

COMMITTEE ON INFRASTRUCTURE

NOVEMBER 10, 2025

A meeting of the Committee on Infrastructure was held Monday, November 10, 2025, at 7:00 p.m. in the Aldermanic Chamber and duly noticed in two places, including the City's website, in accordance with the requirements of RSA 91-A:2 II.

The roll call was taken with 4 members of the Committee on Infrastructure present:

Alderman Chris Thibodeau
Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman-at-Large Michael B. O'Brien, Sr.

Members not in Attendance: Alderman John Sullivan

Also in Attendance: Alderman-at-Large Melbourne Moran, Jr.
Alderman Derek Thibeault
Liz Hannum, Economic Development Director
Jennifer McCormack, Library Director
Matt Sullivan, Community Development Director
Tim Cummings, Administrative Services Director
Jen Deshaies, Risk Manager

ROLL CALL

PUBLIC COMMENT

Tim Cummings, Director of Administrative Services

Good evening, Mr. Chairman. Tim Cummings, Director of Administrative Services. I was wondering if maybe at the end of the evening when we're starting to talk about the Committee's schedule and upcoming meetings that we take a moment and talk about a motion you all adopted at the full Board of Alderman meeting, basically recognizing desire to create a Joint Infrastructure and Library of Trustees Committee. So I have some thoughts on that and I wanted to talk to you all a little bit about it. I was thinking we could do it during General Discussion if you'd allow that?

Chairman O'Brien

So allowed.

Tim Cummings, Director of Administrative Services

Thank you.

Chairman O'Brien

Any other Public Comment? Seeing none.

COMMUNICATIONS

From: Tim Cummings, Director of Administrative Services
Jennifer Deshaies, Risk Manager

Re: Communication Providing additional information on O-25-071 Relative to Open Hours for the Outdoor City Hall Restrooms

From: Wayne R. Husband, P.E., Senior Traffic Engineer

Re: Division of Public Works Support of Pending Legislation - O-25-070

There being no objection, Chairman O'Brien accepted the communications and placed them on

file.

UNFINISHED BUSINESS - None

NEW BUSINESS – RESOLUTIONS - None

NEW BUSINESS – ORDINANCES

O-25-081

Endorsers: Alderman Derek Thibeault
Alderman Chris Thibodeau
Alderman Richard A. Dowd

AUTHORIZING A STOP SIGN ON SHADOWBROOK DRIVE AT ITS INTERSECTION WITH SPINDLEWICK DRIVE

MOTION BY ALDERMAN KLEE TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Alderman Thibeault

Should be a simple one. There's a new development off Shadow Brook and Spindlewick that Flatley is developing and the residents around there believe there needs a stop sign to kind of quell the traffic that's gonna be caused by that. So this one should be a fairly easy one. So hopefully this one will go through and I thank you guys for listening to it.

Chairman O'Brien

Okay and I think we also received a communication from Wayne Husband and with no objections to this. Any other further discussion? Seeing none, I'll call for the vote.

MOTION CARRIED

PETITIONS - None

TABLED IN COMMITTEE

O-25-070

Endorser: Alderman Derek Thibeault
Alderman Chris Thibodeau
Alderman Tim Sennott

MOTION BY ALDERMAN KLEE TO REMOVE FROM THE TABLE O-25-070

Tim Cummings, Administrative Services Director

Mr. Chairman, if I may? Yeah, I just wanted to kind of ask for clarification. There is a presentation on the agenda this evening back under Number 3?

Alderman Klee

I'm sorry she did not put that on.

Chairman O'Brien

Yeah, it's not on our ..

Alderman Dowd

It is on the public one though.

Chairman O'Brien

Yeah, it's on the blue form but it's not on the working document. Okay without objection, can we hold off on that pending legislation and then jump right into the presentation.

Alderman Klee

I'll pull back my motion Sir.

Chairman O'Brien

Yeah, thank you. See we can fix anything. Not bad for missing the step, huh?

PRESENTATION

- Downtown clean team presentation

Liz Hannum, Economic Development Director

Yes, and this will be fairly quick. Liz Hannum, Economic Development Director. I was asked to do a presentation on the Clean Team idea, which is kind of like a downtown ambassador. This was out of the presentation that we did or the joint session between downtown business owners and the Board of Aldermen. One of the solutions that came up was the Clean Team idea.

We had some issues trying to figure out how that could actually work and primarily that is something that our union does through DPW already. So we were trying to figure out - other communities outsource that and we wouldn't necessarily be able to do that. Otherwise, we might receive lots of grievances and it could be almost twice as expensive as just outsourcing it.

So I've talked with our DPW Director Lisa Fauteux and she and I have talked through the idea. It sounds like this year we're going to try to - we've put in legislation to do use some of the surplus - so supplemental appropriation about \$200,000 for the rest of the year and we will end up using that to hire two additional staff people for the rest of the fiscal year. And then during the next cycle - a budget cycle, we will put it back into the operating cost but we'd like to put that in prior to July 1 so that we can get somebody out there in the springtime especially, because we'll see a lot more activity in March, April, May, and June and we'll be able to implement it a lot earlier. So that was why we're going to end up going for supplemental. So that's the idea for right now.

Down the line we're thinking that as we put it into operating costs, we may end up trying to create some sort of pilot program where we actually work with Public Health to hire some of the people that are within the Public Health system to try to get them employment through the City, and then we can kind of see how that pilot program works, and eventually if it's working well, that we could actually take some of the other positions around DPW and hire more people from our either homeless population or transient population to try to get them permanent employment with things like benefits. So that's the long-term plan.

