

PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE
DECEMBER 5, 2002

A meeting of the Personnel/Administrative Affairs Committee was held on Thursday, December 5, 2002 at 7:03 p.m. in the Aldermanic Chamber.

Chair James R. Tollner presided.

Members of the Committee present: Alderman Stephen C. Liamos, Vice Chair
Alderman-at-Large Paula I. Johnson
Alderman Timothy B. Nickerson
Alderman Robert A. Dion

Members not in Attendance:

Also in Attendance: Alderman Kevin McAfee
Alderman-at-Large David W. Deane
Larry Hersh, Chairman, Cable Television Advisory Board
Mr. Tim Glenday

INTERVIEWS

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Industrial Development Authority

- Harold R. Acres, III (New Appointment) Term to Expire: September 13, 2005

Michael H. Monks (New Appointment) Term to Expire: September 13, 2005

George Pressly, Jr. (New Appointment) Term to Expire: September 13, 2005

Mark D. Prolman (New Appointment) Term to Expire: September 13, 2005

Gerald R. Prunier, Esq. (New Appointment) Term to Expire: September 13, 2005

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Chair Tollner

- Maybe you could just state for the committee your interest in serving on the IDA.

- Harold R. Acres, 6 Knowlton Road, Nashua

I was called from the Mayor's office and asked to consider the position. I have spent most of my

adult in Nashua. I worked for the Indian Head Bank for years and then with Bank of New Hampshire, and am still with Bank of New Hampshire in Manchester. I head up the commercial lending division of the bank, but soon to retire – young of course.

I've been involved in a lot of the industrial development in the state, not just in the Nashua area, because of my position with the bank. When I was asked to help out here I told Mayor Streeter and Mary Nelson that if they wanted me to serve I would be happy to do it and bring whatever expertise I can lend to the group.

Chair Tollner

You are also involved in a number of not-for-profit entities and agencies around the city.

Harold R. Acres

Yes. That has been something that has developed over the years for me. When we set up the area agency for developmental services I was involved in that, and the Harbor Homes – I was one of the original people in that, and other human services type efforts.

Chair Tollner

Are there any questions from committee members?

Alderman Liamos

I am going to say all of the same thing to all of the gentlemen present here tonight – how much the city very much appreciates your willingness to serve also in such a vital capacity as attracting new industry here to the city. I think that our base is becoming far too much weighed towards the retail and services side of the sector and I would rather see a much more healthier mix as any city would – more diversity in our industrial base would certainly be a benefit to all of our citizens. Again, I thank you for being willing to serve.

Harold R. Acres

Thank you for the opportunity. I think you people deserve the credit for coming here every night of the week or whatever it takes you to do this job. I don't know why you do it. Really if we can help out I would be happy to do it as long as I can. I think we are running out of land in Nashua so I think it is important that everybody understand that it is of great value and the use of that land is very important and understanding from a tax perspective you also need that industrial base. I think the people I have seen that are willing to serve on this authority or committee are really people that understand what the needs of the city are, what the limitations are, and I think they are of a caliber that can make the right decisions as far as where the priorities should be. Thank you very much for the opportunity.

Alderman McAfee

Harold being with the bank for so long you have had your pulse on the economic future and you have seen a lot of different ups and downs. I know we are in an economic slow down here. What do you see as the industry that could pull this out?

Harold R. Acres

I don't think there is a specific industry that will do that, at least from my perspective. In my job of seeing the full spectrum of businesses that are in this state whether they be manufacturing, warehousing, trucking, whatever it is we have had a piece of some involvement in all of it, I don't know Kevin that there is a direct answer to that or if there is a specific priority that might stick out beyond others. If you look at the history of Nashua in particular and the industrial base of the city and industrial history of the city I think we all know it will not continue on that basis and that a broader spectrum of business and industry that comes into the area is probably what we are looking at. I think that is good.

Alderman McAfee

You don't have a recommendation as to where we could focus it? I guess you are the Alan Greenspan of New Hampshire you know.

Harold R. Acres

That is one thing that interests me -- I think when we put this authority together that we look at what we have and what we have the potential to grow into will be the main mission I think of the group. I hesitate to put up a priority or an educated guess on where the best way top go might be. I think we would have to take an inventory.

Chair Tollner

Thank you very much for your willingness to serve.

Michael H. Monks, 2 Townsend West, Nashua (place of business)

I was asked by Mayor Streeter to serve on this committee. It is something that is obviously of interest to me. I have been involved with real estate – specifically industrial real estate in the Nashua area and throughout the state for over 25 years. Having been involved with a number of the companies/major companies that are in Nashua right now and watching them grow along with many of their spin offs has been of keen interest to me, and it is something that I would like to see continue. I feel that my experience both from the real estate and also from a financial background would be of assistance to the authority.

Chair Tollner

Are there any questions from the committee members?

Alderman McAfee

I'm not a committee member. You probably know better than I do that our inventory of industrial zoned parcels is very small. They are in little pockets and not very accessible. At first look what will be your first priorities to try to get those things filled?

Michael H. Monks

I think that is one goal. I think a second goal would also be to look at existing facilities to see if they could be better utilized to work with the owners or investors or the companies that are in those buildings to work with them to assist them on expansion. Often times both at a local and state level you will find the politicians tend to look to bring new industry into the town and often times forget existing industry. My objective would be to try to balance that and to reach out to existing industry. If they are thinking of expansion how can we assist them on expansion in Nashua and to work with them on any other problems that they may have that we could be of assistance on.

Chair Tollner

Thank you very much for your willingness to serve.

Mr. Pressly isn't here this evening. Mr. Prolman I did run into him over the weekend. He was unavailable to come tonight. He had a family commitment so he will attend the meeting in January.

Gerald R. Prunier, Esq. 20 Trafalgar Square (business address)

I am an attorney practicing in Nashua. I have been practicing in Nashua for 35 years. I have been asked by the Mayor to serve on this committee to help bringing industry into the city. There are many problems that Nashua has in regards to bringing industry into the city. Number one is this committee has never worked while other communities have had this committee working so they have been able to offer that to any of the other industries that have come into town. Second, we are a city that is pretty much, as Kevin has indicated, grown out of land. We have to look at what we have for land that is left and land that could be used for industrial base.

When we talk about industrial unfortunately we always look at manufacturing plants like the old mills and high type of industries that are very machine oriented. That type of industry is not around anymore. That type of industry has been farmed out from the United States to Mexico or other countries. What we have to look at is an industrial base – when we talk industrial base it is more in the technology area and some of the other new generating communications areas and so forth that would come to town and do that. We also have to look at the overall situation in Nashua besides just the land use aspects of it. An industry wants to come to town they want to make sure that they have the employees to work. There is no use coming to town if you don't have the employees, and we have a housing problem in Nashua. We should look at that as part of the industrial – make recommendations both to this Board and to the Planning Board as to what they should be looking at from our perspective – this would be a different perspective to look at.

