

PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE

DECEMBER 9, 2019

A meeting of the Personnel/Administrative Affairs Committee was held on Monday, December 9, 2019, at 7:17 p.m. in the Aldermanic Chamber.

Chairman June M. Caron presided.

Members of the Committee present: Alderwoman-at-Large Shoshanna Kelly, Vice Chair
Alderman Tom Lopez
Alderman Ken Gidge

Members not in Attendance: Alderman-at-Large Ben Clemons

Also in Attendance: Mayor James Donchess
Alderman Patricia Klee

PUBLIC COMMENT - None

COMMUNICATIONS - None

INTERVIEWS

Conservation Commission

Joshua T. Hauser, Alternate (New Appointment)

Term to Expire: December 31, 2020

Mayor Donchess

Thank you Madam Chair and Members of the Committee. I am nominating Joshua Hauser as an alternate on the Conservation Commission. Josh is a recent graduate of Daniel Webster College. He has been working with or speaking with and working with Sherry Dutzy who is the Chair of the Conservation Commission. He has expressed to her an interest in serving on the Commission as an alternate. He has attended a number of the meetings. He is actually involved in Web Design and other activities in his work so he can actually help them with some of their public communications. He is very interested in helping to preserve the environment and Nashua's wetlands and the like. Therefore, he will be a strong nominee. But I will let Joshua tell you a little bit about himself and about his interest in the Commission.

Chairman Caron

OK thank you; Josh you have the floor.

Joshua T. Hauser Thank you so to summarize what Mayor Donchess said that I am more interested in joining the Commission of because of background in scouting which kind of interested me in conservation in general. I used to teach outdoor survival skills and kind of helping scouts learn to appreciate the outdoors, so I kind of like to kind of bring that with me where I go – the idea of "Leave No Trace"; for anyone who is familiar with the Boy Scouts.

And then with Web Design Development I had spoken with Sherry Dutzy several times on how to promote interest in different activities that people could take with the outdoors in Nashua such as like Geocaching as an example and updating the web site and making sure it is more user friendly and people can quickly and easily tune in to what is kind of going on with the Conservation Commission.

Mayor Donchess

And Josh is an Eagle Scout. I didn't quite make it that far. Far short of that, I made it beyond Tenderfoot I know that much.

Chairman Caron

Eagle Scout. So do we have any questions for Josh from any member of the Committee.

Alderman Lopez

So you got your Environmental Science Merit Badge, "Leave no Trace" so there's two schools of thoughts. There is plan ahead, make sure you bring biodegradable, easily prepared things. And then there's incinerate everything in the fire. You are the first school of thought.

Mr. Hauser I am the first school of thought.

Alderman Lopez

OK good. Do you have ideas for engaging the Boy Scouts, maybe Eagle Projects?

Mr. Hauser Yeah especially with just keeping trails especially clean and clear. I know in my hometown in New York, just trail maintenance was a huge community service project. I would help scouts get their hours for making rank.

Alderman Lopez

What about conservation like helping make sure trails don't get washed away?

Mr. Hauser Absolutely that too, we did a lot of that at the Boy Scout Camp I worked at just putting in to prevent erosion, little rock trails, if there's any buildings that would have water dripping on to the road or pathways at camp, we would just kind of border it with rocks so the water could dissipate more cleanly.

Alderman Lopez

Good, awesome because some of those trails are getting ready to fall into the canal.

Alderwoman Kelly

I just wanted to comment, thank you for coming forward for this. I was also a Girl Scout but I am also on the Conservation Commission and I have done that for the last 2 years. So it has been really interesting to see what kinds of things they do because I think you initially think like clean trails, but there's also a lot of wetland buffer stuff and impervious surfaces. Everybody on the Committee is very engaged and has a very different thing that they bring to the table. So it sounds like you would also have that, so thank you for stepping forward.

Alderman Klee

I just also wanted to make a comment, I am glad you brought up the comments about different things and activities that they could be doing like geocaching and so on. I think it is a good exercise of getting to know the area and the environment and getting people out there to see what we have. Things like Greeley Park and all the other places around so thank you.

Alderman Lopez

Just curious for Alderman Kelly, did you get the Gold Award?

Alderwoman Kelly

No comment.

Alderman Lopez

No further questions.

Mayor Donchess

How far did you go in the Boys Scouts.

Alderman Lopez

I'm a youth scout obviously.

Chairman Caron

So Josh thank you for offering to join the Conservation Commission. Have you attended any of the meetings?

Mr. Hauser I have, I have been in attendance all of since July with the exception of this month.