The short-term plan for this year is to do a supplemental appropriation and hire just regular additional employees. Two of them for the downtown and then we're also talking about one for the Riverfront that would be paid for out of the Riverfront TIF Account. That entire riverfront maintenance as well since we do have quite a quite a lot of areas that could potentially get very dirty and that need a lot of support/love. So that's the idea. That's the update for right now. Any questions?

Alderman Klee

Thank you. You know how I feel about the Riverfront area. So would it be also maintenance of the growth or is it just cleaning up?

Liz Hannum, Economic Development Director

No, it would be entirely - so landscaping. There would be portions of it that we would still have to contract out because of the slope of the bank, things like that. We don't have the right equipment to do some of that but that would be a maintenance person that would also do cleanup, and trash pickup, things like that. So they would be doing landscaping as well.

Alderman Klee

But it would not be the trees and things like that? We would ..

Liz Hannum, Economic Development Director

Likely we would still have to contract out for that.

Alderman Klee

Okay, thank you.

Alderman Dowd

Yeah, so I'd be interested more in the specific tasks like you said because of the banks and stuff. They're not mowing lawns.

Liz Hannum, Economic Development Director

No but weeding. There's a lot of weeds that grow. There's a lot of invasive species that are over there as well. So those kinds of things are going to have to be contracted out because we don't have a certified person on staff for invasive species and then there's like a boom stick that we would need. So we would have to hire that out but those would be for like twice a year rather than a weekly maintenance.

Alderman Dowd

So are they going to - two questions. Are they going to have a job description that says what they do and don't do? And two, are they going to have to be part of the Union because aren't the BPW people part of the Union?

Liz Hannum, Economic Development Director

Yes, yup. So that would be a yes to both of those questions.

Alderman Dowd

Alright.

Alderman Thibeault

Thank you, Mr. Chair. So does Manchester not unionize their DPW? Like how do they get this separate team?

Liz Hannum, Economic Development Director

They do but their DPW was never - they had never contracted for the downtown area. So that's how they got away with contracting out is that was never part of DPW's job. But we do have DPW does it and so it would be essentially taking away things like overtime potentially from our union. So that's how they worked it a little differently than we have to.

Alderman Thibeault

One follow up please?

Chairman O'Brien

Follow up.

Alderman Thibeault

So would this also require extra like new vehicle requests because now you have more people in the field that may need, you know, if someone's doing maintenance down by the Riverfront, you probably need some kind of truck or something there. Is there enough vehicles on staff or do we have to now put in for purchase of extra vehicles?

Liz Hannum, Economic Development Director

Yeah. So that is something that we're still working out but for this year, it would just be for the staff and they would work with, you know, work schedules so that they could use existing material, or equipment, and then we would figure out how that's working, and if we can continue that, or if we have to buy additional equipment. There is going to be some

additional equipment but it's like, grass trimmers and little, you know, \$100 kind of equipment that would fit within existing budgets.

Alderman Thibeault

Thank you.

Chairman O'Brien

Okay. Any other further questions? I do have one, Liz. Would the on-duty maintenance supervisor with DPW would he be supervising these people?

Liz Hannum, Economic Development Director

Yes. Currently, that's how we're gonna structure it for at least this first 6-month period.

Chairman O'Brien

And that's already been negotiated with ..?

Liz Hannum, Economic Development Director

It has not yet but that's how we're working around the potential grievance issue. That is likely how we're gonna have to structure it. So we're working - both Director Fauteux and I are working with our Legal team to make sure that all of that is worked out prior to actually hiring somebody. But we are asking for the appropriations, I believe at the 24th meeting. So that's when we'll get the funding to actually start moving forward on the contracts.

Chairman O'Brien

Okay, very good. As long as that's on your radar.

Liz Hannum, Economic Development Director

Yes.

Chairman O'Brien

I understand this is in infancy as a concept. So, yeah.

Liz Hannum, Economic Development Director

Yeah, so we're gonna try to work with what we've got this year, see how that's working, and then make modifications into our operating budget.

Chairman O'Brien

Okay. Any other comments? Questions? Seeing none. Ms. Hannum, I apologize. You were on one script and not the other and we work on the white one and that's the one you weren't on. So please, the Committee offers their apologies to you.

Liz Hannum, Economic Development Director

No problem. Thank you.

Chairman O'Brien

Thank you for coming.

TABLED IN COMMITTEE

O-25-070

Endorser: Alderman Derek Thibeault

Alderman Chris Thibodeau
Alderman Tim Sennott

**AUTHORIZING STOP SIGNS ON MASEFIELD ROAD AND DRYDEN AVENUE AT THEIR
INTERSECTIONS WITH PEELE ROAD**

MOTION BY ALDERMAN KLEE TO REMOVE FROM THE TABLE O-25-070

ON THE QUESTION

Alderman Thibeault

Yeah, just cause it's my legislation. So ..

Alderman Klee

Can we talk about it?

Alderman Thibeault

I can explain it? So ..

Alderman Dowd

Don't we have to take it off the table first?

Alderman Klee

We have to take it off the table first.

Chairman O'Brien

Yeah, it's not off the table. Although taking it off the table is open for discussion but ..

Alderman Thibeault

I have nothing to say about that.

Chairman O'Brien

Okay, alright. Alright, thank you. I'll call for the vote then.

