

PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE

MARCH 7, 2022

A meeting of the Personnel/Administrative Affairs Committee was held Monday, March 7, 2022, at 7:00 p.m. in the Aldermanic Chamber as well as via Zoom teleconference.

To access Zoom, please refer to the agenda or the City's website for the meeting link.

The roll call was taken with 5 members of the Personnel/Administrative Affairs Committee present:

Chairwoman Shoshanna Kelly presided.

Members of the Committee present: Alderwoman-at-Large Shoshanna Kelly, Chairwoman
Alderman-at-Large Ben Clemons, Vice Chair
Alderman Tyler Gouveia
Alderman Thomas Lopez
Alderman Derek Thibeault

Also in Attendance: Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Alex Comeau
Alderman Richard A. Dowd
Mayor Jim Donchess
Robert Mack, Welfare Officer
Lisa Fauteux, Public Works Director
Jeffrey LaFleur, Superintendent of Solid Waste
Matt Sullivan, Community Development Director

ROLL CALL

Chairwoman Kelly

I wanted to just take a moment of personal privilege here just to take a moment of silence. The State of New Hampshire lost Renny Cushing and he was an incredibly tenacious legislature who gave us a lot in this State. So if we could just take a moment of silence for him.

PUBLIC COMMENT

James Rafferty

My name is James Rafferty. I live at Jackson Falls which is 52 Main Street, Apt. 404. I'm here to speak in favor of the – I'm hoping it's on this list here – it's not. The application for expanded hours and why that's a good thing. We've got a Bill before the legislature for charitable gaming facilities to be open from 8 a.m. to 4 a.m. The reason why we promoted that Bill to the legislature is because we are on the cusp of a major change here in New Hampshire of games provided for our guests. Just as soon as I, or Boston Billiards can get open, we will open what we call "historic racing machines", which will open up a whole new customer base for us. Primarily we are table games where our customers are young males trying to come in and beat us for everything we can at the games that we have – mostly roulette. The most popular game in New Hampshire – roulette.

That will have what's called "historic racing machines" effectively slot machines in New Hampshire. Just as soon as the Lottery Commission accepts some of our submissions to get open, we'll be open. We don't think that's any more than a month or two we'll finally have a dream of mine to have slot machines in New Hampshire. I've been working on it with Mike, the Mayor, and other people know for over 20 years.

This drinking alcohol until 2 o'clock is a major step forward for us because in the current thing we throw everybody out at 1. If our legislation gets approved, which I hope it will, we'll be open to at least 2, 3 or 4, whatever the legislature decides but also 8 a.m., which his going to make our...

Alderman Thibeault

30 seconds

James Rafferty

...primary customer under HHR (inaudible) or Mary Bidway. She'll come in and play those machines at 8 o'clock in the morning. So we're going to need both sides of this. I ask the city to approve this legislation so that we can stay open until 2. It's not only good for me as an operator but its good for the customers, it's good for the charities, and it's good for everybody involved. Everybody is going to make more money. Please, thank you.

Chairwoman Kelly

Thank you very much. Is there anyone else who like to give public comment?

COMMUNICATIONS - NoneINTERVIEWS

Matthew Sullivan
229 Main Street
Nashua, NH

Term to Expire: Indefinitely

Mayor Donchess

Thank you Madam Chair. So I am glad to be here tonight to introduce to you my nominee for Community Development Director that being Matt Sullivan who is currently the Planning Director here in Nashua. Matt has been with us for over a year. His education was from Miami of Ohio and he previously was the Town Planner for the Town of Wolfeboro. Ms. Marchant who was the previous Community Development Director highly recommended Matt as Planning Director. He was hired and he's done a very good job in that position.

Now we had an interview committee consisting of Lisa Fauteux, Director of Public Works; Tim Cummings, Economic Development Director; Deb Chisholm who is the Waterways Manager and works in Community Development; as well as Noah Telerski from my office. They did interviews of a number of people and although we tentatively had planned that we would narrow it down to a couple of people and do follow up interviews after doing interviews of Matt and other people who had applied from outside the city, actually outside the State, and even the region, they recommended that they felt so strongly that Matt was the most qualified person that we just move forward and that I nominate Matt. So that's what I did and I, of course, have worked with him closely for the last year and more. He has done a great job as Planning Director. I've talked with the Chair of the Planning Board who very strongly said that he thinks Matt's done a great job. The people in the city, work for the city, and the department, as well as members of the Board of Aldermen all have good things to say. I think Matt is a strong nominee and will do a great job as Community Development Director. He has been interim or Acting Director since Ms. Marchant left. With that, I will turn things over to Matt and ask him to give you a little bit about his background, what he hopes to accomplish as Community Development Director, and of course answer any of your questions.

Matt Sullivan, Planning Director

Thank you Mr. Mayor. I appreciate it and thank you for the nomination and committee members. Members of the Board, I appreciate your time this evening to discuss what is a critical position, obviously, for executing the vision and mission of the city into the future.

As you all know, my name is Matt Sullivan. I'm currently the Planning Director for the City of Nashua. I've been with the city since September of 2020. It's been an unusual time being with the city obviously during that period. Moving in the office, out of the office, but really through all of it getting a chance to work with you as members of the Board, all of our elected and appointed officials on our Land Use Boards, and also really the team within Community Development which has been a fantastic experience for me.

As the Mayor had mentioned, I was formerly with the Town of Wolfeboro as the Director of Planning and Development there and in that function had responsibility for all code enforcement, building inspection services, and also the regular land use board duties, and planning services as well. Prior to that, I was actually a regional planner doing sort of consulting work for municipalities in the Seacoast region of New Hampshire, including Dover, Rochester, Durham, really a variety of geographies in municipalities that I did that for. That role was exposed to many of the other programs that the Community Development Division works on here in the City of Nashua – being transportation, community services, urban programs, and the like. So I've had some of that experience in my time as well.

Originally many of you may know, I'm from the City of Nashua. I was born right here and lived here for a period of five years adjacent to the Mohawk Tannery of all places. So obviously that's a site that's near and dear to me and the future of that is a critical issue for the city. Then I moved to Milford, New Hampshire, where I really grew up and spent my time. Certainly the City of Nashua has always been very near and dear to me. Really my opportunity to work with the city just a year and a half ago was a homecoming in a way and one that I did not expect to happen so early in my career but one that I have truly cherished during my time here and look forward to continuing into the future.

The Mayor had asked that I comment just briefly on a few of my priorities here with the city. I've been fortunate to be here in the time when we were forming our Imagine Nashua Master Plan. So that really lays out a wonderful template for where I think not only the Division but the city may go in the future. We have some critical implementation efforts that will come from that Imagine Nashua Master Plan and I'm very excited to potentially work on it with all of you. The first of which being a comprehensive update from the city's Land Use Code which has not been updated since 2008. So like our Master Plan is in dire need of a comprehensive review and certainly an update to reflect the priorities that were identified within the 2021 Imagine Nashua Master Plan. I don't underestimate the scale of that project. It certainly will be daunting but we have a wonderful Board of Aldermen, and wonderful Mayor, and our Land Use Boards, and volunteers, and all of the individuals and groups that were involved in the Imagine Nashua Master Plan I really believe are pointing in a similar direction. That will really aid us as we go through the process of doing that comprehensive code update.

In addition, we have some critical work to do on housing as evidenced really at the end of 2021 as we implemented a new inclusionary zoning policy after the great work of the Board and the Mayor to review the housing stock and needs within the community as part of the 2020 housing study and subsequently to perform the 2021 inclusionary zoning feasibility analysis.

The next step in that process is the exciting one and that is actually implementing that ordinance, working with that ordinance, and also working to establish a more regular contribution for affordable housing trust fund that I'm very excited to work on moving forward with you as well.

