

BUDGET REVIEW COMMITTEE

FEBRUARY 22, 2021

7:00 PM

To access Zoom: <https://us02w eb.zoom.us/j/88194869249?pwd=Vm9qY2c0emRhVXNqWFpnOWFJVXVHQ09>

Meeting ID: 881 9486 9249

Passcode: 490575

To join by phone: 1-929-205-6099

Meeting ID: 881 9486 9249

Passcode: 490575

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ROLL CALL

PUBLIC COMMENT

COMMUNICATIONS

From: Sarah Marchant, Community Development Division Director

Re: Transportation Department - Request for Reduction of Revenue Contracts

UNFINISHED BUSINESS

NEW BUSINESS – RESOLUTIONS

R-21-115

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

APPROVING THE COST ITEMS OF SIDEBAR AGREEMENTS BETWEEN THE NASHUA POLICE COMMISSION AND THE NASHUA POLICE PATROLMAN'S ASSOCIATION AND THE NASHUA POLICE COMMISSION AND THE NASHUA POLICE SUPERVISOR'S ASSOCIATION REGARDING MILITARY LEAVES OF ABSENCE

R-21-116

Endorsers: Mayor Jim Donchess
Alderman Patricia Klee
Alderman Thomas Lopez
Alderman Jan Schmidt
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman-at-Large Ben Clemons
Alderman-at-Large Brandon Michael Laws
Alderman Linda Harriott-Gathright
Alderman Lori Wilshire

ESTABLISHING AN EXPENDABLE TRUST FUND FOR APPROPRIATIONS FOR THE BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY

NEW BUSINESS – ORDINANCES

O-21-047

Endorsers: Alderman-at-Large Ben Clemons
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman Skip Cleaver
Alderman-at-Large Brandon Michael Laws
Alderman-at-Large Lori Wilshire

TEMPORARILY CHANGING THE DOWNTOWN IMPROVEMENTS FUNDING PLAN

TABLED IN COMMITTEE

R-20-016

Endorsers: Mayor Jim Donchess
Alderman Linda Harriott-Gathright
Alderman Thomas Lopez
Alderman-at-Large Michael B. O'Brien, Sr.

**AMENDING THE PURPOSE OF A FISCAL YEAR 2020 UNLIKE ESCROW FOR THE
COMMUNITY DEVELOPMENT DIVISION**

(tabled at 4-20-20 mtg)

GENERAL DISCUSSION

PUBLIC COMMENT

REMARKS BY THE ALDERMEN

POSSIBLE NON-PUBLIC SESSION

ADJOURNMENT



City of Nashua

Community Development Division

City Hall, 229 Main Street, PO Box 2019
Nashua, New Hampshire 03061-2019
www.nashuanh.gov

Community Development	589-3095
Planning and Zoning	589-3090
Building Safety	589-3080
Code Enforcement	589-3100
Urban Programs	589-3085
Conservation Commission	589-3105
Transportation	880-0100
FAX	589-3119

Date: 1/19/21

To: Budget Committee

From: Sarah Marchant, Community Development Division Director

Re: Transportation Department - Request for Reduction of Revenue Contracts

The Division of Community Development, Transportation Department is proposing a reduction to three FY 21 revenue contracts. This applies to the existing FY 21 annual contracts with Rivier University, Nashua Community College and the Souhegan Valley Transportation Collaborative. All three contracts are effective from July 1, 2020 – June 30, 2021.

Rivier University and Nashua Community College have contracts with the City of Nashua based on an estimated number of transit trips annually. Both educational establishments have had a significant reduction in students utilizing Nashua Transit System. Each college make two equal payments in July and January of each year. In an effort to address this drop in utilization and maintain goodwill, we are proposing to waive their second payment for FY 21, a reduction of \$3,250 for Rivier University and \$7,500 for Nashua Community College.

The Souhegan Valley Transportation Collaborative contract is based on a fixed number of daily service hours. Due to the reduced demand for service, SVTC is currently paying for more service than they are utilizing. To address this we are proposing to reduce their bill by \$2,500 monthly for the remainder of FY 21, a total of \$15,000.

Nashua Transit System's allocation of CARES Act funds will be utilized to offset the revenue loss.



RESOLUTION

APPROVING THE COST ITEMS OF SIDEBAR AGREEMENTS BETWEEN THE NASHUA POLICE COMMISSION AND THE NASHUA POLICE PATROLMAN'S ASSOCIATION AND THE NASHUA POLICE COMMISSION AND THE NASHUA POLICE SUPERVISOR'S ASSOCIATION REGARDING MILITARY LEAVES OF ABSENCE

CITY OF NASHUA

In the Year Two Thousand and Twenty-One

RESOLVED by the Board of Aldermen of the City of Nashua that the cost items of the attached sidebars regarding military leaves of absence between the Nashua Police Commission and the following Unions are hereby approved:

1. Nashua Police Patrolman's Association (NPPA); and
2. Nashua Police Supervisor's Association (NPSA).

The sidebars will be in effect starting February 1, 2021.

