

## COMMITTEE ON INFRASTRUCTURE

AUGUST 22, 2018

A meeting of the Committee on Infrastructure was held Wednesday, August 22, 2018, at 7:00 p.m. in the Aldermanic Chamber.

Alderman-at-Large Michael B. O'Brien, Sr., Chair, presided.

Members of Committee present:     Alderman Tom Lopez, Vice Chair  
  Alderman Jan Schmidt  
  Alderman Ernest A. Jette  
  Alderman Ken Gidge

Also in Attendance:                 Alderwoman Mary Ann Melizzi-Golja  
  Steven Bolton, Corporate Counsel  
  Tim Cummings, Director Community Development  
  Camille Pattison, Transportation Department Manager

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### PUBLIC COMMENT

Jim Cutter, 86 Palm Street here in the City and I have letter to Alderman O'Brien.

Dear Alderman O'Brien, We are anxious for the Gilbertons who are violating RSA 635:2, 1 Criminal Trespassing and RSA 31:102 Obstructing Access to Highways to remove their fence and tin shed from our property.

When the city building inspector approved a permit for Jim Gilbertson it may have caused him to think he now had the gap of vacant land he wanted. But we know he would have been wrong because a gap of vacant land will never be found in a driveway

And the Gilbertsons need to realize their deed is very important. Thus, the actual dimension required by NRO Section 36 Plats on May 13, 1971 Caron/Gilbertson building permit should be enforced with 51 feet and not 53.57 feet.

There is a rule that the building permit, tax map and deed must agree with each other. After visiting with Angelo Marino, Chief Assessor and the GIS Technician, the 2007 Gilbertson tax map was corrected and continues to be.

Please inform James L. and Annette R. Gilbertson who have moved to 145 Page Road, Litchfield, NH 03052 and REALTOR Bobbi Sinyard, Bean Group, 108 Ponemah Road, Amherst, NH 03031, to remove the fence and metal shed from our driveway. Sincerely, Jim.

Chairman O'Brien

Thank you Mr. Cutter. Is there any other member of the public who would like to come up and address the Board? Seeing none, we will close public comment and now get into communications.

### COMMUNICATIONS

From: Steven A. Bolton, Corporation Counsel

Re: Ordinance O-18-007

**There being no objection, Chairman O'Brien suspended the rules to accept and place on file communications received regarding the overnight parking ban.**

Chairman O'Brien

And I would also like to suspend the rules to enclose the letter from Mr. Cutter to be included in the minutes. Thank you. No objections? Outstanding.

UNFINISHED BUSINESS – RESOLUTIONS - None

**O-18-007**

Endorsers: Alderwoman Mary Ann Melizzi-Golja  
Alderman Patricia Klee  
Alderman Tom Lopez  
Alderman-at-Large Michael B. O'Brien, Sr.

**PROHIBITING PLACING OR BLOWING YARD DEBRIS IN THE STREET**

- Re-Referred to Committee – 8/14/18

Chairman O'Brien

On O-18-007, Infrastructure made proposed amendments to the previous Ordinance. On June 12<sup>th</sup> there was a second reading for the full Board of Aldermen and it was re-referred to the original version. No amendments were made. On June 27<sup>th</sup> Infrastructure made additional proposed amendments. July 10<sup>th</sup>, a third reading the full Board postponed until the 8/14 meeting. On August 14<sup>th</sup>, a fourth reading was granted and the Board re-referred the original versions. No amendments were ever made at the full Board meeting.

I want you to note, again, that the Board of Aldermen did not amend O-18-007, the Ordinance is now to be considered in its original form and is now referred to the committee and it is before you. The Chair would like to recognize Corporate Counsel to speak on that please?

Steven Bolton, Corporation Counsel

Thank you Mr. Chairman. As indicated in that memorandum that I had sent previously and was accepted by the committee this evening, I recommend that you don't include the proposed amendment that would add the sentence "this section shall be enforced in accordance with the provisions of section 74 - 1 through section 74 - 5. Those sections are an administrative enforcement policy that were designed to be used by Code Enforcement, the Building Officials and the Public Health Department in their inspections of the various issues which they enforce and are under their jurisdiction.