In addition, we have a lot of existing programs and really some wonderful departments doing tremendous work in the city, including the Waterways Department, the Urban Programs Department, and really all of the departments in Community Development, and certainly our transit services. We have some important projects going on with the transit reconstruction project. As you see outside of City Hall every day when you pull in, we're looking forward to wrapping that project up and really turning our attention back to providing the tremendous service that we do with our transportation services.

In addition, you're all aware, I believe, that the Jackson Falls turbine is in the process of being replaced as well. Something we're hoping to implement over the coming period of years but really having an eye towards diversifying our energy portfolio is what I think is the next direction for certainly the Waterways Department and the city of the whole. I know the Mayor has done tremendous work when it comes to energy as well with our Energy Manager Doria Brown. So we look forward to continuing that work.

Lastly, I think streamlining and reviewing our development review processes is something that every Community Development Division Director strives to do. We certainly want to be a welcoming city and a city that's known for producing good development. That's an important thing to keep an eye on in this position no question. We have a tremendous team to help do that I believe. We are looking to innovate every day in the way that we really implement our practices and policies that resulted in the development that we have. We're also in a unique position where we are seeing a very strong development tide right now and we need to be cautious and careful about what we want development to look like or not in the city and I think that it's going to be important to work on that as well.

I look forward to the opportunity to answer your questions this evening. I'm, again, so humbled and thankful for the Mayor's nomination and I look forward to our conversation this evening and hopefully the opportunity to work with all of you to continue the great work the Community Development has done over the years. Thank you.

Chairwoman Kelly

Thank you Mr. Sullivan. I will open it up to the Committee for questions.

Alderman Lopez

So the Community Development Department is obviously one of our most important divisions in the city but it's also

facing some managerial challenges. I know that Urban Programs in particular has many open positions and is losing some very qualified and very experienced people that are also not only used to working together so that's a challenge I'd like to hear your thoughts on addressing. How do we staff the department up to the point that it meets all of our needs?

Maybe if the Mayor wants to earmuff a little bit - I don't know. With regards to sustaining departments – Code Enforcement for example has brought up repeatedly that they're not able to do the volume of inspections that would be best practice because they don't have enough people but just hiring more people to do it is a little easier said than done when you had a spending cap and when you have to keep an eye on your bottom line. Any ideas on those two topics?

Matt Sullivan, Planning Director

Absolutely. It's been...

Chairwoman Kelly

Matt just to remind you, just say your name and acting title.

Matt Sullivan, Planning Director

Matt Sullivan for the record – the Planning Director for the city. Alderman Lopez thank you for the question. Certainly it's been an interesting time over the past weeks and months because the priority is very simple for us right now. It's forming a full roster and team. We certainly have some large gaps in our organization right now and particularly with Urban Programs. It's a very specialized department that requires a unique set of skills from an individual and really I think a unique personality to really manager that department effectively. That department and the sort of the presence that it has in the community is one of the most public facing I would argue elements of what Community Development does. So having someone strong in that position is critical.

One of the things that I believe I'm uniquely positioned to do is attract local, regional, talented apposition and make connections or leverage existing connections to get a qualified applicant into that position. I've been sort of involved in the hiring process at a level but I'm now going to turn my attention to assisting with it. We actually do have some candidates in mind to fill that position moving forward. Carrie Schena's departure was a tremendous loss for the city no question. Certainly the work of Julie Chizmas who has now departed the city and her efforts to aid in Your Voice Your Choice Project and other critical elements the Urban Programs Department was working on. Those are now left without leadership and certainly that's a priority for us to fill.

In my vision for the next month to two months, that will be the first or second hire that we make. That's a critical one. We have a tremendous team there but they need a level of guidance as we look forward to our action plan update and also delegating the funds that are so critical to the organizations that are funded through Urban Programs. So a high priority to say the least to fill that position.

Relative to code enforcement – it's an interesting question, right? We always have questions and even as recently as last week, we have questions about how we can better serve the residents of Nashua. A recent example being the consideration of potential parking restrictions or additions to the parking code that may have an impact. We will ultimately need additional resources in order to support those efforts. While we are providing the services at a baseline, we're able to be responsive to complaints. In order to be pro-active about the work that we're doing in code enforcement, I believe that we may need to sort of innovate and also potentially add capacity in the form of an additional position if we are serious about these initiatives that we're talking about right now. I know that's hard to hear I think sometimes the idea of adding resources but if these truly are priorities, that's the way that we're going to have to support them.

Alderman Lopez

Thank you for your answers. I appreciate it.

Chairwoman Kelly

Further questions from the Committee?

Alderman Thibeault

Thank you Madam Chairwoman. Mr. Sullivan I just wanted to throw this one out there because I know people think it quite often and I hear developments only being done downtown, right. So what do you say to the people that have that criticism that Amherst Street and DW Highway south not as much is going on there and the only concern really is Main Street?

Matt Sullivan, Planning Director

It's a great question. The first response would be look at the work that was done at our Imagine Nashua plan. Within that plan, we directly identified those two areas that you referred to as priorities for development and redevelopment. We are seeing a tremendous amount of activity happening in both. Particularly on the Amherst Street side of things. We're seeing tremendous residential development actually in some of the feeder streets off of Amherst Street. I've had the opportunity to talk to Alderman Gouveia about that in great detail. So it's very clear that we have priorities there. It's very clear that we have a vision for how the Amherst Street corridor should change – becoming a more street front public realm oriented with the green space and also multi-mobile connections. We have a vision for what that looks like and certainly we're seeing the residential development that might support it.

We're additional seeing in the Amherst Street corridor even some potential reinvestment or redevelopment of existing commercial and other institutional uses. So clearly that is a priority for us. Downtown is also a priority albeit for different uses and different purposes but there's investment happening there.

Relative to the South Nashua DW corridor, we have similar vision. We have sort of these two – first of all I would just for folks that the DW corridor is actually the densest residential area that we have in the city. It's sort of an unexpected reality. Certainly we're seeing more opportunity for residential development. We're all aware of the Flatley rezoning petition that is currently in front of the Board and certainly that represents just one opportunity. We expect that other commercial and mixed use developments will happen. Certainly the mall is an interesting opportunity as we look forward as well to do something interesting in there as well as the possibility of commuter rail connection. That's something that I think we should be very careful and deliberate about when we're looking at redevelopment in any of the areas in the city.

Finally I would just note that within that Master Plan again, there were some 6 to 7 other priority areas for consideration, including the East Hollis Street corridor, Broad Street, the Mohawk Tannery one that's also talked about in there, in addition to Beazer and Daniel Webster College. They all have equal priority but we also have different vision for each of them. So I think it's very careful to keep that in mind.

Alderman Thibeault

Awesome. Thank you. That was great.

Mayor Donchess

Can I just add on the south end? The Costco relocation is a big project. Potentially could add a lot to the tax base. That was approved by the Planning Department and the Planning Board but BJs has appealed the approval and is throwing up other obstacles having to do with the acquisition of the gas station and other things but we believe we will be successful in the appeal and ultimately that relocation will go forward.

Alderman Clemons

So I know what obviously what the documents look like I guess if you will. I want to know what your opinion is on I guess mixed use zoning and how far you're willing to take Nashua in that direction. Giving you an example of the mall. We're lucky here in Nashua that our mall is still 75 percent or more full. A lot of places they're being torn down in the United States. I guess my question is what would you personally be open to seeing mixed use in a space like that or an old industrial park that maybe they want to convert to half housing half something else? I want to know personally how you feel about those things.

Matt Sullivan, Planning Director

Yeah that's a great question and a couple things come to mind. First of all, anything that we can be doing to encourage the classic sort of live, work, play within the same geography, we should be doing. I think that's a quality that is embodied to some of our most cherished neighborhoods in the city and other locations in the country. I think

mixed use is a huge part of getting us there.

