

PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE

JUNE 5, 2023

A meeting of the Personnel/Administrative Affairs Committee was held Monday, June 5, 2023, at 7:00 p.m. in the Aldermanic Chamber.

The roll call was taken with 5 members of the Personnel/Administrative Affairs Committee present:

Chairwoman Shoshanna Kelly presided.

Members of the Committee present: Alderwoman-at-Large Shoshanna Kelly, Chairwoman  
Alderman-at-Large Ben Clemons, Vice Chair  
Alderman Tyler Gouveia  
Alderman Thomas Lopez  
Alderman Derek Thibeault

Members not in Attendance:

Also in Attendance: Alderman Ernest A. Jette  
Mayor Jim Donchess  
Bobbie Bagley, Director of Public Health and Comm. Services

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ROLL CALL

PUBLIC COMMENT

Laurie Ortolano

Laurie Ortolano, 41 Berkeley Street. I know that on the agenda tonight is a discussion about public comment. I want to thank the ACLU and the New England First Amendment Coalition for getting involved in encouraging the city to change their comment. I want to thank the Board members that sponsored it and those that signed on a couple of weeks ago to participate in making that change.

I'd like to make you aware that the Board of Assessors changed their language in 2020 - three years ago, long before Laurie Ortolano was the problem and their clause actually says that uncivil remarks will not be tolerated. They address it just that way. It's not a matter of vulgar or inappropriate. Its uncivil remarks and I objected to that from the beginning. It was Attorney Leonard who wrote that public comment policy, pitched it to the Board, and got them to agree to it. You know I watched people come in there on abatement issues. Those can be heated issues and make a comment. One lady, you know, what the hell's going on? Shut down, inappropriate. A very senior citizen with a walker who was a military guy used a swear word when they wouldn't give him his exemption and they thanked him for his service. He said I don't give a blank about my service. I want my exemption. Boom, slapped on the wrist. I mean I think that's ridiculous and that policy over at the Board of Assessors should be changed.

I never agreed with what you did here. I thought it was very reactive for the Mayor to come out swinging from the Finance Committee meeting when he was upset because I was addressing deficiencies I saw in Director Cummings. He brought up the whole issue of the word "used" from a year earlier. There was no need to do that except he was inflamed and the Board jumped on that, reacted, wrote a policy that I think it was wrong a year ago.

I don't know if you also saw the video of the gentleman who came into City Hall a week ago Friday and made a video for about 15 minutes about free press and City Hall being able to film audio and video film City Hall and the objections he was met with that. I, too, bought a body cam because of all the arrest attempts on me when I came into City Hall. I wrote to Police Chief Rourke and got an email response back today as well as the Chief Prosecutor for the Police Department and both of them said – Chief Rourke said there's no issue at all. We were called to City Hall. We were contacted by somebody in City Hall. We showed up that day but there was no action taken because a citizen can audio/video/record in a public place. I will tell you the city gave me a really hard time about that and it was never right. From a year ago...

Alderman Thibeault

30 seconds.

Laurie Ortolano

...I didn't like having a body cam but I felt I needed it for my protection. So I hope that you all vote to change that public comment policy, and strike that language, and just, you know, let citizens have the rights that they're entitled to. Thank you.

Chairwoman Kelly

Would anyone else like to give public comment? Seeing none.

COMMUNICATIONS - NoneINTERVIEWSMine Falls Park Advisory Committee

Matthew Roscoe (new appointment)  
17 Nova Road  
Nashua, NH 03064

Term to Expire: May 9, 2026

Chairwoman Kelly

Mr. Mayor would you like to speak to your appointment?

Mayor Donchess

Thank you, Madam Chair. I am introducing Matt Roscoe who I have nominated to be a member of the Mine Falls Park Advisory Committee. Matt grew up in Nashua. He came to one of the Ward meetings and expressed an interest in serving the city and at the time we talked about his interests. He is very interested in the outdoors, and conservation, and environmental issues, and nature. He had been a Boy Scout and achieved the rank of Eagle Scout a few years back. He was a member of the Green Club at Nashua North, which was in charge of the recycling program. So it seemed that the Mine Falls Advisory Committee is a good fit for Mr. Roscoe. He has attended one meeting of the advisory committee and would be there tonight but there's a conflict with us tonight here so could not make that one. He has also participated in a couple of the cleanup days that the advisory committee holds of the trail days that they hold in Mine Falls. As you probably know, the Mine Falls Park Advisory Committee often does more than just advise the Public Works about the park but also can conducts activities such as cleanups and other very positive work in Mine Falls Park.

Therefore, again, Mr. Roscoe is a good fit and will I believe be a very positive force on the advisory committee. With that, I give you Matt Roscoe. I'll ask him to say a few – a little bit about himself and of his interest in serving on the advisory committee.

Chairwoman Kelly

Thank you. Mr. Roscoe.

Matthew Roscoe

All right. I'm Matt Roscoe. I was born and raised here in Nashua. I've always been a proud citizen of the city and so I felt that I want to be able to give more to the city so I reached out to the Mayor and tried to work out a way for me to get more involved. As he said, it was a perfect opportunity hearing about this committee with my previous background and environmental issues and stuff like that. So I felt that this was my calling and I would like to see the kind of impact and improvement I can make to the city through this position.

Chairwoman Kelly

Thank you. Questions from the Committee?

Alderman Lopez

So Mine Falls I noticed that in your email letter, I guess, you had described that you are a soccer player or you have



and Gordon which is recently established a downtown office at the corner of Pearl and Main. Thank you very much. That's a big help to the downtown. He has been interested in Greeley Park for a long, long time and has played a central role in making sure that the park is protected in the past. So I am very happy to be nominating Mr. Murphy, Attorney Murphy, and I think the connection with the Lower Merrimack River Advisory Committee is a good idea, and is a strong one, and therefore he will play an important role on the Greeley Park Advisory Committee. I see that Mr. Murphy is on the zoom so I'll ask him to say a few words about himself and of his interest in the Greeley Park Advisory Committee.

Francis Murphy

Thank you, Mr. Mayor and Madam Chairperson. My name is Francis Murphy. I live at 72 Berkeley Street which is at the dead end of Berkeley Street. There is a stone wall that separates my property to Greeley Park. I am presently the Chairman of the Lower Merrimack River Local Advisory Committee. I have been a part of that Committee for about five plus years and as the Mayor indicated, the part of the park abuts the river. It's on the other side of the railroad tracks so a lot of our fellow citizens don't know that our park extends to the river. One of our members, my prior Chairman, was active in promoting the boat ramp that's been rebuilt at the by the river at Greeley Park.

So not only do I live next door to it but I'm very proud to have been associated from the beginning with the Santa in the Park movement where every December, a bunch of the North End residents we come together and we put on this affair to invite people to come and get a picture of Santa Claus. My wife at the time, Imelda, was instrumental in forming it. She was. She was the inspiring force to form it and the idea was instead of having to go to the Pheasant Lane Mall and spend \$75 for a picture with Santa, kids should have the ability to have a picture with Santa without paying anything. That's what we've been doing every year for 13 - 14 years. I'm very proud of that. I'm a member of the Friends of Greeley Park and our sort of if you will genesis and our interest in Greeley Park is to preserve it. It's been a gift from prior generations and we don't want to have it cluttered with other things that really – one little different thing added to the park, you know, maybe that doesn't matter but when it starts accumulating, we lose the total impact of what is a jewel of the crown of the park system in Nashua.

I would like to continue to be involved to be a voice for preserving what's best about Greeley Park and otherwise advising the Board of Aldermen on any kind of legislation that affects the park. That's what we do with the Lower Merrimack River Local Advisory Committee. We have no authority. All we can do is send comments to the Department of Environmental Services as to a project that may have an impact on the river. So we're a voice and advocacy for the river. I'd like to be part of the voice that advocates for Greeley Park. Thank you for your attention.

Chairwoman Kelly

Thank you, Mr. Murphy. Are there questions from the Committee?

Alderman Clemons

Not a question but, again, I want to thank you very much for stepping forward. It's, again, I think your expertise serving in particular with the river I think is going to be beneficial particularly because you have that foundation of knowing about the boat ramp and that aspect of the park. Also, I think, just living in the neighborhood and doing your association there. So I really appreciate what you bring to the table and I think you'll serve our city well. So thank you very much.

Francis Murphy

Thank you.

Chairwoman Kelly

Other comments or questions from the Committee or other Aldermen?

I would just add, thank you for your willingness to serve and the work that you're doing for the river. Sounds like you're very passionate and Greeley is a true gem in our city. So I know...

Francis Murphy

If I could just add, I don't want to be - I'm sorry I'm not there in person but I've been exposed to COVID and the

traveling companion of mine is positive for COVID. I just don't want to be a potential - expose anybody else to it. So that's why I'm not present in the chamber and I wish I could be but I'm trying to be cautious. Thank you for your patience.

Chairwoman Kelly

Thank you for your concern. I hope that you stay healthy as well Mr. Murphy. Thank you. Okay.

Nashua Arts Commission

Judith Carlson (re-appointment)  
15 Manchester Street  
Nashua, NH 03064

Term to Expire: April 1, 2026

Mayor Donchess

Thank you, Madam Chair. Well, I'm glad to be reappointing Ms. Carlson to the Nashua Arts Commission because over a long period of time, she has been a major contributor to the vitality of Nashua's art scene. We know that the arts are important to the life of any community and also add to the economic vibrancy of a city in attracting new residents and in the quality of life for those of us who already live here.

Now I cannot go through - we don't really have time for me to go through everything that Miss Carlson has done regarding the arts. Most recently, she has been one of the leaders of the effort to establish, and design, and shepherd the Nashua Center for the Arts to its completion, and was a major contributor to some of the ideas that were incorporated in that Nashua Center for the Arts which is turning out to be a major success, I think, given the attendance that you're seeing there.

She was instrumental in helping the city achieve and be awarded the Governor's Award for the creative community supporting the arts which is good for three years. That is awarded technically by the State Council on the Arts called the "Governor's Award" and we got that as a result of much of the work that Miss Carlson did.

