

COMMITTEE ON INFRASTRUCTURE

OCTOBER 23, 2019

A meeting of the Committee on Infrastructure was held Wednesday, October 23, 2019, at 7:11 p.m. in the Aldermanic Chamber.

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

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

Members not in Attendance: Alderman Ken Gidge

Also in Attendance: Alderman Patricia Klee
Alderman-at-Large Brandon Michael Laws

PUBLIC COMMENT - None

COMMUNICATIONS

From: J. Bradford Westgate, Esquire
Re: Acceptance of Legacy Drive and Serenity Lane
• Referred to Cmte – 9/25/2019

There being no objection, Chairman O'Brien accepted the communication and placed it on file.

From: Jeffrey A. Zall, Esquire
Re: Acceptance of Pilgrim Circle
• Referred to Cmte – 9/25/2019

There being no objection, Chairman O'Brien accepted the communication and placed it on file.

PETITIONS

Petitions for Street Acceptance: Bancroft Street, Legacy Drive, Serenity Lane, and Pilgrim Circle

MOTION BY ALDERMAN SCHMIDT TO RECOMMEND GRANTING THE PETITIONS FOR STREET ACCEPTANCE FOR BANCROFT STREET, LEGACY DRIVE, SERENITY LANE, AND PILGRIM CIRCLE

ON THE QUESTION

Alderman Jette

So the Ordinance requires a written opinion by an attorney licensed in New Hampshire regarding the ability of the ability of the petitioner to grant the City title to the land covered by the street. That has been provided to us by Attorney Westgate in a couple of cases and Attorney Zall in another case. But the Ordinance also requires that the Corporation Counsel provide review and provide comment. I spoke to Attorney Bolton about that this afternoon and he said Attorney Leonard I think was going to review it and provide some written documentation to us. Have you received anything?

Chairman O'Brien

No I have not but when it comes on our, I would hope that everybody within the City has done their homework, these are professionals. This has been dangling out there for several meetings. What I waited for because where it is basically a neighborhood, several different streets, we waited until they all piece-meal came in so we could do it in one complete swoop. So I think, I don't know, I haven't seen the complete paperwork from Attorney Leonard but I would assume that she has, that attorney has done due diligence on the matter.

Alderman Jette

OK the Ordinance requires that we be provided something in writing. I think your assumption is probably correct but you know I brought that to Attorney Bolton's attention and he said that he would, you know, he agreed with me and said it would be provided. I am surprised that we don't have it.

Chairman O'Brien

Would the City Engineer like to step forward to give further, you may sit in a chair if you wish. Could you re-introduce yourself.

Mark Jennings, City Surveyor My name is Mark Jennings, I am the City Surveyor, taking the place of Mr., Dookran who is usually present at these meetings. I did meet with Celia on several occasions and brought these petitions from the lawyers directly to her. Then I checked back with her and she told me that she had checked through the documentation and that everything was in order. So as far as the piece of paper to get back to you, I'm not sure about. But I did know that Celia was OK with what the lawyers had presented, as far as I can testify to that. That's about all I can tell you about it.

Chairman O'Brien

Well I thank you for that. Knowing our great legal department, I'm sure due diligence has been done on this particular matter, particularly where this didn't come up this week. How long and to verify for the public and for members of this Committee, how long have you been working on this particular project of street acceptance.

Mr. Jennings Legacy and Serenity probably have been going on for 2 years. It has been a long process.

Chairman O'Brien

I know it would be assumptive without actually having the document in hand, but in 2 years, I am sure the legal work has been done on this.

Mr. Jennings Right and some of the petitions were halted because that particular step wasn't followed through correctly and then we made sure that the lawyer got the correct paperwork to, well the Legal Department, and then she was OK with all the documentation that was presented to her.

Alderman Lopez

This is a Committee and we would just be recommending final passage so couldn't we wait, we can give the Legal Department until the next Board of Aldermen's meeting to actually produce it before voting on a final action.

Chairman O'Brien

That is correct. If there is a matter pending and I am pretty confident that it was done but when it comes to the Board of Aldermen I'm sure we can have that document in hand.