MOTION CARRIED

MOTION BY ALDERMAN KLEE TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Alderman Thibeault

Thank you, Mr. Chair. So on this one, we've had some speeding issues on Peele. As you can see, Peele is a long road and people just can't seem to do the speed limit. We've done many different things to try to quell it. It's not working. So I've had people come to us saying that they wanted stop signs at every intersection, but we're going to try to do two. I worked with Dan and Wayne on this and they believe that Masefield and Dryden are the best. There's a, I believe, a bus stop near Masefield that this will help out at that a lot of parents were concerned about. So I think this will help quell that a little bit and at least make it a little safer in that area. So I would say with Wayne and Dan's approval, I think this is the way to go.

Chairman O'Brien

Okay. Any additional comments on this? This did meet the criteria from Mr. Husband of DPW of the Traffic Department. So no other further questions, I will call for the vote.

MOTION CARRIED

Chairman O'Brien

Alright, also before the Committee is we have a request from the author of O-25-71 that this will remain on the table. He can't make it this evening so I think we can extend that courtesy, correct?

Alderman Klee

Yup.

Chairman O'Brien

Okay.

O-25-071

Endorsers: Alderman-at-Large Ben Clemons
Alderman-at-Large Melbourne Moran, Jr.
Alderman Tyler Gouveia
Alderman Tim Sennott
Alderman Patricia Klee
Alderwoman-at-Large Shoshanna Kelly

REGARDING OPEN HOURS FOR THE OUTDOOR CITY HALL PUBLIC RESTROOMS

MOTION BY ALDERMAN KLEE TO REMOVE FROM THE TABLE O-25-072
MOTION CARRIED

O-25-072

Endorser: Alderman-at-Large Melbourne Moran, Jr.

REGARDING DISPOSITION OF REAL PROPERTY

MOTION BY ALDERMAN KLEE TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Alderman Moran

Thank you, Mr. Chairman. First, I have to apologize to you and the Committee members and Aldermen because I made a mistake and I didn't notice until today. I got a message from Director Sullivan and at first I read it in between seeing patients and I said Et Tu Director Sullivan, Et Tu. But no, he was absolutely right. When I double checked the legislation, this looks like public housing the way it's written and not something that many developers would even want to visit Nashua to even look at the RFP.

And with your indulgence, I can tell you what I plan to remove at a future Infrastructure meeting but I would still like to hear the Committee's comments on other parts of the legislation which while hearing what I plan to remove if that's okay? Giving you more background on the ..

Chairman O'Brien

Yeah.

Alderman Klee

And then you want to table it again?

Alderman Moran

And then table it hopefully for us to bring back an amendment not just of what Director Sullivan - if he could join us even better because he has been involved with this for over a year. This is not something new and we just got our wires crossed. It was essentially the email came from Legal during the Sky Meadow shooting and my brain read this differently than what we talked about ahead of time.

But ultimately, I'm looking to change the disposition of city property to 60% AMI overall. It's currently 80% citywide. Working with Director Sullivan and his team over the last couple of years as Chair of PEDC, we've determined that there may be barriers requiring that for private land. So that existing ordinance that requires this for the private land is gonna to be resolved with the rezoning process to a certain, I believe, and then this would be what happens when we sell City property. Because the new 60% AMI is what 80% was when the first inclusionary zoning was passed and I'm just looking to basically update it.

So when you look at 60% AMI and Nashua income, we're looking at \$29 an hour for a single person and for a family of four, that's \$42 an hour. You're looking at around \$78,000 a year for a family of four. We're not talking about people that work at even CVS or entry level jobs. We're talking about nurses, teachers, firefighters, people that work here at City Hall being able to have some guarantee that those working class jobs will have a spot when you're developing city property that has been used for the purpose of the public like schools and such who provided such free services as required by the government. Now turning it over to something that can be not just the betterment of the folks that can afford market rate housing but those who traditionally wouldn't be priced out because they have professional jobs that are typically well paying. But as we're seeing the AMI grow and change, it's getting up there higher and higher for Nashua. We have to realize when our current ordinances just don't make sense anymore when it comes to that that percentage and maybe Director Sullivan can add more.

My initial thought was of that 60%, there'd be a certain portion just like we did with Elm Street that at least one unit might have the ability to take a voucher and we have seen that that resulted in numerous bids. But this the way it came out because of my error in not picking it up, it looks like we're saying don't come here and develop and I don't want that to be the perception and that's why I need to apologize to everyone. Because that's not what I intended to do no represent the Board in a way that this would even be something considered by the full Board.

So if there's anything Director Sullivan would add but from what I'm saying, removing that table regarding the vouchers at 50% one through 10 units, etc., the overall aim will be 60% AMI for a portion of the property similar to percentage that's already in existence now at the 80% inclusionary and slightly a bit of those, maybe a little bit less. He did give an amendment today, which is great. This guy works so much but I don't want anyone to feel rushed about something we threw together five minutes ago.

Matt Sullivan, Community Development Director

Mr. Chair, if I may?

Chairman O'Brien

Director Sullivan.

Matt Sullivan, Community Development Director

Thank you. Matt Sullivan, Community Development Director. We did end up with a bit of a - and pardon the use of this phrase - particularly pardon to Alderman Moran, a bit of a Frankenstein piece of legislation because we had the mixing of several concepts that were being, I think, contemplated by both the Legal Department, myself, and Alderman Moran. So while he's taking on fault, it's certainly not his fault in any way that we had this error in the legislation. I think it was well intended.

But as Alderman Moran is saying, his intent as I understand it is to in cases where the City is disposing of City property and where that City property is going to be used for multi-family housing, examples being the Nimco site and Elm Street. Despite the fact that those are expressly exempted under this ordinance, examples like that much like we currently have in our inclusionary zoning ordinance, there would be a requirement that a portion of those units be guaranteed as affordable to individuals or households making 60% or less of the area median income. That is clear and that's Alderman Moran's intent.