She has raised the funds to establish and then restore the Aponovich mural which is on the building just across the street and is leading the effort to re-again restore that and incorporated it within the Nashua Center for the Arts. She has raised the money to restore a very significant mural that is in the Court Street building and that is by - and I apologize for the artist. Anyway, a very significant woman muralist - Lucien Block a very significant female muralist, nationally known, and in many other ways which she can discuss has contributed to the art scene in our city for a long, long time. So she certainly is a great addition to the Nashua Arts Commission and I'm glad to be reappointing her. I will let Miss Carlson say a few things about herself if she wishes and speak of her interest in the arts and of her participation on the Nashua Arts Commission.

Chairwoman Kelly

Thank you.

Judith Carlson

Well thank you for inviting me here and it was good to see Fran Murphy being nominated for that post because although his wife Imelda did come up with the idea and ran for many years, he has taken over her spot. Every year he's out there and brings all the accoutrements that she had collected from his house every year and it wouldn't happen without him as well. It's just a wonderful addition to the holiday scene here at Nashua. My husband and I have been participating in it from day one, too, and it's just great fun.

I worked at a very intense job in corporate America for many years. I've lived in Nashua since 1973 so that makes it my 50th anniversary. Although I was not born and raised here, I maybe live here longer than some of you are. But even how old some of you are. We raised our daughter here and she went to the Nashua School system before moving on to Boston University and then out into the world on her own. We would love someday for our daughter to come back here. She's now living overseas. Her husband's a retired Air Force Colonel and they're looking at coming back. Hopefully they will land here in Nashua because she loves the city as well.

I started volunteering in the arts in 1983 as part of my job at Digital Equipment Corporation because at that time, Digital was the largest donor to what was the Nashua Symphony and always had someone on their Board. I

became that Board person for about three or four years and they really was not that active in volunteering until 1998 when I transferred from full time corporate work to part-time consulting and it got really involved around 2010, I think. I have been on the Historic District Commission. I've been on the Hunt Memorial Building had a nonprofit associated with it for a while and I was one of the founding members of that. That's where I met Meri Goyette who got me really involved in the arts. She's a very convincing woman. We had a great synergistic relationship because she was a little older and needed somebody to help her who could get out there and get things done. I was that kind of person.

Then I was on the Board of City Arts Nashua for five years. That's where I do a lot of the work on not only restoring the Yankee Flyer Diner and Margaret's View of Nashua murals but also the first one I worked on with Vivian's Dream - the big mural which is now right next and Performing Arts Center and raise the money for the Arts Center to do that as well. So at the same time, City Arts Nashua was very involved in art walk and I got to know many of the artists in the city through working as the artists liaison for art walk every year. So when the Mayor asked me to be on the Arts Commission, I was more than happy to do that. At the same time, that's about the time I went off the - I'm no longer and have not been on City Arts Nashua Board for some time but I've been on the Arts Commission and I have chaired some of their committees. We were very active before COVID. We're starting to come back again but I chaired the - and I still chair through this year the Grants Committee. I also chaired the Workshop Committee and we do collaborative arts meetings every year. I also chair that so I've been very active on the commission the whole time I've been there and was very involved in writing a plan that was just approved by the Board of Aldermen.

So I enjoy the work. It fits right into my background because I spent 30 years in marketing, communications, and public relations, and Fortune 50 companies, and gave me some way to follow my passion. My husband says it's turned into a full time job once I got involved with the now Center for the Arts. It's hard not to call it the Performing Arts Center but since I've been involved in there and I've been one of the founding members of Nashua Community Arts which is a nonprofit that helps raise the money and continues to raise the money to support that. Nashua Community Arts has taken the lead and collaborated with the Arts Commission on running the gallery. The Sandy Clearly Gallery was not something that was in the wheelhouse of Spectacle Management and they were looking for somebody else to run it. So I recruited Carol Roby another Arts Commission member who was an artist herself and she's chairing the Steering Committee and helped her set everything up for that. It's now had our first call for artists. We've had two exhibits there right now. There's 48 students from the City of Nashua displaying the art there as the annual student art exhibit. We're about to select 12 artists for each of three more rotations that we'll run through next year when the student is will have theirs again. So I've been very involved in the Commission. I really enjoy the work and would love to be reappointed.

#### Mayor Donchess

Madam Chair and members of the Committee, one thing we have not yet mentioned is the International Sculpture Symposium which just closed - we just closed that on Sunday. Miss Carlson has been very active with that for a long time on the Board of Directors. Well has sponsored some of the sculptures meaning has helped pay for them. Also has been a host family a number of years. So each of the artist stays with a family in Nashua. Recently just maybe up until yesterday, they might have left yesterday, the Ukrainian artist from originally from Poland Anna Rasinska stayed with Ms. Carlson and her husband. She said it was a wonderful place to stay. Previous artists have been there as well. So as you can see, Ms. Carlson in many ways has been very active and supportive of the art scene and therefore is a great participant on the Arts Commission.

#### Chairwoman Kelly

Thank you and thank you for your willingness to come in. It has been a requests of the Committee to start to do a little bit more interviewing when it comes to re-appointments because sometimes we may not have been sitting in this Committee when you were put on the committee. We also don't get a whole lot of purview into what all the committees are doing. So I appreciate you taking your time out. I know you have been very involved. So I'm going to open it up to questions from the Committee. All right.

#### Alderman Thibeault

Thank you, Madam Chairwoman. So I think only maybe myself and Alderman Jette have been here longer and, you know, not that me and Alderman Jette are the same age but you know we're close.

But I think, you know, Rich, Lannan and Mary Lou Blaisdell get a ton of credit for the Performing Arts Center but rightfully so but I believe your name is right there with them. I don't think you get enough credit for all the work

you've done there. So I appreciate that. I think the Performing Arts Center is a great place. I'm looking forward to going there and a couple of weeks to see a show and I thank the work you guys did on that. I mean we had to come out of COVID and in a city like ours, a city that wants to thrive, it takes a lot of different things, and one of them is having an arts culture. If we don't have that, that's one of those things that make or break a city and I think you being part of that and helping it thrive is something - it makes me proud to be a Nashuan and to see that. You know 100 years ago, we had movie theaters and regular theaters on Main Street. I actually got to go to a movie theater on Main Street before it closed in the mid-70s. So the last one so I know that we can bring that back to Nashua and I think you've helped do that. So I appreciate it. I fully support your reappointment on the Nashua Arts Commission and look forward to seeing what you guys do more things that you do to continue to make the city great. So thank you.

Judith Carlson

Thank you. I would like to say that very well deserved and as well as Deb Novotny. We have a great team. It's like the four of us were kind of together at the hip and not to say anything about the rest of the members of the team. They were there too. The whole Nashua community arts has done a phenomenal job. I can say that for all my other team members and its rare having volunteered with many other nonprofits, volunteer groups. It's rare when you get more than one or two people who do all the work on a nonprofit board. We have a board that's really truly amazing.

Alderman Thibeault

And I know Deb well, so sorry Deb. I'll put you in there too.

Judith Carlson

Good.

Alderman Lopez

Yeah so I called Mrs. Carlson to ask to her to attend this morning. So I want to start by thanking you for being so responsive on short notice particularly because it is unusual to ask somebody to come in for re-appointment. You've been vetted, cleared. You've served on the committee. You volunteered for the city. So I think it is important for us as a committee to be in touch with those or as an aldermanic committee to be in touch with the volunteer committees that we appoint. As Alderman Kelly said, we find out what's happening from people who are new and don't necessarily know the ins, and the outs, and don't necessarily have the full experience of those committees. It is a good idea for us to hear from the more experienced and more involved members too. The re-appointment to me seems like a good time to do that.

I was particularly confident I knew you were going to show up even though that it was short notice because your commitment to the city does speak very plainly to itself. During our conversation, I was a little taken aback that we really haven't formally acknowledged the role that you play in so many different areas. So I want to make sure that the public has a chance to see, I mean even this brief snapshot of the different things that you've involved in that you have done a lot for the city and we are very grateful for what you contributed and the way that you contributed to the larger art scene in Nashua. We're very quick to point to Nashua's vibrancy and the opportunities for people to express themselves artistically but there are a lot of people who work behind the scenes to get that done and not all of the jobs are as fancy as you know the artists. I know particularly grant writers and administrators artists can't move without them. They need somebody to help them navigate the more complex administrative system so they can focus on their art. They need opportunities to be caught and brought in as much as they can earn their own way in terms of inspiration, in terms of craftsmanship, there also needs to be that general support and it's not a fun job. It's not an easy role to have. So I wanted to start by expressing appreciation to you for doing the job and I wanted to make sure that you hear from us in the chamber that we appreciate the work you do.

Judith Carlson

Well thank you for those kind remarks. But even the Arts Commission - our Arts Committee here is rather unique and very strong. There was reason that we were awarded the Governor's Award for the most creative community in the whole State because we do have a very strong arts community here. It's not just me, it's many others. It's all the boards I've worked on worked as a team but I think you make a very good point is that places like the Arts Commission need to have a variety of the backgrounds of people who are on it not just artists because artists can speak for projects and everything else that's happening in the community. We do even on the Arts Commission. We have some of the Executive Directors from some of our arts organizations on it but we also need people from

the community who are not artists and who have some of the other skills needed to make sure that things move forward, plans can be made, and ideas can come forward because you're 100% right, not all artists have those skills. They're concentrated on their art. We need to make sure that when appointments are coming up for places like the Arts Commission that we have a broad base of people who with different skill sets that can come forward and help. I think that's one of the reasons why Nashua Community Arts has been so successful as we did that when we formed that nonprofit.

Alderman Lopez

I think if people only looked at the direct roles, then we probably wouldn't have elected a nurse to Board of Public Works but at the same time if you look beyond the person's career, occupation, or skill set and to what they can bring to the table in terms of their perspective, you get a much more diverse and well-rounded board. On that topic because we do pride ourselves on being a welcoming city, can you talk a little bit about the opportunities that are available for the BIPOC community and the different underserved populations in Nashua and how the Nashua Arts Commission is looking for their support, their engagement, their participation?