LEGISLATIVE YEAR 2021

RESOLUTION:

R-21-115

PURPOSE:

Approving the cost items of sidebar agreements between the Nashua Police Commission and the Nashua Police Patrolman's Association and the Nashua Police Commission and the Nashua Police Supervisor's Association regarding military leaves of absence

ENDORSER(S):

**Alderman-at-Large Lori Wilshire
Alderman Richard A. Dowd**

**COMMITTEE
ASSIGNMENT:**

Budget Review Committee

FISCAL NOTE:

The cost analysis is as follows: if the employee makes less than their Police Department pay through the military, these sidebars authorize the Police Department to make up the difference. For an example using a Senior Patrolman, the Police Department would pay 44% and the savings in the budget would be 56%. If there were to be any backfill, the City wouldn't have much cost because of the 56% payroll savings. Additionally, being at full complement for the coming year will enable the Police Department to better operate without having to backfill every shift for this military individual.

ANALYSIS

This resolution approves the cost items of sidebar agreements between the Nashua Police Commission and the Nashua Police Patrolman's Association and the Nashua Police Commission and the Nashua Police Supervisor's Association concerning military leaves of absence, effective February 1, 2021. The board of aldermen must vote whether or not to approve the cost items of these sidebars within thirty days of receipt. RSA 273-A:3 II (c).

**Approved as to account
number and/or structure,
and amount:**

Financial Services Division

By: /s/ John Griffin

Approved as to form:

Office of Corporation Counsel

By: Dorothy Clarke

Date: 1 February 2021

LEAVES OF ABSENCE

MILITARY LEAVES OF ABSENCE:

An employee who voluntarily or involuntarily enters into the Armed Forces is entitled to a leave of absence for the anticipated length of enlistment. The employee upon discharge is entitled to reinstatement to his or her previous position or a position of like status. Employees called to serve in the National Guard or Armed Forces Reserve are entitled to seventeen (17) consecutive days of paid leave of absence per Federal fiscal year (October 1st through September 30th). The employee will be required to submit verification of leave orders as evidence of the amount of pay received. A decision was made to treat all reservists equally, and any reservist called into active duty will be eligible for the following benefits:

- A. **Compensation Guidelines:** The City will pay the difference of whatever military compensation is paid to each reservist, provided it does not exceed 100% of one's monthly employment compensation, during all succeeding months up to five years that the employee may be on active duty. This includes weekend training, annual training, and active duty. Compensation will be made on a weekly basis.
- B. **Health & Dental Insurance Premiums:** The City and the employee will continue to pay their respective share of health and dental insurance premiums associated with their respective plans up to five years, if employee chooses.

- C. **Seniority Rights:** The employee will maintain seniority rights up to a maximum of five years.

- D. **NH Retirement System:**
- E. 1- If a member leaves NHRS- covered employment to enter directly into the United States Armed Forces and returns to NHRS- covered employment within one year following termination of active military duty, a member may receive credit for up to three years at no cost.
- F. 2- The City and the employee will continue to pay their respective share to the employee's retirement plan if necessary.

- G. **Accrual of Vacation Leave:** The employee will continue to accumulate all vacation and sick time on a monthly basis as set forth by the CBA.

- H. **Reporting Back to Work/Discharges:** Employees will be required to report back to work in accordance with USERRA: Section 4312 (e). Anyone discharged under the provisions of USERRA: Section 4304 will be disqualified from receiving all the above stated benefits.

- I. **Re-Employment Benefits:** Employees will be entitled to re-employment benefits in accordance with the provisions of USERRA: Section 4312 and 4313.

Agreed to:

Nashua Police Patrolman's Association:

Nashua Police Commission:

Date: _____

Date: _____

LEAVES OF ABSENCE

MILITARY LEAVES OF ABSENCE:

An employee who voluntarily or involuntarily enters into the Armed Forces is entitled to a leave of absence for the anticipated length of enlistment. The employee upon discharge is entitled to reinstatement to his or her previous position or a position of like status. Employees called to serve in the National Guard or Armed Forces Reserve are entitled to seventeen (17) consecutive days of paid leave of absence per Federal fiscal year (October 1st through September 30th). The employee will be required to submit verification of leave orders as evidence of the amount of pay received. A decision was made to treat all reservists equally, and any reservist called into active duty will be eligible for the following benefits:

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- B. **Health & Dental Insurance Premiums:** The City and the employee will continue to pay their respective share of health and dental insurance premiums associated with their respective plans up to five years, if employee chooses.
- C. **Seniority Rights:** The employee will maintain seniority rights up to a maximum of five years.
- D. **NH Retirement System:**
 - E. 1- If a member leaves NHRS- covered employment to enter directly into the United States Armed Forces and returns to NHRS- covered employment within one year following termination of active military duty, a member may receive credit for up to three years at no cost.
 - F. 2- The City and the employee will continue to pay their respective share to the employee's retirement plan if necessary.
- G. **Accrual of Vacation Leave:** The employee will continue to accumulate all vacation and sick time on a monthly basis as set forth by the CBA.
- H. **Reporting Back to Work/Discharges:** Employees will be required to report back to work in accordance with USERRA: Section 4312 (e). Anyone discharged under the provisions of USERRA: Section 4304 will be disqualified from receiving all the above stated benefits.
- I. **Re-Employment Benefits:** Employees will be entitled to re-employment benefits in accordance with the provisions of USERRA: Section 4312 and 4313.

