Board of Public Works Meeting of March 28, 2019

Agenda

A meeting of the Board of Public Works is scheduled for Thursday, March 28, 2019 at 5:30 p.m. in the Auditorium at City Hall, 229 Main Street, Nashua, NH 03060.

I. Roll Call

II. Motion: To approve the agenda as presented.

III. Motion: To approve the minutes of the Board of Public Works Meeting of February 28, 2019.

IV. Public Comment

V. Wastewater
   A. Motion: To approve the User Warrants as presented.
   B. Motion: To approve the purchase of a Fairbanks brand vertical solids handling from Hayes Pump, Inc., of Concord, MA for the amount of $29,511. Funding will be through Department 169 Wastewater.; Fund: Wastewater; Account Category: 71 Equipment.
   C. Motion: To approve the award of a three year contract for the long-term management of wastewater biosolids to Resource Management, Inc. of Holderness, NH in an amount not to exceed $1,527,050. Funding will be through: Department: 169 Wastewater; Fund: Wastewater; Account Classification: 54 Property Services.
   D. Motion: To approve the contract with Wright Pierce of Thompson, ME in an amount not to exceed $409,900 for construction administration services for the Pump Station Upgrades Phase I Project. Funding will be through: Department: 169- Wastewater; Fund: SRF Loan; Activity: Pump Station Upgrades Phase I.
   E. Motion: To approve the contract with DeFelice Corporation of Dracut, Massachusetts in an amount not to exceed $3,469,550 for construction of the Pump Station Upgrades Phase I Project. Funding will be through: Department: 169- Wastewater; Fund: SRF Loan; Activity: Pump Station Upgrades Phase I.

VI. Engineering
   A. Motion: To approve the Residential and Commercial Wastewater Service Permits and Fees as submitted.
   B. Motion: To approve Drainlayer’s License for N. Granese & Sons, Inc., 59 Jefferson Avenue, Salem, Massachusetts, in accordance with Nashua City Code §255-19 Issuance of Drainlayer's License.
C. **Motion:** To approve the following Pole License Petitions: PSNH #12-1343, PSNH #12-1338, PSNH #12-1339, PSNH #12-1332, PSNH #12-1328, PSNH #12-1329, PSNH #12-1330, PSNH #12-1333, PSNH #12-1335, PSNH #12-1315, PSNH #12-1310, PSNH #12-1284, PSNH #12-1287, PSNH #12-1304, PSNH #12-1298, PSNH #12-1274.

D. **Motion:** To approve the engineering contract with Stantec Consulting Services, Inc. of Burlington, MA in an amount of $28,900. Department: 160 Admin/Engineering; Fund: Bond; Activity: Paving.

E. **Motion:** To approve the following changes to Sewer Connection Fees:
   1. Eliminate the Betterment Fee and Connection Fee
   2. Increase the Entrance Fee to $1,450 per single family residential unit and for each 20 gpm increment in commercial peak flow
   3. Adjust the Entrance Fee annually using the 20-City Construction Cost Index
   4. Eliminate the requirement for the City to repair or replace sewer connections for 1- and 2- family homes

VII. **Administration**

   A. **Motion:** To approve the agreement with Louis Fish and Allison Hurd of 1 Hutchinson Street regarding the moving of their fence.
   B. **Motion:** To approve EPA’s consent for property access for Hughey Street in lieu of an encumbrance.
   C. **Motion:** To approve the revisions to NRO Chapter 45 Article IV – Board of Public Works Retirement System.
   D. **Motion:** To approve the proposed sculpture locations for the 2019 Sculpture Symposium.
   E. **Informational:** February Budget Transfers
   F. **Director’s Report**

VIII. **Commissioner’s Comments**

IX. **Personnel**

   A. **Motion:** To unseal the nonpublic minutes for Personnel from the Board of Public Works Meeting of February 28, 2019.
   B. **Non-Public Session**

X. **Non-Public Session**
A meeting of the Board of Public Works was held on Thursday, February 28, 2019, at 5:30 p.m. in the Auditorium at City Hall, 229 Main Street, Nashua, NH 03060.

Mayor Donchess, Chair, declared the meeting to order at 5:30 p.m. and called the roll.

Members Present:

Commissioner Joel Ackerman, Vice Chair
Commissioner Tracy Pappas (via telephone)
Commissioner Kevin S. Moriarty
Commissioner G. Frank Teas

Also Present:

Ms. Lisa Fauteux, Director, Division of Public Works
Mr. Nicholas Caggiano, Superintendent of Parks & Recreation
Mr. Jeffrey Lafleur, Superintendent of Solid Waste
Mr. Dave Boucher, Superintendent of Wastewater
Ms. Amy Gill, Senior Staff Engineer
Ms. Mandeep Gill, Senior Staff Engineer
Alderman Ernest Jette, Aldermanic Liaison

Mayor Donchess

Commissioner Pappas is participating by telephone and under the terms of the state law that allows her to do that, she needs to explain why she can’t attend, if she can hear us, and who she is with if anyone.

Commissioner Pappas

I cannot attend because I am not feeling well, and I am alone.

Mayor Donchess

All votes will be taken by roll call.

**MOTION: **Commission Ackerman made a motion to approve the agenda as amended.

**Discussion:**

Director Fauteux

Under Engineering, Motion C should say “Fund: Bond and Trust.”

Also, under Engineering, Motion E, “contingent upon approval of the bonds” was deleted.

Information regarding the Spring Clean-Up was added under Administration.
A Viva Voce Roll Call was taken, which resulted as follows:

Yea: Mayor Donchess, Commissioner Ackerman, Commissioner Pappas 5
Commissioner Moriarty & Commissioner Teas

Nay: 0

MOTION CARRIED: Unanimously

Approval of Meeting Minutes – January 31, 2019

Mayor Donchess

Are there any edits to the minutes from the January 31, 2019, meeting?

Alderman Jette

Page 6 - “is the material a source on containment” was changed to “is the material a source of contamination.”

MOTION: Commissioner Moriarty to approve the minutes from the Board of Public Works Meeting of January 31, 2019, as amended.

A Viva Voce Roll Call was taken, which resulted as follows:

Yea: Mayor Donchess, Commissioner Ackerman, Commissioner Pappas 5
Commissioner Moriarty & Commissioner Teas

Nay: 0

MOTION CARRIED: Unanimously

Commissioner Teas

I am wondering, given the need to call the role after each item, if it would be more productive for the Board in each section, for instance, under Solid Waste, to have the Superintendent to give his report and then we can move to approve all four items.

Mayor Donchess

I think we can do that so long as no member asks for a separation in the event he or she wishes to vote differently.

Public Comment

There was none.

Parks & Recreation Department

A. Informational: The 2019 proposal to work in conjunction with Nashua Grows to construct Community Gardens at the Tolles Street Park.
Mr. Nicholas Caggiano, Superintendent of Parks & Recreation

In your packet, you will find a plan and a report. Last year we received a Community Development Block Grant as well as some escrow funds to make some improvements at the Salem Street Tot Lot and the Tolles Street Park. One of the ideas was to try to enhance the neighborhood and make a social space. The concept worked well at Field’s Grove when we converted the tennis courts over to pickleball courts which brought a variety of people there and the behavior in the park changed. It has also helped on the rail trail where there are some community gardens. The idea was to contact Justin at Nashua Grows and he did a concept plan for us to take the Tolles Street Lot where we currently just have a path, benches, and grass and make it a community garden space where Nashua Grows would manage it and we would provide the residents around French Hill Park an opportunity to grow vegetables. We would have a water source based on the permaculture concepts that are currently very popular. We want to keep going with this and I will come to you with a final plan for approval as we get close. Our goal is to work on getting everything ready for the spring of 2020. We will have garden plots built by volunteers through Nashua Grows. We will be using the funding to provide materials and we will have to do a little bit of work with getting them the water source which is across the street. I really think it’s going to be a really nice way to enhance the neighborhood and continue the social experiment that we have been working on in these areas.

Mayor Donchess

Are there any questions or comments for Mr. Caggiano?

Commissioner Pappas

I think it is a fabulous use of the land, but it looks like we have two types of funding and I am wondering if we have a sense as to how much it is going to cost and which fund is going to be used. It looks like there was an escrow account in addition to the block grant.

Mr. Caggiano

There is the $40,000 Community Development Block Grant and a $20,000 escrow that was put aside for the park. We plan on using the Community Development Block Grant first, but I don’t believe we used the entire $40,000, and then the $20,000 and the remaining amount will be used to make improvements on the playground which is located across the street.

Mayor Donchess

In the fall of 2018, as the fiscal 2018 budget was being closed, there were unexpended funds and I, as the Mayor, proposed to the Board of Aldermen and they adopted that we escrow certain funds for specific purposes and one of those purposes was for this tot lot and playground. That’s where the $20,000 comes from.

Are there any other questions for Mr. Caggiano? There was none.

Solid Waste Department

A. MOTION: To approve a contract with Charter Contracting Company, LLC of Boston, MA, in the amount of $5,525,525 for the construction of the Phase III Landfill. Funding will be through Department: 168 Solid Waste; Fund: Bond; Activity: Phase III Landfill.

Discussion:
Mr. Jeffrey Lafleur, Superintendent of Solid Waste

A presentation was given at the last meeting for this project. It is a very big project which will cost approximately $6 million.

Mayor Donchess

Do any of the Commissioner’s or Alderman Jette have any comments on Motion A? There was none.

B. MOTION: To approve a contract with Sanborn, Head & Associates, Inc. of Concord, NH, in the amount of $255,000 to provide the Solid Waste Department with Construction Quality Assurance (CQA) services for the Phase III Landfill construction. Funding will through Department: 168 Solid Waste; Fund: Bond; Activity: Phase III Landfill.

Discussion:

Mr. Lafleur

Sanborn, Head & Associates, Inc. will oversee everything from start to finish for us.

Mayor Donchess

Do any of the Commissioner’s or Alderman Jette have any comments on item B.

Commissioner Pappas

For people who might not have watched the meeting last month, can we give a review as to how much more life we will get out of the landfill?

Mr. Lafleur

The Phase III Landfill is going to be a 5-acre area, and we will gain approximately ten to eleven years, depending upon the amount of waste that comes in from the city. The expansion is needed as we are running out of air space with the sections that we are working in and we are trying to make this happen as soon as possible.

Commissioner Pappas

Do you know when the Department of Environmental Services will approve it?

Mr. Lafleur

Right now, we have a permit that has been approved with some conditions on it. Our final conditions are our groundwater levels. That means before we can place any liner material down, we need to make sure we have the measurements and the last measurement we can take is on June 1st. I will have a report done by the end of that week and we will send it to DES and hopefully, we will get their blessing to begin the construction of the liner. That said, I am getting these approvals from the Board of Public Works right now and I have a bond resolution that must go through to get the monies to do this project so there will be a lot of meetings in March. There will be a public hearing, approvals through the Finance Committee and the Board of Aldermen. As soon as I can get all these approvals, and I think the final approval should happen on March 26th, I should be able to give notice of award to the contractor on March 27th if I can get the Mayor to sign it ASAP. They can then start doing all the ground clearing except for laying the liner. We should be able to start putting trash in there by August or September at the very latest.
Commissioner Pappas

Who does the measurement of the groundwater?

Mr. Lafleur

We are doing that in-house. We had groundwater wells strategically placed in the Phase III Landfill.

Alderman Jette

I am concerned about the abutters being made aware of this. Have they already been notified of this project?

Mr. Lafleur

This project was permitted multiple years ago so they know of the process and that the landfill will be happening. Again, there will be a public hearing for the bond resolution for the whole project and that is when they will be notified that this project will be happening. We are well within the 500-foot setback and we are leaving buffers that will support the use of this area.

Alderman Jette

I am concerned about them being aware that the construction is going to take place. I thought you said you would like to let the contractor start the work in March. I thought you were saying the public hearing would be sometime after that.

Mr. Lafleur

No, the public hearing will happen before I can give approval to the contractor to start construction. It will be held sometime within the next three or four weeks.

Alderman Jette

Will the residents in that area get notice of the public hearing?

Mr. Lafleur

Yes.

C. MOTION: To approve the creation of a part-time Licensed Scale Operator position at the Solid Waste Department. Starting salary for this position will be $21.76 per hour. Funding will be through: Department: 168 Solid Waste; Fund: Solid Waste; Account Classification: 51 Salaries & Wages.

Discussion:

Mr. Lafleur

I have discussed this at the Recycling Committee meetings, which the Commissioners have been part of. We feel there is a big need for an additional staff member in the scale house. I am requesting a part-time scale operator. In the discussion, I misworded a sentence at the end. It says, “the person hired for this position will work a maximum of 29 hours per week” and I would like to change that, with your permission, for an average of 30 hours per week. If my full-time scale operator is out, I may need this person to backfill so that would add extra hours. I just don’t want to have it on record that I said a maximum of 29 hours and then overstep my bounds.
Mayor Donchess

That’s not really in the motion. The motion just creates the position and approves the salary. We are now aware of the number of hours that the person will be working.

Commissioner Pappas

I think it is good that we are adding a half of position. There were people with Massachusetts plates coming in on the weekends. I think we have good employees, but they are not superheroes. I think it is a good idea to have extra help on the weekends and I think the position will well pay for itself.

**MOTION:** Commissioner Teas made a motion to approve items A, B & C under the Solid Waste Department, as presented.

*A Viva Voce Roll Call was taken, which resulted as follows:*

Yea: Mayor Donchess, Commissioner Ackerman, Commissioner Pappas  5
Commissioner Moriarty & Commissioner Teas

Nay:  0

**MOTION CARRIED: Unanimously**

**D. Informational:** Fee comparison of surrounding communities for electronics recycling.

Mr. Lafleur

There is a comparison list in the Board’s packet. It shows what different communities charge for electronics. This was intended to make the Board aware of what other communities charge because right now we don’t charge for electronics. Up to two are free and then we start charging. The charge is minimal, it’s about $5.00 after the two free items. If we want to have a future discussion about imposing a fee, we can have it at one of our Recycling Committee meetings.

Mayor Donchess

What is the amount that the city is paying on an annual basis to dispose of the electronic items?

Mr. Lafleur

It has fluctuated over the past three years from $75,000 to $100,000 per year.

Mayor Donchess

Are there any questions on this item?

Commissioner Pappas

Do we have a sense as to when we will act on this? My sense is that we don’t need something passed by the Board of Aldermen to change the fees, is that correct?

Mr. Lafleur

We are still looking into that. I changed the construction and demolition pricing, but I don’t know if we did that correctly. I think Director Fauteux will be looking into that with the Legal Department to make sure it is being done the correct way.
Director Fauteux

All the solid waste fees will be transferred to the authority of the Board of Public Works and that is part of the legislation that the Legal Department is working on right now. The C&D fees definitely need Board of Aldermen approval right now. I don’t believe electronics does but I would have to verify that with the Legal Department.

Commissioner Pappas

We might want to know that so we can get everything done in one fell sweep.

Director Fauteux

Everything will be included.

Wastewater Department

A. MOTION: To approve the User Warrants as presented.

B. MOTION: To approve the contract to Wright Pierce for professional services for the design and bidding phase services for screening upgrade at the Wet Weather Facility in an amount not-to-exceed $178,000. Funding will be through: Department: 169 - Wastewater; Fund: Wastewater; Activity: Wet Weather Upgrade.

Mayor Donchess

Are there any questions regarding wastewater? There was none.

MOTION: Commissioner Ackerman made a motion to approve items A & B under the Wastewater Department, as presented.

A Viva Voce Roll Call was taken, which resulted as follows:

Yea: Mayor Donchess, Commissioner Ackerman, Commissioner Pappas 5

Commissioner Moriarty & Commissioner Teas

Nay: 0

MOTION CARRIED: Unanimously

Engineering Department

A. MOTION: To approve the Residential and Commercial Wastewater Service Permits and Fees as submitted.

Discussion:

Ms. Amy Gill, Senior Staff Engineer

The permits and fees for January totaled $2,065.

B. MOTION: To approve the construction contract for the 2019 Paving Program - Arterial Roadways to Brox Industries, of Dracut, MA in the amount of $6,853,472.96. Funding
will be through: Department: 160 Admin/Engineering; Fund: Bond and Trust; Activity: Paving.

**Discussion:**

Ms. Mandeep Gill, Senior Staff Engineer

This year we are doing a lot more paving and that is why we divided it into two contracts: arterial road contracts and local road contracts. Motion B pertains to arterial roadways which are major roads. We took the step to invite a broader range of paving contractors. This contract was advertised on January 17th and three contractors attended a pre-bid meeting, Brox Industries, Newport Construction and Continental Paving. Brox Industries appears to be the lowest qualified bidder. We will be paving 11.6 miles under this contract at a cost of $6.85 million.

Mayor Donchess

Are there any members of the Board who have questions or comments?

Commissioner Ackerman

That was a great report. Looking back, for a great part of calendar year 2018, Newport Construction was doing quite a bit of paving in the City of Nashua. Will they be completely done or is there work they need to complete.