Judith Carlson

That's a very good question. Another thing that I have been doing that I didn't mention is we are in the process right now of doing a full blown America for the arts AEP6 which stands for arts and economic prosperity which is basically a survey that's happening across the entire United States of over 750 cities. They do this every five years and six as you can do the math is over 30 years plus a couple because of COVID. It was supposed to happen in 2020. There's a real strong BIPOC focus in the surveying we're doing now. I've had some difficulty locating members of the BIPOC community. Of course we all know about Positive Street Arts. This survey has been focused on arts nonprofits and also even the Arts Commission is very focused on arts, nonprofits as well. I think we are pretty sure that we have found all the arts nonprofits because they're listed by the State. But to find all the other areas where we can include diversity in what we do is very difficult because many of our communities aren't that forthcoming and don't come up and say they want to be part of things.

We've had openings on the Arts Commission now for over a year. It's hard to get people to even fill those positions. One of the things we did do is with the new gallery and what we're doing with the call for artists there, we made sure that we included the survey of what the ethnic and cultural backgrounds are as part of the survey as well as trying to make it as diverse and reflective as possible of our city. That's even part of the goal that's stated in the plan for the Art Gallery is to have it reflect Nashua's the most of our city in New Hampshire. We are always looking for and welcoming but I like even communicating with the – I hate to say this, but the Multicultural Commission. I've contacted them twice and I think somebody from the Mayor's office contacted them asking them to fill out the survey for the festival that we do every year and got no response. So it's something we are continuing to focus on, and look at, and work on.

Alderman Lopez

I think it's important to note that you were specifying because this is a survey and survey instruments have to be used a specific way or their data they generate is worthless. It is driven by grant funding. So when you say BIPOC nonprofit organizations like we have a member of this Board who represents the BIPOC community and has a business that associates with art but that's not a nonprofit. I involved impact organization that I'm President of has BIPOC representation but we're not an arts organization. So when we say we're looking for a BIPOC run or representative nonprofit organization that can be very much misconstrued. You can assume that there is, you know, ignorance of certain communities but they're not necessarily using the terminology exactly the same. I think it's important to engage members of the community so that artists and people who are involved in nonprofit organizations that represent the arts and are members of the BIPOC community are able to know that their voices are heard and that their contributions are welcome. That is part of our city. I also think it's equally important to hear the people saying we're looking for you to come to us and we're looking for you to - you're invited to our house. Come to our meetings because if we don't meet in the middle, then we have separate communities and we're not the welcoming community we want to be.

So I appreciate your work in the area because I know it's thankless. I know it's easier to point to all of the things that are successes and it's more exciting to be, you know, kind of the headliner. But there's a lot of work that goes on behind the scenes and I know you've been a large part of it. So I appreciate you coming to the Committee to update us on some of the priorities that the Arts Commission has and to make sure that communities hear that they are welcome.



Judith Carlson

That's the goal. Yes.

Chairwoman Kelly

All set Alderman Lopez? Are there any other questions or comments?

Alderman Clemons

Yeah, thank you Madam Chair. Yes I just wanted to briefly just thank you. It was fast. This conversation tonight has been fascinating and your history here in Nashua is equally as fascinating to me. I just want to thank you for all that you do, and all that you have done, and all that you will do.

The only other comments I'm going to say is I, too, went to a movie theater on Main Street though it was further down. It was the Brandt and it was in but it was still on Main Street. All right, so I got that. Anyway.

Chairwoman Kelly

All set Aldermen Clemons?

Alderman Clemons

Yes.

Chairwoman Kelly

Anyone else? Okay. Thank you very much.

Judith Carlson

Thank you.

Chairwoman Kelly

I think that is all you have tonight, right? Mr. Law said he was unable to attend so we'll have him at our next meeting.

Mayor Donchess

Pardon?

Chairwoman Kelly

Mr. Laws said he was unable to attend this evening so we'll have to bring him up at the next one.

Mayor Donchess

Yes so we'll bring him back next time.

So Madam Chair I was if you don't mind, I was going to stay to discuss the two ordinances that you have pending.

Chairwoman Kelly

You're always welcome.

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

APPOINTMENTS BY THE MAYOR

**MOTION BY ALDERMAN THIBEAULT TO RECOMMEND THE FOLLOWING APPOINTMENT FROM**

**ALTERNATE TO MEMBER TO THE CONSERVATION COMMISSION: RICHARD WIDHU WITH A TERM TO EXPIRE DECEMBER 31, 2025; TO RECOMMEND THE FOLLOWING NEW APPOINTMENT TO THE GREELEY PARK ADVISORY COMMITTEE: FRANCIS MURPHY WITH A TERM TO EXPIRE MAY 23, 2026; TO RECOMMEND THE FOLLOWING RE-APPOINTMENTS TO THE HUNT MEMORIAL BUILDING BOARD OF TRUSTEES: ROSALIE M. MCQUAID WITH A TERM TO EXPIRE DECEMBER 31, 2026 AND WILLIAM J. DUBOIS, JR., WITH A TERM TO EXPIRE JANUARY 31, 2028; TO RECOMMEND THE FOLLOWING NEW APPOINTMENT TO THE MINE FALLS PARK ADVISORY COMMITTEE: MATTHEW ROSCOE WITH A TERM TO EXPIRE MAY 9, 2026; TO RECOMMEND THE FOLLOWING RE-APPOINTMENT TO THE NASHUA ARTS COMMISSION: JUDITH CARLSON WITH A TERM TO EXPIRE APRIL 14, 2026; TO RECOMMEND THE FOLLOWING RE-APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENT: STEVE LIONEL WITH A TERM TO EXPIRE SEPTEMBER 30, 2025 AND JONATHAN ("JACK") M. CURRIER WITH A TERM TO EXPIRE SEPTEMBER 11, 2025**  
**MOTION CARRIED**

UNFINISHED BUSINESS – None

NEW BUSINESS – RESOLUTIONS - None

NEW BUSINESS – ORDINANCES

**O-23-053**

Endorsers: Mayor Jim Donchess  
Alderwoman-at-Large Gloria Timmons  
Alderman Richard A. Dowd  
Alderman-at-Large Ben Clemons  
Alderman-at-Large Michael B. O'Brien, Sr.

**DESIGNATING THE PUBLIC HEALTH AND COMMUNITY SERVICES DIVISION DIRECTOR AS THE CHIEF PUBLIC HEALTH OFFICIAL OF THE CITY**

**MOTION BY ALDERMAN THIBEAULT TO RECOMMEND FINAL PASSAGE**

ON THE QUESTION

Mayor Donchess

I would like Director Bagley to come on up if she would.

The Ordinance as proposed designates the Director of Public Health and Community Services. In this case, Director Bobby Bagley as the Chief Public Health Official of the city. Now with Director Bagley in that position, it's clear that in reality she is the Chief Public Health Officer of the city. Her responsibilities cross and touch on many public health issues not only the recent COVID issues that we had over a period of years. She was the leader there but also the opioid crisis. In her position, she's played a big role there. In the homeless, the problem which is largely a mental health and substance abuse public health issue has been very active with that, the homeless population, and in trying to fashion a different and more innovative approach towards our homeless population which she's working on now with a lot of other people, including visiting and talking with many of the people that are living outside and making sort of extensive observations regarding that, working with nonprofits to improve the city's response. All of the grants that we receive from the State and the federal government, of course, are managed by Director Bagley. Certainly there are other public health issues - STDs, immunization, various issues that Director Bagley can address.

So my point is, she is clearly acting as the Chief Public Health official in the city. Now in the past, I think when this ordinance was originally passed and designated the head of Environmental Health as the Chief Public Health official. We did not have someone with Director Bagley's medical expertise and background in this position. The sum of the previous people who've held this position did not have nursing or medical degrees of any kind. Director Bagley, of course, has a Master's in nursing, is working on her Doctorate. She's on one of the boards of Southern New Hampshire Medical Center. She's very active in - she can tell you everything but many, many organizations statewide. With someone with her level of expertise in this position, it is only fitting that we declare her as the Chief Public Health official of the city.

One more point, Madam Chair. In trying to get grants and Director Bagley can address this in more detail, in a number of instances when we've been dealing with granting agencies, agencies that give the city grants, they are very puzzled by the fact that she is not the Chief Public Health official of the city. At times, it has made negotiations and discussions regarding awarding the city grants more difficult because they expect the Chief Public Health Official of the city to be in charge of seeking and supervising the grant. Also in the grant area, it's important that we have someone with this level of medical expertise and this background who's actually in charge designated as the Chief Public Health official.

So I don't know if Director Bagley has other thoughts she would like to express but certainly in terms of some of the difficulties that the city and you specifically have had in the area of applying for, and being awarded, and accepting grants.

Chairwoman Kelly

Director Bagley do you want to speak to that or take questions?

Bobbie Bagley, Public Health and Community Services Director

Yes, thank you. In this request for this change, the title of the Director was pointed out by one of the organizations that we apply for funding as not really describing the position by the title. As the Mayor was saying, it was the Kresge Foundation Grant that we were applying for and it asked for the health official and so in the application as the lead with the title Director, it was unclear that that was my role as the chief public health official. So this request is to change that title that actually reflects me in that role.

The HR Director had to submit something in writing that actually clarified that the Director was the lead of the Division of Public Health and Community Services. So this role does specify that specifically. In other States, the director or the lead of the health department is the chief public health official and so this request is to make that synonymous with other positions. My position the same as other positions and other places with that title on it. So it does designate that as the lead.

The job description for the Director hadn't been updated since 2008. So this also updates the job description for the chief public health official as well.

Mayor Donchess

And I have to say in fairness to Director Bagley that she has done an incredible job is Director of Public Health and Community Services – COVID, the opioids. You wouldn't believe what she's doing now with the homeless population down by the river. Over the week and talking to people, assessing their problems, helping us to develop a more effective response to getting many people who are involved with substance abuse into housing and treatment. So I think it's in addition to all these other reasons, it is only fair to Director Bagley that she be given officially the title of Chief Public Health Officer of Nashua.

