

HUMAN AFFAIRS COMMITTEE

March 14, 2022

A meeting of the Human Affairs Committee was held Monday, March 14, 2022, at 7:00 p.m. in the Aldermanic Chamber and via Zoom teleconference which meeting link can be found on the agenda and on the city's website.

Let's start the meeting by taking a roll call attendance. If you are participating by Zoom, please state whether there is anyone in the room with you during this meeting and your reason for not participating in person, which is required under the Right-To-Know Law.

The roll call was taken with 4 members of the Board of Aldermen present: Alderwoman-at-Large Shoshanna Kelly, Vice-Chairman, Alderwoman-at-Large Gloria Timmons, Alderman Patricia Klee and Alderman Thomas Lopez.

Alderman-at-Large Melbourne Moran, Jr. was recorded absent.

Also in Attendance: Alderman Derek Thibeault - via Zoom  
Matt Sullivan, Community Development Division Director  
Deb Chisholm, Waterways Manager

---

PUBLIC COMMENT - None

COMMUNICATIONS - None

UNFINISHED BUSINESS - None

NEW BUSINESS – RESOLUTIONS

**R-22-011**

Endorsers: Mayor Jim Donchess  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman Patricia Klee  
Alderman-at-Large Melbourne Moran, Jr.  
Alderman Thomas Lopez  
Alderman Richard A. Dowd  
Alderman Derek Thibeault  
Alderwoman-at-Large Gloria Timmons

**RELATIVE TO THE ACCEPTANCE OF \$69,564 FROM THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF TRANSPORTATION INTO TRANSIT GRANT ACTIVITY "FEDERAL TRANSIT AUTHORITY ("FTA") OPERATING GRANT"**

Matt Sullivan, Community Development Director

I will speak very briefly to the matter. I am Camille Correa this evening. I am Director Matt Sullivan from the Community Development Division. These matching funds are part of funds used to match FTA Transit Grants for operating expenses. These are specifically passenger related expenses such as fuel and wages for the day-to-day operations of NTS and also to pay for a third party operating contractor First Transit. These are also matching dollars for those purposes as well. Just as a note, fuel for vehicles is not covered under this item here. I'm sorry, it is covered here rather than this part will be capital request for funds.

These NHDOT funds, these matching funds, are appropriate to all transit systems operating in the State of New Hampshire as part of their FTA matching dollars. This is an apportionate that we receive as the City of Nashua. That is the extent of my presentation and I'd be happy to answer any questions that you might have and certainly hopefully I can answer them and if not get further information to you at a later time.

Alderman Klee

Thank you, Mr. Chairman. Director Sullivan you were talking about matching grants, so this \$69,564 do we have to - does the city have to come up with matching grants and if so, how much?

Matt Sullivan, Community Development Director

So the city does come up with matching funds for the FTA grants. This is the States' portion. Speaking to this specific grant that this relates to, I'm not certain of the city's contribution for match funding, but the answer is "yes". The city does, in fact, contribute a local allocation for matching funds for the grants.

Alderman Klee

But this is just the State's portion.

Matt Sullivan, Community Development Director

That's correct.

Alderman Klee

And this is just to accept this?

Matt Sullivan, Community Development Director

Correct.

Alderman Klee

Thank you.

Chairman Lopez

If I may ask for clarification, is this for this operating year or next operating year?

Matt Sullivan, Community Development Director

This is for the FY22 and FY23 operating years and so it's upcoming operating years as well.

Chairman Lopez

Okay so we would be able to accept the money as a grant - recommend accepting this grant to the Board of Alderman. The Mayor would still have to put it into his budget and then it will have to be approved before everything goes forward?

Matt Sullivan, Community Development Director

That is my understanding, yes.

Chairman Lopez

If we don't, have we actually accepted real money or do we have to ship back bags of dollars or is it all hypothetical?

Matt Sullivan, Community Development Director

My understanding is that we would not have to return any money if the grant does not get accepted. We are doing this preemptively but I certainly would be willing to confirm that if will be important to the Committee's action.

Chairman Lopez

No, I'm just trying to round out information for the Committee.

Matt Sullivan, Community Development Director

Yes, absolutely. No bags of money that I know of.

Chairman Lopez

I did have a couple questions. You mentioned fuel. Are city buses, at least the large ones are CNG. Are the little ones CNG or is it there a different fuel we are paying for as well?

Matt Sullivan, Community Development Director

So we have some diesel as well that we are obviously still running within the fleet, but predominantly it is a clean fleet CNG power but we still have some diesel that we're using.

Chairman Lopez

And then, this might be pushing it a little bit. Is there service vehicles too? Like are there additional vehicles besides the buses we ride that NTS might be using for servicing those buses or things like that?

Matt Sullivan, Community Development Director

There are additional vehicles in the NTS fleet. We have several maintenance vehicles. We also have some passenger vehicles that you might see out in the streets of Nashua. We just saw some today by the transit construction project. So there are other fleet vehicles. They are utilized by city staff. We even have pick-up trucks for parking lot and other maintenance of the actual stops themselves. So the answer is "yes" we do have other vehicles.

