

**BOARD OF PUBLIC WORKS  
MEETING OF MARCH 24, 2022  
MEETING MINUTES**

A meeting of the Board of Public Works was held on Thursday, March 24, 2022, at 4:00 p.m., in the Auditorium at City Hall, 229 Main Street, Nashua, NH 03060.

Mayor Donchess declared the meeting to order at 4:00 p.m.

**I. ROLL CALL.**

Commissioner Moriarty

Here

Commissioner Schoneman

Here.

Commissioner Lemen

Here.

Commissioner Shea

Here.

Mayor Donchess

Here.

Also Present:

Lisa Fauteux, Director, Division of Public Works

Michael B. O'Brien, Sr., Aldermanic Liaison

Dan Hudson, P.E., City Engineer

David Boucher, Superintendent Wastewater

Jeffrey Lafleur, Superintendent, Solid Waste

Bryan Conant, Superintendent, Parks and Recreation

Peter Tedder, P.E., Principal Distribution Engineer Pennichuck Water Works

Thomas E. Zajac, Jr., P.E., Senior Engineer, Hayner/Swanson, Inc.

Randy Turmel, Crimson Properties

Morgan Hollis, Esquire, Gottesman & Hollis, P.A.

Mayor Donchess

We've also got our liaison Alderman O'Brien.

Alderman O'Brien:

Thank you.

**II. MOTION TO APPROVE THE AGENDA AS PRESENTED.**

Mayor Donchess:

The first motion is to approve the agenda. Commissioner Shea.

**Motion by Commissioner Shea:** To approve the agenda as amended.

Mayor Donchess:

Any discussion?

**Discussion:**

Lisa Fauteux, Director, Division of Public Works:

I'll just point out the only amendment to this agenda is Item M. under Engineering. We had a pole license petition that came in last minute that we've added to the agenda. That's the only change.

Mayor Donchess:

And we're working off of the so-called goldenrod--

Ms. Fauteux:

--the goldenrod copy, correct.

Mayor Donchess:

Okay. Any other discussion?

**MOTION CARRIED: Unanimously.**

**III. MOTION TO APPROVE THE MINUTES OF THE BOARD OF PUBLIC WORKS MEETING OF FEBRUARY 24, 2022.**

Mayor Donchess

The next item has to do with the minutes of the meeting. Commissioner Lemen.

**Motion by Commissioner Lemen:** To approve the minutes of the Board of Public Works Meeting of February 24, 2022.

*Discussion:*

Mayor Donchess:

Any discussion?

**MOTION CARRIED: Unanimously.**

**IV. PUBLIC COMMENT.**

Mayor Donchess:

Public comment, is there any member of the public who wishes to address the Board of Public Works? Please come forward. Sherry Dutzy, head of the Conservation Commission.

Sherry Dutzy, Resident/Chairman, City of Nashua Conservation Commission

Hi, everybody, can you hear me all right with the mask?

Mayor Donchess:

Yeah.

Ms. Dutzy

I just wanted to come up--

Mayor Donchess:

But technically--

Ms. Dutzy:

I'm sorry, introduce myself. Sherry Dutzy, 18 Swart Terrace, Chair of the Nashua Conservation Commission, and I am here to extend an invitation to the DPW to work more closely with the Conservation Commission, especially around any issues that might have to do with wildlife

habitat, such as beavers and flooding that might occur with beavers who are blocking culverts. I think more likely when that happens it comes to the DPW, rather than coming to the Conservation Commission, and we would like to work more closely with you in terms of how we can create a situation that is a win/win for both the public, the DPW, and for the beavers. In particular, there was a great webinar that just occurred a gentleman over in Grafton, Vermont who has spent his lifetime in terms of developing beaver deceivers. They're very customized to the situation, but it works out that it's a benefit for increasing wetlands. It works out so that the beavers don't get killed, and it turns out that beaver deceivers are much more cost effective in terms of remedying beavers from coming back and creating dams and lodges where we don't want them. That's just one issue, but I just wanted to come, and I wanted to say that, and if there are things that come up at the DPW, please feel free to contact us. We'd like to get together and work together more closely. Okay.

Mayor Donchess:

All right. Thank you very much.

Ms. Dutzy:

Thank you.

Mayor Donchess:

Any other members of the public wish to address the Board? Yes.

Vincent Davis, NHCG, LLC

Hello, good afternoon. Everybody hear me okay?

Mayor Donchess:

Yes.

Mr. Davis

Awesome. My name is Vincent Davis. I am the property operations for NHCG, LLC here in Nashua, New Hampshire. I'm here speaking in support of the Engineering Department's Motion C, which would approve a trailblazing sign package on Broad Street leading from Exit 6 off the F.E. Everett Turnpike to businesses along Gusabel Avenue along with the stipulations. Any questions?

Mayor Donchess:

Well, often if you are on one of the issues, one of the items, we would call you up and ask any questions.

Mr. Davis:

Okay.

Mayor Donchess:

If there's anything in that context because we'll have the Engineering Department address the issue and then, thank you for coming and so, if there's any issues or questions, we can ask you then.

Mr. Davis:

Excellent. Appreciate it. Thank you.

Mayor Donchess:

Thank you very much. Anybody else wish to speak to the Board?

**V. BOARD OF ALDERMAN REFERRALS.**

**A. R-22-013 – Authorizing the Mayor and City Treasurer to Issue Bonds not to Exceed Six Million Two Hundred Eight Thousand Three Hundred Twenty-Five Dollars (\$6,208,325.00) for the City's Sewer Infrastructure Program and Sewer Structures.**

Mayor Donchess:

All right. Next Board of Alderman referrals. We have R-22-013. Commissioner Schoneman.

**Motion By Commissioner Schoneman:** To approve a positive referral authorizing the Mayor and City Treasurer to Issue Bonds not to Exceed Six Million Two Hundred Eight Thousand Three Hundred Twenty-Five Dollars (\$6,208,325.00) for the City's Sewer Infrastructure Program and Sewer Structures.

Mayor Donchess:

I believe Mr. Hudson is going to address this.

Dan Hudson, P.E., City Engineer

Thank you, Mr. Mayor. Dan Hudson, City Engineer. This is the annual sewer bond that we request. This funds pretty much all of our sewer work. It's the collection system work. We do a dig program where we dig and replace a certain amount of pipe each year, that is in severe disrepair--

Commissioner Schoneman:

--excuse me, Mr. Hudson. Can you move your microphone up, it's a little hard to hear.

Mr. Hudson:

I mumble too--yeah, there you go.

Commissioner Schoneman:

Thank you.

