

**Board of Public Works Meeting
Meeting Minutes
January 30, 2020**

A regular meeting of the Board of Public Works was held on Thursday, January 30, 2020, 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:

Mayor James Donchess, Chair
Commissioner Tracy Pappas
Commissioner Kevin S. Moriarty
Commissioner G. Frank Teas
Commissioner Shannon Schoneman

Also Present:

Ms. Lisa Fauteux, Director, Division of Public Works
Mr. Nick Caggiano, Superintendent of Parks & Recreation
Mr. Dan Hudson, City Engineer
Mr. Bill Keating, Wastewater Engineer
Alderman-at-Large Michael B. O'Brien, Aldermanic Liaison
Alderman Skip Cleaver, Alternate Aldermanic Liaison

MOTION: Commission Pappas made a motion to approve the agenda as presented.

MOTION CARRIED: Unanimously

Approval of Meeting Minutes

• **December 19, 2019**

MOTION: Commissioner Teas to approve the minutes from the Board of Public Works meeting of December 19, 2019.

Discussion:

Page 9 – Concerning the vote on R-19-187, Commissioner Pappas' vote should be changed from "abstained" to "nay." – Pappas

MOTION: Commissioner Pappas made a motion to table the approval of the minutes from the Board of Public Works meeting of December 19, 2019, until the February meeting.

MOTION CARRIED: Unanimously

Public Comment

There was no public comment.

Aldermanic Referrals

- A. R-20-007** – CHANGING THE PURPOSE OF FUNDS FOR A PARKS & RECREATION CAPITAL IMPROVEMENT PROJECT FROM “CROWN HILL POOL REPAIRS” TO “ROTARY POOL FILTER REPLACEMENT”

MOTION: Commissioner Pappas made a motion to recommend a favorable recommendation regarding R-20-007 to the Board of Aldermen.

Discussion:

Mr. Nick Caggiano, Superintendent of Parks & Recreation

When we were wrapping up the pools last fall and blowing things out we had what I would call a catastrophic failure at the filter at the Rotary Pool. The bottom legs rotted off and the filter actually shifted so it has to be replaced. It was put in the early '60s. Luckily, during our construction project for the Crown Hill Pool improvements we were able to come in under budget so there is some money available in the Crown Hill improvements budget to assist with this repair and we put forth legislation to move it from one bucket to another so we can utilize the funds, purchase the filter, and get it installed before pool season.

Commissioner Pappas

Are there trust funds for each and every pool and if something happens at Crown Hill might we shift money elsewhere if something unintended happens?

Mr. Caggiano

No, they are not trust funds, it was a capital improvements project so it's a capital account. When you go to capital they specify how you can spend the money so we had to go the capital improvements meeting at the beginning of January with our proposal and then it was referred to the Board of Aldermen to shift out the funds.

Mayor Donchess

So there is money leftover with respect to one project but you need the approval of the Aldermen to switch it to another purpose.

Commissioner Pappas

If I can further ask, I am curious regarding the capital improvement...how much of a heads up do you have to have that you might need it for something like this? How far in advance for example...if you are looking for stuff that you might need, is it years or months before you have to hit up capital improvement for...

Mr. Caggiano

Every year we put a capital improvement list together across the entire Division and it is prioritized and submitted to the Capital Improvements Committee and they give it a rating and then they send that rating to the Mayor and the Board of Aldermen.

Mayor Donchess

But if something comes up that is out of that cycle then that project could be taken to the Capital Improvements Committee for a rating. Most of the projects go pursuant to that schedule but if something came up then you could take it the Capital Improvements Committee out of cycle.

Commissioner Pappas

I think I had this comment at our last budget meeting, probably more directed towards the Mayor. I am wondering if we might take a look and see if the capital improvements for the city might be underfunded. If we know that it has been since the 60's that this pool had the same filter; I think not having funds to fall back on...I mean we wouldn't be able to deny the kids going to the pool in the summer. I think we should take a look at that.

Mayor Donchess

Okay.

Does anyone else have questions or comments? There was none.

MOTION CARRIED: Unanimously

Engineering Department

A. MOTION: Commissioner Teas to approve the Residential and Commercial Wastewater Service Permits and Fees as submitted.

Discussion:

Commissioner Schoneman

I wanted to ask if someone could explain what the fees mean and why there are residential fees but not commercial fees.

Mr. Dan Hudson, City Engineer

I am new here so I am actually still learning. We are on the hook to repair the residential services if they are damaged and there is a \$600.00 fee. The commercial ones are the responsibility of the commercial entities.