Chairman Lopez

Okay. Then my last question is first is the transit company?

Matt Sullivan, Community Development Director

First Transit.

Chairman Lopez

First Transit. Are we in an ongoing contract with them? Is this grant tied to that or is the grant for whoever is our contractee?

Matt Sullivan, Community Development Director

The first answer is that we are in an existing contract with First Transit. Relative to whether or not the grant is specific to the transit operator, I do not know. However, it's unlikely that the receipt of those funds is tied to a specific operator. That's simply an action that the city takes subsequent to the receipt of the funds.

Chairman Lopez

Okay. I have no agendas here in terms of trying to do anything with First or anything like that. I just wanted to fully understand the picture.

Okay any other committee members have questions? Alderman Timmons?

Alderwoman Timmons

Thank you Chairman. Yes, I have one question just for clarification and that is about the gas. You said the gas is incorporated in that particular total?

Matt Sullivan, Community Development Director

So the fuel for vehicles is covered within this specific grant as it is an operating grant. Fuel is considered an operating expense in the transit system.

Alderwoman Timmons

Okay.

Chairman Lopez

Just a further clarification, fuel is not necessarily defined by this, so could that be gas, diesel, or CNG?

Matt Sullivan, Community Development Director

I would say “yes”. To be clear I’m not sure of the terms of the grant whether it specifies that it must be CNG, but my expectation would be that there is a recognition to other alternative fuels may be used as well.

Chairman Lopez

Okay. Any other questions? Alderman Kelly?

Alderwoman Kelly

I know this is a little bit off topic and I hope you don’t feel like we’re grilling you this evening, but I picked up on the “we still have some diesel buses” and I’m just interested because you’re here if we’re going to hopefully replace those especially given the cost of diesel right now.

Matt Sullivan, Community Development Director

It’s a very fair question. I think ultimately the goal is to have a fleet that is completely traditional fuel independent. Capital replacement within transit system is extremely complicated due to the cost and the need for federal funding to do so, but it would be simple for me to say yes our objective is to move away from traditional fuels. When we do that, it will take several years to move in that direction, but it is an objective of the transit system.

Alderwoman Kelly

Awesome. Thank you.

Chairman Lopez

If memory serves, these are custom built somewhere in the South and driven up here. I was at a dedication a couple of years ago and that thing was epic. It had a whole story behind it just to get here.

Matt Sullivan, Community Development Director

The equipment is highly specialized as I’m learning over the last few weeks. Even we have some new vans coming in and the equipment is much of it is not tried, true, and tested on the road. So we’re often piloting equipment that is not clearly demonstrated to operate at full effectiveness, but yes it is very specialized.

Chairman Lopez

I can tell you the seats work great! No problems reporting. Thank you for your time.

**MOTION BY ALDERMAN KLEE TO RECOMMEND FINAL PASSAGE FOR R-22-011  
MOTION CARRIED**

**R-22-012**

Endorsers: Mayor Jim Donchess  
Alderman-at-Large Michael B. O’Brien, Sr.

Alderman Patricia Klee  
Alderman-at-Large Melbourne Moran, Jr.  
Alderman-at-Large Ben Clemons  
Alderman Richard A. Dowd  
Alderman Tyler Gouveia  
Alderman Derek Thibeault  
Alderman-at-Large Gloria Timmons  
Alderman-at-Large Lori Wilshire

**RELATIVE TO THE ACCEPTANCE OF \$75,850 FROM THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF ENVIRONMENTAL SERVICES, EXOTIC SPECIES PROGRAM AND AUTHORIZING THE TRANSFER OF MATCHING FUNDS**

Chairman Lopez

Just for the Committee's purposes, the previous one I was asking about matching funds and Alderman Klee was as well, this one stipulates that we would authorize transfer of matching funds. Ms. Chisholm you might want to speak to that a little bit.

ON THE QUESTION

Deb Chisholm, Waterways Manager

Deb Chisholm. I'm the Waterways Manager in Community Development. This is essentially an annual grant that we get from the State Department of Environmental Services for invasive species management on the Nashua River, the Mill Pond, and the Nashua canal.

Just a brief overview of how that project works. We do the Nashua River. We have an herbicide applied every year from the Mine Falls Dam extending northward to almost to where Hollis starts. There is a spot up there where there is an intake for agriculture watering so we don't go any further upstream than that location. This is a year where we are doing both the Nashua River and the Mill Pond and canal. We only do the Mill Pond and canal every other year because at this point it doesn't warrant anything other than that.

So typically the way this works is the State finds the appropriate contractor to apply the herbicide to these locations. They send us all the information. This year we were fortunate to receive a 50% match for the work that is going to be done. You can see on the Resolution that the funding comes partially through Community Development for the Nashua River piece which we fund every year and this year because we are doing the Mill Pond and the canal, that portion comes from the Mine Falls Park Trust Account. So essentially we will expend the funds and then get reimbursed for 50% of the cost at the end of the year. So this is work that will begin during the next fiscal year.