Alderman Thibeault

Thank you, Madam Chairwoman. I'd be remiss if I if I didn't speak in the words of the great Alderman Mel Moran and say that "unsheltered". We should probably get used to the term maybe "substance misuse". I like to use that term too. That's something that try to get the stigma out of that. I think Director Bagley having to come out of COVID and you're still here is something, you know, an amazing feat in itself. That was a tough, tough thing to get through. It was a thankless job I'm sure during that time as you got opinions from everyone about what they think we should do with COVID regardless of what was the science, what wasn't the science, and for you to have to deal with that and get through it during that time and you're still here working for us in Nashua is great. I think, you know, at the end of the day what I've seen from you, I expect that there'll be more on the unsheltered and more about the opioid abuse situations coming because it's a problem. It's something that that we need to fix and we need to continue to work on.

So I agree with changing that. If it helps us get - makes your job easier so that we can get more money and we can do business better in the city when it comes to this stuff, the health of our city, then I'm all for changing that. I don't see an issue with it and so I just wanted to thank you for everything you're doing and I'll support this.

Alderman Clemons

Thank you. I was very excited to see this come forward. I was very proud to co-sponsor this legislation because I can think of no one in this city who would better fit this role. You do a tremendous job for the citizens of Nashua, especially those who live on the fringes and are unfortunate to not have a place to live, to live out in the elements, and things like that. So you help our most vulnerable population every day. It's something that I admire not something that I would be able to do on a daily basis and not go home and just be devastated by it. So I don't know how like you and Tom I know do that every day but I admire those that do and I just want to thank you for everything that you've done for our city. For as long as I've been an Alderman, you've always been there and been guiding the ship. This is I think well deserved and I'm happy to support it.

#### Alderman Lopez

So with respect to the Mayor, I recognize that you're trying to introduce Director Bradley's qualifications and trying to give an elevator pitch on the causes of homelessness in the region is a little bit of a challenge. Welcome to that side of the world.

I have to point out that homelessness is not just substance use and it's not just mental illness. Those are prevalent among the homeless population but a lot of the reason that they're so prevalent beyond the trauma associated with being unsheltered and the challenges of trying to interface with the world that you don't have access to the same basic supplies that everybody else around you has is that those systems right now are very much strained, struggling, if not overtly broken. When we look at homelessness, it's the mental health crisis can be directly correlated with a lack of resources or available interventions. It can be directly traced to a lack of available and consistent approaches to recovery and substance use/misuse education. When we start trying to utilize the words properly, we started to discover things like caffeine can be misused. It's in the DSM. You can have a whole caffeine use issue. So we're a society where everybody does as they do while saying to do otherwise. The people who are out on the fringes, so to speak, are being held to a different standard while not necessarily being given kind of an avenue with which to come back.

One of the things that I thought was very impactful for the safe station is when you encouraged people who are struggling during the opioid crisis by telling them that there is a path forward. That's what I think is important to remember when we're talking about people who are unsheltered, people who are homeless, people who are struggling with any kind of housing insecurity, mental health, or substance use disorder is there is a path forward. In offering that path, we have to be as a local government and as different departments of the city government, we have to be willing to open those doors and be willing to allow that path forward.

Now as the topic as Director Bagley, I'd like to point out that she has put a tremendous amount of work into opening those doors, particularly in the area of community education and in addressing systems processes. I know you didn't write the book on public health but you've definitely taught out of it for many years. That has created a highly qualified and highly experienced Public Health Department. In addition, I think you've also shown particularly over the opioid crisis and the COVID epidemic that being able to pull the resources together means our city performs much, much more effectively. So to that end and if you're comfortable since there are six Aldermen here, would you maybe give an example, like a recent example, of where you've had to show leadership to get a grant that maybe there hasn't been a lot of time to go through the proper administrative channels, or maybe those administrative channels have had different priorities but now you have to lead. Now you have to step up and say this is important for our community.

#### Bobbie Bagley, Public Health and Community Services Director

Yes, Alderman Lopez. Thank you. So at this particular time, we have an opportunity to have more funding for additional work that needs to continue. Over the past few years, we've been working really closely with the State to address our emergency response to COVID with regards to mitigation efforts. Now we're in a post COVID period where we see the impact that this pandemic has had on many in our community and as mentioned, those that are in a situation where they're, you know, unstably housed, unsheltered, homeless, rough sleepers - sleeping just out on the sidewalk. I mean we have individuals that are sleeping in tents and we have some that are just right out on the concrete. So we have an opportunity to get some additional funding for, you know, another year to address these issues head on.

So one of the things that I was able to do was to write a proposal for how we're going to address this for the next fiscal year with a with a very specific focus on looking at how we respond to the pandemic, what's come out of it as far as the post pandemic impact on these vulnerable populations which includes seniors as well. Many of our youth as a result of the isolation or quarantine are still dealing with the impact of that now and are having issues with being able to sustain themselves or cope in schools and now coming back into situations where they're gathered together.

So having the opportunity to advocate for that and write that proposal to the State, which we've gotten that additional funding for, that will be presented to you all next week which I'm hoping will kind of move that through relatively quickly. There's the opportunity where that adaptive leadership needs to be there to even speak with the State about how we need to be able to respond to these issues at the local level with them as our partner but allowing for us to be able to respond in a way that will work for us down here in Nashua and the greater Nashua region. So I hope that answers your question Alderman Lopez.

Chairwoman Kelly

Follow up?

Alderman Lopez

If I can just clarify, so with safe station the key was having a door open when somebody had the need and the desire to seek change. Similarly with the unsheltered populations, we need shelter capacity, we need space. Similarly in our own systems right here, Director Bagley and the Public Health Department can answer the needs of the nonprofits that are serving people in the community if we as Aldermen are able to look at the upcoming ordinance and take the necessary action. We don't have, and I apologize to the Chair for kind of backdoor introducing this. I just realized there was enough people here that we should probably bring it up. We don't have a human Affairs Committee meeting in the timeline that they're going to need, which is why we're probably going to have to take specific action. That's something that Director Bagley reached out to me as soon as she was aware we needed to do that. That's what we need in a Chief Public Health Officer somebody who's willing to see solutions to an unfolding crisis and take the actions that are necessary and mobilize the people. So I encourage you all to look for that communication and look at that piece of legislation when it comes up for the next Board of Aldermen meeting and to support Director Bagley's nomination.

Chairwoman Kelly

All set Alderman Lopez? Anyone else?

I want to echo all of the coming – oh did I miss a hand over here? Alderman Jette go ahead.

Alderman Jette

Oh, thank you. I'd be happy to wait for you but. So I'm in complete agreement about Director Bagley's qualifications and everything that's been said about her. I work closely with her during the COVID crisis and prior to that when I tried to get us to increase the age at which people in Nashua could buy tobacco to 21. She was also very helpful to me, although we were not successful, but eventually the legislature did do that. I'm in complete agreement with all of this. During the COVID thing, you know, I attended several meetings of the Board of Health and so I'm wondering about - since I've become an Alderman I'm constantly fascinated when I read the City Charter about how difficult it is to understand, how arcane the language is, and how at first blush it doesn't seem to be consistent with what we're doing as a city. This is an example of something that, you know, that I raise not to prevent Ms. Bagley from getting the title that she deserves but I'm wondering if we need to look at the Charter and have the Charter reflect what we are doing as a city. The Charter establishes a Board of Health to be elected by the Board of Aldermen. The Board of Health in turn appoints a health officer – re-elects the health officer.

When you look at the ordinances, the ordinances provide for a Director of - I'm forgetting the title - Director of the Division of Public Health and Community Services who's appointed by the Mayor. So I'm just - I know during COVID when I went to the Board of Health meetings, it was the Board of Health who made the decisions, who ran the meetings, and Director Bagley was there and advise them but they're the ones who made these decisions. It seems like we have parallel laws, or ordinances, or charter provisions regarding our Board of Health. I'm wondering if it would make sense for the Legal Department or some special committee to look at those provisions to make sure that they're consistent. I'd be interested in knowing whether the Mayor has thought of that, whether he's looked into it, and whether he has a response to the questions that I raise.

Mayor Donchess

Thank you. Well, of course, Legal did clear this but I mean I know there's that role of the Board of Health in the Charter. I guess my thoughts are that the position of Director of Public Health and Community Services is a broader position than consists of a broader group of responsibilities than does this provision in the City Charter in terms of what the Board of Health hires. I suppose we could look at having them also endorse the change to suggest that in

this case, Bobbie Bagley as Director of Public Health and Community Services would in their opinion also be the Chief Public Health Officer at the city. I'd say that the ordinances as they exist now even without this amendment and the City Charter, which of course it goes back 100 years or so, are not entirely consistent. I don't know how to resolve that but the this position of Director of Public Health and Community Services was created more like maybe in the 70s and, again, is a broader position than that to find in the Charter for the position that would report to the Board of Health.

Alderman Jette

Thank you. I only raised the question. They don't provide the answers.

Mayor Donchess

Legal has looked at this. If you would like them to come in and kind of talk about that issue, I'm sure they'd be glad to do that.

Chairwoman Kelly

All set Alderman Jette?

Alderman Jette

I'm not a member of this Committee. I'll leave it to the Committee to decide whether that is advisable or not.

Chairwoman Kelly

Okay.

I was beginning to say that I echo a lot of the sentiments of my colleagues in terms of the work that you're doing in our community and the work that you did through COVID. So thank you for that. I also understand the intricacies of this being able to allow you to get some more grant funding for the great work that you're doing. I'm going to support this but I have a question for Mr. Mayor as well.

You mentioned that the way that the Community Services Division Director job description has been written and it's pretty old. So my only concern here is Director Bagley fits this perfectly but is it possible that 20 years from now we have someone who's a Community Services Director who may not have the same qualifications and background as the Chief Public Health Officer?

Mayor Donchess

I'd say that's possible. Now we did have a revised job description here that would go along with this. I'd say that's possible but I'm going to say given the public health issues that exist, and given the precedent set by the tenure of Director Bagley that it is unlikely that if a future director was chosen that a person would be hired who had no background or expertise in the medical field. So, again, it's possible that such a person would be nominated but I'd say it's unlikely. That could be clarified by requiring that by ordinance that the person have medical, or nursing, some sort of relevant expertise. I mean you're right that should be a stated qualification of the job. In the ordinance, it really isn't but given circumstances in 21st century New Hampshire, and Nashua, that the nation, probably it should require a health related background.

