

PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE

JULY 3, 2003

A meeting of the Personnel/Administrative Affairs Committee was held on Thursday, July 3, 2003 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. Lamos, Vice Chair

Also in Attendance: Paul R. Bergeron, City Clerk

Chair Tollner

Alderman Lamos is out of town this evening.

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INTERVIEWS

Ethnic Awareness Committee

Lina Ruiz Mingote (New Appointment) Term to Expire: December 31, 2005

Chair Tollner

Please come up, and state your name and address for the record. Please convey to the committee why you are willing to serve on the Ethnic Awareness Committee.

Lina Ruiz Mingote, 33 Horseshoe Drive, Litchfield, NH

I work in the City of Nashua for a local non-profit, Neighborhood Housing Services of Greater Nashua, as a community organizer. My job involves being very involved in the community and the needs of various populations especially the Hispanic population because I am bilingual. I am in contact with the different people from different parts of the continent that are Spanish speaking

Chair Tollner

Have you had an opportunity to attend any of the meetings?

Lina Ruiz Mingote

Yes, I have been in 3 or 4 different meetings. I volunteer for three sub-committees. I was not aware that first I had to come here so I already volunteered.

Chair Tollner

We are going to make it very easy for you. Are there any other questions of the committee members? Do you have any questions of us?

Lina Ruiz Mingote

No.

Chair Tollner

I want to thank you for your willingness to serve. What we will do is in probably about 15 minutes or so we will vote on you in committee and your name will go to the full Board of Aldermen at a Board of Aldermen meeting probably in August and someone will get in touch with you so you can get sworn in either during a Board of Aldermen meeting or if you want to do it during working hours the gentleman in the back, Mr. Bergeron, is the City Clerk and he would be more than happy to swear you in at the City Clerk's office. Thanks very much.

Olga J. Tines (New Appointment)

Term to Expire: December 31, 2005

Chair Tollner

It doesn't look like Olga Tines is here tonight. We will hold her until the next committee.

Planning Board

Hugh Moran, Alternate (Re-Appointment)

Term to Expire: March 31, 2006

Chair Tollner

Hugh it seems like you were just here 6 months ago.

Hugh Moran

I did check my records and it has been 2 years – it was July of 2001, which I thought it was only yesterday I got appointed to the board also. It has been a very interesting time.

My name is Hugh Moran. I live at 21 Nanbury Road in Nashua in Ward 2. I am a 28 year resident of Nashua. As I mentioned before my last appearance before the committee was in July of 2001. I understand that my resume is in the rear of your packet and just briefly to cover some of my previous experiences; I served 20 years in the United States Army and retired as a Major and worked approximately 18 years for the City of Manchester, 8 years of which I was Personnel Director. During my experience in the military I served in air defense units, handled logistic and financial management assignments.

My responsibility as an alternate is to if all of the regular members are present I can ask questions and participate in discussion, but I am not able to vote, however, in the absence of any non x-officio member I can participate and also vote in the matters before the board.

As a matter of interest I went through my attendance for so far this year – I have been absent twice; one time was for a cruise in the winter and the second time unfortunately was for a witness. Two of the times my attendance at the meeting was necessary so that the board had a quorum so I felt pretty good about that, that my attendance record was as it is quite satisfactory. As part of my training for the board I have attended numerous seminars and training sessions particularly for master plan preparation. I have anticipated and attended meetings for the revised land use code provisions. I have attended the meetings on the downtown master plan and other training sessions that the Chair of the Committee might require.

The one thing that I have not completed that I intend to do this year is to attend the State planning seminar, which I understand is a 2 or 3 day seminar. I did not attend the first year because the meeting is in the Fall and I figured I wouldn't know anything that they were talking about anyway and unfortunately in the year 2002 I had a previous commitment during the time that it was scheduled, but this is number 1 on my priority to attend this training session that the State puts on. I would like to talk a little bit about my Planning Board experiences. Actually as far as I am concerned the Planning Department is really outstanding. As a former personnel director for a municipality you often get questions through other people and there are times that you wish you did not get them because it interferes with what you are doing. I have found any time I have had a question or concern of the staff members of the department that they have been very responsive – they respond enthusiastically and completely. I did at the time take the time to review the minutes of your last meeting, and I understand there were some concerns that you had. The minutes are available under the Right to Know Law in the City Clerk's office, and I thought -- although not to be objective to talk about those issues. I would like to talk about the issues and see how I perceive how the department operates.