Chairman Lopez

In previous years, I think before the Conservation Commission was enhanced or strengthened by the Mayor's Office, we had issues with invasive species particularly I remember a couple of times where volunteers in kayaks were asked to go round them up. Additionally in I believe the Mill Pond and the canal that goes through Mine Falls used to get really, really stagnant. Both situations look like they have improved. Is that your understanding?

Deb Chisholm, Waterways Manager

Well to clarify, the herbicides that will get applied particularly in the Nashua River do not address water chestnuts. That is the part that you're thinking about. We had a mechanical harvester come into the area just outside of where Nashua North is - so a little bit north of the boat launch there at Mine Falls. We had a mechanical harvester come in and harvest a couple of acres of that invasive species and because of that, we still do maintenance every year where we have people in kayaks go out and pull them by hand. That's essentially the best method for upkeep and maintenance of the water chestnut. The water chestnut is not impacted by the herbicides we put down. It's typically the Milfoil, Fanwort and things of that nature.

Chairman Lopez

Okay thanks for the clarification. It definitely looks like it's going much better, but I also think that could be just as

much a more organized effort. Alderman Klee had some questions?

Alderman Klee

Thank you so much Mr. Chairman. I understand that they are picking up 50%, which means that we are doing an equal \$75,850 from the City and I assume that was already part of our current budget, is that correct?

Deb Chisholm, Waterways Manager

Some of it is from our current budget, yes.

Alderman Klee

Is this also a 2022-2023?

Deb Chisholm, Waterways Manager

We don't allow them to do any of the actual work until July 1<sup>st</sup>. They might actually start with notifications in getting all of their license and permits in place ahead of time, but we don't typically allow them to start the work until July 1<sup>st</sup> because we'll be paying them out of next year's budget.

Alderman Klee

So if I may? So the matching funds will be budgeted in Fiscal Year 2023, correct?

Deb Chisholm, Waterways Manager

Correct.

Alderman Klee

If I may, I have one more. You said that this year they did 50%. In the past how much has the State contributed and is this about the same that we paid – everything seems to be going up, but is this about the same as we've paid in past years?

Deb Chisholm, Waterways Manager

This is very similar to what we've paid in past years. The cost for the contractor does go up every year. Last year the State gave us 40% of our costs and in years prior to that, I want to say the year before might have been 40% as well.

Alderman Klee

That's good. It's nice to see that.

Chairman Lopez

Just to speak more precisely in case I misspoke before, I just want to clarify this includes the authorization of the transfer of matching funds. I think that would be assuming that there are other funds there. Since this is coming from next year that will probably be a function of the budget process.

Deb Chisholm, Waterways Manager

I would agree with that.

Chairman Lopez

Okay. It has to be there first. Any other questions? Alderman Kelly?

Alderwoman Kelly

No, I'm good.

**MOTION BY ALDERMAN KLEE TO RECOMMEND FINAL PASSAGE FOR R-22-012  
MOTION CARRIED**

NEW BUSINESS – ORDINANCES - None

TABLED IN COMMITTEE - None

GENERAL DISCUSSION

Chairman Lopez

Miss Chisholm I think you were going to speak in a conversation and before I keep doing it over and over again, can you let me know what your salutation is?

Deb Chisholm, Waterways Manager

I'm trying not to tell you what my dad would say, "Just don't call me late for dinner". Ms. Chisholm, Miss Chisholm, Deb also fine.

Chairman Lopez

So I'm not missing any Directors or Doctorate's.

Deb Chisholm, Waterways Manager

I'm just a Manager.

Alderman Klee

Not just! She is a woman of many hats.

Deb Chisholm, Waterways Manager

Right. Now I'm putting on my Urban Programs hat. It doesn't fit very well so bear with me.

Chairman Lopez

So typically the CDBG grant is a process that is reviewed through this Committee prior to recommendation - recommending a slate budget as it were to the full Board. Director Sullivan or Miss Chisholm whoever would like to start introducing what we know and what we're anticipating doing. This is for discussion, so we're not expecting to act on anything this evening.

Deb Chisholm, Waterways Manager

Well I'm happy to start and like I said this is Deb Chisholm. I am the Waterways Manager not the Urban Programs Department Manager. So bear with me as I get through this process. There are some of you here who have – I've sat through this particular meeting with my waterways hat on and seen Carrie Schena up here in previous years and been like "whoa I'm glad I don't have to talk about that stuff" because mine seems simple compared, but now here I am.

Chairman Lopez

You never want to say that out loud.

Deb Chisholm, Waterways Manager

So big shoes to fill with Carrie's departure. The process for the annual action plan involves essentially the funding of Community Development Block Grant funding and HOME Funds. As of today, we have not received our allocation of funding from HUD. They have not approved the federal budget yet and so that has not happened.

So essentially the numbers that I had provided to you all in a spreadsheet are still really draft numbers because basically what we are looking at is what we had received last year for funding and assuming it would be something similar. So that's where it gives you a ballpark with which to work when evaluating what the non-profit applicants had submitted. We had applications from the Plus Company, Adult Learning Center, Boys and Girls Club, Nashua Children's Home, Nashua Soup Kitchen, Gateways, Area Agency, and Opportunity Networks. Those were the non-profit applications. We also had an application come in from Tim Cummings in Economic Development about a Pine Street pedestrian crossing. So those were all the requests for funding.