The Police had no involvement in adopting those procedures, commenting on those procedures, designing those procedures in any way that would make them coordinate with their existing manner of doing things. I think if the Police are going to have to enforce this and we have no other agency to enforce it, they should be left to do so the way they ordinarily do and that would be to either issue a summons or make an arrest. Now frankly I cannot envision them making an arrest for a violation under this provision. And as you know, the provisions related to snow being pushed into the street and so forth has been around for decades. As far as I know no one has ever been arrested for it. I don't know that anybody has ever been fined for it, but people have been, I know warned by the Police and advised that if they did not cease to put snow into the street that they would be summoned and they would be subject to a fine.

Frankly, I think that is all the Alderman who sponsored this originally intended; that pushing or raking leaves and lawn clippings and other such things into the street would be treated exactly as how snow has been treated for decades. If there is some concern that the general penalty provision that provides for \$1,000.00 as a maximum for a violation is excessive, I will tell you I don't think any judge would impose \$1,000.00 fine for the first offense, it is not mandatory, it's a potential maximum. But I would prefer if you wanted to say that upon violation someone would be fined a maximum of \$200.00 or some other amount, I would prefer that than to try and get mixed up with the administrative enforcement procedures. And there are a couple reasons for that. One as I said before, the Police are not familiar with that procedure, it does not jive with their current procedures, they'd incur expenses for training and frankly I doubt that they would be motivated to have a separate procedure for this one specific violation.

But aside from that, the way it reads now it says it shall be enforced in accordance with these provisions.; these provisions are not mandatory now for anything. If someone is violating the zoning ordinance, we can choose to go after them by way of these administrative enforcement procedures or we can go to court and seek injunctive relief and get them to stop. If this is passed in this manner, this is the only way, and if you've get someone doing something that is egregious and truly dangerous, this will tie our hands. And this is a long slow process.

I would prefer to have our options open just in case we have something that is more serious than usual and not be bound to go through what for minor things is sufficient, but for a major thing is going to be slow and tedious. So thank you for that. The other amendments providing exceptions and so forth, I am perfectly happy with.

#### Chairman O'Brien

Thank you to the Corporate Counsel for that explanation. I will allow if anybody wants to have a question to Corporate Counsel first? Seeing none, I recognize Alderwoman Melizzi-Golja.

#### Alderwoman Melizzi-Golja

Thank you. Yes first I would make a motion to recommend final passage of this piece of legislation and just speaking to the comments from Attorney Bolton, I spoke to Chief Lavoie and also had e-mail communication with him and he is in complete agreement with the recommendations from Attorney Bolton. And as Attorney Bolton stated, typically what happens if there is a situation there is a warning given but we don't see the issuing of a summons. So as the maker of the motion, I would recommend final passage of this legislation in its original form.

### **MOTION BY ALDERWOMAN MELIZZI-GOLJA TO RECOMMEND FINAL PASSAGE OF O-18-007**

#### ON THE QUESTION

#### Chairman O'Brien

There is a motion for final passage of O-18-007 in its original form. Before I move it to the question, just to make sure everybody is able to see, I did ask the Aldermanic liaison to provide each of you with a copy of the original, so it should be on your desk. Basically the changes would be on the original, the ones that is underlined, that would just basically include push or blow and changes yard debris including but not limited to leaves and grass clippings. Ok?

#### Alderman Jette

Mr. Chairman, I would appreciate Attorney Bolton's comment on this, you said that we are back to the original motion. My understanding is that this committee has amended it twice and the latest amendment which we sent to the full Board of Aldermen who re-referred to us; my understanding is that the proposed

ordinance that is now before us, is the same one that we sent to the Board of Aldermen which would include the language making the exceptions about the placement directed or requested by the Division of Public Works.