MOTION CARRIED: Unanimously

B. MOTION: Commissioner Pappas to approve the following Pole License Petitions: PSNH #21-1445, #21-1447, and #21-1448.

Discussion:

Commissioner Pappas

We can handle this after if you want but I wanted to ask about the poles, especially the one that's on Tinker Road right past White Oak that are very dangerously close. I know Eversource owns them but it's an accident waiting to happen and I wasn't sure if anyone had contacted them.

Director Fauteux

I have multiple times.

Mayor Donchess

These are new poles, right?

Commissioner Pappas

That's correct but they are supposed to go through us. These poles are really precariously close to the road and I don't think it would take them a lot of money to put them back a few feet.

Mayor Donchess

Could you ask them?

Director Fauteux

I have a couple of times but I will make another request.

Commissioner Pappas

You don't want...if anyone has taught someone how to drive and you are a passenger with a new driver driving down Tinker Road the telephone poles are quite precarious.

Director Fauteux

I wish I had the power to force them to do it but I don't. I will continue to make the request.

Commissioner Pappas

I almost feel like voting no on their pole licenses.

Mayor Donchess

Director Fauteux will contact Eversource again to try to take up that issue.

Commissioner Moriarty

Just to add to that Director Fauteux, there is a light on Riverside Street that is blinking.

MOTION CARRIED: Unanimously

C. Informational: Sewer Main Repair on Barker Avenue at the intersection of Burke Street

Mr. Hudson

I just want to make the Board aware that there was a sewer main on Barker Avenue that collapsed right at the intersection of Burke Street. Burke Street was recently paved in 2016 so it's still under the moratorium. We had to go out and make an emergency repair so there is a temporary patch there and we will come back in the spring and make a permanent patch. This may be a more frequently occurring issue going forward given that we are doing a lot of paving around the city and we have some aging infrastructure. I wanted to make you aware of this and also make you aware that this is something that may happen in the future.

Parks & Recreation Department

A. MOTION: Commissioner Teas to approve a contract with Forcier Contracting & Building Services, Inc. of Nashua, NH, for the building repairs at the Crown Hill Pool bathhouse in the amount of \$34,200. Funding will be through Department: 177 Parks and Recreation; Fund: Capital; Activity: Crown Hill Pool Building.

Discussion:

Mr. Caggiano

If you remember, this was tabled back in November due to some legal work that had to be worked out. Those details have been worked out with the Legal Department and an agreement has been reached and we are good to go.

Commissioner Pappas

So have they agreed to no longer park on the city's right-of-way?

Mr. Caggiano

I wasn't given a signed document.

Director Fauteux

The agreement I believe was Economic Development that...we received a letter from the Forcier's attorney, Morgan Hollis, and he indicated that they were going to restore everything back to the way it was and they will just have one space for where their loading dock is so they can use their loading dock.

Commissioner Pappas

Will that just be during the day?

Director Fauteux

Yes.

Commissioner Moriarty

The second bidder's quote was very close to the first bidder's quote. Were you inclined to go with the lowest bid or did you think this was the best company to use for this project?

Mr. Caggiano

The company is local and they have done work for us in the past on many projects and they have a good record. That's why we went with them.

Commissioner Moriarty

Because of the issue that has come up with this company...that's why I was wondering why we were giving them a green light to do work for us after there was a difficult time and the second company is only an additional \$600.00 or less than that. That's why I was curious as to how you came to your decision.

Mr. Caggiano

If you remember at the last meeting we had in November we brought up the fact of going with the second bidder and the recommendation of the Board was to table it until the Legal Department could work out an agreement. I didn't re-look at the quotes after our November meeting.

Director Fauteux

Nick, do you know the location of the second bidder, Solid Roots Construction.

Mr. Caggiano

Solid Roots Construction is out of Manchester, NH, and I believe Mark Carrier is out of Manchester, NH, as well.

Director Fauteux

We do have a Nashua preference ordinance.

Commissioner Moriarty

Does that mean we have to go with that company if they are from Nashua?

Director Fauteux

Yes.

Mayor Donchess

I think it expresses a preference and it says, as I recall if the city contracts less than \$10,000 or up to \$10,000 can pay up to 3% more just to get the local contractor. I think it expresses a policy to go with local when possible but in certain instances, it says you don't actually have to go with the lowest bidder if the prices are pretty close. That's my memory of it.

Commissioner Moriarty

Okay but it doesn't really affect this because they weren't over, they were the lowest bidder. So we don't have to go with this company if this Board doesn't want to.

