

## **Nashua Business and Industrial Development Authority**

Meeting Minutes  
April 17, 2009

### **1. Opening:**

The regular meeting of the Nashua Business and Industrial Development Authority was called to order at 8:35am on April 17, 2009 in City Hall Room 208 by Chairman Jack Tulley.

**Present:** Chairman Jack Tulley, Vice Chairman Don Zizzi, Michael Monks, Carl Andrade, Dean Jackson, Brad Vear, John Stabile, Hollis (Buzz) Harrington, Mark Prolman, Brian McCarthy, Mayor Donnalee Lozeau

**Absent:** Steven Michon, Robert (Skip) Myers

**Other Attendees:** Thomas Galligani, Attorney James McNamee, Julie Walker

### **2. Approval of Minutes**

**MOTION BY CHAIR TULLEY TO ACCEPT MINUTES OF MARCH 26, 2009. THE MOTION WAS SECONDED BY BRAD VEAR. APPROVED UNANIMOUSLY.**

### **3. Old Business**

#### **Bridge Street Update**

**MOTION BY CARL ANDRADE TO ENTER INTO NON-PUBLIC SESSION UNDER RSA 91-A:3 II (D) "TO CONSIDER THE AQUISITION, SALE OR LEASE OF RENTAL PROPERTY WHICH, IF DISCUSSED IN PUBLIC, LIKELY WOULD BENEFIT A PARTY OR PARTIES WHOSE INTERESTS ARE ADVERSE TO THOSE OF THE GENERAL COMMUNITY." THE MOTION WAS SECONDED BY DEAN JACKSON .**

**ROLL CALL VOTE: CHAIR TULLEY, VICE CHAIR ZIZZI, CARL ANDRADE, MARK PROLMAN, HOLLIS (BUZZ) HARRINGTON, BRAD VEAR, DEAN JACKSON, MICHAEL MONKS, JOHN STABILE. ALL VOTED IN FAVOR OF ENTERING NON-PUBLIC SESSION UNDER RSA 91-A:3 II (D).**

**MOTION BY MAYOR LOZEAU TO SEAL THE MINUTES OF THE NON-PUBLIC SESSION UNDER RSA 93-A:3 II (D) BECAUSE DISCLOSURE WOULD RENDER THE PROPOSED ACTION INEFFECTIVE. THE MOTION WAS SECONDED BY CARL ANDRADE.**

**ROLL CALL VOTE: CHAIR TULLEY, VICE CHAIR ZIZZI, CARL ANDRADE, MARK PROLMAN, HOLLIS (BUZZ) HARRINGTON, BRAD VEAR, DEAN JACKSON,**

**MICHAEL MONKS, JOHN STABILE, BRIAN MCCARTHY . ALL VOTED IN FAVOR OF SEALING THE MINUTES UNDER RSA 93-A:3 II (D).**

*The minutes of the non-public session were released and approved at the June 19, 2009 BIDA meeting.*

**MOTION BY J. STABILE TO AUTHORIZE MAYOR LOZEAU AND CHAIRMAN TULLEY TO SIGN BRIDGE STREET AGREEMENT ONCE IT IS FINALIZED. MOTION WAS SECONDED BY VICE CHAIR ZIZZI. APPROVED UNANIMOUSLY.**

#### **4. New Business**

Vice Chairman Zizzi commented on new and upcoming projects and suggested the BIDA touch on those at the next meeting. Chair man Tulley asked if someone could compile a list and bring it to the next meeting.

#### **Adjournment:**

Meeting was adjourned at 9:30am by Chairman Tulley. The next general meeting will be at 8:30am on May 22, 2009 in Room 208 of City Hall.

Minutes submitted by: Julie Walker

# Nashua Business and Industrial Development Authority

## Bridge Street Subcommittee

Meeting Minutes of Non Public Session  
April 17, 2009

### Bridge Street Negotiations

Staff discussed the status of the negotiations with Renaissance Development relative to the Bridge Street parcels.

1. **Time of the Essence Clause:** Discussed talking with Renaissance Development about keeping the Time of the Essence Clause in the document and as an incentive for keeping this, the BIDA would offer them the opportunity to extend the schedule only by paying a non-refundable deposit.
2. **Ownership of engineering and other plans:** Discussed requiring the developer to turn over all engineering and other planning document to the BIDA/City should the developer terminate the contract.
3. **Substantial Modification to the Concept Plan to Require Approval by BIDA:** Discussed requiring the developer and any future owner of the project to request from BIDA approval of any substantial modifications of the Concept Plan. This requirement would survive the transfer of the property
4. **Cell Tower:** Add clause that the City would make best efforts to find an alternative location for the cell tower. This recognizes that the City has a long term lease with the cell tower owner that cannot be broken. It is likely that the cell tower/transmitter could be incorporated into the Concept Plan.

During the meeting, a call was placed to Don Monti, the principal of Renaissance Development where all of these issues were discussed at length with the BIDA Subcommittee. The developer agreed to all of the BIDA requirements.

Renaissance staff and City staff agreed to finalize the agreement, incorporating all of these changes, and pending review by Corporation Counsel produce a final agreement.

**MOTION BY B. HARRINGTON TO END THE NON PUBLIC SESSION AND RE-ENTER THE PUBLIC PORTION OF THE MEETING. THE MOTION WAS SECONDED BY M PROLMAN AND UNANIMOUSLY APPROVED.**