My first comment would actually be on our existing situation and that is that we actually have tremendously permissive zoning within the city in several areas, including the downtown and other core sort of redevelopment opportunity areas. We set that up as a catalyst. We intended that to be a catalyst for redevelopment and it's been tremendously effective. So I think we're doing a good job with that. Where we're not doing a good job is what that actually looks like. What form that development takes. How do we actually express our preferences through design standards and the like that create the public spaces and the qualities that we so desperately want. When you ask how far I'd be willing to go, where I would like to see the city go in some of these key redevelopment is towards what's referred to and its passé even at these times but a form based code that focuses on what is the look that we want? Let's be more significantly more flexible about what the uses actually are that go into it. With the mall being an example, I think about that quite openly. If there's an opportunity for residential there that makes sense when combined with those other uses and they can be complimentary, I think that certainly can be an option. There's good access. I hope that answers your question. I think we should go very far with that. I think we should reduce our priority on the use and focus our priority on the form of development and how that aligns with the Master Plan. The Master Plan was very much focused on doing just that and I think that's going to be critical particularly as we go into that Land Use Code update. That would be my focus.

Alderman Clemons

That answers my question. I certainly agree with you. I think we need to be open, flexible, and move the city in a direction that we become a more densely populated city. I think that's our only opportunity really for growth. I think part of that has to be mixed use. Thank you for that.

Chairwoman Kelly

Okay. It doesn't look like there's any other questions from the Committee. So I get the pleasure of going last as the Chair. Did you want to say something Mayor Donchess?

Mayor Donchess

Oh no. I thought you were going to excuse us and I was just going to go.

Chairwoman Kelly

Oh I was going to ask one question. Being the Chair, I like to wait til the end and then all the questions are asked and then I don't have to ask any.

I appreciate you bringing this forward Mayor Donchess. I think that Matt is a very qualified person for this job. My question actually is just a little bit about your previous experience and how it's been rolling over into Nashua. I grew up in Moultonborough – not everybody knows that so I know Wolfeboro pretty well. That city is much different than Nashua in terms of budget, in terms of ability to invest in their downtown. I'm just interested in like how that was for you.

Matt Sullivan, Planning Director

Great question. Easy in a sense. Obviously I had experience with the city, and I had a sense of the scale, and a sense of the players as well to some extent at least coming here. Clearly the budget realities, the political reality even of moving it from a small town to the city was a drastic change. What I found in the move, however, and this is in no way a criticism on my prior community because in fact being a very wealthy community, it was actually quite a professional small town experience. So I really enjoyed my time there. The city is only amplified though in that regard in that it is very professional. In the face of discourse, there's tremendous respect among folks not only on the Board of Aldermen obviously but also at the sort of developer staff level and in our departments.

The transition was difficult but having a sense of what the community already looked like, having even my even vision I think for the City of Nashua when I came here based on my experience living in the area, it really made for a relatively smooth transition. I would also add that Director Marchant and I had been colleagues for many, many years and talked about some of Nashua's challenges. So we had been in communication about some of that. So I had a sense of what the city was facing when I came into the Planning Director job. Certainly being able to work with her for the year that our times aligned, she really educated me on quite a bit of that. The transition was challenging but perhaps not simply because of the scale. It was really just dealing with different individuals in

different roles and learning the sort of new political reality of where the city was headed.

I will also say that being involved in the Master Plan is really one of the first projects that I was involved with here in the city. That gave me a tremendous amount of exposure and education to the issues that we were facing in the community. So I felt incredibly gifted and fortunate to have that be one of the first initiatives I participated in. Hopefully that answers your question but it is without question a very different community. Yes.

Chairwoman Kelly

It does answer my question. Thank you very much. I have no more questions. Is there anyone else? Is there anyone?

Alderman Lopez

Are you going to fix the Mohawk Tanner for us?

Matt Sullivan, Planning Director

We are working to obviously get something done there. It's a critical redevelopment site for the city. Obviously as a brownfield and also as a large – what's functionally a vacant property. City staff and the Mayor are working hard to identify a solution that works for all parties, including the private development community as well. I think that's going to be critical in getting something done with that site. So yes.

Chairwoman Kelly

Anyone else want to throw a last minute question to Mr. Sullivan? Okay, thank you very much.

Mayor Donchess

Thank you Madam Chair.

APPLICATION TO LICENSE HAWKER'S, PEDDLER'S, ITINERANT VENDOR'S LICENSE - None

APPOINTMENTS BY THE MAYOR

MOTION BY ALDERMAN THIBEAULT TO RECOMMEND CONFIRMATION OF THE APPOINTMENT OF MATTHEW SULLIVAN AS THE COMMUNITY DEVELOPMENT DIRECTOR WITH AN INDEFINITE TERM

MOTION CARRIED

UNFINISHED BUSINESS – None

NEW BUSINESS – RESOLUTIONS - None

NEW BUSINESS – ORDINANCES

O-22-005

Endorsers: Mayor Jim Donchess
Alderman Patricia Klee
Alderman-at-Large Melbourne Moran, Jr.
Alderman Derek Thibeault
Alderwoman-at-Large Gloria Timmons
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman-at-Large Lori Wilshire

UPDATING THE FINANCIAL STANDARDS FOR THE CITY'S WELFARE GUIDELINES

MOTION BY ALDERMAN THIBEAULT FOR FINAL PASSAGE

ON THE QUESTION

Bob Mack, Welfare Officer

Good evening. Bob Mack – I'm the Welfare Officer for the City of Nashua. I'm here to speak to updating the Financial Standards for the Welfare Department. The Financial Standards are the maximum payment levels what we use to determine applicant eligibility and the issuance of general assistance through the city Welfare office in accordance with the City of Nashua General Assistance Guidelines, Section 9, E (11). The payment level shall be reviewed by the Welfare Officer and if warranted, updated to the current market conditions. We do this about every 12 to 24 months or if there's a significant change in the current economic situation of the community.

Upon review of the current Financial Standards, the updates that you should have in front of you have been proposed to update the current standards to current market conditions. These updates are based on different data points, primarily the NH Housing Finance Authority Rental Cost Survey, the US Department of Agriculture Food Allowance Standards, and the general cost of living adjustments based on the Consumer Price Index. So these proposed standards that you have in front of you would be once approved, if approved, would go into effect as soon as they are passed. These should not have any significant impact on the current budget and we've already kind of considered some of these factors in considering the upcoming budget cycle for FY23. Thank you.

Alderman Lopez

So under utilities – I know maybe 10 years ago there was a period where different organizations including City Welfare were helping people with gas money to and from work given the fact that gas is like exploding upwards in price. Is that something that is covered under that or is that federal?

Bob Mack, Welfare Officer

The travel allowance is something that we allow. We don't actually pay for gasoline but we do allow it as part of the budget.

Alderman Lopez

So no gas vouchers?

Bob Mack, Welfare Officer

We don't have gas vouchers or gas cards. We do try to connect people to resources in the community that may have those gas cards. So we work closely with the social service organizations to find out if they have gas cards available. A lot of the employment programs may have gas cards to help people get to and from job interviews or employment activities. That is going to be a tremendous impact in this current year and upcoming year as well.

Alderman Lopez

Just to elaborate a little bit. I know city welfare's main mandate and anticipating Bob to update or correct anything if I get it wrong. Their main mandate is to help people who are urgently and immediately in need or survive that need but another priority of this to make sure that we don't have the same people coming back over and over again. So there's definitely a component of case management and support that is facilitated. I know we look more as a city as case technicians and referring those to those employment programs and other programs to kind of take a more individual eccentric lead. It is important for us to make sure that if we have a struggling citizen who needs help out of a difficult time that we're giving them the tools to stay out of that difficult time within a reasonable expectations so that we aren't continually trying to solve the same problems over and over again. Transportation is a particular issue with that because it relates to employment. Where you might have medical appointments, or needs for shopping, or other things that you could get assistance with insurance, there are very few programs that will help somebody who has a job but suddenly loses means or access to get to and from that. It is an important consideration but it's my impression is one we kind of work on different partners with to try to ameliorate.