The other items that will need your attention are the amount of funding that we'll be providing to owner occupied housing improvement and rental improvement program, both of those under CDBG, and under HOME Funding, the Home Buyer Assistance Program and Affordable Housing Development. So I had the opportunity today to sit down with some folks in Urban Programs and I'm feeling a little bit bad. It was Community Development Block Grant Funding 101 for me and trying to understand where all these pots of money are what they're for. It's been a little bit challenging, but I was able to get some feedback from some of those staff people regarding the Owner Occupied Housing Improvement and the Rental Improvement Program. It does seem that lately we have been needing more money for owner occupied improvements than rental improvements. There is a fairly good amount of money that still remains in the Rental Improvement Program that was allocated. We allocated \$100,000 last year I guess and \$50,000 for the owner occupied. At this point all of the owner occupied funding is - I don't want to use the word "obligated", but anybody that's asked for money so far, we have had enough at this point but now there is a line forming. So I'm just providing that information for you to understand how this particular program is working. It is a first-come, first-serve type program. If there are people that are out there that want to do rental property improvement, please step up because we more funding available for that right now than we do for the owner occupied.

In addition to that relative to the portion that is considered HOME Funds, the home buyer assistance money that we had put aside last year was \$55,000 and to date, none of that money has been spent. My understanding is that at this point we don't really have a strategy on how to actually get that money out the door. So while were talking about that today and realizing okay we put \$55,000 away for that last year and we haven't spent any of it at this point and we also don't have necessarily a path forward on how to spend it, two things to start looking at is okay we should be developing or trying to develop a protocol for how to spend those funds at this point. To my point earlier, whether or not that will have some impact on how much money you decide you want to put aside for it for this upcoming year. The affordable housing development obviously that money gets spent fairly quickly and usually in fairly large chunks.

Chairman Lopez

Okay.

Alderwoman Timmons

I do have a question about the Home Buyers Assistance Program. That's not quite a lot of money -\$55,000. So I'm thinking that maybe 1) people don't know about the program, and 2) its not enough money.

Deb Chisholm, Waterways Manager

I would agree with you on that. They don't know about the program because we don't really have a program. We certainly have the funding available. If somebody said, "hey I'm trying to buy a home can you give me some help"? We would be happy to set-up and do that. We have a very strong lead program where people know, go to the city, here's the process. So we do need to develop a process that will allow us to advertise and say "hey we've got some money here that will assist buyers" and maybe that money is \$10,000 that will help them with the deposit, will help them get the paperwork that needs to get done. It's sort of a step into the process for them not necessarily hey we're going to give you the 20% down that you need to buy your home.

Alderwoman Timmons

And do they have to repay it?

Deb Chisholm, Waterways Manager

I don't know. I don't know.

Alderman Klee

Thank you. I'm sure that Alderwoman Kelly has some comments on it too. I believe this was actually just created last year was it not? It was brand new. We had the rental but we just started the home and we kind of started the fund there with the idea that we would be creating the program as we went along. There were a lot of employee shift changes during that time and I think that's probably where we may have lost our messaging, but I do remember Ms. Schena coming to us and talking to us about this program. We funded it for the first time. I think once we have a criteria, we may want to swap the funding between the rental and the homeowners because we did not have one for homeowners and that was some of the issues we were getting that some of our older people with income problems and so on were have some issues. We had a loan program, but we didn't have kind of a grant type program that perhaps Director Sullivan can add to that.

Matt Sullivan, Community Development Director

Two brief comments. One - I wanted to emphasize for some of the newer Aldermen/Alderwomen that this was a direct product of the housing study that was completed in 2020. One of the gaps that was identified in this city is the lack of city funds available to provide to first-time home buyers.

The second point being that well we certainly recognize that this program has not been adequately marketed within the community, I do want to point out that it's part of the ARPA dollar allocation to the City of Nashua and the contemplated allocation of those some of those ARPA dollars if not a substantial portion for the Affordable Housing Trust Fund. We do anticipate standing up a much more significant first-time home buyer program as part of that and so I hope that through the ARPA dollar effort and working with our consultant we will be able to create a much more program-strong approach to getting these dollars out in the community than what we currently have today. So certainly well intended to install it part of last year's program just having challenges actually implementing it and marketing it in the community.

Chairman Lopez

Director Sullivan do we have any partners in the community that work with us - Habitat for Humanity, Neighbor Works, any of the real estate companies that are aware of this?

Matt Sullivan, Community Development Director

We do particularly in the non-profit housing development side. We do have really strong partnerships with the developing community there as well as private developers. However I think even with that group of stakeholders, our efforts have not been strong and so we need to leverage those partnerships and those connections to ensure that we are actually getting those dollars out.

I will say on the home buyer side, it's a bit more incompatible with some of that development community that I'm talking about. It's much more appropriate for the affordable housing monies to get allocated to those organizations. Not so much on the first-time home buyer side of things.

Chairman Lopez

I can imagine it would be like a square peg in a round hole to have somebody who's trying to meet today's housing costs asking for assistance in doing that because the housing market is booming. Alderman Kelly you had your hand up.

