AGENDA
MEETING OF THE BOARD OF ALDERMEN
JANUARY 8, 2019

1. PRESIDENT LORI WILSHIRE CALLS ASSEMBLY TO ORDER

2. PRAYER OFFERED BY CITY CLERK PATRICIA PIECUCH

3. PLEDGE TO THE FLAG LED BY ALDERMAN ERNEST A. JETTE

4. ROLL CALL

5. REMARKS BY THE MAYOR

6. RESPONSE TO REMARKS OF THE MAYOR

7. RECOGNITIONS

8. READING OF MINUTES OF PREVIOUS MEETINGS
   Special Board of Aldermen ................................................................. 12/20/2018
   Board of Aldermen ........................................................................ 12/26/2018

9. COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS
   From: Tim Cummings, Economic Development Director
   Re: Nashua Rail Transit Committee Report

9(a). PERIOD FOR PUBLIC COMMENT RELATIVE TO ITEMS EXPECTED TO BE ACTED UPON THIS EVENING

9(b). COMMUNICATIONS REQUIRING FINAL APPROVAL
   From: Mayor Jim Donchess
   Re: Contract for Primary Tank Upgrade Project – Construction Services

PETITIONS

10. NOMINATIONS, APPOINTMENTS AND ELECTIONS
   Appointments by the Mayor

11. REPORTS OF COMMITTEE
   Finance Committee ........................................................................ 01/02/2019
   Planning and Economic Development Committee ................................ 12/18/2018

12. CONFIRMATION OF MAYOR’S APPOINTMENTS
UNFINISHED BUSINESS – RESOLUTIONS

R-18-073, Amended
Endorsers: Alderman-at-Large Brian S. McCarthy
          Alderwoman-at-Large Shoshanna Kelly
          Alderman-at-Large Michael B. O’Brien, Sr.
          Alderman Jan Schmidt
          Alderman Tom Lopez
          Alderman-at-Large Brandon Michael Laws
          Alderwoman Mary Ann Melizzi-Golja

PROPOSING AN AMENDMENT TO THE CITY CHARTER RELATIVE TO FILLING VACANCIES ON ELECTED BOARDS BY MAJORITY VOTE OF THE REMAINING MEMBERS OF THAT BOARD

• Amended and Tabled pending scheduling Public Hrg – 12/11/2018

R-18-099
Endorsers: Alderman June M. Caron
          Alderman-at-Large David C. Tencza
          Alderwoman Mary Ann Melizzi-Golja
          Alderman Jan Schmidt
          Alderwoman-at-Large Shoshanna Kelly
          Alderman Tom Lopez
          Alderman Patricia Klee
          Alderman Richard A. Dowd
          Alderman Linda Harriott-Gathright

AUTHORIZING THE MAYOR TO ENTER INTO A SUCCESSOR “CONCESSION AGREEMENT” WITH NASHUA COLLEGIATE BASEBALL, INC.

• Finance Committee Recommends: Final Passage

UNFINISHED BUSINESS – ORDINANCES

NEW BUSINESS – RESOLUTIONS

NEW BUSINESS – ORDINANCES

PERIOD FOR GENERAL PUBLIC COMMENT

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Committee announcements:

ADJOURNMENT
To: Jim Donchess, Mayor
    Lori Wilshire, President of Board of Aldermen
From: Tim Cummings, Economic Development Director
Cc: Members of the Board of Aldermen
    Sarah Marchant, Community Development Director
    Kim Kleiner, Chief of Staff
Date: January/2019

RE: Nashua Rail Transit Committee Report

Background
As you may recall, the City of Nashua passed R-17-123 establishing a Nashua Rail Transit Committee. This group of dedicated individuals have been working tirelessly to promote and work toward enabling passenger rail to come to Nashua.

The committee was charged with making recommendations and developing a strategy to the Mayor and Board of Aldermen on this initiative.

Request
The Nashua Rail Transit Committee is requesting to meet with the Infrastructure Committee of the Board of Aldermen to go over this report and to make a presentation on their findings.