Ms. Mandeep Gill

We still have some streets leftover from 2018, which are Amherst, Broad, Somerset and Kinsley Streets. Newport will still be working on the remainder of the work for this year.

Mayor Donchess

Those contracts were let last year but there is still some work under the last contract that needs to be done.

Commissioner Pappas

Even the roads that were finished from last year which we may have had issues with, will Newport come back and fix those?

Ms. Mandeep Gill

Yes, we have a running punch list and Newport will come back and address those issues.

Alderman Jette

There are items in grey and in white on the paving program. What does that mean?

Ms. Mandeep Gill

The streets that are shaded have some utility conflict with either Liberty Utilities or Pennichuck Water having to upgrade their infrastructure. For instance, Liberty Utilities is working on Allds Street and Pennichuck has to also upgrade a section. They have assured us they will be done with their infrastructure work by July 15th. On July 15th, our paving contractor can start paving.
Alderman Jette

What are the unshaded items?

Ms. Mandeep Gill

They will be available in April.

Alderman Jette

The West Hollis Street area…it says from Simon Street to the dead-end house; what part of West Hollis is that?

Ms. Mandeep Gill

It is by the gas station before you get onto the ramp.

Alderman Jette

Okay, so it’s the part that goes from Simon Street to the turnpike, between AMR and Kloeckner.

Ms. Mandeep Gill

We have a GIS map which shows the layout and we will be putting it on our website, and I will be happy to e-mail you the map.

Commissioner Pappas

Is Coliseum Avenue considered a major roadway? I have received concerns about that street.

Ms. Mandeep Gill

I would have to check on that and I will get back to the Commissioner.

Director Fauteux

It is not considered an arterial street.

Commissioner Pappas

Is it a public road?

Mayor Donchess

Yes, it is a city street.

Commissioner Pappas

Not all of it is in horrific condition but I am wondering if mill & fill might be a good idea, but I’ll wait until I see the full paving list for this year.
Mayor Donchess

There are some bad spots as you pass the second entrance to the liquor store.

Commissioner Pappas

In between a couple of the plazas, there is a spot that is bad. We were able to mill & fill Concord Street for at least eight years.

Commissioner Moriarty

On West Hollis Street, as it goes over the highway, is that still city jurisdiction or state jurisdiction.

Ms. Mandeep Gill

It is under city jurisdiction.

C. MOTION: To approve the construction contract for the 2019 Paving Program - Local and Collector Roadways to Sunshine Paving Corporation of Hudson, NH, in the amount of $4,350,642.35. Funding will be through: Department: 160 Admin/Engineering; Fund: Bond and Trust; Activity: Paving.

Discussion:

Ms. Mandeep Gill, Senior Staff Engineer

Item C is regarding the 2019 Paving Program for local and collector roadways. We will be paving approximately 11.4 miles of city streets. The contract was advertised on January 23rd and four contractors attended the mandatory pre-bid meeting; Sunshine Paving, Brox Industries, Newport Construction and Continental Paving. Sunshine Paving had a bid price of $4.35 million and it was the qualified lowest bidder. We attached a list of streets that we plan on paving this year. Some of the streets are mill & overlay and some will be reclaimed streets.

Mayor Donchess

Are there any questions regarding Item C? There was none.

D. MOTION: To approve the award of the 2019 Asphalt Testing contract to S.W. Cole Engineering, Inc., Londonderry, NH, in the amount of $48,600. Funding will be through: Department: 160 Admin/Engineering; Fund: Bond; Activity: Paving.

Discussion:

Ms. Mandeep Gill, Senior Staff Engineer

Motion D is about the 2019 Asphalt Testing Contract. In 2019 the city's paving program will be paving approximately 23 miles under both the arterial contract and the local contract. We will be placing approximately 84,000 tons of hot mix asphalt and approximately 4,600 tons of high strength hot mix asphalt. Under this program, a testing company will assign a technician to a plant to perform the testing of the asphalt mix and they will also observe all materials as well as the hot mix batching process. In addition to overseeing the batching process, they will also be testing the coals that will be collected from the newly paved roads. This contract was advertised on January 30th and three contractors attended the pre-bid
meeting, S.W. Cole, Terracon and John Turner Consulting. S.W. Cole had a bid price of $48,600 and was the qualified lowest bidder. Attached is a table which shows how we came up with the total number of coals for both arterial and local roadways.

Commissioner Ackerman

What determines where we put hot mix asphalt versus high strength hot mix asphalt?

Ms. Mandeep Gill, Senior Staff Engineer

We will be putting high strength mix right around major intersections or round-a-bouts where heavy trucks and trailers pull in and pull out.

**E. MOTION:** To approve the engineering services contract with Hayner/Swanson, Inc. (HSI) of Nashua, NH, in the amount of $462,435 for the management and construction administration of the paving program. Department: 160 Admin/Engineering; Fund: Bond; Activity: Paving.

**Discussion:**

Ms. Mandeep Gill, Senior Staff Engineer

Motion E is regarding the engineering services contract with Hayner/Swanson. As you know, this year we will be paving approximately 23 miles and we have two contracts under the 2019 Paving Program. One contract will be with Brox Industries and the other one will be with Sunshine. We still have carry-over streets from 2018 and it is a humungous amount of paving and there are limited resources in the Engineering Department and that is why we are reaching out to HIS to provide us with additional inspectors, to perform management, coordination, construction, administration and observation.

Mayor Donchess

Are there any comments or questions on Motion E?

Alderman Jette

Is this different than what we did last year?

Ms. Mandeep Gill, Senior Staff Engineer

It is similar to what we did last year.

Alderman Jette

Did we have an engineering company oversee Newport Construction this past year?

Director Fauteux

Yes.

**F. MOTION:** To approve the award of the construction contract for the 2019 CIPP Lining Project to Kenyon Pipeline Inspection, LLC of Queensbury, NY, in the amount of
$2,825,135. Funding will be through: Department: 169 Wastewater; Fund: Bond; Activity: Sewer Rehab.

**Discussion:**

Ms. Amy Gill, Senior Staff Engineer

Motion F is the CIPP Lining Project. As we did last year, we are endeavoring on lining projects in order to rehabilitate our old sewers. It is much more cost effective and is a product that works well. We have had success with the lining projects. We went out to bid early this year and got four bids and Kenyon Pipeline Inspection of Queensbury, NY, was the lowest bidder. We have checked their references and they have done work locally. They did a lot of work for Albany and have worked in Brookline, MA. This project intends to line approximately 4.2 miles of pipe and we do have to some excavation work associated with that work and that is included in the contract.

Mayor Donchess

Are there any comments or questions on Motion E? There was none.

**G. MOTION:** To approve the award of the construction contract for the 2019 Sewer Rehabilitation Project to N. Granese & Sons, Inc. of Salem, MA, in the amount of $1,001,888. Funding will be through: Department: 169 Wastewater; Fund: Bond; Activity: Sewer Rehab.

**Discussion:**

Ms. Amy Gill, Senior Staff Engineer

Motion G is the Sewer Rehabilitation Project for 2019 where we are replacing the sewers. These are sewers that have been deteriorated to the point where we cannot line them, and we must replace the pipework. We are doing approximately 1,300 linear feet of pipe, portions of Ash Street, C Street and Charles Street. We had three bids come in and Granese & Sons, Inc. of Salem, MA, was the lowest bidder. They have done a lot of work with Pennichuck and other pump stations and their references checked out.

Mayor Donchess

How much will this replace?

Ms. Amy Gill, Senior Staff Engineer

Approximately 1,300 linear feet of sewer which will include the full replacement including catch basins.

Mayor Donchess

Are there any comments or questions on Motion G?

Alderman Jette

Going back to Motion E, I noticed all the other motions have a list of bidders but there is no list of bidders for Motion E. Is there a reason for that?
Director Fauteux

Yes, Hayner/Swanson has done worked very closely with the city and John Vancor understands the purchasing guidelines and they have great expertise in paving. They are local and have very qualified engineers and inspectors. We have a long-standing relationship with them, they have done a great job for us and we trust them to do the work. It is not something we would want to sub-contract out and have to train them.

Alderman Jette

Is there anything legally that requires it to be let out for bid?

Ms. Amy Gill, Senior Staff Engineer

The difference is Motions F & G are construction contracts and therefore, we have to go out to bid for them, but Motion E is an engineering consulting service.

Director Fauteux

It is much like what Sanborn Head does at the landfill every year and we renew that because of their knowledge and expertise in that area.

H. MOTION: To approve the Fence and Wall Permit Application as presented.

MOTION: Commissioner Teas made a motion to approve items A, B, C, D, E, F, G & H under the Engineering Department, as presented.

A Viva Voce Roll Call was taken, which resulted as follows:

Yea: Mayor Donchess, Commissioner Ackerman, Commissioner Pappas 5 Commissioner Moriarty & Commissioner Teas

Nay: 0

MOTION CARRIED: Unanimously

Administration

Director Fauteux

Spring Clean-Up: Pick-up’s will take place from April 8th through April 19th and residents can call between March 29th and April 11th to schedule a pick-up.

Acceptable items will include brush, shrubs, cleaned up sand and soil, picnic tables (wood only) doors (glass secured & nails removed) and wood posts. (without concrete)

Unacceptable items would include metal goods and household hazardous waste. Household hazardous waste will be dealt with during the hazardous waste collection dates and metal goods and other oversized items will be picked up in our oversized item program which is coming up.

Commissioner Pappas

If people have been saving their sticks for a year, can they put those out, is that correct?
Director Fauteux

Yes, as long as they are not larger than 4” in diameter and no longer than 8’ in length.

Commissioner Pappas

Just as a reminder for folks, this is the only time during the year that you don’t have to bundle your sticks up and call for a pick-up. If you decide not to participate now, you can tie up your sticks and call for a pickup. How many of those pick-ups do you get per year for those?

Director Fauteux

I believe it is four.

A. Director’s Report

- This is a sewer main replacement on Elm Street.
- This is a sewer repair on Main Street. Jack Crisp Contracting is doing the work and a couple of lanes will be closed on Main Street starting at 7:00 p.m. I appreciate everyone’s patience as it is a tough project as he has to go under two duct banks.

Alderman Jette

What are duct banks?

Director Fauteux

It includes utilities and things like that which are encased in concrete.

- Winter maintenance at Holman Stadium – we are painting all of the suites; the new carpets went in today and we are purchasing new furniture.
- We are still making ice at Roby Park and North Common despite the crazy ups and downs in the weather.
- We put down our first application of liquid brine and we think that worked out very well and we definitely noticed a difference.
- We want to allow residents to please do not allow their toters to get buried in snowbanks. Our staff can’t pick them up if they are stuck in snowbanks so please dig them out so we can get to them.

Alderman Jette

Isn’t there a rule about the trash being inside the toter with the cover on the top?

Director Fauteux

Yes, and that is another good point.

- This is some new fencing that we put up at the landfill between the single-stream recycling bunkers and the electronics just to clean it up a little bit.
Commissioner's Comments

Alderman Jette

On your press release, I noticed that the landfill permits are $5.00 a piece but if you are above a certain age then you don't have to pay the fee.

Director Fauteux

Yes, that's true. I believe it is 65. If you are 65 or older then you qualify for a free permit.

Commissioner Ackerman

In 2018, we had budgeted money to do a study on the bridge beyond BAE on Canal Street. I was curious if a report was available yet.

Director Fauteux

There was a study done and there is some rehabilitation that is going to be done. It does not need to be totally replaced but it does need to be repaired. I will ask Engineer Dookran to provide an update on that next month.

Mayor Donchess

The funding was for the engineering and the repairs. I think it was for $180,000.

Commissioner Pappas

A lot of people who have the problem of overflowing trash might also have a problem with their lids and those lids can be replaced for free. They just have to call the Solid Waste Department, is that correct?

Director Fauteux

That is correct. They can come to Solid Waste and obtain a new lid, or we will come to their home and replace it. We also replace wheels as well.

Commissioner Pappas

It sounds like the parts are lasting longer than their anticipated lifespan and I think the repairs will help save the city some money.

Director Fauteux

Agreed.

Alderman Jette

If someone has so much trash that it doesn’t fit in the toter, what are they to do?
Director Fauteux

We see a lot of families with children and if there is an excess of trash then Sally will want to speak with them regarding recycling and what could be done to reduce the amount of trash they have. We will provide an additional toter if needed.

Commissioner Pappas

Do we still have those toters that are larger than the normal sized ones?

Director Fauteux

We only have one size now. There may be some smaller 64-gallon toters out there, but we are only purchasing and distributing the larger 96-gallon toters.

Commissioner Pappas

Those smaller toters are pretty small.

Director Fauteux

Yes, they are.

Personnel

A. MOTION: Commissioner Teas to unseal the nonpublic minutes for Personnel from the Board of Public Works meeting of January 31, 2019.

A Viva Voce Roll Call was taken, which resulted as follows:

Yea: Mayor Donchess, Commissioner Ackerman, Commissioner Pappas 5
     Commissioner Moriarty & Commissioner Teas

Nay: 0

MOTION CARRIED: Unanimously

B. Non-Public Session

MOTION: Commissioner Ackerman moved by roll call that the Board of Public Works go into non-public session pursuant to RSA:91-A (3) §11B, the hiring of any person as a public employee.

A Viva Voce Roll Call was taken, which resulted as follows:

Yea: Mayor Donchess, Commissioner Ackerman, Commissioner Pappas, 5
     Commissioner Moriarty & Commissioner Teas

Nay: 0

MOTION CARRIED: Unanimously

MOTION: Commissioner Ackerman to come out of non-public session.
A Viva Voce Roll Call was taken, which resulted as follows:

**Yea:** Mayor Donchess, Commissioner Ackerman, Commissioner Pappas, Commissioner Moriarty & Commissioner Teas  5

**Nay:**  0

**MOTION CARRIED: Unanimously**

**MOTION:** Commissioner Ackerman moved by roll call to seal the minutes of the Board of Public Works non-public session of February 28, 2019, until such time as the majority of the Board votes that the purpose of the confidentiality would no longer be served.

A Viva Voce Roll Call was taken, which resulted as follows:

**Yea:** Mayor Donchess, Commissioner Ackerman, Commissioner Pappas, Commissioner Moriarty & Commissioner Teas  5

**Nay:**  0

**MOTION CARRIED: Unanimously**

**Adjournment**

Commissioner Moriarty made a motion to adjourn.

**MOTION CARRIED: Unanimously**

Meeting adjourned at 6:34 p.m.
Board of Public Works Meeting of March 28, 2019
Wastewater Department

Agenda

A. **Motion:** To approve the User Warrants as presented.

B. **Motion:** To approve the purchase of a Fairbanks brand vertical solids handling from Hayes Pump, Inc., of Concord, MA for the amount of $29,511. Funding will be through Department 169 Wastewater.; Fund: Wastewater; Account Category: 71 Equipment.

C. **Motion:** To approve the award of a three year contract for the long-term management of wastewater biosolids to Resource Management, Inc. of Holderness, NH in an amount not to exceed $1,527,050. Funding will be through: Department: 169 Wastewater; Fund: Wastewater; Account Classification: 54 Property Services.

D. **Motion:** To approve the contract with Wright Pierce of Thompson, ME in an amount not to exceed $409,900 for construction administration services for the Pump Station Upgrades Phase I Project. Funding will be through: Department: 169- Wastewater; Fund: SRF Loan; Activity: Pump Station Upgrades Phase I.

E. **Motion:** To approve the contract with DeFelice Corporation of Dracut, Massachusetts in an amount not to exceed $3,469,550 for construction of the Pump Station Upgrades Phase I Project. Funding will be through: Department: 169- Wastewater; Fund: SRF Loan; Activity: Pump Station Upgrades Phase I.
City of Nashua, Public Works Division

To: Board of Public Works  
Meeting Date: March 28, 2019

From: David L. Boucher, Superintendent  
Wastewater Department

Re: Replacement of Pump at Northgate Pump Station

B. Motion: To approve the purchase of a Fairbanks brand vertical solids handling pump from Hayes Pump, Inc., of Concord, MA for the amount of $29,511. Funding will be through Department 169 Wastewater.; Fund: Wastewater; Account Category: 71 Equipment.

Attachments: Quote

Discussion: The Northgate Pump Station is the biggest pump station within the City and usually operates with two pumps - one in use and one as a backup. It is currently running on only one pump as the second pump is beyond repair. Should that pump fail, there would be no sewer services for any of the connected area, including the high school.

The Fairbanks brand vertical solids handling pump that is in the attached quote is a direct replacement to the failed pump. Hayes Pump, Inc. is the local distributor of Fairbanks, making this a sole source purchase.
**Quote From:**
Hayes Pump, Inc- (01-WC)
66 Old Powder Mill Road
Concord MA 01742
US

<table>
<thead>
<tr>
<th>Quote Number</th>
<th>Quote Date</th>
<th>Payment Terms</th>
<th>FOB</th>
</tr>
</thead>
<tbody>
<tr>
<td>00130504</td>
<td>3/5/2019</td>
<td>NET 30 DAYS</td>
<td>Shipping point</td>
</tr>
</tbody>
</table>

Sell Loc: 01  Cust PO: .  Mark #: .