We unfortunately mixed in the concept of housing choice vouchers here which muddies the water. It's actually a very different concept and so unfortunately, those two have been included here. But now understanding Alderman Moran's intent, I'm going to go back to work with him on trying to come up with an ordinance that at a minimum can be debated in concept.

I will just note that I believe, and I don't want to speak for Alderman Moran, but there is an understanding that although this ordinance will now contemplate more affordable units than what our ordinance currently does, that the percentages in this table will likely need to be changed based on that deeper level of affordability. So rather than stifling or shutting off development by having overly onerous affordability requirements, I think Alderman Moran recognizes that if we're going to

ask for more affordability, there needs to be a lower percentage requirement. So you're going to see some changes within this table as well over the next month assuming we can again convene this Committee to modify the table to make this something that could be more workable. I think regardless of how this ordinance ends up from a vote perspective, what it certainly does where it ends up, it certainly does start a conversation about how we might mandate or articulate the need for deeper levels of affordability in projects that the city is undertaking that result in multi-family housing. So happy to work with Alderman Moran on that in advance of your next meeting but again, apologies on the staff side of things for mixing the concepts in the latest legislation that was put forward to you tonight. Happy to answer any questions.

Alderman Moran

Can I just add one follow up to that if I may, Mr. Chair?

Chairman O'Brien

Yes you may.

Alderman Moran

And there is the exemption for smaller builds and small construction companies to not hamper also small businesses who are not well financed developers too. Is that correct?

Matt Sullivan, Community Development Director

Yes, it's a tiered system. Smaller projects are much, much, much more difficult to get affordability in to. The numbers are harder to make work. So this exempts projects that are smaller in nature - under 10 units. I expect actually as we adjust this to include 60% of area median income, we may in fact have more steps or more tiering so that we can ensure that development still happens despite the intent to have more affordability.

Alderman Klee

Thank you. I have a couple questions if that's okay, Mr. Chairman. First off the in lieu of payment is that still going to exist because when I'm reading it, it sounds like only under certain circumstances of contamination and so on where we have the in lieu of now.

Matt Sullivan, Community Development Director

Mr. Chair, if I may comment on that?

Chairman O'Brien

You may.

Matt Sullivan, Community Development Director

I think it's important to be clear that this ordinance would exist independently from the land use ordinance that Sam Durfee is working on for inclusionary zoning. So that ordinance will continue to exist as a very separate product for general private site developments. This ordinance will only impact city owned properties that are being disposed of. So Alderwoman Klee, this does not create a 60% area median income requirement for a typical private property development. It's only for City owned properties that are going through an RFP or similar disposal process.

Chairman O'Brien

Follow up?

Alderman Klee

Yes please. Thank you. So you did answer my question of the IZ going from 60 to 80. That's not - that's a whole separate thing?

Matt Sullivan, Community Development Director

That's correct.

Alderman Klee

This is just for city owned.

Matt Sullivan, Community Development Director

That's correct

Alderman Klee

It's not for private property development and so on. Are we looking - and I'll ask either one of you - are we looking to make this similar to like Major Drive where we have like it's all going to be or is it just a certain percentage of it has to be? So Major Drive is mostly AMI and there's that step down so that if people actually start doing very well, they're not thrown out. They can move up. Is that what this is?

Alderman Moran

No, I want to be upfront and honest. This is gonna be more market rate overall. The goal is - and that Major Drive - just the concept I think most of City is behind is any type of housing, right, but we can't control the private market. What we can control - well in certain circumstances we can control it when we have leverage - we can control public housing which this is not and we don't want it to be and we can control a deed of property basic when selling City land to ensure that the intent of that public land in some way in my theory here continues to be used for the neighborhood to stabilize housing. So a project like this plus straight up market rate, just getting the zoning permits, really just making sure everything's conforming to private, public partnerships. That may be more reminiscent of the proposal we got for Greeley Park. All those combined, but some of these things we don't have much control over but you can control this and how you stabilize the housing and the current area that the most likely are schools and parks that have been so integral to neighborhood to begin with.

So the goal is not to make it more AMI like Major Drive. It's just to recognize that to get the best bang for your buck, you need that market rate plus that social contract that we have with the community that the folks that already live there and are working at the hospitals and stuff, we don't have to turn this into Boston where everyone goes down to Boston to work because they can't afford to live there when they're nurses and doctors working at - even Burlington. We can even say Burlington. I used to work at Lahey in Burlington. You know there's - we can't afford to live in Burlington if you work at the hospital, you know. We don't want that to happen in Nashua. At least I don't.

Alderman Klee

One quick follow up?

Chairman O'Brien

Yes.

Alderman Klee

Why this would be my worst nightmare. Let me give you a scenario and you can tell me. If we were to take Mount Pleasant, just choked on that one, and that were to be turned into housing, which it can't be because structurally you can't handle it, but if that were to be turned into housing, this would be the type of structure that you're discussing?

Alderman Moran

I think we both have the same answer. If I may, Mr. Chairman?

Chairman O'Brien

Yeah, go ahead Alderman.

Alderman Moran

So no matter what happens to the land, the Board still has to decide if it's going to be disposed of or what it's going to be. So before you even decide if it's going to be housing, you first have to make that concept, right.

Alderman Klee

I get that part. I'm just saying if we were to sell that to a developer and so on, this would be a requirement of it.