Chairwoman Kelly

Okay, thank you. I could look into making that ordinance change and talking through that with whoever else might be interested in helping. That was my one note so thank you.

Anyone else from the Committee?

Alderman Lopez

I know from personal experience and any changes to the ordinances that pertain to the Board of Health have to go through referendum. I would also propose that what the Mayor is doing here is more of a staffing and supervision kind of a role rather than a matter of public health which is more with the Board of Health deals with. I think we

should move forward with it today and make sure that everything's in place on our end but then ask them to weigh in on it at their next meeting which is the day after our Board of Aldermen meeting.

Alderman Thibeault

Thank you, Madam Chair. That new job description was that in the packet?

Mayor Donchess

No. We have a copy for you now.

Alderman Thibeault

Can we get it so when we vote on this for Board of Aldermen that it's part of the packet please?

Mayor Donchess

So I think I gave you about six copies I think.

Alderman Thibeault

You gave me a ton of copies. So I think I gotta make a motion to or we're still we're still in the middle of the motion.

**MOTION CARRIED**

**MOTION BY ALDERMAN THIBEAULT TO PUT INTO THE RECORD THE DOCUMENT THAT GIVES THE NEW POSITION DESCRIPTION OF THE CHIEF PUBLIC HEALTH OFFICER OFFICIAL/DIRECTOR OF THE CITY OF NASHUA**

**MOTION CARRIED**

**O-23-054**

Endorsers: Alderman Alex Comeau  
Alderman John Sullivan  
Alderman Tyler Gouveia  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman Richard A. Dowd  
Alderman-at-Large Gloria Timmons

**RELATIVE TO PUBLIC COMMENT**

**MOTION BY ALDERMAN THIBEAULT FOR FINAL PASSAGE**

ON THE QUESTION

Alderman Gouveia

I was just gonna say I'd be more than happy to speak but if the Mayor wants to go first, I would like to hear what he has to say about the legislation.

Mayor Donchess

Well I think the proposed ordinance creates, you know, an interesting issue. So right now, our ordinances prevent or prohibit during public comment and I'm sure during the Board of Aldermen, I mean, no one would do this anyway but crude, vulgar, profane or obscene remarks. Now that's what the ordinance says.

So we got a letter from the ACLU, which I believe you got a copy of, raising the question of a decision made in Massachusetts concerning a situation where there were a prohibition on remarks before a public body - Board of Selectmen I believe - as well as a factual background that accompanied it. The term they use in the law is the case is not really quote "on point". What that means is it's not all that similar to what we have. Number one - the language of the rule or the ordinance in the Massachusetts case was much broader than this. It prohibited respect. It required that remarks be respectful and courteous, free of rude, personal, or slanderous remarks. Now this concept of respectful and courteous, free of rude, personal, or slanderous remarks, that's a very broad ordinance.

Much broader than ours.

Number two - when this became an issue, it was because a citizen came forward and suggested that the city stopped spending, stop breaking the open meeting law and criticized proposed budget increases saying that the town had been spending like a drunken sailor, and was in trouble, argued for a moratorium on hiring, and inquired about the benefits of hiring a town manager as opposed to whatever they had. That went on a little bit. Then suggested that the head of the board should stop being like a Hitler. So they adjourn the meeting and came back and prohibited the person from speaking and said they would have her removed if she continued.

Now that has not happened here in the least. I mean we've heard some fairly scathing criticism of the Board of Aldermen of the city, whatever, and that in no way is inconsistent with the rule that we have. So because we got the letter, because we work with the ACLU in the past, I and the city legal office met with them. Neither the ACLU nor anyone else has ever come forward with a case that suggested there is a First Amendment right to use obscene language during a public meeting. There's no case that anyone has found or that anyone has pointed to or profanity during a public meeting. So I think they did suggest that the - I mean one problem that there can be with ordinances like this is that words that are ambiguous and can have a lot of different meanings could be problematic. If you look at the four terms, I think the two most - our Legal Department believes that they can defend and successfully defend this ordinance.

The two terms which probably are the most ambiguous or open to interpretation are crude and vulgar. Now I think profanity, maybe the term should be profanity and obscene remarks. I mean I don't think - it's hard to believe that a court would say that you have a First Amendment right to walk in here and use obscenities or profanity in the context of making public remarks. Certainly there is no case that anyone has pointed to that suggest that.

The letter from the from the ACLU says that we that we can require orderly and peaceable comments. So we can have legal come in to discuss this if you'd like. I guess my suggestion is that if the Committee and the Board wish, we could compromise this and delete the words "crude and vulgar" and simply prohibit profanity and obscene remarks. Were that challenged, you never know what's going on but certainly no one has pointed to a case that suggests that in a public meeting that's put on TV where children are sometimes present or listening that profanity and obscenity are protected by the First Amendment.

#### Chairwoman Kelly

Okay.

#### Mayor Donchess

Now maybe you want to think about this and not do anything tonight. I mean this is not real urgent. We could have legal come in if you'd like, give their thoughts, but in sort of talking around talking with people over the last day or two, the idea well it's compromised in some way. I don't think really anyone here really wants profane, profanity, or obscene remarks but people want to be consistent with the First Amendment and narrowing the language may help to achieve those goals.

#### Alderman Gouveia

Thanks you Madam Chair. So obviously the legislation came from the letter from the ACLU. I think really what I'm thinking and what was going through my head when I was asked to co-write this legislation with Alderman Comeau and Alderman Sullivan was under the operating rules we have now is where we cannot use language or profane, obscene, anything like that you could be gaveled out of order. So we did put it in there and I supported it when we put it in there. I supported the ordinance and we put it in there the first time. But knowing what I know now and seeing this letter here, it makes me think well, do we really need it there? We heard from the Mayor that yeah legal feels they could defend it but is that something we want to roll the dice on, spend money on, and you never know which way it's gonna go in court.

I don't, personally, I wouldn't really want to risk it when there's already protections in place based on the rules of order that we use. It's one of those things exactly like the Mayor just said, you want to protect the First Amendment but at the same time, you also want to have decorum in politics and in the chamber here. So I think it's kind of a slippery slope. I would feel comfortable with removing this language knowing that there's already protections in place and then it just neutralizes any threat of any potential litigation that the city would have to go through at some point because as we know, these get costly and can take up a substantial amount of time. So that's really where I was coming from. When I signed on to the legislation, obviously, it's up for debate so I'd be more than happy to



hear what other Aldermen have to say about it but at this time, I would still feel that this ordinance should be passed as is.

Alderman Lopez

So first regarding the letter, like I have respect for the ACLU as a concept and institution. It doesn't mean I'm gonna agree with everything that they say or do. I think some of the public support for this has come from people who don't like free speech if it's not something that they want done in their particular venue, or public, whatever. There's a specific example a couple of years ago where people didn't want story time with a trans person because that was putting ideas in people's heads. So I think there's gonna be a lot of back and forth when it comes to exactly what free speech is. Just because the ACLU has a reputation, and a mission, and a purpose doesn't mean that oh no we should undo everything we just did. Our bad because we had a deliberation. We had public comment. We had our decision making transparent and made in the public and legal was advising us as to what we could and couldn't do. If I recall, the primary purpose of at least in my mind was to avoid getting nailed with public television violations of profanities hitting the air when we didn't have time to actually stop it from happening. I mean it seems kind of intuitive that on one side we could get nailed for a free speech violation but on the other side, we could get nailed for a speech violation.

So I'm a little bit confounded by that ACLU's letter purpose and intent here. I would almost love to have them come and explain in person as well, although I feel like they probably are more eager to write the letter than to show up and explain. I do want to hear from the Legal Department directly though because I think for the ACLU to pinpoint two or three words out of our ordinance and say that these words are ambiguous, and these are the magic, you know, rituals that some of the lawyers, that seems a little bit arcane. If we're going to go that way, I'd rather have the actual lawyers that represent the city and would defend it explain it rather than us trying to ad hoc adjust.

All that being said, I agree with Alderman Gouveia's impression as well that the legislation being proposed it seems fairly benign because it does retain the ability of a chair or presiding officer to ensure that public comment is on topic and on task. I mean that's part of what Mason's rules guarantees. So I don't think we're necessarily going to go too far astray. I'd hate to see the city get sued over free speech violations or anything like that, just because I assume that. So that's why I would rather hear from legal directly and have been come in and kind of walk through the best way to do this.

Alderman Thibeault

Thank you Madam Chairwoman. First question is so we said we got a letter from the ACLU. So the ACLU just started looking through our books and say hey I'm seeing some crude and vulgar comments/language in here. I need to strike that. I mean if this doesn't pop on to the ACLU's plate, right and it's ACLU of Massachusetts. It's not even our ACLU, correct? Am I wrong in this?

Mayor Donchess

Well no the gentleman who came in is from New Hampshire. Yeah. So it's like - I mean somehow they became aware of the provision and therefore decided to send a letter.

Alderman Thibeault

Okay. Follow up?

So a couple of things on this. I mean we all work. Nothing's changed other than the ACLU letter since we originally went over this. We debated it and there was a debate. I remember having to try to explain to one Alderman what crude and vulgar means or what we think it means.

So we got an email today and I want to read part of it because it goes against what we're really even trying to do with this ordinance. I'm not going to read it all but – "I want to give a big thank you to Alderman John Sullivan, Alderman Alex Comeau, and Alderman Tyler Gouveia for sponsoring O-23-054 in order to give Nashua residents back their freedom of speech. As Nashua residents have seen in the past, some Board of Aldermen do not want to hear from any residents that do not agree with them. However, this is not a perfect world and residents are allowed to disagree with what our Aldermen are doing for their constituents." I can't remember one time that we've told other than hearing the word that we don't want to hear over the airwaves told somebody to stop speaking.

Laurie Ortolano

I did.

Alderman Thibeault

You're not talking.

Laurie Ortolano

I did.

Alderman Thibeault

I don't care.