I think it is a time in Nashua where land use has been pretty much used up and we're now going to

be looking at reusing the land that we have in Nashua. It is a sad time, but it is also an exciting time if we do it well. I think that the city with the ability to have this committee available to it to at least try to help obtain the necessary funds for them to establish themselves in the city – that doesn't mean that everybody that comes should be automatically welcomed with open arms. They should be looked at very carefully. I think with the – if I am nominated to serve on the committee I would be very happy to do so especially with the other interviewees that you have had this evening.

Alderman Dion

Attorney Prunier, first of all I would like to thank you for being willing to volunteer on this authority. I am sure your expertise will help the city a lot. The want ads in the paper for help – if you pay attention to what is going on you don't see any jobs. We are very, very tight on jobs and we need jobs. Brining in these industrial development projects will create jobs. If you look at the Nashua Telegraph there are probably 2-3 ads for jobs and they are all for the Nashua Telegraph. I thank you again for wanting to serve.

Gerald R. Prunier, Esq.

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Thank you.

Alderman McAfee

There is one big chunk of industrial land that is right along the Merrimack River and nothing has been done with it since I have been on this Board, and I think it is a real sin. The Beazer property – the old coppers plant – what can we do with that? We have done brownfields before and done them successfully – Stellos' Stadium for one, Mine Falls Park.

Gerald R. Prunier, Esq.

First of all the state Environmental Agency has been very blunt that they have been behind the times as to other states in the United States as far as accepting the fact that brownfields can be used and successfully used. The State of Massachusetts has done that very well. Around Rout 9 they have put up a lot of office buildings. They have done that very well because they have used up the space and you can do it. They have come up with the technology today that you can reuse that. The problem with the Beazer's plant is it probably is a good industrial site because industrial sites don't necessarily have to be on major arteries, but they have to be close to them. That is pretty close to them, but it doesn't have any real exit to get onto the Turnpike. You would have to find some way – and probably through the public service line you could get a connection to it. It is something that should definitely be looked at as something that could happen. One of the things the city is going to have to look at is the fact that itself may have to become a landowner as part of an industrial park to help bring stuff into the city. We may bring those things to you and you will have to look at them and make some hard decisions as to whether or not. That is one. The problem with that is that you don't have an exit close to a major artery without going under the power lines because now you have to come through the neighborhoods and now you disrupt the neighborhoods. That is a piece that certainly can be looked at and it should be developed.

You don't have to wait for people to come to you. We have a piece down at Exit 1 – if we could find some solutions for that piece of property. Again it is an access problem. If we could help the owner of that property find a solution to that – maybe working with the state and do that. That is a prime piece of property right on the Massachusetts line that could be a help. We have both a need to look at new industrial land and what we have trying to use that as much and as best as possible.

Alderman Johnson

Thank you for coming here tonight Mr. Prunier. You touched on the subject of housing and where we are almost built out here in Nashua and we have different tiers of housing here. We have housing that is at the higher end of the scale – the ½ million to million dollar homes in Nashua, then you get more in the middle class, and then you have the unaffordable housing here that nobody can touch. How do you foresee with this housing crisis that we have here to alleviate it and to bring people into the community that might not be in the higher tier but more to the lower tier of the housing?

Gerald R. Prunier, Esq.

How much time do I have Mr. Chairman? That is a whole problem, and there is a committee looking at affordable housing for the city. There is a tie into zoning, there is a tie into other things. It is a major problem in the city. It has to be looked at, but that also falls into the redevelopment especially of the downtown area – it has to be able to provide some of that housing.

Chair Tollner

You do realize by signing up for this committee you are probably here a few nights a week so it just add another one to your schedule.

Gerald R. Prunier, Esq.

It is just going from one room to another.

Chair Tollner

I would like to thank you as well for your willingness to serve on the IDA.

Gerald R. Prunier, Esq.

Thank you.

Alderman McAfee

Attorney Prunier is also helping us update the ordinances so he is on that committee also.

Chair Tollner

In about one minute what we will do is we will take a vote and then at the next, I'm not sure it will be on the agenda for the very next Board of Aldermen meeting or the one after that, but Sue Lovering will give you all a ring. You can come to one of the Board of Aldermen meetings and be sworn in on T.V. or you can come into the City Clerk's office any time after you are approved by the Board of Aldermen to be sworn in.

COMMUNICATIONS - None

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

Dania's Entertainment Center Application to License Coin Operated Mechanical Amusement Games, Pool Tables, Bowling Alleys – 245 Main Street and 6 Maple Street

Chair Tollner

I did speak with the City Clerk's office as well as Mr. Prunier who is representing this client. Basically it was an application to license coin operated amusement games. As long as they are not games of chance we are fine. In speaking with the City Clerk, we didn't think it was necessary for that individual to come before the committee. We hadn't seen someone with that request in quite some time so I think we are okay.

MOTION BY ALDERMAN NICKERSON TO ACCEPT, PLACE ON FILE AND APPROVE THE APPLICATION FOR 245 MAIN STREET AND 6 MAPLE STREET

ON THE QUESTION

Alderman Nickerson

Application to license mechanical and amusement games, pool tables, and bowling alleys.

Alderman Deane

There is going to be a bowling alley there?

Alderman Nickerson

No, not necessarily. My apologies. It is actually just some coin operated pool tables from what I can...

Alderman Deane

It does say bowling alleys.

Alderman Nickerson

It does, but actually if you look at the back of the application it says three coin operated amusement machines and twelve coin operated pool tables. There is no mention of bowling alleys.

Alderman Deane

I am not a committee member so I don't get that.

Alderman Nickerson

I'm sorry, would you like to see it?

Alderman Deane

No, that is okay. I didn't think the building was big enough for a bowling alley.

MOTION CARRIED

MOTION BY ALDERMAN DION TO GO OUT OF THE REGULAR ORDER OF BUSINESS AND TAKE UP THE APPOINTMENTS TO THE INDUSTRIAL DEVELOPMENT AUTHORITY

MOTION CARRIED

APPOINTMENTS BY THE MAYOR

Industrial Development Authority

- Harold R. Acres, III (New Appointment) Term to Expire: September 13, 2005
6 Knowlton Road
Nashua, NH 03063

Michael H. Monks (New Appointment) Term to Expire: September 13, 2005
2 Townsend West, Suite 3
Nashua, NH 03063

George Pressly, Jr. (New Appointment) Term to Expire: September 13, 2005
30 Stark Street
Nashua, NH 03064

Mark D. Prolman (New Appointment) Term to Expire: September 13, 2005
100 Elm Street
Nashua, NH 03060

Gerald R. Prunier, Esq. (New Appointment) Term to Expire: September 13, 2005
20 Trafalgar Square
Nashua, NH 03063

MOTION BY ALDERMAN NICKERSON TO RECOMMEND CONFIRMATION OF THE FOLLOWING INDIVIDUALS TO THE INDUSTRIAL DEVELOPMENT AUTHORITY FOR TERMS TO EXPIRE SEPTEMBER 13, 2005: HAROLD R. ACRES, III, MICHAEL H. MONKS, AND GERALD R. PRUNIER, ESQ.
MOTION CARRIED

Chair Tollner

Just so that you gentlemen know, Sue Lovering will get in contact with you whether it will be on this coming Board of Aldermen's agenda or the next one. I doubt that it will be on this coming agenda, but I will have her give you a ring. Thank you very much again for your willingness to serve and coming out on such a lousy night.