The first amendment was to add that language and the second amendment was to change the enforcement provision. I think that what we need to do is if we are going to follow Attorney Bolton's recommendation, what we need to do is take the ordinance that is before us is the one that we sent to the Board of Aldermen, we have to amend that to return the enforcement procedure to what it was being subject to punishment as provided in Section 1-12. Am I correct Attorney Bolton?

Chairman O'Brien

Would you direct that through the Chair please? If you have a question for Attorney Bolton you may ask. Attorney Bolton?

Attorney Bolton

I hate these questions about order and where we are in amendments and what not. It doesn't make any difference as long as everyone here understands. I think that the Chair was clear on how he wanted it treated. Strictly speaking, if someone objected to that procedure, the committee could have taken a vote at the time and that probably would have been the time to raise it if we are being highly technical. I think approaching it from either direction would have been acceptable as long as everyone knows what is going on. So if the Chair wants to have it done one way he can insist on that. If the Chair wants to put it up to the vote of the committee he can provide for that manner. I don't, as I say, I don't really think it matters as long as it is clear what you do do with this.

Chairman O'Brien

If I may, thank you to the Counsel. Alderman Jette, from my understanding and researching this matter, the amendments were never picked up by the full Board. So in essence the only thing that is before us to be considered this evening is the original amendment. Anything else would have to be an additional amendment or something that construed. And it seems to be the existing two amendments that you are referring to, evidently does not pass muster by our legal department. Therefore, the only thing that is before us is the original amendment. Now, that doesn't mean, from my understanding that in the future, as with all our ordinances, anybody could come in and try to write an additional or another amendment on it. But there is a pending motion before this Board right now, to pass O-18-007 in its original presentation.

Alderwoman Melizzi-Golja

Yes, I would like to retract my amendment and amend the original legislation because you are totally right. This has not really been viewed as being amended because it has only been proposed to the Board of Aldermen and they have never approved it. And that was my missing the process. So I believe there were several amendments made and so on Page 1, 2, 3 of this document there is the amended version that we had worked on which reflects the subject of punishment as provided under provisions 1 through 12 which is what the Police would enforce.

I would like to amend it with that version that has moved through this committee. It says: **“No person shall by himself or by his agent or agents throw, push, blow, or put any snow, ice or yard debris, including but not limited to leaves, branches and grass clippings into the right of way of any way, street, lane, alley or sidewalk. This section shall not apply to the following situations, placement has been directed or requested by the Division of Public Works, or clean up or collection of material is simultaneously occurring. Any person who shall violate this section shall upon conviction be subject to punishments provided in provisions 1 – 12”**

So that is where we were prior to changing enforcement and that is what I would like to amend the original ordinance with.

***Alderman Melizzi-Golja withdrew her motion to recommend final passage***

**MOTION BY ALDERWOMAN MELIZZI-GOLJA TO AMEND O-18-007 BY REPLACING IT WITH THE PROPOSED LANGUAGE STATED ABOVE**

ON THE QUESTION

Chairman O'Brien

I think that you can, but let me remind the Aldermen, how did we get here? And I don't want to really do it again. I do not think at this committee level is the right time to start coming out and really putting amendments, although sometimes it does work, I understand. But in a matter such as this, where it involves right now, we seem to have questions with the legal department as it was previously amended. And to ask legal to come to, at the meeting, to come up with an explanation on it, I don't know if that is fair to the legal department, if he is capable of doing that. And I think the question should be asked to Corporate Counsel on your proposal, does he feel comfortable with that or would Corporate Counsel like to review that, have time to chew on it sort to speak and review it and then come back and make a recommendation to this Board. Because I do not want this committee chasing its tail; I'm not saying this is not a worthwhile, it most certainly is worthwhile. However, I would like to get it right.

Alderman Melizzi-Golja

If I may ask Attorney Bolton a question through you? My understanding was that the reason we had brought the question to you regarding this piece of legislation and the amendments was around where enforcement should be placed. Originally it was under the jurisdiction of the Police Department through standards that they typically enforce. That last proposed amendment moved it into the arena of Code Enforcement and your recommendation was that we go back. But the rest of what was proposed as amendment, my understanding was fine and Public Works has also said that they were fine with those other proposals.