Alderman Moran

Oh, yes. Yes, I'm so sorry. Yes, yes.

Alderman Klee

Yeah. I'm not saying that that's what's going to happen.

Matt Sullivan, Community Development Director

And it could be housing. It could be housing. I mean the real community conversation would need to happen before that decision was made.

Alderman Moran

Right, but it's the people's board that decides if it is going to be housing or not or it's going to be turned into another park.

Alderman Klee

I'm just saying if that had where the conversation had gone, this is what would be applied to it.

Alderman Moran

Yes, that's right.

Alderman Klee

That's what I was asking because that was just in my head. Thank you, Sir.

Chairman O'Brien

She had the floor, Alderman Dowd. I saw you and recognized you. You're next, please.

Alderman Dowd

So I'm trying to understand exactly what we're doing. Does this mean that if we have this housing that we're talking about that the only people who can buy it are restricted to have salaries under the 60% and if not, what are we talking about? And once you have the qualification to qualify to buy it, who determines the price of the unit? Is it market driven or is it capped?

Matt Sullivan, Community Development Director

Happy answer that. So Alderman Dowd, you're bringing up an excellent point and that is that the legislation as it's currently drafted applies to both rental occupied unit rentals and owner-occupied units - those that are for sale. So the answer is that the qualification process would be done most likely by the Community Development Division. We would ensure that either a tenant as a renter or a buyer for an ownership unit is under that 60% of the area median income at the time that they go to either sign a lease or execute a purchase and sale agreement. And so we look at numbers that are published by HUD and New Hampshire Housing Finance Authority. We then review tenant income statements and other documentation. We ensure that they qualify and if they do, they're in fact able to occupy the unit. So we have experience with that. We do it actively in our Urban Programs Department right now.

Despite that, this legislation is intended for multi-family development but it's worth a conversation, I think, further with Alderman Moran subsequent to this meeting when I work with him to determine whether this should apply only to rental units or to owner occupied units as well. So I think your question is a good one because I expect that Alderman Moran may have intended this to apply to rental units and not necessarily to owner occupied units. So that's an excellent point for us to ponder before we bring back new draft of legislation.

Alderman Dowd

Follow up.

Chairman O'Brien

Follow up.

Alderman Dowd

So if we have a unit, let's say for sale at the moment, and you have 5 qualified people that could go into that unit, is there a bid process and whoever's the high bidder gets it?

Matt Sullivan, Community Development Director

I can address that.

Alderman Dowd

That's the way real estate works.

Matt Sullivan, Community Development Director

Those standards have yet to be developed. What I can tell you, because we're going through this right now with the units at Doucet Landing, is that we use a first come first serve qualification process whereby the seller, and this case it would be the city. As soon as a given buyer is qualified, the seller can begin negotiating with any eligible buyer basically. So it's first come first serve. So if you Rick Dowd submit your application process to buy a unit and the city qualifies you, you can then begin negotiating right at that point in time but there's no obligation to go through a lottery system or a high bid system. But we haven't developed those rules and regulations around this yet and so quite honestly, I was contemplating this more towards as applying more towards multi-family rental units than I was towards owner occupied units.

Alderman Moran

And one thing I should point out and, I'm sure Director Cummings might have more information because he looks like he wants to speak, but I think even at the Elm Street proposal, Neighbor Works was part of one of the bidders that had this exact concept in it and that's just LMG proposed 60% AMI to sell the homes that they allowed Neighbor Works to develop while they developed their market rate next door. So the concept, I guess, would be stolen from LMG but maybe Director Cummings?

Chairman O'Brien

Okay. Yes, Director Cummings. Thank you for your patience.

Tim Cummings, Director of Administrative Services

Thank you, Mr. Chairman. Tim Cummings, Director of Administrative Services. So a couple points that were brought up this evening and Alderman Dowd started to touch upon them. I think Director Sullivan was kind of thinking a couple steps ahead in terms of thinking about the end user and what this legislation speaks to is actually the disposition from the City. I'd like to kind of get clarification from this body as to what your expectations are relative to the disposition process. Because if we put something like this in place, then we may get proposals where you're not getting the highest bid and that's okay if we have other community values that we're trying to achieve, but we need that type of policy direction.

One of the pieces of legislation – one of the language or wording in here in this piece of legislation is it says, and I think this is worth discussing in a little bit more detail, when the City of Nashua is selling city owned property which could be developed into 10 or more residential units, it would be good if we knew what "could be" meant - what your expectations are around that so we can have that guidance. It's going to be the Purchasing Manager that is going to be charged with disposing of the property through a competitive procurement process. So having that type of clear guidance to help steward that process along is going to be extremely beneficial. I have one more point, but I'll hold if Alderman Moran wants to...

Alderman Moran

No, please make your point because I'm disagreeing with them after you speak.

Tim Cummings, Director of Administrative Services

So then the second part is there's some language that talks about if there is an exceptional burden on the property. But it really doesn't talk about what exceptional burden is. It starts to talk about environmental contamination but it doesn't talk about some of the other technical nuances that you need to think about when you're thinking about land development, and the disposition of that land development, and ultimately what you're trying to achieve in your community goals. So I think that's another element that when you're developing some additional language, we might want to talk about how we can further clarify some of that language as well so as we're implementing, we can actually carry forward what you're looking to do. Thank you.

Chairman O'Brien

Okay. Before you go Director Cummings, please. You bring up some points there but to us on the Committee, you're diving into deep end or another pool, you know, because this thing admittedly it's not ready for prime time. We're not going to vote on it tonight. It's going to remain back on the table. But when it comes back to us, when can we get some education in certain things to meet some of the concerns that the City has?

