



## ORDINANCE

### AMENDING GUIDELINES FOR NON-PUBLIC SESSIONS

### *CITY OF NASHUA*

*In the Year Two Thousand and Four*

*The City of Nashua ordains* that Chapter 2 “Administration” of the Nashua Revised ordinances, as amended, be further amended as follows:

1. In Article I “In General”, add the following new section as follows:

**“Sec. 2-5. Non-public Sessions.**

The mayor being the city’s chief executive officer and the board of aldermen being the city’s governing body and policy making authority and having responsibility for such matters as adoption of budgets, enactment of ordinances, formulating personnel policies, and other important duties, it is necessary that the mayor and members of the board of aldermen have access to information affecting the duties, obligations, claims, achievements, and shortcomings of all city agencies and agents. In furtherance of this principle, the following shall apply:

(a) Neither the mayor nor any alderman shall be excluded from any non-public session of any aldermanic standing or special committee nor denied access to minutes of any such session.

(b) No alderman shall be excluded from any non-public session of the finance committee nor denied access to minutes of any such session.

(c) The boards, commissions, committees and authorities of all other city agencies are urged not to exclude the mayor or any alderman from the any non-public session nor deny the mayor or any alderman access to minutes of any such session. In the absence of a specific vote to the contrary, it shall be presumed that no board, commission, committee, or authority intends to exclude or deny access to the mayor and members of the board of aldermen to any non-public session or to the minutes thereof.”

2. In Article II “Board of Aldermen”, Division 1 “Generally”, delete in its entirety Section 2-26 “Non-public sessions and minutes of committee meetings”

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

## **LEGISLATIVE YEAR 2004**

**ORDINANCE:** O-2004-28

**PURPOSE:** Amending guidelines for non-public sessions

**SPONSOR(S):** Alderman-at-Large Steven A. Bolton  
Alderman-at-Large James R. Tollner  
Alderman-at-Large Paula I. Johnson  
Alderman Marc W. Plamondon, Ward 4  
Alderman Kevin E. Gage, Ward 3

**COMMITTEE  
ASSIGNMENT:**

**FISCAL NOTE:** None.

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### **ANALYSIS**

This ordinance would repeal existing NRO 2-26 relative to limiting access to non-public sessions and minutes of committee meetings to those essential to the discussion and instead provide that the mayor and all aldermen would have access to all non-public session of the finance committee and standing and special aldermanic committees based on the ordinance's stated finding that such information is necessary for the mayor and aldermen to perform their duties.

This ordinance would also urge all city boards, commissions, committees and authorities not to exclude the mayor and aldermen for non-public sessions and minutes thereof and would also state a presumption that the mayor and aldermen are not to be so excluded in the absence of a specific vote to the contrary by the agency. The latter provision would be advisory as to boards not subject to regulation by the board of aldermen.

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**Approved as to form:** Office of Corporation Counsel

**By:** \_\_\_\_\_

**Date:** June 22, 2004