No corrections, I got it right.

Bob Mack, Welfare Officer

It was right on point.

Chairwoman Kelly

Alderman Lopez actually hit on what I was going to ask which maybe mine's a little bit different but I was looking at the travel allowance and also the date in which this was done. I was wondering if there might be an opportunity to relook knowing that February 1st was a very long time ago in the world of gas prices, and utility costs especially, and what is that going to do to the price of diapers, and that kind of thing.

Bob Mack, Welfare Officer

If I may. That is a challenge because we do propose these – we don't propose these to change these every month or what have you so it can be challenging. We do have some flexibility within our guidelines to look at actual costs that applicants are bringing into the department as well. A lot of these standards and cap amounts are what the maximum allowances we can pay. So even if their expense may be a little higher, it may just kind of help to identify a qualifying need if that makes sense. So we're looking at a pretty broad spectrum of costs of living from rental costs, food costs, utility costs, travel costs, and maybe a few other costs. There are some that we don't count but those are the primary costs that we include. So we look at those. We determine some eligibility and we can pay up to this standard to assist with costs.

If someone, for example, came in and they had extensive travel costs and they show us verification that they have \$200 in gasoline receipts to get to and from work for the month, we can calculate that in the budget and that may qualify them for \$100 in assistance towards their rent even though we're not directly paying the fuel costs. If they're paying that out of pocket, we can offset other expenses if that makes sense.

Chairwoman Kelly

That was a perfect answer. Thank you.

Alderman Gouveia

Thank you Madam Chair. Just a quick question. So just to go over what you said at the beginning. Under these updated Standards, these are on budget and won't impact the 2023 budget?

Bob Mack, Welfare Officer

They should not. We're still kind of finalizing some of the numbers for the upcoming budget for FY23. Currently we're at a pretty good rate of expenditures for the current budget because as Alderman Lopez mentioned, the case management piece what a lot of the welfare staff are doing are spending time with clients and directing them to other resources. Honestly, our numbers have been down a bit because there are so many other resources that have been injected in to the community in response to the COVID situation. We do spend a lot of time talking with clients, connecting them to these other resources, helping with applications for these other resources, and some of the assistance primarily through the Community Action Program, Southern NH Services, they're administering the emergency rental assistance and emergency utility assistance funds. So a lot of folks that would typically come to see us for rental assistance or utility assistance, we're able to direct them and guide them back to that if they qualify for that. A lot of times what we also do is we will assist with a small amount and fill that gap until that application process gets completed and then they can get more extensive and longer term assistance through that program.

Alderman Gouveia

Makes sense. Thank you.

Bob Mack, Welfare Officer

You're welcome.

Alderman Lopez

Just two things. I feel this is a great opportunity for it. Because during COVID there was such reconfiguring, and shifting, and it was also you just remodeled your building because why not be doing that too. Could you just give us an idea of your hours of operation and the best ways to contact if a person is feeling like they're not able to manage a situation? Additionally, can you talk a little bit about repayment and how that works like when people do pay us back?

Bob Mack, Welfare Officer

Sure. So our hours of operation are traditional for the city hours of operation – 8:30 to noon and 1 to 4:30 are when we are scheduling and seeing clients. They can call our office between 8 and 5 and we have been scheduling appointments throughout the whole COVID situation. Our staff have been in the office because there are some of the folks that are at risk – homeless individuals, homeless household. They may not have access to technological means to do remote sort of appointments. So we were still open for business when we were at the Main Street location. We did see a number of folks coming into the office. We did also start to do remote interviews over the phone primarily. We developed some electronic forms and means to get that out to clients that had access to that technology. So that helped 1) in safety and 2) allowing additional access to folks. We've just continued on with that even as things have been opening up and we're seeing more in person people. If there's the need for that, we can do that. So people can call our main number at 603-589-4555 to schedule an appointment, have an intake over the phone, or they can come into the office directly at 18 Mulberry Street, again, between the hours of 8:30 and noon and 1 to 4:30.

Alderman Lopez

The second question is not generally understood. A lot of the support we do, we do ask people (inaudible).

Bob Mack, Welfare Officer

Well there is an identified repayment clause if you will. It's part of the Statute and part of our application process. If an applicant is able - financial aid stable and able to repay any assistance, we ask that they do. We don't get a lot of repayment back. A number of years ago we had a number of liens on properties. So we do assist some homeowners. If we do assist homeowners, we are required to place a lien against the property. It's not like a tax lien but it is a lien on the property. If they do not repay the assistance, if anything happens with that property, we get repayment through the purchase and sale, or refinance, or what have you. We haven't seen a lot of that recently. Again, we do get some people that come in and they do repay the assistance. Usually it's some sort of installment plan and we'll accept nominal payments.

Generally speaking, the population that we're typically working with many of them do not return to an income status where they're able to repay that assistance back. So I think our recoveries are around \$12,000 or somewhere in that area. Again a number of years ago, we did recoup around \$100,000 but that's when we had a lot of liens on properties in the big real estate boom a number of years ago. I've been around for a little while. Does that answer that questions?

Chairwoman Kelly

Yup. All set Alderman Lopez?

Alderman Lopez

Yes, thank you.

Chairwoman Kelly

So I have a question. It's a little bit removed from these Welfare Guidelines which we can tell are basically calculated from things that you get. We touched a little bit on the community support that you get from other organizations and this is a question I've always wanted to ask. When we get our monthly welfare report, you see like 700 contacts. Then the number of new applicants is only like 50. Is that because the other 650 are put out into the community or are some of those just like unable to help? What's that disparity? I've always wanted to know.

Bob Mack, Welfare Officer

Sure. That's a good question. The contacts is really just a general contact of who's coming into the office, who's contacting the office. Because of our location actually in the department, pretty much everybody that comes in the building stops by our office. So some of that is just directing people to other parts of the building but a lot of it is also calls about those resources in the community. We get calls for fuel assistance, so we direct them Southern New Hampshire Services. We get calls for State welfare benefits, food stamps, Medicare which are not the benefits that we administer but people hear "welfare" and so they call our department. So we refer them and give them the contact information for the appropriate agency and department.

We do get other calls. We get calls about say things like bed bugs and we can direct those to our Environmental Health Department. We get calls about apartments that are not up to standard and so we can connect them to the Code Enforcement Department. So it could be any number of things that people are calling our office and we just screen them out and direct them accordingly. So that's what that larger contact number is. The actual number of applicants – the new applicants are the cases that it's the initial applicant. So we will see some people multiple times over the course of the month. So when you get that report, that number tries to indicate how many new cases have applied for assistance in that month period of time if that makes sense.

Chairwoman Kelly

Yeah it does. Thank you. I really appreciate that. Any other questions?

MOTION CARRIED

O-22-007

Endorsers: Alderman-at-Large Ben Clemons
Alderman Patricia Klee
Alderman-at-Large Melbourne Moran, Jr.
Alderman Thomas Lopez
Alderman Alex Comeau
Alderman Richard A. Dowd
Alderman John Cathey
Alderman Derek Thibeault
Alderman-at-Large Lori Wilshire

EXTENDING THE HOURS OF ON-PREMISES SALES OF ALCOHOLIC BEVERAGES TO 2 A.M. FOR CHARITABLE GAMING FACILITIES

MOTION BY ALDERMAN THIBEAULR FOR FINAL PASSAGE

ON THE QUESTION

Alderman Clemons

Thank you. So I brought this legislation forward in different form twice before. Both times the Board of Aldermen chose not to go forward with it. What it would look like before was to simply have last call in the City of Nashua extended from 1 a.m. to 2 a.m. There's a State Statute that allows cities and towns to opt in to do that.