MOTION BY ALDERMAN NICKERSON TO HOLD THE NOMINATIONS OF GEORGE PRESSLY, JR., AND MARK D. PROLMAN AS MEMBERS TO THE INDUSTRIAL DEVELOPMENT AUTHORITY IN COMMITTEE
MOTION CARRIED

MOTION BY ALDERMAN DION TO RETURN TO THE REGULAR ORDER OF BUSINESS
MOTION CARRIED

Board of Assessors

- Kevin S. Moriarty (New Appointment) Term to Expire: Indefinite
(Moving from Alternate Member to Full Member)
22 Raymond Street
Nashua, NH 03064

MOTION BY ALDERMAN TOLLNER TO RECOMMEND THE CONFIRMATION OF KEVIN S. MORIARTY TO THE BOARD OF ASSESSORS FOR AN INDEFINITE TERM
MOTION CARRIED

Child Care Advisory Commission

Kathy Bolton (Re-Appointment) Term to Expire: October 13, 2005
4 Kyle Drive
Nashua, NH 03062

Kathy Nelson (Re-Appointment) Term to Expire: October 13, 2005
97 Irene Drive
Hollis, NH 03049

Michael Tremblay (Re-Appointment) Term to Expire: October 13, 2005
18 Mulberry Street

Nashua, NH 03060

Charlene Wolfe (Re-Appointment)
Conant Road
Nashua, NH 03062

Term to Expire: October 13, 2005

MOTION BY ALDERMAN NICKERSON TO RECOMMEND CONFIRMATION OF THE FOLLOWING INDIVIDUALS TO THE CHILD CARE ADVISORY COMMISSION FOR TERMS TO EXPIRE OCTOBER 13, 2005: KATHY BOLTON, KATHY NELSON, MICHAEL TREMBLAY AND CHARLENE WOLFE

ON THE QUESTION

Alderman Johnson

How come on re-appointments nobody is coming before us?

Chair Tollner

What we have discussed in committee last term and this term is if it is a re-appointment we don't ask them to come in unless a member of the committee would like to have either the whole group come in or an individual come in.

Alderman Johnson

So we don't get to see any of their backgrounds or anything basically?

Chair Tollner

You could. The way we have been running it is – for argument sake, I will take Charlene Wolfe because that is an easy one because there is a reason why she is on there – if you wanted to see a resume on her we could request that. If you wanted her to come in and ask her questions you could, but for re-appointments the committee last term and rolling into this term has decided that if it is a re-appointment we wouldn't necessarily ask them to come back in to be re-interviewed when they are already on that committee.

Alderman Johnson

Thank you.

Chair Tollner

Again, that can change. It is totally up to the committee.

MOTION CARRIED

Review & Comment Commission

-
Rita Chamberlain (Re-Appointment)
4 Sycamore Lane
Nashua, NH 03063

Term to Expire: November 24, 2005

Maureen Lemieux (Re-Appointment)
(*Mayor's Representative*)
87 Spindlewick Drive
Nashua, NH 03062

Term to Expire: November 24, 2005

MOTION BY ALDERMAN NICKERSON TO RECOMMEND THE CONFIRMATION OF RITA CHAMBERLAIN AND MAUREEN LEMIEUX TO THE REVIEW & COMMENT COMMISSION FOR TERMS TO EXPIRE NOVEMBER 24, 2005

ON THE QUESTION

Alderman Nickerson

This nomination to the Review & Comment Commission for the Mayor's representative, why is that past the Mayor's term?

Chair Tollner

I asked about that. That particular individual would serve at the pleasure of the Mayor as the Mayor's representative, and when the Mayor's term is over that term would expire.

Alderman Nickerson

What we should actually do is make that expire at the end of the Mayor's term.

Alderman McAfee

Normally these positions that they stay on the committee until they are replaced. If a new Mayor comes in and he doesn't have anyone to fill those positions so that continuity is maintained so although he can replace her at any time normally they serve until they are replaced.

Chair Tollner

That is true.

Alderman Johnson

It is a good argument, but they come in and you might have a replacement the day that the new Mayor is sworn in. You have the term to expire 2005. I think it should be probably to the end of next year or maybe the next ...

Alderman Dion

Two more years. The Mayor has two.

Chair Tollner

It is one.

Alderman Dion

Oh maybe we ought to amend it to January 1, 2004.

Alderman Nickerson

My thinking is maybe we should just leave it as is at this point, but get an opinion from Corporation Counsel as to what the actual term should be – whether it should be January 1, 2004 or indefinite or what the wording of the actual term should be.

Chair Tollner

I did have a conversation and the same question that both of the dates were the same, and the response I got back was this particular appointment would only serve so long as the Mayor that was in place at that time would want this individual to represent the Mayor's office. Why don't we approve it, I will talk to Corporation Counsel before it comes before the full Board and ask them to send us a memo.

Alderman Nickerson

Even if we do...

Chair Tollner

I have no problem by the way of changing it to December 31, 2003 and leaving it at that.

Alderman Nickerson

The question is though this is what the Mayor has nominated this person to serve. Does this committee have the authority to change someone's term seeing that the Mayor has submitted this nomination for this exact term?

Chair Tollner

I will have to check with Corporation Counsel.

Alderman Johnson

Is this imperative that we pass this tonight or can we hold it in committee until the next time that we

meet in January?

Chair Tollner

I am not sure whether her term is about to expire or has expired. Sometimes when these things come before us they are either in the process of expiring or – I don't think this is going to be on the next Board of Aldermen's agenda so if we send this recommendation to the full Board we will have over 2 weeks to get ...

Alderman Dion

The chances are Mr. Chairman the next meeting of Personnel will be late.

Chair Tollner

It will. We will be moving the meeting for the next Personnel because the next meeting was scheduled for January 2nd, which Finance needs that night because it is the first day of the month to do business. We will be moving it later in the month of January.

Alderman Dion

By the time we have our second meeting in December we won't have time for the Board of Aldermen.

Chair Tollner

If the committee would indulge me, why don't we pass this, I will talk to Corporation Counsel, we will have a memo sent out. If anyone on the committee wants to re-refer it to committee I would be more than happy to support that.

Alderman Johnson

I'm not going to support it until I know whether or not it is the right way to go about this. There is a right way, a wrong way, and then the way we pass it all the time it is like hurry up and get this done because it gets to us late. I am a little bit tired of this hurry up and get it done. I would feel more comfortable with the opinion saying whether or not it is the right way to go or if we should just extend it a couple of months into 2004. I am not comfortable this way just voting on it.

Alderman Nickerson

Not to prolong this any longer than it needs to be, but as one of my colleagues has mentioned the person serving in this position as the Mayor's representative to this commission serves until his or her replacement is elected and sworn in. Since this is a re-appointment there wouldn't be any lapse in this person's term on this commission. It would just be in essence extending the timeframe. Although it comes into question why we have a term to expire when – I guess the term to expire issue on these types of positions is a big question of limbo in my mind. It doesn't seem to serve much for these types of positions.