Attorney Bolton

I tried to indicate that when I spoke before, what you just read Alderman Melizzi-Golja, is essentially I think, word for word, what this committee had come out with recommending following or during its May 23<sup>rd</sup> meeting of this year. Myself, as well as Attorney Clarke, looked at it at that time and we were fine with it, we had no objection. So we would continue to have no objection.

Alderman Lopez

So I just wanted to express my support and appreciation for what Alderman Melizzi-Golja was proposing because particularly I was sympathetic to the individual who came and pointed out that if Public Works told him to move stuff then he would be liable for moving it. But then additionally a priority of mine is the sidewalks because a number of companies will remove snow or yard debris to a sidewalk and yes the City could go after them in Court, but typically they don't. And it is an unmanageable problem in many areas because there isn't something more direct for addressing it.

I was in favor of the amendment that was the amendment to the amendment that we have discussed previously. I wasn't present for the part where we confirmed the last amendment and I understand Attorney Bolton's point. But I think the version that Mary Ann Melizzi-Golja has proposed, I would be in support of. And I would also point out that this is actually one situation where we should have used a golden rod copy because it would have been easier to figure out from these here. It's the one situation.

Chairman O'Brien

Yes the Chair recognizes, my apologies, I forgot about the golden rod. The Chair would like to ask Corporate Counsel it is not yet an amendment, but you are in agreement, just to make sure, because this is very worthwhile, I agree with it. I just want to make sure we get it right. We do agree with what is now being proposed to this Board?

Attorney Bolton

Yes.

Chairman O'Brien

Very good. Thank you. Then that would mean, Alderwoman Melizzi-Golja, do you have a motion?

Alderwoman Melizzi-Golja

I did. I am moving to amend O-18-007 with the legislation in the version that I just read to you and I know you have a copy of it. So we are striking for the purpose of this resolution right of way being street or sidewalk and we have added those other pieces identifying what yard debris is as well as that no one should have a problem if they are placing things in the street because they have been directed to by DPW or they or their yard service is in the process of cleaning and it is obvious it is an on-going work site for yard waste removal.

Chairman O'Brien

Very good, thank you.

Alderwoman Melizzi-Golja

You're welcome.

Chairman O'Brien

Any further questions on the pending motion? Seeing none, all those in favor?

**MOTION CARRIED**

Alderman Schmidt

So should we ask for final passage on that?

Alderwoman Melizzi-Golja

I recommend final passage.

**MOTION BY ALDERWOMAN MELIZZI-GOLJA TO RECOMMEND FINAL PASSAGE OF O-18-007 AS AMENDED WITH PROPOSED LANGUAGE  
MOTION CARRIED**

NEW BUSINESS – RESOLUTIONS

**R-18-067**

Endorsers: Mayor Jim Donchess  
Alderman Ken Gidge  
Alderman Richard A. Dowd  
Alderman Patricia Klee  
Alderman-at-Large Michael B. O'Brien, Sr.

**DESIGNATING RAIL TRAIL AS CLASS B TRAIL UNDER NH RSA 231-A**

Chairman O'Brien

Mr. Cummings, if I may take the liberty to ask you to come forward, seeing that you are here and maybe you can brief the committee on your expertise on this.

Tim Cummings, Director of Economic Development

I will try my best Mr. Chairman, again for the record, Tim Cummings, Director of Economic Development. This project or legislation rather was not coming out of my office per se, I know it originated out of the Community Development Office. Director Marchant is on vacation and I know she worked very closely with Attorney Leonard on this legislation.

It is basically a house keeping matter where from a municipal standpoint we want to make sure that we have all our trails and walking paths properly designated. What we are doing is a housekeeping matter in terms of making sure that we identify and categorize these different walkways appropriately so we are afforded the appropriate legal protections.

So that is pretty straight forward, it is very simple and we are hopeful that you are supportive of this matter.

Chairman O'Brien

Very good.