We have on our board the greatest information and experience in people that there ever could be as I perceive in any one committee. We have two Aldermen; Alderman Cote and Alderman McAfee who provide us with information on proposed and current legislation. The only note that I have because he is very, very interested in the particular subject is Alderman McCarthy who is the resident watershed and wetlands expert and he has provided information to the board when those matters come up. We have a very, very outstanding city engineer. One of the things that I find is very difficult to understand is engineering processes, and Eric Teitelman can take a very complex subject and define it so even I can understand it. We also have Mr. Farkas who is the representative or liaison with the Nashua Regional Planning Commission and Mr. DuFour I believe is a liaison with

the various Aldermanic committees so we do have very, very big input as to what is going on in the city, what legislation is, what the feelings of both the – we also have Mr. Lowe so we know the feelings of the Mayor and we know the feelings of the board and we know what existing legislation is pending and what existing legislation exists. We are well versed on that.

In conclusion, I found many things that I didn't know about the City of Nashua two years ago. It is really much larger than I thought it was because we used to come from Ward 2 to downtown and the immediate surroundings of downtown you don't really realize how large a city it is. I also never really realized the great number of parks and recreational facilities that exist in the city. It just is very surprising. Also I was never aware of the diversity of our industrial and technology areas that we have. I knew about Rivier College, but I also didn't know that we had private high schools and private elementary schools existing in the city. This has all been part of my learning process.

I do have one problem that I have and perhaps I can conclude what I have to say is that there are too many Dunstable Roads in this city. Every time something is on East Dunstable or Main Dunstable or Middle Dunstable or whatever I really have to go to the map and sometimes when I am driving down the street I find another Dunstable Road and I think there are at least 4. I am not really sure if there are 5. That is my one problem is getting the Dunstable Roads straight. I would be pleased to answer any questions that you have or anything that I may not have covered.

Chair Tollner

First of all I will say that is probably the most thorough presentation from anybody that we have seen in a while so thank you very much for that. Are there any questions from the committee members?

Alderman Dion

You have been on the Planning Board for how long now?

Hugh Moran

Two years sir.

Alderman Dion

Two years as an alternate?

Hugh Moran

Yes.

Alderman Dion

And this is a re-appointment as an alternate.

Hugh Moran

Yes, that is correct.

Alderman Dion

One case that you sat on I believe, and correct me if I am wrong, pertaining to the 192 Kinsley Street issue – did you sit on the committee that evening?

Hugh Moran

Yes I did.

Alderman Dion

You voted on it?

Hugh Moran

Yes I voted for that sir.

Alderman Dion

Could you explain to me why you would want to put 7 units on a half acre lot in a residential area?

Hugh Moran

Well sir I think to answer that question we have to understand the hand that we are dealt by the Zoning Board. Let me just read off to you the requirements that the Zoning Board passed on to us – to the Planning Board. They approved to allow a multi-structural family housing development, they approved to allow two principle structures on one lot where one was permitted, they approved to allow a variance for a lot area to increase as I recall they decreased the amount of authorized by 1,000 sq. ft. approximately, and they also approved the construction of additional units onto an existing family structure and three multi-family units in a separate structure. I went out and looked at that particular site. I knew there would be trouble – very basically because of the comments that were made at the Zoning Board meeting. I probably spent more time looking at that site than any of the other ones. As you may or may not know we have guidelines in our ordinance as to how basically to establish how a project is to be approved. I believe what I can find from my notes what the site is – what we have is a green sheet that lists the requirements. When I went down the 10 or 20 items that were on that check list most of them were already dealt to us by the Zoning Board and I felt that basically we were dealt a bad hand and there was no other way but to vote for it as I did.

Alderman Dion

I don't know how you can be dealt a bad hand on a bad proposal. I know that the Planning Board in

fact a year and a half or two years ago even though the Zoning Board had approved the Bowers Street project, the people on the Planning Board did not pass it. This theory of one board ok'd it and you are bound by it doesn't hold water as far as I am concerned.

High Moran

May I make a comment on Bowers Street?

Alderman Dion

Please.