Alderman Lopez

I am willing to vote against it if they don't have it so let's just ...

Chairman O'Brien

Exactly which could be done.

Alderman Jette

I'm not trying to cause problems where it is not appropriate but – so I've got a solution to this. So just so everybody understands. The Ordinance Section 21 lays out what the Petitioner has to do. From my review of everything it will be reviewed by the City Engineer, it has to be reviewed by the Planning Board. It looks like all of that has been done. A lawyer has to issue an opinion, it looks like that was done and then it says, "The City Corporation Counsel shall review said opinion and submit written comments to the appropriate Aldermanic Committee". Now Section 22 says, "when the requirements of Section 21 have been met, the City Engineer shall submit the Petition to the Board of Aldermen". So without that written opinion from the Corporation Counsel, I don't think that all the parts of 21 have been met but I think the solution for us, I mean I think you are right, I think it has probably been reviewed and it is just a glitch. But what we can do is move for final passage, recommend final passage on the condition that Corporation Counsel issue the necessary opinion before the next Board of Aldermen meeting. Then when the Board of Aldermen meet, if that has been done, we can vote on it.

Alderman Lopez

I would support that amendment because given that this is such a long time frame, it is entirely possible that they did provide an opinion and none of us are going to sit here and go through 2 years of minutes. So if that's an amendment you want to make, I would support that too.

MOTION BY ALDERMAN JETTE TO AMEND GRANTING THE PETITIONS FOR STREET ACCEPTANCE FOR BANCROFT STREET, LEGACY DRIVE, SERENITY LANE, AND PILGRIM CIRCLE PENDING PAPERWORK FROM CITY LEGAL DEPARTMENT

ON THE QUESTION

Chairman O'Brien

Question Mr. Jennings. On the gentleman that came up with his complaint that has nothing to do with the street. So if we accept the street, what we are doing here tonight is we are accepting these roads as part of the municipal thoroughfare. So this is another separate issue not really having to do with our streets.

Mr. Jennings Correct, correct.

Chairman O'Brien

So with some degree of confidence we are not having a bad street or something like that.

Mr. Jennings Correct, sir.

Chairman O'Brien

OK thank you.

Alderman Lopez

So just to confirm we are not inheriting a flooding nightmare, you are confident?

Mr. Jennings I am sure that we are not inheriting it, correct.

Chairman O'Brien

Alright, any other further discussion? OK we have the motion before us of final passage, pending the documentation from the Legal Department to recommend granting the petitions for street acceptance for Bancroft Street, Legacy Drive, Serenity Lane and Pilgrim Circle.

MOTION CARRIED

UNFINISHED BUSINESS – None

Alderman Jette

Point of order. So we voted to amend, do we have to vote on the amended version?

Chairman O'Brien

I did read in your amended.

Alderman Jette

So we are all set.

Chairman O'Brien

Yeah, I did read it in as “recommendation” and Clerk please correct me to make sure, I did say final passage pending the letter from the Legal Department. So that should come in before this goes before the Board. Is that satisfactory?

Alderman Jette

It is to me, yes.

NEW BUSINESS – RESOLUTIONS

R-19-178

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Richard A. Dowd
Alderman Patricia Klee
Alderman-at-Large Brandon Michael Laws
Alderman Ken Gidge
Alderman Tom Lopez
Alderwoman Mary Ann Melizzi-Golja
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt
Alderman-at-Large Benjamin M. Clemons

AUTHORIZING THE SALE OF CITY LAND LOCATED AT 141-143 BURKE STREET (MAP 11, LOT 158) TO LOYAL HOLDINGS, LLC FOR \$3,900,000

MOTION BY ALDEMAN SCHMIDT TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Alderman Lopez

This is what we had that whole presentation on right?

Chairman O'Brien

Right.

Alderman Lopez

I just want to say that so the public doesn't think that – yeah we are approving it.

Chairman O'Brien

This was a place on Burke Street that was looked at for possibly a relocation of the Public Works Department. It turned out that the structure that is currently there was not adequate, didn't have proper draining, there were questions, these are just some of the examples. Questions on the roof and the snow load on the roof and everything else. So it turned out to be too aggressive than what we really would of liked. But at the same time when we purchased it, not only was the relocation of the public works garage the issue, it was also it had that office building there for many other different businesses, it was even talked to combine school department and other different things into it just to refer back to the history.