Alderman Lopez

I have a question through the Chair for Attorney Bolton. Do you know whether or not this designation affects the City's responsibilities for cleaning or maintaining or anything of that nature?

Attorney Bolton

It has no effect on that.

Chairman O'Brien

Looking at the list of endorsers and I am one, but being Chair, I see that our good friend Alderman Gidge is an endorser of this. Would you like to make the motion to recommend final passage?

**MOTION BY ALDERMAN GIDGE TO RECOMMEND FINAL PASSAGE**  
**MOTION CARRIED**

**R-18-070**

Endorsers: Mayor Jim Donchess  
 Alderman-at-Large Lori Wilshire  
 Alderman Ken Gidge  
 Alderman Linda Harriott-Gathright  
 Alderman Richard A. Dowd  
 Alderman Patricia Klee  
 Alderman-at-Large Brandon Michael Laws  
 Alderman Tom Lopez  
 Alderman-at-Large David C. Tencza  
 Alderman Jan Schmidt  
 Alderman-at-Large Michael B. O'Brien, Sr.  
 Alderman-at-Large Brian S. McCarthy

**AUTHORIZING THE ACCEPTANCE OF A LICENSE FROM BAE OVER LAND LOCATED ON THE CORNER OF CANAL STREET AND NASHUA DRIVE FOR A BUS SHELTER**

Chairman O'Brien

The Clerk would like to ask Ms. Camille Pattison of the Nashua Transit System to come forward please and grab an open seat. You can sit next to Mr. Cummings or anywhere you wish and I will allow you now if you want to go through your presentation. We do have the map up here and basically what we are talking about and if I may just take a second; where the cursor is, I don't know if you can see it up there on the screen, but Canal Street is right here where the cursor is. This little gray section that goes through a parking lot is Nashua Street and where the proposed bus terminal will be is right where this little blue dot is. Am I correct?

Camille Pattison, Transportation Department Manager

Yes. My name is Camille Pattison, I am the Transportation Manager for the City and I oversee Nashua Transit System. So we are here before you this evening to seek acceptance of the bus shelter license. This is to allow a shelter in the location that Alderman O'Brien has just pointed out. It is on BAE's property and it will be open to the public. The idea behind the shelter, BAE will be responsible for the maintenance including trash removal, snow removal and Nashua Transit System Staff will install and construct a shelter at this location.

I'm sorry I have got a cold I am trying to get through this without coughing too much. So the shelter is being located here in conjunction with the new downtown connector route which you can see up here on the map. The blue and black dots are proposed bus stops and this is coming on the heels of the Crown Street Park & Ride opening up. The downtown connector is designed to provide access between the Crown Street Park & Ride, the parking garages at High Street and Elm Street; businesses and restaurants along Main Street. Then you have larger employers who will also be served by this such as Southern NH Medical Center, BAE and those are especially congested areas.

BAE is facing some significant parking limitations; the hospital area is also very congested and the service will hopefully alleviate some of that parking need. They can park at other locations such as the Park & Ride and Elm Street and get to places of employment. The service will be looking at running Monday through Friday, just before 6:00 a.m. and running until just after 8:00 p.m. at ½ hour intervals. There will be an increase of 15 minute intervals in the morning, roughly between 8:00 a.m. and 10:00 a.m. and potentially in the afternoon if needed.

I can take any questions you have.

Chairman O'Brien

Ok, additional questions?

Alderman Lopez

I just wanted to observe that we have talked about the hospital and BAE but this loop would also be really convenient to people in Crown Hill and French Hill who are trying to get to the station for their morning work. I am aware of a number of people who particularly in French Hill have to walk to the station so they can get their first bus that is heading to work. So I think that this is going to be very popular.

Ms. Pattison

The other thing, too, I'm sorry, Camille Pattison, Nashua Transit. We did have quite a bit of interest from the CD East Street neighborhood and they wanted a bus stop in closer proximity. So you can see on the eastern most end of Temple Street, there is a black dot there. That will get them a bus stop closer than where they are currently going. Another new thing too, there will be a bus stop right at the Nashua Public Library, there is not one currently and then the new housing on Franklin Street would also benefit from this.