Hugh Moran

I also did research on the Bowers Street project and I voted against that as did all members of the committee. If I may read the Zoning Board approvals or authorizations for that project – they were not as detailed and as specific as they were for the Kinsley Street project. Here is what the ZBA said – this is on April 1, 2002 – they granted a special exemption to the developer – they stated there was no traffic convention, there was no impairment of integrity of the neighborhood, and they added some other housekeeping questions. What the Planning Board did based on those limited guidance what the Planning Board did was establish several reasons for why we disapproved the project, which were not specifically addressed by the ZBA. We said that the project did not co-exist with the neighborhood and in my view it was particularly because of the location of the school and the fact that there was a public park nearby. We had concern about the health hazard because there was no particular removal plan or a satisfactory removal plan for asbestos. I believe asbestos was located in the local quadrant and that was major concern to the board members. We determined that it was really on a small street, which in fact because of the school and the park the addition of that one particular 4 houses would really create excessive traffic and we actually did determine also that it would destroy the natural features of the area, which again was not covered by the ZBA. It is interesting to note that as part of our Planning Board action we offered to allow the developer to reconsider his 4 units for a smaller project and I think had the project been smaller at least I would have supported a different – I might have changed my mind on it. Basically from what the ZBA did for Bowers Street the general exceptions and the specific authorizations that they gave for Kinsley Street I guess that is why I referred to the fact that we sort of had to – there was no way other than to accept the recommendation of the Zoning Board. I may be wrong in that interpretation, but I feel that is why I particularly voted for that project.

Alderman Dion

Mr. Chairman may I continue?

Chair Tollner

Yes – I just don't want to get into a dialog on projects rather than if you are trying to find out where Mr. Moran is coming from and his...

Alderman Dion

I haven't had a chance to talk to Mr. Moran. This is my first opportunity so I should be granted some leeway.

Chair Tollner

I do, I just don't want to get into a half an hour dissertation about ...

Alderman Dion

Well it won't take a half an hour Mr. Chairman, but I have been waiting quite a few months to talk to the guy. Mr. Moran getting back to Kinsley Street do you recall that evening I spoke before the Planning Board?

Hugh Moran

Yes you did sir.

Alderman Dion

Do you remember that I submitted an accident report for the last three years in that area?

Hugh Moran

Yes sir.

Alderman Dion

Did you look at that accident report?

Hugh Moran

Yes I did. As I say I spent over that whole project.

Alderman Dion

Were you amazed that there was 50 accidents right in that area and now we are trying to dump 14 more cars onto Kinsley Street creating more of a hazard?

Hugh Moran

I guess...

Alderman Dion

It took a lot of time to get this report together Mr. Moran.

Hugh Moran

I understand ...

Alderman Dion

You people completely disregarded the safety issue.

Hugh Moran

I understand that sir, and it was my personal opinion that the actions of the ZBA required or pushed or left us with not a lot of room to change what had already been legally done by the ZBA. I have often made the statement and I am sure Mr. Slivinski will help me out – when I had this particular meeting and when we have other ones that the ZBA does approve I say boy I wish I was on the ZBA because I would really give them a harder time than I could on the Planning Board. I honestly felt deep in my heart that we were severely restricted by the actions of the Zoning Board.

Alderman Dion

I don't buy that one Mr. Moran.

Hugh Moran

Okay.

Alderman Dion

Not for a minute. I must say this that Alderman McAfee who sits on that committee, that evening made a statement and if you recall he said about putting 7 units on a ½ acre lot in a residential area something to the affect that it is like putting 10 pounds of water in a 5 pound bag. I think you get the implication of what he was trying to say. Do you recall him making that statement?

Hugh Moran

He may have. I don't recall...

Alderman Dion

He voted against the project and so did Chairman, Betty Lasky.

Hugh Moran

He did.

Alderman Dion

And Betty Lasky the Chairman.

Hugh Moran

She did.

Alderman Dion

I don't agree with your decision Mr. Moran at all. Do you realize that there were 20 people there – direct abutters – people that have been living there 40-50 years and you didn't even listen to those people.

Hugh Moran

I thankfully listened to every word they said sir.

Alderman Dion

Apparently you didn't.