Mayor Donchess

It expresses a preference. It's probably not mandatory but more a policy preference. We would have to ask the Legal Department about the issues regarding any problems created when we don't take the lowest bid but I think it has to be justified. I presume that is within the discretion of the Board.

MOTION CARRIED: Unanimously

- B. MOTION:** Commissioner Pappas to approve the contract for portable toilet rentals with United Site Services of Haverhill, MA, for a two-year term with an annual cost of \$32,140. Funding for the contract will be through Department: 177 Park & Recreation; Fund: General and Trusts; Account Classification: 54 Property Services.

Mr. Caggiano

This is our annual contract for portable restrooms. We put out 32 throughout the city at various parks. The contract was up and we went out to bid. We sent it out to seven vendors and this was the sole bid and the purchasing manager recommended that we move forward with awarding the contract to United Site Services who we have used in the past and has had the past bids.

Commissioner Pappas

It looks like you have the additional weekly service but it looks like it is only available for the wheelchair accessible or am I reading that incorrectly? Are those services that they come and clean them out?

Mr. Caggiano

Yes, they will be cleaned twice per week and if you need an extra cleaning you can call them for that. Let's say there was a major event somewhere. The regular restrooms are \$119.00 per month and that includes twice per week cleaning and at three locations we have ADA units; Legacy Playground, Roby Park, and one other spot. Those are a little bit more because they are larger, those are \$169.00 per month.

Commissioner Pappas

The way I read it I thought it was only the deluxe ones that got cleaned twice per week. I don't know if the cleanings are not as effective towards the end of the year because I have had concerns placed...especially where they do soccer where there a lot of people and especially by the end of the season. I've had complaints that the restrooms get kind of wonky.

Mr. Caggiano

Just let us know and they are very responsive if we call them.

Commissioner Pappas

But they clean them twice per week even when they take them away?

Mr. Caggiano

At the end of the year? When they take them away they are brought off-site.

Commissioner Pappas

No, I understand, for example, in the summer obviously...I don't get a whole lot of complaints during summer, it's more when it comes to the fall season during soccer. Are they still cleaning them towards the end of the season?

Mr. Caggiano

Yes.

Commissioner Pappas

That's when I tend to get the most complaints. I don't know if they taper off on their service when it comes towards the end of the season.

Director Fauteux

If they are on-site they are still cleaned twice per week. That never stops while they are on-site.

Commissioner Pappas

Ok, so it might just be increased use because of tournaments.

Mr. Caggiano

It might be because of tournaments but also during the tournaments, the soccer council brings in their own additional port-o-johns. They are not all ours. You will see that for races or parades or events. The permit holder will order them.

Commissioner Pappas

So it might be someone else's that they are complaining about and not a city one?

Mr. Caggiano

It may not be but if you let me know we will take care of it.

MOTION CARRIED: Unanimously

Wastewater Department

A. MOTION: Commissioner Pappas to approve the User Warrants as presented.

MOTION CARRIED: Unanimously

B. MOTION: Commissioner Teas to approve Change Order #4 to the Energy Recovery Upgrade contract with Methuen Construction Company of Plaistow, NH, in an amount not-to-exceed \$49,167.26 for structural and electrical modifications to the energy recovery room. Funding will be through: Department: 169- Wastewater; Fund: Wastewater; Activity: Energy Recovery Upgrade Project.

Mr. Bill Keating, Wastewater Engineer

This change order came about as a result of some unexpected findings during construction. The project is to renovate the entire energy recovery facility because the existing facility was beyond repair and at the end of its life so we upgraded everything. It's always difficult to upgrade an existing building with the existing infrastructure with new stuff. We

encountered some unexpected findings during the construction and that's what this is for. Everything on here was not originally realized during the design process.

Discussion:

Commissioner Pappas

Can you give a quick explanation of what would happen if we don't keep up with this?

Mr. Keating

It's pretty much set-up to run...we are flaring methane gas right now and we can't keep doing that. It's meant to be burned and sent through a generator to run and produce electricity rather than flaring it. That's how the whole process was built and it's beneficial to the city because we generate revenue from the generators which offsets the electrical cost and is a substantial amount of money over time.

Commissioner Pappas

Things in these systems are very expensive and I think a lot of times folks don't understand if we don't keep up with them that the consequences are much more dire than having to pay for them as we go along.

MOTION CARRIED: Unanimously

Administration

A. MOTION: Commissioner Moriarty to approve the proposed 2020 regular meeting dates for the Board of Public Works.

MOTION CARRIED: Unanimously

B. MOTION: Vote for Vice Chair to the Board

Commissioner Moriarty made a motion to nominate Commissioner Teas for the position of Vice Chair of the Board of Public Works.