Chairwoman Kelly

Ms. Ortolano.

Alderman Thibeault

Then you're going against this ordinance right now by speaking out.

Laurie Ortolano

I'm going to share it with you.

Alderman Thibeault

So as far as I've been here, we have not thrown anybody out of the here for anything they've said. Former Alderman Teeboom comes in here all the time and rips us. All the time. Nobody throws him out and he calls us imbeciles. Even people who are probably in his party he calls them imbeciles, stupid, ignorant. None of us throw him out. None of the chairs ever get rid of him ever. We have not limited free speech by this ordinance.

One of my favorite people I disagree with - and I'm gonna say his name even though I'm not supposed to - Matthew Gouthro. I like the guy but we don't agree on many things. He comes in here. Sometimes he's harsh but we never say what his words are against us. We never kick him out. I talk to him afterwards. Seems like a nice enough guy, right? I have nothing against him. We don't limit free speech. It's a fallacy. It's a myth by a couple of people that won another suit so they can make a 14<sup>th</sup>, or a 15<sup>th</sup>, or a 16<sup>th</sup> suit against the city. I don't know why we would support these people, right? I mean I think that this ordinance was we approved it. So I don't know why we're going back on it. In my opinion, nothing's really changed. I've seen people come in here and say, you know, the Constitution, founding fathers. Founding Fathers own slaves and thought women were below them so it doesn't mean that 300 years later we should be doing the same thing that the Founding Fathers said. It is not a free speech issue. They would not be for this, trust me just so you can say some vulgar language. It does just doesn't make sense to me.

We allow people to disagree with us. People disagree with all - most of the people that come in here disagree with us, right? Very rarely do we see people come in here and say hey you guys are doing a great job because those people stay home. It's the people that disagree with us that come in here. They have their three minutes in the beginning, their three minutes at the end to say whatever they want. I would say if this does go through and we ended up changing this, I would ask every president or chairman to actually read this because it says, "excessive repetition and irrelevant remarks are discouraged and the presiding officer has the authority to terminate the remarks of any speaker with such remarks do not adhere to this ordinance or other applicable law. So if people repeat it, let's stop them from speaking because that's what it says we can do, right? If they're talking about something that's not related to something on the agenda, which happens all the time, let's have the chairman or chairwoman throw them out. Right? I mean I guess we got to be tougher then which is something I don't want to do. I want people to be able to speak. But for them to have to utter a couple of nasty vulgar words, that's what we're dying on this hill to prevent. It's ridiculous. It's nonsense. It's just another nonsense issue that we have to bring up in here and to stop us from doing the job that we need to do and that's to make the city better continuously. I'm done.

Alderman Clemons

Thank you, Madam Chair. So I tend to agree with what the Mayor had to say which, you know, I think striking the language "crude and vulgar" and starting the sentence to read, "Profanity and/or obscene remarks are prohibited" would be a good start.

I also agree with Alderman Lopez that, you know, it'd be nice to have the city attorneys come in and discuss this openly so that we can get their understanding of why they feel that they can successfully sustain or, you know, defend a lawsuit in particular with those two first words stricken. When I presented this ordinance, obviously, my objective was to make sure that profane and obscenity type language was not allowed. The crude and vulgar portion of it, I guess, can be left up to interpretation but I think an obscenity is an obscenity, a profanity is profanity. That to me is very clear cut. In my opinion, that's what we're trying to prohibit because it's not about restricting people's free speech. You can come up here and you can call me an idiot and that's your opinion, and you have the right to do it, and you have the right to say it, and there's nothing that I can do about it, and I support that 100%. I have defended free speech and I have defended the right of people to come up to that microphone throughout my career here on the Board of Aldermen.

There have been times when there have been other aldermen in the past who have wanted to restrict at that microphone by residency. You had to be a resident of Nashua. There's aldermen who have wanted to restrict the fact that you have to stay only germane to what is on the agenda. Every single time I have rejected and fought against that because it's not right. People should have the ability to come up and address us and say what they feel on any topic. Now granted there's two public comment periods for that. The first one is about stuff that's on the agenda. The second one can be about anything and that's the right way to do it because you want to be able to hear from people.

I'm gonna give this example. There was a resident who came up at the podium years ago and she would tell us that her skin was on fire and she would blame a city employee for that happening but she never used obscenities. She never used profanity to say it. So you can come up, and you can say, and get across whatever it is no matter where or what people think of it. You can say what you have to say without being profane and without being obscene. It does not restrict your freedom of speech. If you think that it does, then you don't have a good grasp on the language or you want to create a spectacle. Either way to me, that's just sad. So I think what we should do, in my opinion, is table this, have the Legal Department come in, give their opinion, and then we can go from there and decide what we want to do. But to me, it would be removing those first two words to modifying those second two words and then going from there. That's my opinion but again, I would like to hear from the Legal Department how they would defend that.

#### Chairwoman Kelly

I'm going to weigh in here before we get too far. So I agree with a lot of what has been said and I made it very clear when this first came up that I had my own reservations around the words that were being used. Communication is what I do for a living. At the expense of sounding like Alderman Jette here, I think the things that we do in this chamber have unintended consequences. So if you think about the word "vulgar" and you put it in a different time period, women coming in and showing their ankles was vulgar a couple 100 years ago. So those types of things where there's an interpretation there, I get word nerdy about it. I know I do but I think it's important because that context that we have right now may not be the same context that a board 30 years from now has.

So I agree that having some support and recommendation from the Legal Department is important too because to the point of many of my colleagues, we're not trying to put any sort of restriction on your ability to come and tell us how you feel, or what you want done in the city, or how much I'm an idiot. All those things are fine. It's just about making sure that we can get through our business in the city and hear everybody in a peaceable, I believe, and orderly manner. That's my thought as well. I support the idea of potentially tabling this but I want everyone to have an opportunity to speak.

#### Mayor Donchess

There wouldn't be any problem in having the Legal Department come in. I mean I would have asked them tonight but I didn't know what the Committee's pleasure would be so I just thought I'd throw out an idea.

#### Alderman Jette

Thank you. So I agree with Alderman Clemons. I hope that doesn't make him change his mind. I think that the people who would like to see this changed, I think what they're concerned about is their ability to come to the meeting and say what they think and criticize the Aldermen, the Mayor, the government and put forth what they think

are better ideas. Sometimes when they get passionate about it, they don't want this type of ordinance to be used as an excuse to shut them off. I don't think any of us really wants to do that. I think most of you agree with me that we ought to be able to conduct these meetings, you know, without resorting to language that everyone would agree is offensive. I read somewhere that the Oxford English Dictionary has 600,000 words. So there's clearly a choice of a lot of words that can be used to express your opinion and express your negative opinion about government officials without resorting to language that would be considered profane or obscene. I have great amount of respect for Attorney Klementowicz. He knows a lot more about the First Amendment than I do.

I agree with the Mayor's analysis of that Massachusetts case. The Massachusetts case, in the Massachusetts ordinance talked about all remarks and dialogue in public meetings must be respectful and courteous. The court said the Massachusetts Constitution said that citizens ought to be able to address their legislators in a peaceable and orderly manner. The court made the observation that peaceable and orderly is not the same as respectful and courteous. The letter from Attorney Klementowicz says, "that the city could restrict comments to be orderly and peaceable", but it goes on to say, "that it cannot constitutionally prohibited speech that is crude, vulgar, uncivil, or profane". Well, I'm not sure - I think that's Attorney Klementowicz's opinion. That's not what the court in Massachusetts said and there are many decisions by federal courts across the country that do say very specifically that obscene and profane language is not protected by the First Amendment. The First Amendment gives you the right to express your ideas. It doesn't give you the right to use profane and obscene language and there are cases that approve rules by city councils prohibiting profane and obscene language. So I think the Mayor is on the right track but I certainly agree we ought to take advantage of our Legal Department have them come in.

If I could through you ask the Mayor. I think you said tonight but I'm sure you said it the other night that you were meeting with Attorney Klementowicz.

Mayor Donchess

Yeah.

Alderman Jette

And did you suggest that compromised language and what was his reaction to that?

Mayor Donchess

Well, maybe you want to ask him directly. I don't think they agree necessarily that as you said, it might be his opinion that even limiting obscene and profane could be unconstitutional but I think he would agree that the two words that are focused on are "vulgar and crude" are the more problematic.

Alderman Jette

Yes. He said that it would be unconstitutional to prohibit speech that is crude, vulgar, uncivil, or profane. He doesn't use the word "obscene" in that group. He does use profane.

Mayor Donchess

But as you said, that's his opinion. He hasn't cited a case that says that.

Alderman Jette

That's correct.

Mayor Donchess

I think the word "profanity" could be better than the word "profane" because it's a little more explicit. Profane could maybe be a little broader but.

Alderman Jette

If I could just make an additional point. There is a State Statute. The Massachusetts case and the New Hampshire constitution talks about peaceable and orderly. There is a Statute in the New Hampshire Criminal Code about disorderly conduct. So it's something that can be looked at as far as a definition of disorderly or something that is

not orderly and peaceful and that makes it a crime for someone to direct at another person in a public place, obscene, derisive, or offensive words which are likely to provoke a violent reaction on the part of an ordinary person. So the New Hampshire Statutes do have provision for prohibiting that type of language. Thank you.

Alderman Gouveia

Thank you, Madam Chair. I would say as somebody who helped write the legislation, I would be open for conversation on an amendment that Alderman Clemons outlined. I think that could potentially be a good fix. I do want to hear what our Legal Department has to say. I would also like to hear what the ACLU has to say. Obviously, they're a big organization. I don't think we bow down to anybody but is this the fight we really want to dig our heels in when we've seen an organization like them go after much smaller things on larger scales? So I think there's a lot to weigh in here. With that, I would like to move to table.

**MOTION BY ALDEMAN GOUVEIA TO TABLE  
MOTION CARRIED**

Chairwoman Kelly

That motion is tabled. I will work with the Mayor to make sure legal is at our next meeting and if it is the pleasure of the Committee, we can also request the ACLU to come.

Mayor Donchess

I will make sure legal comes with the next meeting Madam Chair. Thank you very much.

