

A regular meeting of the Nashua BIDA was held on July 24, 2008 in Room 208 of City Hall.

In attendance: Mayor Lozeau, Mark Prolman, Mike Monks, John Stabile, Dean Jackson, David Fredette, Jack Tulley, Don Zizzi, Lucy Jenkins

The Mayor brought the meeting to order as Chairman Tulley was delayed.

Minutes of the July 24 meeting were reviewed and John Stabile moved their approval, seconded by Dean Jackson. With no further discussion, the minutes of the June 26, 2008 BIDA meeting were unanimously accepted.

BIDA Membership and Terms

The BoA Personnel Committee has unanimously recommended the appointments for the following members, and they will go before the full Board of Aldermen at their August meeting.

The new appointments are Skip Meyers from Daniel Webster College and retired banker Buzz Harrington. Reappointments included Steve Michon, Mark Prolman, Mike Monks, John Stabile, Dean Jackson, Jack Tulley, Brad Vear and Gerry Prunier. The Mayor mentioned to Dean Jackson that his appointment would be at the August 14 meeting of the committee, which will put his reappointment on the September BoA meeting agenda before his current term expires. The Mayor and Don mentioned the reason for the delay was due to the fact they were unable to contact him to confirm his interest in continuing.

Terms have been staggered with one, two and three year terms. There are a few additional candidates awaiting appointments. The Mayor mentioned that the committee was waiting for legislation for 15 members that went through the committee at its hearing and recommended passage. At this meeting, Alderman Dean wanted to know how often the President of the board of Alderman came to these meetings. The Mayor pointed out that, as his designee, Brian McCarthy had come to all the meetings that she had attended. At that meeting, Alderman Dean mentioned that the ordinance did not allow for a designee so Alderman Chasse moved to amend her legislation to add the words President of the Board of Alderman or designee.

She also mentioned that there are now requests for minutes of the meetings. Don Zizzi reported that the requests for the minutes did not have much to do with BIDA but more regarding the property adjacent to the city's parcels which we had talked about. Don and Jack Tulley both felt that it would be useful to include the BIDA minutes and agenda on the city's web site with the other public boards. Once the IT Department sets it up, the public will be able to find minutes and agendas from all BIDA meetings.

RLF

Donna Upsom has informed Don Zizzi that she is in the process of a loan request for \$50,000 from a group that is looking to combine locations and move into 4 Water St., the former Pennichuck building. Donna will be meeting with Steve, David and Don to present this request. She is also speaking at a district meeting of TD Banknorth commercial brokers and branch managers about the RLF. A local developer contacted her for a loan, but she explained that the RLF cannot service development loans.

Don mentioned that he and Donna are meeting the people from Vested for Growth which is a community loan fund with which we share Syam Software loans. They apparently are looking to make their loan money more available. We would like to combine our efforts with theirs and will be meeting with them to discuss this further.

Bridge Street Site

The Phase I assessment report was received, and it contained little new information; but it did indicate that there may be evidence of groundwater contaminants migrating from off site flowing toward the Merrimack River. As a result, because we are proposing a residential and mixed use development on the city's property, we need more information.

Don's recommendation to the board was that, through the city's "brownfields" program, we ask their consultant for a comprehensive assessment plan to look at that and to include test wells along the perimeter. The BIDA endorsed the proposal to locate test wells along the western perimeter of the property. Many members agreed that if we are receiving contaminants from off site, we need to know this so we may be able to make a decision as to how we are going to proceed.

From historical research, much of the main site has been wooded for a very long time and undisturbed, so we can presume that there is little asbestos in much of that location. The location we are most likely to find it would be in disturbed areas and in the berm along the riverfront and perhaps fill along Bridge Street. There will be remediation funds available on another grant. In 2003 or 2004 there, was an estimate for capping and remediating the existing asbestos. At that time, the cost came in around mid \$60,000, if we add 5% a year for inflation we are looking in the area of \$75,000. Jack wanted to know if there was a time factor on that, and Don mentioned we had to wait for the TRC to come back with a plan for assessment. It was agreed that we should invite Deb Chisholm to our next meeting for a full update.

The Mayor wanted to know if we knew who is responsible for the leaching we are getting from the neighboring property. She mentioned that the present owner is not always the cause of the contamination. Discussion ensued regarding contamination and responsibility of clean up. Past occupants of the buildings could be responsible but not liable since they no longer own them.

Don mentioned to the board for those who were not aware, that Jack, Mark and Don did meet with the Bonnette's as a courtesy, and that the BIDA did fulfill its responsibility as a good neighbor by letting them know how the BIDA was going to proceed.

Don mentioned that two months prior he asked Deb Chilsom to call Peter to say that the consults were going to be out on our site, and to ask him if he would like to join us in this. At our meeting, we told him we were going to proceed and as Jack stated, we know that putting our heads in the sand isn't the right solution. Now that we know there is groundwater contamination in the area, it is incumbent upon us to address that problem for our property.

A question was asked where were the wells located that picked up the contamination, and Don said that no wells have been dug or tested that the results came from the Phase I site assessment. A phase I assessment is largely from state records and other information. Discussion followed regarding how the historical data is obtained. Testing now has to be done to confirm the assessment. The city has been receiving a \$75,000 grant from the EPA and the city is now looking for a second round to include the asbestos remediation.