But the other thing was dividing up a parcel of land for the potential growth for the sewage treatment plant. And the reason we looked at that at the time is in the future, we do not know what the EPA will come down you know as far as making sure we put in a quality grade water product back in to the Merrimack River. So now fortunately with this purchase, we do have the land that we can add on the Sawmill Road facility. But we don't need 141 and 143 Burke Street. So we are very fortunate to have Loyal Holdings which is interested in this which will mean \$3,900,000.00 will come back through the purchase and into the City coffer sort to speak, probably more define it like that.

So I think this is good, you know? It wasn't a total folly, we got the expansion of the sewage treatment plant, that's going to be huge and we will be able to liquidate the property at the current value, so I think it is a win/win. And I think this Loyal Holdings is a company that is going to provide some jobs and have some people come into the town to do their type of training and stuff like that. So it really truly is a win/win. So that is the history of it.

Alderman Lopez

So if I am understanding this correct, probably 5 years, 6 years ago it was decided to buy this property because it was extremely cheap and we foresaw the need to expand the sewage treatment. After doing that we decided, well let's see if we can use the buildings that were on it but they turned out to be unfeasible. We were stuck with the buildings and we really didn't want to put way more money than it was worth to renovate them into making them useful, so now we have a scenario where we get what we originally wanted. We bring money back in, we sell out the parts that we can't use likely to a construction training company that will literally just use it for training purposes. So there is no downside. OK.

Chairman O'Brien

I concur, absolutely.

MOTION CARRIED**R-19-181**

Endorsers: Alderman Thomas Lopez
Alderman-at-Large Ben Clemons
Alderman June M. Caron
Alderman-at-Large Michael B. O'Brien
Alderman Linda Harriott-Gathright

RENAMING “PARK SOCIAL AT LABINE” AS “PARK SOCIAL”**MOTION BY ALDEMAN SCHDMIT TO RECOMMEND FINAL PASSAGE**ON THE QUESTIONAlderman Lopez

So I sponsored this bill basically because there is confusion in what the park is named, part of it is called Park Social part of it is called Labine, there are signs everywhere saying different things. What we really wanted to do was include some sort of reference or homage to Club Social which was on that spot and was of historical significance to a lot of people in the neighborhood. So the “social” part of it was essential, maybe naming it Club Social was a little bit weird for naming a park a club. So they settled on Park Social and by dropping the “Labine Park” we make it way less confusing because there is actually a different Labine park”. So if you call it Labine Park to shorten it you could send somebody over to Fairgrounds. So that was our thinking, to simplify it for the neighborhood and make it something a little more unique and special to the neighborhood.

Chairman O'Brien

I just want to say I had that particular fire, I was very disappointed to see that building go. It was very unique in its architecture. In New York City they have several but this was what they call a flat iron or triangular type of building and it is very unique in its design. Unfortunately when they built a building like that there was a lot of vacant areas and little cubby holes and stuff like that. It was a heck of a fire, I would have liked to see it named after the Deputy Chief that burned it down but that was a different thing. But I have to compliment my brothers and sisters of the Nashua Fire Department tried to save that. I do know it was also known as the Labine Building and I think that's why that particular headstone or header on the building that identified the original owner. But I could support this as Park Social. A lot of people in Nashua were familiar with that particular club. Some of the other good clubs that have gone by in the past such as the, I date myself, but the Lune Fixers Club and other things that we will see no more. But I think I can support this.

Alderman Lopez

So just to clarify we commemorated the triangular shaped building with a big circle. Just checking? The park is actually a big circle. It could be flooded to have ice skating or that kind of stuff, so I just find that interesting, but thank you for your support.

Chairman O'Brien

Although I hate to see a fire, I like to see in all seriousness, we were very fortunate to turn it into a park in that particular neighborhood, that's always a good thing. So out of the tragedy of losing that historic building, I think we did well in having a park for the little kiddos and the families in that particular congested area to enjoy so I think that is good.