Agreed to:

Nashua Police Supervisor's Association:

Nashua Police Commission:

Date: _____

Date: _____



RESOLUTION

ESTABLISHING AN EXPENDABLE TRUST FUND FOR APPROPRIATIONS FOR THE BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY

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 31:19-a, the City of Nashua hereby establishes an expendable trust fund ("ETF") for use by the Business and Industry Development Authority ("BIDA") in accordance with RSA Chapter 162-A. The Mayor or the Economic Development Director, with input from BIDA, is appointed as the agent to expend. Any balance remaining in this expendable trust fund at each fiscal year end will not lapse or be closed out to the General Fund, but will remain in this expendable trust fund.

It is the intention of this board that after closing, \$250,000 from the sale of land on Bridge Street and Sanders Street (see R-19-148) will be appropriated into this ETF via a supplemental appropriation resolution.

LEGISLATIVE YEAR 2021

RESOLUTION: R-21-116

PURPOSE: Establishing an expendable trust fund for appropriations for the Business and Industrial Development Authority

SPONSOR(S): Mayor Jim Donchess

**COMMITTEE
ASSIGNMENT:** Budget Review Committee

FISCAL NOTE: Establishes a restricted fund to account for appropriations designated for a specific purpose. Future appropriations to this fund are through the annual budget process or supplemental appropriations.

ANALYSIS

This resolution establishes a non-lapsing expendable trust fund for appropriations for the Business and Industrial Development Authority. RSA 31:19-a, I provides for an annual accounting and report of the activities of the trust.

**Approved as to account
structure, numbers,
and amount:**

Financial Services Division

By: /s/ John Griffin

Approved as to form:

Office of Corporation Counsel

By: /s/ Celia K. Leonard

Date: February 3, 2021



ORDINANCE

TEMPORARILY CHANGING THE DOWNTOWN IMPROVEMENTS FUNDING PLAN

CITY OF NASHUA

In the Year Two Thousand and Twenty-One

The City of Nashua ordains that Part II “General Legislation”, Chapter 320 “Vehicles and Traffic”, Article XI “Parking Meters”, Section 320-43.1 “Funding for downtown improvements” of the Nashua Revised Ordinances, as amended, be hereby further amended by adding the new underlined language as follows:

“§ 320-43.1. Funding for downtown improvements.

- A. Starting with the FY2013 budget, an amount equivalent to the sum of any parking revenue received over and above \$728,000 shall be appropriated annually in the budget to be used for the purpose of improving the Downtown - 1 zoning district. Uses of these funds shall include, but not be limited to, improvements to infrastructure, beautification, and marketing and promotion. The time frame for the calculation of the amount shall be January 1 to December 31. Beginning in 2013, if at the end of the year the parking revenue shall fall below \$1,128,000 or exceed \$1,378,000, the Board of Aldermen shall review the amount of \$728,000 above, and adjust that amount as necessary.
- B. Notwithstanding subsection A above, for the calendar year of 2021, and Fiscal Year Budget 2022, an amount equivalent to the sum of parking revenue of \$100,000 shall be appropriated in the FY2022 budget for the purpose of improving the Downtown-1 zoning district. In calendar year 2022, and Fiscal Budget Year 2023, the funding shall resume as stated in subsection A, above.”

This ordinance shall become effective immediately upon passage.

LEGISLATIVE YEAR 2021

ORDINANCE: O-21-047

PURPOSE: Temporarily changing the downtown improvements funding plan

SPONSOR(S): Alderman-at-Large Ben Clemons

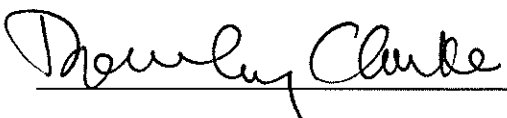
COMMITTEE ASSIGNMENT: Budget Review Committee

FISCAL NOTE: The amount proposed to be appropriated via transfer into the Downtown Improvement Committee Expendable Trust Fund for FY 2022 is \$100,000.

ANALYSIS

This legislation reduces the proposed annual funding for downtown improvements in the FY2022 budget due to lost parking revenue during the COVID-19 pandemic. This funding plan is not binding on any board of aldermen, and is subject to annual budget appropriations.

Approved as to form: Office of Corporation Counsel

By: 

Date: 1 February 2021