Jack wanted to know if we should wait to remediate the asbestos until Phase II is completed or should we be looking at the EPA before any of that comes up. Don said that discussing this with Deb Chisholm and Kathy Hersh to see of the money is set aside for Nashua. Don will invite them to our next meeting so they can bring the board up-to-date on the details of the program. Discussion continued regarding ground water contamination, location and remediation.

Dean asked about remediation and removal of the asbestos from the site, and Don mentioned that one method of remediation might be capping portions of the site. The advantage is, most likely where the

residential portion of a mixed-use development would occur, would be in an area where there is no disposal. The ground water contamination is different because it could be migrating across our site.

The Mayor is going to meet with Peter Bonnette soon on another matter, and she will make him aware of the groundwater assessment and that there is testing being done on the site, which is the city's next step of due diligence. The Mayor also mentioned that in spending city and federal funds, the city is obligated to perform these tests.

Bridge Street RFP

Don mentioned that this type of request for proposals is something of a first for the city of Nashua. There wasn't a comprehensive developers list available from the Purchasing Department so he asked BIDA members and others in the development community to find and create a list of firms so that we can make sure that the RFP gets into the right hands. The first part of this process is to assess credentials and test concepts and ideas for possible development scenarios. We would schedule it to receive responses back in a month from now to be available for review at the next meeting. We also will be advertising in the New England Real Estate Journal who also has parallel publications called the New York/New Jersey and Pennsylvania Real Estate Journals, this way we could cover all seven or eight states in the Northeast.

Don mentioned that this is our opportunity for firms to credential themselves, to have them tell us about what they have done, and experiences, resumes and the second part of this would be for them to look at what our objectives are and to tell us what they think. After next month's meeting, we hope to be able to contact three or four firms that we could meet with to discuss their proposals further. That would give the city a good opportunity to assess the best talent and to select the best development ideas. As in previous conversations, we still have work to do ourselves. It is a policy decision between yourselves, the Mayor, and Board of Aldermen as to how much value you want to add. Don mentioned that he is trying to put things together before he leaves.

Don was asked when he was leaving, and he replied that though no definitive date was set, because of his other commitments, the next meeting may be his last with the BIDA.

Opportunities Districts Committee

Mike, Brad, Dean, Stephen, Kathy Hersh, Jim Petropolis and Bill Luess are members of what we are calling the Opportunities Districts Committee of the BIDA. Its mission is to identify areas within the city that have the greatest potential for development, or redevelopment, and to begin by identify and then to zero in on the locations. Don explained that at this first meeting, he presented a map and asked Mike from the commercial broker's point of view, Jim from the engineer's point of view, Dean from the development point of view, Kathy from the regulatory point of view, what they thought. Where is the action today? They began identifying ten locations around the city. At the second meeting, they focused on one of the districts, the Northeastern Boulevard area. Mike mentioned that there were discussion regarding the Flately properties off Exit 1, Amherst St., Exit 8, around the airport, the Millyard and into the downtown area.

The next step for this committee would be to bring back regular reports on where opportunities might exist. Don mentioned the exercise that he would like to see happen would be to take a look at all buildings and infrastructure, to find out what is working and what is not working in these areas, what issues are problematic, what does the city own, what does someone else own, what is not up to best use. He would like the committee to look at a building and find out how much vacancy there is and why. Is there broadband or areas where they are not able to get communication infrastructure that they need.

Jack Tulley mentioned not only should broadband be kept in mind but also fiber. The Mayor noted there are a few businesses talking about leaving because they cannot get it. Jack cannot get fiber at his dealership; and when he approached, Verizon he was told it was a FairPoint problem now, who informed him that it would take 3 years. They are trying to get FairPoint's attention. The Mayor mentioned an upcoming meeting with representatives of FairPoint where we'll get better informed.

Jack wanted to know if the city had emergency communications run through fiber. The Mayor said yes, and then he wanted to know if the city was taking advantage of that? Can businesses lease space on that? The Mayor said they are looking into some of those issues right now. There is no comprehensive list in one location of all the laid fiber. This is not just a city problem, but also a state problem. Fiber has been laid somewhat randomly wherever there was a public works project or highway being constructed.

Other Business

The comment was made that the city's permitting process, both for planning and for building permits is continuing to frustrate developers. Don mentioned that he has been working with the staff of Community Development as well as assessing the problems within other city divisions like DPW that are also involved in development review. He feels that progress is being made, but we have also identified some issues that need further attention. To be fair, it is not centered in just one department. The notion of customer service of being responsive to customers is being improved.

Jack mentioned to Dean that he hoped to see his name submitted for reappointment. The Mayor mentioned that they were unable to connect with him on time before the BoA meeting, but he will be reappointed before his term expires. Jack also mentioned how grateful he was that the Mayor has brought in Don Zizzi, as his leadership during the last few months has been invaluable and he thanked both of them for that. Don reminded the committee that BIDA would always meet on the 4th Thursday of the month at 4:00 pm.

Jack wanted the record to show that he will not be at the next meeting of August 28. Jack asked if there was any other business, there being none, meeting adjourned at 5 pm.

Respectively submitted,
Lucille Jenkins