Chairman Caron

OK alright, thank you. Ok then we will take up your nomination later on in the meeting. Thank you for joining us.

Board of Registrars

Adriana Lopera, Member (New Appointment)

Term to Expire: December 31, 2021

Chairman Caron

Mayor you have nominated Adriana Lopera.

Mayor Donchess

So this is Adriana, she is a graduate of Columbia University and a Master's in Public Health from BU I believe. She works in the field of public health up in Concord for a non-profit that is particularly engaged in working with various State agencies and various state boards on the opioid crisis and various treatment efforts. She has lived in Nashua for 2 years; lives in Ward 4 I believe so therefore is a constituent of Alderman Lopez.

She has been very active in trying to expand voter registration which is one of our goals. We would like to do more outreach, we are working on getting into the High School through the School Board right now, but also some of these fairs and the like where a lot of people gather. We may be able to do expanded registration efforts trying to get everybody registered. Therefore, Adriana will be a strong nominee and member registrar of the Board of Registrars. Again, I will let Adriana tell you a little bit about herself and why she is interested in this particular Board.

Adriana Lopera Hi good evening. So as the Mayor mentioned I have lived here for 2 years but I have registered to vote in 3 different States and so I understand the challenges of getting folks registered. I am looking to become more civically engaged. I am very passionate about voting. My own father just got the right to vote when I was in college. So I am really interested in working at the community level and meeting people where they are at and getting more people civically engaged. I am also bilingual which I think would be really helpful in this City.

Alderman Lopez

I obviously have to express my support. So Adriana has been very involved in the community; I've seen her at Latino Festivals, I've seen her helping various political campaigns. I agree, I think she would be great, at one point I tried to get her to apply for public health but there wasn't an opening. She's very qualified, she's very intelligent, and she is very engaging with people. Those are all qualities we need. And even the night we had that stand-off down the street where there wasn't anywhere for neighbors to go to the bathroom or warm up, she was willing to let them have access to her apartment just to do it for that night. So she is very community minded, very giving and I look forward to her nomination.

Alderwoman Kelly

Thank you. I would echo all of the things that Alderman Lopez has pointed out. I also know Ms. Lopera personally. But I did actually have a question, I've been working with the Youth Advisory Committee and the registering high school students has come up quite a bit; I know the Mayor mentioned it. I don't know if you had any idea about how we could get that. It has been a consistent conversation probably over the last year at least with that Committee for sure.

Ms. Lopera I would definitely, most people or most students who are turning 18, it is their senior year so there are a lot of events celebrating that they are seniors. Why not have some sort of events celebrating that they have turned 18 and are able to register to vote, perhaps in the spring, towards graduation because by then most of them will have turned 18. So I think making it an event like you're an adult now, you can join the military why not also register to vote and go to college and all of those exciting milestones that we think of when we think of graduating from High School.

Alderwoman Kelly

Thank you.

Alderman Klee

Thank you. I love that idea, I think in New Hampshire it is 17.5 that they can actually register, six months before they turn 18. So by the time that they are going to graduate, so an idea of doing something like that in the springtime, you would probably be able to capture all of them. I think that's a wonderful idea, so thank you.

Chairman Caron

Well we thank you for offering to sit on this Board, we need new people and I think it is wonderful because some of your idea to advance voting registration whether it is young or old is a great thing for us to be doing in this City. So we will take up your nomination later in the meeting and we thank you. Thank you Mayor, as always, good choices.

APPLICATION TO LICENSE HAWKER'S, PEDDLER'S, ITINERANT VENDOR'S LICENSE - None

APPOINTMENTS BY THE MAYOR

MOTION BY ALDERWOMAN KELLY TO RECOMMEND THE CONFIRMATION OF THE APPOINTMENTS OF PAUL LAFLAMME AS A MEMBER TO THE AUDITORIUM COMMISSISON WITH A TERM TO EXPIRE DECEMBER 31, 2021; ADRIANA LOPERA AS A MEMBER TO THE BOARD OF REGISTRARS WITH A TERM TO EXPIRE DECEMBER 31, 2021; JOSHUA T. HAUSER AS AN ALTERNATE TO THE CONSERVATION COMMISSION WITH A TERM TO EXPIRE DECEMBER 31, 2020; THE FOLLOWING MEMBERS TO THE HUNT MEMORIAL BUILDING BOARD OF TRUSTEES: STACY BAXTER WITH TERM A TO EXPIRE DECEMBER 31, 2024; TAMMY CRISP WITH A TERM TO EXPIRE DECEMBER 31, 2020; CHARLES MATTHEW WITH A TERM TO EXPIRE DECEMBER 31, 2023; AND ROSALIE MCQUAID WITH A TERM TO EXPIRE DECEMBER 31, 2021; THE FOLLOWING MEMBERS TO THE ZONING BOARD: EFSTATHIA BOORAS WITH A TERM TO EXPIRE OCTOBER 1, 2021; JEAN-PAUL G. BOUCHER, MARIELLEN MACKAY, AND ROB SHAW WITH TERMS TO EXPIRE SEPTEMBER 11, 2021; JONATHAN CURRIER WITH A TERM TO EXPIRE SEPTEMBER 11, 2022, AND STEVE LIONEL WITH A TERM TO EXPIRE SEPTEMBER 31, 2022
MOTION CARRIED

