

ON THE QUESTION

-
Chairman Tollner

-
This was also discussed in Finance.

MOTION CARRIED

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

-
APPOINTMENTS BY THE MAYOR

Child Care Advisory Commission

-
Karen Harris (New Appointment)
42 Worthley Hill Road
Goffstown, NH 03045

Term to Expire: October 12, 2003

-
MOTION BY ALDERMAN NICKERSON TO HOLD THE APPOINTMENT OF KAREN HARRIS IN COMMITTEE
MOTION CARRIED

Planning Board

-
William P. Slivinski (Re-Appointment)
46 Berkeley Street
Nashua, NH 03064

Term to Expire: March 31, 2006

ON THE QUESTION

-
Chairman Tollner

-
I couple members of the committee have asked that this gentleman come in. They wanted to ask some questions. I will send a letter to Mr. Slivinski and ask him to attend our next Personnel meeting.

MOTION BY ALDERMAN NICKERSON TO HOLD THE APPOINTMENT OF WILLIAM P. SLIVINSKI IN COMMITTEE
MOTION CARRIED

UNFINISHED BUSINESS – RESOLUTIONS – None

UNFINISHED BUSINESS – ORDINANCES

-

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

•Amended in Committee – 3/6/03

MOTION BY ALDERMAN NICKERSON TO RECOMMEND FINAL PASSAGE OF
O-02-96 AS AMENDED

ON THE QUESTION

-
Alderman McCarthy

-
I want to point out an error in the amended draft that's in front of you. On the second page in Paragraph B, in the third from the last line, the numeric value should be \$36,000 not \$36,400

MOTION BY ALDERMAN TOLLNER TO FURTHER AMEND O-02-96 BY
CORRECTING THE TYPOGRAPHICAL ERROR OF \$36,400 IN PARENTHESES TO
(\$36,000)
MOTION CARRIED

Alderman McCarthy

-
I looked at the sheet that compares our community to others. One of the things you have to take into account if we do this again is we really need to look at those numbers as applied to equalized property values and tax rates in the various cities. Manchester is right about at the same limits we would be on the exemption, itself. However Manchester's assessments are significantly lower than Nashua's. Nashua has 24,000 residential properties and 86,000 residents and a total assessed valuation of \$5.7 billion. Manchester, on the other hand, has over 100,000 people, significantly more parcels and a total assessed valuation of \$4.3 billion. The assessments in Manchester are significantly lower and therefore forgiving an amount that is 25 percent less in Manchester would be approximately equivalent to the same deduction here which means that the effective rate in Manchester is significantly higher in fact than ours even now. Concord appears to be lower than ours but again I think as you travel north the assessments go down at a rate that makes it a lot easier to live there if your on a fixed income. The incomes don't change particularly at all between

here and Concord; it's just the cost side based on the assessments.

Alderman McAfee

I have a question for Brian. Are you trying to give this relief because they don't have enough income to pay or they are at a lower cost to the city by being elderly residents?

Alderman McCarthy

That's an interesting question. As a matter of policy, this is something that the legislature has taken up and given us the ability to deal with. I'm not sure that the formulas the legislature has given us are quite right. When I look at the situation that you have and actually a lot of this dates back to not events that have happened recently but events that have happened a few decades ago. In the 1970s when you had double-digit inflation for a number of years in a row, the effect of that was that the values of properties went up significantly here, for example. People who could comfortably afford to buy a single-family home in say the sixties, found themselves when they retire in the year 2000 in a position where they now own an asset that they can't afford because of the rate of inflation of property values. We have always asked every generation to pay to some extent for education for the one beyond it. We do assess school taxes on everybody regardless of whether they have kids in the system or not. That's normally fair but again when you have significant increases, you basically place a burden that doesn't keep up with the ability to pay. Therefore, in my opinion, we need to provide some amount of relief for the seniors who have lived here for a long time who have an asset that has appreciated in value but they can't realize any of that in any reasonable way, and to make it so that if they choose to stay here, that that is economically within their grasp to be able to maintain a property in Nashua.

Alderman McAfee

Since an elderly couple that has no children are a lower burden to the city, wouldn't it be best for us to encourage them to stay in that house and couldn't we, as Mr. Levesque suggested, when they reach a certain age and can show that they are on a fixed income, whether they have a million dollars in the bank or not, they are still the same cost to the city.

Alderman McCarthy

I might be tempted to believe that argument, but it's not something that we are empowered by the state to do.

Alderman McAfee

Maybe you fix that at 65, but defer it upon the turnover of the piece of property.

Alderman McCarthy

So we would collect the uncollected taxes when the property changed hands?