Thank you for your inquiry.

Terms -
FOB: Shipping Point.
Freight: Prepaid & Added to Invoice.
Estimated Shipment: 12 to 14 Weeks ARO.
Estimated Shipping Weight: 1400 LBS.
Quotation is valid 30 days.

<table>
<thead>
<tr>
<th>LINE</th>
<th>ITEM / DESCRIPTION</th>
<th>QUANTITY</th>
<th>UNIT PRICE</th>
<th>NET UNIT PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>0010</td>
<td>6&quot; B5444 PUMP UNIT (130504)</td>
<td>1.00</td>
<td>29,511.0000</td>
<td>29,511.0000</td>
</tr>
</tbody>
</table>

FAIRBANKS VERT SLDS HNDLG 15HP 900RPM
6" VERTICAL COUPLED SOLIDS HANDLING PUMP
STANDARD FITTED CONSTRUCTION WITH STAINLESS STEEL CASING AND IMPELLER WEAR RING WITH A VERTICAL BASE DRIVEN BY A 15HP 900RPM 3/60/460V 324HPV PREMIUM EFF MARATHON MOTOR.
INCLUDES CERTIFIED HYDRO.
ROTATION: CW
DISCHARGE POSITION #5
CONDITIONS OF SERVCIE: 800 GPM @ 43FT

Payment terms are subject to Credit Approval.

The parties agree that this quote and any order arising from it are expressly subject to and incorporate by reference Hayes’ Terms of Sale which are available at <http://hayespump.com/Terms.pdf>. Customer’s acceptance of this quotation is expressly conditional on Customer’s assent to such incorporated Terms of Sale.

Please send a copy of your tax exempt certificate when placing your order.
Email the tax certificate to tmackenzie@hayespump.com or fax to 978-369-8461.

Sales Rep(s): Alan Hummer
Questions? Phone: 978 369-8800 Nicole Fernandes - nfernandes@hayespump.com Fax: 978 369-8461
C. Motion: To approve the award of a three year contract for the long-term management of wastewater biosolids to Resource Management, Inc. of Holderness, NH in an amount not to exceed $1,507,050. Funding will be through: Department: 169 Wastewater; Fund: Wastewater; Account Classification: 54 Property Services.

Attachments: Bid Summary Sheet

Discussion: The Wastewater Facility generates Class B biosolids and is required to manage it in an environmentally sound manner and in accordance with all applicable federal, state and local rules and regulations. The request for proposals (RFP) went out on February 15, 2019. Pricing was requested for a three-year period on a per wet ton basis. Additional pricing was requested for three additional one-year extensions and for removal of non-Class B biosolids.

Only one bid was received from Resource Management, Inc. (RMI). The award is based on the estimated solids produced annually, 8500 wet tons, at the per wet ton unit bid price of $59.10 for the first three years, a total cost not to exceed $1,507,050.

Resource Management, Inc. Holderness, NH $59.10/wet ton

Casella Organics, who currently holds the biosolids contract, did not bid on the project due to being unable to meet land application requirements.

References for RMI have been checked and found to be satisfactory. They were the sludge hauler for the wastewater plant prior to Casella for approximately 13 years and performed well in that time.
CITY OF NASHUA, NEW HAMPSHIRE
REQUEST FOR PROPOSALS
RFP1088-031819
LONG-TERM MANAGEMENT OF WASTEWATER BIOSOLIDS

SCHEDULE B- BID SUMMARY SHEET

PROJECT PRICING

<table>
<thead>
<tr>
<th>Class B Biosolids</th>
<th>Non-Class B Biosolids</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 59.10 / wet ton</td>
<td>$ 125.00 / wet ton</td>
</tr>
</tbody>
</table>

*** RMI intends to partner with Nashua to install a sludge dryer. The dryer will produce a Class A biosolids fertilizer product. The current production of 8,500 wet tons annually will be reduced to 2,172 dried tons. The pricing for dried Class A biosolids drops to $29.10 per ton for years 1-3.

Optional services:

1. Pricing for three calendar years, per wet ton to pick up, transport and dispose of the City of Nashua’s Biosolids (including container). Amount to be invoiced and paid on a monthly basis.

2. Pricing for fourth calendar year per wet ton to pick up, transport and dispose of the City of Nashua’s Biosolids (including container). Amount to be invoiced and paid on a monthly basis.

3. Pricing for fifth calendar year per wet ton to pick up, transport and dispose of the City of Nashua’s Biosolids (including container). Amount to be invoiced and paid on a monthly basis.

4. Pricing for sixth calendar year per wet ton to pick up, transport and dispose of the City of Nashua’s Biosolids (including container). Amount to be invoiced and paid on a monthly basis.

5. Allowance for fuel cost adjustments (including years 4, 5 and 6, if extended work is chosen)

$20,000 over duration of contract
See attached schedule for Temporary Fuel Surcharge

NOTE: Class B and Non-Class B Biosolids costs include management, transport and disposal costs. Non-Class B disposal. The intent is award the lowest, responsible bidder based on price per ton for the first 3 years of Class B Biosolids removal. Consideration will be also be given to the cost per ton for Non-Class B Biosolids removal before making final determination of award. ****Class A Biosolids pricing costs include management, transport and utilization costs.
City of Nashua, Public Works Division

To: Board of Public Works  
Meeting Date: March 28, 2019

From: David L. Boucher, Superintendent  
Wastewater Department

Re: Pump Station Upgrades – Construction Phase Services

D. Motion: To approve the contract with Wright Pierce of Thompson, ME in an amount not to exceed $409,900 for construction administration services for the Pump Station Upgrades Phase I Project. Funding will be through: Department: 169-Wastewater; Fund: SRF Loan; Activity: Pump Station Upgrades Phase I.

Attachments: Wright Pierce Engineering Cost Summary

Discussion: The Nashua Wastewater Treatment Facility pump station upgrades project, which includes 13 pump stations and one sewer CSO pump station, is being bid in two phases due to the magnitude of the project. This motion is to award the construction phase services of Phase I of the project, which includes the six most critical pump stations in the City, to Wright Pierce.

Construction is estimated to last 15 months and Wright Pierce’s services include residential engineering and construction administration. Their cost proposal, at approximately 11.8% of the $3,469,500 construction costs, is reasonable at $409,900.
**COST OR PRICE SUMMARY FORMAT FOR SUBAGREEMENTS UNDER THE STATE REVOLVING FUND PROGRAM**

**PART I - GENERAL**

1. APPLICANT -
   City of Nashua
2. GRANT/LOAN NO. -
   CWSRF
3. NAME OF CONTRACTOR OR SUBCONTRACTOR -
   Wright-Pierce
4. DATE OF PROPOSAL -
   3/14/2018
5. ADDRESS OF CONTRACTOR OR SUBCONTRACTOR (Include ZIP) -
   230 Commercial Way, Suite 302, Portsmouth, NH 03801
6. TYPE OF SERVICE TO BE FURNISHED -
   Nashua Wastewater Pump Station Upgrades - Construction Administration, Resident Services, O&M Manual, Record Drawings, and Start-up Services

**PART II - COST SUMMARY**

<table>
<thead>
<tr>
<th>Labor Category</th>
<th>Hours</th>
<th>Hourly Rate</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal-in-Charge</td>
<td>8</td>
<td>$63.00</td>
<td>$504.00</td>
</tr>
<tr>
<td>Project Manager</td>
<td>65</td>
<td>$58.00</td>
<td>$3,770.00</td>
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<tr>
<td>Technical Advisor/Sr. Project Engineer</td>
<td>10</td>
<td>$59.00</td>
<td>$590.00</td>
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<tr>
<td>Lead Project Engineer</td>
<td>814</td>
<td>$43.00</td>
<td>$35,002.00</td>
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<td>Project Engineer</td>
<td>764</td>
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<td>$20,628.00</td>
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<tr>
<td>Sr. Project Engineer - Civil</td>
<td>58</td>
<td>$45.00</td>
<td>$2,610.00</td>
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<td>Sr. Project Architect</td>
<td>0</td>
<td>$41.00</td>
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<tr>
<td>Sr. Project Engineer - Structural</td>
<td>56</td>
<td>$56.00</td>
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<td>Project Engineer - Mechanical</td>
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<tr>
<td>Sr. Project Engineer - Instrument.</td>
<td>208</td>
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<td>Sr. Project Engineer - Electrical</td>
<td>184</td>
<td>$56.00</td>
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<td>CADD Operator</td>
<td>116</td>
<td>$28.00</td>
<td>$3,248.00</td>
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<tr>
<td>Admin. Assistant</td>
<td>116</td>
<td>$20.00</td>
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<tr>
<td>Resident Project Representative</td>
<td>1,404</td>
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**DIRECT LABOR TOTAL:**
$132,084

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<th>Rate</th>
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<th>Estimated Cost</th>
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<tr>
<td>Indirect Costs</td>
<td>167.97%</td>
<td>132,084.00</td>
<td>$221,861.49</td>
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**INDIRECT COSTS TOTAL:**
$221,861

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<th>QTY</th>
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</thead>
<tbody>
<tr>
<td>Travel</td>
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</tr>
<tr>
<td>(1) Transportation</td>
<td>1</td>
<td>$4,810.15</td>
<td>$4,810.15</td>
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<tr>
<td>(2) Resident Services - Transportation allowance</td>
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<td>$13,159.73</td>
<td>$13,159.73</td>
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<tr>
<td>TRAVEL COSTS TOTAL:</td>
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<td></td>
<td>$17,969.88</td>
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<tr>
<td>Equipment, Materials, Supplies</td>
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<tr>
<td>(Specify categories)</td>
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<tr>
<td>Printing, postage, telephone, fax, etc.</td>
<td>1</td>
<td>$2,590.08</td>
<td>$2,590.08</td>
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<tr>
<td>EQUIPMENT SUBTOTAL:</td>
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<td>$2,590.08</td>
</tr>
<tr>
<td>Subcontracts</td>
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<tr>
<td>Material Testing</td>
<td></td>
<td></td>
<td>$0.00</td>
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<tr>
<td>Resident Services</td>
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<td>$0.00</td>
</tr>
<tr>
<td>SUBCONTRACTS SUBTOTAL:</td>
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<td>$0.00</td>
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</table>

<table>
<thead>
<tr>
<th>Other (Specify categories)</th>
<th>QTY</th>
<th>Cost</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident Project Representative</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OTHER SUBTOTAL:</td>
<td></td>
<td></td>
<td>$20,560</td>
</tr>
</tbody>
</table>

**OTHER DIRECT COSTS TOTAL:**
$20,560

| Total Estimated Cost               |       |       | $374,505       |
|                                   |       |       | $35,395        |
| TOTAL PRICE                       |       |       | $409,900.00    |
City of Nashua, Public Works Division

To: Board of Public Works

From: David L. Boucher, Superintendent
Wastewater Department

Re: Pump Station Upgrades Project – Phase 1

E. Motion: To approve the contract with DeFelice Corporation of Dracut, Massachusetts in an amount not to exceed $3,469,550 for construction of the Pump Station Upgrades Phase I Project. Funding will be through: Department: 169- Wastewater; Fund: SRF Loan; Activity: Pump Station Upgrades Phase I.

Attachments:

Discussion: The City of Nashua owns 13 pump station stations and one CSO pump station in need of upgrades. This project is being bid in two phases due to the magnitude of the project. Phase I includes the 6 most critical pump stations in need of renovation. Upgrades include completely new packaged pump stations with new controls and fiber cable communication back to the plant.

Woodard and Curran was contracted to design the new pump stations. The Request for Proposal went out on February 21, 2019. The bid opening was held on March 22 and the following bids were received:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>DeFelice Corporation</td>
<td>$3,469,550</td>
</tr>
<tr>
<td>TBuck Construction Company</td>
<td>$3,992,200</td>
</tr>
<tr>
<td>Albanese D&amp;S, Inc.</td>
<td>$4,222,750</td>
</tr>
</tbody>
</table>

DeFelice’s bid of $3,469,550 is less than the Engineer’s estimate of $3,800,000. They have done satisfactory work on numerous sewer construction projects in the past for the City of Nashua. They are well qualified for this work. References checked were satisfactory on comparable projects.
Board of Public Works Meeting of March 28, 2019
Engineering Department

Agenda

A. Motion: To approve the Residential and Commercial Wastewater Service Permits and Fees as submitted.

B. Motion: To approve Drainlayer’s License for N.Granese & Sons, Inc., 59 Jefferson Avenue, Salem, Massachusetts, in accordance with Nashua City Code §255-19 Issuance of Drainlayer's License.

C. Motion: To approve the following Pole License Petitions: PSNH #12-1343, PSNH #12-1338, PSNH #12-1339, PSNH #12-1332, PSNH #12-1328, PSNH #12-1329, PSNH #12-1330, PSNH #12-1333, PSNH #12-1335, PSNH #12-1315, PSNH #12-1310, PSNH #12-1284, PSNH #12-1287, PSNH #12-1304, PSNH #12-1298, PSNH #12-1274.

D. Motion: To approve the engineering contract with Stantec Consulting Services, Inc. of Burlington, MA in an amount of $28,900. Department: 160 Admin/Engineering; Fund: Bond; Activity: Paving.

E. Motion: To approve the following changes to Sewer Connection Fees:
   1. Eliminate the Betterment Fee and Connection Fee
   2. Increase the Entrance Fee to $1,450 per single family residential unit and for each 20 gpm increment in commercial peak flow
   3. Adjust the Entrance Fee annually using the 20-City Construction Cost Index
   4. Eliminate the requirement for the City to repair or replace sewer connections for 1- and 2- family homes
City of Nashua, Public Works Division

To: Board of Public Works                                      Meeting Date: March 28, 2019
From: Stephen Dookran, P.E., City Engineer
      Engineering Department
Re: Residential and Commercial Wastewater Service Permits

A. Motion: To approve the Residential and Commercial Wastewater Service Permits and Fees as submitted.

Discussion: Below is a list of Residential and Commercial Wastewater Service Permits issued for the period February 1 to February 28.

<table>
<thead>
<tr>
<th>Date</th>
<th>Permit #</th>
<th>Location Address</th>
<th>Owner Name/ Company Name</th>
<th>Comments (Residential or Commercial)</th>
<th>Fees</th>
<th>Repair</th>
<th>Entrance</th>
<th>Connection</th>
<th>Betterment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/1/2019</td>
<td>23936</td>
<td>71 Deerwood Dr</td>
<td>Peter Doloff</td>
<td>Residential New Connection</td>
<td>$4,720.00</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2/7/2019</td>
<td>23938</td>
<td>9 Verona St</td>
<td>Ronald &amp; Kelly Duquette</td>
<td>Residential Replacement</td>
<td>$600.00</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2/15/2019</td>
<td>23939</td>
<td>29-39 Main St</td>
<td>Whiting Building, LLC</td>
<td>Commercial Repair</td>
<td>$0.00 (1)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>TOTAL</td>
<td>$5,320.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(1) Sewer increase for commercial building did not exceed previous bracket. No fees due.
To: Board of Public Works  
Meeting Date: March 28, 2019

From: Stephen Dookran, P.E., City Engineer  
Engineering Department

Re: Drainlayer’s License Application – N.Granese & Sons, Inc.

B. Motion: To approve Drainlayer’s License for N.Granese & Sons, Inc., 59 Jefferson Avenue, Salem, Massachusetts, in accordance with Nashua City Code §255-19 Issuance of Drainlayer's License.

Discussion: N.Granese & Sons, Inc. is requesting approval for a Drainlayer's License in accordance with Nashua City Code § 255-19 Issuance of Drainlayer's License. N.Granese & Sons, Inc. has successfully completed many sewer and water improvement projects for Pennichuck Water in Bedford and Litchfield, NH and municipalities including Concord, NH, Lowell, MA, Woburn, MA, Beverly MA, Burlington MA, Maynard, MA, and Wilmington, MA. References were checked and found to be acceptable.

The City Engineer's Office recommends approval of the request.
City of Nashua, Public Works Division

To: Board of Public Works
From: Stephen Dookran, P.E., City Engineer
Date: March 28, 2019

Engineering Department

Re: Pole License Petitions

C. Motion: To approve the following Pole License Petitions: PSNH #12-1343, PSNH #12-1338, PSNH #12-1339, PSNH #12-1332, PSNH #12-1328, PSNH #12-1329, PSNH #12-1330, PSNH #12-1333, PSNH #12-1335, PSNH #12-1315, PSNH #12-1310, PSNH #12-1284, PSNH #12-1287, PSNH #12-1304, PSNH #12-1298, PSNH #12-1274.