NEW BUSINESS – RESOLUTIONS – None

NEW BUSINESS – ORDINANCES - None

TABLED IN COMMITTEE**O-19-062**

Endorsers: Alderman Jan Schmidt
 Alderman Patricia Klee
 Alderman Thomas Lopez

PROHIBITING THE USE OF TOBACCO PRODUCTS NEAR CITY OWNED BUILDINGS AND IN CITY PARKS

- Tabled 11/4/2019

MOTION BY ALDERWOMAN KELLY TO TAKE O-19-062 FROM THE TABLE
MOTION CARRIED

MOTION BY ALDERWOMAN KELLY TO RECOMMEND PASSAGE

ON THE QUESTIONAlderman Lopez

I support this; I think smoking in recreational areas, in designated, specific areas such as out here at City Hall we have an area that literally says “smoke here”. I think there's enough of an accommodation for people are going to smoke. I think in our recreational areas one of the number one types of litter you are likely to find on the ground is going to be cigarette butts.

So whatever we can do to reduce that, cigarettes represent a fire danger. Cigarettes aren't necessarily a good thing to have around kids if they are playing in recreational areas, so I support this.

Alderman Klee

Thank you very much I appreciate this time to talk. I could not make it to the other meeting but one of the things that precipitated this for me which was the parks area was the issue that we were having, I was getting calls from constituents in the Tot Lots and Sargent Street Park where teenagers and even adults were sitting on the swings or by the children's area and children with asthma and so on like that, having to put up with the cigarette. As Alderman Lopez had brought up about the cigarette butts being there. One man had told me about his child ran over and there was still a lit cigarette and picked it up. That was quite, it was his 5 year old, and he was saying that he was going to stop bringing his children to the park and that was quite disturbing to me. So that's why I put it through with Alderman Schmidt.

Then the building portion of it, when people were complaining that they had to go through the tunnel of smoke because people would be standing outside smoking before they walked into the door and it lingers. It tends to linger and it is unhealthy. So thank you very much for this.

Alderwoman Kelly

Yeah I am going to support this; I think makes a lot of sense and as a mom I have heart for having parks that are not covered in cigarette butts or ones that are still burning. I think when we talked about this last I did mention that I think it has to be a combination of this but also more receptacles and receptacles that pull people away from the building. Because actually if you walk outside of City Hall they are right up against the building which is why people smoke there. So I think this makes a lot of sense and I think having signage instantly just makes people think about it. The beautification, do you remember the woman who came before us, she wanted to buy some of these for this exact purpose. I'd love to know if that happened. It may not have been this Committee.

Alderman Klee

Thank you very much and I would like to add one of the things that we did learn about signage, for instance at the library because there are so many entrances towards the library coming off of all the streets and the parking lot and through the park and everything like that, it's where do you put those receptacles. That becomes really one of the hardest decisions that has to be made. But I agree we need to put them at the 30 feet, 50 feet, whatever it is and let people know, no smoking beyond this. It is one thing to put it by the building in case they go by without thinking for them to put it there, but that shouldn't be their first point of contact to put out their cigarette it should be further away. So yeah I agree that we need the appropriate signage and the receptacles to safely extinguish these rather than throwing them on the ground.

Alderwoman Kelly

Thank you, I will do a little bit of leg work because I do remember that presentation, I don't remember who it was, but she was coming before us to ask for this specifically. So I think it would be good to just know where it landed when we talk about this.

Chairman Caron

Ok so I am going to speak, first to the sponsors of this and believe me that's not the issue about smoking near the buildings. Did the sponsors of this Ordinance speak to Public Works concerning all these signs that you are looking for them to put up all over the City? That's number one which is a huge expense, because they don't make signs in-house anymore.