And the final thing probably to note too, when rail eventually comes to downtown Nashua, it will be served at that Crown Street Park & Ride location, so ideally transit would mix in with that well for intermodal access.

Chairman O'Brien

Very good to fit rail in there; we like that. Some of us like that. Bus people support rail, thank you very much. Any further questions of Ms. Pattison. Seeing none, the Chair would like to entertain a motion on R-18-070.

**MOTION BY ALDERMAN LOPEZ TO RECOMMEND FINAL PASSAGE****MOTION CARRIED**NEW BUSINESS – ORDINANCES**O-18-020**

Endorsers: Alderman Tom Lopez  
Alderman Ken Gidge

**PROHIBITING PARKING ON A PORTION OF THE SOUTH SIDE OF EAST PEARL STREET**Alderman Lopez

I just wanted to clarify that this was recommended by the Streets Department but it is directly in front of Mary Sweeney and it is a small area and it basically creates an emergency lane for emergency vehicles to move in and respond to emergencies that are unfolding. I think it is really needed for that area. If it fills up with parked cars and say an ambulance needs to get in there, they've had a lot of difficulty and it has been a disruption to traffic. I think it is a really good idea on their part, they just re-did the sidewalks so it is a really good time to introduce that change.

Chairman O'Brien

Alderman Lopez, so your intention is to make it an emergency access only, correct?

Alderman Lopez

That was the intention that was communicated to me.

Chairman O'Brien

So it is not going to be like a drop off or anything else for people in there

Alderman Lopez

If it is an access that can be used in an emergency it can also be used for that purpose too.

Chairman O'Brien

That somebody can drop off?

Alderman Lopez

Like medical transport.

Chairman O'Brien

For medical transport ok?

Alderman Lopez

If we are being honest the fire lane isn't always kept entirely clear but whoever is in there better get out of the way quickly.

Alderman O'Brien

Yes because Alderman Lopez went down today and we took a look at it and it is directly right in front, there is a curb cut that has been done with what looks like new masonry work was done to pre-approve this and everything. But looking at the original I didn't see anything with the emergency and I am not in any objection to have it in such a way to have emergency access.

My question is does no parking mean no parking and should it say emergency access only, but then again I'm not really going to divide a hair on that. I think no parking and if it has got an ambulance or fire truck I think we are well within good stead. Okay. So you've made the motion for final passage correct?

Alderman Lopez

I think I may not have actually said that so I'd like to make the motion.

**MOTION BY ALDERMAN LOPEZ TO RECOMMEND FINAL PASSAGE  
MOTION CARRIED**

**O-18-021**

Endorsers: Mayor Jim Donchess  
Alderman Ken Gidge  
Alderman Richard A. Dowd  
Alderman Patricia Klee  
Alderman-at-Large Brandon Michael Laws  
Alderman Linda Harriott-Gathright  
Alderman-at-Large Brian S. McCarthy

**AUTHORIZING THE CITY TO LEASE PARKING SPACES LOCATED AT THE CROWN  
STREET PARK AND RIDE**

Chairman O'Brien

Seeing that we do have Mr. Cummings here, Mr. Cummings could you give us a little briefing on this please?

Mr. Cummings

Yes Mr. Chair, for the record Tim Cummings, Director of Economic Development. Relative to this piece of legislation, this actually goes hand-in-hand and is in tandem with the route service that you just approved. As you may or may not know, the whole concept of this came together through a public/private partnership with BAE one of our largest employers in the City. BAE approached the City relative to having some concerns and constraints relative to their parking needs. They asked us how we might be able to work together to try to solve the problem. They obviously provide quite a few jobs on Canal Street, something in the order of a magnitude of 2,500 or thereabouts and they are continuing to grow.