The concerns that we had from various aldermen before were that – and actually from some of the folks in the industry as well – were what would happen between that extra hour between 1 and 2. Would there be drunkenness on the street, disorderly conduct, and things like that? The Police Department didn't have much of a concern on that the last two times. I had talked to them and they said there probably would be obviously more incidents between those hours than there are now but not necessarily an increase – in other words you're just shifting it from happening at 1 o'clock to 2 o'clock.

So because of the concerns that had been brought up previously by some of the folks that are in the industry as well as the concerns of other Aldermen, I thought that Nashua in order to do this what were the businesses that really came to me before and really strongly wanted this a) and b) how could we do it in a way that would be sort of like a test run either if we did want to expand it to other things, if we didn't want to expand it to other things, or if we wanted to get rid of it altogether because it just wasn't a good idea.

So I identified the charity casinos – the three of them in Nashua – as being the businesses that wanted this the most and that would also benefit from it the most as well. Right now as we heard from a speaker tonight, the legislature is looking to expand the gaming hours until 4 a.m. up in Concord so hopefully that will happen. I don't know what the status of that legislation is now but regardless of whether or not that passes, I think that this would give Nashua an upper hand to the other communities around us who do have gaming and by allowing folks to stay out a little bit longer. Now I think – and Jim you can correct me if I'm wrong – but I think the gaming has to stop at 1 regardless. Is that true?

Jim

Unless the (inaudible)

Alderman Clemons

What this would do, however, is give these businesses and give folks an incentive to stay out a little bit longer and maybe choose Nashua as a destination as opposed to somewhere else. I have heard from obviously Mr. Rafferty from the Lucky Moose and the River and I have heard from Boston Billiards. They are all in favor of this legislation.

It gives folks an extra hour to spend at these facilities. That helps our economy. That helps those people that work there. I think that where we only have three of these facilities in the city – if we open up another one, maybe it would be four. The concerns about the for lack of a better term “debauchery” will be limited to very specific areas. I don’t think that that would happen anyway. I think we have a very respectful citizenry here. Yes there are problems but I think that these facilities are the types of facilities that can handle serving alcohol until 2 a.m. They have security in place. They’re going to make sure that nothing gets out of hand. I’m confident in this legislation as being a different reiteration that hopefully can get the support of this Board and move forward. That’s sort of where I was coming from with this. I’d like to hear what everyone else thinks and answer any questions.

Alderman Gouveia

Thank you Madam Chairwoman. After consulting with Corporation Counsel, I’m going to have to abstain my vote on this measure due to my employment being with a corporate entity that owns and operates two of the charitable casinos. With that being said, I’m also under the advisement that I do not take part in the consideration or discussion of this measure. So I do like to please request that we do a roll call when it comes time to vote.

Chairwoman Kelly

Okay. Thank you.

Alderman Lopez

So I supported both previous efforts to move the serving time to 2 a.m. More out of interest and safety than anything else because I’ve been out late myself and I’ve a number of times heard people say all right let’s get over to Tyngsboro because they have a later last call, or let’s get down to Boston they close at 2 but they – I mean not to serve at 1:30 but they really close at 2. So it seems like when people get that late at night, there’s half of the crowd is still trying to keep the party going and I’d rather they keep it going in one place not only for the economic value but because it’s just safer for them not to be trying to go down the highway and all that kind of stuff.

When New Hampshire’s overall last call when earlier, it made more sense to leave ours where it was. I think if our city is out of step, its unnecessary restriction. It’s not like restaurants can’t just chose to close early. A lot of them do. A lot of them aren’t even open until last call. I think places that feel that they wouldn’t be able to handle that kind of population or whatever, they’re already closing earlier. This is legislation that is specific to charitable gaming locations but I think it serves the same purpose where it gives people in Nashua the option to continue doing what they’re doing. The same option that they have if they go somewhere else without going somewhere else. You’re not going to try to go to another city to continue their night.

There’s for some reason a restriction on public dancing from 2 a.m. to 7 a.m. so I don’t think we’re going to see a burst in the club scene. There is apparently that gap between 1 and 2 where in the charitable gaming places you might have to do different things. Now you can’t do the gambling part. There’s always going to be overlapping issues. I would just point out that if we start to see unintended consequences or complications, we can amend this ordinance the same way that this is an amendment of the current status quo. I think it’s a good idea. I think it’s a minimum impact and a good test case too just to make sure that we know what the implications of any future ordinances or legislation might be.

Finally, I’m also in favor of it because the restaurant workers. Other places that close earlier also sometimes like to go out and can’t because they everything is closing and everything is not serving. So I think having a little bit more opportunity for different people working different shifts isn’t going to be a bad thing.

Alderman Comeau

Thank you Madam Chair. Alderman Lopez if you’ve seen anyone dance at 2 a.m., it’s probably a good thing that it’s banned. I did sign on to co-sponsor this for a number of reasons most of which have already been touched upon but the biggest thing for me is I’m a big supporter of personal choice whether that be as a consumer or as an organization – one of these establishments. This doesn’t say that anyone has to stay open later. It doesn’t say that anyone has to patronize them later. It just gives people more options. I agree that in the interest of making Nashua

a more attractive place to want to go to in the area. If you are someone who lives in Amherst, Merrimack and you're deciding where do we want to out Friday night do we want to go to Manchester? Do we want to go to Nashua? I like reasons to bring that commerce into our city as opposed to going somewhere else.

I also don't think that the potential negatives will be as bad as opponents might make them out to be. If there are people that are going to drink to excess, they're going to do it a 1 or 2. So like Alderman Clemons said, it might just shift that an hour later. I don't think it's going to make it worse. For those reasons, I do support this legislation. I think it's a good thing for the city. Thank you.

Chairwoman Kelly

Okay. I will disclose that I have been talked to for dancing after 1 a.m. Not in Nashua. With that being said, I do have a question and maybe Alderman Clemons can answer this. I agree. I think we're adults. I think that the opportunity to allow our gaming community to be open longer is going to be beneficial for both them, their staff, and also the number of community organizations that get donations from the way we run our charitable gaming.

My concern, and I'm going to sound like a mom right now, is I want to know if you've had discussions with them and maybe Mr. Rafferty can just give us a little in terms of we've always been sort of an early city, I want to make sure that they're like going to consider keeping their kitchen open longer so that when you're at 12 and you've now had 2 drinks til 2, maybe you can get a burger.

Alderman Clemons

Yeah I have not had the discussion with Mr. Rafferty about that but I have with Boston Billiards. Basically the intention is that with the extra hour comes extra responsibilities, comes extra – not anything specific about what they're going to do with their kitchen but I think the idea that if you're staying open an extra hour what are you going to do in that extra hour, right, cuz you can't gamble? I know that a certain percentage of their alcohol sales has to per State law reflect with the food sales as well. That's a requirement. It's a State law requirement. So those factors I feel confident enough that are going to be factored into that just by the Statutes that we have in place. I didn't actually have that conversation with them. In the past, I have had that conversation with other bars and restaurants who were interested in it and of course, it was always yes they would keep the facility open. Mr. Rafferty is here if we want to ask him.

Jim Rafferty

We believe it is in the best interest of people who are drinking to eat and that's why we keep our kitchen open now to the latest in town – 11, 12 on Friday and Saturday – and why we would to 1 – 1:30ish if we go to stay open until 2. It's the responsible thing to do. If we didn't go broke doing it, we would try it.

Chairwoman Kelly

Thank you. I appreciate that. Yeah obviously we're all adults here. I've worked in the restaurant business. I get that but I've also walked around Main Street at 1 and I know what it's like to see people lighting up at Wendy's at 1. That was just my thought. If your kitchen closes at 10 and then you're here until 2, there's a bit of a difference there.