Alderwoman Kelly

Yes a lot of what I was going to comment on was picked up on by Director Sullivan and Alderman Klee. I did

want to just point out that I think the formation of this made a lot of sense given that we didn't have this, but also keep in mind what we are looking at in terms of the housing market. There is really nothing available and so it stands to reason that there is not a lot of people coming to us for first time home buying assistance because there are no homes to buy. So we kind of have to build the houses and then we can give the assistance.

Chairman Lopez

I think it would definitely be an important question to ask as to whether the CDBG money that was unspent that funded this could be either put back or if it's going to be kept there, that this Committee be aware of it because it's a shame to tell somebody they can't have their handicap bathroom, or their winterized windows, or their roof repaired as a non-profit because we were going to run this program but then weren't able to. Knowing that there is a bigger more substantial program coming down the pike, it would put into perspective how we should be allocating money in the upcoming CDBG decisions because there is always a lot more requests than there is funding and we want to make sure we're not short changing somebody for an idea that doesn't actually get off the ground.

Alderman Kelly

Chairman Lopez if I could follow up?

Chairman Lopez

Yes, I'm sorry.

Alderman Kelly

I actually was feeling the same way and that's one of the things we can do in this Committee is decide like well do we want to just pause it for this year, put that money towards giving the PLUS Company the restroom they have asked us for three years or whatever it is. I haven't looked through the applications yet, but that I think that's within our purview.

My only question is sometimes the HOME grants are a little more tricky than the other things. I want to make sure that we can make that sort of swap. Do you know Director Sullivan?

Matt Sullivan, Community Development Director

I think that is something that Miss Chisholm and I will have to verify. I'm not certain if that shift can happen and further, I'm not certain that other modifications cannot be made without action plan amendments quite frankly. So let us get some more information back to you if that will be acceptable. I think what you're saying is quite wise. Certainly we should be able to shift base in the priorities that we're seeing in the community and how we do that, we can get some guidance to you on.

Alderman Kelly

Thank you.

Chairman Lopez

We all recognize the importance of you getting accurate information and we also recognize that there are utter impotence in the face of they haven't given us the funding amounts yet, so we have at least a month to kill.  
Alderman Klee?

Alderman Klee

Thank you. One of the things that I think would be helpful is ARPA is kind of like crashing into some of this as you were talking about the affordable and I know that we've got the ARPA money. I know we haven't come up with, in writing, an approval of what we're planning on doing, but it would be helpful if we had kind of some guidance as to what the plan was with the ARPA money as part of this. I think it will help us if we know that ARPA money will be going to a particular fund. We're not going to fund it with CDBG grant money. Maybe as Alderman Kelly had pointed out, we could use it for something else. As Alderman Timmons had said, pay attention a little bit more

to another particular like even if it's the Home Assistance Buyer Program. We wouldn't fund it if we knew ARPA funds are going in there.

Chairman Lopez

Director Sullivan just a clarifying question. Is ARPA through HUD?

Matt Sullivan, Community Development Director

No.

Chairman Lopez

So I mean not to throw too much on your research but if you could also find out what the difference are because every single federal grant has different regulations or restrictions on it. It might actually be scenarios where it doesn't make sense to put into ARPA. I'm thinking Habitat for Humanity was under a situation where they applied for CDBG funding and they found it almost cost prohibitive at one point because as part of that they had to put sprinklers in basement closets and that kind of stuff.

Alderwoman Timmons

I have a question. Shifting the money from one source to another source and perhaps losing \$55,000, that might be tricky to get it back and sometimes when you don't use it, you lose it, or you shift it, you lost it that way as well. I don't know if shifting it to another program is really the better idea to do it at this particular time. Maybe you should hold that there and then probably add more funds in there. Because I don't think \$55,000 is a lot of money and I'm old school. Back in my day - and I'm saying back in my day - because I'll be 70 in a few days so I'm a lot older than you guys.

Chairman Lopez

I don't think 70 is a very large number!

Alderwoman Timmons

That's a big number!

Chairman Lopez

\$55,000 is bigger!

Alderwoman Timmons

No, \$55,000 is not a lot of money. I'm older than that \$55,000! 55 I'm 70. I'll be 70 years old. That's a big number.

So what I'm saying when I was in the workforce, we used the money or we lose the money. So I'm saying I really like the program and don't want to lose it and shifting it we may lose it. So you speak on that or I'm just out of touch now?

Deb Chisholm, Waterways Manager

This is Deb Chisholm. My understanding is that we can keep that \$55,000 that we had allocated last year. It can stay there untouched until we have a plan in place and then we have applicants who want to come in and apply for those funding. It can sit there.

I guess really what we're thinking about is how will it impact what your decision is if we decide okay we really don't have a plan. We have \$55,000 from last year. It's good where it is. Do we put more money into that activity this year or do we as Alderwoman Klee had suggested, perhaps wait a year, get the plan in place, figure out what the ARPA funds will be used for, and move forward that way. So the funds will still be there. We won't lose them after one year. I believe that it's a 3-year period.