MOTION WITHDRAWN BY ALDERMAN NICKERSON

MOTION BY ALDERMAN TOLLNER TO RECOMMEND THE CONFIRMATION OF RITA CHAMBERLAIN TO THE REVIEW & COMMENT COMMISSION FOR A TERM TO EXPIRE NOVEMBER 24, 2005

MOTION CARRIED

MOTION BY ALDERMAN TOLLNER TO HOLD IN COMMITTEE THE APPOINTMENT OF MAUREEN LEMIEUX TO THE REVIEW & COMMENT COMMISSION FOR A TERM TO EXPIRE NOVEMBER 24, 2005

MOTION CARRIED

UNFINISHED BUSINESS – None

-
NEW BUSINESS – RESOLUTIONS – None

-
NEW BUSINESS – ORDINANCES

O-02-121

Endorsers: Mayor Bernard A. Streeter
Alderman Brian S. McCarthy
Alderman-at-Large Paula I. Johnson

AMENDING THE COMPOSITION AND APPOINTMENT OF THE CABLE TELEVISION ADVISORY BOARD

MOTION BY ALDERMAN JOHNSON TO AMEND O-02-121 BY ADDING “OR THE PERSON ACTNG IN THAT CAPACITY” AFTER “THE CITY’S CABLE TELEVISION PROGRAM MANAGER”
ON THE QUESTION

Alderman Johnson

The amendment would be for the instance where if the Program Manager could not be present he could assign a person to be there so that we wouldn't have to go out and hire someone.

Alderman Nickerson

The bulk of the proposed ordinance instead of having or the person acting in that capacity it says the words or his or her designee – would we rather have that language to keep in the sense of the rest of the ordinance itself or is there a reason for that?

Alderman Johnson

I just got called on this today and asked if I would make this amendment. I don't have a problem

amending it.

Chair Tollner

The genesis of it is you don't want to set yourself with only the program manager. I agree with the way you are wording it – the way he is wording it.

Alderman Johnson

I would ask Mr. Hersh because he is the Chairman of that committee. If it is fine with him it is fine with me.

Larry Hersh

Either way would be fine. They both say the same thing basically.

Alderman Nickerson

It just keeps the language the same throughout the entire thing.

Larry Hersh

Sure.

AMENDED MOTION BY ALDERMAN JOHNSON TO AMEND O-02-121 BY ADDING
“AND HIS OR HER DESIGNEE” AFTER “THE CITY’S CABLE TELEVISION PROGRAM
MANAGER”
MOTION CARRIED

Alderman Nickerson

Just a question for whoever could answer this. What is the purpose of this – the two changes are adding the program manager and his or her designee as well as the Director of the Public Works Division or his or her designee – what is the rationale for this, and if those are the only changes.

Larry Hersh

There are really two changes. One of them is the addition of two members to the board. The Public Works was because of the issue of the traffic cameras being on Channel 16, and that has been an integral part of the infrastructure. We thought that a representative from that department would be valuable. Mr. Darchik has been involved with us on and off for quite a while. The program manager or their designee is really the staff person to this committee. There also is one other change in there that is a significant change that I would bring to your attention. The other change is that instead of I guess this Board approving the city representatives that it be the department head or their designee meaning that they would not have to be confirmed. We have had some problems with getting

quorums for our meetings. For example, when Bob Frost retired we still have not gotten a replacement. Not that they haven't designated one, but we haven't gotten one through the process, which takes time. The purpose of it is to have a library representative. Charlie Mathews is willing to do it. He has come to our meetings, but he can't vote or act towards the quorum until he is confirmed. The idea is that for like the city engineer is for the Planning Board – have the city employees, not the folks like myself, but the ones that are from the city be designated by their department as opposed to going through this approval process.

Alderman Dion

I am glad you are here tonight Mr. Hersh because there are a couple of questions that bother me. Number one how many companies have owned the cable company network in Nashua so far since its inception?

Larry Hersh

TimeWarner had it and then it was traded to MediaOne, which was bought by AT&T, which has now been bought by ComCast. That is four if you want to count them as separate entities.

Alderman Dion

It seems to me that one is buying it and the next one is buying it and making money, the other one is making money selling to the other one. It seems as though every time this happens we have a rate increase. That bothers me and it bothers a lot of people in the City of Nashua. Do you ever get advice on some of these rate increases or they just do it automatic – who gives them permission to raise these rates? Does the PUC get involved?

Larry Hersh

No, they are not under the PUC jurisdiction. They are under the FCC jurisdiction, but as far as the rate increases go they really don't have any oversight – we don't have any oversight for any of their fee raises. I would love it if they would ask for my advice, but they don't. Usually they do it on a regional basis. I would say that going forward we're in the process of beginning negotiations for a new contract. I think one of the things we can look at in the new contract – I don't think we can keep them from raising their rates, but I think there may be some other pricing actions that we can propose that might help. I agree with you that the raises have been much too frequent and much too large. They are not in line with the rate of inflation or any other standard rates that I am aware of.

Alderman Dion

Let me say this Mr. Hersh, to the best of my knowledge there has been two increases, one just recently, this year or within close proximity to a year. You are telling me if this cable company whoever they may be can raise rates at will without authorization from any specific federal agency?

Larry Hersh

I am not exactly sure what ...

Alderman Dion

They can raise rates \$10.00 tomorrow if they wanted to – is that what you are telling me?

Larry Hersh

I guess what I am telling you is that the city has no authorization. I am not sure what other authorization they have.

Alderman Dion

Who does?

Larry Hersh

I think it is just the federal government – that the FCC has the authorization to control the rates. They have not been – the FCC in general has been a proponent of the cable companies as opposed to the cities and towns.

Alderman Dion

In other words, the FCC is just a figure head. Whatever the cable company wants for a rate increase they just say okay is that it?

Larry Hersh

That is pretty much the way it has been.

Alderman Dion

That is wrong. Something has to be done about this. Legislation has got to be passed in Washington. Something has to be done because these people have cat blanche to raise rates at any time they want and that is wrong. There are a lot of people in the City of Nashua that are hurting – retired people just making ends meet. Two dollars might not sound like a lot to some people, but to these people it does.

Larry Hersh

I agree with you.

Chair Tollner

Alderman Nickerson and Alderman Johnson I want to see if we can deal with the legislation.

Alderman Nickerson

Towards the end of this legislation there is what I can see as new language that states that all existing CTAB members as of the date that this section was passed shall continue to serve in their present capacity for a period of 3 years beginning January 1, 2001. Am I correct in reading that at this point if there has been a person that has gone through the process, appointed, confirmed, and sworn into the Cable Television Advisory Board that they will then not be able to appoint a designee to represent them on that commission until the end of their term or am I incorrect in that thinking?

