

PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE
MAY 2, 2002

A meeting of the Personnel/Administrative Affairs Committee was held on Thursday, May 2, 2002 at 7:00 p.m. in the Aldermanic Chamber.

Chair James R. Tollner presided.

Members of the Committee present: Alderman-at-Large Paula I. Johnson
 Alderman Timothy B. Nickerson
 Alderman Robert A. Dion

Members not in Attendance: Alderman Stephen C. Liamos, Vice Chair

Also in Attendance: Alderman-at-Large David W. Deane
 Alderman Brian S. McCarthy

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Chair Tollner

Alderman Liamos mentioned to the Clerk and the Chair that tonight there is a meeting at Bicentennial School with regard to Spit Brook Road and some infrastructure issues so he is there as we speak and unable to attend tonight's meeting.

INTERVIEWS

Conservation Commission

Rachel L. Maccini, Alternate (New Appointment) Term to Expire: December 31, 2003

Chair Tollner

Rachel would you please come forward, state your name and address for the record, and convey to the committee your interest in serving on the Conservation Commission.

Rachel L. Maccini, 156 Tinker Road, Nashua, NH

I have been a resident of Nashua for 29 years, have a degree in entomology, presently work or for UNH Cooperative Extension, and felt with my background I would be an asset to the commission.

Chair Tollner

Have you had an opportunity to attend one of the Conservation Commission meetings or walks?

Rachel Maccini

I have been to one meeting. It was about a year ago last April.

Chair Tollner

You have an understanding with regard to the time commitment – people have gone over that with you?

Rachel Maccini

Most definitely.

Chair Tollner

Are there any other questions from the committee members?

Alderman McCarthy

What do you understand the duties of the Conservation Commission to be?

Rachel Maccini

We oversee and review potential plans for building – purchasing property I believe. We look at sites where they have put in plans to build or to rezone or reassess. I know it is a lot of work. I will learn a lot. That is basically my understanding of what they do.

Chair Tollner

There are a couple of projects that are upstairs tonight at the Planning Board where the Conservation Commission for the most part would get a first look at it and give their opinion for referral and then it goes to the Planning Board.

Alderman McCarthy

I would like to follow up on the last question, and ask you what do you believe to be the criteria by which the Conservation Commission makes decisions? I will tell you first that it doesn't – the Conservation Commission is actually an advisory board to the Zoning Board of Adjustment for the purpose of special exceptions that have to do with wetlands. There are some responsibilities around the expenditure of money from the Conservation Fund. What I am after is the scope of the Conservation Commission review of projects is fairly limited. I would ask you to explain to us what you understand about that.

Rachel Maccini

I know they are going to take under consideration how it will impact the environment – on whether you would put an industry near a wetland where you could have potential pollution or runoff or things that are going to affect the future of the city in certain areas I believe. I don't know what else they – I haven't been a member of the board – I don't know. Honestly I can't tell you.

Chair Tollner

Thank you very much. You can do one of two things. There is not much business before we would vote on you. Then what will happen is we will vote on you and then the recommendation would be sent forward to the Board of Aldermen. At the next full Board of Aldermen meeting, the full Board will vote. The City Clerk's office will get in touch with you with regard to that, but you can stay. I think we will probably take your vote up in about three minutes.

Before you leave do you have any questions for us?

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Rachel Maccini

No.

COMMUNICATIONS – None

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

Chair Tollner

I want to make sure the committee did get a copy of the memo that the Police Chief sent out about two weeks ago with regard to approval for a license for the Pawn Shop – usually I get a copy and I asked that everybody on the Board of Aldermen received a copy. I will check with him to make sure that everyone gets a copy. What we decided (I know I mentioned this before) is that those peddler's requests or hawker's requests used to come to the committee years ago and it was pretty tedious – what we did was we gave that responsibility to the City Clerk's office with the condition that in some of those cases if the City Clerk was not comfortable to get in touch with the police department, and if the Police Chief or one of the Assistant Chiefs was not comfortable with it they could deny it and that opinion would be forwarded onto the Personnel/Human Affairs Committee. We used to have people in here who wanted to sell rugs and balloons, etc. every week.