Hugh Moran

I remember one of the abutters asked us to raise their hand – asked the members of the board to raise their hand who looked at that project. I know I was the first one to raise my hand because I looked at it and I spent many agonizing minutes or an hour walking around looking across the street to see the professional building, walking across the street looking at the street to see the markers – walked a little bit down around the road on Euclid and seeing an expanded house – not a regular house but one that was expanded. It was a difficult decision – I made my decision and unfortunately to you it appears wrong. I will say that I agonized very greatly over the decision.

Alderman Dion

Are you aware that these people have gone to court with this?

Hugh Moran

I was aware of that yes.

Alderman Dion

Are you aware there are thousands of dollars they have to pay out of their pockets for lawyer's fees because of this decision?

Hugh Moran

I believe sir that decision is on the Zoning Board – for what the Zoning Board did not what we did. I may be wrong.

Alderman Dion

You know I have better things ...

Hugh Moran

If the Zoning Board had not made those stipulations or criteria I feel that the majority of the board would have probably voted differently, but I ...

Alderman Dion

I can't see where the Zoning Board has anything to do with your decision.

Hugh Moran

I am sorry you see that, and as I say I went down to my 14 items that we had when I looked at that thing and my decision was based on my – the testimony, my looking at the site, and basically what was said by the abutters and whatever. I am sorry – I felt at the time that I made a reasonable decision. To be sitting here tonight to have to defend it is a little bit upsetting, but I agonized over it and I made a decision. There were 3 others members of the committee that agreed and there were 2 that did not. I don't know what that means.

Alderman Dion

Well in closing Mr. Moran, I must say this – I attend a lot of meetings during a course of a week and actually I don't need other meetings. The only reason I went to your meeting is because I felt bad for the people of my district. I knew they were right and I swore I would fight with them. Beyond my wildest dreams I never thought you people would pass that – never. I would have made book on it. I was completely amazed at your decision okay, and in closing I must tell you this – there was a ruling yesterday or the day before by the Superior Court Judge to halt all building on that lot until September until they have the court hearing.

Hugh Moran

That is interesting because I did go out and look at it last week and they were ...

Alderman Dion

Well the work on the existing house can continue, but not on the 4 other units.

Hugh Moran

That was my understanding that – okay I was not aware of that, but it sounds like the court is looking into and will take serious consideration of the matter.

Alderman Dion

I just thought I would let you know that.

Chair Tollner

Are there any other questions?

Alderman Nickerson

You mentioned that you had the chance to vote at two different Planning Board meetings correct?

Hugh Moran

Yes.

Alderman Nickerson

What were some of the other decisions that you had? Could you give a quick explanation of a couple of the different decisions?

Hugh Moran

... tape inaudible ...

Alderman Nickerson

There were a total of two meetings that you had a chance to vote at – that you had the chance to be a voting member.

Hugh Moran

Over the last several months I have been a voting member practically all the time.

Alderman Nickerson

Okay.

Hugh Moran

Maybe I don't understand the ...

Alderman Nickerson

I am sure within that timeframe where you had the chance to vote there were some other projects

where either it was a controversial issue within the ward or within the city itself – is there any other opinions or decisions that you can give a quick explanation or summary on of how you voted and some of your viewpoints of where the Planning Board comes from and ...

Hugh Moran

First of all I will tell you that one of the advice that one of the senior members of the Planning Board gave me and I think it was very good advice – he said first of all the first year listen and learn and I did spend a good part of my first year listening and learning – sometimes it is very difficult when history is being discussed at the board to be part of the program. I would say that substantially I voted – I can only think of maybe 1 or 2 times that I voted against the majority – one was probably the Burger King issue and that was probably one of the ones – I just felt with the Burger King issue that even though there is a downtown master plan I really felt that the people at Burger King went all out and try and make it a reasonable investment to the requirements of the Planning Department and the Planning Board for the design, their willingness to do whatever it was, the city traffic engineer had outlined a plan that was acceptable to the city as far as movements – I just felt that the Burger King issue was probably one that should in my opinion have been approved. In general I think I voted in conscience with the majority of the board and most of the board votes are unanimous.

Alderman Nickerson

Thank you.

Chair Tollner

Are there any other questions? I want to thank you very much for coming tonight and for your presentation and responding to the questions. Do you have any questions of us?