Alderman McAfee

I have four children in school. I thought it was \$5,000 per child, but it's more like \$7,000. On an annual basis for my \$4,000 in property taxes, I get \$28,000. Other residents in the city are paying for me. I don't think that spread was that big back in the sixties, seventies, or even the eighties. I think it has really gone out of proportion. I think it's time that we start thinking about asking the parents of kids to put some type of annual fee for their child in the school. I think it's time. I think the seniors need more relief.

Alderman McCarthy

I think the numbers are a lot worse than the ones you just presented. I believe that our operating costs with loading benefits and insurance on them probably approach \$7,000 - \$7,200 per student. When you take capital improvements necessary into effect that number goes up to well over \$8,000 – probably closer to \$10,000 at this point. If someone has four children in the school system, the actual cost to the community may approach \$40,000/year. The lifetime cost to put those four kids through school is over half a million dollars. We will never see that out of the person who has four kids in the school system in a single family home. It's just not viable to do it that way.

To look at that as why that happens, it makes it even worse when you look at it in prospective that the people who put their kids through the Nashua schools in the seventies are the ones who dealt with a kind of pent up demand for infrastructure during a long time when we did very little to keep our infrastructure at the value it ought to have. We're now getting caught up on that, and we're asking them after not having reaped the benefit of any of that to pay for a fair share of that catch-up. In a larger issue, in its wisdom the state legislature has chosen to rely on an (inaudible) property tax to fund education in one way or another. You get into a lot of difficulties from policy prospective. We don't have the tools to do that. The legislature might want to consider that proposal of deferring taxes. I think that's a reasonable one. I think you'll find politically that there are a lot of problems with that in that when the property is finally disposed of the estate will have some issues with the back taxes which by the way at that point may exceed the value of the property and then what do we do?

Chairman Tollner

It's almost like a tax lien on the property.

Alderman McCarthy

I think if we want to do something about them, we ought to bring those up to our legislative delegation. Actually in the short term, I'm more concerned with the issue that was brought up about the assets. As we look at the continuing conversion from pension plans to 401K plans, you find that someone who retires with a significant pension will qualify for the exemption because they have no access to the principal on which the pension is drawn. Someone who has an identical investment in a 401K will not qualify because they have those assets and they could draw upon them even though their financial condition is identical to the person with the pension. I don't know how to solve that easily. If you simply remove the assets test then someone who owns several investment properties may well qualify when they are perfectly capable of paying the taxes. I'm not sure that's fair to those people for whom the exception was intended. It certainly is a complex issue in the long term to sort

out.

MOTION CARRIED

Chairman Tollner

I know Alderman McCarthy and I have tried a couple of times to get the impact of this on the overall budget. I will try to get that information from Angelo Marino. I don't think it will change our minds, but it would be a good thing to know prior to wrapping up the budget session.

MOTION BY ALDERMAN TOLLNER TO GO OUT OF ORDER TO TAKE THE APPOINTMENT OF LINDA SPRAGUE

MOTION CARRIED

Ethnic Awareness Committee

Linda S. Sprague
(Community Services Representative)
18 Mulberry Street
Nashua, NH 03060

Term to Expire: December 31, 2005

Linda Sprague, 15 Tetreau Street, Nashua. I work with the Office of Minority Health in collaboration with the Division of Community Services here in Nashua. I would like to further outreach to the ethnic communities in Nashua.

Chairman Tollner

Have you had an opportunity to attend a committee meeting.

Linda Sprague

I've been to about seven of their meetings. I go regularly.

MOTION BY ALDERMAN TOLLNER TO RECOMMEND THE CONFIRMATION OF LINDA S. SPRAGUE TO THE ETHNIC AWARENESS COMMITTEE FOR A TERM TO EXPIRE DECEMBER 31, 2005

MOTION CARRIED

MOTION BY ALDERMAN TOLLNER TO RETURN TO THE REGULAR ORDER OF BUSINESS

MOTION CARRIED

NEW BUSINESS – RESOLUTIONS

R-03-183

Endorsers: Alderman Brian S. McCarthy
Alderman Scott A. Cote

PROPOSING AN AMENDMENT TO THE CITY CHARTER RELATIVE TO
ABOLISHING
THE BOARD OF PUBLIC WORKS

- Public Hearing scheduled for June 5, 2003 at 7:00 p.m. in Aldermanic Chamber

MOTION BY ALDERMAN NICKERSON TO HOLD R-03-183 IN COMMITTEE
PENDING THE PUBLIC HEARING SCHEDULED FOR JUNE 5, 2003 AT 7:00 PM IN
THE ALDERMANIC CHAMBER
MOTION CARRIED

