board of health for the term of two years, to be composed of five members, two of who shall be physicians, one who shall be either a physician or an individual who has completed an accredited doctorate level medical degree, and one who shall be an individual with advanced professional credentials in the field of public health.”

LEGISLATIVE YEAR 2021

RESOLUTION: R-21-152

PURPOSE: Proposing an amendment to the City Charter relative to adding two additional members to the Board of Health

SPONSOR(S): Alderman Tom Lopez

COMMITTEE ASSIGNMENT: Personnel/Administrative Affairs Committee

FISCAL NOTE: The City Clerk estimates the cost associated with a charter amendment as approximately \$200 during a regular municipal election.

ANALYSIS

This Resolution would submit to the voters a proposed amendment to the City Charter providing for an increase in the number of members on the Board of Health, from 3 to 5. Election of the members by the Board of Aldermen and the two-year terms of the members remains the same. One of the new members will be a physician or an individual who has completed an accredited doctorate level medical degree, and the other will be an individual with advanced professional credentials in the field of public health.

The procedure for charter amendments is set forth in RSA 49-B:5. The Board of Aldermen must hold an initial vote to determine if the amendment is "necessary". If the amendment is determined to be necessary, the Board of Aldermen must order that notice be given for a public hearing on the amendment. Notice of the public hearing must be published in a newspaper of general circulation at least seven (7) days prior to the scheduled hearing. The notice must contain the text of the proposed amendment and a brief explanation.

Within seven (7) days after the public hearing, the Board of Aldermen shall file with the City Clerk a report containing the proposed amendment. Within ten (10) days of filing, the City Clerk files a certified copy of the report to the secretary of state, the attorney general, and the commissioner of the department of revenue administration pursuant to RSA 49-B:4-a. Within seven (7) days after receiving approval from the secretary of state, the attorney general, and the commissioner of the department of revenue administration, the Board of Aldermen may vote to order the proposed amendment to be placed on a ballot at the next regular municipal election.

Approved as to form:

Office of Corporation Counsel

By:

Donny Clarke

Date:

10 June 2021



ORDINANCE

PROVIDING FOR ALDERMEN-AT-LARGE TO ACT IN COMMITTEES TO MEET REQUIREMENT THAT QUORUMS BE PHYSICALLY PRESENT

CITY OF NASHUA

In the Year Two Thousand and Twenty-One

The City of Nashua ordains that Part I “Administrative Legislation”, Chapter 5 “Administration of Government”, Part 2 “Board of Aldermen”, Article II “General Provisions”, Section 5-9 “Standing committees.” 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:

“§ 5-9. Standing committees.

...

- C. When a standing committee lacks a quorum of members as provided in ~~Subsections A and B~~ physically present, any Alderman at Large who is physically present where said meeting is held, selected by the Chairman of the committee, shall be deemed to be a member of said committee pro tem for the purposes of establishing a quorum ~~thereof~~ being physically present and voting. An appointed member who is not physically present may in accordance with RSA 91-A:2, III participate in the meeting, but shall not have a vote if an Alderman at Large is serving in his or her stead, pro tem. Should an appointed member arrive at the meeting thereafter, pro tem members shall step down, and shall have no vote unless to do so would render the committee without a quorum.

...”

LEGISLATIVE YEAR 2021

ORDINANCE: O-21-066

PURPOSE: To allow Aldermen-at-Large to act in committees to meet requirement that quorums be physically present

SPONSOR(S): Mayor Jim Donchess


COMMITTEE ASSIGNMENT: Personnel/Administrative Affairs Committee

FISCAL NOTE: None.

ANALYSIS

This provision provides for Aldermen-at-Large to act in committees to meet the requirement that quorums be physically present.

Approved as to form: Office of Corporation Counsel

By: 

Date: JUNE 16, 2021