Discussion: The Engineering Department received the following pole license petitions:

- PSNH #21-1343: 787/2-1, for one pole installation on Melrose Street.
- PSNH #21-1338: 1004/19X, for one pole installation on Ridge Road.
- PSNH #21-1339: 617/18, 617/19Y, 617/20, for three pole installations on St. Lazare Street.
- PSNH #21-1332: 833/1Y, for one pole installation on Murphy Drive.
- PSNH #21-1328: 1131/6X, for one pole installation on Spit Brook Road.
- PSNH #21-1329: 845/4-1, for one pole installation on National Street.
- PSNH #21-1330: 984/12-1, for one pole installation on Raleigh Drive.
- PSNH #21-1333: 157/58A, 157/58B, for two poles installation on Bridge Street.
- PSNH #21-1335: 1127/5-1, for one pole installation on Allds Street.
- PSNH #21-1315: 353/86Y, 353/87, for two poles installations on Ayer Road.
- PSNH #21-1310: 1043/1-1, for one pole installation on Rugby Road.
- PSNH #21-1284: 1108/8, for one pole installation on Minta Way.
- PSNH #21-1287: 763/2PB, for one pole installation on Marshall Street.
- PSNH #21-1304: 1014/4YS, for one pole installation on Riverside Street.
- PSNH #21-1298: 585A/5-1, for one pole installation on Hills Ferry Street.
- PSNH #21-1274: 827/3Y, 827/4, 1173/13-1, 267/3S, for four poles installations on Mountain View Street.

The City Surveyor has reviewed the plans and field installations and recommends the approval of these pole license petitions.
To: Board of Public Works
From: Stephen Dookran, P.E., City Engineer
Engineering Department
Re: Pavement Management Support Service

D. Motion: To approve the engineering contract with Stantec Consulting Services, Inc. of Burlington, MA in an amount of $28,900. Department: 160 Admin/Engineering; Fund: Bond; Activity: Paving.

Attachment: 3-Year Optional Pavement Management Support Service Proposal

Discussion: The City has been using Stantec Consulting Services, Inc. since 2016 to provide assistance in evaluating the pavement condition of the 300 mile road network and to make recommendation on rehabilitation and preservation methods. Protecting the City’s Pavement Management system investment with providing system maintenance services to maintain the City’s pavement management database system. Using their expertise, Stantec has provided assistance in developing the necessary protocols for preventative maintenance, their costs and decision trees when selecting a prioritized list of roadways to pave.

In the Summer/Fall of 2017, the pavement condition of the southern road network of City of Nashua was surveyed and evaluated. In the Summer/Fall of 2018, the pavement condition of the northern road network was surveyed and evaluated. Stantec has recommended that one-third of the network needed to be updated every year.

Stantec will annually re-survey 33% of the City’s roadway network, approximately 101 centerlines miles each year to update the pavement surface condition (PCI) ratings using CartêGraph’s PAVEMENTview® Plus software.

This contract is for updating the road network in the first-third of the next three year proposal at a cost of $28,900.
February 22, 2019

Stephen Dookran, P.E.
City Engineer
9 Riverside Street
Nashua, NH 03062

Reference: 3-Year Optional Pavement Management Support Services Proposal

Dear Mr. Dookran:

Per your request, Stantec Consulting Services, Inc. (Stantec) has prepared the following Pavement Management Services Proposal to ensure and protect the City’s municipal pavement management system investment with providing system maintenance services to maintain the City’s pavement management database system.

We hereby propose to maintain the City’s CarteGraph pavement management system (PMS) in CarteGraph’s Navigator, Stantec will update work history, conduct pavement conditions surveys, and perform data modeling and analysis on behalf of the City. Stantec will maintain the City’s pavement management database and provide exports compatible with your GIS.

Below are specific work tasks proposed to support Nashua in continuing their pro-active approach to managing its pavement assets. The intent of these tasks will be to update the City’s pavement management database on an annual basis by utilizing ongoing asset facility distress surveys, conduct data analysis for future capital improvement planning and monitor system-wide metrics on Nashua’s roadways.

WORK TASKS:

Pavement Management System Update:
Stantec will annually re-survey 33% of the City’s roadway network, approximately 131 centerline miles each year to update the pavement surface condition (PCI) ratings using CarteGraph’s PAVEMENTview®Plus software. No data will be collected on indices other than pavement condition. For each pavement segment, Stantec will capture a digital picture image and link to the database.

Stantec staff will enter and update new work history repair records for the past construction season, update distress inspection records, and conduct modeling and analysis of upcoming fiscal year roadway repair plan. This service includes attendance at one (1) meeting at Nashua DPW, a written annual summary describing Nashua’s pavement condition network and financial needs, and GIS shapefile export.
SCHEDULE:

Stantec will initiate the proposed work tasks immediately upon receipt of an executed copy of this agreement/Notice to Proceed such that work tasks can be performed as soon as possible. This project is expected to require approximately six (6) months from start to completion of each annual update.

<table>
<thead>
<tr>
<th>Task</th>
<th>Expected Completion Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executed Contract Notice to Proceed</td>
<td>March 2019</td>
</tr>
<tr>
<td>2019 Pavement Management System 33% Update</td>
<td>October 2019</td>
</tr>
<tr>
<td>Optional 2020 Pavement Management System 33% Update</td>
<td>October 2020</td>
</tr>
<tr>
<td>Optional 2021 Pavement Management System 33% Update</td>
<td>October 2021</td>
</tr>
</tbody>
</table>

FEE:

Our not to exceed fee to complete the proposed scope of services as defined above is Twenty-Eight Thousand and Nine Hundred Dollars ($28,900). Should the scope of services be expanded, Stantec will discuss the additional fee to accomplish the additional scope and an amendment to this Agreement will be executed. The proposed scope of services as defined above is broken down as follows:

1. 2019 Pavement Network-Level Update Task: $28,900
2. Optional 2020 Pavement Network-Level Update Task: $30,100
3. Optional 2021 Pavement Network-Level Update Task: $31,600

INVOICES:

Stantec will invoice the City on a monthly basis during the performance of our services, the amount of each invoice will be based on the percentage completion for each work task at the time of work performance.

Enclosed are two (2) originals. Please indicate your acceptance of this proposal by signing and dating in the spaces provided and returning one signed copy to Stantec.

Regards,

STANTEC CONSULTING SERVICES INC.

William P. Scarpati
Senior Project Manager
Phone: (781) 221-1165
william.scarpati@stantec.com

William R. Moore, P.E.
Senior Principal
Phone: (603) 263-4654
bill.moore@stantec.com
ACCEPTANCE OF THIS PROPOSAL:

If the City of Nashua agrees with proposal, the City of Nashua shall authorize Stantec to perform the work by signing and returning a copy of this proposal. By signing, the City acknowledges and agrees to attached Stantec’s Scope of Services, Schedule, Fee, and previously agreed Terms and Conditions.

CITY:

By:______________________________

Signature:________________________

Title:____________________________

Date Signed:______________________
To: Board of Public Works  
Meeting Date: March 28, 2019

From: Stephen Dookran, P.E., City Engineer  
Engineering Department

Re: Sewer Connection Fees Changes

E. Motion: To approve the following changes to Sewer Connection Fees:
1. Eliminate the Betterment Fee and Connection Fee
2. Increase the Entrance Fee to $1,450 per single family residential unit and for each 20 gpm increment in commercial peak flow
3. Adjust the Entrance Fee annually using the 20-City Construction Cost Index
4. Eliminate the requirement for the City to repair or replace sewer connections for 1- and 2- family homes

Discussion: On March 8, 2019, a workshop was held with the Board of Public Works and Division of Public Works staff to review proposed changes to the policies, procedures, and fees regarding residential and commercials connections to the sewer system.

It was determined that the Betterment Fee and the Connection Fee are related to establishing the old sewer network, that they are now obsolete and should be eliminated.

The entrance fee for new users entering the sewer system was reviewed. This fee was last adjusted in 1972 bringing it to $295 for a single family residential unit and for each 20 gallon per minute (gpm) increment in commercial peak flow shown on the number of plumbing fixtures schedule. Adjusting this fee using the 20-City construction cost index to bring it to 2018 dollars makes it $1,450. This is more representative of an entrance fee into an established sewer system. Many surrounding municipalities have entrance fees that are even higher. Continued adjustment of the fee in this manner is recommended.

By ordinance, a property owner of a 1 or 2 unit dwelling who requires repair or replacement of an existing service connection shall be charged $600 for the City’s performance and cost of replacing or repairing the existing service connection.
from the main sewer to the property line. Today the cost of such repairs varies anywhere from $3,500 to $25,000.

Since all sewer service connection pipes are fully owned by the property owners, the City has no control over what is flushed by the residents or how the pipes are maintained (including the removal of trees/roots that enter the sewer pipes). It is recommended that the full responsibility of repair and replacement of the sewer connections be placed back on all property owners. This is the policy in the vast majority of municipalities in the region.
Board of Public Works Meeting of March 28, 2019
Administration

Agenda

A. **Motion**: To approve the agreement with Louis Fish and Allison Hurd of 1 Hutchinson Street regarding the moving of their fence.

B. **Motion**: To approve EPA’s consent for property access for Hughey Street in lieu of an encumbrance.

C. **Motion**: To approve the revisions to NRO Chapter 45 Article IV – Board of Public Works Retirement System.

D. **Motion**: To approve the proposed sculpture locations for the 2019 Sculpture Symposium.

E. **Informational**: February Budget Transfers

F. **Director’s Report**
To:        Board of Public Works

From:     Lisa Fauteux, Director Public Works
          Administration

Re:       Hutchinson Fence Agreement

A. Motion: To approve the agreement with Louis Fish and Allison Hurd of 1 Hutchinson Street
          regarding the moving of their fence.

Attachment: Signed agreement & plan

Discussion:
MEMO

Date: March 18, 2019
To: Louis Fish & Allison Hurd, Property Owners of 1 Hutchinson Street
From: Division of Public Works
Re: Placement of Fence in Right-Of-Way at 1 Hutchinson Street

As property owners at 1 Hutchinson Street, we agree to move the entirety of our fence currently located in the Right-Of-Way on the Hughey Street side of our property. This aforementioned fence needs to be moved an additional three (3) feet north of its current location, placing it further back from the edge of the street (diagram and specifications attached). This work is to be completed by June 1, 2019. Should there be issues with Gate City Fence with regards to schedule or cost, the homeowners of 1 Hutchinson Street will contact the City of Nashua, Department of Public Works, for a possible extension of the completion date.

The applicant assumes the risk of damage to its property placed in the right of way and hereby releases, discharges, and absolves the City of Nashua, its agents, contractors, and employees from any claim arising from any such damage regardless of cause.

Signed:

Andy Patrician
Assistant Director, Division of Public Works

Louis Fish, Property Owner

Allison Hurd, Property Owner
Lauren Byers

Public Relations Administrator
City of Nashua – Division of Public Works
9 Riverside Street
byersl@nashuanh.gov
T: 603.589.3276
Office Hours: Monday-Friday, 8am-5pm

From: Patrician, Andy <PatricianA@nashuanh.gov>
Sent: Tuesday, February 12, 2019 1:55 PM
To: Fauteux, Lisa <FauteuxL@nashuanh.gov>; Byers, Lauren <byersl@nashuanh.gov>
Subject: Fwd: Fence at 1 Hutchinson Street

Sent from my Verizon, Samsung Galaxy smartphone

-------- Original message ---------
From: Jim Dufoe <dufoe1@myfairpoint.net>
Date: 2/12/19 1:48 PM (GMT-05:00)
To: "Patrician, Andy" <PatricianA@nashuanh.gov>
Subject: Fence at 1 Hutchinson Street

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

We live at 6 Hughey Street across from the new fence on Hughey Street constructed for the residents at 1 Hutchinson Street. This is a corner lot with a lot frontage on Hughey Street. Our neighbors had the resources to build this fence but has affected the safety of people going up and down Hughey Street.

We do not believe that kitty-cornering one corner of the fence will alleviate unforeseeable danger.

During winter storms the snow plows will favor our side of the street because they won't want to damage their fence. That will make plowing more difficult and expensive for us. The City of Nashua wouldn't want the exposure if a snowplow were to damage the fence. It would be an ongoing problem especially in heavy snow years. Damage to this fence would be pricey.

As we look at this fence we see unpredictable danger at both corners of the fence and along the whole fence line
because there is no escape route if a pedestrian or animal meets up with an oncoming car unable to react in time to
avoid collision. Moving their new fence back would allow for better visibility for oncoming foot, bicycle and
vehicular traffic coming from both directions on Hughey Street. Also this would give much better visibility for all
people exiting 9 Hughey Street which now has a blind driveway or for anyone coming from behind the opposite
corner of the fence closest to Hutchinson St. This corner of the fence is also blocked by shrubbery which fills out
and blooms in the Spring.

As we look at that fence we see how close it is to the street and worry about all the possibilities of accidents; even
malicious causes of accidents. We worry about our grandchildren retrieving a ball from their yard and carelessly
crossing in front of unseen traffic. We worry about kids hiding from their friends behind the two blind corners and
negligently running out into the road at the wrong time and wrong place.

There is a fair amount of traffic on Hughey Street: residents, friends, caretakers, service trucks, emergency vehicles,
school buses, walkers, joggers, bicyclists. We spend a fair amount of the day at the kitchen or other front windows
of our home and see cars and trucks going faster that they should be in both directions. Since the road was repaved
roughly 2 years ago people seem to be driving even faster. There were so many children in the 80's and fast cars that
we petitioned for a much needed slow children sign and it was installed by the City on the corner of 1 Hutchinson St
and Hughey St. This was knocked down by a reckless driver and later replaced with large rocks by the past
resident. The drivers still recklessly rounded this corner and lost bumpers and license plates and the Nashua Police
Dept was called. We have had 2 high speed chases in our neighborhood. On May 11, 2016 the Telegraph reported
"A wide, high-speed police pursuit through a dozen cities and towns in two states Wednesday afternoon ended in a
compact Nashua neighborhood when the driver turned onto a dead end street and ran out of options.” Videos from
helicopters recorded the chase as it went down Hughey Street onto Hutchinson Street; right between our house and
where the newly constructed fence is. Then there was the night that someone went around the entire Fairmount St
neighborhood knocking over every trash and recycling bin at the curb. We have frequent speeders going up and
down Fairmount Street and often traveling around the whole block down Hughey, Hutchinson and exiting by
Fairmount St again.

We have plenty of traffic on Hughey and Hutchinson Streets and unpredictably an accident could happen in the area
of this fence. The fence is too close to the street and has 2 blind exits on each side of it where an accident could
happen. The front of the whole fence being so close to the street poses a threat to any walker who needs to avoid an
oncoming car. We don't have sidewalks and people walk on both sides and in the center of the
road. Our neighborhood has young, old and disabled drivers and walkers. Their reaction time to avoid an accident
would be different due to their age, disability or distraction. Rainy, fall and winter conditions also would impede
avoidance of accidents.

There are not a lot of children playing in the streets now. But eventually the occupants of these homes will change
and there will be more children again. When the Mohawk Tannery property is developed there will be much more
foot traffic. But the fence will still be there and it will always pose a threat to pedestrians and traffic. Even if it
were to fail/fall, the precedent has been set and it would be replaced at the same location; too close to the street.

It's an expensive and impressive fence, but would look nicer if it were moved to the proper City setback off the
City's right of way.

We hope the Board of Public Works requires the residents of 1 Hutchinson Street to move their fence back six (6)
feet for safety and esthetic reasons.

Thank you for the opportunity to voice our opinions.

Stephanie Dufoe and James Dufoe
6 Hughey Street
Lauren Byers
Public Relations Administrator
City of Nashua – Division of Public Works
9 Riverside Street
byersl@nashuanh.gov
T: 603.589.3276
Office Hours: Monday-Friday, 8am-5pm

-----Original Message-----
From: Patrician, Andy <PatricianA@nashuanh.gov>
Sent: Thursday, February 7, 2019 4:15 PM
To: Fauteux, Lisa <FauteuxL@nashuanh.gov>; Byers, Lauren <byersl@nashuanh.gov>
Subject: FW: Fence on 1 Hutchinson street

Here is 1 email from Hutchinson.