Mayor Donchess

Are there any other nominations or discussion?

Commissioner Pappas

As I had said two years ago, I think it's really valuable and important to rotate this to give everyone an equal opportunity for those who want it and I think Commissioner Moriarty did it at least a couple of times. Commissioner Ackerman did it last time. It's really hard to put yourself out there for election and obviously, nobody wants to do it when they are first

elected to the Board but I don't know that I will be here in two years or not. I would hope that it goes on a rotating basis to the next person in line who had put themselves out there for election. As I said, I do support Commissioner Teas as Vice Chair and I hope that we continue in taking turns on that because I think it's really important and I think it's good for the Board to get turnover with that.

Commissioner Moriarty made a motion to close the nominations.

Mayor Donchess

Is there a motion to cast one vote for Commissioner Teas?

Commissioner Pappas

So moved.

MOTION CARRIED: Unanimously

Mayor Donchess

Commissioner Teas is duly nominated as Vice Chair of the Board of Public Works.

C. MOTION: Chair's appointment to the BPW Pension Board

Mayor Donchess

I would like to appoint, Commissioner Moriarty, should he accept the position, to the Board of Public Works Pension Board.

Commissioner Moriarty

I accept.

Mayor Donchess

Commissioner Moriarty is duly nominated to serve on the Board of Public Works Pension Board.

D. MOTION: Chair's appointment to the Strategic Planning Committee

Mayor Donchess

I would like to appoint, Commissioner Pappas, should she accept the position, to the Strategic Planning Committee.

Discussion:

Commissioner Pappas

Is it a Strategic Planning Committee for this Board?

Mayor Donchess

By ordinance, the city has a Strategic Planning Committee which is chaired by the Chair of the Aldermanic Planning & Economic Development Committee. By ordinance various positions are members. The Chair of the Infrastructure Committee is a member and there are others but the Board of Public Works has a representative on that committee. The purpose of the committee, depending on what the Chair wants to do with it, you can discuss the city's direction. It can meet several times during the course of a two-year term at night based on the Aldermanic schedule.

Commissioner Pappas

I think that I would respectfully decline. I would really rather be on the Strategic Planning for this Board. I'm not sure that I have the insight into the economic development for the city's long-term strategic planning, but thank you.

Mayor Donchess

You would represent the viewpoint of the Board of Public Works. Given that you have declined, would Commissioner Schoneman like to serve?

Commissioner Schoneman

I will.

Mayor Donchess

Commissioner Schoneman is duly nominated to serve on the Strategic Planning Committee.

E. Informational

Director's Report

- We have been doing a lot of bridge inspections and this is the Mine Falls Bridge. We had an issue with the Eaton Street Pedestrian Bridge so that prompted us to look at all the others. We are in the process of repairing the Eaton Street Bridge but that may not get completed until spring.
- This is some cameraing we are doing throughout the city. National Water Main is inspecting and giving us the assessment of the largest sewers in the city. This is 30" x 36" egg-shaped sewer and it was constructed in 1869 on Main Street near City Hall.

Commissioner Schoneman

Is it still in good shape?

Director Fauteux

It doesn't look like it was lined. I can let you know at the next meeting.

- This is another clay pipe on Lake Street and it has cracks and a missing bottom.
- This is turf installation at Roby Park. We've had nice weather so they have been able to continue working. There is about 80% of the turf installed.
- This is the Greeley Park Boat Ramp where 3.25 acres have been logged and the Street Department is now removing stumps.
- We have been doing a lot of tree removal and trimming work this winter. Parks & Recreation usually does that and we are through most of our orders. On the left is a tree removal on Gillis Street and on the right is brush cutting at Kirkpatrick Park.
- A gentleman by the name of Mr. Tony Ruiz from Lawrence, MA, was killed filling potholes. He was randomly shot three times and killed. There were 300 public works trucks show up in a procession and Nashua was one of them to show our respect for Mr. Ruiz and his family.
- This is winter maintenance that we are doing. This is our mechanics replacing wing cable on a damaged plow frame.
- We just possession of our new CAT loader and it will be assigned to Amherst Street during snow operations and will also work on construction projects.
- This is a new drainage area installed at the end of Mill Pond to allow water to make its way to Salmon Brook rather than ponding at the end of the street in front of the resident's driveways.
- This is a headwall on Dublin Avenue that was replaced.
- We had an emergency sewer dig at the intersection of Burke and Barker Streets.
- We are doing a lot of valve replacements at the treatment plant. One of the secrets to keeping the plant operating properly is to exercise the valves constantly.
- We are very proud of our own Ms. Noelle Osborn as she was awarded the NEWEA Operator Award. This award is given to individuals who have shown

a high interest and performance in the wastewater operations and made a significant contribution to the wastewater field. We are very proud of Noelle!