Because the other thing that I see is this window which is closing as we speak. This is November meeting. This means only one more meeting and then it disappears if it still remains on the table and I don't think Alderman Moran's coming back, so.

Alderman Moran

Yeah, I think you're right about that.

Chairman O'Brien

So it has very short life but I think maybe some of us on the Committee would like to bring up your concerns. We, too, share them. You're gonna have to maybe educate us a little bit on it, you know, because I don't think we're that deep into the Code.

Tim Cummings, Director of Administrative Services

Yeah, happy to.

Chairman O'Brien

Okay, thank you. All right, Alderman Moran.

Alderman Moran

Right and thank you, Mr. Chairman. Director Cummings is correct. One - the aspect of exemptions. I think I asked for that because thinking of Mohawk Tannery. What that means is what I'm hearing from you is more detailed of the circumstances of environment aspect. There may be no bids on the RFP at all. That might be exceptional but certainly someone we work with to define it and make it make more sense because I also wanted there to be a way that if there was a problem, the Mayor could step in and waive the policy.

Tim Cummings, Director of Administrative Services

Understood, yeah, and so I think that's the kind of direction we're looking for. I'll give you an example. Sometimes we have contributory value and so that means that the piece of land - the utility of that land is not ideal but with it combined with another piece of land, it could be a better product. But we're only talking about a very, you know, small sliver if you will sometimes or maybe it could be even larger. It depends on the land itself. So in how you envision that what we control is just that piece of land versus the other land area around it what your goals are. It would be good if we knew that so we could work accordingly towards them but if it's just in isolation, I could see this potentially being a problem.

Alderman Moran

Can I follow up?

Chairman O'Brien

Yes, Alderman Moran.

Alderman Moran

Thank you. I can continue to meet with Director Sullivan. I'm sure he was representing the City side, right, and then if there's any further input here as well. But ..

Tim Cummings, Director of Administrative Services

Actually if I could, Mr. Chairman?

Chairman O'Brien

Yes.

Tim Cummings, Director of Administrative Services

I haven't been involved with this but I would welcome the opportunity.

Alderman Moran

Did I say Director Cummings or Sullivan?

Tim Cummings, Director of Administrative Services

You said Sullivan but I welcome the opportunity to be involved in it as well.

Alderman Moran

That'd be great.

Chairman O'Brien

Yeah and also, this is the Committee. It's got to go back on the table and you've got to come back with a ready for prime time.

Alderman Moran

Yes.

Chairman O'Brien

Correct?

Alderman Moran

But I think the point is to assess what's ready for prime time here so we don't have to keep going through it. Regardless, the next Board - I had two Aldermen say they would bring it forth again but I think the conversation should continue here in public eye to say, you know, 1) I made a mistake; 2) of the things that I didn't think were a mistake, what do you guys want changed? And you just asked the questions and we're working on them right now. I think that's great.

Alderman Klee

Thank you. And this is probably for Alderman Moran. When you were speaking, it doesn't say here it just says here about City owned real property but you made some kind of comment about deeded property. My concern about deeded property and perhaps someone could say that that goes off in auction if I'm not mistaken. And so it doesn't - we don't do an RFP for that. It has to do an auction type thing is that correct? No, we can just assume the property and ..

Matt Sullivan, Community Development Director

There are other methods of disposition that can be undertaken. You may recall that the West Hollis Street property was recently brought to the Board as part of a separate piece of legislation to basically decide. You decided to choose an

alternative disposition method. So you do have other options when the public interest is determined to be served by using another method.

Alderman Klee

May I follow up?

Chairman O'Brien

Follow up.

Alderman Klee

Thank you. So I guess my concern would be - well, I don't have a problem with this legislation. That's not my issue. The problem that I have is that if we did auction or we did do another method where we disposed of it if once they got that property, it now becomes a private property and if they were to develop it. That's my only concern about deeded property.

Alderman Moran

Right. That's a good point.

Alderman Klee

So I'm just making that point just so that when we're thinking about it because I don't want to have say that we can only sell deeded properties if they're going to follow this rule.

Alderman Dowd

Yeah, just real quick. Having been a licensed realtor before are we checking with State and federal real estate laws to make sure we don't run afoul of either one of those when we're proposing this legislation?

Matt Sullivan, Community Development Director

Yes.

Alderman Dowd

Okay.

Chairman O'Brien

Any other discussion? Okay, this means it's open for a motion.

Alderman Klee

At this time, I'd like to make a motion to table O-25-072.

MOTION BY ALDERMAN KLEE TO TABLE O-25-072
MOTION CARRIED

Chairman O'Brien

I'm sure you're going to be working on this forthwith.

Alderman Moran

You know it.

Chairman O'Brien

You're barking against the calendar. Best wishes.

Alderman Moran

God speed more like it.

Chairman O'Brien

More like it, absolutely.

Petition - L Deerwood Drive – Lot H-103

- Tabled at 2/28/24 meeting

Chairman O'Brien

Okay, we also have something on the table. Deerwood Drive but we're not going to remove that.

GENERAL DISCUSSION

DISCUSSIONS

- Discussion on Joint Meeting - Committee on Infrastructure and Library

Chairman O'Brien

So we're into general discussion. Seeing nothing from anybody.

Alderman Dowd

Director Cummings wanted ..

Chairman O'Brien

Oh yes.