Attached
You will find a document articulating the work, conclusions and recommendations along with a copy of R-17-123 for your review and consideration.

Recommendation
Reauthorize the Nashua Rail Transit Committee to continue working on this matter on behalf of the city.

Thank you.
Attachment 1
R-17-123
RESOLUTION

ESTABLISHING A NASHUA RAIL TRANSIT COMMITTEE

CITY OF NASHUA

In the Year Two Thousand and Seventeen

RESOLVED by the Board of Aldermen of the City of Nashua that

WHEREAS, the City has been working cooperatively with the State to bring passenger rail to New Hampshire;

WHEREAS, recent polling shows that more than 70% of residents in New Hampshire support extending commuter rail into New Hampshire; and

WHEREAS, the Governor recently made public comments encouraging the exploration of an incremental Nashua first approach;

NOW THEREFORE, BE IT RESOLVED by the Board of Alderman of the City of Nashua that a Nashua Rail Transit Committee be established consisting of nine (9) members as follows: Two (2) members of the Board of Aldermen who shall be appointed by the president of the board of aldermen. One (1) member from the Nashua Regional Planning Commission who shall be appointed by the Executive Director of the Commission. One (1) member from the Greater Nashua Chamber of Commerce who shall be appointed by the Chamber’s President/CEO. Two (2) residents of the City of Nashua who shall be appointed by the Mayor. One (1) member shall be the Mayor or his or her designee. The remaining two members shall be the city’s representatives’ on the state rail authority.

The committee is charged with making recommendations and development of a strategy to the mayor and the board of aldermen for bringing passenger rail to Nashua.

The appointed members shall serve at the pleasure of the appointing authority and promulgate said recommendations and strategy documents no later than 120 days after the passing of this resolution. Upon completion of its duties, the committee shall disband. The committee shall elect a chairperson by majority vote and adopt by-laws as necessary to regulate its affairs.
Attachment 2
Rail Report Executive Summary
Nashua Rail Transit Committee Report - Executive Summary

Submitted to Mayor Jim Donchess and the City of Nashua Board of Alderman

Updated December 2018
Role and Purpose of Rail Committee

- Charged with making recommendations and development of a strategy to the Mayor and Board of Alderman to bring passenger rail to Nashua.
- Members
  - Two (2) Members of the Board of Aldermen - Brian McCarthy & Mike O’Brien
  - One (1) Representative from Nashua Regional Planning Commission - Jay Minkarah
  - One (1) Representative from Greater Nashua Chamber of Commerce - John Stabile
  - Two (2) Mayoral Resident Appointments - Carl Seidel & Bette Lasky
  - One (1) Mayoral Designee Appointment - Dan Kelly
  - Two (2) Members of New Hampshire Rail Authority (Nashua Delegates) - Steve Michon (chair) and Paul Patti
Imperative for Passenger Rail

Economic Development
- Create land value = increased taxes
- Bridge Street/Crown Street development
- Meet talent demands of Nashua businesses
- Support area industry development, access to downtown

Mobility
- Improve mobility of labor to/from Nashua
- Improve flow of tourists, arts patrons, retail shoppers
- Increase travel options to/from Downtown Nashua, office/industrial parks, Manchester Airport, Logan Airport

Environmental & Social
- Mitigate adverse environmental impacts
- Support development patterns/lifestyle of next gen and older residents
- Promote Transit-Oriented Development
Passenger Rail Options for Nashua

1. NH Capital Corridor – led by State of NH in partnership with Mass DOT/MBTA to operate passenger rail from Concord to Boston with one or more stops in Nashua

2. Boston Surface Railroad Company - a public-private partnership (PPP) to operate passenger rail from Concord to Boston, with one stop in Bedford and one in Nashua
NH Capital Corridor

- **Capital Corridor Rail Analysis** completed by NH DOT in 2015

- Future of Federal funds to complete $4M project "development phase" rejected by NH Legislature

- Project stalled until development phase completed, but new efforts likely in 2019 to "re-insert" $4M funding for project development phase
Boston Surface Railroad Company