Larry Hersh

I can't say from a legal perspective, but that is old language from the last time this legislation was updated. I would feel very comfortable omitting that from the legislation going forward because it applied to – what happened was last time the Charter of the Board expired so there was nobody that was confirmed so we said let's do everybody at one time. That is what that phrase is for so to take that out I think would make sense so there would be no confusion.

Alderman Nickerson

We may want to take that out, but we may want to also put in some carryover clause to allow those people who have already been on CTAB to carry through and continue the terms whether it is themselves or to allow them to appoint a designee. I know there are the four members who are Nashua residents that are appointed by the Mayor and Board of Aldermen. There should be some carryover clause to pertain to them that members who are passed as of the effective date of this legislation that their terms shall continue or do you think we would need anything like that?

Larry Hersh

I think that we have all been sworn in and at the swearing in our term was designated to end at that time. I don't think that taking that phrase out of it would change that designation. I don't think there is any harm in taking it out.

Alderman Johnson

I just wanted to respond to Alderman Dion's issues regarding the cable company. I just wanted to let people know the FCC sounds like the PUC – any government agency you don't expect them to be here for the people. They are only here for the big corporations.

Alderman Deane

I just wanted to know if Larry could give us a mission statement to let us know exactly what the Cable Television Advisory Board's plans are for the next 3-4 years and what they are currently working on. If you could do that it would help us understand what your committee has been doing. Thank you.

Larry Hersh

There was a report that was published recently that was distributed to the Board. I would be very happy to resend it to Alderman Deane.

Chair Tollner

Maybe if you have any changes in direction or ideas or part of your mission statement changes if you could keep us updated that would be great.

Larry Hersh

I would be very happy to.

MOTION BY ALDERMAN NICKERSON TO FURTHER AMEND O-02-121 BY DELETING THE SENTENCE UNDER SECTION C THAT STATES "ALL EXISTING CTAB MEMBERS AS OF THE DATE THIS SECTION WAS PASSED SHALL CONTINUE TO SERVE IN THEIR PRESENT CAPACITY FOR A PERIOD OF THREE YEARS BEGINNING JANUARY 1, 2001."

MOTION CARRIED

Tim Glenday, 7 Lucier Street, Nashua

I am a 17-year member of this particular committee, 13 years of which I was the Chairman. I want to wholeheartedly endorse this legislation. I have actually had the privilege of speaking to other former members who have said the same thing. They think it is a tightening up of the language, but more importantly think it is very important to add a Program Manager, which is my immediate supervisor, Diane Sweeney. I am not getting paid to endorse her, but I think she does belong at the meetings. She has attended as a non-member, and certainly Public Works because you are right the TV cameras have been on there 20 years now so we should have some input from Public Works. I just wanted to take the opportunity to say that I do endorse this. I think of the people that served on the Board from 1983 when it was formed to present I am the second longest in terms of service by 2 months. I thank Mr. Hersh for the work he is doing and continues to do.

I did want to respond to Alderman Dion about rates because I had to make the decision at the beginning of this week. I have what is called the basic cable and the ala cart tier - \$13.63 a month. They announced in the mail last week they are dropping that middle level. I either had to go down to basic or I had to pay \$45 a month when you include the tax. Regrettably your humble cameraman decided to drop down. He is losing TBS and 2 or 3 other channels. The cable act of 1984 and the one that Mr. Hersh has worked with the most, the cable act of 1996, are the two pieces of federal legislation that have taken it out of the hands rate wise not programming and a lot of other issues that Mr. Hersh and others do work pretty hard on such as the wiring of our schools and things, but we have, as a city, no say over rates. It is what the market bears. The Cable Act of 1984 said the following --next two years every single cable company in this country could raise their rates 5% a year. I have to tell you the operator at that time, Warner Cable, did. The basic cable rate in Nashua

went from \$10.00 to \$10.50 in 1985. The next year much to my frustration because people back then used to pay every two months – they didn't raise it to \$11.00, they raised it to \$11.02 – the full 5% that they could get. It was without comment or objection – whatever they wanted to do. Since then there has been a form almost as thick of this book that happens to be at this Aldermanic table that the cable companies file once a year with the FCC in Washington, and if they hear nothing back in 30 days they get their new rates.

Those two raises that Alderman Dion correctly talked about, they didn't ask Mr. Hersh, they wouldn't want to even hear Mr. Hersh. They just went ahead and gave them those two increases including this 8% and incidentally sent the letter to the city saying they were dropping that programming tier – something that in the past you would sit down as businessmen and businesswomen and negotiate. They just told people like Tim Glenday at home who is I can't afford \$45.00, but I really would like something other than the equivalent of an antenna on my roof – I like buying Atlanta, I like buying the Discovery Channel, I like the \$3 package. They just eliminated it. I am like a lot of the other 29,000 customers in this city went down Monday and downgraded so to speak to basic cable. The one piece of criticism that I would like to make sure none of the 12 and soon to be 15 full time members of the Cable Board are ever faced with is rates because that has not been in their hands since the mid 1980s. You can complain about service or installations or what they do at the schools or some of the other choices, but Mr. Hersh and the other people that serve on the Cable Board by federal law have had nothing to do with the darn rates since 1987. Thank you Jim for giving me that time tonight.

Chair Tollner

We can engage this conversation during the discussion portion of this meeting if you would like. I would like to make sure that we stay on track with the ...

Alderman Dion

The thing is will Mr. Hersh be here.

Chair Tollner

He will stay around. Thank you.

Larry Hersh

I would ask that this appear at the next Board of Aldermen meeting if possible so that we can ... tape inaudible speaker away from microphone ...

Chair Tollner

Sue, just for the record, if you could make sure that O-02-121 is placed on this coming Board of Aldermen's agenda. Thank you.

MOTION BY ALDERMAN JOHNSON TO RECOMMEND FINAL PASSAGE AS

AMENDED
MOTION CARRIED

O-02-127

Endorser: Mayor Bernard A. Streeter

AMENDING THE COMPOSITION OF THE MINE FALLS PARK ADVISORY
COMMITTEE

MOTION BY ALDERMAN NICKERSON TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Alderman Deane

I was asked by the Mayor's office to co-sponsor this piece of legislation and this is kind of a strange scenario, but the Public Works Department has an individual that does a lot of their IT work who has been actively involved with the Mine Falls Park Advisory group for quite a number of years, and she is the Chairman of the committee and has been actively involved with all of the trail days, with a lot of the researching of the park, gatehouse project, the mill pond, and it goes on and on. She has done a tremendous amount of work. That group of people that are on that committee oversee that entire facility. She applied for a job with the city and received a job. Now this ordinance states that since she is employed by the Board of Public Works she is no longer allowed to be on the Mine Falls Park Advisory Committee. It is what it is. It is an advisory committee. A while ago I started attending some of their meetings and was unable to get back to some of them, but this group of people had little or not money working on a shoestring budget with the money they had and they did large improvements to the facility to help the Park & Recreation Department. I just think it is a travesty for this person not to be allowed to donate her free time and weekends for trail days and meetings and everything else and applying for grants to help maintain a piece of property within the city that she loves and cherishes. I just think it is wrong. I don't see a conflict here, but maybe somebody else does. If you would support this I think it is the right thing to do. Thank you.