- Our Christmas trees were finally all collected between January 6th through January 17th.
- We have new recycling guidelines signs that have been installed in the Recycling Center.
- We would like to remind all residents to please do not place extra trash on top or beside your carts. Extra trash needs to be brought into the Four Hills Landfill with a valid permit.
- Our 2020 Household Hazardous Waste Collection Schedule is now available online on the city's website and can also be picked up at the Solid Waste Department. Our first collection is April 18th and that will be at the Street Department's garage.
- The Four Hills Landfill will be closed on Monday, February 17, 2020, in observance of President's Day and all curbside collections will be delayed by one day that week.

Commissioner's Comments

Commissioner Schoneman

One of the items on the list in our packet was pavement degradation fees. What are those exactly?

Director Fauteux

That's one of the things we are working on and Commissioner Pappas, you are well versed in that. Essentially it is a fee that will be charged to utilities for cutting into the newly paved streets. We will give a presentation to the Board but they were not quite ready to do that yet.

Commissioner Schoneman

My other question was what is the building project that is going on at Charlotte Avenue?

Director Fauteux

That is a Safe Routes to School Project that we applied for approximately eight years ago and we finally getting the funding. It's numerous improvements around Charlotte Avenue including crosswalks, striping, and other things to make it safer for the kids who walk to school.

We just had a neighborhood meeting at the Charlotte Avenue School to present those plans to the PTO and families because we were concerned that the families that wanted

this in the first place have probably moved on because it has been so long. I can send you the plans if you are interested.

Commissioner Teas

Would it be appropriate to share with us any updates with regard to the building?

Director Fauteux

The DPW facility?

Commissioner Teas

Yes.

Director Fauteux

Sure. We are in the very early stages. We have had a meeting with Harvey and HKT and we talked a little bit about both the budget and the schedule. We have our first meeting with the committee tomorrow to discuss the budget and the schedule. We, including Andy and Carolyn, also met with HKT to discuss programming and to go over our needs again. We did a lot of that originally when we were looking at Burke Street but now it's a little bit different because it's not all on one floor. We will certainly provide updates to the Board as we go. Tomorrow is sort of the kick-off meeting.

Commissioner Moriarty

Mayor and Director, I recently purchased my new residential permit at the landfill and I thought we had voted to increase the fee but it was still \$5.00. They were also still taking cash and I thought we voted not to allow cash anymore.

Director Fauteux

There were three things; the increase in the cost of C&D (construction and demolition), and the increase of the landfill permits and legal is working on legislation right now and that should be coming in very soon.

Commissioner Moriarty

Does it need Board of Aldermen approval?

Director Fauteux

That's correct.

Alderman-at-Large O'Brien

If I may follow-up on that, when would you have that target date of the start of the increases of the fee? Would it be the next calendar year in January or start immediately upon passage of the legislation?

Director Fauteux

I would say immediately. We won't generate much revenue this year because most of the permits have already been sold.

Mayor Donchess

The construction and demolition fees would go up and there is a lot of that coming in.

Director Fauteux

Yes.

Mayor Donchess

Are there any other comments from the Commissioners. There were none.

Personnel

- A. MOTION:** Commissioner Teas to approve and unseal the nonpublic minutes for Personnel from the Board of Public Works Meeting of December 19, 2019.

MOTION CARRIED: Unanimously

B. Non-Public Session

MOTION: Commissioner Ackerman moved by roll call that the Board go into a non-public session pursuant to RSA:91-A3 §2(b) the hiring of any person as a public employee.

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

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

Nay: 0

MOTION CARRIED: 5 – 0

MOTION: Commissioner Pappas to seal the minutes of the Board of Public Works non-public session of January 30, 2020, 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 Pappas, 5
Commissioner Moriarty, Commissioner Teas,
& Commission Schoneman

Nay: 0

MOTION CARRIED: 5 – 0

MOTION: Commissioner Pappas to come out of non-public session.

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

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

Nay: 0

MOTION CARRIED: 5 – 0

Adjournment

Commissioner Pappas made a motion to adjourn.

MOTION CARRIED: Unanimously

Meeting adjourned at 6:19 p.m.

DRAFT