Alderman Klee

Thank you and just to add to what Ms. Chisholm said is yes this is not a use it or lose it type of thing. And usually by the time the years have come, we have used that money and put other money in its place. I don't think we've ever lost any CDBG money. We have places that we can use it and I do recall at one time one agency, it might have been the Soup Kitchen, decided not to take as much as we had originally granted before we did the plan and so on. Sometimes that happens and we do a shift because they got alternate funding, we're able to use it elsewhere.

Alderwoman Kelly

Thank you. So I don't know that you guys will be able to answer this but my understanding from the last couple years of Chairing this Committee is the HOME Grant is its own total, so we couldn't really move that \$55,000 up into the CDBG. They're much more rigid than the CDBG sources that you have in here as being around \$709,000. So it's not like we can take this and give it to the PLUS Company. That's my understanding. Am I correct?

Matt Sullivan, Community Development Director

That's my understanding as well, yes.

Alderwoman Kelly

So we can take the \$55,000 and put in the Affordable Housing Development perhaps, but we can't move it within those 4 buckets in those cells.

Chairman Lopez

I think all this will make a lot more sense in the context of how much HUD is actually giving us and what all our applications are looking like.

Alderwoman Kelly

Correct.

And my second question actually, and maybe this is just because you drafted this today, but I saw that this is availability for reprogram is zero. Is that actually the case?

Deb Chisholm, Waterways Manager

That is currently the case in that draft document that I sent you. I am still looking for funds from previous years that have a project that was, say for instance, a flooring project that was originally budgeted a \$20,000 came in at \$17,000. That \$3,000 would get reprogramed. I have not seen any funds available yet. Any of the monies that were allocated this time last year, those projects are just getting started and I will tell you it's been very challenging for those non-profits with money that they thought they had that would cover their entire project now is not covering their entire project. So they're having to come up with their own funding to be able to make their projects actually complete. So it's been a little bit of a challenge from that standpoint.

Alderwoman Kelly

And I'd like to follow up. As you go through that, I would just be interested to hear like how they are with their projects and where they ended up. Because I know the costs of everything is going up, and up, and up.

Deb Chisholm, Waterways Manager

Well I would like to give a shout out to one of the staff folks - Mike Youngers who was very proactive with all of the CDBG applicants this year working with them to understand what their projects were to make sure what they were providing to Urban Programs and then you guys accurate numbers, quotes from actual contractors, so that they would know – okay well we thought the flooring was only going to cost \$10,000 but it cost \$20,000. He was very great working with them to make sure the numbers that they were providing us would be covering the whole

project.

Chairman Lopez

I am going to recognize Alderman Klee, but I just want to as a clarification. Would it be appropriate for him to participate in some of these meetings since he has created a direct relationship with these organizations?

Deb Chisholm, Waterways Manager

Well we probably only have one more meeting, but I'm happy to invite him.

Alderman Klee

Thank you Mr. Chairman. What Alderwoman Kelly had commented was some of what I wanted to say and something I had mentioned to you earlier. One of the questions I always ask, and I think Alderwoman Kelly does the same thing, is if you don't get the funding that you're asking for will you be able to find other sources or will you be able to complete the project? So like what Alderwoman Kelly said, I'd be very interested to find out how many of them have deficit projects now because of the increase in costs and are they going to need additional funds to be able to do that? Are they coming in for more grant money this year? What is the status? I think getting an update as to where the projects are from last year would help us especially if the same person is coming in with another project. We may have to say to them should you finish that one first before we started the next one, etc. So I think it would be a good idea as to where their projects are in light of the additional costs if that's not too much to ask.

Chairman Lopez

There's additional context to consider too with what used to be reviewing comment that the Mayor's Advisory Committee. Some organizations that are applying for money here also applied for money there. They may have been approved for things there and organizations that were turned down may also be applying here. So in general, I would imagine Ms. Chisholm if there is a question saying do you receive money from other city sources that we could see, yes/no?

Deb Chisholm, Waterways Manager

I can find that out for you, yes. The Citizen Advisory Committee of which you speak has essentially just wrapped up their evaluation which was a considerable list of applicants for non-profits. They spent weeks going through all of their applications and I just saw from Mr. Telerski the results of that evaluation.

Chairman Lopez

Alderman Timmons and I were there for those.

The process that you're anticipating, you had said there is only one more meeting. Were you going to present all of the applicants and HUD's estimates and we were going to do that in one meeting because typically it takes multiple meetings for this committee.

Deb Chisholm, Waterways Manager

The next meeting April 11<sup>th</sup> is going to be the 2<sup>nd</sup> public hearing. I'm happy to invite the non-profits that submitted their applications to attend and provide you the opportunity to ask them any questions at that point. If you have questions before then, I'm also happy to reach out to them and ask specific questions as well to provide you with the information you need in your decision-making process.

Chairman Lopez

Well we'll certainly need to know what HUD is presenting and we would need to know that in the context of places that are applying, which we haven't had the opportunity to see yet. I know we did have a public hearing where we said we would have that information available. Are you still hoping that the actual HUD amounts and applications will all be ready for that public hearing?

Deb Chisholm, Waterways Manager

I'm hopeful that the HUD amounts will be available at that public hearing. Until those HUD amounts are released, everything is considered a draft and could change at a moment's notice.