R-03-191

Endorser: Alderman-at-Large Paula I. Johnson
PROPOSING AN AMENDMENT TO THE CITY CHARTER RELATIVE TO
REMOVING THE MAYOR FROM THE BOARD OF PUBLIC WORKS AND
REPLACING THE MAYOR WITH AN ADDITIONAL ELECTED MEMBER

- Public Hearing scheduled for June 5, 2003 at 7:00 p.m. in Aldermanic Chamber

MOTION BY ALDERMAN NICKERSON TO HOLD R-03-191 IN COMMITTEE
PENDING THE PUBLIC HEARING SCHEDULED FOR JUNE 5, 2003 AT 7:00 PM IN
THE ALDERMANIC CHAMBER
MOTION CARRIED

R-03-193

Endorser: Alderman Timothy B. Nickerson
PROPOSING AN AMENDMENT TO THE CITY CHARTER RELATIVE TO
AUTHORIZING REVISION OF THE WARD BOUNDARIES BY ORDINANCE

- Public Hearing scheduled for June 5, 2003 at 7:00 p.m. in Aldermanic Chamber

MOTION BY ALDERMAN NICKERSON TO HOLD R-03-193 IN COMMITTEE
PENDING THE PUBLIC HEARING SCHEDULED FOR JUNE 5, 2003 AT 7:00 PM IN
THE ALDERMANIC CHAMBER
MOTION CARRIED

NEW BUSINESS – ORDINANCES

O-03-161

Endorser: Alderman-at-Large David W. Deane
AMENDING THE PROCEDURE TO ADD ADDITIONAL ENDORSERS TO
LEGISLATION

MOTION BY ALDERMAN JOHNSON TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Alderman Johnson

I spoke with Alderman Deane. He asked that I let everyone know that this is basically a house-cleaning piece of legislation. He couldn't make it tonight. It just allows sponsors at the full Board meeting.

Chairman Tollner

I'll read the section that he is amending for everybody's information. "The sponsor(s) shall authorize the introduction of ordinances and resolutions no later than 5:00 p.m. on the Wednesday prior to the board's regular meetings. A member may be an endorser only if the member signs the legislation. Additional endorsements can be made upon first reading of the legislation, but not subsequent to that time." -

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

- Also assigned to Board of Public Works; Tabled 7/2/02 pending additional Information
- Amended in Committee 3/6/03

MOTION BY ALDERMAN TOLLNER TO TAKE FROM THE TABLE O-03-154

MOTION CARRIED

O-03-154

Endorser: Alderman-at-Large David Rootovich

AMENDING THE ORDINANCE REGARDING SPECIAL MEETINGS OF THE BOARD OF ALDERMEN TO PERMIT SPECIAL MEETINGS TO RECEIVE INFORMATION AND HOLD DISCUSSIONS BUT NOT TO TAKE ACTION

- Held in Committee – 4/3/02

MOTION BY ALDERMAN TOLLNER TO RECOMMEND FINAL PASSAGE OF O-03-154

ON THE QUESTION

Alderman Rootovich

A few months back I had some questions relative to the meetings that we were having prior to the full Board of Aldermen meetings. Although the tradition has been going on since I've been on board for the last ten years, I still felt somewhat uncomfortable based on some of the questions that some members were asking. I asked Corporation Counsel if indeed it was within the bounds of what we could do. He indicated to me that it really wasn't. There was a quorum of the full Board and he also felt uncomfortable that we were having meetings with division directors. A couple weeks back we had the Senior Center Executive Board come in and make a presentation before the Board of Aldermen. I asked Corporation Counsel what mechanism he suggested we use to be able to continue to do that. He suggested amending this piece of legislation to add section (d) which basically states that the Board of Aldermen could call for this meeting by two mechanisms. One by a formal vote that we could do at a prior full Board of Aldermen meeting or he could draw up an instrument which eight aldermen could sign, thus having those meetings prior to the full Board of Aldermen meeting. Further during the meeting, if a member or members of the Board felt at that time that they would like a recommendation made to the full Board of Aldermen, we could go into a Committee of the Whole. That would give us the instrument to make a recommendation the full Board of Aldermen. We could not take action but we could make a recommendation back to the full Board.

Alderman McCarthy

- This is a general questions, but particularly specific to the meetings that we hold before the full Board meetings. Why wouldn't we simply authorize the President of the Board of Aldermen to call those meetings on his own? There's a fairly complex mechanism involving either voting at a previous meeting or getting signatures from half the board. It would seem to me that we've never had an issue with how those are scheduled. I would be more than happy to simply delegate that authority to the president.