Alderman Lopez

And I would say that park is definitely enjoyed by people in the neighborhood, there's a little free library in it, there's some sculptures from the Sculpture Symposium, there's that little circle thing, like all kinds of dancing and stuff goes on in there, so it is definitely enjoyed.

Alderman Jette

So the Labine name you know is associated with the family that owned that building and of course Club Social was a tenant in that building. The Labine, it was a French-Canadian Family, a social club was primarily, the members were primarily French-Canadian workers in town. It is a shame that, I feel a little sad that the Labine name is being tossed out here. I understand your reasons for it.

Alderman Lopez

There's another one.

Alderman Jette

Yeah and I am wondering why the other one gets to keep the name and this one doesn't? If the neighborhood is fine with it and the Labine Commemorative Stone is going to remain, I assume?

Alderman Lopez

Yes.

Chairman O'Brien

Is that correct Alderman Lopez?

Alderman Lopez

Yeah there's no plans to change that part of it. This is literally just for mapping purposes so we can find it and not send people to the wrong park.

Chairman O'Brien

I don't know how Mr. Labine would feel when he designed the building, I don't which came first the chicken or the egg, the building or the Club Social. When you have a park, I'm kind of prone to nice Social Park you know? It has nothing to identify with the club atmosphere that was there.

Alderman Lopez

I can only do what is in my Ward, we have a proliferation of David Deane parks now but I mean that's not my area so...

Chairman O'Brien

Alderman Jette, your point is well taken and I think for the Labine Clan still that marker will still remain at the park and that's why it was probably incorporated into such so that we can remember the building that was there. Further comments?

MOTION CARRIED

NEW BUSINESS – ORDINANCES

O-19-054

Endorser: Alderman Tom Lopez
Alderman Linda Harriott-Gathright
Alderman Patricia Klee
Alderdwoman Mary Ann Melizzi-Golja

REMOVING THE THIRTY-MINUTE PARKING TIME LIMIT ON A PORTION OF THE WEST SIDE OF WALNUT STREET

MOTION BY ALDEMAN SCHMIDT TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Alderman Lopez

This is just because the 30 minute parking was put there because that was the former site of Yellow Cab. So they were leaving their cars there all day when they unfortunately couldn't get business. But now it's a barber shop and they need a little more than 30 minutes to finish the haircut so we try not to rush anybody on their hairdo.

Chairman O'Brien

This may and are there any further questions, members of the Committee? So there is a need for businesses to increase in that particular area. It is a Segway into the next one that we are going to be looking at. That is, I know we are going to be doing a parking study. I really hate to change something and then have, if the parking study comes out next year, within a year, to change it again, you know. But you are saying the real need for this is business is being, 30 minutes is affecting their business.

Alderman Lopez

Yes.

Alderman Jette

I see that Director Cummings is here and parking is under his jurisdiction, does he have any comment about this?

Chairman O'Brien

The Chair recognizes Mr. Cummings if you want to come forward.

Tim Cummings, Director of Economic Development

So for the record, Tim Cummings Director of Economic Development and for better or for worse, parking falls under my prevue. So relative to O-19-054 I am sympathetic to you know a small business needing the additional time. My understanding is if this wasn't signed, the way it is now, it would fall under whatever zone that is, I'd have to double check, but I think that might be Zone 3. So that would allow for more time than what is currently contemplated. I will say though that I hesitate to recommend anything relative to parking at this time until after a professional plan is provided; whether it is this or anything else. I would rather have third party professional consultants who are experts in the subject matter, come in and help us make the best decisions possible.

So with that being said, Mr. Chair, I know my comments might be a little all over the place, so for O-19-054 I can understand why it is being done, it is not going to have any great harm. Relative to O-19-057, I think that's a little bit more dramatic and I wouldn't necessarily think you'd want to do anything at this time until the plan is in place, but that's my over-arching comment. I think parking in general any changes, any tweaks, shouldn't be done until after we get the consultant's plan.

Alderman Jette

So if this Ordinance is passed it will remove the 30 minute parking time limit. What will that leave, will parking be restricted in any way after this?