Hugh Moran

Not really. Other than just the finer remarks saying I really enjoy the work. It gets me out of the house once in a while and I find it a very challenging position. As a matter of history I was originally you may remember supposed to be on the historical commission, which I guess is a very important commission in the city, but it certainly didn't offer the challenges or whatever that the Planning Board did and I was very pleased to accept this position. I also would like to say that I think that – this is not in response to your question, but the members of the Planning Board with exception I guess of Kinsley Street, make every effort to help the people, the abutters that are involved. We had a case just before our last meeting regarding the high school where some land was transferred to the abutter in exchange for high school and there was one abutter who because of this transfer was concerned that his visual concept of what he was going to have as a result of this land transfer that he might lose trees or he might lose his view and it was a particular – we had a stipulation and it was agreed to by the school department that they do everything they could to provide a status quo to that one abutter who was the only one that objected to the transfer. It is not a question of us trying to – we do listen to the abutters, we do try to make the developers or anybody to make reasonable accommodations, but when you have your 12 rules or your 14 rules and you go over them and the presentation is made it is very difficult not to accept it, but we do have that authority of making sure

that somebody pulls a tree or does something to take care of an abutter. I do appreciate your time. I will hope for a favorable recommendation and if not ... tape inaudible ...

William P. Slivinski (Re-Appointment)

Term to Expire: March 31, 2006

Chair Tollner

Thank you very much for coming. If you could just state your name and address for the record.

William Slivinski, 46 Berkely Street

I have been a resident of Nashua for I believe 9 years and a resident of New Hampshire for over 25 years. I do not have a detailed presentation as Mr. Moran did, but I would like to say a few things. I have served on the Planning Board now for almost 3 ½ years. It has been a very rewarding experience. During the past 3 ½ years I have been involved in what I think are monumental decisions for the city. We have made decisions and got Stellos' Stadium built, we have seen new high schools built, we have made decisions with regards to the Nashua Mall, we have made decisions with regards to Simoneau Plaza, we have made decisions with regards to all of the beautiful work that has been done to the parks in the city for the citizens. Being a member of the Planning Board probably 60% or 70% of the projects that come before us are pretty straight forward and are very much unanimous decisions, but in all cases on any project I personally look at 4 things – the legal rights of the land owner, the immediate neighborhood and the effect on the immediate neighbors, we look at the overall benefit to the community of Nashua, and lastly I look at my own conscience on what I believe is fair and right and that might not necessarily be what is legal. I think in the decisions I have been involved with over the last 3 ½ years at one time or another I have called on one of those 4 aspects of it in the decision that I have made to override other aspects of it.

I have enjoyed being on the Planning Board. I would look forward to serving another 3 years. Mr. Moran said your first year or year and a half is one of getting up to speed. I think you as Aldermen in your important jobs would agree the same thing – it takes you a while to get up to speed. As a member of the Planning Board we probably spend I guess 5-6 hours a week. We generally meet every 2 weeks and we go out and visit the projects and try to talk to neighbors and so forth so it is a time consuming job, but a very rewarding job. I would look for your favorable recommendation on being appointed again to another 3 year term. Thank you.

Chair Tollner

Are there any questions from committee members?

Alderman Dion

Mr. Slivinski you were not present that evening on Kinsley Street.

William Slivinski

I travel a lot and I arrange my schedule for business so that I can be at the meetings. I probably

have missed very honestly in the 3 ½ years 5 meetings or something like that and Kinsley Street was one of the meetings that I did miss and I was not there.

Alderman Dion

I know it is probably a hard question to answer not having been there that evening, but have you any idea how you would have voted?

William Slivinski

That is a pretty tough question. I understand how ...

Alderman Dion

I know it is a tough question.

William Slivinski

I would like to answer you. Probably the most important thing that I look at when a project comes before us is the effect on the immediate neighborhood. The strongest influence as a board member that we can have in making a judgment on the 4 criteria that I mentioned is really what the immediate community has to say about this. It's difficult for me to say how I would have voted not having been there and hear what the people said. I did read the minutes and so forth. There are an awful lot of decisions that come down by the Zoning Board of Adjustment that I disagree with. I can't tell you how I would have voted, but I can tell you if I had been on the Zoning Board of Adjustment I would have voted no for the project. One last thing in fairness to Mr. Moran and the Planning Board members – it does affect us what the Zoning Board does. It is almost like O.J. Simpson having been cleared by a jury and then coming before us on the pension committee and wanting his pension now or something like that. Legally they had granted that. We override the Zoning Board of Adjustment, but it is an influence on us and a very strong influence on how we look at the project and assume they have done their due diligence with regards to certain aspects of it.