Alderman Lopez

I just want to renew my 2016 campaign for English muffin pizzas. You use a toaster oven, 30 seconds. Think about it restaurants.

Chairwoman Kelly

We need the sausage guy back. Nothing like coming out of the...sorry. Reminiscing about my time in college. Is there other comments from the Committee? Anyone on line?

A viva voce roll call was taken which resulted as follows:

Yea: Alderman Clemons, Alderman Lopez, Alderman Thibeault,
Alderwoman Kelly 4

Nay: 0

Abstained: Alderman Gouveia

1

MOTION CARRIED

Chairwoman Kelly

Thank you Mr. Rafferty for indulging our question.

Oh I remember what I was going to say. I know we're moving on but the comment about moving to another city. I was thinking about the fact that if someone is there and has the same bartender, they're required by law to make sure that they're not overserved. So if they move to another bar, we're actually increasing safety. Moving on.

O-22-009

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman-at-Large Melbourne Moran, Jr.
Alderman Alex Comeau
Alderman John Cathey
Alderman Derek Thibeault
Alderman-at-Large Gloria Timmons

RAISING THE LANDFILL DISPOSAL FEE FOR CONSTRUCTION AND DEMOLITION DEBRIS FROM \$90 PER TON TO \$300 PER TON

MOTION BY ALDERMAN THIBEAULT TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Lisa Fauteux, Public Works Director

Yes. Thank you. Good evening Chairwoman Kelly and Committee members. Thank you for allowing us to speak to O-22-009 tonight. With me this evening is Jeff LaFleur who is the Superintendent of Solid Waste and Kevin Naro is our Solid Waste Foreman. With your permission Alderwoman Kelly, I would like to turn things over to Jeff LaFleur.

Jeff LaFleur, Superintendent of Solid Waste

Thank you. Jeff LaFleur, Superintendent of Solid Waste. As most of you know, C&D has always been an issue with the City of Nashua. It doesn't compact as well and takes up too much landfill air space. In fact, it takes up to 20 percent more air space than trash alone. We're not about three years ahead of schedule in filling our Phase III landfill because we're taking in the extra C&D and other materials. Over the last three years, construction demolition tonnages have been rising. In FY2019, we took in 9,000 tons of C&D. This fiscal year – FY2022, we've taken in 15,500 of C&D. That's an increase of 6,500 tons over three years.

The majority of C&D is coming in as commercial construction and demolition has been a problem in recent years, especially with the banning of demo from all (inaudible) in Massachusetts. My foreman and I have pulled 44 permits to date with materials that are coming out of town. The Four Hills Landfill is also the last remaining landfill or one of the last remaining landfills in the State and we are fortunate to have it and only services the City of Nashua.

We do have to be diligent to keep the air space for our residents. The landfill is currently charging \$90 a ton, which is way under market for surrounding companies that can handle it. We're hoping to increase the C&D the \$300 will incentivize contractors to take the materials to other processing plants that are nearby. There's one in Epping and there's one in Salem. Our current costs for tipping at those facilities is around \$185 a ton. The materials should go to these processing plants to be managed properly instead of being landfilled. When we do take in our C&D and ship it out, we essentially turn into a transfer station. It's almost like our single-stream recycling that we take in and we ship right out. So \$300 a ton is competitive if we include the trucking costs that it would take to ship it out.

The policing of these contractors that are bringing in the demo from outside of Nashua is very hard for my foreman. In fact, I have Kevin Naro here one of my foreman that has been doing a lot of that. I'd like to have him just talk a little bit about it.

Kevin Naro, Foreman

Good evening everybody. My name is Kevin Naro. I come to you in two different ways. I am not only almost a 20 year employee with the Solid Waste Department and an 8 year as a Foreman. I am a lifelong resident of the City of Nashua.

In the years that I've been working for the Solid Waste Department, I've never see the landfill fill as much as it has in the past few years in the phase that we're in now. The commercial haulers that come in, it's part of their permit when they buy the permit. They understand that everything that they bring in has got to be from the City of Nashua. We've done spot checks throughout the years. Recently we've done a lot more spot checks with MSW, checking for addresses on labels through all the commercial haulers and addressing that.

Up til about I would say 9 to 10 months ago, my partner Jeff Parker who is the other Foreman at the Solid Waste Department we really started looking at the C&D that was coming in and noticed just a lot of it. We were trying to figure out how we could possibly make sure that the address that these people were saying it was coming from was actually correct. We were doing some sport checks and we started noticing a lot of them. A roofer would come in and say it was from one address. We'd take ride by and there was moss growing on the roof. Obviously it didn't come from that address. We really got heavy into it. It's very time consuming for us to drive by all these addresses. We do as much as we can and we've been catching a lot people that have given addresses and we've taken it upon ourselves to go knocking on doors. Say somebody brought in kitchen cabinets and so forth. Myself I had one that came in and I knocked on the resident's door and the resident looked at me like what are you talking about. They didn't know anything about it so obviously it didn't come from that address.

Like Superintendent LaFleur said, what's been happening is the cost of disposal in these other facilities is a little bit higher – quite a bit higher – and makes us look appealing to come in and try to bring it in and I think that's what's been happening. I think to raise this up, I don't think it's going to stop it but it's going to make it not so appealing. We've really got to do something because the landfill is filling fast because of this. Like Jeff said, the C&D takes up so much more space.

The landfill I went over this at the last meeting. The landfill is to me is a gem. There's a lot of people like I said at the other meeting you put your trash in the trash barrel and you roll it out to the street and it just goes away. The citizens of Nashua need to understand that there's not too many communities that own a landfill. If we don't keep everything that's going in that landfill for the city, it's going to fill up and it's going to be very expensive. I support this 100 percent and I hope you folks pass it. Thank you.

Chairwoman Kelly

Thank you Mr. Naro.

Alderman O'Brien

Thank you Madam Chair. I was up in Concord all day. I was looking for one more meeting to go to tonight. I was approached being the liaison to Public Works, I was approached by them to write this bill. I'm happy to bring it forward. It would have introduced it but basically what it is we do have a problem with the landfill. I agree with what the gentleman said. The landfill is a gem that is shortly coming to maturity. If we don't take actions on this – what appears to have been happening is people taking construction type of debris. This isn't your regular type of household type of trash. Let's look at roofing material. That is considered as construction or demolition type of debris. That's going to sit in the landfill more than a milk carton and that's going to take up valuable space. Anybody that's done any roofing in their life and filled up a 30 yard dumpster or anything else, notice that it doesn't pack well. There's void spaced and other different things. So this has caused great problems. If you have void within the construction type of debris, then it's taking up the space and you're shortening the life expectancy.

Let's, again, look at the landfill measures that we have taken in the past. We're taking just basically what is household type of I would say rubbish and everything. As far as some of the recycling is moving off site because, again, we value our landfill and we don't want to put it into our landfill and fill that more because until maybe a better market comes forward with the recycling market. This was brought to my attention. Also, too, how do we know is the construction debris coming from the singly from Nashua and is the attempt to stop this? This would be an attempt just to have for Nashua residents. They'll pay for the permit and the tonnage weight. It's generally, I think, it is a large increase but I think it's when you look at when somebody does a roof, usually a 30 year roof to get back to the roofing situation, it's that one-time fee that would occur at that particular time. Compared I think it was also

mentioned other areas of the community that do have landfills. We're basically undercharging and have been for years on what we have. Thank you Madam Chair. That's all I have.

Alderman Clemons

Thank you. I have a question that maybe it's related I guess. So I understand the legislation and I was very happy to hear the testimony this evening. My question is what happens to somebody who does get caught who you guys find out that they lied or whatever. Do you have for lack of a better term a black list of people who can't come back or what happens to that contractor that lied to you?