Mr. Cummings

I would have to double check that, Mr. Chair, if I may. I would have to double check because I don't know if that site is currently metered. So that is what I would want to know. I don't know if there are meters there.

Alderman Lopez

That part of the street is not, around the corner is metered.

Mr. Cummings

Right so that's what my assumption was, I just didn't want to say without checking. So you are going to be creating a site where people could freely park with no time constraints at that point because there's no way to meter it in theory, it would be under Zone 3. But it's not metered now.

Alderman Lopez

It's a 30 foot site. So you could maybe put two cars there again.

Mr. Cummings

Again I am agnostic to the amount of cars there, I am just saying you would be creating a situation where two cars could be in a place for 8 hours with no way to create turn over or anything like that.

Alderman Jette

Could I follow up? So if I could through you ask Alderman Lopez, so the problem I see is that by removing the 30 minute time constraint, you could end up with cars, somebody parking, I know that in that area, like on the Walnut Street Oval, there are people that park there all day long, you know, employees in the downtown area. If that happened, then the barbershop wouldn't benefit by it. Really the answer would be to, maybe to make it or put it under the 90 minute. I am probably a bad example because my haircuts take like 10 minutes.

Alderman Lopez

Mine are faster.

Alderman Jette

I don't know that 30 minutes but I don't want to, but it's your Ward, it's your people and I don't want to second guess you.

Alderman Lopez

I understand your point, because there is other parking everywhere around that area, this is just parking that is immediately proximate to that one location and the 30 minute is not helping them now. Giving a little bit of extra time, while it's possible and somebody might park there longer, it is also a known fact that people aren't able to park there long enough.

Mr. Cummings

Which is why I will go back to my overarching comment is until we have a plan in place by an independent consultant that is expert in this subject matter; because whether you put it into a different zone are the exact type of questions I would really like to have the parking consultant tell us so we can do it once right, correctly.

Alderman Schmidt

What was the intention to replace this with? You were going to take off the 30 minutes, did you want to put on another limit to keep people from parking there for a full 8 hours.

Alderman Lopez

Not until a need was demonstrated.

Alderman Schmidt

Because you wouldn't want people to park in that spot if they weren't going in and out of the barbershop.

Alderman Lopez

It's not going to make a difference if their customers can't stay there long enough to use it anyway.

Chairman O'Brien

Well that's a follow up and I think kept to what I think Alderman Schmidt, and correct me, I'm not trying to put words in your mouth Alderman. But to Director Cummings, if we changed the 30 minutes to 90 minutes or whatever, 1 hour, could that temporary suffice in this type of situation or would that need another Ordinance to do that.

Alderman Lopez

I can amend it but then we would need to make a sign and then I think the next argument was going to be "don't make signs".

Mr. Cummings

If I may I don't understand the last part of what was just said, but yes, essentially you could amend the Ordinance to do exactly as you just outlined. It would regulate it in some way because if this regulation goes away, then what will happen is it just will become a free, unregulated space and what is an otherwise regulated area. That business or other patrons of the downtown would be able to use it at their leisure.

Chairman O'Brien

Right and if I may, I think Alderman Jette brought up that very good point, it is one of these biting your nose off to spite your face that if it is unregulated somebody parks there, what benefit is it for this particular business. So you want something that is going to have the flush of where people can park there within the required

amount of time and then the spot opens up again. I am in favor of ruling in favor of the business, but as written right now to make it as the Ordinance is currently before us, will hurt the business more than I think you know, from what it is intending to do.

Alderman Jette

Through you if I could ask Director Cummings, when is this parking study going to be done and when will it be finished?

Chairman O'Brien

That's a fair question.

Mr. Cummings

So if I may I believe proposals are due tomorrow from the RFP that was issued. We come before you ideally in November to get a contract approved; we start the process. It will be probably be a 3ish maybe a little bit longer type of process so you are looking at March-ish, April, March/April type of timeframe when you'll have a report back.

Alderman Lopez

I would be willing to table this until November so we at least know that there is a bidder and we have a contract in place and maybe we have a firm timeline for when they'd be done.