Chairman Lopez

Right cause essentially we don't have legislation to discuss and so we don't have legislation to agree, or disagree on, or to make any decisions on. So we haven't exactly started yet.

Alderman Klee

Thank you Mr. Chairman. We could still have the public hearing based on their applications and so on and then when we did get the funding we could at that time debate and discuss as to how much of each of these we could fund just to keep the ball rolling and not have to wait until we get the HUD funding and then have to scurry to try to get the money out. If we had the public hearing to just hear what their needs, wants, asks the questions such as "if you don't get the funding, how much is a must?". I do remember at one point someone needing a heating system and we said can you just do part of it, do you have to do all of it? They came back and told us which ones were of critical need meaning that they had to have it done that year and how many they could put off for another year and so on. It might be helpful at least for us to get the public hearing and so on.

Chairman Lopez

And I 100% agree but when we get to the point where we have more refined or specific questions, that format is problematic. That is why in the past the committee has met more regularly leading up to it. Not anywhere as much as the Citizens Advisory Committee meets but if we have to call a special meeting, I'll check with the members and we'll make it go.

Alderman Klee

Thank you.

Alderwoman Kelly

I was going to remark on the last couple of years. I don't remember doing extra meetings, but we did ask questions before the meeting so that the different applicants could answer them beforehand. So we asked some of the questions like what Alderman Klee was talking about like what would you do if you didn't get all the funding? Do you have other funding sources for these? Do you have priorities if they had more than one project in? Then we invited them to the meeting not as part of the public comment but so that we could ask questions if there were additional questions. But we did, as I recall, we did kind of wrap it up pretty tightly once we had those discussions.

Chairman Lopez

I think it's typically done within the format of the existing meetings, but this seems like, and it might be just my impression, but it seems like HUD is taking longer than usual and we do want to have it done before our budget process too.

Deb Chisholm, Waterways Manager

Well technically if I may speak Alderman Lopez, this is Deb Chisholm speaking. We are required to provide our annual action plan to HUD by May 15<sup>th</sup> and that date, I don't believe, will be impacted at all based on when the allocations are provided from HUD. So while we're waiting, we'll continue to go through the process and then unfortunately at the very end, we'll have to adjust what our numbers look like once the allocations are actually provided.

Chairman Lopez

Okay and hoping they're not going to be that different from what they typically are, but we do have essentially two scheduled meetings of this Committee before that. If we have it by the next one, then I wouldn't necessarily see

us having any difficulty making a decision but if the Committee can't reach a decision or decides to table it, they're going to table it and we're going to have to work with that schedule too to get it done by the 15<sup>th</sup>.

Alderwoman Kelly

Yeah, I feel like this feels a little bit familiar in terms of we didn't have the numbers yet last time, so we did sort of a draft one and then the next one when we had - we actually ended up getting more which I'm hoping that's the case this year as well, then we just adjust it but we had already kind of earmarked some of the projects we'd like to fully fund if we got one.

Chairman Lopez

Okay. So is that something that we want to try doing this evening or do we not have enough information yet?

Alderman Klee

I don't think we have enough information.

Chairman Lopez

Because I have the spreadsheet that I received today and have only just looked at it. So I don't feel prepared, but if the other Committee members felt more confident I'd be willing to play along.

Alderman Klee

Mr. Chairman I would just recommend, I think, that at the next meeting we have all the applicants come ready to discuss. We do our homework in the meantime. If necessary, ask questions of Miss Chisholm so that they're prepared for that. We have this spreadsheet and I think we should start guesstimating at least based on what we're hoping to get. As Alderwoman Kelly said, I remember last year we were very pleased that we got more than we expected but at least we had the allocation and I think if I'm not mistaken Alderwoman, did we not decide that depending upon the percentage that they got of the total we kind of used that to help fund or put money into different other programs. So in other words if we didn't completely fund a program, we put some money back into it based on that extra that we had gotten. I think that's how we did it in the long run, but we already had somewhat of a plan and we kind of filled in the holes with the extra money. But also knowing there is some ARPA money that might be able to use in other places not necessarily fund certain things as much if we had that funding kind of going. I think we need to look at the big picture not just look at what the HUD funding is. If we can use some ARPA towards the HOME Grants, that would be wonderful. I agree, we can't take from one to pay for the other. Just a comment.

Chairman Lopez

Miss Chisholm so you're comfortable being the contact person for the Committee members? I know you're the Waterways Manager so I just want to make sure and I don't want Committee members to be replied to all when asking questions that should be in a meeting and certain transparencies required, but if we're able to ask questions and have updates sent to the entire Committee through you, then that's different. That's you communicating with the organizations and making sure that we know what we're talking about as we go into the meeting so that it doesn't have to all be decided upon in one evening.

Deb Chisholm, Waterways Manager

Sure I can be the point of contact and if there are questions that I can't answer, I can find the answer for you.

Chairman Lopez

Okay, I appreciate that. Additional questions from Committee members?

Alderwoman Timmons

I do have some clarifications. So she's going reply to, if I have a question for instance, she'll reply to only me, or the Committee at large, or directly to me? Okay.