Mr. Hudson:

Thank you. Do I need to repeat any of that?

Commissioner Schoneman:

That's fine.

Mr. Hudson:

Okay. This also helps fund the CCTV work and the pipelining work. We look at a lot of pipe and if it is in good enough condition we line it and that saves having to do that dig operation, which is very expensive; and then funds other things as well. We have sewer siphons that we had investigated. We need to line those. It's a variety of different things in the sewer system that this funds each year. Basically, it's indexed for inflation, it goes up 3% every year to try to keep up with inflation. I'm Happy to address any questions.

***Discussion:***

Mayor Donchess:

Any discussion, questions?

Commissioner Shea:

If I may--

Mayor Donchess:

Yeah, of course.

Commissioner Shea:

Can we be doing more? Are we doing a satisfactory amount of tending to the sewers? I know that we have a lot of aged infrastructure. What's your perspective on that?

Mr. Hudson:

We are doing a good amount right now. Probably at this level that's probably about what we can manage, I guess if you want to say. I mean \$6 million a year is a good size program, but we do still have a lot of pipe to look through. We prioritize it. We started with the oldest pipe. Some pipes fair worse over time than other types, so we've been looking at those types of pipes and age of pipes. We're still working our way through the system. We are maybe a third of the way through. Some of these pipes haven't been looked at in probably 100 years. As part of the program we clean them, so that helps with the flow capacity as well, and then we find those problems and try to solve them before they become bigger problems. But, no I think we're doing a good job, the City has taken on a lot of projects. There's always projects at the wastewater treatment plant of course, and then we're rehabilitating some pump stations and things. Those are kind of separately funded. This is primarily the collection system, and I think we're on track and doing a good job with it. I'm happy with the level of effort we're putting forward right now.

Commissioner Shea:

Good. Thank you.

Mr. Hudson:

You're welcome.

Mayor Donchess:

Commissioner Schoneman.

Commissioner Schoneman:

This bond is for just fiscal year 2022/2023. Do you recall what the budget was last year?

Mr. Hudson:

I don't have the exact number, but it would have been 3% less (chuckling)--

Commissioner Schoneman:

Well, yeah--

Mr. Hudson:

So, yeah, I mean 3% is a good chunk of change each year, that keeps increasing. Again, we're trying to keep up with inflation. It's in the similar neighborhood.

Commissioner Schoneman:

And how did we do in that budget?

Mr. Hudson:

Doing well. We have a sewer contract ready to go. We need this bond. You'll see it is conditional upon this bond being approved because we have used up the funding that we had. So, yeah, we need this to keep going.

Commissioner Schoneman:

So last year's was probably around let's say \$5 million--

Mr. Hudson:

Correct.

Commissioner Schoneman:

And we're asking for another \$2 million on top of that to finish later, we're asking for \$2 million so it's going to be more like \$7 million to finish this fiscal year? Is that right?

Mr. Hudson:

Later when?

Mr. Hudson:

Later in this agenda. The contract.

Mr. Hudson

The dig contract is funded by this. The contract with SUR West?

Commissioner Schoneman:

Yes.

Mr. Hudson:

On the engineering? Yeah, that's contingent upon approval of this we'll be funded by this.



Commissioner Schoneman:

Okay, so that will be funded—

Mr. Hudson:

So, it's not additional, it's part of this--

Commissioner Schoneman:

--pending approval of this.

Mr. Hudson:

Correct, yes.

Commissioner Schoneman:

Okay.

Mayor Donchess:

And, this also needs to be approved by the Board of Alderman so that's why it--so what we're really doing is only the --the Board of Alderman needs to approve any debts, so we are considering whether to make a recommendation to them, we go forward.

Commissioner Lemen:

What were you saying before? I couldn't really hear about CCTV.

Mr. Hudson:

Yeah, CCTV is closed-circuit television is what it stands for, but basically, we run a camera through the pipe. Before we do that we jet the pipe to clean it, get the debris out. That camera we visually inspect the pipe, we see, we don't want to see anything wrong. So we see a crack, so we see, sometimes we run into a spot, the pipe may have collapsed or partially collapsed. That's the type of thing that maybe it's still flowing, but it is like a time bomb waiting to happen, right? Because eventually that's going to fully collapse and then we're going to have a sinkhole in the street that we have to deal with. It's important to get a look at these pipes. Especially, the ones that are suspect because of age and material, and then we can target repairs. We're finding about, we're lining about a third of the pipes we look in actually, but it sounds like a high percentage, but you have to understand we are looking at the oldest pipes, worse condition pipes, so we would expect to do a fair percentage, but that's also a good thing because that means we're taking care of those pipes before we have to dig up a street to fix them because they've fallen in worse condition.

Commissioner Lemen:

Thank you.

Mr. Hudson:

You're welcome.

Mayor Donchess:

Alderman O'Brien.

Alderman O'Brien:

Thank you, Mr. Mayor. I know this is going to come up very shortly to the Board of Aldermen for their review. Basically, yes it is a large dollar amount, but this is actually going to save millions to the taxpayer because if we had, or let this go, let the infrastructure fail, the cost of replacement would supersede what we're asking for in this dollar amount, so this is actually a cost-cutting preventative maintenance, absolutely you need to do it to keep the infrastructure as a whole.

Mr. Hudson:

Yes, I agree with that. That's a good characterization. Basically, you are building a pipe within a pipe, so once you've done this it is as good as if you had replaced that pipe, but it is much easier to do because you are not digging the street, you are just putting this liner in and it can be twenty times as expensive to dig it up and do it that way. So, yes, in the long run this will be very cost beneficial to the City.

Alderman O'Brien:

Thank you.

Mr. Hudson:

You're welcome.

Mayor Donchess:

Anyone else?

**MOTION CARRIED: Unanimously.**

**VI. SOLID WASTE.**

**A. Motion to Approve the Purchase of Recycling and Trash Carts and Cart Lids for Curbside Collection for Fiscal Year 2022 in an amount not-to-exceed \$145,000.00, from Toter, Inc. of Statesville, North Carolina. Funding will be through Department: 168 Solid Waste; Fund: Solid Waste; Account Classification: 71 Equipment.**

Mayor Donchess:

We'll move on to the Solid Waste Department. We have Item A, Commissioner Moriarty.

**Motion by Commissioner Moriarty:** To Approve the Purchase of Recycling and Trash Carts and Cart Lids for Curbside Collection for Fiscal Year 2022 in an amount not-to-exceed \$145,000.00, from Toter, Inc. of Statesville, North Carolina. Funding will be through Department: 168 Solid Waste; Fund: Solid Waste; Account Classification: 71 Equipment.