TABLED IN COMMITTEE

**O-22-031**

Endorsers: Alderman Derek Thibeault  
Alderman-at-Large Melbourne Moran, Jr.  
Alderman-at-Large Ben Clemons  
Alderman Alex Comeau  
Alderman Tyler Gouveia  
Alderman June M. Caron  
Alderwoman-at-Large Gloria Timmons  
Alderwoman-at-Large Shoshanna Kelly

**INCREASING THE VETERANS' OPTIONAL AND ALL VETERANS' TAX CREDITS**

- Re-tabled at 04/03/2022 meeting

PUBLIC COMMENT

Laurie Ortolano

Laurie Ortolano, 41 Berkeley Street. When you bring legal in, would you please have them address the public comment policy for the Board of Assessors? I know the ACLU didn't cover that in their letter and they didn't have to but that is just basic blanket language that says uncivil remarks will not be tolerated and I think that should be struck. That is what the Attorney Bolton told you to strike at the same time and Attorney Leonard put it in over there.

Your discussion about a compromise is encouraging. I want you didn't know Alderman Thibeault when you said I don't know anyone who's ever been interrupted or cut off, I have been and it was at that Finance meeting that the Mayor if you watch that tape in 60 seconds he shut me down. He was angry because I was upset about not being able to get records through Economic Development and he started going right at me. He took my three minutes right away. I lost the other two minutes and no one objected. When the Mayor goes off track, nobody stands up and says Mr. Mayor give her the floor. She has her three minutes. I told him to shut his pie hole several times and his remark was pie hole is a swear word. It's in a Lizzie McGuire movie and I don't think it's a swear word. It was an emotional thing. It was an emotional moment and sometimes that happens and no one stepped in. The same action happened to me in the public hearing in June with the Mayor. He ran right over me, interrupted my comments, took the floor for over five minutes, and when I wanted to respond, Alderman Dowd said time's up and I had to sit down. This has happened to me repeatedly which is why you have a federal suit by me on these constitutional issues. Not on swearing, just not allowing me to have my speech. So secondly, I want to address public information. I don't understand why the Board of Aldermen hasn't been a lot

more active in enacting legislation to deal with open records issues. Why is it impossible in the City of Nashua, a city of this size, that a citizen has no place to go to say what records are available, where are they stored, and how can I get them? I can do that in virtually every other municipality I go to. We are supposed to by Charter and NRO have a Municipal Records Committee that addresses these issues. You have not had that committee formed in 20 years. Their job is to look at record availability, record retention, and record archival, and record disposal as required by the State Statute. Why is it there no place to go?

Alderman Thibeault

30 seconds.

Laurie Ortolano

If you go to an office and you say are these records located here? The responses is under 91-A, I don't have to answer you. You're being challenged in numerous lawsuits on this that the Right to Know law doesn't allow you to say I'm not going to tell you where your records are. The Town of Hudson the Board of Selectmen just wrote legislation for a Right to Know policy to deal with all of their issues because of the big construction project with Amazon putting in a facility which was withdrawn.

Alderman Thibeault

Time.

Laurie Ortolano

You should be doing the same.

Chairwoman Kelly

I don't see anyone else for public comment.

#### GENERAL DISCUSSION

Alderman Thibeault

Thank you. I did attend that meeting on Zoom so I didn't hear what was going on in that Finance meeting and the Mayor is the Chairman of that Committee. So if he thought it was going off track, it was going off track but generally that was a painful meeting on both sides I guess.

You know I didn't say it during because we ended up tabling it but I do agree with Alderman Clemons' changed to go with profanity and or obscene remarks. I think that's the better way to go whether legal cares or not, I think that's the better way to go. I mean legal approved what we had. I can't imagine that it would go the other way but I'm fine listening to them and fine tabling it because this stays on.

To Alderman Lopez's points, you know, we literally got an email saying today that freedom of speech is, again, being violated and that person is someone that hangs out at drag shows and protests the ability for them to have their free speech. So maybe we should have a drag show right here. That would be a thing something worthy of this chamber. I struggle with using free speech as a tool to go after things that only certain people care about. People use it as their tool. I think that's wrong. I think it's wrong. It's a political stance. The ACLU didn't just find this somehow. Someone went to them. We could probably figure out who that is and we do a Right to Know of the ACLU.

To Alderman Gouveia's point, the ACLU they would need someone to go and offer it to put a case in. They're not gonna just sue us. So, you know, I don't care if they're coming for us or not. I mean just add it to the suits.

Alderman Clemons

Thank you. I just want to say I think what tonight showed to me, at least for the group of Aldermen who are here, is that we care about decency. We all do. Every single one of us in this room cares about decency and we want to get it right. So I think we made the right decision tonight and, you know, when we talk about it next month, hopefully we'll get some opinions. Obviously at the end of the day, I don't think that regardless of what way an Alderman

votes at least, I'm gonna say this, the Aldermen that are in this room how they vote is going to be about whether or not they're for or against decency. It's a matter of to me whether or not they are risk and how risk adverse you are in wanting to challenge - how far do you want to go? In other words, do you want to fight the ACLU on this, or do you want to fight some other group on this, or not? To me protecting our children and protecting the public from obscenities and from people coming up in basically using language that just does not belong in a public setting, I think is worth the fight in my opinion. But I think overall, we all I think I agree with that. It's just a matter of to me how far do you want to go down that legal road? So I am really happy with the Aldermen I served with and I think we're doing right by our citizens.

#### Alderman Lopez

So the terms we used earlier, "idiot, moron and imbecile" and 100 years ago, those would have been diagnostic terms. Because people use them as insults and misappropriated the intent and purpose of those, they became hate words, and insults, and all that kind of stuff. There's worse ones. Like New Hampshire's regulations prohibit professionals from using similar language that starts with an R in any official capacity because of how stigmatizing and how damaging it can be. I think there are plenty of terms out there that are even more insulting, provocative, or inflammatory to specific populations that we should be cautious of.

When the Mayor was saying I don't think he was cheering for the profanity to come back, I was like well it would probably be nice because I have a pretty bad potty mouth at times in my personal life and I put a lot of work into holding it back in the aldermanic meetings so it might be nice to be able to just run amok every now and then. But I think ultimately, that is disrespectful to the public. I think that's where, unfortunately, the limitations of our power really may extend to because if someone's going to stand there and use their rights to public speech, and free speech, and their platform taxpayer funded in front of all of their community members to just blast people that they don't like, or to throw hate, we're not going to be able to stay ahead of the curve when it comes to how they do that or what they do. Some of the people like involved in tonight's conversation have been very creative about how they hide insults, or trigger words, or insulting language in everyday things. I watched somebody walk up to a person who identifies as trans wearing an anti trans shirt and on the surface of a completely, you know, polite conversation, they walked away thinking that they did been kind and whatever and like they also were wearing literally a symbol that was super offensive to that person. It was the target of their hatred that showed the grace and the decorum not whenever they told themselves.

So I think it's very subjective, I think it's important for us to have legal representation to really refine this and I think, ideally, that's what the ACLU is really looking for is something that is respectful of at least the vast majority of people's willingness to participate and maybe aware of certain populations' rights not to be infringed upon by other people practicing their rights. There are limitations to free speech. You can't yell fire in a crowded room. You can't yell threatening or terrifying comments with children around. I do think we need to have a certain level of decorum. A lot of pressure is put on chairs and presidents even tonight where the public decides it's just going to be unruly to prove a point. That puts us all on edge that breaks down the dialogue and makes it a little bit less functional as a community.

On another topic, because there are other topics, the legislation that Director Bagley I was definitely egging her towards, she brought it up last Friday that we were going to have to have probably have it come in under suspension in order to get it is very, very necessary funding for some of the ongoing efforts to tackle our homeless problem and the ancillary problems that contribute or exacerbated. These are things I talked about for years. Another term that was thrown in my direction by I believe Alderman Siegel at one meeting was I was accused of being a social justice warrior. At the time, I wasn't exactly sure whether that was an insult or not. I don't think it really turned out to be because I think maybe social pragmatism where you can see where a certain kind of situation is headed. Whether or not people want to admit it or not, these homeless encampments, and these unsheltered people, and these homeless people have not suddenly appeared on our doorstep. They're a function of diminishing services and supports in our city in our region. We've been taking a lot of very bold steps as Aldermen now with regard to expanding housing stock, and supporting our nonprofits, and all that kind of stuff but those resources are under fire constantly. There's always somebody looking at a development project who'd love to use that Housing Trust Fund which is no longer affordable housing trust fund to kind of grease the wheels on X, Y, or Z and maybe we'll use this definition of something versus that. So if we're going to support what we did today by identifying and charging Director Bagley with being our Public Health Officer, our Chief Public Health Officer, then we also have to be courageous and discerning ourselves when it comes time to making sure she has the tools that she needs.

#### Chairwoman Kelly

Great. All set?

So I actually wanted to address the discussion around reappointments. I think that there have been a couple of committee members who we've talked about this, you know, offhand in terms of when do people who come in for reappointment how often and I think it would be interesting for this Committee to think about that. Whether it has to be a formal change but I think to the point that was made this evening, sometimes people aren't reappointed, reappointed, reappointed and they haven't been in here in 10 years. We don't know what's going on with that committee or we've never met that person. So we don't necessarily have to have an answer right now but I would love for the Committee to just think about it in terms of how they feel about bringing reappointments.

#### Alderman Clemons

Yeah so as a former Chair of this Committee in the past and just being on the Board, I think having a reappointment come in having somebody who's being reappointed come in every now and then is a good thing. I don't think it should be an automatic though because I think we'd be extremely overwhelmed. I mean imagine doing 15 interviews in one night. I think like maybe for some of the groups that – and this is just an idea - but some of the committee's that, you know, we haven't touched upon with a new appointee in a while, or somebody who has a lot of experience who can bring a lot of discussion to us about that particular group or something I think would be would be great every now and then. I wouldn't want to make it a standard practice. Just my own view.

#### Alderman Gouveia

Yeah, I was gonna say the exact same thing. I think its good we check up with some of these committees. Do I think if we have an evening where there's three or four reappointments do we need to hear from all of them about the same committee? Probably not by every now and again? Yeah, absolutely. I think it's good to check in.