The other thing is my concern is someone smokes because people don't obey the laws no matter what they are and someone sees someone smoking and they get into an argument, thinking that the Police are going to come right away. I don't want to see that happen. The Police aren't going to be in and out of the facilities constantly.

I know like Greeley Park could be a major issue; they do ride through there especially in the summertime. But I just want us to be very cautious that just because we put this in doesn't mean people are going to obey this law. The answer to my first question is needed before anything else.

Alderman Klee

I would like to address that. Actually I would like to address all of them. The first one about Public Works, I reached out to Public Works and I did talk to them about it and you are right, there is quite an expense to all the signs and to the receptacles and all that. That's why I said, it was quite – where do you put them, this is going to take a lot.

As far as the enforcement of something like that as you pointed out, it is kind of the similar situation that we have with dogs not on leashes in Mine Falls and Greeley Park and all these things like that. We all know that the Police are not going to go around, even though there is a fine to any of these things and so on. I guess it allows them if they need to, if there becomes an issue to use this. I did not reach out to Chief Carignan or any of his staff on that particular thing. I think it's because I looked at it very much as the dog leash law. We have a dog leash law, we've had it in play for a very, very long time but you can walk through Mines Falls you can walk through Greeley Park and you will see dogs off leash. You can remind people about it, that they shouldn't be doing it.

The truth is, I would have had no problem if this had been shrunk to specifically in children's areas like the Tot Lots or around the Playground areas. But again, one of the things that we ran into conversation with Department of Health as well as that is where do you put up the signage, where do you say this is it. That's why we went with a more general no smoking in City Parks. But I do agree and I do understand that it is going to be a very difficult thing to enforce, we can't put this burden on our Police. They have enough to do. I am hoping that people with police themselves. Just like we say you can't smoke in a City building and we tell them, please extinguish this and take it outside. I am kind of hoping that we become a society that'll do that; I know that's not realistic. You know, I am very open to that.

Chairman Caron

So the other thing is the Public Works Commissioners have oversight of all our Parks and Playgrounds. The Board of Aldermen have oversight over Greeley Park basically because that's what has changed. So if this passes in a couple of weeks, then they will have to decide how they are going to do this because of the cost and where they are going to put them. And I agree, maybe the Tot Lots are the places to look at or near the pools or whatever. But we just want to recognize that because I know back when, 10 years ago, they tried to do this for the State and they turned it down because they felt number one, the cost factor of putting signs up and also policing it because people have the tendency to think that the Police are going to come right in a minute and they are not because there are other things that they have to deal with throughout the City or the State.

So I just want people to understand that, alright? Because yeah you can police yourself – I mean I think most people know there is no smoking in any buildings today any public buildings, restaurants or anything like that. So it is a matter of getting that receptacle at the beginning of a walk not right by the door to put your cigarette out. Those are my two concerns as far as the overall you know proposal, I don't see it as an issue but it can turn into craziness. But I am going to let Alderman Lopez, because he's been waving at me to speak.

Alderman Lopez

So regarding those comments – the Ordinance as I understand it only says a sign has to be placed at each location. So it doesn't necessarily state every entrance to or from. I think there is some value in having a universal rule because then you don't have to explain every single application of it. So if you have signs that say "Smoking is prohibited in Nashua Parks" or "On Nashua Public Property" then it will become known in the City, "Oh I'm on City land, I'm at a City park, you don't smoke at parks" that type of thing. I think that would be more effective as a deterrent than having an inadequate number of signs because people are just going to be like "OK I don't care about a sign" but if they know there is no park, like all of the parks in Nashua have the same rule; all of the public buildings – don't do it within 30 feet of it which is just a good idea. Having less fires starting not in your doorway is generally, that's why you can't have your grill on your deck on your balcony.

I think having it be a universal rule will probably be more effective and in terms of enforcement, littering is \$188 fine, \$280.00 fine and I don't really see neighbors getting into fights over that. I think it is just going to be repeat offenders who are doing all the time might encounter Police at some point when they are doing it and then learn the hard way not to keep doing it.

Alderman Klee

One of the things that I can tell is that I have been sharing with the public and constituents and so on and the only true push back that I got from that was when people talked about smoking in the outdoors where it kind of wafted away and there was no harm. But I have learned from talking with Board of Health and doing my own homework is that there is still a lot of harm that happens to the environment and to the animals. The litter literally is the biggest issue with those filters. Animals eat them and children pick them up and it becomes literally a danger to our society to have something like this in our environment. So I agree I think we are still going to get people that are going to say "the heck with it, I'm in the outdoors, I'm going to do it" but we are seeing change. We are seeing change in our society and I think we have to move towards that. Thank you.