Jeff LaFleur, Superintendent of Solid Waste

I can take that Lisa if you would like. Jeff LaFleur, Superintendent of Solid Waste. We actually through the landfill, the Superintendent and the Director have the right to pull a permit for pretty much any reason that we feel that they're not following the rules of the landfill and following the rules of the city. These 44 permits that we have pulled, most of the contractors hand us over the permit and they pretty much say it was great while it lasted which just shows us that things are happening that shouldn't be happening and we're taking care of it. We have the right to pull it. In order for someone to get it back, they'd have to go through a long list of ideas and thoughts and they'd have to have a meeting with the Director and myself. They'd have to plead their case and make sure that it would never, ever, ever happen again before we'd even think about giving them the permit back.

Alderman Clemons

Great. Thank you for that explanation. I'm happy to hear that and definitely in support of this.

Alderman Thibeault

Thank you Madam Chairwoman. That was one of the two questions that I had so thank you for that. Mr. LaFleur was nice enough to give me a tour of the landfill and I saw this debris sitting there. They explained to me at that point that this is something that they wanted to do. I've seen a lot of people saying in other forums that this is some kind of money grab by the Mayor. I just want to get it on the record, it's a deterrent not a way to make money but a deterrent so that our landfill lasts longer. At this point like somebody said earlier, it's going to last 6 to 7 more years. Other towns and cities around us do not have this luxury and we need to keep it going as long as we can. I just wanted to get that on the record from you guys.

Lisa Fauteux, Public Works Director

If I may Alderwoman Kelly. I want to thank you for saying that Alderman Thibeault. The Mayor has absolutely nothing to do with this. I had to convince him of this as we're trying to do this evening with all of you. I went to him with the issue. He thought it was a good idea and agreed to sponsor the legislation. This was not any way his idea.

Alderman Thibeault

Thank you.

Alderman Lopez

I'm sure the transcriber recognizes Director Fauteux's voice.

When I read this, I kind of was like why are we raising the dump fees for construction people. Is it that the supply is not expensive enough? Why is this the time to do it? I understand from the presentation that we didn't sign up to be Massachusetts dump. If they all outlawed their construction waste, we're kind of poorly located for I think it's a little too tempting for a company that may do business in both States. So I think we have to be very careful of that.

I do appreciate the comment that was made that this would actually pay for us to ship what we do have onwards. I remember when I first took office as Alderman. I was a little bit excited that our sludge was making money and it has not been the case and recycling is not making us money. I don't expect our trash to make this money but I would like it to not leak money because that's literally us throwing taxpayer money away. I think balancing or budget a little bit might include making sure that the actual costs and the services that we're providing are being accounted for.

I will defer to Solid Waste best recommendation on how to manage our landfill. Having recently come back from Honduras and seeing zero plan for landfilling like to the point where it literally includes the annual burning of the trash on the side of the road. We have to be very careful with how we deal with our waste. The fact that we have a treatment facility in Nashua is a tremendous convenient to our resident and something that we do need to be cautious of how we take custody of. So we need to know what's going into it and we need to make sure that we have a plan for how that's being managed. So I support this.

Chairwoman Kelly

Okay. I'm going to ask a couple of questions quickly here. My question actually was about the transferring. I know Mr. LaFleur you talked about we have become a very expensive transfer station but maybe I misunderstood and that if we move to make this higher, we would be able to then transfer it. It's not being transferred now?

Jeff LaFleur, Superintendent of Solid Waste

We ship very little of it right now. We don't have the budgeting to do ship it all. So by increasing this amount, I will have to budget appropriately to offset what's coming in for revenue to ship everything.

Chairwoman Kelly

Okay. That was my question because I was just confused as to whether it was actually being transferred out or not right now. I think this makes a lot of sense and I think Alderman Thibeault hit the nail on the head in terms of this being a deterrent for people to bring it to our landfill, which I know that the taxpayers have a lot of ownership of.

Forgive me if I misunderstand how this permitting happens but my one question was, because I remember early on as an Alderman, that that point was made to me that the taxpayers feel very much like it is their landfill. Would this – if I Shoshanna Kelly decided to take my kitchen apart and bring my cabinets to them would I still have to pay the \$300 or is that not a commercial permit?

Jeff LaFleur, Superintendent of Solid Waste

No. Any resident that comes in with any demo, any commercial contractor that comes in with demo pays a charge. Right now everyone is paying 4 ½ cents a pound. So with this increase, you'd be going up to 15 cents a pound.

Chairwoman Kelly

So this is a different set than what I would pay? Just want to make sure I'm with you.

Jeff LaFleur, Superintendent of Solid Waste

Well no you'd pay the same amount. Everyone across the board would pay the same amount – 15 cents a pound.

Chairwoman Kelly

Okay. That was my question.

Alderman Gouveia

Thank you Madam Chair. I think this makes sense to me but what's the reason for upping the price when we're trying to deter these commercial companies to go elsewhere instead of having them come here? Why aren't we trying to eliminate it fully instead of upping the charge to just move it somewhere else?

Jeff LaFleur, Superintendent of Solid Waste

That's a great question. This is the first step that we're taking. We're trying to deter it. Letting the current contractors do it on their own by going to these other places. I'm not saying that in the near future we may have to go right to what you're saying is just ban commercial demo altogether. It would be easier for the landfill and it would be easier for us to manage. We're just trying to move in the process in the plan that we started with. It has been discussed and we possibly could be bringing that forward at some point.

Alderman Gouveia

Thank you.

Lisa Fauteux, Public Works Director

May I add to that as well? It's hard to be on Zoom instead of in person. Lisa Fauteux, Director of Public Works. Alderman Gouveia I think that's a great idea and I know you and I had a conversation about that. I think it would make some sense and we would like to have this conversation with the Board of Public Works that perhaps we could ban commercial C&D but allow residential C&D. So that is something I know we've discussed internally and deserves further discussion. I appreciate that comment.

Chairwoman Kelly

Director Fauteux if I could follow up actually because that was sort of my question was is there an opportunity to have a different rate for residential C&D?

Lisa Fauteux, Public Works Director

It's a little bit complicated. There could be but most residents just by order of magnitude bring in a very small amount. If you're putting in something say in your pickup truck and you're bringing it in, you're probably bringing in probably \$50 worth or so. It's not going to be a huge jump in cost for residents bringing in C&D.

Chairwoman Kelly

Thank you Director Fauteux.

Alderman Dowd

I just wanted to a couple comments. One I fully support Director Fauteux and her staff. They do a great job. We had a landfill that we've been trying to manage for a long time. We don't need to fill it any faster than we've already planned for because when the landfill is fully filled up, now we have a much different and more costly problem. I think this is a good way to defer especially people that are coming in from unauthorized places to dispose of demolition debris. This is a good way to stop that.

I just wanted to point out that behind Jeff is a very, very expensive piece of equipment. The landfill has a lot of expenses associated with managing that. We don't need to be taking care of demolition debris from other cities and towns. Thank you.

Alderman Comeau

Thank you Madam Chair. I just wanted to touch on something that a couple of my colleagues have already talked about. As far as the contractors that have had their permits pulled and maybe if I could ask Director Fauteux through the Chairs. Is there any way that Public Works has been able to identify dollar amounts that some of these offenders are responsible for? Has there been any conversation about how to possibly recoup some of the money that we may feel that we're owed by disposing of out of town C&D? Has there been any discussion about possible criminal charges? Is this something that would fall under fraud or something like that?