**MOTION BY ALDERMAN LOPEZ TO TABLE
MOTION CARRIED**

O-19-057

Endorser: Alderman Tom Lopez
Alderman Linda Harriott-Gathright
Alderman Richard A. Dowd
Alderman Patricia Klee
Alderman-at-Large Brandon Michael Laws
Alderman Mary Ann Melizzi-Golja
Alderman Jan Schmidt

INCREASEING THE PARKING TIME LIMIT AT METERS IN ZONE I

MOTION BY ALDEMAN SCHMIDT TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

It seems like it's going to be the same difference. I read the Downtown Improvement Committee on it and their opinion was that we'd basically spending money to put up signs where the or a study whenever it was done, could just say a different time amount or whatever and it would be kind of a wasted effort. So while I recognize that logic I'd also like to know the stakes. Because my concern is if we just table this until March or April or whatever, I know I've been pushing for a parking study since at least 2017. And I've brought it up in this Committee many, many, many times as something we need to be looking at. So I don't want to wait indefinitely especially if over the Holiday Season things look good but then in January and February, that's when businesses really need customers to be settled in and present. So I don't want to have to tell my constituents that we just postponed it on a study where we don't know where it is going to end.

So I'd rather table it until November because by then we will have the bidder, we will have an idea of how long the study is actually going to take and we will have a flat understanding of what we are talking about holding out for.

Chairman O'Brien

The Chair would like to explain the tabling, I should have done this before, but the tabling motion. If it extends past December 31st, then the Bill dies or the Ordinance dies, which can be rewritten by the new Board that comes in, so it will have to be resubmitted, ok? And when anything gets tabled it is going to take the vote of the majority of the Board to take it off the table. So if it is tabled, it can be discussed in the future when we probably have the RFP already done and everything else like that. So I just want to make you aware of the procedural thing, that anything that is tabled, if it is not enacted within this calendar year, then the Bills would have to be reintroduced by the new Board.

Alderman Lopez

That makes sense and if we table it, I mean I plan to bring it up when we actually have more information, so we would be able to discuss it when I make the motion to remove it from the table, hopefully that would make a difference.

Chairman O'Brien

I think it would be prudent and where it is your Bill, I think it would be prudent to wait to see when we get this report and everything and what is coming down. I think that is the smart way to do it. So Alderman do you have a motion to table?

**MOTION BY ALDERMAN LOPEZ TO TABLE UNTIL NOVEMBER
MOTION CARRIED**

O-19-058

Endorser: Alderman Richard A. Dowd
Alderman Linda Harriott-Gathright
Alderman Ken Gidge
Alderman Tom Lopez

AUTHORIZING STOP SIGNS ON DINSMORE STREET AT ITS INTERSECTION WITH DOUGLAS STREET

MOTION BY ALDEMAN SCHMIDT TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Alderman Jette

Do we know what this is all about and what the reasons are for it? I see Alderman Dowd is the sponsor but he's ...

Chairman O'Brien

Unfortunately Alderman Dowd as we all know has missed the last several meetings due to a particular health issue that he is dealing with so he is not here. I haven't really seen it, anything with it but it has been on docket and I haven't seen the community or the neighborhood or anything else like that coming up with pros or cons on this particular issue.

Alderman Schmidt

Perhaps we should table this then?

Chairman O'Brien

Is there a motion to table?

**MOTION BY ALDERMAN SCHMIDT TO TABLE O-19-058
MOTION CARRIED**

TABLED IN COMMITTEE

R-19-150

Endorsers: Alderman Patricia Klee
Alderman-at-Large Brandon Michael Laws
Alderman Mary Ann Melizzi-Golja

**AUTHORIZING THE CITY OF NASHUA TO ENTER INTO A LICENSE AGREEMENT FOR A
PARKING AREA OFF ARTILLERY LANE, NASHUA ABUTTING MAP 63 LOT 45**

- Also assigned to the Board of Public Works; Tabled 6/27/2019
- Tabled 6/17/2019

O-19-036

Endorsers: Alderman Tom Lopez
Alderman Mary Ann Melizzi-Golja
Alderman-at-Large Shoshanna Kelly
Alderman Patricia Klee