Alderman Dion

Mr. Slivinski let me put it this way here – I wish you had been there that evening to override the Zoning Board.

William Slivinski

I wish I had been too.

Alderman Dion

Thank you.

William Slivinski

But I am not telling you how I would have voted. I can't say that and it is not fair to the Planning Board, but I can tell you that I really – in my 3 ½ years of serving on the Planning Board – I have served with a wide variety of people they come and they go and the political sides here and there – I can honestly say that never once have I seen or even suspected a vote by any member of the Planning Board that had political motivations to it, personal motivations to it, friendship motivations to it – I haven't seen it – I don't believe it – I think everybody does do an excellent job on the Planning Board.

Alderman Dion

In closing Mr. Slivinski and even Mr. Moran also, I don't know whether you people are aware or not, but the people involved that own the property – the lady served on the Planning or the Zoning Board one of the other.

William Slivinski

I was not aware of that.

Alderman Dion

I am making you aware of it.

William Slivinski

I would say that right now with the city being built the way it has been built the decisions are tougher. We are looking at more and more inner city property where they want to tear stuff down or they want to take a lot and are trying to squeeze ten pounds of sausage into a five pound casing. I think my experience would benefit this community so I am looking and hoping that you will re-appoint me.

Chair Tollner

Are there any other questions from the committee members? I want to thank you. I have followed a lot of cases that you have both been on. I want to thank you for your willingness and dedication to serving on the Planning Board.

COMMUNICATIONS - None

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

Scott Vernon, 475 James Court, High Point, NC for Goods to be Sold in the Interest of Thomasville Classic Interiors

Chair Tollner

Paul if you want to come up I don't see anybody else in the crowd tonight that is coming to speak to us on this so maybe you can help us out a little bit.

Paul Bergeron

The City Clerk's office rarely comes before this committee asking for approval of an application for a license. In this particular case there were some incidents last year and some of the committee members expressed an interest in having this applicant come before the committee when he came around again for his license. The application actually came from an individual by the name of Scott Vernon who gave an address of 475 James Road, High Point, NC. The company that he was requesting a license for operates under the name of Thomasville Classic Interiors or Thomasville Furniture Distributors I believe is what some of the trucks say. Some of the Aldermen may recall that last year we had numerous complaints from some of our citizens indicating that they felt that perhaps this company was misrepresenting itself in saying that they were selling Thomasville brand furniture, and that was the reason why we wanted to bring this application before the committee so that the committee members would have an opportunity to discuss some of those concerns with Mr. Vernon.

Since he is not here I would request that the committee just table the application until such time as he makes himself available to answer any questions the committee members may have.

Chair Tollner

If we table it is he allowed to sell in the city while it is under consideration?

Paul Bergeron

We have not issued a license to him at this point in time. If he is out there or his agents are out there selling furniture they are doing so without a city license.

Chair Tollner

They have not called and said they couldn't make it tonight – they haven't – you have had no contact with him?

Paul Bergeron

We have had no contact. It may be that one of the reasons that the address that he gave us on the application is a North Carolina address. He didn't give us an alternate address so we mailed the notice to his office or to his home and if he is not having mail forwarded to wherever he is now he may not have even received the notice.

Chair Tollner

I have no problem denying this application especially with the feedback that we had a year ago and the fact that they were misrepresenting – pretty much what they were selling and also the fact that you have sent a notice and they have not responded whatsoever.

Paul Bergeron

If I could just address that last point – last year we had an issue because the State Hawker's and Peddler's License expired in June and we asked them to give us a copy of the new license, which he never did. This year we asked them to provide us with the new license that will carry them through June, 2004 and that he did get to us. I tend to think he probably is receiving some of our communication, but not necessarily reacting to all the points in that communication. The letter that asked for the copy of the current Hawker's & Peddler's License also said that he would probably be appearing before this committee tonight if he was available. He is responding, but I think the committee should have an opportunity to ask those questions, and find out if the complaints are valid from what we received a year ago.