Tim Cummings, Administrative Services Director

Thank you, Mr. Chairman. Thank you, Alderman Dowd. I put on the screen - I brought it up earlier in the meeting and I minimized it. Can you do the next one? You should see one other one.

Alderman Klee

Okay on that page there?

Tim Cummings, Administrative Services Director

Yup.

Alderman Klee

This one here?

Tim Cummings, Administrative Services Director

There you go. Ordinance 22-0118. So again, Tim Cummings, Director of Administrative Services. I'm up here this evening to talk a little bit about this idea or concept of the Joint Committee on Infrastructure and Library Trustees. Now just to orientate everyone, the library has done a yeoman's job in bringing forward a building project. It's my understanding that they have really centered along what I refer to as option two. I believe you've heard a briefing on this. You were presented a communication and ultimately the full Board of Aldermen adopted a recommendation to essentially create a Joint Committee on Infrastructure and Library Trustees.

What we did back in 2022 was we amended our ordinance, and if you scroll down you'll see, we actually created the various bodies. If you want to keep scrolling to the next page. You'll see we created some standing committees. What I'm going to suggest is we do is we update our ordinance and if it's the desire of this body, we would file some legislation to create that joint committee as a standing committee very similar to what we did back in 2022 and we get in good stead so then we can start taking action.

We have a couple contracts that we know are going to be needed to be pursued. There's already been authorization - a

bond authorization to start design and so we would like to proceed and move forward with the getting the contracts approved. What I would need is for the ordinances to be updated to include something like a joint committee type body so that that entity could actually act as it does in a similar manner as to all the other joint committees - Police Commission, Board of Public Works, Fire Commissioners are mentioned in here.

If we do not do that, then the process would deviate a little bit in the sense that then everything would need to go through Finance Committee. So what this Ordinance did was it made it clear that it was the Joint Committees of Police Commissioners, Board of Public Works, Fire Commissioners had the authority similar to what was laid out in State law for the Joint Special School Building Committee. What our standing committee does is follow the Joint School Building Committee. Our Charter was silent about a building committee for the Library Trustees. So this would be just emulating what we've done as past practice, so on, and so forth. And so I wanted to tease this detail out because I think it's important to see what the desire is of the Infrastructure Committee. If you're so inclined, I'll work towards getting some legislation prepared that mirrors something like what we did in 2022.

I'll start working with Director McCormack because we need to start scheduling some dates and I need to work with you all about getting some Joint Committees scheduled. I'm thinking we probably really won't do that until January in fairness. I'm hoping the Police Commissioners - the joint body on Infrastructure and Police Commissioners is winding down at that point. So I'm thinking in the back of my mind we'll slot you in where the Police Commissioners used to meet trying to be mindful of your time and whatnot. But that's sort of what I see happening as terms of next steps and trying to get us organized. I wanted to talk that all through with you now before any actions were taken to see if maybe I've mis stepped, or if you've had a different thought process, or maybe I'm going in in a different direction, or the wrong direction. Thank you.

Alderman Dowd

Yeah, I thought when Attorney Leonard came up with this legislation that it included any divisions new building. If it's not and it's this which is calling out every single division individually, it probably should go back and be generalized so we don't have to do this every time. It should say that any division wanting to build a building will have a joint infrastructure with their whatever group and infrastructure. I do agree it should wait till January because you know, you'll get one foot in the hole and the hole get buried. So, you know, rather than every time we come up with a building and change the ordinance, it should be anytime any division wants to build a building that we have this joint meeting – joint committee.

Tim Cummings, Administrative Services Director

I understand that the language doesn't say that at this time. I'm happy to happy to look into that.

Alderman Dowd

Why don't you talk with Attorney Leonard and see if we can generalize it so that we can save Dory's typewriter.

Tim Cummings, Administrative Services Director

Understood.

Alderman Klee

Thank you. I understand what my colleague just said but I think because this does affect the Charter, what's it - 5-90 if I'm reading this correct here, that where things have to go through Finance. I think it's best for us to - just my opinion and I'm only one vote here - I think it's best for us to be very specific so it doesn't suddenly get out of control. We can amend this as many times as we want or future boards can amend this anytime we want. I just think it's best rather than just put a generalized statement in just to protect the provision of the Finance Committee, which is the only committee really in the Charter. Just again, my opinion.

Alderman Dowd

Yeah, the whole purpose of this type of legislation paralleling the Joint Special School Building Committee is so that none of the expenditures from these buildings has to go back to the Finance Committee. That would be a two-step process that would slow things down to a snail's level and I don't see why it doesn't say every division, you know, that wants to build a building of capital infrastructure that it can't be just handled in one statement without listing every time there's a new building and a division. You know, we don't need to keep modifying this. We can make it general. I would get the opinion of Attorney Leonard.

Tim Cummings, Administrative Services Director

Thank you.

Chairman O'Brien

Any other comments? Okay. You got more homework to do.

Tim Cummings, Administrative Services Director

So everyone's kind of understanding what's on the horizon and relatively good with that?

Chairman O'Brien

Right, because the Committee - we still stand as part of this. It's just really cleaning up some of the putting all the toys in the right cupboard, you know.

Tim Cummings, Administrative Services Director

All right. Well, thank you much.

Chairman O'Brien

Okay.

PUBLIC COMMENT – None

REMARKS BY THE ALDERMEN

Alderman Thibeault

Thank you, Mr. Chair. I just wanted to remind everybody Veteran's Day Parade tomorrow kicks off 11/11 at Holman Stadium.

Alderman Thibodeau

Dress warm.

Alderman Thibeault

Oh, yeah.