APPOINTMENTS BY THE MAYOR

Conservation Commission

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Linda Bretz (Re-Appointment)
6 Tomolonis Drive
Nashua, NH 03062

Term to Expire: December 31, 2004

MOTION BY ALDERMAN DION TO RECOMMEND THE CONFIRMATION OF LINDA BRETZ TO THE CONSERVATION COMMISSION FOR A TERM TO EXPIRE DECEMBER 31, 2004
MOTION CARRIED

Rachel L. Maccini, Alternate (New Appointment) Term to Expire: December 31, 2003
156 Tinker Road
Nashua, NH 03060

MOTION BY ALDERMAN TOLLNER TO RECOMMEND THE CONFIRMATION OF RACHEL L. MACCINI AS AN ALTERNATE TO THE CONSERVATION COMMISSION FOR A TERM TO EXPIRE DECEMBER 31, 2004
MOTION CARRIED

Jack Currier (Re-Appointment) Term to Expire: December 31, 2004
6 New Searles Road
Nashua, NH 03062

MOTION BY ALDERMAN DION TO RECOMMEND THE CONFIRMATION OF JACK CURRIER TO THE CONSERVATION COMMISSION FOR A TERM TO EXPIRE DECEMBER 31, 2004
MOTION CARRIED

Chair Tollner

For the two of you that are out there, the reason why there might be two Aldermen not voting is because they are not members of the committee so they can't vote on these appointments. They are probably here for some legislation. They will have that opportunity pro or con at the full Board of Aldermen meeting.

Sara R. Osborne (Re-Appointment) Term to Expire: December 31, 2004
6 Sagamore Road
Nashua, NH 03062

MOTION BY ALDERMAN TOLLNER TO RECOMMEND THE CONFIRMATION OF SARA R. OSBOURNE TO THE CONSERVATION COMMISSION FOR A TERM TO EXPIRE DECEMBER 31, 2004
MOTION CARRIED

Planning Board

Kenneth O. Dufour (Re-Appointment) Term to Expire: March 31, 2005
52 Conant Road
Nashua, NH 03062

Robert Rheaume (Re-Appointment)
8 McTavish Drive
Nashua, NH 03063

Term to Expire: March 31, 2005

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MOTION BY ALDERMAN TOLLNER TO RECOMMEND THE CONFIRMATION OF THE FOLLOWING INDIVIDUALS TO THE PLANNING BOARD FOR TERMS TO EXPIRE MARCH 31, 2005: KENNETH O. DUFOUR AND ROBERT RHEAUME
MOTION CARRIED

APPOINTMENTS BY THE PRESIDENT OF THE BOARD OF ALDERMEN

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Ira F. Harris Lecture Trustees

Judith Cudhea (Re-Appointment)
2 Rogers Street
Nashua, NH 03064

Term to Expire: December 31, 2003

MOTION BY ALDERMAN NICKERSON TO RECOMMEND THE CONFIRMATION OF JUDITH CUDHEA TO THE IRA F. HARRIS LECTURE TRUSTEES FOR A TERM TO EXPIRE DECEMBER 31, 2003
MOTION CARRIED

UNFINISHED BUSINESS - None

NEW BUSINESS – RESOLUTIONS – None

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NEW BUSINESS – ORDINANCES

O-02-19

Endorsers: Alderman Marc W. Plamondon
Alderman-at-Large Fred Britton
Alderman Robert A. Dion

AMENDING THE ORDINANCE REGARDING THE POSITIONS AND DUTIES
IN THE TRAFFIC ENGINEERING DEPARTMENT

Chair Tollner

Alderman Dion has the Board of Public Works acted on this yet?

Alderman Dion

Not that I know of. They could have at their last meeting. They had a meeting last week. I don't know whether they acted on this or not.

Alderman Deane

What is this again?

Chair Tollner

It is amending the ordinance regarding the positions and duties in the traffic-engineering department. Usually the committee would get a memo from the Board of Public Works if they did vote on it, and it would be in our packet. That is why I would tend to think that they probably didn't act on it yet.

Alderman Deane

I believe they did though. In fact, I have the minutes to the meeting right here. It was approved unanimously.

Chair Tollner

It creates a new parking manager position under the traffic engineer deleting the position of sealer of weights. I know that was an issue. It still hasn't been resolved yet that one right? As of yesterday morning I heard that was still.

Alderman Deane

At the meeting, the weights and measures position at the traffic department had not been funded and they transferred the individual that was in that position I believe over to the dispatch at the street department. Commissioner Baron was upset at the way the – they wanted to hold it because – my interpretation of it was that there were two in favor and two against. Commissioner Hall and Commissioner Baron wanted to retain that position in weights and measures. From what we were told there are three people in the state that do the job, the funding for the payroll end of the position is returned to the city through fees paid by organizations for different items they have to pay for scales and tags and things like that. I agreed with them. I thought and still do think that it is an important position in the city. You currently have two people in the entire state of New Hampshire that deal with weights and measures. If you run into a problem you will be waiting a few weeks to be hearing from the state.

Chair Tollner

I don't think there is an issue if we hold this in committee until we get some more information. I am not confident that I have enough information because I have heard a couple of things about the weight and measures as well as the traffic study being up in the air.

Alderman McCarthy

I actually had a couple of amendments I wanted to propose to it that I would like the committee to take up regardless of whether they plan to hold it or not.