- Boston Surface Railroad Company (BSRC) and Nashua sign MOU to establish a public-private partnership (PPP) to operate passenger rail
- Anticipated ridership from Bedford, NH to Lowell = 9,700 passengers by year 10
- Planned startup of NH route with stop in Nashua by 2023
Recommendation: Role of Rail Committee

It is recommended that the Rail Committee continue its role in partnership with the Mayor and Board of Aldermen to assist the City of Nashua to:

1. Plan for immediate next steps for BSRC partnership
2. Identify City roles and responsibilities for passenger rail operations and station development
3. Build public information and advocacy for passenger rail
Recommendation: Role of Rail Committee

1. BSRC Partnership
   - Evaluate viability of BSRC
   - Guide on legal documents (e.g. MOU renewal)
   - Define technical expertise needed (e.g. AECOM, NRPC)

2. Operations and Station Development
   - Identify different scenarios
   - Plan for scope and scale of station
   - Build financing and revenue options
   - Identify risks

3. Public Information & Advocacy
   - Engage surrounding communities
   - Engage business community
   - Engage public officials and state agencies
Attachment 3
Rail Report
Nashua Rail Transit Committee Report

Submitted to Mayor Jim Donchess and the City of Nashua Board of Alderman

Updated December 2018
Contents

I. Overview of Rail Transit Committee
II. Context and Status of Passenger Rail in Nashua
   a. Imperative for Passenger Rail
   b. Status of NH Capital Corridor project
   c. Status of Boston Surface Railroad Company project
III. Moving Forward – Issues to Plan for Passenger Rail
IV. Recommendations - Continued Efforts and Role of Rail Committee
Overview of Rail Transit Committee
Role and Purpose

- Committee is charged with making recommendations and development of a strategy to the Mayor and Board of Alderman to bring passenger rail to Nashua.

- Members
  - Two (2) Members of the Board of Aldermen - Brian McCarthy & Mike O’Brien
  - One (1) Representative from Nashua Regional Planning Commission - Jay Minkarah
  - One (1) Representative from Greater Nashua Chamber of Commerce - John Stabile
  - Two (2) Mayoral Resident Appointments - Carl Seidel & Bette Lasky
  - One (1) Mayoral Designee Appointment - Dan Kelly
  - Two (2) Members of New Hampshire Rail Authority (Nashua Delegates) - Steve Michon (chair) and Paul Patti
Meetings, Visits, Planning

• Met monthly to review likelihood and feasibility of passenger rail options for City of Nashua
• Briefed and convened with Mayor and City staff to review options and assess progress
• Communicated with other state, regional and local rail interest to assess roles and partnership opportunities (NH Department of Transportation, NRPC, SNHPC, NH Rail Authority, legislative delegation)
• Met to brief on plans and assess opportunities with Boston Surface Railroad Company (BSRC), interested cities (Lowell, Worcester, Woonsocket), Exeter, NH, station managers
Context and Status of Passenger Rail in Nashua
Imperative for Passenger Rail

Economic Development

- Create value of land adjacent to and surrounding station = increased taxes
- Build economic activity and future improvement opportunities to underdeveloped corridor (Bridge Street/Crown Street)
- Support industry development – stronger connections to Boston market and key clusters in life sciences, healthcare, financial services, information technology, educational services
- Meet talent demands – improved flow of labor to/from Nashua businesses
- Increase resident connections to job and career advancement opportunities in Boston Metro market
- Increase accessibility to Nashua’s Downtown and Riverfront Development areas
Imperative for Passenger Rail

Mobility

• Improve mobility of labor to/from Nashua
• Improve flow of tourists, patrons of the arts, retail shoppers and others to Nashua
• Increase students to/from educational institutions in Nashua, Lowell, Cambridge, Boston
• Increase modal connectivity with road, bus, bike, walking systems in Nashua
• Increase transit ridership/mode-share by expanding existing rider base and attracting new riders
• Increase travel options to/from Downtown Nashua and area industrial parks
  • Integration with Taxi/Uber/Lyft options, walk routes, and bike trail
  • Link to Performing Arts Center and GAD events
• Increase options for Manchester Airport access and provide a Manchester Airport to Boston Logan Airport link via passenger rail
Imperative for Passenger Rail