Thanks,
Andy Patrician
Assistant Director of Public Works
City of Nashua
603.589.3143
patriciana@nashuanh.gov

-----Original Message-----
From: CAROLYN RUSSELL [mailto:COSMO001@hotmail.com]
Sent: Thursday, February 07, 2019 3:38 PM
To: Patrician, Andy
Subject: Fence on 1 Hutchinson street

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

Hi Andy,
I just wanted to write you an email that points out the safety issues that I feel the fence presents as it stands now. We haven’t been to the meetings because we were hoping to maintain our relationship with our neighbors but I do think some issues need to be brought to light. First of all being that it creates a blind driveway situation for us. The corner of the street is close enough to potentially cause a problem for a car to stop as we are backing out. People tend to speed up after they round the corner. Since the road was paved recently cars travel a little faster. In the winter, icy roads could cause people to slide if they try to stop quickly as they can only see us after we are in the road and we can’t see them until we have entered their lane. I am also very concerned about pedestrians kids or adults on bicycles, dog walkers and the like. I wouldn’t see them until the last minute and would hate to injure anyone. It is very active in the neighborhood when the weather is nice. I know people say it is not a heavily trafficked area, at times that may be true. It only takes me or a member of my family or a visitor backing up the same moment someone is traveling the road by car, bike or foot to cause a tragic accident. I understand a lot of money was spent to improve the yard but I think the neighborhood’s safety should be a priority.
Thank you for your time,

Carolyn Russell
City of Nashua, Public Works Division

To:             Board of Public Works

From:          Lisa Fauteux, Director Public Works
               Administration

Re:            EPA Hughey Street Right of Way Access

B. Motion: To approve EPA’s consent for property access for Hughey Street in lieu of an encumbrance.

Attachment: Letter from the EPA

Discussion:
February 13, 2019

Tim Cummings  
Director of Economic Development  
City of Nashua  
229 Main Street  
Nashua, NH 03062

Re: REQUEST FOR ACCESS TO PROPERTY FOR PRELIMINARY ASSESSMENT AND SITE INVESTIGATION: Hughey Street Right-of-Way, Nashua, NH

Dear Mr. Cummings:

The United States Environmental Protection Agency ("EPA") respectfully requests permission for EPA, its agents, contractors, and other authorized representatives to have access to the City right-of-way along properties located on Hughey Street in Nashua, New Hampshire. Specifically, the right-of-way abutting the four properties identified as Lots 42, 41, 40, and 60 on the City of Nashua Tax Map 134 and in deeds in Book 6367 on Page 907 and Book 3344 on Page 542 in the Hillsborough County Registry of Deeds.

EPA requests access to your property to conduct a preliminary assessment and site investigation ("PA/SI") at the Hughey Street Site ("Site"). A PA/SI is necessary to evaluate the potential danger to public health and/or the environment posed by the release or threat of release of hazardous substances. The type of activities which EPA expects to perform to determine the nature and extent of contamination of hazardous materials present include but are not limited to: taking soil, sediment, water, and air samples as may be determined necessary; sampling any solids or liquids stored or disposed of on-site; drilling or excavating holes for subsurface investigation; taking other actions related to the investigation of surface or subsurface contamination; and, reviewing and copying any documentation found on-site regarding materials, including hazardous substances, pollutants or contaminants, or hazardous waste, that were generated, treated, stored or disposed of at the Site.

EPA also requests access to documentation which provides information about materials, including hazardous substances, pollutants or contaminants, or hazardous waste, that were generated, treated, stored, or disposed of at the Site. In addition, if you have information and documentation regarding other parties involved in the activities which may have resulted in contamination at the Site, you should contact Stacy Greendlinger, EPA Enforcement Coordinator at (617) 918-1403.

EPA is allowed to seek this information and conduct such investigations pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as
amended ("CERCLA"), 42 U.S.C. § 9604(e). The authorization provided by CERCLA includes access to private property for the purpose of determining the need for response actions, performing response actions, and/or enforcing CERCLA.

Please signify your consent to access by signing the attached document in the space provided, and return it to me at the following address:

Michael Cofsky, On Scene Coordinator
U.S. Environmental Protection Agency
5 Post Office Square, Suite 100 (OSRR02-2)
Boston, MA 02109-3912
TEL (617) 918-1295
FAX (617) 918-0295
EMAIL: cofsky.michael@epa.gov

The access agreement must be signed by all owners, operators or their authorized representatives of the property. Please provide the name, address, and telephone number of a designated contact for future communications. Please reply this request within ten (10) business days of your receipt of this letter. Enclosed with this letter is a fact sheet responding to frequently asked questions about EPA’s authority to access property under CERCLA.

Your cooperation in assisting with completion of activities at the Site is appreciated. If you have any questions, I may be contacted at (617) 918-1295. All communications from your legal counsel should be directed to RuthAnn Sherman of the EPA Office of Environmental Stewardship at (617) 918-1886.

Sincerely,

Michael Cofsky, On-Scene Coordinator
Emergency Response & Removal Section II

Enclosure

cc: Stacy Greendlinger, EPA Enforcement Coordinator
    RuthAnn Sherman, EPA Senior Enforcement Counsel
CONSENT FOR PROPERTY ACCESS FOR PA/SI
Attn: Michael Cofsky (OSRR02-2)

SITE NAME: Hughey Street Site

PROPERTY OWNER: City of Nashua, New Hampshire
PROPERTY LOCATION: Hughey Street Right-of-Way abutting four properties identified as: Lots 42, 41, 40, and 60 on Nashua Tax Map 134 and in deeds in Book 6367 on Page 907 and Book 3344 on Page 542, Hillsborough County Registry of Deeds

I (We), consent to the officers, employees, agents, contractors, subcontractors, consultants, and other authorized representatives of the United States Environmental Protection Agency ("EPA") entering and having continued access to the above-referenced properties for the following purpose(s):

- taking soil, sediment, water, and air samples as may be determined necessary;
- sampling any solids or liquids stored or disposed of on-site;
- drilling or excavating holes for subsurface investigation;
- taking other actions related to the investigation of surface or subsurface contamination; and,
- reviewing and copying any documentation found on-site regarding materials, including hazardous substances, pollutants or contaminants, or hazardous waste, that were generated, treated, stored or disposed of at the Site.

I (We) understand that I or my representative may accompany EPA or its representatives during the preliminary assessment and site investigation ("PA/SI") and I (we) agree that our representatives will not interfere in any way with conduct of the PA/SI. However, this Consent for Access is not contingent on a representative accompanying EPA or its representatives during the PA/SI.

I (we) realize that these actions are undertaken under EPA’s response and enforcement authorities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601 et seq.

I (We) give this written permission voluntarily with knowledge of my (our) right to refuse, and without threats or promises of any kind.

Signature:__________________________ Date:__________________________
Property Owner/Authorized Representative

Name:__________________________ Title:__________________________

Email:__________________________ Phone Number:__________________________

Mailing Address:__________________________
Frequently Asked Questions About Requests for Access for Preliminary Assessments & Site Investigations (PA/SIs) and Other Removal Actions by the United States Environmental Protection Agency (EPA)

EPA has frequently been asked the following questions regarding access to property for PA/SIs and other types of Removal Actions. We hope these answers assist you.

1. **What type of work will be done on my property?**

   PA/SIs and other types of removal actions are usually done by an EPA contractor under the direction of the EPA On-Scene Coordinator (OSC). Generally, the OSC and the contractor will walk around the property to get an overview of the area and collect a small number of water, sediment, or soil samples. In most cases, sampling is done with a hand auger or similar hand-held sampling device, and heavy equipment is not used. Sometimes, it is necessary to drive vehicles onto the property. It may also be necessary to take photographs of the property before work begins or during the sampling activities. Unless there is some unusual circumstance, the work is performed during normal business hours.

2. **How long with EPA be on my property?**

   A typical PA/SI will take 1-2 days to complete. The initial site reconnaissance may take several hours. A return visit to perform sampling could require a full day or more. Other types of removal actions can take up to several months to perform.

3. **Can I be there when EPA is on the property?**

   Yes, you or your representative may observe the work. However, you may not interfere with the work and your presence may not be a condition for the work to take place.

4. **Will the property be changed or damaged in some way?**

   The work that EPA will be doing will not change or damage the property. It is EPA’s policy to leave the property in the same condition as before EPA entered, whenever practicable. Should something happen to the property as a result of EPA’s actions, EPA’s contractors are required to carry comprehensive
general liability insurance. In addition, the protections of the Federal Tort Claims Act would also apply.

5. **Do I have to allow EPA onto my property?**

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), also known as Superfund, gives EPA the right to enter your property if it has a reasonable basis to believe that there is a release or threat of release of hazardous substances on your property. This access authority extends to properties adjacent to existing Superfund sites, as well as to the sites themselves.

6. **Can I get a release from liability or indemnification from EPA?**

No. EPA’s right to access to conduct the PA/SI or other types of removal actions may not be conditioned on the Agency giving up any legal claims which it might have against the property owner. EPA also cannot agree to indemnify an owner for damages caused by EPA or its contractor. Indemnification by EPA is a violation of the Anti-Deficiency Act and illegal for EPA to provide.

7. **Can I get copies of any reports EPA prepares about the property?**

Yes. You will be given copies of the final PA/SI reports and Removal Action Reports. You may also receive copies of any data which has already gone through the sampling analysis quality assurance and quality control process. You may also receive, upon request, a portion of the samples which were collected and which you may have analyzed at your own expense.

8. **Will EPA give me notice before coming onto my property?**

It is EPA’s practice to provide advance notice of property access whenever practicable. However, in the event of any emergency, EPA will require immediate access to the property.

9. **What will happen if I do not agree to give EPA access?**

If EPA determines that it is necessary to obtain access at this time, CERCLA allows EPA to issue an administrative order requiring you to provide access, or EPA may request that the U.S. Department of Justice seek a warrant or judicial order for access from the U.S. District Court. The Department of Justice has been successful in obtaining warrants or judicial orders in the past.
City of Nashua, Public Works Division

To: Board of Public Works  
From: Lisa Fauteux, Director Public Works Administration 
Re: BPW Retirement System NRO Revisions

C. Motion: To approve the revisions to NRO Chapter 45 Article IV – Board of Public Works Retirement System.

Attachment: Redline & Summary of Changes

Discussion:
ARTICLE IV
Board of Public Works Retirement System
[Adopted 10-13-1987 by Ord. No. 0-87-157 (Secs. 2-631 to 2.652 of the 1987 Code)]


Unless a different meaning is required by the context, the following words and phrases shall have the following meaning within this article:

ACCUMULATED CONTRIBUTIONS — The sum of the amounts deducted from the compensation of an employee.

BENEFICIARY — Any person receiving a service retirement benefit or other benefit.[Amended 6-8-2010 by Ord. No. 0-10-16]

CREDITABLE SERVICE — Prior service plus employee's service.

EMPLOYEE — Any regular full time employee of the Board of Public Works, whether for salary or for wages. In all cases of doubt, the Board of Trustees shall determine whether any person is an employee as defined herein.

EMPLOYER -The Board of Public Works of the City of Nashua.

FISCAL YEAR — The 12 months from July 1 to June 30, both dates inclusive.

FULL TIME — 40 hour work week

MEMBER — Any employee included in the membership of the retirement system.

NORMAL RETIREMENT DATE — The first day of the month coinciding with or next following a member reaching the earlier of age 60 and 10 years of creditable service or the completion of 25 years of continuous service, or 30 years of continuous service if hired on or after July 1, 2010, for the Board of Public Works.[Amended 6-8-2010 by Ord. No. 0-10-16]

PRIOR SERVICE — Service rendered prior to the date of establishment of the retirement system.

REGULAR INTEREST — The interest at the rate determined from time to time by the Board of Trustees. Interest paid shall be calculated as simple interest paid on the current accumulated contribution amount at the time of termination of employment, death or retirement. Interest shall be credited on such amounts only on and after July 1, 1987.[Amended 2-27-2007 by Ord. No. 0-07-80]
§45-9

RETIREMENT — Withdrawal from active service with a service retirement benefit granted under the provisions hereof.¹[Amended 6-8-2010 by Ord. No. 0-10-16]

RETIREMENT SYSTEM — The employees' retirement system of the Board of Public Works of the City of Nashua.

SERVICE — Service as an employee which is paid for by an employer.

§45-10. Name; status of funds.

The retirement system shall have the powers, privileges and immunities of a corporation, and shall be known as the Board of Public Works retirement system; and by such name; all of its business shall be transacted, all of its funds invested, and all of its cash, securities and other property held in trust for the purpose for which received.

§45-11. Appointment, term and compensation of Board of Trustees.

A. The administration of this system is vested in a board of seven Trustees, one representing the Commissioners of the Board of Public Works, one representing the AFSCME employees of the Department of Public Works, one representing the UAW employees of the Division of Public Works, one representing the unaffiliated employees of the Division of Public Works, one representing the Board of Aldermen, and one to be selected from the financial and investment community of the City, and the City Treasurer or his designee. The Trustee representing the Commissioners of the Board of Public Works shall be selected by the Board at a meeting duly called for such purpose. The employee representatives shall be members of the retirement system chosen by elections among the respective affiliations (AFSCME, UAW, Unaffiliated) of Board of Public Works employees at a meeting called for that purpose by the Board of Public Works. The Trustee representing the Board of Aldermen shall be nominated by the president and confirmed by the Board. The Trustee selected from the financial and investment community of the City shall be nominated by the Mayor and confirmed by the Board of Aldermen.

B. Except as otherwise provided, the Trustees shall be appointed for a term of three years and shall serve until their successors are appointed and qualified. For the first appointments of the original or any additional Trustees, the Trustees representing the employees shall be appointed for the term of one year, the Trustee representing the Board of Aldermen shall be appointed
for two years, the Trustee representing the Board of Public Works

1. Editor's Note: The Conner definition of "retirement allowance," which immediately followed this definition, was repealed 6-8-2010 by Ord. No. 0-10-16.
§ 45-11 shall be appointed for a term of three years, and the Trustee selected from the financial and investment community shall be appointed for a term of one year. Their successors shall be appointed for a term of three years.

C. The Trustees shall serve in an honorary capacity and shall receive no compensation for their services except reimbursement for expenses incurred in connection with their duties.

D. The City Treasurer is authorized to act on behalf of the Board of Trustees to execute their approved actions.

§ 45-12. Quorum and votes.

Each Trustee shall be entitled to one vote on the Board of Trustees. Four Three Trustees shall constitute a quorum in the transaction of any business. Four Three votes shall be necessary for any resolution or action by the Board of Trustees at any meeting.

§ 45-13. Records and reports.

A. The Board of Trustees shall keep a record of all its proceedings and annually make a report to the Board of Aldermen showing:

   (1) The fiscal transactions of the retirement system for the preceding fiscal year;

   (2) The amount of accumulated cash and securities of the system;

   (3) The last balance sheet showing the balance of the financial condition of the system.

B. The Treasurer's statement of condition at the close of each fiscal year shall be displayed on all bulletin boards with the Public Works Division.


The Board of Trustees shall establish such rules and regulations as it deems necessary for the proper administration of this article.

§ 45-15. Clerical Administrative work.

The clerical administrative work in connection with this article shall be executed by some person or persons designated by the Director Commissioners of the Board of Public Works.
§ 45-16. Timing of payments. [Amended 6-8-2010 by Ord. No. 0-10-16]

All service retirement benefits shall be payable in equal weekly or monthly installments which shall cease with the last weekly or monthly payment prior to death.

§ 45-17. Contributions to system. [Amended 12-26-1990 by Ord. No. 0-90-31]

A. The rates of contribution to the retirement system by employee members of the system are as follows:

(1) The rate of contribution for all employees will be 9.15% of regular salary or wages.

(2) In any pay period for which an employee is paid for less than 40 hours, the deduction for that pay period will be based on the normal weekly salary or wages for 40 hours and each employee will be deemed to consent to the deductions as a condition of membership.

(3) In any pay period for which an employee has no earnings, the employee may make his or her contribution by utilizing sick time, personal time, vacation time, or earned time, whichever is appropriate, from which his or her deduction shall be taken.

B. The Board of Trustees shall certify to the employer, and the employer shall cause to be deducted from the base wage or salary of each employee on each and every payroll, the amounts set by them under Subsection A above. The employer shall certify to the Board of Trustees on each and every payroll, or in such manner as the Board may prescribe, the amounts deducted. Such amount, when deducted, shall be paid to the retirement system. The City Treasurer shall draw from the City pension fund an amount equal to the amount deducted from the base wage or salary of the employee on each and every payroll. Such amount, when deducted, shall be paid to the retirement system. The contribution from the City of Nashua shall correspond with the payroll deductions of the employees who are members of the retirement system.

C. With respect to all employees of the employer, such employer may pick up the employee contributions required by this section for all compensation earned after July 1, 1987, and the contributions so picked up shall be treated as employer contributions in determining federal tax treatment under the United States Internal Revenue Code; however, each employer shall continue
to withhold federal income tax based upon these contributions until the Internal Revenue Service, or the federal courts, rule that, pursuant to Section 414(h) of the United States Internal Revenue Code (1986), as amended, these contributions shall not
be included as gross income of the employee until such time as they are distributed or made available. The employer shall pay these employee contributions from the same source of funds which is used in paying earnings to the employee. The employer may pick up these contributions by a reduction in the cash salary of the employee. Employee contributions picked up shall be treated for all purposes of the retirement system in the same manner and to the same extent as employee contributions made prior to the date picked up.

D. The City Treasurer shall be custodian of all funds of the retirement system.

D-E F. Accrued vacation time and earned time are considered part of an employee’s annual salary and are paid through payroll at retirement. When an employee terminates employment, his or her accrued vacation time or earned time payment shall have specific deductions withdrawn in accordance with this section of the ordinance. Examples of this type of deduction include, but are not limited to: Federal withholding, Medicare, pension, et cetera.