DESIGNATING AN ADDITIONAL SECTION OF BOWERS STREET ONE-WAY EASTERLY

- Tabled 2/27/2019

Chairman O'Brien

I know we have Alderman Klee here that has been the main sponsor of this and working with it. It seems that Mr. Cummings had to quickly step out of the room for an important message I am sure. But at the level we are at right now with this, communications has gone out to the particular attorneys representing 24 Merrimack Street. The street addresses are on Merrimack Street, their inclusion that we are concerned with is the rear of the building on to public park land of Artillery Lane. This has been a work in progress, it was tabled on June 27th and in my discussion with Mr. Cummings if he wants to speak more on it, it is still in negotiations, we haven't heard a lot back from the particulars and so at this particular time, if the Board seems fit we will leave it on the table. Do you want Mr. Cummings for further enlightenment?

Mr. Cummings

I apologize, can you just re-orientate me to this?

Chairman O'Brien

Basically we are talking about the Artillery Lane, 24 Merrimack Street property. If you haven't heard it is still negotiations and are still pending right now.

Mr. Cummings

Correct so even as late as, I believe, of Monday of this week, I called the attorney who is representing the applicant on this to have a conversation. I have not heard back from him yet on it.

Alderman Klee

In truth, with the lack of necessarily them coming forward and not being here and anything like that, I know I am not a member of this Committee but I would recommend if you wouldn't mind keeping it tabled until they come to the meeting or they've come to an agreement with Director Cummings and Director Marchant and whoever it is that they are negotiating with. I think that's the best plan.

Chairman O'Brien

Yes thank you Alderman Klee. The reason I just brought it up was to keep the history as to why it is still on the table; it is still a work in progress. Thank you Alderman.

Alderman Lopez

At the request of Alderman Klee and Director Cummings I am willing to do nothing.

Chairman O'Brien

Thank you Alderman Lopez. Ok alright then. We will discuss O-19-036 to which Alderman Lopez – designating an additional section of Bower Street easterly. I know I've worked with Mr. Cummings and we have worked with NRP, several stakeholders of the community on this particular matter. It is still basically a work in progress. When you change one way streets and everything you've got to look at the bigger, global picture and everything else. One of the stakeholders hasn't really weighed in on the balance of this particular thing, so it is best to move slowly and keep it on the table until the negotiations are done as well.

Alderman Klee

May I ask a question about this?

Chairman O'Brien

Absolutely.

Alderman Klee

I also am a sponsor on this and I will be very honest and truthful, one of the reasons why I did it was my doctor's office is down that way. And I spoke to a number of people within that office of the near misses and the accidents and the confusion within that area. The stakeholder that you are waiting to hear from and so on, do we know if they are opposed to it or in favor of it? I guess my concern is that I think this is a dangerous area. I agree with you, every change we make creates its own unintended consequences which could create even more chaos. But I would just be curious as to, I know this has been going on for a long time and I just recently heard again about something very close and I'm worried about it.

Chairman O'Brien

I'm going to be guarded quite honestly in the answer that I think it is still negotiations that are going on and the pending plans, I'm not saying there aren't any, but some of the stakeholders haven't completely weighed in on their particular opinions. I think they are digesting them and it takes that to take a look. Mr. Cummings would that be a fair summation.

Mr. Cummings

I think that's a very fair summation,

Chairman O'Brien

Thank you.

Alderman Lopez

In defense of the other parties, we only recently looked at the Regional Planning Committee's study and data, so they just got it and they have to figure out what they are going to do.

Chairman O'Brien

Right, point well-taken, thank you Alderman Lopez.

Chairman O'Brien

OK so we keep O-19-036 on the table because it's a work in progress. Very good.

GENERAL DISCUSSION

Mr. Cummings

If I may? I just wanted to make it known to this group that I just got off the phone with Attorney Leonard and she sent a Memo on the petitions, the street acceptance petitions at 4:10 this afternoon to Donna Graham. But she forwarded me the Memo as well and I have forwarded the Memo on to you all now. It's in your inbox. So you have the actual, and I didn't want to represent anything until I confirmed with her. But standard practice here in the City is for that petition to have moved forward in the process, it would have had to been signed off on by Legal. Legal has signed off on it and blessed it; it is in good standing. So this body should have no confirms with ratifying the acceptance of those street petitions.