With that being said, the idea of having them help seed this bus route that you just approved, they also needed some additional parking. With the Crown Street Park & Ride coming on line, it seemed like a win/win situation where we could temporarily rent them some parking spaces at a market rate, what everyone else pays, on a month-to-month basis like everyone else. We thought it was a good way of helping to be a good neighbor. So that is what the ordinance before you does, it allows my office to be able to issue permits as we customarily do in other parking lots that you give us the ability to do that for, here in the brand new Park & Ride facility.

Chairman O'Brien

Any further questions for Mr. Cummings by members?

**MOTION BY ALDERMAN GIDGE TO RECOMMEND FINAL PASSAGE  
MOTION CARRIED**TABLED IN COMMITTEE

Petition for Street Discontinuance – Portion of Conant Road

- Also assigned to NCPB; Tabled 7/12/18
- Tabled in Committee - 7/25/2018; Remained Tabled at its 8/9/2018 mtg

Chairman O'Brien

We have tabled in Committee, seeing no motion to take it off, petition for street discontinuance on a portion of Conant Road, seeing no motion to take it off the table it shall remain as such.

GENERAL DISCUSSIONAlderman Lopez

I just wanted to remind the Board that there is a group of neighbors that are very strongly advocating for clean-up of the Mohawk Tannery site. The EPA did have a very large well-attended public comment session. The Public comment was extended and it is something that I think everybody on the Board should be looking at. Development is coming in that area due to the Broad Street Parkway, but doing it right is very important. The neighbors feel and I agree that we shouldn't be putting places where people live on top of a toxic waste dump that has been sealed hopefully for 500 years, but really 100, according to the concept.

I think in terms of Infrastructure, those decisions, everything that we do in terms of putting in roads or pipes risks disrupting that. So it something that everyone on this board should be looking at or this committee should be looking at. And the Board in general is likely going to need to monitor.

Chairman O'Brien

Thank you Alderman Lopez. If I can just also say it a shame, fortunately now we look at things a lot different than we did when Mohawk first started without ever contemplating the amount of contamination that exists there. I call that general area within it and it is a very nice residential neighborhood and I hope we can come to some resolve. I agree with you, thank you. Any other general discussion.

PUBLIC COMMENTMr. Cummings

Yes Mr. Chair, again for the record, Tim Cummings Director of Economic Development. In a previous meeting I was before you, we had a conversation about parking and I wanted to make sure this committee was aware that I took your feedback and I am working with the parking manager, Jill Stansfield, who has been in close communication with Attorney Clarke. Attorney Clarke and Jill Stansfield have developed draft legislation that will make housekeeping changes to our City ordinances that will properly address the organizational matters, the structural matters for how we govern and regulate ourselves from a parking perspectives.

We do have some material issues that still need to be addressed. I would be looking for direction from this body as to how you'd like to address those issues relative to the overnight parking permit program. What I also wanted to make sure the group was aware of is since our conversation we've taken some administrative actions where we didn't necessarily need to impose regulations in terms of making sure that we followed the proper process that the Police followed for taking special exceptions. We have mirrored that process identically and we have actually improved upon it. Previously you were able to make special exception requests I think up until 9:00 p.m., previously my office, the parking office had stated something like 4:00 p.m. Not only can you do a past 9:00 p.m. now, we are working towards trying to make it 24 hours. So that is coming down the pike with our IT Department. Right now you can do it up until 9:00, 10:00, 11:00 at night.

So we heard the comments loud and clear by this group. We are still going to need to have clarification on how long we should allow these special exemptions to go on for. Currently under the Police practice it was 3 days. Needless to say, if you have a college student who is home for a certain period of time in the summer, that is not going to necessarily work for you. I think I would be looking to recommend some sort of temporary visitor type permit and we could do that on a neighborhood basis. I am going to need some direction as to which neighborhoods would be interested in that. But that would be just one example of a material type solution that I would need legislation for that I have been working towards over the last couple of weeks or so. I wanted to just give you that quick update.

Alderman Lopez

I just want to comment because her name came up. I've worked with Jill Stansfield on a number of projects and she is really easy to work with. She is very, very hardworking and she is very thorough. I just want to take the opportunity to say I really appreciate the work she does.