Chairman Lopez

Miss Chisholm if you feel like you want to add updates or information to that type of stuff, we'll be totally receptive to it because whenever I come across a question that you're like this makes me understand the situation differently so I want an update and that might be helpful. Director Sullivan any thoughts?

Matt Sullivan, Community Development Director

My only final thought is just to thank Miss Chisholm for her tremendous efforts to keep this program operating and working with the Committee. She is being stretched in many different directions and has been for several months and although it may appear at times as though we are not in a position to provide adequate technical assistance, she has done an unbelievable job in learning a lot in a very short time. So I just want to thank Deb for her efforts. We are working together to find a new Urban Programs Manager for the Department that we're anxiously in need of but in the interim, we're very fortunate to have Deb and her skillset serving this role. Also I'm saying this so she doesn't quit on me tomorrow, but she had just been just tremendous and I want to thank her for all time spent on this truly.

Chairman Lopez

So all Committee members who agree, indicate by clapping. I've done a lot of work on HUD grants myself through Continuum of Care and just as a grant writer in general. So they are not easy.

Alderwoman Kelly

I want to say additionally say something on top of the clapping. I was going to say something similar. Thank you for stepping in but also just, again, re-highlight how interesting this is and how most cities don't do it this way. So we're really unique in the way we approach this and I know it puts extra work on your team and people are stepping in on the absence of Miss Schena, but I think it really is a really wonderful way that we look at and allocate these funds.

Chairman Lopez

I would like to second that. Nashua has a unique relationship with our non-profits. We rely on them very heavily to provide services that otherwise would go overlooked. That saves taxpayers a lot of money and a lot of resources and I think we do it pretty well in a lot of areas as much as there's always more to do, but that doesn't come easily and it's city stuff that keep their eyes on what's important, who has the most need, and who's able to do the most good in the community with what we do have. So thank you. Any further questions? So that was the discussion. There is nothing to vote on. Let's go to public comment. Any public comment?

PUBLIC COMMENTLaurie Ortolano

Hi, good evening. Laurie Ortolano, 41 Berkeley Street, Nashua, NH. I wanted to talk to you about acting on some policy changes involving e-mails within the city. There's been a number of lawsuits regarding e-mail communications in the city. There's been four filed and four won. The one on February 28<sup>th</sup> that I went in with to the court, the city offered a settlement recognizing they had not complied with the law but I did not take that settlement. I went into court for the full trial to try and extract additional information about what was going on and I'm glad I did.

You know this city is not being forthright with citizens on these records. It's been a mess for 2 1/2 years with no real motion made to correct the problem. The city has an e-mail retention policy, a written policy that says e-mails are retained for 45 days in Microsoft Outlook inboxes unless they are moved into an archival folder set up by the employee. It's a 45 day purge policy. However during the pandemic in March of 2020 and then in the summer of 2020, the city changed the policy to 120 days. Originally 90 in March and then 120 in the summer. So for 18 months (almost 2 years now) the policy has been 120 days. When we wrote Right-to-Know requests over this time period, they were denied or responded to that records had been deleted because of the 45 day policy.

In court, I learned that Miss Kleiner believed that it was appropriate to give us the errant 45 day policy as a record and not tell us or correct that it had changed because it was temporary. Even though our record request complied

to a specific date. The Mayor changed the policy and signed onto a new policy still at 45 days, updated it last May of 2021, and that policy still says 45 days when it was 120. It affected every one of these lawsuits and the city legal office went up to Supreme Court in a hearing on January 27<sup>th</sup> told the court over Laura Colquhoun's e-mail issues with the Assessing office that the city had a 45 day policy.

Miss Clay in a December 6<sup>th</sup> hearing in court – in Judge Temple's court had Nick Miseirvitch testify the policy...

Alderman Klee

30 seconds

Laurie Ortolano

...police was 120 days. This is all but lying to Supreme Court Justices and this has to stop. This is being filed all the way up at the State level. We need some assistance through our elected people to change this e-mail policy and practice and deception and lying that is going on in this city. Some of these people just have to go. Thank You.

Chairman Lopez

Seeing no further public comment.

REMARKS BY THE ALDERMEN

Alderman Klee

Thank you Chairman. I just want to remind everyone for the Ukraine flag raising tomorrow at City Hal Plaza at 5:30 p.m. Am I correct?

Chairman Lopez

Yes, we will see you tomorrow at 5:30. So that will be at City Hall Plaza. Additional comments?

On Thursday, St. Patrick's Day, one way to celebrate is to give to others. In the Operation During Welcome Organization is hosting a fundraiser with Joanne's Kitchen where you can sponsor a veteran a corned beef & cabbage meal for a homeless veteran for \$7.00. So if you go to Joanne's Kitchen on Main Street you can do that, you can participate in that, and then on St. Patrick's Day, their meals will be delivered to them. So if anyone is interested, please feel free to participate.

ADJOURNMENT

**MOTION BY ALDERWOMAN KELLY TO ADJOURN**

The meeting was declared adjourned at 7:57 p.m.

Alderman Patricia Klee  
Committee Clerk