Environmental and Social

• Mitigate adverse environmental impacts resulting from increased congestion on roadways (e.g. decrease CO2 emissions) and position Nashua as leader in environmental sustainability

• Support development patterns/lifestyle choices that retain and attract younger demographic

• Offer transit choices for residents of all ages through retirement

• Promote Transit-Oriented Development (TOD) to mitigate patterns of sprawl development

• Strengthen Nashua’s connections to an increasingly global economy and diverse cultures and communities

• Provide more eco-friendly transportation to/from Boston
Passenger Rail Options for Nashua

1. **NH Capital Corridor** – led by State of NH in partnership with Mass DOT/MBTA to operate passenger rail from Concord to Boston with one or more stops in Nashua

2. **Boston Surface Railroad Company** - a public-private partnership (PPP) to operate passenger rail from Concord to Boston, with one stop in Bedford and one in Nashua
NH Capital Corridor

• 2005 Nashua re-introduced phased approach to extend MBTA Commuter Rail Service from Lowell to Nashua on existing rail

• 2007 State efforts kickstarted to re-introduce passenger rail service from Concord, Manchester, and Nashua to Boston as option

• 2015 Capital Corridor Rail Analysis completed by NH DOT
  •Outlined range of transit alternatives and economic benefits (see study)
  •Total capital investment to bring passenger rail to Capital Corridor estimated at $245.6M – although could be reduced to $72M*

*contribution from MBTA and 50% federal support projected to reduce capital investment to $72M (see note)
NH Capital Corridor

• 2017-2018 Next step to raise $4 million of federal funding to complete project development phase
  • engineering analysis for upgrading the rail corridor
  • calculation of more definitive costs associated with project
  • environmental impact statement
  • detailed financial plan

• 2018 - HB2018 part of NH 10 year transit plan included $4M of federal funding to complete project development phase for Capital Corridor ($4M drawn from existing funds from federal govt.)
NH Capital Corridor

• 2018 - HB2018 Passed NH House to access $4M in federal funding for project development phase
• 2018 - NH Senate voted to remove $4M in federal funding
• Capital Corridor project stalled until development phase completed
• New efforts likely in 2019 to “re-insert” $4M funding for project development phase
Boston Surface Railroad Company

• 2017 - Boston Surface Railroad Company (BSRC) approaches Nashua to establish a public-private partnership (PPP) to operate passenger rail serving Nashua

• BSRC is private company with financing from private equity and federal transit grants and loans

• Part of broader inter-city rail system that includes Worcester-Providence and Lowell-Worcester service
Boston Surface Railroad Company

- Plans to use existing rail Right of Way (ROW) with minimal improvements to launch service – "bronze plated vs. gold"
- Service schedule based on existing commuter market and driven by demand
- Using renovated and refurbished operating equipment (rolling stock)
- Intercity, interstate service qualifies BSRC as a Federally Regulated and Federally Preempted private railroad
Boston Surface Railroad Company

• Anticipated ridership from Bedford, NH to Lowell (assumes 4% capture of commuter base)
  • Year 1 – 600 passengers
  • Year 5 – 1,600 passengers
  • Year 10 – 9,700 passengers

• A portion of this ridership will come from one stop in Bedford and one stop in Nashua

• Planned startup of Bedford to Nashua to Lowell route in 2023

Source: BSRC Ridership Projections
Boston Surface Railroad Company

- Right-of-Way will be a mixture of leased and acquired access rights
- BSRC will focus on getting tracks "commuter ready" - service to justify safety and comfort and capacity needed for commuter based service

Map of Existing Right-of-Way Ownership

Note: Pan Am Railways owns the freight and dispatch rights for Concord, NH to Lowell, MA and Massachusetts Bay Transportation Authority (MBTA) owns the passenger rights for Concord, NH to Lowell, MA
Boston Surface Railroad Company

- December 2017 – Nashua signs MOU with BSRC
- Nashua responsibilities
  - Provide passenger rail station
  - Become designated recipient of Federal Transit Authority funds
  - Participate in and advocate for BSRC passenger rail with NH constituencies
Boston Surface Railroad Company