Chairman Lopez

Mr. Cummings thank you. We seem to be heading in the direction. So in theory when we get to a certain point that we upload the website, everything else like that, if somebody is following our directions and laws and reads our website and we are going to ask to probably put this out in the press. We are going to do a PR, press release on it and everything else when we finally get there. So in theory, if everybody follows it nobody would probably get a ticket am I correct? Yet keep our City streets, well as long as they notify properly, let me get the usual caveats right.

Mr. Cummings

If I may Mr. Chairman, I don't know if someone wouldn't necessarily get a citation or not I can't speak to that but what I can say is that we are taking every effort to provide the public education that this community deserves. Not only are we going take on that PR initiative that you just outlined, but I am also working very closely with Treasurer Fredette to see if we can get some sort of mass mailing out through the water bill so folks are aware of the different parking regulations as a way of communicating to the public. So that is something that my office is working on and hopefully will happen; again so we can say that we have at least provided the information to the public.

Alderman Lopez

I have a question for Director Cummings through the Chair. Is it within the scope of the parking apps capability for someone say on Fairmont Street to say I want my college student to be able to park I am going to go on the app and do it that way? I mean I know it is not right now but is it going to be developed?

Mr. Cummings

I can check, I don't know, let me look into that. That is a good question.

Chairman O'Brien

I do have a question with all members of the Board here. It seems like Director Cummings seems to be on the right path and I'll even let Mr. Cummings chime in. Would you like to have an additional monthly report by Mr. Cummings by our next meeting or do you want maybe the meeting after that? What we are talking about, this is August, September or in October an update, would that be more appropriate Mr. Cummings and what is the flavor of the board to get a future update from Mr. Cummings on parking?

Alderman Lopez

As much as I am reluctant to give Director Cummings more work to do, I do think this is one of the most common topics I hear about. So it would probably be a good idea to do at least a regular update of whatever progress is made, just because there is so much negativity being directed at parking because they only see the negative sides, they don't necessarily see all the positives.

Chairman O'Brien

Other members, do you want it every month? Alderman Gidge?

Alderman Gidge

Yes.

Chairman O'Brien

Ok. Alderman Jette would you like to have it every month at this particular time?

Alderman Jette

Yes.

Alderman Schmidt

Absolutely yes please.

Alderman Jette

And if I could Mr. Chairman?

Chairman O'Brien

Yes absolutely Alderman Jette.

Alderman Jette

I would also like to invite the public to voice their opinion about this. I know I've received comments from people who want to be able to park overnight especially during the good weather. I've heard comments from people who are concerned about people parking in front of their houses. And I've heard people express the opinion that their street is curvy and they think having cars parked there would be a danger. So I would invite all people to communicate those concerns to their Aldermen and to us so we can take that all into consideration when we come up with whatever change we are making.

Chairman O'Brien

I totally agree. I do encourage all members of the public to provide their Ward Aldermen or Aldermen-at-Large such as myself, any opinions you do have on it. But may I just say and I agree with you 100% but I like to take it and I think that we are, if I just may say in an overview, slow and methodically. Once we allow the horse to leave the barn I don't think we are ever going to get him back in. So in other words, what I am referring to, if we just blanketly say let's allow overnight parking if we decided to curtail it, I would much rather do it at this methodic and piecemeal and to look at it and to see where we basically are.

We have got one of those things in the City that it is nice to drive in a very open street at night, but at the same time, this City is not in the business to ticket our people or anything else. So what we are trying to do is find what is best for everybody. So thank you that is very true we appreciate the public input on that. Any other follow-up on it? So Mr. Cummings we would look forward to your September appearance.

Mr. Cummings

See you next month.

Chairman O'Brien

Yes, very good. Thank you.

REMARKS BY THE ALDERMEN - None

POSSIBLE NON-PUBLIC SESSION - None

ADJOURNMENT

**MOTION BY ALDERMAN LOPEZ TO ADJOURN  
MOTION CARRIED**

The meeting was declared closed at 7:48 p.m.

Alderman Jan Schmidt  
Committee Clerk