Alderman Nickerson

My initial thinking was I did have some serious concerns over doing this and in a way a change of a policy to allow for one person to continue in the capacity that they have. In a certain sense, I can see both sides on this issue. I can see how this is a person that is donating their time, and it is an advisory capacity. I haven't had a chance to attend any of the Mine Falls Park Advisory Committee meetings – I have a general sense of their responsibilities and their purpose, however, I haven't had a chance to fully understand by attending what they truly do and in what capacity they do assist the Parks & Recreation Department and the Division of Public Works. In a certain sense, if Alderman Deane could help to enlighten me on that I would appreciate that. I do have some concerns over changing a policy for one person, however, dealing with it and allowing this person to serve on this committee is certainly – in an unpaid capacity – I can see how that is appropriate, but I am wondering if this would be starting a process in which we would then be changing our other committees to this type of standard and are we setting a precedent on this.

Chair Tollner

I have concerns with this particular legislation. I agree with everything that Alderman Deane has said as far as – this individual that we are discussing has done an extraordinary job in the work, the effort, and the programs that they have been involved in. I go to a point where she has done such a great job over the years and all be it the City definitely has benefited from her participation, but I will go back, she has done such a great job that we are willing to go back and change the rules. The other thing is if we change them for this advisory committee, there are a number of other advisory committees that we have in the city – whether it be this one, Park & Recreation Advisory, or a number of other ones, from a legal perspective, if we can do it for this one I guess we can do it for all of them. I just have a concern by us amending or changing legislation because of any particular individual. I think when we go down that road – maybe not this year, but 3 years, 5 years, 10 years – I just think that we are asking for some trouble.

Alderman McAfee

I guess I don't see that. I think all the people that serve on these committees are really just trying to do their best. She has been doing great work, and I think it is more of an oversight that there isn't a position sponsored by the Board of Public Works or the Park & Recreation Department. It just keeps that line of communication open. Mine Falls is under Park & Recreation, which is in Public Works. I think it will be much better communication.

Alderman Johnson

I guess you can look at this from both sides. She has been an asset to the advisory committee, but there was a reason at one time why this language was put into this piece of legislation. I think that you will open up a can of worms at this point of time. Unless someone can show me better why this language was put in here and why we should take it out. There obviously was a reason why this had to be done. Just like it says, a member of the Board of Aldermen, although we are elected and we get a stipend we cannot become an employee of the city at the same time. You can't serve a dual role here. This is basically what it is. It is an unfortunate thing and I guess you have to weigh did you want the job with the city or did you want to be on the advisory committee. No one is saying that this person didn't do a great job. She did, but something must have happened in the past for this language to have been put in here. Maybe someone could research it and we could hold this in committee until we find out.

Alderman Deane

I wanted to touch on a couple of comments made by Alderman Nickerson. The experiences I had with this committee is they go out looking for grant funding. They have researched the mill house – they have done a lot of work on that. They worked in conjunction with Fairgrounds Jr. High School. The trail repair, the mill problem – they set an agenda, go through, and the members of the committee take certain tasks and they replace signage and things of that nature. They work hand in hand with the Park & Recreation Department for trail days that they advertise on Channel 16 and in the newspaper.

Alderman Johnson's concern with this legislation and why it was put like this initially – I think it is an absolute travesty that this person – I will tell you this – I will guarantee you this – if this happens this committee is gone. It will disband. It will be one more thing the Public Works Department will have to do.

Alderman Liamos

I guess I would endorse holding the legislation to check on the history of this thing. We just talked about the CTAB, and we have city employees serving in the CTAB capacity. Here is an advisory committee, the person wants to sit on the advisory committee – if I am not mistaken it is open to the public. You can still participate and be a volunteer ... tape flipped ... without looking at the history it sounds like it is probably to remove as Alderman Deane has pointed out – they do a lot of grant writing – maybe they are trying to avoid a potential conflict of interest and that is why the legislation was crafted as it was when the restriction was put in place. I think the ordinance is there Alderman Nickerson. Maybe you can make the text available and ask for legal input on that, but I'm looking for general consistency here and right now on two things tonight – this item and the previous item with CTAB, I see we have city employees on CTAB and we can't have city employees on this thing. A legal review – position to hold it with a recommendation to come back would be fine. On the other hand, I think it should be pointed out that if anybody wants to continue to serve in this capacity just attend the meetings and participate they should be encouraged to do that as a city employee – as any city employee could be participating. Thank you.

Chair Tollner

Before I go to Alderman Johnson, I think there is a difference between CTAB and this. CTAB being that those city employees that may participate on that advisory board there is a reason for that because the city uses those services and they are federally involved in them whether it be on TV or emergency services. Again, I want to be very clear. I think the work that this individual has done has been more than exceptional. I do think the Mine Falls Park Advisory Committee probably wouldn't be anywhere near where they are right now as far as what she has accomplished. My primary concern is – let me reverse the roles a little bit – if this person participated on the Mine Falls Park Advisory Commission for 3-4 years and a number of the members of the Board of Aldermen had a major difference or problem with this particular individual that would occupy this position I think they would not support the legislation. I'm just very concerned about us passing legislation based upon the personality and the accomplishments of one individual, but in saying so I would not have a problem supporting Alderman Liamos' comments.

Alderman Johnson

This doesn't give me what I wanted. If you are going to do that you might as well strike a member of the Board of Aldermen and delete this whole ordinance – delete 1570 basically – this part from 1570 and then it allows anybody to sit on that advisory committee. It allows an Alderman, an employee, everybody to sit on it. If you are going to delete one line you might as well delete it all. Now you are saying that an Alderman cannot sit on that committee either and be part of it to bring back to the full Board what they see as the accomplishments and what will go on. I think if you are going to do one you do it all and just be done with it.

Alderman Nickerson

First of all thank you Alderman Deane for making those comments and giving me a little bit of information. It makes it easier to come around to supporting it. One thing I also want to point out is that there are several other committees and commissions that have not necessarily a representative of city employees or city departments serving on the commission or committee, but also just by chance of their employment in the city they are also rather active in the community and also serve on other commissions. Just tonight we re-elected or referred the nomination of Kathy Bolton from the Child Care Advisory Commission and Mike Tremblay and Charlene Wolfe to continue their terms on the Child Care Advisory Commission. Those are three people that are in the city employ, one of which, Mike Tremblay, he is the Child Care Advisory Commission recommends policies and advises the office of Child Care Services, which is under the Community Services Division of which Mike Tremblay is the interim Director. In a certain sense there possibly could have a conflict there as well. However, the language in our ordinances for the Child Care Advisory Commission don't contain any such prohibition from allowing employees to serve on it. I guess our language throughout our ordinances is rather contradictory or inconsistent as far as employees serving on commissions or committees that are created through our ordinances. I thought I would point out that part as well.