Mayor Donchess:

Mr. Lafleur.

Jeffrey Lafleur, Superintendent, Solid Waste Department

Jeff Lafleur, Superintendent, Solid Waste. This is my annual appropriation for cart replacement/repairs that type of stuff. Our toters are now 19 years old. They are only expected to last us 15 years, so we're doing really well with them. I always try to keep a stock of 1,500 of each in stock at the landfill for repair or anything, in case of major breakdown in the toters that are out in the public. We have about 22,000 of them out there, so we want to make sure that we have enough to replace whatever may break down over the year.

**Discussion:**

Mayor Donchess:

Commissioner Schoneman.

Commissioner Schoneman:

The memo says that the committee that decided to purchase from this vendor review the purchase in 2002. If you're like me, it's hard to process that that was a full 20 years ago. Any bids or revisions? Anything that might make you consider looking at other possible vendors?

Mr. Lafleur:

We could possibly look at other vendors, but we're trying to stay with commonality so some of the parts from the other vendors wouldn't fit these toters. That's when we went out to bid we used them as our preferred company to build these. Our trucks are all set up to use these specific toters, so we'd have to take dimensions and make sure that everything would match with each other. They've been very consistent with their pricing since 2002. They haven't really

skyrocketed in pricing, so they've been very fair with the City of Nashua. In order to change out every toter or switch to a different brand it could cost \$3 million or \$4 million to replace all the toters, and that is one of the reasons why the City never went forward to giving out recycling carts because of the cost. It could cost us \$3 million to hand out recycling carts, so now if residents want them they can just buy them at cost actually, a little bit lower than cost.

Commissioner Schoneman:

That makes sense, thank you.

Mr. Lafleur:

Thank you.

Mayor Donchess:

Commissioner Moriarty.

Commissioner Moriarty:

Yes, on that note superintendent, the money that comes in from purchasing the cart where does that money go?

Mr. Lafleur:

That goes directly into the general fund. The general fund appropriates money to the Solid Waste Department, there is not like a specific fund for it, toters. It just goes right into the general fund.

Commissioner Moriarty:

--that money doesn't come back to your department--

Mr. Lafleur:

No, I budget, I budget this through my budget ever year. So, I put \$145,000.00 in my budget anticipating that we'll make most of it back.

Commissioner Moriarty:

And how much would you, yearly how much do you pull in for the carts?

Mr. Lafleur:

It's, it's tough to say. I sell about 100 toters, 200 toters a month, but that is starting to slow down because more and more residents are buying them. So, it is hard for me to give you a definite

number that we sell each year. It is more for the repairs. We don't charge residents for repairs or replacements of the trash barrels, and like I said, those are starting to get very old and when they breakdown I have to replace them so that comes out of my budget.

Commissioner Moriarty:

So is it almost a wash then? Is that, the money that comes in--kind of comes back--

Mr. Lafleur:

Yeah, I don't always spend the full \$145,000.00. Like I said I try to keep a replacement tractor trailer full at the landfill of 1,000 to 1,500 every year, so I never fully use the \$145,000.00, but it's there in case I have this catastrophic event where I have to buy 2 or 3 tractor trailer loads at once to replace, you know, 1,000/2,000 carts.

Commissioner Moriarty:

Great, thank you.

Mayor Donchess:

Anyone else?

**MOTION CARRIED: Unanimously.**

**VII. STREET DEPARTMENT.**

**A. Informational: Spring Cleanup Press Release**

Mayor Donchess:

We now have the Street Department. An information item. This, I think it's pretty self-evident, it's a press release. Does anybody have questions or comments on that? Commissioner Shea.

Commissioner Shea

So this is for like street cleaning. Do the street cleaners ever go out and do like a second pass? I feel like in the first pass a lot of times the machine gets overfilled or what have you, and there's a lot of like a trail left behind. Is that something that the Department keeps an eye on? Is that something that happens?

Lisa Fauteux, Director, Division of Public Works

Yes. That's a good question. They will be starting in the spring and they have their routes. So they do similar routes every week, so they would be doing multiple passes in different areas.  
Yes.

Commissioner Shea:

Thank you.

Ms. Fauteux:

Sure.

## **VIII. PARKS AND RECREATION DEPARTMENT.**

### **A. Motion to Approve the Abolishment of one Groundsman 1 Position and Create One Groundskeeper Maintenance Position at the Parks and Recreation Department.**

Mayor Donchess:

Thank you. Okay, we'll go on to Park/Rec. We have Item A. Commissioner Shea.

**Motion by Commissioner Shea:** To Approve the Abolishment of one Groundsman 1 Position and Create One Groundskeeper Maintenance Position at the Parks and Recreation Department.

Mr. Conant

Brian Conant, Superintendent of Parks and Recs. How is everybody, Mayor, Commissioners? I the Groundskeeper/Maintenance position you were exposed to more in the City, and the opportunity gives you a bigger chance to gain institutional knowledge with the various different aspects of our Parks Department. That's really what I'm after. If you look at some of our staff they are close to retirement, so I think this would allow a new individual to come in and gain that knowledge, which I think is going to be very important moving forward. That's what I'm trying to accomplish here.

**MOTION CARRIED: Unanimously.**

## **IX. WASTEWATER DEPARTMENT**

### **A. Motion to Approve the User Warrants as Presented.**

Mayor Donchess:

Wastewater Department. Item A is as you can see User Warrants. Commissioner Lemen.

**Motion by Commissioner Lemen:** To Approve the User Warrants as Presented.

Mayor Donchess:

Any discussion or questions there?

**MOTION CARRIED: Unanimously.**

**B. Motion to Approve the Contract with Wright-Pierce to Provide Design Plans and Specifications for a Second Digester Heat Exchanger, and Stair Tower Exhaust Fan in an Amount not-to-exceed \$40,900.00. Funding for this Contract will be Through Department: 169 Wastewater; Fund: Wastewater; Activity: Heat Exchanger Primary Digester.**

Mayor Donchess:

Item B. Commissioner Schoneman.

**Motion by Commissioner Schoneman:** To Approve the Contract with Wright-Pierce to Provide Design Plans and Specifications for a Second Digester Heat Exchanger, and Stair Tower Exhaust Fan in an Amount not-to-exceed \$40,900.00. Funding for this Contract will be Through Department: 169 Wastewater; Fund: Wastewater; Activity: Heat Exchanger Primary Digester.

Mayor Donchess:

Mr. Boucher.