First, in the beginning language where it says, "The traffic engineer shall also be responsible for the construction and erection of signs" that should probably read "traffic signs". I would suggest that insertion. There is also a sentence that says under the traffic engineer shall be a traffic manager, which I don't think reads particularly well compared to the way we have positions defined elsewhere. I would suggest that one be "there shall be a parking manager who shall carry out the daily management and maintenance of the city's parking garages, parking lots, and parking meters as well as the collection of parking meter fees and who shall be responsible to the traffic engineer."

Chair Tollner

We can make those changes. This needs to line itself up with the downtown traffic plan.

Alderman McCarthy

I think it does. It was introduced as a part.

Chair Tollner

If we approve this and don't end up approving the traffic plan then the whole thing is a mute point.

Alderman McCarthy

Right, but the first place all of those will come back together is at the full Board unfortunately.

Chair Tollner

From a budgeting perspective I was saying to Alderman Nickerson earlier that if we are creating this traffic manager position – we keep creating these new positions. What I would like to see is the Board of Public Works say we're going to create this new position, but we're going to take this FTE from some other area in the budget.

Alderman McCarthy

Actually we are. With that particular one the traffic manager would replace the management fees that we are currently paying to Kenney for the garages.

Chair Tollner

Whoever this person might be we will also be paying for their benefits, etc. It is another body is what I am getting at. The example I used the other night is when the Welfare Department was here and we were adding a second technician now and thinking about adding a third one and they are handling roughly 420 cases, I understand where they are coming from, but if next year the economy gets better and they are handling 250 cases again – departments don't come back and say we're only handling 250 cases now so we don't need the three technicians anymore, take away 1 ½ of them.

Alderman McCarthy would you be kind enough to go through the changes?

Alderman McCarthy

The first one was in Section 3, and it is the fourth line in the copy that you have to insert the word "traffic" before signs. The second one further down in the paragraph is replacing the phrase "under the traffic engineer" with the word "their" and then replacing the period at the end of that sentence after "parking meter fees" with a comma and adding "and who shall be responsible to the traffic engineer".

MOTION BY ALDERMAN NICKERSON TO AMEND BY ADDING THE WORD "TRAFFIC" ON THE FOURTH LINE BEFORE THE WORD "SIGNS", BY REPLACING THE WORDS "UNDER THE TRAFFIC ENGINEER" WITH THE WORD "THEIR", BY DELETING THE PERIOD AT THE END OF THE SENTENCE, AND ADDING A COMMA AND THE WORDING "AND WHO SHALL BE RESPONSIBLE TO THE TRAFFIC ENGINEER"

ON THE QUESTION

Alderman McCarthy

Listening to the motion, you probably also want to change the word "The" to "A" in front of Parking Manager.

AMENDED MOTION BY ALDERMAN NICKERSON TO INCLUDE REPLACING THE WORD "THE" WITH "A" IN FROM OF "PARKING MANAGER"
MOTION CARRIED

Alderman Deane

Is this position going to be responsible for collecting the parking meter fees as well?

Chair Tollner

It says giving some of the duties of the sealer away.

Alderman Deane

That is what the weights and measures person did. He was involved with ...

Alderman McCarthy

The parking manager is responsible for it according to the ordinance.

Alderman Nickerson

Correct.

Alderman Deane

Wouldn't they have to be bondable? Didn't they have some sort of legal scenario? I know that the city spent a lot of time and money with this one individual that had that weights and measures position and I don't know – this states that but ...

Chair Tollner

I was told by the Mayor that this person that was handling the weights piece had the responsibility or the position part time and then they moved him over and that the state had agreed to cover those responsibilities.

Alderman Deane

Okay.

Chair Tollner

That is why I am saying that I have no problem holding this in committee because I really do think that we need to get some questions clarified.

Alderman Deane

In the Public Works minutes it states “to transfer the position of weights and measures to the State of New Hampshire”. Motion – Commissioner Gagnon to transfer the position of weights and measures to the State of New Hampshire, seconded by Commissioner Baron – Commissioner Baron stated that she opposed the position transfer because it was to be a loss to the city as well as consumers and would be a risk if the position were transferred. Commissioner Hall concurred. Mayor Streeter asked if Commissioner Gagnon would like to make a motion to hold. Motion to hold – Commissioner Gagnon. Commissioner Baron stated that because the motion was on the table, it was her understanding that because Commissioner Lavoie was absent from the meeting Mayor Streeter could not vote unless it was a tie. Mayor Streeter stated that he always votes and it counts. He asked for a second and there was none. Commissioner Baron and Commissioner Hall were opposed – motion did not pass. Director Crombie stated that the budget would now have to be increased. The Mayor said the budget would not be increased.

Alderman Johnson

We have enough on our plate now with this budget.

Alderman Deane

Maybe that is your opinion, but this weights and measures position – if this has got to be tied into

that weights and measures then there has to be some clarification on the analysis on exactly what the duties are.