Alderman Bolton

- I have to say I absolutely agree. I've never understood why the presiding officer of the Board of Aldermen should not be able to call a special meeting of the Board of Aldermen. Why that would be an issue? Why we would not want that authority? We've had certain difficulties when the mayor has been away when we've needed special meetings. It just seems that we're tying ourselves up in knots unnecessarily here. I think we ought to amend this just to allow the President of the Board of Aldermen to call a special meeting for any and all purposes.

Chairman Tollner

- I would agree.

Alderman Dion

- I'm not for or against the legislation. The question that comes to my mind is if you can't take action at a special meeting, why call a special meeting? If you're not going to take action, discuss it at a regular board meeting. I don't see the rationale behind it.

-
Alderman Rootovich

-
It's less informal where we could have testimony from witnesses, from division directors, department heads, city employees, individuals where at the full Board of Aldermen there's a more formal mechanism. This would allow us to have some more detailed discussion as we do in committee meetings.

Alderman Johnson

-
In the past, did you have a lot of different division heads coming before the Board at 7:00 p.m. or is this a new practice?

Chairman Tollner

-
That's been going on for quite some time. If they wanted to provide this Board with an update, it happened quite often.

Alderman Johnson

-
I would rather see that before the full Board meeting because we have a lot on our agendas at time. The only other way to do it is to have it at committee meetings, but I think you get more members at 7:00 p.m. than you would at committee meetings because some members have other obligations and they can't get to meetings. I don't have a problem either way – either with this legislation or just having the president call the meeting. We're not taking any action. We're just asking questions. I think it's a very nice meeting when division heads come before us to give us an overview on what's going on. I think it's very informative, and I think the citizens of the city who watch Channel 16 gets the same overview. Either way, it doesn't make a difference to me. I just wanted a little history. Thank you.

Chairman Tollner

-
Alderman McCarthy and Alderman Bolton, was it your intent to add another section or amend just section (d)?

Alderman McCarthy

-
The section we now have that allows for calling of special meetings under certain circumstances, I would be tempted to amend that to allow the President of the Board to call special meetings.

Alderman Bolton

-
I'm not on the committee, but I would suggest that it might be appropriate to amend the title by deleting everything after the phrase "Board of Aldermen"; in the body amend Section 2-22(d) to read: " In addition to the mayor's power to call special meetings under RSA 45:10, special meetings of the board may be called by the President of the Board or Aldermen, by a vote of at least

eight (8) members of the board of aldermen, or by the signatures of at least eight (8) members on a notice of the meeting.”

Chairman Tollner

- And also eliminating Section One?

Alderman Bolton

- Right.

Chairman Tollner

- Eliminating the rest of the whole thing?

Alderman Bolton

- Right. The purpose there is to give the President of the Board or eight members of the Board the power to call a meeting and do whatever we're lawfully entitled to do as opposed to binding our hands in any other way.

Alderman Dion

- Right now the Mayor has the power to call a special meeting of the Board or eight members of the Board or eight signatures by the Board of Aldermen. The Mayor's power to call a special meeting will stay in tact but we will add the President of the Board, also. Is that correct?

Alderman Bolton

- That's my intention.

Chairman Tollner

- We're leaving the mayor's power as it is. We're leaving the ability for at least eight members of the Board of Aldermen to either vote or sign some arrangement where we would request a meeting. We're adding now that the President of the Aldermen could request a meeting himself or herself.

MOTION BY ALDERMAN NICKERSON TO (1) AMEND THE TITLE BY DELETING ALL THE WORDS AFTER THE TERM “BOARD OF ALDERMEN” (2) AMEND SECTION (D) AS ALDERMAN BOLTON SUGGESTED TO READ: “IN ADDITION TO THE MAYOR’S POWER TO CALL SPECIAL MEETINGS UNDER RSA 45:10, SPECIAL MEETINGS OF THE BOARD MAY BE CALLED BY THE PRESIDENT OF THE BOARD OR ALDERMEN, BY A VOTE OF AT LEAST EIGHT (8) MEMBERS OF THE BOARD OF ALDERMEN, OR BY THE SIGNATURES OF AT LEAST EIGHT (8) MEMBERS ON A NOTICE OF THE MEETING” AND (3) DELETING THE LAST SECTION THAT BEGINS “(1) THE PURPOSE(S) SHALL BE LIMITED TO...”

MOTION CARRIED

MOTION BY ALDERMAN NICKERSON TO RECOMMEND FINAL PASSAGE AS
AMENDED
MOTION CARRIED

DISCUSSION

ADJOURNMENT

MOTION BY ALDERMAN DION TO ADJOURN
MOTION CARRIED

The meeting was declared closed at 8:00 p.m.

Alderman Timothy B. Nickerson
Committee Clerk