David L. Boucher, Superintendent, Wastewater Department

Thank you, Mayor. Dave Boucher, Wastewater Superintendent. The wastewater facility purchased the second heat exchanger for our 1.3 million gallon primary digester for redundancy purposes. This motion is to hire Wright-Pierce to do the engineering work, the design phase, which includes the plumbing, some of the containment structure controls. Also, in here we have an exhaust fan in the stairwell that leads to that heat exchanger. It's a very tall stairwell over 70 feet, and on the top of the roof it has an exhaust fan. We can't reach it. Maintenance crews can't reach it, we can't maintain it. It is just in a bad location. So, Wright-Pierce is going to design moving it to the side of the building, we do have a catwalk at that elevation, which would make it more accessible for maintenance purposes. So, if I can answer any questions.

**Discussion:**

Mayor Donchess:

Commissioner Schoneman.

Commissioner Schoneman:

Thank you for providing a summary of the staff hours and costs that is associated with this motion. I had a question about one of the items--

Mr. Boucher:

Yup.

Commissioner Schoneman:

Can we talk about that? Everything is pretty well laid out and totaled at the bottom of each grid, but there's an entry for indirect labor that's part of the cost. I can see where the direct labor and the non-labor, and subcontractor, and those things, where those things are totaled, but the indirect labor isn't part of the grid. Can you explain what indirect labor is, because it is a significant cost.

Mr. Boucher:

Is this on the fee schedule?

Commissioner Schoneman:

Yes, that looks like--.

Mr. Boucher

Sorry, I have the small printed one.

Commissioner Schoneman:

I know.

Commissioner Schoneman:

So, they're totally at the bottom of each grid. Direct labor, indirect labor, non-labor, subcontractor, etc. Indirect labor is not in the grid, and I was just curious what that was. If you knew.

Mr. Boucher:

I apologize. I'm not seeing it--

Lisa Fauteux, Director, Division of Public Works

Down at--



Mr. Boucher:

--just because it's tiny type. But, indirect labor would, I'm assuming would be for things that are not directly involved. I don't know there's administrative costs in here, office, office fees. I am not sure. I can't read my page, so I can't see.

Commissioner Schoneman:

I can loan you my Progressives--

[Laughter]

Mr. Boucher:

Yeah, [laughter] sorry. I didn't print it out landscape, I printed it--

Commissioner Schoneman:

Okay, I was just curious since it's a significant portion of the cost, I was curious what that might entail.

Mr. Boucher:

I can find out specifically and get back to you.

Commissioner Schoneman:

It's in both the digester and the stairway cost. So be it.

Mayor Donchess:

All right, so we've left it that Mr. Boucher is going to come back with an explanation?

Commissioner Schoneman:

Yes, absolutely.

Mayor Donchess:

Okay.

Mr. Boucher:

Yeah, it says provide a small allowance for assistance with bidding and construction. I'm not sure if it's that. Oh thanks.

Mayor Donchess:

So I think there's a \$7,000.00 number indirect labor down near the bottom. Is that specifically what the question is related to?

Commissioner Schoneman:

Yeah, so all of the labor cost are in the fee schedule—

Ms. Fauteux:

It's, it's really a function of how they have broken this down, which is a little bit different than I'm used to seeing too, but I think what they're doing is the direct labor costs are all the labor to work on the project, and then, what they're calling indirect are subs and equipment they may need, and other indirect costs like the project manager, the project engineer, those things. I'd have to add them up, but I think that's what, what they're doing here. I think that's the way they've broken it down, but we can get back to you for sure.

Mr. Boucher:

The overhead costs.

Commissioner Schoneman:

Sorry to put you on the spot. I was just curious--

Ms. Fauteux:

Yeah, yup.

Commissioner Schoneman:

Because it's such a significant portion, I was just curious.

Ms. Fauteux:

Yeah, I think that's... it is a little bit of a strange way to--

Commissioner Schoneman:

--every project has more going on than just the staff salary--

Ms. Fauteux:

Yeah--

Dan Hudson, P.E., City Engineer:

Director, can I—

Mr. Boucher:

Yeah, I can see—

Ms. Fauteux:

--you can.

Mr. Hudson:

This is a typical format that I'm familiar with from like DOT type of projects. Direct labor is what the employee actually gets paid. The indirect is all the other company overhead and everything, profit and everything that is on top of that. Maybe not profit, but all the company overhead. This is pretty typical. What you see is direct labor is typically like around a third of what the total cost is. So instead of billing somebody out say at, you know, \$20.00 an hour, they're billing them out at \$60.00 an hour -- the direct labor is \$20.00, but the company costs and everything else that they incur as a business is that additional amount.

Commissioner Schoneman:

So that's –

Mr. Hudson:

--some contracts they bake it all into the rate so it's just like one rate and everything is in there. In this case they've broken it out. It's what the individual gets paid and then the company overhead stuff is separated. That's my understanding of it.

Commissioner Schoneman:

Okay. Yup, okay.

Mayor Donchess:

Thank you.

Commissioner Schoneman:

Sorry about that.

Mayor Donchess:

All right. Any other comments or questions?

**MOTION CARRIED: Unanimously.**

**X. ENGINEERING DEPARTMENT**

**A. Motion to Approve the Sewer Service Permits and Fees as Submitted.**

Mayor Donchess:

Now, we have engineering. First, Item A is the sewer service permits. Commissioner Moriarty.

**Motion by Commissioner Moriarty:** To Approve the Sewer Service Permits and Fees as Submitted.

*Discussion:*

Mayor Donchess:

Any comments or questions?

**MOTION CARRIED: Unanimously.**

**B. Motion to Approve a Drainlayer's License for Bassco Excavating, LLC of Nashua, NH in Accordance with Nashua City Code § 255-19, Issuance of Drainlayer's License and Authorize the Division of Public Works to Temporarily Suspend the License If Work Is Found to be Unsatisfactory During an Initial 6-Month Probationary Period.**

Mayor Donchess:

Item B. Commissioner Shea.

**Motion by Commissioner Shea:** To Approve a Drainlayer's License for Bassco Excavating, LLC of Nashua, NH in Accordance with Nashua City Code § 255-19, Issuance of Drainlayer's License and Authorize the Division of Public Works to Temporarily Suspend the License If Work Is Found to be Unsatisfactory During an Initial 6-Month Probationary Period.

Mayor Donchess:

All right.

Dan Hudson, P.E., City Engineer:

Dan Hudson, City Engineer. As noted, this is an application we received for Bassco Excavating. We checked their references, three references. Two of them which were municipal officials, and they said that they had performed successfully. We find the package satisfactory. We did note that they're a fairly new company. The principals of the company have been in business for 30

years, they have a lot of experience, but for that reason, we requested this ability to temporarily suspend them if necessary during a probational period.