MOTION BY ALDERMAN JOHNSON TO AMEND O-02-127 TO DELETE “ANY MEMBER OF ADVISORY COMMITTEE SHALL NOT BE A MEMBER OF THE BOARD OF ALDERMEN”

ON THE QUESTIONAlderman Johnson

You never know when you might want to put one of us on there and open that up too. We serve on a lot of other advisory committees our there. We are on the Cable Advisory. You look at a lot of the committee assignments that we are on – not to say that we are going to be on it, but I think this way it will be more consistent with everything else here.

Chair Tollner

Maybe I can ask you if I could have an opportunity to meet with Corporation Counsel to follow up on Alderman Liamos' comments to see what they would recommend before we start tinkering with it.

Alderman Nickerson

We are going to probably have to have Corporation Counsel here for our next meeting for the next item on our agenda, so if we were to just have someone from Corporation Counsel's office here that could be well versed on this issue as well as O-02-129 that would probably best serve the committee. If we were to hold this that might be the best thing to do.

MOTION WITHDRAWN BY ALDERMAN JOHNSON

Alderman Dion

I think we ought to hold it for clarification by Corporation Counsel because it is very clear here in Article 6 Mine Falls it says "No member of the Advisory Committee shall be a member of the Board of Aldermen or any employee of the Board of Public Works Parks & Recreational Department." It is pretty clear according to this ordinance that this person cannot serve on that advisory committee. I believe somebody said it earlier that there is a reason for it. I would like to hear the reason from Corporation Counsel because I think there is a good reason for it.

MOTION BY ALDERMAN TOLLNER TO HOLD O-02-127 IN COMMITTEE

ON THE QUESTION

Chair Tollner

I will touch base with Corporation Counsel. Sue for the record if you could ask them if they could attend the next Personnel/Administrative Affairs meeting, which I think will be on the second Thursday in January.

MOTION CARRIED

O-02-129

Endorser: Alderman-at-Large Steven A. Bolton

ESTABLISHING PROHIBITIONS ON CAMPAIGN ACTIVITIES BY MUNICIPAL EMPLOYEES_

MOTION BY ALDERMAN NICKERSON TO HOLD O-02-129 IN COMMITTEE

MOTION CARRIED

HELD IN COMMITTEE

R-02-71

Endorser: Alderman-at-Large Paula I. Johnson

SUBMITTING TO THE VOTERS AT REFERENDUM THE QUESTION OF WHETHER

THE CITY SHALL USE ALL AVAILABLE MEANS TO TERMINATE THE BROAD STREET

PARKWAY PROJECT

O-02-96

Endorser: Alderman Brian S. McCarthy
Alderman-at-Large David Rootovich
Alderman-at-Large James R. Tollner
Alderman-at-Large Steven A. Bolton

Alderman-at-Large Fred Britton
Alderman-at-Large David W. Deane
Alderman-at-Large Paula I. Johnson
Alderman Kevin McAfee
Alderman Timothy B. Nickerson
Alderman Kevin E. Gage
Alderman Robert A. Dion
Alderman Lori Cardin
Alderman Scott A. Cote

ADJUSTING THE PROVISIONS OF THE ELDERLY PROPERTY TAX
EXEMPTION

DISCUSSION

Alderman Johnson

On my piece of legislation, I would like to know if the Board of Public Works is ever going to view this legislation. Obviously everything keeps sitting up there in their committees.

Chair Tollner

They are not going to have a meeting now until January.

Alderman Deane

I have some tragic news. The December 9th meeting has been cancelled.

Alderman Johnson

Why?

Alderman Deane

When I sat on the board we used to have meetings every other week so that things like this didn't sit around. Now they have them once a month and the one they just had was for capital improvements and two hours of non-public session. They just leave things in – hold things in their committee and don't take them out.

Alderman Johnson

I think the last time we were going to send a memo to them to find out what was going on here and why this is being held. I think out of courtesy – it has been tabled since July 2nd, and I think out of courtesy I would like to know what is the status of my legislation there because again the plan of the Broad Street Parkway, the configuration has been changed. I think we need to move this.

Chair Tollner

I will talk to the Chairman of the Board of Public Works tomorrow afternoon.

Alderman Johnson

I would like to respond a little more because I know that there is a petition going around out there in the community on the Broad Street Parkway. I guess it is either us as elected officials that can vote on this maybe to put it back to the ballot or we can be forced with a petition to be done by the rule of people. It is either or.

-
Alderman Nickerson

My topic deals with what we were just discussing so I would rather hold off. I know there is another item under discussion that deals with cable rates and so forth. Since Mr. Hersh is here I will let that discussion go first and then I will carry mine over afterwards.

Chair Tollner

Does anybody have any items that they would like to discuss on the cable?

Alderman Dion

First of all I would like Mr. Hersh to know that I certainly know the rules. I know that the Cable Advisory Committee doesn't have anything to say about the rates so if my voice raised a few octaves while I was talking about the increase in rates I certainly wasn't sending them towards you. I want to thank Tim for his comments also. The thing is that it is easy to lay back and say the rents are too high in the City of Nashua, this is too high, and this is too high, and next week forget about it until the next time. What can we do to try to get some kind of control over these rates? Is it statewide? Could we go to the state? Do we have to go to the federal government? Do you need a resolution from the Board of Aldermen? I would be tickled pink to sponsor one. Why don't you think about it and see what we can do. Check with Corporation Counsel if you could and see the best way to attack this problem. It seems to me it is like giving the fox a free pass to the hen coup the way things are going right now as far as the rates are concerned. It bothers me. It bothers me bad.

Alderman Johnson

I too feel the same way as Alderman Dion. When I got that little statement in the mail saying my rates were going up and what they were changing around I found it was a little bit nerving. I have been here since TimeWarner Cable and back then the cable wasn't very good, but at \$11 I guess you could digest more than \$42 for nothing. Everything is all infomercials now. The FCC isn't doing anything about this. The only time your rates go down is if you have competition. There aren't too many other cable companies out there. I think that maybe we as a city and I am sure our constituents would probably back us up saying that they are outraged and fed up with all of these high cable increases. Direct TV is here. If you go Direct TV you can't get Channel 16 so they can't watch us and I know a lot of my constituents tell me all the time they just love watching the Board of Aldermen. I will be happy to voice my opinion and be part of any legislation that we need to send a message down to Congress saying that they need to come to the forefront again and do something

about the high rising costs of the cable. Thank you.

Alderman Deane

We don't need any legislation. I believe in another couple of years their contract is up. If you look at the infinite wisdom of previous board who signed a 15 year contract with these people – 15 years. Unfortunately everybody in the city is paying dearly for it. I can agree with Alderman Dion. When I first got cable it was Warner Cable and it was \$8.97 a month. It was like one of the first bills other than insurance and it is still true today. You pay in advance for cable. You are paying for something in advance.

Alderman Dion

If there is a storm and you lose power you still pay.

Alderman Deane

It is one of the only bills that you pay in advance for except for insurance.

Alderman Dion

If you have a problem you can never get ahold of them.

Alderman Deane

We will have our day with them.