Chairman Caron

But the thing is, Alderman Lopez you still have to understand it is the Board of Commissioners for Public Works that decides where and how many of these signs get put up throughout the City and our parks and playgrounds. We just have control over Greeley Park and as you know, there is 1, 2, 3, there's at least four main entrances to the park so you either have to put up one big sign or 3 or 4 small or normal-sized signs. I'm not looking to debate. Let me finish. We just want to make sure that people understand, if they vote on it in a couple of weeks and this goes into effect, that this does not mean that Police are going to be in and out of Greeley Park or Shady Lane or whatever looking for people who are smoking, you know?

You have to hope that people try to obey the law and they see something that is changing, that they obey this and they put their cigarette out. Should they be smoking? No, but unfortunately it is here, it's been here forever and a day and now we have this vaping which never should have come on the market in the first place, but that is a whole other issue. We have no control over some of these things, we can only hope for the best when we do them. So I just wanted to you know make sure that we all understood that because I don't want Public Works to think that we are going to expect them to put 100 signs in 2 days or whatever, because it is a time consuming project. I will let Alderman Lopez speak first.

Alderman Lopez

I was just going to ask, should we refer this to Public Works? Can a Committee do that?

Chairman Caron

Yes we could but that means it is tabled and if you table it any longer it dies. Because we are at the end of the year. I'm sure even with this being passed December 23rd, nothing is going to get done until spring because of the fact that they are not going to be digging, they can't dig holes in the snowbanks and what have you. So if you think this is something you could table so someone could have a conversation with Public Works, I don't have a problem with that either. But that's not my, because I didn't sponsor this. So you and Alderman Klee are both sponsors if you think that you know, I think most of the Aldermen that are here will be here in 2020, but that's not my decision.

Alderman Lopez

Alderman Klee is the originator so I'll defer to her.

Alderman Klee

Well myself and Alderman Schmidt; before I forget I had to write it down here. One of the things that we did put in here per Public Works was to make sure that this legislation didn't take effect for at least 90 days. That would give them time to, and I just went and checked to make sure it says, "Legislation shall take effect 90 days after passage". I have no problem even putting longer than that, 120 days, to give them time to decide what and how because the ball is in court to make those decisions. I'd prefer not to see it tabled, but I think if it is the pleasure of the Committee or if they feel it is necessary, it could be done. But I would just, the truth is that perhaps something that is this important should not have brought at this, but it was precipitated by calls, I mean not just 1 or 2 calls, it was many calls that I was getting about the park. I think it is a worthwhile bill; but you are the Committee that has to make that decision.

Alderwoman Kelly

I am not the originator but I don't see why we need to table it just to figure out what is going to happen with signs. I think the idea is "do we want this", great – then we can talk about what is appropriate, what is appropriate from a budget standpoint and also a level of work for Public Works after the fact because I don't think it would be so huge that they would want us not to do this.

Chairman Caron

So where we have a 90 day before this starts, you are talking about March, approximately March, it gives you and Alderman Schmidt and Alderman Lopez a chance to have a conversation with Director Fauteux as to how they would implement the signage for the various locations throughout the City. It is enforced and that gives you an idea of what is going to happen, it gives them 90 days to work on a plan for what is going to happen. I appreciate the fact about tabling but if you table it, it dies. So I think that at this point you vote, yeah or nay and then let it go from there. Just make a note to have a conversation with them. Anyone else?

MOTION CARRIED

DISCUSSION - None

PUBLIC COMMENT - None

REMARKS BY THE ALDERMENChairman Caron

I thought this was a great meeting.

Alderman Lopez

I just wanted to let the public know that we are having a memorial vigil for homeless people who have passed away in this past year. Typically it is on the longest night of the year, which is the 21st which is a Saturday so instead we are having it on December 23rd at 6:00 PM on the steps of City Hall. So if you have somebody that you know has passed away that you want remembered, then just reach out to me and let me know and I'll include their names or nickname. If you can attend then that is December 23rd at 6:00 PM, City Hall steps.

POSSIBLE NON-PUBLIC SESSION - None

ADJOURNMENT**MOTION BY ALDERWOMAN KELLY TO ADJOURN
MOTION CARRIED**

The meeting was declared closed at 7:50 p.m.

Shoshanna Kelly, Alderwoman-at-Large
Pro tem