**Discussion:**

Mayor Donchess:

Anyone?

**MOTION CARRIED: Unanimously.**

**C. Motion to Approve a Trailblazing Sign Package on Broad Street Leading From Exit 6 off the F.E. Everett Turnpike to Businesses Along Gusabel Avenue with Stipulations.**

Mayor Donchess:

Item C. Commissioner Lemen.

**Motion by Commissioner Lemen:** To Approve a Trailblazing Sign Package on Broad Street Leading From Exit 6 of the F.E. Everett Turnpike to Businesses Along Gusabel Avenue with Stipulations.

Dan Hudson, P.E., City Engineer:

Thank you, Mr. Mayor. I'll briefly introduce this. I understand we have representatives here that can address specific question. New Hampshire DOT runs a sign logo program where there are signs on the interstate so you know to exit there to go for whatever it is that is on the sign. But you really need to get routed from there to the actual business. That's what this request is for, is to place a post and some signs in the right-of-way. Basically, blazing the trail from the off ramp to the businesses. If this is approved, we added some stipulations that we would request the Board add as a condition of approval. And that's install the signs on the interstate first, turnpike first. That the design of the signs be approved by the Director of Public Works. That they are fully responsible for designing them, erecting them, replacing them, taking them down, all that sort of thing. I think that was it. I had four, but I kind of combined a couple. With that, if there are questions I'd turn it over to the applicants.

**Discussion:**

Mayor Donchess:

Okay. Questions, comments? Yes, Commissioner Moriarty.

Commissioner Moriarty:

I was just wondering it says the sign package. I mean how many signs are we talking about?

Mr. Hudson:

My understanding is that there is three signs. There is the Lucky Moose and Casino, Denny's and Wendy's. So there are three signs on a post with an arrow underneath saying take a left here to go to those businesses.

Commissioner Moriarty:

So it is one post--

Mr. Hudson:

That's my understanding. One post, those three signs, and attached to the memo is a sketch, which kind of shows a rendering of that. Typical sign size, but yeah, basically three stacked signs.

Commissioner Moriarty:

Yeah, I have that, but--right so there's nothing on the Everett because that's not our jurisdiction, correct? So, this is our jurisdiction because it is off of Broad.

Mr. Hudson:

Correct. On the Everett there will be one of the bigger "blue" signs or whatever it is, and they'll have the logos for the businesses that will say go this way, but that's not what you are approving. You are approving the one sign assembly that will be in the right-of-way near Gusabel Ave.

Mayor Donchess:

From prior cases, I think this situation is one that can't be done unless, the DOT approves a sign on the turnpike. When that happens then this is, they want this so that when people get off as directed from the turnpike they know where to go. It's without the turnpike sign this wouldn't be -- before us.

Mr. Hudson:

--thank you.

Mayor Donchess:

--fair to say, I think.

Ms. Fauteux

Yes.

Mr. Hudson:

Yes.

Mayor Donchess:

And, it's conditional upon the turnpike thing going ahead, right?

Mr. Hudson:

Yeah, and when if for whatever reason they part ways with that program, then we would expect them to remove the sign. It's, it's they go hand-in-hand, so that's the intent.

***Discussion:***

Mayor Donchess:

Discussion? Commissioner Shea.

Commissioner Shea:

Has there been any additional communication about signage from the northbound? I'm just surprised to see only the southbound approach, is that correct? Am I understanding this?

Mr. Hudson:

Maybe the applicant can speak better. I don't know where the signs are going to go on the turnpike. It is written up as southbound to here—

Commissioner Shea:

--yup.

Mr. Hudson:

Whether you're coming from the northbound or the southbound ramp, you would still make the same left turn onto the Gusabel Ave., so in effect, this approval it doesn't matter if it's northbound, southbound, in terms of approving the sign. I don't know, I don't know if there's going to be signs on the turnpike for both directions or not.

Commissioner Shea:

Okay.

Mayor Donchess:

So the applicant is here and may be able to answer that question?

Vincent Davis,

Yes. Our plan is to have--

Mayor Donchess:

--it would be helpful if again, you introduced yourself--

Vincent Davis, NHCG, LLC

My apologies. Vincent Davis. Our plan is to have signs both north and southbound. The stipulation is due to the proximity of the sign that it be posted coming from the southbound side.

Mr. Hudson:

Appreciate it.

Mr. Davis:

Yup.

Mayor Donchess

Commissioner Schoneman.

Commissioner Schoneman:

Can you remind me what organization you represent?

Mr. Davis:

So, it's New Hampshire Charitable Gaming, which includes the River Casino and then the Lucky Moose Casino and Tavern on Gusabel.

Commissioner Schoneman:

Has there been any pushback?

Mr. Davis:

No.

Mayor Donchess:



Commissioner Shea.

Commissioner Shea:

Could you extend a thanks to James and Sarah Rafferty and the whole organization for all you do for New Hampshire non-profits--

Mr. Davis:

--absolutely!

Commissioner Shea:

Really been exceptional for countless in Nashua and beyond, so thank you for that.

Mr. Davis:

Sure thing.

Mayor Donchess:

Anyone else?

**MOTION CARRIED: Unanimously.**

Mayor Donchess:

Thank you very much, Mr. Davis.

**D. Motion to Consider the Hardship Request from Pennichuck Water Works to excavate in Allds Street to Replace Aging Infrastructure in Advance of City Paving. (Tabled at the 2/24/22 BPW Meeting).**

Mayor Donchess:

All right. We now have Item D. Commissioner Schoneman.

**Motion by Commissioner Schoneman:** To Consider the Hardship Request from Pennichuck Water Works to excavate in Allds Street to Replace Aging Infrastructure in Advance of City Paving. (Tabled at the 2/24/22 BPW Meeting).

Mayor Donchess:

Ah, now we tabled this.

Dan Hudson, P.E., City Engineer:

We did table this last month, yes.

Mayor Donchess:

Do you remember what it is? Does anybody want to be reminded what this is all about?

Commissioner Moriarty:

Uh, nope, I understand.

Mr. Hudson:

This, is, want me to give a brief--

Mayor Donchess:

--go ahead, yeah, go ahead.