Chair Tollner

Well maybe we hold it until the next meeting and if he doesn't show up then we can deny it then. What would be your recommendation? I have no problem denying it tonight as we sit here I really don't, but I will go with your recommendation. What would you like us to do?

Paul Bergeron

I think either decision is fine. If he is denied he can always reapply and then we could bring him to the committee at that point in time.

MOTION BY ALDERMAN NICKERSON TO ACCEPT, PLACE ON FILE AND DENY THE APPLICATION OF SCOTT VERNON FOR GOODS TO BE SOLD IN THE INTEREST OF THOMASVILLE CLASSIC INTERIORS
MOTION CARRIED

APPOINTMENTS BY THE MAYOR

Ethnic Awareness Committee

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MOTION BY ALDERMAN NICKERSON TO RECOMMEND THE CONFIRMATION OF LINA RUIZ MINGOTE TO THE ETHNIC AWARENESS COMMITTEE FOR A TERM TO EXPIRE DECEMBER 31, 2005
MOTION CARRIED

MOTION BY ALDERMAN NICKERSON TO HOLD IN COMMITTEE THE APPOINTMENT OF OLGA J. TINES TO THE ETHNIC AWARENESS COMMITTEE
MOTION CARRIED

Hunt Building Board of Trustees

-
Nancy Blish (Re-Appointment)
9 Larkspur Court
Nashua, NH 03062

Term to Expire: December 31, 2005

Donald R. Marquis (New Appointment)
23 Tenby Drive
Nashua, NH 03062

Term to Expire: December 31, 2004

Eleanore M. Quinn (Re-Appointment)
28 Hall Avenue
Nashua, NH 03064

Term to Expire: December 31, 2005

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MOTION BY ALDERMAN NICKERSON TO RECOMMEND THE CONFIRMATION OF THE FOLLOWING INDIVIDUALS TO THE HUNT BUILDING BOARD OF TRUSTEES: DONALD R. MARQUIS FOR A TERM TO EXPIRE DECEMBER 31, 2004 AND NANCY BLISH AND ELEANORE M. QUINN FOR TERMS TO EXPIRE DECEMBER 31, 2005

ON THE QUESTION

Alderman Johnson

Is there a reason why these three people are not here this evening?

Chair Tollner

Usually with the re-appointments we don't ask to come back unless someone asks.

Alderman Johnson

Did we ask for the Planning Board to come back?

Chair Tollner

Yes we did. I just want to clarify there are two re-appointments for the Hunt Building Board of Trustees. I have no problem approving Donald Marquis, but he is a new appointment.

Alderman Johnson

Isn't it usually standard that new appointments come before us?

Chair Tollner

Okay and is there a reason why we are bending the rules?

Chair Tollner

Just looking at it – the Hunt Building Board of Trustees and I think Alderman Nickerson is familiar with this individual. I don't have a problem with it, but I understand your concern.

-
Alderman Nickerson

We will hold it.

AMENDED MOTION BY ALDERMAN NICKERSON TO RECOMMEND THE CONFIRMATION OF THE FOLLOWING INDIVIDUALS TO THE HUNT BUILDING BOARD OF TRUSTEES: NANCY BLISH AND ELEANORE M. QUINN FOR TERMS TO EXPIRE DECEMBER 31, 2005
MOTION CARRIED

MOTION BY ALDERMAN NICKERSON TO HOLD IN COMMITTEE THE APPOINTMENT OF DONALD R. MARQUIS TO THE HUNT BUILDING BOARD OF TRUSTEES
MOTION CARRIED
Planning Board

-
Hugh Moran, Alternate (Re-Appointment)
21 Danbury Road
Nashua, NH 03064

Term to Expire: March 31, 2006

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

Term to Expire: March 31, 2006

MOTION BY ALDERMAN TOLLNER TO RECOMMEND THE CONFIRMATION OF THE FOLLOWING INDIVIDUALS TO THE PLANNING BOARD FOR TERMS TO EXPIRE MARCH 31, 2006: ALTERNATE HUGH MORAN AND WILLIAM P. SLIVINSKI

ON THE QUESTION

Alderman Dion

Mr. Chairman I would be more comfortable to vote individuals.