E-F. The deductions provided herein shall be made notwithstanding the amount of wage or salary earned by the employee during any one week and every member shall be deemed to consent to the deduction herein provided as a condition of their membership. [Amended 6-8-2010 by Ord. No. 0-10-16]

§ 45-18. Membership.

A. Any person who becomes a full time employee of the Board of Public Works must become a member of the retirement system.

B. The Board shall obtain, from the Division Department of Public Works, such information relative to name, title, compensation, date of birth and length of service of each of its employees as the Board may deem necessary.

C. A member shall cease to be a member if:

(1) Absent from service for more than one year, unless such absence was or is due to an injury arising out of and in the course of employment, or is due to deployment with the Armed Forces of the United States, or is otherwise due to the member's disability;

(2) They withdraw their accumulated contributions; [Amended 6-8-2010 by Ord. No. 0-10-16]

(3) They become a beneficiary. [Amended 6-8-2010 by Ord.
D. No benefit under the retirement system, other than a death benefit as provided in §45-25 or a return of contributions as provided in §45-27 of this article, shall become payable to or on account of any member unless said member was in service as an employee at the time of becoming eligible for benefits hereunder.
§ 45-19. Prior service credit. [Amended 6-8-2010 by Ord. No. 0-10-16]

With respect to service rendered prior to August 1, 1947, the date of establishment of the retirement system, each employee in service on the date of establishment who becomes a member within one year thereafter shall file with the Board of Trustees, on a form approved by the Board, a detailed statement of all service rendered by them prior to the date of establishment for which they claim credit. The Board shall fix and determine, by appropriate rules and regulations, how much service in any year is equivalent to one year of service. However, no more than one year of service shall be creditable for all service of one calendar year. Service rendered for the full, normal, working year shall be equivalent to one year's service, subject to the foregoing restrictions, and to such other rules and regulations as the Board may adopt. The Board shall verify as soon as practicable after the filing of such statements the service therein claimed. Upon verification of the statements of service, the Board shall certify to each member the length of service with which they are credited on the basis of their statement of service. Such finding shall be final and conclusive for retirement purposes as to such service; provided, that any member may within one year from the date of such certification request the Board to modify or correct said finding. When membership ceases, any prior service credit shall become void. Should the employee again become a member, they shall enter the retirement system as a new member not entitled to prior service credit.


Any member who terminated their employment in order to enter directly into the armed forces of the United States or is caused to be deployed at the request of the armed forces of the United States shall be entitled to prior service credit for their service rendered prior to the termination or separation of their employment, together with the time spent in the armed forces of the United States, provided they again become an employee within one year after the termination of such armed service without intervening employment elsewhere, and elect to become a member of the retirement system within one year after they again become an employee. Neither the City nor member shall make contributions to the retirement system for the time spent in the armed forces.

A-A. Any member in the employ of the Board of Public Works may apply, in writing, for retirement on service retirement benefits by filing with his or her department manager and the City’s Human Resources department a dated written statement setting forth at what date the member desires to be retired provided there is at least forty-five calendar days of notice from the date of the filing. Retirement forms will be available in each department. An oral statement of intent to retire shall not constitute notice of intent to retire.
Once received by the City, the application shall be submitted to the Board of Trustees and shall set forth the date the applicant wishes to be retired for approval.

B. Additionally, each applicant shall apply for retirement with the retirement system’s Pension Administration firm either online or over the telephone, provided there are at least forty-five calendar days prior to the member’s desired retirement date.

C. No person shall be retired on service retirement benefit unless at the time specified for their retirement they shall either have attained 60 years of age with a minimum of 10 years' creditable service or have had 25 years of continuous service, or 30 years of continuous service if hired on or after July 1, 2010, for the Board of Public Works upon such date. (Amended 6-8-2010 by Ord. No. 0-10-16)

D. When a request is made from a member for a service retirement benefit as described herein, no accrued time available to the member will be used to attain or calculate the required minimum amount of service time needed for a retirement benefit unless the time is two weeks (80 hours) or less. The Board of Trustees reserves the right to allow for exception to this policy only for extreme and unusual circumstances as decided by the Board of Trustees.

E. The payment of retirement benefits to any member who is eligible to receive retirement benefits under this article, and who has filed all election forms with the retirement system, shall become effective the first day of the month following his or her retirement date pending approval by the Board of Trustees. No changes to benefit elections are permitted after the commencement of the payment of benefits.

F. Upon service retirement, the member shall receive a service retirement benefit which shall consist of:

1. A sum no greater than 65% of the regular salary or wages earned by the member during the last full year of service.

2. If the employee has less than 25 years of creditable service, or 30 years of credible service if hired on or after July 1, 2010, but has reached the age of 60 with a minimum of 10 years of creditable service, the employee shall receive a benefit equal to such portion of 65% of the regular salary or wages earned during the last full year of service as the number of years
A member disabled by sickness or injury for an extended period, and who has not made weekly contributions to the system during that period, may voluntarily make up the contributions not paid, and creditable service not earned, during such absence by lump sum payment, additional payroll deductions, plus regular interest, as the Trustees may determine and allow. [Amended 6-8-2010 by Ord. No. 0-10-16]

Any member in the employ of the Board of Public Works who has attained the age of 50 with a minimum of 10 years of creditable service, and was hired prior to July 1, 2010, may apply in writing to the Board of Trustees for retirement on an early service retirement benefit setting forth the date the applicant wishes to be retired. Upon such early retirement the member shall receive an early service retirement benefit equal to 65% of the regular salary or wages earned by the member during the last full year of creditable service as the number of creditable years of service bears to 25 years, reduced by 0.555% for each full month between the member's normal retirement date and the member's early retirement date. [Amended 6-8-2010 by Ord. No. 0-10-16]
§ 45-21

In addition to all other benefits, retired members shall receive a $3,000 death benefit payable to the retiree’s beneficiary upon death after retirement.


A. Disability retirement. [Amended 6-8-2010 by Ord. No. 0-10-16]

(1) Ordinary disability retirement. Any member in service who has 10 or more years of creditable service may apply for ordinary disability retirement to the Board of Trustees within six months from the date of disability. The Board will act on the application no sooner than 30 days, no more than 90 days, after the application is filed. The Board may retire such member after a medical examination shall establish, and the Board shall find, that they are mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent and that they should be retired.

(2) Accidental disability retirement.

(a) Generally. Any member in service may apply for accidental disability retirement to the Board of Trustees within six months from the date of disability. A member in service who has been totally and permanently incapacitated for duty as the natural and proximate result of an accident occurring while in the actual performance of their duties, at some definite time and place, without willful negligence or actions on their part, may be retired by the Board of Trustees on an accidental disability service retirement benefit after a medical examination shall establish, and the Board shall find, that they are mentally or physically incapacitated for the further performance of duty and that such incapacity is likely to be permanent.

B. Limitations. Any amounts which may be paid or payable to or on account of any member or retired member on account of any disability to which the City of Nashua has made contributions under the provisions of any workers' compensation or similar law or plan shall, in such manner as the Board of Trustees shall determine, be offset against and payable in lieu of any disability service retirement benefit on account of the same disability. The
combined benefit from workers' compensation and the member's accidental benefit allowance will not be less than the benefit payment the member is eligible to receive as provided for herein. Members are required to notify the public works' administrative office whenever benefits from workers' compensation begin or are modified. Such notice, to be made in writing, must be made within 14 days after the member becomes aware of the receipt of benefits or any change in benefits. If a member fails to notify the public works' administrative office of the start of workers' compensation benefits or any chance thereof, the Board shall have the authority to recover from any member or retired member who is a disability recipient over-payments made to the member under this section. [Amended 6-8-2010 by Ord. No. 0-10-16]

(1) If the member receiving disability retirement benefits becomes 60 years of age while receiving said retirement benefits, they shall receive, in place of the disability retirement benefit, the amount they would have received upon a service retirement. The period of time the member received disability retirement benefits shall not be included in the calculation of the regular service retirement benefit.

(2) If the Board of Trustees finds that any disability beneficiary is engaged in or is able to engage in a gainful occupation no further benefits shall be paid to them under this section.

C. Amount of benefit. (Amended 6-8-2010 by Ord. No. 0-10-16)

(1) Ordinary disability retirement.

(a) If the member is age 60 years old or older, with a minimum of 10 years of service, they shall receive a service retirement allowance benefit.

(b) If the employee has at least 10 years of creditable service and is at least 50 years of age, but has not attained the age of 60, then the employee shall receive a benefit equal to such portion of 60% of the employee's regular salary or wages earned during the last full year of creditable service, as the years of creditable service bears to 25 years, or 30 years if hired on or after July 1, 2010.

(c) If the employee has at least 10 years of creditable service, but has not attained the age of 50, then the employee shall receive a benefit equal to such portion of 50% of the employee's regular salary or wages earned during the last
full year of creditable service, as the years of creditable service bears to 25 years, or 30 years if hired on or after July 1, 2010.

(2) Accidental disability retirement.

(a) If the member is age 60 years old or older, with a minimum of 10 years of service, they shall receive a service retirement benefit.

(b) If the employee has at least 10 years of creditable service, and is at least 50 years of age, but has not attained the age of 60, then the employee shall receive a benefit equal to such portion of 60% of the employee's regular salary or wages earned during the last full year of creditable service, as the years of creditable service bears to 25 years, or 30 years if hired on or after July 1, 2010.

(c) If the employee has at least 10 years of creditable service, but has not attained the age of 50, then the employee shall receive a benefit equal to such portion of 50% of the employee's regular salary or wages earned during the last full year of creditable service, as the years of creditable service bears to 25 years, or 30 years if hired on or after July 1, 2010.

D. Cessation of benefits.

(1) At least once each year following the retirement of a member on ordinary or accidental disability service retirement benefit, the Board of Trustees may, and upon the member's application shall, require a member who has not attained the age of 60 years to undergo a medical examination, by a physician or physicians designated by the Board. Should the member refuse such examination, then their disability retirement benefits may be discontinued by the Board until their withdrawal of such refusal. If their refusal continues for more than one year, then all their rights in and to their retirement may be revoked by the Board. Benefits may be restored at the discretion of the Board upon completion of a qualifying medical examination. However, disability retirement benefits shall not be paid to the member for the period of time the member refused said medical examination, unless for good cause shown as determined solely by the Board. A member's failure to undergo a medical examination within one month of the Board's request to do so shall be
deemed as refusal by the member. (Amended 6-8-2010 by Ord. No. 0-10-16)

(2) If a medical examination shows that the member is able to work again, no further benefits shall be paid under the provisions of this section. Should the disability reoccur, the member may reapply for disability retirement in accordance with this section.

(3) At no time shall a beneficiary under this section be employed in any City department for compensation.

§ 45-23. Restoration of disabled beneficiary to service. (Amended 6-8-2010 by Ord. No. 0-10-16)

If a disabled beneficiary is restored to service, their service retirement benefit shall cease. Such beneficiary shall again become a member of the retirement system, and shall contribute thereafter at the then-existing rate. Anything in this article to the contrary notwithstanding, any credit for membership service and any prior service on the basis of which their creditable service was computed at the time of their former retirement shall be restored to full force and effect. Upon subsequent retirement, they shall receive a service retirement allowance benefit based on their service as a member since their last restoration to membership, plus a service retirement benefit equal to the service retirement benefit on which they were retired at the time of their last retirement.


A. Should the Board of Trustees determine that the death of a member occurred as the natural and proximate result of an accident occurring at a definite time and place while the member was engaged in the performance of their duties as an employee, and was not caused by willful negligence on the part of the employee, the following survivorship benefits shall be payable: [Amended 6-8-2010 by Ord. No. 0-10-16]

(1) To the surviving spouse, until death or remarriage an annual survivorship benefit equal to 65% of the regular salary or wage earned during the last full year of service.

(2) If there is no surviving spouse or if the spouse remarries before the youngest child reaches the age of 18, then the child or children under such age shall receive an annual survivorship benefit equal to 65% of the regular salary or
wages earned by the member during the last full year of service.

(3) If there is no surviving spouse or child under the age of 18 at the time of the death of the member, then the member's dependent father or dependent mother, as determined by the Board of Trustees, shall receive an annual survivorship for life equal to 65% of the member's regular salary or wages earned during the member's last full year of service.

(4) In the event that the deceased member is not survived by a spouse, children or dependent father or mother, then no benefits shall be payable under this section.

B. Any amounts which may be paid or payable under the provisions of any workmen's compensation or a similar law or plan on account of the death of any member shall, in such manner as the Board of Trustees shall determine, be offset against any benefits payable under this section on account of such death.

§ 45-25. Death benefits prior to retirement.

A. In the event of the death of a member, including members who have terminated with a vested deferred benefit and not elected a cash refund, prior to actual retirement and at a time when accidental death benefits in accordance with § 45-24 are not payable, the spouse will be eligible to receive benefits for life. The benefit payable to the spouse will be 50% of the service retirement or early service retirement benefit the member would have been entitled to have had the member retired on the date of death. [Amended 6-8-2010 by Ord. No. 0-10-16]

B. Upon the death of a member without a surviving spouse, the member's accumulated contributions together with regular interest will be paid to the person, if any, designated by the member by a written designation filed with the Board, if such person survives the member, otherwise to the member's estate.

§ 45-26. Payment of retirement benefits. [Amended 6-8-2010 by Ord. No. 0-10-16]

A. Unless the member elects an optional form of benefit as outlined below, the service allowance to the member will be paid during their lifetime. Upon the member's death, the amount of accumulated contributions with regular interest shall be paid to the person, if any, designated by the member by a written designation filed with the Board, if such person survives the
member, otherwise to the member's estate equal to the excess, if any, of the member's accumulated contributions with regular interest, over the sum of all service allowances made to the member.

B. Optional forms of payment shall be as outlined below:

(1) Contingent annuitant option. Instead of the normal monthly retirement benefit provided above, a member may elect a contingent annuitant option providing for actuarially reduced monthly retirement benefits payable to them during their lifetime after retirement and for the continuance of such payments, or a part of them 66 2/3%, 50% specified by the member, to such contingent annuitant for their life after the death of a retired member. Such election may be made by a member at any time prior to this retirement date. A member who has elected this option may revoke or modify such option prior to actual retirement; provided, however, that the death of the contingent annuitant at any time prior to the member's retirement date shall automatically revoke such election; and further provided, that if the contingent annuitant is the spouse of the member, a divorce granted to either spouse at any time prior to the member's retirement date shall automatically revoke such election.

(a) If a member who has elected this option dies before their actual retirement date, no benefits under this option shall be payable to the contingent annuitant.

(b) If the member dies after their actual retirement date, the contingent annuitant shall receive for life, commencing on the first day of the calendar month coinciding with or next following the retired member's death, the benefits specified by the retired member for the contingent annuitant.

(c) If the contingent annuitant dies before the member's retirement date, the monthly retirement benefit normally provided under this plan shall be payable to the retired member as if the option had not been elected.

(d) If the contingent annuitant dies after the member's retirement date, the amount of the payments which the retired member is then receiving or is entitled to receive will at the time (with no provision for retroactive payments) revert to what it would have been at the
§45-26. Termination of employment benefits.

A. Nonvested termination. Any member whose employment is terminated prior to the completion of 10 years of service and who is not entitled to a disability retirement pension shall receive a refund of their contributions together with regular interest thereon to date of their termination of employment, and such refund shall be in lieu of all other rights and benefits of the member under this plan.

B. Vested deferred benefits. Any member whose employment is terminated prior to the normal retirement date and after the completion of at least 10 years of service, and who is not entitled to an early retirement pension or a disability retirement pension, and who does not elect to receive a cash refund or their member's contribution together with regular interest, will be entitled to receive, commencing on the normal retirement date, an annual pension equal to their accrued normal pension computed in

§45-27. Termination of employment benefits. [Amended 6-8-2010 by Ord. No. 0-10-16]
accordance with the provisions of § 45-21 of this article based on their service to date of their termination of employment.

C. Cash refund in lieu of deferred vested pension. A member who is entitled to a deferred vested pension in accordance with the provisions of Subsection B above may, in lieu of all other rights and benefits under this plan, elect to receive a cash refund of their member contributions together with regular interest thereon to the date of their termination of employment.

D. Refunds of contributions as described in this section can be rolled over into an Internal Revenue Service qualified plan or refunded directly to the employee. Direct refunds are subject to federal tax withholding and any applicable Internal Revenue Service penalties.

E. If an employee elects to receive a rollover or refund of their contributions in accordance with this section, said employee must make his or her election within sixty (60) days from the date his or her employment was terminated. If no decision is made, the Board reserves the right to directly refund said employee’s contributions, which will be subject to federal tax withholding and any applicable Internal Revenue Service penalties.