Mr. Hudson:

--brief reminder. Pennichuck wants to replace, I don't know if they want to, but I think they do want to. They want to replace the water main on Rita Street, and we want them to ahead of our paving of Rita Street. But, it requires cutting into Allds Street in order to make the connection, and we had recently, well, back in October 2020, we had paved Allds Street. So, that's the ask was to, if we would allow them to cut into Allds Street to do the work at Rita Street. As was explained last time, Rita Street is in fairly poor condition. The effort to reconstruct is a reclaim, so it has fallen to a level of the category that we are going to end up grinding it up and replacing it. Whether that is done this year or next year, the following year it's going to be the same treatment. As was described usually you want to try to catch roads before they fall into a worse category and it costs more, but this one is already in the worst category sort of speak. I think we tabled it to give the Board an opportunity to review Rita if they wanted and decide how they felt about it and what they wanted to do about it. Peter Tedder from Pennichuck is here if anybody has any questions about the water main itself.

Mayor Donchess:

Now, my recollection of the context is that Pennichuck has a lot of projects to do and they could do Rita Street or they could do another street. They'll eventually get to Rita Street one way or the other. I did, I don't know, I looked over there. Rita Street is in bad shape, but it is already in reclamation so we are not going to lose money if we delay the project, Rita. Allds Street is fantastic! I mean it is a main connector street. You drive the length of the thing and it is perfect for a I don't know a mile and half? I don't know what that is. I don't --you know to me, it's a shame. I mean, many times, it involves a family that needs a connection or there is some project that will bring in a lot of taxes or something. In this case, there is no cost associated with delay and to me it would be a shame under these circumstances to cut into Allds Street, we could just,

Pennichuck will work somewhere else and come back to Rita in a couple of years or something.  
Commissioner Schoneman.

Commissioner Schoneman:

I agree with Mr. Mayor. The question here isn't is Rita Street in bad shape. Is there water? Not very nice. That's not the question. The issue here is that Allds Street is a brand new road and by digging into Allds Street, just a year after it was paved we reduce the life of that street by something like 30%, it's not a hardship. I don't feel like I can support this, I think that it can be done a different way. So I won't be supporting that.

Mayor Donchess

Commissioner Shea.

Commissioner Shea:

I know you presented it to us last month, but I welcome any sort of case to be made in favor of this, if there is still interest to move forward. If so, then why and if not, and not approving this is an acceptable outcome for tonight's meeting, I'd like to know that that is the case.

Mr. Hudson:

I think I've addressed the road condition part of it so maybe I'll ask Pete Tedder to speak to the water line, which is probably the other issue to consider.

Peter Tedder, P.E., Principal Distribution Engineer Pennichuck Water Works

Good evening, Pete Tedder, Distribution Engineering Manager of Pennichuck Water Works. Rita Street came up on radar for us because it was part of the paving program and we knew it needed to be replaced. If the paving is delayed it doesn't hurt our schedule, we're going to move just up the street to Nye Ave., where we have another similar water main that need replaced, and on Nye Ave. we don't have to go into Allds Street. At some point or another, the valve in Nye Ave. was bad, we replaced it and stubbed all the way out of Allds Street with that stub. So we can tackle Nye Ave. and still accomplish what we are trying to accomplish here.

Commissioner Shea:

Just to confirm from both a paving schedule standpoint and water replacement line replacement schedule, not moving forward with this is acceptable in both cases?

Mr. Tedder:

Yes.

Commissioner Shea:

Thank you.

Mayor Donchess

Alderman O'Brien.

Alderman O'Brien:

Thank you, Mr. Mayor. My question is more to the Pennichuck, if I may. Rita Street, is that just domestic distribution, or is there a fire distribution as to a fire hydrant, and is there tuberculation in that particular line or you anticipate tuberculation in a line restricting fire flows that besides, I'm sure the toilets will flush, but a 2,000 GPM pumper, I think we also need to weigh that balance.

Mr. Tedder

Right. Rita Street is domestic supply only. I believe there is three houses served off that small water main. It actually doesn't even go through to the adjoining street to the east. It's just a dead end main. For domestic purposes we haven't gotten any complaints over there, so we suspect it will last the duration of time we need it to last.

Mayor Donchess:

Anyone else? All right. So the motion was what, to approve this--

Commissioner Lemen:

--consider--

To consider, oh yes, to consider which means to approve--

Commissioner Lemen:

Okay, I'm new here.

Mayor Donchess:

What?

Commissioner Lemen:

I'm new here.

Mayor Donchess:

Yes. So a yes vote means we go ahead. A no vote means we delay this project.

**MOTION DECLINED: Unanimously.**

**E. Motion to Consider a Hardship Request from Crimson Properties, LLC to Excavate on Concord Street to Install Gas and Water Connections.**

Mayor Donchess

Okay, the motion is declined and we will defer the project. All right, Item F

Director Fauteux:

E that we're in.

Mayor Donchess:

Oh, sorry, Item E., sorry. Commissioner Moriarty.

**Motion by Commissioner Moriarty:** To Consider a Hardship Request from Crimson Properties, LLC to Excavate on Concord Street to Install Gas and Water Connections.

Dan Hudson, P.E., City Engineer:

I'll, I'll have the engineer for the project speak to it because he has all the details for you.

Thomas E. Zajac, Jr., P.E., Senior Engineer, Hayner/Swanson, Inc.

Good afternoon, Mr. Mayor and members of the Board. For the record, my name is Tom Zajac. I'm a civil engineer with Hayner/Swanson, 3 Congress Street here in Nashua. Here tonight representing Crimson Properties. Property located at 115 Concord Street. With me here tonight is Mr. Randy Turmel from Crimson Properties as well as Attorney Morgan Hollis of Gottesman & Hollis. I'd just like to provide a quick background. A little bit of the technical information and then turn things over to Attorney Hollis to speak to the hardship request this afternoon.

So, we're here tonight, this afternoon regarding 115 Concord Street. It's a redevelopment of existing church property into a 12-unit housing for older persons, or 62 plus age-restricted development to be known as Covington Place. It includes a 10-unit townhouse-style building, along with a duplex building and a clubhouse. The project was approved by the Planning Board last May, May 2021, and construction commenced this fall 2021, I'm sorry last fall. As part of the design, our team paid careful attention to try to avoid, or minimize any impacts to Concord Street, being that it was paved in November 2018, and the 5 year moratorium expires in November 2023, or next year. These efforts included maintaining the existing driveway location that serviced the church for the development. Reusing existing utility services that were onsite or outside of the roadway, where possible, as well as providing a new utility service connection outside of the roadway, such as sewer, drainage, power, and telecommunications, we were able

to do that on our side of the street without impacting the roadway. With regard to water, there was only an existing 1 inch service for the church, they did not have fire protection onsite. So, we're working with Pennichuck Water Works to use this line as a temporary service for the duplex building, which is now under construction until the new service can be brought into the site. That existing service will then be used on a permanent basis for irrigation, so we don't have to go back out in the street to disconnect that. During the design we did meet with representatives from Pennichuck to explore options to connect into the existing 24 inch main, which is located on the opposite side of Concord Street and one of the things we looked at was trying to do a directional bore under Concord Street to the opposite side and tie into a lateral as a way to not impact the roadway. For a couple different reasons, this approach turned out not to be feasible including, that in order to do a directional bore underneath the existing gas main we would need to do pavement cores in the road, which would put us before this Board anyway for a street impact. And, those cores would be needed to determine the existing depth of the main.