AMENDED MOTION BY ALDERMAN TOLLNER TO RECOMMEND THE CONFIRMATION OF HUGH MORAN AS AN ALTERNATE TO THE PLANNING BOARD FOR A TERM TO EXPIRE MARCH 31, 2006
MOTION CARRIED

MOTION BY ALDERMAN TOLLNER TO RECOMMEND THE CONFIRMATION OF WILLIAM P. SLIVINSKI TO THE PLANNING BOARD FOR A TERM TO EXPIRE

MARCH 31, 2006
MOTION CARRIED

UNFINISHED BUSINESS – None

NEW BUSINESS - None

-
MOTION BY ALDERMAN TOLLNER TO TAKE FROM THE TABLE THE APPOINTMENT OF RICHARD N. FILTEAU TO THE PLANNING BOARD

ON THE QUESTION

Chair Tollner

This gentleman came before the committee at our last meeting.

MOTION CARRIED

-
Planning Board

-
Richard N. Filteau (New Appointment)
60 Stillwater Drive
Nashua, NH 03062

Term to Expire: March 31, 2006

MOTION BY ALDERMAN TOLLNER TO RECOMMEND THE CONFIRMATION OF RICHARD N. FILTEAU TO THE PLANNING BOARD FOR A TERM TO EXPIRE MARCH 31, 2006

ON THE QUESTION

Alderman Nickerson

May I ask what is your rationale for supporting this at this point and just to refresh my memory as to why we held this in committee a while back.

Chair Tollner

I think the reason why we held it in committee last time was we had a lot of stuff on the agenda, and there were a number of comments, and I wasn't sure whether the committee was comfortable in moving forward with approving or not approving him at the last committee meeting so a motion was made to hold in committee to let people think about it, and then we were going to bring it back at this committee meeting.

Alderman Dion

We did interview him though.

Chair Tollner

Yes we did.

Alderman Nickerson

I remember the last meeting was certainly very busy so I am trying to refresh my memory as to the whole situation.

Alderman Johnson

I believe that some of us were not very happy with his answers to a lot of the questions that we had, and we were not happy with sending him to the full Board. Then I remember after the meeting Alderman, correct me if I am wrong, you had asked if we should bring this gentleman back to the committee and re-interview him. I was concerned because he contradicted himself in some of the answers here. I am really not happy confirming him to go to the full Board and to put him on the Planning Board so I will be voting against him again.

Chair Tollner

This committee can send any recommendation they choose to the full Board.

MOTION FAILED

Alderman Dion

I think I will make a motion to hold.

Chair Tollner

Do you want to make a motion for an unfavorable recommendation?

Alderman Dion

No. I thought Alderman Johnson said we were going to re-interview him.

Chair Tollner

I thought at the last meeting we asked if we wanted him to come back and people said no.

Alderman Johnson

That is what I certainly understood.

Alderman Dion

Okay then I will make a motion for unfavorable recommendation.

MOTION BY ALDERMAN DION FOR UNFAVORABLE RECOMMENDATION TO THE FULL BOARD
MOTION CARRIED

Chair Tollner

Are there any other items on the agenda that we wish to address? We have a few items pending a public hearing on August 7th and then we are holding O-03-173 for sixty days waiting for the outcome of the CSO conversations that we are having with the Feds.

HELD IN COMMITTEE

Resolutions

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

R-03-205

Endorser: Alderman-at-Large Paula I. Johnson

PROPOSING AN AMENDMENT TO THE CITY CHARTER RELATIVE TO THE MAYOR'S REPORTS AND RECOMMENDATIONS

R-03-207

Endorser: Mayor Bernard A. Streeter

PROPOSING AN AMENDMENT TO THE CITY CHARTER RELATIVE TO CONFIDENTIALITY OF VOTER REGISTRATION INFORMATION

Ordinances

O-03-173

Endorser: Alderman-at-Large David W. Deane
Alderman-at-Large Paula I. Johnson
Alderman Stephen C. Lamos
Alderman Kevin E. Gage
Alderman Scott A. Cote

REDUCING THE FLOW CHARGE RATE FOR THE CALCULATION OF THE SEWER USE FEE FROM \$1.67 TO \$1.22 PER ONE HUNDRED CUBIC FEET

-
DISCUSSION

-
ADJOURNMENT

MOTION BY ALDERMAN JOHNSON TO ADJOURN
MOTION CARRIED

The meeting was declared closed at 7:55 p.m.

Alderman Timothy B. Nickerson
Committee Clerk