Current Status of BSRC

- Granted operational authority and common carrier protected status by the US DOT Surface Transportation Board
- Formed a public-private-partnership with Nashua, Lowell, Worcester, Woonsocket
- Formed agreement with Genesee & Wyoming to operate passenger rail from Worcester to Providence
- Begun track renovations Worcester to Providence line
- Testing safety mechanisms (Positive Train Control) with Siemens
- Gaining signed letters of support from Massachusetts legislators to open up negotiations for passenger rights with Mass DOT/MBTA for northern segments of system
Projected Timeline to Operation

- 2018 - Seeking $6-12M grant Consolidated Rail Infrastructure and Safety Improvement (CRISI) program through USDOT
  - engineering, rolling stock, land, environmental
  - $275,000 for Bedford-Nashua segment
- 2018-19 Seeking up to $130 debt financing for infrastructure and start up operations
  - Private equity offerings
  - Railroad Rehabilitation & Improvement Financing through USDOT - development of railroad infrastructure
- 2019 – track rights and operation testing
- 2020 – Worcester to Providence line operates
- 2021 – Lowell to Worcester operates
- 2023 – Bedford to Lowell operates
Moving Forward

Issues to Plan For Passenger Rail
Oversight and Operations

• BSRC may need the whole project (Providence, Worcester, Bedford) to get the miles in order to qualify for Federal funding, and Nashua could be federally “designated recipient” of these funds for whole system

• Nashua will need to further explore its roles, responsibilities, risks, and opportunities as the “designated recipient” for BSRC system in NH

• Establishing Bedford, NH to Lowell/Boston service may hinge on some agreement being possible with Pan Am, as well as the requirement to get passenger rights from the MBTA – a complex undertaking that will need political support across state lines

• Financing options and tools need to be explored for Nashua’s responsibilities (rail station, expanded role as designated recipient)
Passenger Station

- City owned land off Crown Street identified by City as priority location for station (current park-n-ride lot)
- Likely model akin to passenger rail station in Exeter, NH
  - Located on a siding to the main line, allows for uninterrupted freight service
  - Covered, not enclosed, station
  - No bathroom facilities or ticketing machines (BSRC responsible for ticketing)
- Adjacent parking for ~ 245 cars
- Designed to accommodate passenger cars from the MBTA and BSRC
Passenger Station

- Estimated costs could include
  - Station platform $900,000
  - Track for siding $1,000,000
  - Parking lot ticketing and other $300,000
  - Signaling and switches for track $2,200,000 (part or whole but may not be responsibility of Nashua – borne by host provider during track upgrades)
Political and civic support

• City will need to establish broader support to help make passenger rail station, operations and ridership feasible - If not started now, could prove problematic later

• Need to build better relationship with business community to understand mutual benefits, potential partnerships for resources, and employee ridership

• Support will likely be needed from contiguous communities (e.g. Hudson, Merrimack, Hollis, etc.) plus coordination with City of Manchester and Manchester Airport,

• City will need to understand opportunities through State of NH – access to Public Private Partnership programs, NH DOT funding, etc.

• Citywide education and information campaign would help Nashua’s residents and businesses understand full breadth of opportunities that passenger rail brings
Recommendations
Continued Efforts and Role of Rail Committee
Role of Rail Committee

It is recommended that the Rail Committee continue its role in partnership with the Mayor and Board of Aldermen to assist the City of Nashua to:

1. Plan for immediate next steps for BSRC partnership
2. Identify City roles and responsibilities for passenger rail operations and station development
3. Build public information and advocacy for passenger rail
1. Plan for immediate next steps for BSRC partnership

- Evaluate viability of BSRC – Providence-Worcester line, financing capabilities
  - What are costs at each step if plan does not go further (i.e. station build)
- Understand implications for BSRC access to Railroad Rehabilitation & Improvement Financing (RIFF) – What is city role and implications for participation in the RIFF
- Guide on legal documents needed (e.g. renewal of MOU with BSRC)
- Define and pursue technical expertise needed
  - Prioritize actions of AECOM – e.g. due diligence for RIFF application, designated recipient, etc.
  - Prioritize roles for NRPC and other expertise
2. Identify City roles and responsibilities for rail operations and station development