§ 45-28. Repayment of refund. (Amended 6-8-2010 by Ord. No. 0-10-16)

A. A reemployed member who received a refund of their accumulated contributions with regular interest as provided in § 45-27 may repay to the Board at any time prior to their normal retirement date an amount equal to the cash refund they received in accordance with such section plus regular interest thereon from the date of election of refund to the date repayment is made. Upon payment of this amount, there shall be restored to the member a yearly retirement pension equal to their accrued benefit as determined on their termination of employment. This payment must be received prior to within sixty (60) days of the member's reemployment date.

B. If a reemployed member has a yearly retirement pension restored to them as provided above, and their prior service is counted for vesting purposes, then, upon the participant's subsequent termination of employment or retirement, the yearly retirement income shall be determined on the basis of all the participant's service prior to such date.

§ 45-29. Reemployment of Retiree
A. A retired member who is receiving his or her pension benefit may apply for reemployment within the Division of Public Works. If a retired Member is again employed by the Board of Public Works, his or her retirement benefits hereunder shall be suspended during the period of such reemployment, and shall recommence on the date he or she again retires. The retirement benefit to which he or she is entitled when he or she again retires hereunder shall be recalculated based on his or her Creditable Service and Final Annual Salary as of the termination of his or her period of Full-time reemployment. This recalculated benefit shall then be reduced by the Actuarial Equivalent of any benefit payments previously received by the member. In no event, however, may this reduction result in a benefit that is less than his or her original retirement benefit.

B. Upon re-retirement, if the recalculated benefit is less than the original benefit, the member’s contributions made during reemployment shall be returned to the member. If the recalculated benefit is higher than the original benefit, the contributions made during reemployment shall not be refunded to the member.

§ 45-2930. Protection against fraud. (Amended 6-8-2010 by Ord. No. 0-10-16)

Any person who knowingly makes false statements or shall falsify, or permit to be falsified, any record or records of the retirement system in any attempt to defraud the system shall, in the discretion of the Trustees, lose all their rights thereunder.

§ 45-301. Exemption from legal process.

Employee retirement benefits under this article shall be exempt from any executions, Trustee process, attachments or any other processes whatsoever, legal or equitable.
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<th>Section</th>
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<td>45-9 - Definitions</td>
<td>Add “Full Time” to “EMPLOYEE” definition.</td>
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<tr>
<td>2</td>
<td>45-9 - Definitions</td>
<td>Define “FULL TIME” as 40 hours.</td>
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<td>3</td>
<td>45-11 - Appointment, term and compensation of BoT</td>
<td>Formalize employee election of employee representatives. Strike appointment from BPW.</td>
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<td>4</td>
<td>45-11 - Appointment, term and compensation of BoT</td>
<td>Added City Treasurer as person authorized to perform work as approved by the BoT.</td>
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<td>5</td>
<td>45-11 - Appointment, term and compensation of BoT</td>
<td>Increased employee representatives to 3 (from 2). Defined that employee reps shall come from each employee group. NEW SINCE LAST REVIEW</td>
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<td>6</td>
<td>45-11 - Appointment, term and compensation of BoT</td>
<td>Added Treasurer or designee as Trustee. NEW SINCE LAST REVIEW</td>
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<td>7</td>
<td>45-12 - Quorum and votes</td>
<td>Changed from three to four. NEW SINCE LAST REVIEW</td>
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<td>8</td>
<td>45-15 - Clerical Work</td>
<td>Change “Clerical” to “Administrative” Work. Changed person authorized to designate an employee to do this work to the Director from the BPW. UPDATED SINE LAST REVIEW</td>
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<td>9</td>
<td>45-16 - Time of Payments</td>
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<td>45-17, A - Contributions to system</td>
<td>Formalize utilization of paid time off codes (sick, vacation, etc.) to make contribution deductions.</td>
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<td>45-17, E - Contributions to system</td>
<td>Add E: Formalize that contribution deductions are made when EE receives accrued time off payout.</td>
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<td>45-18, A - Membership</td>
<td>Add “full-time” to definition of membership.</td>
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<td>45-18, C1 - Membership</td>
<td>Add Military Duty as exempt reason for termination of membership.</td>
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<td>45-20 - Military Service</td>
<td>Further define Military Service and what occurs during deployment.</td>
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<td>15</td>
<td>45-21, A - Service retirement benefits</td>
<td>Define timeline/process for application for retirement, payment timing and date of 1st payment. (A, B, E)</td>
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<td>16</td>
<td>45-21, C - Service retirement benefits</td>
<td>Formalize BoT policy that up to 80 hours can be used to bridge minimum time required for benefit.</td>
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<td>45-21, C - Service retirement benefits</td>
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<td>Clarification.</td>
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<td>Add sections D &amp; E: describes refund/rollover process and gives City option to refund if no response from former member.</td>
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<td>23</td>
<td>45-28, A - Repayment of Refund</td>
<td>Fixes contradiction, further defines how a re-employed member can payback previously refunded contributions.</td>
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<td>24</td>
<td>45-29 - Reemployment of Retiree (NEW SECTION)</td>
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<td>Renumbered Ordinance section</td>
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City of Nashua, Public Works Division

To: Board of Public Works                                      Meeting Date: March 28, 2019

From: Lisa Fauteux, Director Public Works
       Administration

Re: 2019 Sculpture Symposium

D. Motion: To approve the proposed sculpture locations for the 2019 Sculpture Symposium.

Attachment: Letter from the NISS

Discussion:
March 14, 2019

James Donchess, Mayor
Board of Public Works
9 Riverside Street
Nashua, NH 03062

Dear Mayor Donchess and Commissioners of the Board of Public Works:

The 12th annual Nashua International Sculpture Symposium is planned for May 2019. As in past years, professional international sculptors will each be creating an outdoor metal or granite sculpture to be placed in the City. The 2019 sculptors are from Kenya, New Zealand, and the United States.

The following locations were previously approved by the Board of Public Works and are still available:

- Foster Square 2008
- Mine Falls Park Mill Pond entrance 2015
- Mine Falls Park boat ramp 2015
- Legacy Park 2017

I respectfully request the following locations be approved by the Board of Public Works:

- Nashua River Rail Trail
- Constitution Plaza
- Broad Street Parkway

More detailed information is attached.

Please do not hesitate to contact me at kathyhersh1@gmail.com or 603-315-0112 if you need additional information. We look forward to attending your meeting in March to provide an update.

Sincerely,

Katherine E. Hersh
Vice President

CC: Gail Moriarty, Symposium President
Lisa Fauteux, DPW Director
Andrew Patrician, DPW Deputy Director
**Nashua River Rail Trail**

The Nashua River Rail Trail is part of an extensive trail system through the southwest quadrant of Nashua. The Rail Trail itself extends 11.5 miles to Ayer MA. The start of the Nashua River Rail Trail offers a number of sites around a pond, adjacent to the parking lot, and along the beginning of this highly used, paved trail.

<table>
<thead>
<tr>
<th>Location</th>
<th>On the Nashua River Rail Trail, accessible by foot from Dutton Lane (Depot Road)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Space</td>
<td>Nashua City site maintained by the Nashua Parks and Recreation Department</td>
</tr>
<tr>
<td>Size of Sculpture Site</td>
<td>Large linear site with a paved path</td>
</tr>
<tr>
<td>Toxic</td>
<td>None known</td>
</tr>
<tr>
<td>Wetland</td>
<td>The trail itself is not wet but it follows the Nashua River</td>
</tr>
<tr>
<td>Neighborhood type</td>
<td>rural neighborhood</td>
</tr>
<tr>
<td>Visual Distractions</td>
<td>None</td>
</tr>
<tr>
<td>Visible to Pedestrians</td>
<td>Yes to pedestrians and cyclists walking or biking in the park</td>
</tr>
<tr>
<td>Visible to Car Passengers</td>
<td>No</td>
</tr>
<tr>
<td>Handicapped accessible</td>
<td>Yes</td>
</tr>
<tr>
<td>Touch Sculptures</td>
<td>Yes</td>
</tr>
<tr>
<td>Transport to this site</td>
<td>Easy</td>
</tr>
<tr>
<td>Installation on this site</td>
<td>Easy</td>
</tr>
<tr>
<td>Required approvals</td>
<td>Board of Public Works</td>
</tr>
<tr>
<td>Range of sculpture size</td>
<td>Any size</td>
</tr>
<tr>
<td>Sculpture material</td>
<td>Any</td>
</tr>
<tr>
<td>Acceptable bases</td>
<td>Any</td>
</tr>
<tr>
<td>Additional Notes</td>
<td>Supported by Nick Caggiano, Park &amp; Rec Director. The Nashua River Rail Trail is a beautiful, paved trail through a wooded area along the Nashua River. The site requested is near an entrance, but far enough away so as not to impact walkers and bikers. There is also a view of the Nashua River from the site, but the site is not near any buffer areas.</td>
</tr>
</tbody>
</table>
Constitution Plaza

Constitution Plaza is a small city park in downtown Nashua. It contains a stone monument to the United States Constitution on the corner. In back of the stone are some trees and further east is an open grassy area suitable for a sculpture.

<table>
<thead>
<tr>
<th>Location</th>
<th>At the corner of Main Street and Medical Center Drive. It is across the street from the Southern New Hampshire Medical Center.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Space</td>
<td>Yes</td>
</tr>
<tr>
<td>Distance to City Hall</td>
<td>0.1 mile</td>
</tr>
<tr>
<td>Size of Sculpture Site</td>
<td>Small</td>
</tr>
<tr>
<td>Toxic</td>
<td>No</td>
</tr>
<tr>
<td>Wetland</td>
<td>No</td>
</tr>
<tr>
<td>Neighborhood type</td>
<td>Downtown</td>
</tr>
<tr>
<td>Visual Distractions</td>
<td>None</td>
</tr>
<tr>
<td>Visible to Pedestrians</td>
<td>Yes</td>
</tr>
<tr>
<td>Visible to Car Passengers</td>
<td>Yes</td>
</tr>
<tr>
<td>Handicapped accessible</td>
<td>Yes</td>
</tr>
<tr>
<td>Touch Sculptures</td>
<td>Yes</td>
</tr>
<tr>
<td>Transport to this site</td>
<td>Easy</td>
</tr>
<tr>
<td>Installation on this site</td>
<td>Easy</td>
</tr>
<tr>
<td>Required approvals</td>
<td>Board of Public Works</td>
</tr>
<tr>
<td>Additional Notes</td>
<td>This is a small urban site and would be very visible to people passing by.</td>
</tr>
</tbody>
</table>
Broad Street Parkway

The Broad Street Parkway is a 1.8-mile, two-lane road from Broad Street to the Nashua Millyard. It offers several locations for enhancement with sculptures as a welcoming to our Downtown.

<table>
<thead>
<tr>
<th>Location</th>
<th>three locations are proposed, all on the west side because that is the location of the sidewalk.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Space</td>
<td>Yes</td>
</tr>
<tr>
<td>Size of Sculpture Site</td>
<td>Large</td>
</tr>
<tr>
<td>Toxic</td>
<td>No</td>
</tr>
<tr>
<td>Wetland</td>
<td>No</td>
</tr>
<tr>
<td>Neighborhood type</td>
<td>Roadway</td>
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<tr>
<td>Visual Distractions</td>
<td>None</td>
</tr>
<tr>
<td>Visible to Pedestrians</td>
<td>Yes</td>
</tr>
<tr>
<td>Visible to Car Passengers</td>
<td>Yes</td>
</tr>
<tr>
<td>Handicapped accessible</td>
<td>Yes</td>
</tr>
<tr>
<td>Touch Sculptures</td>
<td>Yes</td>
</tr>
<tr>
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</tr>
<tr>
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<tr>
<td>Required approvals</td>
<td>Board of Public Works</td>
</tr>
<tr>
<td>Additional Notes</td>
<td></td>
</tr>
</tbody>
</table>
To: Board of Public Works
From: Lisa Fauteux, Director Public Works Administration
Re: February 2019 Budget Transfers

E. Informational: February Budget Transfers

Attachment: Report

Discussion:
# Report of Departmental Budget Transfers

**Department:** 160 - PW-Admin & Engineering

### Departmental Budget Transfer

**Transfer # 112:** Allocate FY19 Merit Increases

<table>
<thead>
<tr>
<th>Date</th>
<th>ACCT Unit</th>
<th>Account</th>
<th>Description</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>03/10/2019</td>
<td>60.1.500</td>
<td>51900</td>
<td>Salary Adjustments</td>
<td>15,860.00</td>
<td>15,860.00</td>
</tr>
<tr>
<td>03/10/2019</td>
<td>60.1.500</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>03/10/2019</td>
<td>60.1.665</td>
<td>51900</td>
<td>Salary Adjustments</td>
<td>10,917.00</td>
<td>10,917.00</td>
</tr>
<tr>
<td>03/10/2019</td>
<td>60.1.665</td>
<td>51100</td>
<td>Wages Full Time</td>
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**Total for Adjustment Code 04 - Departmental Budget Transfer:** $26,777.00

### Departmental Budget Transfer

**Transfer # 5:** Allocate FY19 Merit Increases

<table>
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<th>Description</th>
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<th>To</th>
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</thead>
<tbody>
<tr>
<td>03/10/2019</td>
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<td>Salary Adjustments</td>
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</tr>
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<tr>
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<td>51900</td>
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<td>10,917.00</td>
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<tr>
<td>03/10/2019</td>
<td>60.1.665</td>
<td>51100</td>
<td>Wages Full Time</td>
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**Total for Adjustment Code 04 - Departmental Budget Transfer:** $26,777.00

**Total for Department 160 - PW-Admin & Engineering:** $53,554.00
## Departmental Budget Transfers

### Fiscal Year 2019

#### Department 161 - Streets

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<th>ACCOUNT</th>
<th>ACCOUNT DESCRIPTION</th>
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<th>TO</th>
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</thead>
<tbody>
<tr>
<td>03/10/2019</td>
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<td>Salary Adjustments</td>
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<td>4,438.00</td>
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<tr>
<td>03/10/2019</td>
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<td>Wages Full Time</td>
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**Total for Adjustment Code 04 - Departmental Budget Transfer**: $7,645.00

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<td>61.1.670</td>
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<td>Wages Full Time</td>
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**Total for Adjustment Code 04 - Departmental Budget Transfer**: $7,645.00

**Total for Department 161 - Streets**: $15,290.00
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<tbody>
<tr>
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<tr>
<td>03/10/2019</td>
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**TOTAL FOR ADJUSTMENT CODE 04 - DEPARTMENTAL BUDGET TRANSFER**

$12,960.00  $12,960.00

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<th>DATE</th>
<th>ACCT UNIT</th>
<th>ACCOUNT</th>
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<th>FROM</th>
<th>TO</th>
</tr>
</thead>
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<td>51100</td>
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</tr>
<tr>
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<td>68.6000.692</td>
<td>51900</td>
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<td>2,237.00</td>
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</tr>
<tr>
<td>03/10/2019</td>
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<td>WAGES FULL TIME</td>
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<td></td>
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</table>

**TOTAL FOR ADJUSTMENT CODE 04 - DEPARTMENTAL BUDGET TRANSFER**

$12,960.00  $12,960.00

**TOTAL FOR DEPARTMENT 168 - SOLID WASTE**

$25,920.00  $25,920.00
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<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
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<tr>
<td>03/10/2019</td>
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</tr>
<tr>
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<td>WAGES FULL TIME</td>
<td>3,116.00</td>
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**TOTAL FOR ADJUSTMENT CODE 04 - DEPARTMENTAL BUDGET TRANSFER**  
$39,167.00  
$39,167.00

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<td>WAGES FULL TIME</td>
<td>17,167.00</td>
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</tbody>
</table>

**TOTAL FOR ADJUSTMENT CODE 04 - DEPARTMENTAL BUDGET TRANSFER**  
$17,167.00  
$17,167.00

**TOTAL FOR DEPARTMENT 169 - WASTEWATER**  
$56,334.00  
$56,334.00
## DEPARTMENT 177 - PARKS & RECREATION

### DEPARTMENTAL BUDGET TRANSFER

#### TRANSFER # 112

**ALLOCATE FY19 MERIT INCREASES**

<table>
<thead>
<tr>
<th>DATE</th>
<th>ACCT UNIT</th>
<th>ACCOUNT</th>
<th>ACCOUNT DESCRIPTION</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>03/10/2019</td>
<td>77.1.500</td>
<td>51900</td>
<td>SALARY ADJUSTMENTS</td>
<td>4,438.00</td>
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</tr>
<tr>
<td>03/10/2019</td>
<td>77.1.500</td>
<td>51100</td>
<td>WAGES FULL TIME</td>
<td>4,438.00</td>
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</tr>
<tr>
<td>03/10/2019</td>
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<td>SALARY ADJUSTMENTS</td>
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<td>51100</td>
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</table>

**TOTAL FOR ADJUSTMENT CODE 04 - DEPARTMENTAL BUDGET TRANSFER**

$5,435.00  $5,435.00

#### TRANSFER # 5

**ALLOCATE FY19 MERIT INCREASES**

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<tr>
<th>DATE</th>
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<th>ACCOUNT</th>
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<td>51100</td>
<td>WAGES FULL TIME</td>
<td>997.00</td>
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</tr>
</tbody>
</table>

**TOTAL FOR ADJUSTMENT CODE 04 - DEPARTMENTAL BUDGET TRANSFER**

$5,435.00  $5,435.00

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**TOTAL FOR DEPARTMENT 177 - PARKS & RECREATION**

$10,870.00  $10,870.00
Board of Public Works Meeting of March 28, 2019
Department Report

Engineering Department

- **2017 Sewer Rehabilitation – Various Streets.** DeFelice Corp has resumed sewer main installation on Elm St between Kinsley St and West Otterson St and on Monroe St between Lake St and Blaine St. Scheduling of this work is being coordinated with water and gas work in the same areas.