Alderman Klee

It's gonna be like 34 degrees.

Chairman O'Brien

Is it the 11th hour or the 11th minute?

Alderman Thibeault

11:11.

Chairman O'Brien

On the 11th day.

Alderman Klee

11/11 at 11:00 AM.

Chairman O'Brien

No other comments? Alright, Alderman Dowd.

ADJOURNMENT

**MOTION BY ALDERMAN DOWD TO ADJOURN
MOTION CARRIED**

The meeting was declared closed at 7:52 p.m.

Alderman Patricia Klee
Committee Clerk



ORDINANCE

AMENDING ALDERMANIC JOINT COMMITTEES

CITY OF NASHUA

In the Year Two Thousand and Twenty-Two

WHEREAS, § 60 of the City's Charter states that the board of public works and the land and buildings committee of the board of aldermen (n/k/a the Committee on Infrastructure), "jointly shall direct the construction of all buildings erected, altered, remodeled or changed, for the use of the public works department . . . ;"

WHEREAS, § A-104 of the City's Charter states that "[a]ll buildings erected, altered, remodeled, or changed, for the use of the police department shall be constructed and made under the joint direction of the [police] commissioners and the [Committee on Infrastructure]";

WHEREAS, § A-593 of the City's Charter states that the board of fire commissioners and the Committee on Infrastructure, "jointly, shall direct the construction of all buildings erected, altered, remodeled or changed, for the use of the fire department"; and

WHEREAS, it is desired to have rules similar to the statutorily created Joint Special School Building Committees for the above-referenced joint committees.

NOW THEREFORE, the City of Nashua ordains that in Part I "Administrative Legislation" Chapter 5 "Administration of Government", Part 2 "Board of Aldermen", Article II "General Provisions", Section 5-9 "Standing committees", subsection B of the Nashua Revised Ordinances, as amended, be hereby further amended by deleting the strikethrough language and adding the new underlined language as follows:

“§ 5-9. Standing committees.

...

- (6) ~~Joint committees: Joint Special School Building Committee comprised of five members of the Board of Aldermen and five members of the Board of Education as provided by and for the purposes of New Hampshire Revised Statutes Annotated Chapter 199.~~
- (a) Joint Special School Building Committee comprised of five members of the Board of Aldermen and five members of the Board of Education as provided by and for the purposes of New Hampshire Revised Statutes Annotated Chapter 199.
- (b) Joint Committee on Infrastructure and Board of Public Works Building Committee comprised of all the members of the Board of Public Works and all members of the Committee on Infrastructure for the purposes of § 60 of the City Charter. The chairperson of the Committee on Infrastructure shall be the chairperson of the committee. All funds appropriated by the Board of Aldermen for the construction of all buildings erected, altered, remodeled or changed shall be administered by the committee, and those funds shall be disbursed upon authorization of the committee until final acceptance of the building by the Board of Aldermen. The committee shall oversee and decide all matters relating to any construction on public works buildings; prepare and submit monthly status reports relating to construction progress to the Board of Aldermen; and prepare and submit monthly financial reports to the total authorized construction budget and expenditures to date to the Board of Aldermen.
- (c) Joint Committee on Infrastructure and Police Commissioners Building Committee comprised of all the Police Commissioners and all members of the Committee on Infrastructure for the purposes of § A-104 of the City Charter. The chairperson of the Committee on Infrastructure shall be the chairperson of the committee. All funds appropriated by the Board of Aldermen for the construction of all buildings erected, altered, remodeled or changed shall be administered by the committee, and those funds shall be disbursed upon authorization of the committee until final acceptance of the building by the Board of Aldermen. The committee shall oversee and decide all matters relating to any construction on police department buildings; prepare and submit monthly status reports relating to construction progress to the Board of Aldermen; and prepare and submit monthly financial reports to the total authorized construction budget and expenditures to date to the Board of Aldermen.

- (d) Joint Committee on Infrastructure and Fire Commissioners Building Committee comprised of all the Fire Commissioners and all members of the Committee on Infrastructure for the purposes of § A-593 of the City Charter. The chairperson of the Committee on Infrastructure shall be the chairperson of the committee. All funds appropriated by the Board of Aldermen for the construction of all buildings erected, altered, remodeled or changed shall be administered by the committee, and those funds shall be disbursed upon authorization of the committee until final acceptance of the building by the Board of Aldermen. The committee shall oversee and decide all matters relating to any construction on fire department buildings; prepare and submit monthly status reports relating to construction progress to the Board of Aldermen; and prepare and submit monthly financial reports to the total authorized construction budget and expenditures to date to the Board of Aldermen.
- (e) The joint committees in (a) – (d) above shall be exempt from the provisions § 5-90.”

LEGISLATIVE YEAR 2022

ORDINANCE:

O-22-018

PURPOSE:

Amending Aldermanic Joint Committees

ENDORSER(S):

**Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Richard A. Dowd**

**COMMITTEE
ASSIGNMENT:**

Personnel/Administrative Affairs Committee

FISCAL NOTE:

None.

ANALYSIS

This legislation deletes and restates the existing Joint Committee for school buildings language and further adds new sections based on a joint committee process set-up in the City Charter relative to the construction, erecting, altering, remodeling or changing of certain city buildings. The legislation further delineates the chairperson of the Committee on Infrastructure to be the chairperson of the respective joint committees and creates minimum reporting requirements while exempting the joint committees from NRO Section 5-90.

Approved as to form:

Office of Corporation Counsel

By: /s/ Celia K. Leonard

Date: May 18, 2022