• Build projected scenarios and implications for City participation with public-private partnership or state-run option to operate passenger rail through Nashua

• Identify the scope and scale of building and managing a passenger rail station in Nashua

• Build financing and revenue generation options to support operations and station development

• Identify risks and opportunities for different scenarios
3. Build public information and advocacy for passenger rail

- Engagement with surrounding communities
- Engagement with NRPC, SNRPC
- Engagement with educational and other institutions
  - To include maker space and art community
- Engagement with business community
  - Business types/locations likely to gain – and how much?
  - Business types/locations likely to lose – and how much?
- Engagement with public officials and state agencies (e.g. DOT, governor’s office, legislative delegation, etc.)
To: Board of Aldermen
From: Mayor Jim Donchess
Date: 1/3/18
Re: Contract for Primary Tank Upgrade Project – Construction Services

NRO § 5-90 (E) states that approval by the Finance Committee of a contract award in excess of $1,000,000 shall be submitted to the full Board of Aldermen at its next regularly scheduled meeting for final approval prior to award of the contract.

The Finance Committee approved and placed on file the notification of the award of the referenced contract at their January 2, 2019 meeting. I am requesting the approval of the full Board of Aldermen for the award of the following contract, which is over $1,000,000.

Contract for Primary Tank Upgrade Project – Construction Services. Included is the Purchasing Manager’s Memo #19-103 regarding the award of this contract to the Finance Committee dated December 27, 2018. This contract total is $3,629,340.

Cc
Sue Lovering, Legislative Affairs Manager
December 27, 2018
Memo #19-103

TO: MAYOR DONCHESS
FINANCE COMMITTEE

SUBJECT: CONTRACT FOR PRIMARY TANK UPGRADE PROJECT – CONSTRUCTION SERVICES (VALUE: $3,629,340)
DEPARTMENT: 169 WASTEWATER; FUND: WERF AND SRF LOAN

Please see the attached communication from David L. Boucher, Superintendent Wastewater Department dated December 20, 2018 for the information related to this contract.

Pursuant to § 5-78 Major purchases (greater than $10,000) A. All supplies and contractual services, except as otherwise provided herein, when the estimated cost thereof shall exceed $10,000 shall be purchased by formal, written contract from the lowest responsible bidder, after due notice inviting bids.

The Superintendent Wastewater Department, the Board of Public Works (December 20, 2018 meeting) and the Purchasing Department recommend the award of this contract in an amount of $3,629,340 to Methuen Construction, Inc. of Plaistow, NH.

Respectfully,

Dan Kooker
Purchasing Manager

Cc: D Boucher L Fautuex
APPOINTMENTS BY THE MAYOR

JANUARY 8, 2019

Cultural Connections Committee

Margaret Loret (New Appointment)  Term to Expire:  February 1, 2021
4 Cimmarron Drive
Nashua, NH  03062

Jean Adie (Reappointment)  Term to Expire:  December 31, 2021
19A Fairmount Street
Nashua, NH  03064

Mine Falls Park Advisory Committee

Richard Gillespie (Reappointment)  Term to Expire:  December 31, 2021
15 Spencer Drive
Nashua, NH  03062

Nashua Art Commission

William H. Barry III (New Appointment)  Term to Expire:  April 1, 2019
161 Kinsley Street
Nashua, NH  03060

Sara Ceaser (New Appointment)  Term to Expire:  April 1, 2019
3 Pine Street, Studio 2D
Nashua, NH  03060

Paul Laflamme (Reappointment)  Term to Expire:  April 1, 2020
28 Lutheran Drive
Nashua, NH  03063

Jennifer Latouche (New Appointment)  Term to Expire:  February 1, 2021
7-2 Hickory Lane
Hollis, NH  03049

I respectfully request that these appointments be confirmed.

Jim Donchess
Mayor