Larry Hersh

I would like to remind all of the Aldermen that there are a couple of things that might be helpful. On the city web site if any of the AT&T Broadband or now ComCast customers out there have a problem – if you don't like the rates, the programming, the support please go to the web site and send us mail. You can also call. The idea is that the more feedback we get the better our chances when we start negotiating with them. You are actually doing us a favor by complaining to us at this particular time and we appreciate you doing that.

Alderman Johnson

Nobody ever likes complaints, but we will take them now right.

Chair Tollner

Are there any other discussion items?

Tim Glenday

Mr. Chairman before you leave cable – the people watching at home I put the portrait of Mayor Vagee on to TV 16. I want to explain something real brief. This will only take a minute and a half. I thank you for your time. Mayor Vagee started the cable system after he left being Mayor – Mayor Sullivan was the Mayor he wired 40% of the homes in Nashua and got 10% to buy the cable. By 1987, Alderman Deane the negotiation year for that 15 year contract, which would be from 1990 to 2005, 40% of the people of Nashua bought cable. The cable company asked for 25 years. The City of Nashua under Mayor Donchess, offered 10 years. When the 9 months of negotiating was done 15 is what it settled on. I would humbly suggest we came closed to the city's position than the cable company's position and we had the improvements done by December of 1987 – three years ahead of time rather than waiting for the old 1975-1990 license to expire. What I am frustrated as a customer with – I told you all earlier that I just knocked my down 3 channels and \$2 is that people are willing to pay \$80, \$90, \$100 in this town for some really rudimentary cable as opposed to going out and getting a satellite dish. When I left the Chairmanship 4 years ago and the board 3 years ago, 87% of the households in this city had cable. It is now 91%. If you would talk to Gordon Jackson who still serves on the cable board and others, we certainly felt back in the 1990s the trend would go the other way. We though by now when you see that long line of people at RadioShack, Circuit City, etc. buying those 18" dishes we would be down not to the old days of 40% but maybe 2/3 of Nashua would buy cable. Instead it has gone the other way. People now expect cable TV when they buy a cable, apartment, or home just as they expect having water, lights, and some form of heat. I think we are being ripped off and we are being ripped off by the federal government in giving the control away from the local cities.

Alderman Dion I don't particularly remember the votes because I was very young and covering the Board of Aldermen at that time, but I want to tell you that prior to that cable act that I talked about the city used to set the cable rate. The Board of Aldermen voted every summer, every June, and I can tell you that from the time Mayor Vagee started it up in '67 until that cable act in 1984 the Aldermen did actually deny three different times ...

Alderman Dion

How did we lose that?

Tim Glenday

Federal legislation. The Aldermen did do their job. People like you Mr. Dion and others who served in the '60s and '70s and early '80s on three different years when old Warner Cable came in and asked for a rate increase this Board of Aldermen voted no. It is too bad that it is out of the hands of Mr. Hersh as the Mayor's designee or anybody else. That is the history of the cable. Ten percent or so bought it when the Mayor wired the houses and then it was up to 40% when I negotiated in '87. Now unbelievably 91% of the people in this city rather than just putting on an antenna and watching TV for free or some combination of an antenna and a dish are customers of AT&T Broadband. I think unless the customers say I am sorry I don't want to pay \$45 starting January 1st to get just standard cable – you won't get a scrambled channel, HBO or the Sopranos – just to get the unscrambled channels in this city as of January 1st, including the tax paid to the city it will be \$45. Your cameraman can't afford it, and I am surprised that so many people can. Thanks.

Chair Tollner

Is there any other discussion?

Alderman Dion

Mr. Chairman, before we adjourn I thought I would bring out – I know there is a reason for it, but O-02-96, which is an ordinance that is dear to my heart – adjusting the provisions of the elderly property tax, which has been endorsed by 13 out of the 15 Aldermen has been held in committee pending a question to be voted on – RSA 72:39 – held in committee again on the 7th of November. Her we are at almost the 7th of December – do you have any idea Mr. Chairman when we will get going on this?

Chair Tollner

Alderman McCarthy is in the process of reviewing some final figures. He will come back to the Board with those adjustments and then we will probably have to have another public hearing on it.

Alderman Nickerson

His time has been taken up a little with the Pennichuck issue and even if we were to have passed this back in back in October, my understanding is that it would not have been able to take affect until the new tax year, which is starting July of 2003. We still have plenty of time to pass it and act on it in order for it to be effective. Even if we were to have done it back then it wouldn't have mattered – whether it was then or now. I did get a call on this actually this past week as to what the status of this was and I had mentioned the same thing to the constituent that contacted me on that.

Alderman Dion

The thing is on this come December 31st this is wiped off the schedule.

Chair Tollner

No. We have one more year before it would be wiped off.

Alderman Dion

I thought the first of January it was all over.

Chair Tollner

At the end of each term it is wiped out.

Alderman Dion

Term?

Chair Tollner

Right.

Alderman Dion

Thank you for enlightening me Mr. Chairman.

Chair Tollner

You are very welcome.

Alderman Nickerson

Getting back to the Board of Public Works and Alderman Deane I think will be able to answer these questions. In the past, you mentioned that the Board of Public Works used to meet twice a month and now they are only doing once. First of all what is the reason for that and second of all are the lengths of their meetings twice as long now that they meet just once a month or are they the same length?

Alderman Deane

You would have to call Director Crombie and ask him that. Normally the packets are an inch and a half thick. They have also taken the meetings and moved them from a reasonable hour of 6:30 p.m. down to 5:30 p.m., which is an inconvenience for some people, but that is what he has decided to do. The meetings do last 2-3 hours most of the time. Tim is there.

Alderman Nickerson

I believe I am correct, but I think the Chairman of that committee is technically supposed to set the meeting time and date so am I incorrect in that statement that Mr. Crombie has become Chairman of that committee or is it still the Mayor?

Alderman Dion

The Mayor.

Alderman Deane

The Mayor is the Chairman, but I believe Mr. Crombie sets the day, time, and the hour.

Alderman Nickerson

What is the stipend for the Board of Public Works?

Alderman Deane

I think that went up to \$2,000.

Alderman Nickerson

They are meeting half as often and more money. In essence their hourly rate has doubled.

Alderman Deane

More money, more money, more money.

Alderman Nickerson

I would like that pay raise. I think legislation to decrease the stipend might be in order.

Alderman Johnson

I just have to ask Alderman Deane a question. If the length of the meetings increased and the workload increased do they get anything accomplished in this, and does the Mayor stay for the entire meeting or does he get up and leave?

Alderman Deane

The Mayor normally stays depending – the meeting the other night we had a capital improvements presentation, but it was scheduled the same night as Finance and when the meeting started they went into non-public session for an hour and 50 minutes, which totally inconvenienced everybody that was there.

Alderman Johnson

Non-public should always be at the end of the meeting.

Alderman Deane

It was run with a lot of finesse that night.

ADJOURNMENT

MOTION BY ALDERMAN NICKERSON TO ADJOURN
MOTION CARRIED

The meeting was declared closed at 8:33 p.m.

Alderman Timothy B. Nickerson
Committee Clerk