Alderman Nickerson

Hearing some of the further discussion by Alderman Deane as well as some of the discussion that occurred last night in regards to the traffic – parking study downtown I think it is appropriate to hold this in committee.

MOTION BY ALDERMAN NICKERSON TO HOLD IN COMMITTEE AS AMENDED

ON THE QUESTION

Alderman Dion

I can't understand why the Board of Public Works doesn't have someone here this evening to testify on this ordinance. It seems to me that they are the ones that pushed for this. Why aren't they here to speak on it? I tend to agree with Alderman Nickerson to hold in committee until someone from the Board of Public Works gets over here and does their thing.

Chair Tollner

I agree.

Alderman Johnson

I tend to agree with both of my colleagues here because there are a lot of questions that are unanswered here, especially when they are talking about something that affecting the budget at this point in time. We have a full plate with the budgetary issues here. If you are going to be moving somebody around and putting somebody in the budget now that is not already appearing we need to get full disclosure on exactly what Mr. Crombie wants to do at this point in time. I will agree to hold this in committee.

Alderman McCarthy

I would like a decent explanation of what the scales of weights and measures does. The only experience I have with it is I know that every time I put gas in my car the calibration sticker on the gas pump is signed by seal of weights and measures. If every gas pump in the city of Nashua were off by 1% what would that cost the consumers in the course of a single day? Before we give this up I would like to understand.

Alderman Dion

I think somebody's duty is to go check the scales of stores that use scales for sales to make sure they are kosher.

Alderman McCarthy

I would like to understand that and I would like to have at least some assurance that it is going to be done the same way by the State that it is locally.

Chair Tollner

I agree.

MOTION CARRIED

O-02-39

Endorser: Mayor Bernard A. Streeter

Alderman Scott A. Cote

Alderman-at-Large Steven A. Bolton

Alderman Brian S. McCarthy

CHANGING THE NAME OF THE “BUILDING DEPARTMENT” TO THE
“DEPARTMENT OF BUILDING SAFETY”

MOTION BY ALDERMAN NICKERSON TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Alderman Dion

Maybe one of the sponsors of the ordinance can answer this question – I understand what the Building Department is. What is the purpose of changing the name from the Building Department to the Department of Building Safety? I understand that safety goes along with building, but are we creating another position here or is it just changing the name?

Alderman McCarthy

It is simply changing the name in recognition of the fact that it is a safety related department. I think the impedes to do that came out in part from the Mayor’s Blue Ribbon Commission investigating the Pennichuck disaster.

Alderman Johnson

It has been a while since I read this ordinance, but it talks about inspections and puts in the Department of Building Safety and removes an inspection department, but wouldn’t they go hand in hand – inspection and safety?

Alderman McCarthy

All it does is changes the names of the department. It doesn’t change the people, the responsibilities; it changes the names from Building Department to Department of Building Safety.

Alderman Johnson

It used to have Department of Building and – they put safety in there and removed inspection department.

Alderman McCarthy

It is still what they do.

Alderman Dion

The only word you are adding here is safety. You're readjusting building to another point on your paragraph and the word department comes first, building comes second instead of vice versa and you are adding safety. That is all you are doing right Alderman McCarthy?

Alderman McCarthy

Yes.

Alderman Nickerson

There is actually a section on the bottom of that first page and the top of the second that references the building and inspection department, which I believe is what Alderman Johnson is referring to. In my mind, in order for things to be safe you need to inspect them or in order for

them to be determined safe you need to inspect them. I think it goes pretty much without thinking that if you are calling it the Department of Building Safety the inspection would follow as well.

Alderman Dion

That is your safety part right there for the plumbing, for the electrical, etc.

Alderman Nickerson

The rafters, etc.

Alderman McCarthy

I think there are also some other changes in the wording where the current ordinance is gender specific.

Chair Tollner

Instead of his or her shouldn't it be of the department?

The motion is for final passage of O-02-39 – Changing the name of the Building Department to the Department of Building Safety.

Alderman Johnson

May I ask Alderman McCarthy a question? Who heads this department right now?

Alderman McCarthy

Mike Santa.

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Alderman Johnson

That's who is going to stay there?

Alderman McCarthy

Yes. There are no changes except for the name.

MOTION CARRIED

DISCUSSION

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Chair Tollner

I have a conflict for our next meeting so I will work with Sue – I will be at a seminar at UNH for two days so I will send a memo out. I will try and pick a night that is pretty free.

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Alderman Dion

Mr. Chairman could you contact or have Sue contact the Board of Public Works to make sure one of their representatives is here at the next meeting?

Chair Tollner

Absolutely.

ADJOURNMENT

MOTION BY ALDERMAN JOHNSON TO ADJOURN

MOTION CARRIED

The meeting was declared closed at 7:40 p.m.

Alderman Timothy B. Nickerson
Committee Clerk