Chairman O'Brien

And if I may I would like to again welcome Ms. Donna Graham on Board being our Legislative Assistant, but we must keep in mind that she is relatively new. She came from another municipality but all municipalities but all municipalities do some things a wee bit different. So she is catching up to speed so I think we can cut a little latitude of 4:30 arrival of a document to a 7:00 meeting. So I think I can understand. Thank you Mr. Cummings for that but I think the pending motion is still good because that will come up and it has been provided. Unless it is the willing of the Committee to go back to re address this. Alderman Jette, since you had, did you get the e-mail. Do you want to wait until the Aldermanic Meeting or do you want to go to just final passage?

Alderman Jette

You want to take time to read it now? I think the way we've got it is fine.

Chairman O'Brien

If that's the will of the Board we can and I concur, I do concur with you, I agree. We didn't hold any harm so we can leave it like that. But Mr. Cummings thank you for that, very appreciative.

Alderman Lopez

So one of the issues that was coming up in Ward 4 that kind of got lost in the other much more prevalent issues in the area was people crossing, particularly middle school kids crossing Main Street right where the

Burger King hits Belmont Street and then leads up to the Elm Street Junior High. Unfortunately the front door of Elm Street like perfectly frames Burger King when kids walk out. So they are all like "Let's just go down to Burger King"; it's even like downhill slope. So I don't know what the solution is, I have tried reaching out to the School District to see if we should put a crossing guard and they were like "Well you wouldn't want them to cross". I have no idea what to do; we can't block the street off, we can't add another intersection because it's within 30 feet of other intersections, it is really close. So I just wanted to see if the Committee had any ideas. Close Belmont Street?

Alderman Jette

Well if you can be patient, I think the school might be moving.

Alderman Lopez

But those are famous last words, is my only problem. Like the school may be moving in 3 years and then something will happen next year. I can be that patient, but is there some kind of interim thing like I mean maybe this is a question through the Chair to Director Cummings. Can we get like highway barriers and put them on the sidewalk so kids have to walk 60 feet in either direction and can't just go that way?

Mr. Cummings

I will look into that, that's the first time I've heard of that but something we can look into.

Chairman O'Brien

Also too and I am going by my recollection of the particular intersection and we are talking about people who have got some pretty young legs. But the City does have a traffic light there am I correct?

Alderman Lopez

Not at that spot, they just J walk right across.

Chairman O'Brien

OK but they could walk down another ...

Alderman Lopez

They can but they won't.

Alderman Klee

So we block them.

Alderman Lopez

It is either that or sprinklers that are timed right when school gets out.

Chairman O'Brien

Would you like to be a guest writer for the Elm Street Junior High?

Alderman Lopez

They don't even listen to me, it is pointless.

Chairman O'Brien

I'm sure Burger King could do something but I don't know. It is a good point.

Alderman Lopez

Maybe if they broke their soda machine once or twice then kids won't go there.

Chairman O'Brien

But you know, I don't know, just in general discussion, we have a traffic light here and to put another there and then you now, how many ...

Alderman Lopez

Yeah that's the awkward part of City Planning. It turns into West Hollis like where this is a stop light every block.

Chairman O'Brien

And then the impediment, I'm sure Mr. Cummings is going to look into it but Jersey Barriers or something like that an impediment to plowing. We do plow that section of sidewalk because of the school. That's a whopper of a sandwich.

Alderman Lopez

It's an incredible whopper.

Alderman Schmidt

He went there.

Chairman O'Brien

I'm sorry.

Alderman Schmidt

Oh you should be.

Chairman O'Brien

Do you want fries with that.

Alderman Lopez

No I'm willing to adjourn.

Chairman O'Brien

I told you, Infrastructure is fun. No but thank you Alderman Lopez for bringing that up.

Alderman Lopez

It is an issue I have no idea for so I thought if I brought it out and people started thinking about it, maybe someone would come up with an idea that I can't. Skywalk? I don't know.

PUBLIC COMMENT - None

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 8:00 p.m.

Alderman Jan Schmidt
Committee Clerk