Lisa Fauteux, Public Works Director

That's a very good question Alderman Comeau and a tough question to answer. I think many of the loads that have been brought in are a combination of loads from different communities. So I wouldn't say that some of them may have been strictly from another community and no C&D from Nashua. Typically what will happen is that a hauler will make multiple stops. So it would be difficult to say what quantity the contractor actually dumped. It wasn't from Nashua and how much was from Nashua? Many of the loads we've caught before they've got into the landfill and turned them away. I am incredibly proud of the landfill staff. Kevin and his team, and Jeff LaFleur, and Jeff Parker have worked really hard going through loads and making sure that none of the material was from out of town. That would be hard. The burden of proof of course would be on us and it would be difficult to prove. I think out of the 40 plus permits that we have pulled, I think we've only given back maybe 3 or 4 so far. So I think we have had some success with eliminating some of the out of city waste that's gone in.

Alderman Comeau

Thank you.

Chairwoman Kelly

I have just one additional and I think it's answered by the last line in this ordinance. My only additional concern here is that we are looking to make sure that we bring on more housing stock and that we're encouraging that in the city would this be at all a deterrent to developers who might be looking at coming in and building in Nashua?

Lisa Fauteux, Public Works Director

I don't believe that to be the case. In fact, I think Jeff mentioned earlier that Massachusetts has banned C&D from their landfills. So that's another reason why it's attractive to come to New Hampshire. We're the only landfill – there's one in Conway but it's a very small landfill. Other than that, we're the only landfill that is municipally owned left. Most contractors are used to bringing it to C&D processing facilities. As Jeff mentioned, there's one in Salem. There's one in Epping. So there are other opportunities and actually better locations for this material. No I don't think that would be a deterrent at all.

Chairwoman Kelly

Okay thank you. I really appreciate that.

Alderman Gouveia

Thank you Madam Chairman. I'm just going to editorialize on this for a second. I'm going to vote yes on this but I feel it really is just kind of a Band-Aid fix. I feel like if we're really serious about trying to preserve this, we do really got to look at just eliminating this commercial waste altogether. I think this is a good step in the right direction but if we're really serious about going ahead, I think we do need to really look at eliminating this altogether.

Alderman Clemons

I agree with Alderman Gouveia on that. I also think in fairness though you have to give people time, right. So I think this is a good step in the sense that we're going to increase the amount – okay this is the way it's going to be and then we can have that discussion and then say – because people are – I mean if you're in the middle of the demo and we were to pass this and then you don't know where to go. I'm sure you'd figure it out but that could throw a monkey wrench into some people's plans and things like that. I'm with ya 100 percent. I think this is a good interim step and hopefully we can have that discussion in the future.

Alderman Lopez

There is a Board of Public Works that could probably be exploring this issue too and they're elected to. As much as I appreciate being the police chief for Billerica toilets or whatever.

Alderman O'Brien

I agree with Alderman Lopez. It would come under and that's something like the Board of Public Works would need to really take a look at and discuss. The thing is I agree with Alderman Clemons. The action here is a step. I go to another community that's adjacent to us and right on the park fence says "for town residents only". Yet all our parks are open to everybody. I have no problem just isolating the dump – I shouldn't have said that. Excuse me. I apologize to my friends but the landfill to what it was originally was intended. They are a precious commodity today and just to have it for the benefit of Nashua citizens. Futuristically, it could be discussed by the other elected board which is the Board of Public Works.

Chairwoman Kelly

Any other discussion?

MOTION CARRIED

TABLED IN COMMITTEE - None

PUBLIC COMMENTLaurie Ortolano

Thank you. Hi. Good evening. Laurie Ortolano, 41 Berkeley Street. I wanted to address with you a couple issues I have and concerns with a personnel matter involving our Administrative Services Director. We've been through a lot of Right to Know lawsuits involving e-mails. This city is being very non-compliant with e-mails, and making them accessible, and available to the public. There's been four lawsuits and I think the city has lost all of them. The one that was in there Monday, they offered to settle – agree and admitted to wrongdoing but I took it into trial because I wanted the Judge to weigh in on some issues in what's going on in here. I think we've got to do a much better job with our electronic records and the obstacle to this is Ms. Kleiner. She's just not willing to make records available ever since she came on in 2019. The records have been scrambled essentially and getting a hold of them something simple like e-mails is enormously difficult.

Also, the Assessing records are just a mess. I've put up with it for three years and I've finally hit my wall. I filed another PA71 with the State. It's been two years – 2 ½ years since I filed but I did. I'm going up this week to management. I'm meeting with the senior leadership at the DRA to talk to them about my concerns. You know we can't get records in our Assessing office and nobody is trained in there. Rick Vincent is a total wall. He's an obstacle going right along with Kim Kleiner. You know at least when Jon Duhamel was there, and he wasn't really in the office, you could go in there and ask for any property record file and it would be given to you. You can't do that. They're not even willing to look for it. They just send you away with no real reason why and where it is. Frankly the DRA found that totally unacceptable.

The scanning project that you were given information on by Director Kleiner I think is highly errant. Totally change in demeanor at her at the Finance Committee but once again, the information on redacting I think is completely bogus. I have a set of minutes from her where she told the Budget Committee that it takes the Legal office four hours to redact 100 pages. I think in the Finance Committee meeting she dropped a number of redacted pages from 1.3 million to 300,000. Well if you get 200 done a day and you've got...

Alderman Thibeault

30 seconds

Laurie Ortolano

...(inaudible) to go through, it's going to take you six years to do that work. Again, we're not getting the straight answers on that. I'm a big proponent of cutting the Administrative Services Director position because I see her as somebody who has destroyed the credibility of the city. Thank you.

Chairwoman Kelly

Anyone else for public comment?

GENERAL DISCUSSION - NoneREMARKS BY THE ALDERMENAlderman Thibeault

I just want to say a couple things. I just want to thank Director Fauteux and her team today. They do a great job at the DPW and thank them for the tours that they've given a lot of us newbies over the last few weeks or months.

The other thing I wanted to mention quickly is, again, I hate saying this but I heard about these comments on Facebook. I just wanted to correct them so that we have the right information out there in the world. So someone said what is that flag out in front of City Hall? What is that? I had mentioned it last week. It's the flag of the Dominican Republic. So we celebrated their Independence Day not this past weekend but the weekend before. The Mayor raised the flag.

Along with that comment came why aren't we raising the Ukrainian flag? The Mayor last week had mentioned in the Finance meeting that he had ordered a flag. He did acknowledge what's going over there and I think we all agree, it's horrific. The images we're seeing are just something out of WWII. The people are suffering and I think Nashua recognizes that. For the comments that I saw saying Nashua doesn't care. The Mayor only cares about his barriers, it's not true. He mentioned it clearly here. It's going to be next Tuesday the 15th. The date is right but I don't know if that day is right. It's the 15th at 5:30. There will be a flag raising right outside here at City Hall. The

city has invited the Ukrainian community of Nashua and anybody else that wants to come down and watch the flag raised and for a ceremony I'm sure. We'll have some of our Ukrainian community speak at it.

I just wanted to mention that because I hate social media. I try to stay away from those forums because you can't convince somebody that something is different. You just can't. They don't want to listen. The facts are the facts in some circumstances and anybody can go back and look at the meeting from last week and see that the Mayor clearly said that. We are acknowledging it. It's not easy to get a big flag for the Ukraine. You can't go down to Target and buy it. He had to order it and it will be in and then we will put it up and we'll recognize that because like I said, it's horrific. Thank you.

Alderman O'Brien

Well I was going to say March 17th I will fly the Irish flag as well. Actually to tell you the truth, I did book that week from the 14th. It is Irish history month but through all the atrocities that Ireland went under, oppressive rule of a very cruel landlord. I'm sure the Irish people would understand the atrocities that are happening in Ukraine.

ADJOURNMENT

**MOTION BY ALDERMAN CLEMONS TO ADJOURN
MOTION CARRIED**

The meeting was declared closed at 8:35 p.m.

Alderman Derek Thibeault
Committee Clerk