- **2018 Sewer Rehabilitation – Kinsley St.** Work has resumed by Newport Construction on Kinsley St between Walnut St and Elm St. Portions of this main will be replaced, along with catch basins and storm drain laterals. This work is expected to continue into the spring.

- **2018 Sewer Rehabilitation – Chase St.** Sewer work on this street will be completed after water and gas work is finished. Some of the water work needs to be done during warmer weather. At this point this sewer main work is mostly complete and road restoration will follow.

- **2018 Sewer Rehabilitation – Harvard St.** The Harvard St work is waiting for Pennichuck to perform water line work and is expected to be done in 2019.

- **2019 Sewer Rehabilitation – Lining.** This work includes approximately 22,325 linear feet of cured-in-place pipe (CIPP) lining, associated sewer manhole rehabilitation, and new sewer manhole installation. Kenyon Pipeline Services bid of $2,825,135 was approved by BPW on February 28 and by BOA on March 12th. Work is expected to commence in April.

- **2019 Sewer Rehabilitation.** This work includes approximately 1,300 linear feet of sewer line replacement, 270 linear feet of drain lateral replacement, as well as the replacement of sewer service connections, sewer manholes and catch basins. N. Granese & Sons bid of $1,001,888 was approved by BPW on February 28 and by BOA on March 12th. Work is expected to commence in April.

- **MS4 Stormwater Permit.** The City meets regularly with the combined Nashua and Manchester Regional Storm water Coalitions to discuss contents of the first annual report. The City is required to have an Illicit Discharge Detection and Elimination manual and a Stormwater Management Plan prepared by July 1.

- **Monica Drive Drainage Improvement.** The Engineering Department is finalizing plans and specification to install new underdrain pipe along a section of the street where poor drainage has deteriorated the pavement extensively.

- **Wastewater Connection Fees.** A workshop with the Board was held and the vote to proceed with suggested changes to the fees and procedures was deferred.

- **2018 Paving Program (Carry-over Streets).** In the Spring/Summer 2019, 2018 carry-over streets that could not be paved due to unforeseen weather conditions, utility conflicts and new site development conflicts will be paved. The streets that are pending are: Cheshire Street, Everett Street, Ferryalls Court, Gilson Road, Kehoe Avenue, Pyrite Drive, Skyline Drive, Woodfield Street, Beard Street, Green Street, Jackson Street, Lemon Street, Monroe Street, Mulberry Street, Terrace Street, and Warren Street. A change order will be needed to complete the 2018 carry over streets. Staff continues to oversee punch list items and address phone calls/emails from residences and businesses. Engineering is meeting with Newport to discuss the paving schedule for carry-over streets.
• **2019 Paving Program (Arterial/Major Roads).** The contract for $6,853,472.96 has been awarded to Brox Industries. The City has requested Liberty Utilities and Pennichuck to expedite capital projects so that the streets can be paved in a timely manner.

• **2019 Paving Program (Local/Residential Roads).** The contract to pave approximately 11 miles of local roads for $4,350,642.35 is being awarded to Sunshine Paving on March 18, 2019. The schedule is being developed.

• **2019 Asphalt Testing.** The 2019 Paving Program involves asphalt testing to ensure compliance with contract specifications for compaction, liquid asphalt content, pavement thickness, and aggregate gradation. This testing is also necessary so that the testing of the hot mix can be done at the plant in accordance with NHDOT sampling and testing specifications. The bids were received and the lowest bidder was S.W.Cole at $48,600.

• **Federal Aid Paving Project.** In the fall 2018, milling and binder paving of Somerset Parkway and Amherst Street was completed. In Spring/Summer 2019, Newport plans on raising/adjusting structures and putting the top course on Amherst Street and Somerset parkway. In addition, Newport will start paving operations on Broad Street and Kinsley Street. Engineering is currently scheduling a meeting with Newport to discuss the paving schedule.

• **2019 Castings (Paving Program).** The 2019 Paving includes the work of replacing all broken and obsolete manhole (sewer and drain) and catch basin castings. Engineering has completed the estimate of quantities of castings needed and is currently preparing to put the contract out to bid in April 2019.

• **2019 Preservation Program.** The 2019 Preservation Program is expected to crack seal the streets that need preservation. It helps prevent water penetration which can accelerate the deterioration of the pavement and result in potholes, subsurface and base failures. Final preservation/crack sealing list is being finalized by DPW. In addition, an estimate of quantities is being generated to put the contract out to bid in April 2019.

• **Pavement Degradation Fees.** The Engineering Department has developed a degradation proposal and methodology presentation. It is to be discussed in a workshop with the Board.

• **2019 Sidewalk Build/Repair Program.** Engineering is reviewing cost estimates for various sidewalk repairs throughout the City. Cost estimates are being prepared for sidewalk sections that have been chosen. There are two sidewalks that are planned to be built on Broad Street and East Dunstable Road. The Broad street sidewalk will be constructed by a contractor. Engineering is in the process of developing plans, specifications, and contract documents.

• **FHWA – Every Day Counts Grant.** Engineering is working with NHDOT to apply for a Federal Highway grant to implement safer pedestrian travel counter measures. The project will focus on safety and connectivity in the greater downtown area. A cost estimate and concepts are being developed, and we are in the process of gathering statistical data and information to write the grant.

• **Charlotte Ave Elementary School SRTS.** Preliminary engineering plans have been submitted to NHDOT. NHDOT has completed the review and mailed Engineering comments. Engineering is addressing the comments and preparing additional documents such as Traffic Control, Utility and Railroad Certificate, and supplemental documents for PS&E Study.

• **Greeley Park Boat Ramp.** Engineering is part of the project team being led by Community Development with Stantec performing the design of the boat ramp and parking area. Engineering has completed the design of the access road to the boat ramp. Approved by the
Planning Board on March 7th. The consultant is proceeding with obtaining approvals from NH Department of Environmental Services.

- **Mine Falls DES Wetland Permit.** Engineering is working with the Parks Department to obtain a DES Wetland Permit for the installation of a seasonal dock in Mine Falls Adjacent to the existing boat ramp. The permit has been submitted to NHDES. Once the permit is granted construction of the dock can begin.

- **Private Development Review.** Engineering has reviewed the following Site Development and Subdivision plans: 93 Lock St, 711 W Hollis St, 90 Northwest Blvd, 58 Linton St. Multiple larger projects around the City are being explored by developers with input from Planning and Engineering.

- **Construction Inspection.** Co-ordinate construction issues at Riverfront Landing. Multiple smaller projects are in construction and being inspected. Sewer and gas main installation is being monitored by City inspectors.

- **Community Development Projects.** Engineering is assisting Community Development projects with advice and review for a number of projects including the Greeley Park Boat Ramp, the Riverfront Lighting Plan, the Cotton Bridge Pedestrian Handicapped Ramp and the Heritage Rail Trail East. Engineering also works with Community Development to advance City projects through the Nashua Regional Planning Commission.

- **Corporation Counsel’s Office.** Engineering is working with the City’s legal department on an agreement with NHDOT for the Route 101A project and on a lighting agreement with Eversource as well as on the implementation of 5G wireless technology on/within City assets.

- **Survey Work.** Survey of Franklin Street for sewer as built information, Ferryalls Street for sewer replacement project, West Glenwood for replacement of trench drain at South Main Street, Salvail Court for right of way for paving project, Hobbs Ave. for parking in the right of way, Levee survey for update to the Army Corps of Engineers and Temple Street for as built information.

- **101A (Amherst Street Widening).** The City’s Legal Department is reviewing a project agreement for the NHDOT to proceed with the development of this widening of Amherst Street from Somerset Parkway to the Merrimack Line.

- **Permit Software.** Meetings are being held with the IT department, software developer, Engineering, and DPW Director to go over proposed permit form, application, routing and training. Administration is taking the lead revising the permit forms that will match the format of the software and create routing groups for internal and external permits.

- **Street Opening Permits.** Engineering issued 11 Street Opening Permits and 2 Permits to Encumber in the month of February 2019.

- **Sewer Permits.** Three sewer permits were issued and $5,320 was collected from February 1 through February 28, 2019.

**Parks & Recreation Department**

- **Holman Stadium.** We are currently working on the interior maintenance list for winter. The Silver Knights scheduled has been released for the 2019 season. The staff met with the new ownership group. The new owners of the team seem very excited to be in Nashua.
• **Stellos Stadium.** We have been working on interior maintenance; in addition we have removed snow off the field three times this season. Protective netting has been ordered for the scoreboards. Spring sports started on March 18th.

• **Summerfun.** The 2019 fundraising campaign has started. We have currently secured $14,500 in commitments. We have a goal of raising $20,000. Opening Day / Public Works Day is scheduled for June 3rd.

• **Spring Field Work.** Field work is scheduled to start as soon as the weather allows the crews to get started.

• **Downtown.** The crews have been cleaning the beds and the Rail Trail as the weather permits. The 18 new planters will be put out as soon as the weather allows.

• **Biddy Basket Ball.** The 2018 / 2019 season has ended with the championship week and the weekend all-star games. Congratulations to the following champions.
  o Girls Junior Biddy Lakers
  o Girls Biddy Spurs
  o Boys Jr Biddy Sonics
  o Boys Biddy Satellites
  o Boys Bantam Stars

• **Spring Projects.** We are looking to start work in the spring at the following locations:
  - Thornton Road playground
  - Replacing the Factory and Pearl Street Planters
  - Jewel Lane field development
  - The Mine Falls Park boat dock
  - Crown Hill Pool resurfacing

• **Winter Storms.** The crews have continued to work the storms throughout this strange winter. We are hoping for an early spring.

• **Winter Activities.** The skating ice is out at the city rinks. Our snow shoe program has reverted back to a walking program.

• **Spring Planning.** Information regarding summer camps, aquatics program, and Summerfun program for 2019 is posted on line.

• **Summer Help.** The ads are posted for Summer Laborers and Pool Positions.

**Wastewater Department**

• **Operations.** The Operations department continues daily operations of the facility as well as monthly inspections and checks maintaining proper operation of the facility. The operators performed a routine removal of settled material in the digester. They have adjusted operations of the facility in order to transition equipment controls from the old SCADA system to the new.

• **Maintenance.** Maintenance has continued preventative maintenance at the Treatment plant and the 13 outlying Pump stations. The mechanics replaced the submersible pump in the Gillis Street pump station. The hatch at CSO 6 was repaired. Maintenance also replaced two more valves in the thickening room and began overhauling a second Digester Feed Pump. The electrician removed old, unused conduit and wiring in our boiler room as well as repaired and replaced electrical control covers in that room. Lighting in the press room was
replaced and updated by the electricians. They continue to work closely with SCADA project.

- **Collections.** The collection crews have completed all monthly checks of our CSO’s and siphon stations, as well as assisting Maintenance in pump station inspections. The collection system operators cleaned out built up rags and grease from the Gillis Street pump station. They have kept the pump stations cleared from snow. The Collection System Technicians repaired the robotic camera. A CCTV inspection was performed on Taylor Street to investigate a blockage.

- **Laboratory:** The Laboratory continues daily analyses for permit compliance and process control. The Laboratory welcomes back April Rollins on restrictive duty. The monthly QC for February is complete and results are acceptable. The required quarterly pipette calibrations were performed on March 7, 2019. An SQC sample was collected on February 24, 2019 and sent to Eastern Analytical for analysis. The Quarterly Micro room Environmental Monitoring test results are negative for E.coli. The Laboratory Staff has conducted routine maintenance and cleaning of all HACH auto samplers. The Process Chemist is currently performing the Laboratory Annual Internal Audit.

- **Energy Recovery Generator Upgrades:** Contract has been signed and a preconstruction meeting was held on March 5th. The next 2-3 weeks involve contractor providing equipment submittals to the engineer for approval. It will take 3-4 months for contractor to order some of the equipment after which the contractor will begin work on the project.

- **SCADA Contractor EII** has completed most of the wiring and control upgrades at all locations except for the dechlorination building where they are currently working. They are confirming proper SCADA operation and testing/validating the software at other locations.

- **HVAC Upgrades:** The City is still waiting for contractor to perform an air flow balance, provide the O&M manuals, training, and record drawings.

- **Water Booster Station Upgrades:** A preconstruction meeting was held on January 24th. The contractor, TBuck, is preparing shop drawings for review by consultant Woodard and Curran.

- **Primary Tank Upgrades:** Final approval came from NHDES to award construction and the contract has been signed. Methuen Construction is the low bid contractor and a preconstruction meeting is set for March 20.

- **Pump Station Upgrades:** The project has been divided into 2 smaller projects. The first phase consists for 6 pumps station in need for immediate upgrades and is for bidding with a bid opening to be held on March 22. The second phase will go out to bid following this bid opening.

- **Wet Weather Gate Repairs:** NH Hydraulics is in ordering a cylinder for the main gate to the main gate to the Wet Weather Facility. The cylinder is scheduled to arrive the week of March 18th. They have completed maintenance on the hydraulic power units for the main gate and rakes for the screens. Once they receive the piston, Wastewater will coordinate with contractor TBuck to remove and install the new gate.
• **Gas Tank Evaluation:** A contract for ACV Eniro to purge any remaining gas and cleanout the inside of the gas tank has been finalized. They are being scheduled for the work the week of March 18th. Following work by ACV Eniro, NEESCO will evaluate the inside of the gas tank to determine if the inside bladder is fully secure to an internal metal ring. NEESCO has assisted with other areas of the digester gas system and has the experience/knowledge to evaluate the inside of the gas tank.

**Street Department**

• **Street Department completed tasks.**
  - 3 berm repairs
  - 1 catch basins was repaired
  - 1 fence repaired
  - 21 mailboxes repaired/45 temp repairs
  - We had 3 plowable events from 2/27/19- 3/10/19 totaling 13.5 inches of accumulation.

• **Asphalt Repairs**
  - Street department crews continue to fill pot holes city wide as the weather permits.

• **Brine Making**
  - We continue to make and use Brine as needed. It has given us positive results.

• **Traffic**
  - 27 traffic signal problems were responded to and fixed.
  - Numerous electrical issues involving street lights have been addressed.
  - 13 street signs were replaced or repaired.
  - Crews are working to make temporary repairs to mailboxes damaged during snow operations.

• **Fleet**
  - Preventative maintenance and repair of the fleet is ongoing daily.
  - Solid Waste equipment and vehicles are repaired daily.
  - Spring equipment is being gone through and made ready for the season.
  - GPS units are being installed with vehicles first and equipment next.
  - 2 new street sweepers are being checked over with training scheduled March 27th. The older sweepers are having service work done in preparation for the sweeping season.
  - We took delivery of the new 10 wheeler plow truck this month.
• **Weld shop**
  - Plows and plow frames are being repaired from snow events.
  - Body rot repair to several trucks are in the process of repair.

**Solid Waste Department**

- **Solid Waste Department**
  - 28 vehicles were towed to the landfill during 1 snow emergency.
  - 1000 new recycling bins were ordered.

- **Recyclables Shipped in February 2019:**
  - 282 tons of single stream recycled materials.
  - 8 tons of electronic waste.
  - 42 tons of scrap metal sold.
  - 8.5 tons textiles, propane tanks and books.
  - 597 fluorescent bulbs and ballasts.
  - 850 gallons of waste oil.
  - 77 appliances evacuated of CFC’s.
  - 1 boxes rechargeable batteries.
  - The charge for single stream recycling for February is $84.92 / ton, which cost ~ $29,278.74 including the shipping cost for 18 loads of recyclables in the month.

- **Recycling Bins & Carts:**
  - 58 recycling carts were sold in November.
  - 14 recycling bins were given to 1 existing residents and 6 new homes.
  - 25 Trash carts distributed.
  - 19 Trash carts repaired.

- **Permits Sold for 2019:**
  - 7985 Residential Permits.
  - 402 Commercial Permits.

- **Curbside Collection:**
  - 1479 tons MSW.
  - 255 tons Recycling
Board of Public Works Meeting of March 28, 2019
Personnel

Agenda

A. **Motion**: To unseal the nonpublic minutes for Personnel from the Board of Public Works Meeting of February 28, 2019.

B. **Non-Public Session**