#### Alderman Lopez

So the reason she came in was because I had heard things in the community that were concerning but I was fairly confident she would be able to answer them about how arts money is used, about inclusion, about that kind of thing. So it was a bit of a calculation on my part to say, okay well if people are going to say these things then why don't we have somebody who's been doing the work and has the capability to answer those things and kind of clear the air. So I think Miss Carlson did a great job of representing what she's been doing, and what she knows, and in that capacity, she did tell me that we don't ask the Nashua Arts Commission what they do on a regular basis. They don't get an annual like here's what we're working on, audience with Aldermen, or anything like that. She was like absolutely willing to step forward and talk about the different things and confident that there were other committees as well.

She pointed out the Cultural Connections Committee and I agreed. The Cultural Connections Committee was working on a slideshow of all the different cultural represented groups in Nashua. I never had anywhere to show it. So there are going to be opportunities to let committees that have something to say or want to hear from us to be able to do those. I think it makes sense to do it naturally through the appointments rather than coming up with like an arbitrary schedule. I think particularly if an Alderman is hearing things in the community about a committee and wants to enable a member of that committee to show off all the work that they've been doing, give them an opportunity.

#### Chairwoman Kelly

Yeah and I think I would respond to that with I think that makes a lot of sense and kind of dealing with it as things come makes a lot of sense. I also think I would say if there are committees that have presentations that they we touched and we see and they want to come in and talk to us, I'd love to hear it absolutely. We're putting people on these committees but we don't always get to - we've got quite a bit on our own plates to not know what's going on with the Nashua Arts Commission or the Cultural Connections Commission. So just putting it out there to anyone listening but if your committee would like to give us an update here at a committee level or at the Board of Aldermen, it's always nice to hear what's going on.

#### Alderman Thibeault

I'm gonna say most of my remarks for the Remarks by the Aldermen but I do want to respond to that. So to the last point that Alderwoman Kelly made, I think that coming to the Board of Aldermen, why just us? Why just this Committee, right? If someone wants to present something at their committee like when we had the Carolyn Walley come down for the Great American Downtown so they could explain what they do because there was confusion over some of the different committees. So I would love to have a presentation. Now sometimes in Board of



Aldermen, we don't always have a ton so that would be a perfect time to bring somebody in to do one of those. I don't think it should necessarily be here. I think it should be with all. I think everyone should see it but it's my two cents.

#### REMARKS BY THE ALDERMEN

##### Alderman Thibeault

Thank you, Madam Chairwoman. So two things. One's going to be small but this first one. So this is probably small too. Alderman Lopez made a point. I think when we talk about certain language, there's also – one, we didn't really touch upon directly and indirectly by Alderman Lopez. There's also racist words. There's homophobic words. I guess I am naive that I think that all people or most people, right, in society don't want to use the type of words that would hurt somebody else's feelings. I guess I'm just a naive person. I mean I grew up with a Vietnam Vet. I've heard every word possible to man that anybody can say that's negative or profane. So it doesn't offend me but I don't want to use the type of language in certain circumstances that would offend somebody else or offend a segment of the population. So it's hard for me when I see people wanting to fight this and I do understand the genuineness of the crude and vulgar part of it. So I get that. Again, (inaudible), right. I just think that people should be better people. I guess I can't depend on that.

On the second thing, I just want to congratulate Fairgrounds Middle School. They got to the semifinals in baseball, but lost the day in those semifinals to Hollis/Brookline. They were the last middle school in Nashua standing or public one anyway. They had a great season and unfortunately got beat pretty good today. I just want to congratulate those kids. A lot of them, most of them, are actually eighth graders and are moving on to high school next year, including my son. So congratulations to Fairgrounds.

#### ADJOURNMENT

#### **MOTION BY ALDERMAN CLEMONS TO ADJOURN MOTION CARRIED**

The meeting was declared closed at 9:06 p.m.

Alderman Derek Thibeault  
Committee Clerk

**City of Nashua, New Hampshire  
Position Description**

Position Title: Chief Public Health Official-Director  
Position Code: 150CSDDIRCS  
Reports To: Mayor

Department: Community Services  
FLSA: Exempt  
Date: December 20, 2022  
Affiliation: Unaffiliated

**GENERAL SUMMARY:**

This administrative position operates as the Director and lead chief public health official in the City of Nashua working closely with the Office of the Mayor. The Chief Public Health Official works closely with other Municipal Directors, Board of Aldermen, Board of Health and Senior Leadership. This position is the chief spokesperson in the City of Nashua for public health issues representing the Mayor and the Division of Public Health and Community Services (DPHCS), which functions as the chief public health strategist in the Greater Nashua Region. This position facilitates multi-sector initiatives and processes as a liaison engaging community stakeholders in collective impact to promote, preserve, and protect the health of the public, and address issues of health equity and social determinants of health. The Chief Public Health Official provides both policy and operational direction and leadership to maintain the accreditation status of the Division of Public Health and Community Services to effectively address issues of equity and the social determinants of health.

**ESSENTIAL JOB FUNCTIONS:**

- Lead DPHCS staff to accomplish the mission and vision of the organization through strategic planning efforts to achieve the goals and objectives as Chief Public Health Strategist.
- Employ systems thinking to direct, manage and lead initiatives, plans and strategies to execute programs and deliverables to address emerging public health issues in shared leadership with community partners.
- Provide guidance to Community Health and Public Health Network Services grant procurement and service implementation.
- Ensure the implementation of the ten Essential Public Health Services to achieve optimal health for the public through equity in policies, systems and services.
- Collaborate with community partners to remove structural barriers including poverty, racism, gender discrimination and any other forms of oppression that result health inequities.
- Provide fiscal oversight of departmental revenues and expenditures of both city and grant funding sources.
- Develop priorities for public health collaboratively with community partners through Strategic Planning and CHA/CHIP Processes.
- Evaluate progress of implementation of public health priorities, goals and objectives.
- Sustain Division Accreditation through re-accreditation processes.
- Perform duties of the local board of health with Board of Health Members as it pertains to city ordinances and state regulations and guidance.
- Seek funding opportunities to sustain the public health workforce, program and direct service deliverables.
- Maintain trusting relationships with local and regional leaders, and the Department of Public Health Services and Department of Health and Human Services.
- Ensure equitable approaches used in data collection, analysis and dissemination, program development and delivery.
- Maintain a culturally competent and friendly workplace.
- Provide ongoing performative assessment of competencies and annual end of the year evaluation of department leads and the staff of the Community Services Department.
- Co-Chair the Ambulance Advisory Committee and participate on State and Local Boards and Commissions to represent the public health perspective.
- Assure accountability for deliverables of grant-funded services for prevention and wellness initiatives in collaboration with health care providers, municipal, state and national leaders, community-based partners, social services agencies, the education sector and members of the general community at large.

## **SKILLS/EXPERIENCE/TRAINING REQUIRED:**

### **Knowledge of:**

- Public Health Core Functions and Essential Service
- Policy Development and Processes
- Local, State and Federal Governmental financial and grant processes
- Leadership principles of influence and change management
- Systems thinking and strategic planning processes
- Platforms such as Microsoft Office and Google and general technology literacy

### **Ability to:**

- Effectively manage people (assign duties, time management, and supervision)
- Communicate through excellent written and verbal skills
- Work effectively cross culturally in a team-focused environment
- Use strong personal motivational skills to successfully influence
- Advocate publicly for the health of the community through radio and public television.
- Improve community health using a population-based approach.
- Assess and disseminate information and data concerning the health and health needs of the public.
- Identify areas of process improvement within the Division to increase efficiencies to better serve the community.
- Recognize and manage one's own behaviors, moods, and impulses — to create an inclusive, equitable, and welcoming environment for all individuals

### **Licenses; Certificates; Special Requirements:**

- Advanced Degree in Public Health (Master Degree preferred), Medicine, Health Administration or Public Services
- Minimum of five (5) years' experience in relevant job or related work experience in a leadership role
- Strong communication and presentation skills
- Experience managing budgets and fiscal responsibilities essential
- Thorough understanding of working in City or State Government as well as with public health officials
- Experience in addressing health and equity as it relates to public health practice
- Training in leadership, diversity, equity and inclusion, systems thinking and policy.
- Possess a high level of emotional intelligence and self-awareness.
- A valid driver's license

## **SUPERVISORY RESPONSIBILITY:**

- Supervises the Chief Public Health Nurse, Health Officer, Welfare Officer and Community Services staff

## **WORKING CONDITIONS/PHYSICAL DEMANDS:**

This position requires light work effort with regular engagement with the community. Individual be able to climb (ascend and descend stairs, walk to accomplish tasks and perceive sound with or without corrections. Driving may be required to attend meetings. This individual may be exposed to the following working conditions:

- Noise exposure in the outside environment
- Temperature changes related to indoor and outdoor exposures
- Significant work pace related to deadlines and priorities.
- Clinical area environment, with potential exposure to blood borne pathogens and hazardous materials
- Mobile van/street outreach environmental conditions while conducting outreach efforts in the community
- Regular use of keyboard and other office equipment requiring hand-eye coordination and finger dexterity
- Sufficient clarity of speech and hearing or other communication capabilities permitting employee to communicate effectively
- Sufficient vision or other powers of observation permitting employee to review a wide variety of written materials in electronic and hard-copy formats
- Ability to regularly lift and carry up to 20 pounds
- Ability to occasional lift and carry over 20 pounds

- Ability to rarely lift and carry over 20 up to 50 pounds

*The above statements are intended to describe the general nature and level of work being performed by people assigned to do this job. The above is not intended to be an exhaustive list of all responsibilities and duties required.*

**\*External and internal applicants, as well as position incumbents who become disabled as defined under the Americans With Disabilities Act, must be able to perform the essential job functions (as listed) either unaided or with the assistance of a reasonable accommodation to be determined by management on a case by case basis.**

Mayor's Signature: \_\_\_\_\_

Date Approved: \_\_\_\_\_

Adm Svs Director Signature: \_\_\_\_\_

Date Approved: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_