More recently, our client learned that the existing 1 inch service may or may not be able to provide the necessary water pressure needed to service the duplex building on a temporary basis.

With regard to the gas, there is an 8 inch gas main on the opposite side of Concord Street. We did attempt to work with Liberty to reuse the existing gas service that serviced the church, but upon further coordination, it was determined that a new main connection would be needed to be brought into the site. So, really we need water and gas services. Therefore, our final site plan did reflect a street cut in order to provide these new services for the development.

Regarding the timing, so we're here before you in March seeking approval for this work, but would propose if we were granted approval would not implement these impacts until October of this year. So the reason for that is if we were lucky enough to get approval here tonight to extend those services into the development, it would allow for the 10-unit project to move forward and for a little bit of clarity with regards to the overall project timing. Construction as you all know construction pricing is unpredictable. There are also other elements of the project that would be able to come into a little focus. The developer had proposed a bus stop to be constructed completely separate from the Planning Board approval, it is was something that they brought to the table, and so, if we were given more clarity in terms of the timing of the utilities that would also allow us to kind of bring that into sharper focus. We are working with planning and transit staff on the final design and location of that bus stop.

So, as proposed, we would seek to make this street impact in October. We would make the utility connection, the temporary patch would go in in the fall, and then we would come back first thing in the spring and do the final restoration, including the curb to curb overlay, which we think is good timing in terms of instead of rushing to get it done, as you know that temporary patch needs some time to settle, so we would get that over the winter months.

I'd also just like to point out from a technical perspective, I'm sure you're all familiar with your ordinance as it relates to the standard trench patch, and what is needed during a moratorium impact in terms of the overcut and the mill and overlay across from curb to curb. So, comparing our request here tonight, which would be to allow this work to proceed in October, with the full restoration curb to curb comparing that to waiting until the moratorium expires a year later, from

a technically perspective it is my opinion that that would allowing for the full, the curb to curb restoration, the wide and over cut would really give the City a better product in the end when comparing those two. I know there is a year time difference there, but just though I would mention that as well. Thank you for your time. I'd just like to turn it over to Attorney Hollis to discuss the specifics with the hardship request. Thank you.

Mayor Donchess

Anybody have questions? Yes, Commissioner Shea.

Commissioner Shea:

So, I kind of understand the nature of this and why it's needed, and appreciate that new housing will be coming to Nashua, I mean that is one of the top things that we should all be focusing on in these bodies. The bus stop item just peaked my interest. So, I'm curious is this a covered bus stop, what's being proposed? I'll just couch that with I drive up Amherst Street and live in French Hill and seeing bus stops that are not sheltered for a lot of people that need to get to work or are coming to the park to enjoy themselves, when the rain comes in it's just very unfortunate to see, so I'm just interested in a little more detail on that piece.

Mr. Zajac:

Sure, I'm happy to provide what I know, which is not a lot at this point. The idea we did meet with planning and transit staff first to figure out if we had enough room in the existing shoulder out there on Concord Street, which is, we do. We don't feel like we need to move the curb or impact the road to provide a pull off. So, the idea would be to, there's a concrete sidewalk out there and grass strip now. So, we would just be reconstructing the sidewalk to be along the curb to provide a landing and area where folks could get onto the bus, and then a concrete pad with this really three-sided bus shelter. The specifics of the shelter, I don't know. I don't think they've been fully thought through yet. What we communicated is Mr. Turmel would be paying for this. It would be on his dime, and so the idea would be to try to meld the aesthetics the architecture in this small three-sided structure that would have a roof on it to the, there's some stone walls associated with the development as well as some of the architectural features. It wouldn't be of the standard bus shelter that you may see that would come from more federal spending.

Commissioner Shea:

Okay, and if I may--

Mayor Donchess:

--go ahead.

Commissioner Shea:

And, just to clarify so that the nature of that piece of the conversation is relative to the fact that the sidewalk itself will also be disturbed as you're accessing the underground space, and so in tandem with replacing and repairing what is disturbed you're looking at adding that feature

Mr. Zajac:

So, I mentioned the bus stop as it is a potential element to the overall project. We would not impacting the street. We're not moving the curb line. It is completely separate from the request before you here tonight. The water and gas are located opposite of the driveway to minimize impact so we would get more clarity in terms of the overall timing of the project, the bus stop itself, but it is not directly tied to this request. There would be no impact to the street.

Commissioner Shea:

Okay, thank you, appreciate it.

Mayor Donchess:

Yes. Commissioner Schoneman.

Commissioner Schoneman:

Do I understand right that if you are able to cut into Concord Street in the fall that you'll be able to connect all the utilities that you want and need to get into the development at that time? All at once?

Mr. Zajac:

Correct. Water and gas. Everything else will be in already.

Commissioner Schoneman:

Okay. It sounds like you've done your due diligence here. That you tried to work around cutting in the street, but can't really get around it. Is that correct?

Mr. Zajac:

Agreed, yes.

Commissioner Schoneman:

Yeah.

Mayor Donchess:

Any other questions? I think Mr. Hollis wanted to address the hardship?



Mr. Hollis:

Thank you, excuse me, thank you, Mr. Mayor, Chairman, members of the board. For the record, my name is Morgan Hollis. I'm an attorney at Gottesman and Hollis, 39 east Pearl Street in Nashua. Representing Crimson Properties, LLC, who Mr. Turmel is here this evening and I think it sounds like the Board has sort of grasped the issue. I thought it was important that you hear from the technical side first because the first question I have to the client is, you know, why wasn't this thought out a little bit better, but you've heard the history here, which was in the first instance there was a belief that we might be able to; a) connect with the neighbor, with the existing water and the existing gas so that was the initial process going through the Zoning Board leading up to the site plan process. Then the second analysis, well we found out we could do that with the water, but we could not do that with the gas, so the alternative to the gas connection is propane tanks, which might work for a couple years, and that was sort of the though process. Build the first two units, which are right up against Concord Street, maybe some propane. Probably defer a little bit on the 10-units in the back. Now, remember these are 62 and up age restricted housing. Then, we investigated into can we connect up with the neighbor, which is the law firm at 111, and that they have service, and we thought that was going to work and that didn't work out. Then, we said well, we'll just move forward with the Pennichuck connection and try to figure out another way to get under the street and you've heard the story we tried to look into directional and one of the problems with directional is that's Concord Street, and there are an awful lot of utilities, former trolley tracks, so there is a lot of tangled mess in there if you will, underneath the street, and that is really not the proper way to go. It then brought us to well what is the proper way to do this, and it is really to make a cut and to go across Concord to tie in properly on the other side on both Pennichuck with a new line and Liberty Utilities. If it's not granted we have to wait. It's likely going to be from here it's a year and a half, if we get into the end of the 5 year moratorium it's really talking about November, which means depending on the weather you might not get a cut in them, and you're probably going to be in April. So you're talking about a 2 year delay. Could we put the building that is under construction now, he two units in? You could with the propane and with the 1 ½ inch Pennichuck, but we did find out from Pennichuck is we'll let you tie in there, but we can't guarantee there is going to be adequate pressure. This is a 62 and up age-restricted, not the right way to do it. So we think that there's a hardship. We don't think we imposed it on ourselves. It is just kind of the way things worked out. We were scheduling s we saw it and then here we are we've done all the due diligence, and there really isn't any other way to do this other than to cut fully across Concord. As Tom said, we actually think it is okay a positive thing for the City, but that is your ultimate decision. As you know the construction under the moratorium is we are allowed to go forward is a different type than a straight trench cut. We think if we can do it in the fall that will allow the settlement over the winter time, which often times does occur, and then they'll come back and have a better patch in the spring. So, that's our timing. We'd like to do it in the fall and that's our permission. We think we actually do have a legitimate hardship and otherwise, you're going to end up with probably not the best ideal situation. We're going to have a project that maybe started a little prematurely before we finalized everything, but we knew we could get two in there and we still can, and it's not really what the City wants. We need that housing and I think it will be a good cut because we have two utilities supervising this thing. Happy to answer any questions.

Mayor Donchess

Questions or comments? Commissioner Schoneman.

Commissioner Schoneman:

I agree with everything you said. It was my own thought that you've tried, I think you've tried hard to do this without cutting into Concord, and I'm obviously not in favor cutting into roads that are young, especially Concord Street, which takes a lot of traffic. It is going to be messy, but by the time it goes through it will be 4 years out of the moratorium. We badly need senior housing, and if you can get it all done and patched before winter and not have to cut into the street again, I think it's probably good to go ahead and do it now. So, I would be in support of it.

Mr. Hollis:

Thank you.

Mayor Donchess:

Any other discussion? Commissioner Moriarty.

Commissioner Moriarty:

Attorney Hollis, I was just wondering when you're before the Planning Board does the moratorium come up when you were planning this or? Because I know the engineer is probably at these meetings right? Okay, here we go. Thank you.

Mr. Hudson:

Yeah, it absolutely comes up. Engineering reviews all those development plans and we bring it up in our comments, bring it up to the Board, usually we make them add a note to the plans. The Planning Board approval and this approval are not necessarily tied so that's one thing we, you know, it would great if everybody came here first, but that doesn't always happen. Sometimes it goes through the Planning Board process. We warn them what they're going to have to do or what approval they are going to need and so then they have to come here. It is discussed, but we can't make people do this first, unfortunately, which would be nice in some cases.

Commissioner Moriarty:

In my opinion that's where the break up is. There is not enough communication between planning and this group here. There should be. I mean now they've got their approval to go ahead so construction starts and now bomb, now we've got to hook up gas, oh, come before us. I mean I think the process could be improved.

Mr. Hudson:

I would agree. I don't like putting the Board in that position where there is an approved plan and now you are the last up in the process. I fully understand that and we will do what we can with Planning to try to improve that process.

Commissioner Moriarty:

Every month we are going through these hardships. It's like there has got to be a better way, Mayor.

Mayor Donchess:

Well we might be able to propose something, That yes, points taken sort of speak.

Attorney Hollis:

I had one other point that my client just fairly recently learned, and that is when you make a connection in the building that you are constructing for Liberty Utilities, there is a 9 month window when you have to connect up to the actual main line. So, that wasn't known at the time. The Planning Board in this instance the plan went forward knowing full well that was a moratorium on Concord Street. It wasn't anticipated we would be here. As I said, there was going to be a temporary scenario where we do all the construction, maybe have propane tanks, you could do propane for the whole thing if you wanted to on a temporary basis, but you have all the piping in and then when the moratorium was done you'd go out. We thought we could connect up to the existing water main, that isn't going to work. Those situation were not predictable at the time. And then to find out that once you put in all of the infrastructure in your building you have a 9 month window, and if you don't connect up the money is on you. Right? If you connect up then Liberty Utilities paid for the connection, but if you don't it's on you. So, here we could construct these buildings, put all the infrastructure in, wait for the moratorium to lift, and it is going to cost a significant sum, which obviously adds to the cost of the building and either rental or sale price, but that's just an additional factor. It does help explain in this instance we were all aware of the moratorium, it was just we felt that there was another way around it. Three ways around it and they struck out. This is really the proper way to do it.

Commissioner Moriarty:

I think that's a great point you just made, even though you didn't think it was important. To me that's important that there is an extra cost involved there if you don't connect at the time, that you have to come back and connect. I wasn't aware of that that the cost is then on the developer.

Mr. Hollis:

Yeah--

Commissioner Moriarty:

--that's a hardship case that I--

Attorney Hollis:

--I have the email here, if you'd like it. My client sent it to me and I said, that was an unknown factor. A little known fact, it wasn't known to me actually. I think, I understand why Liberty does it. They don't like to have these things hanging out there where they've done it, paid for it and it's not happening, they're not getting the gas revenues from it. Thank you.

Mayor Donchess

All right. Anything else?

**MOTION CARRIED: Unanimously.**

**F. Motion to Consider the Hardship Requests from Liberty Utilities to Excavate in Chapman Street and Cote Avenue to Install Gas Mains.**

Mayor Donchess:

The next is Item F. Commissioner Shea.

**Motion by Commissioner Shea:** To Consider the Hardship Requests from Liberty Utilities to Excavate in Chapman Street and Cote Avenue to Install Gas Mains.

Dan Hudson, P.E., City Engineer

Along the hardship train here, we have another one. As described this is for Liberty to make some gas main improvements. This is part of a larger project where they could abandon 2,800 feet of leak-prone gas main on Lake Street and Euclid Avenue, but it requires cutting into Chapman and Cote Ave. They were both paved in 2018, so again about 4 years old pavement, and I believe we have Liberty here to address questions, or maybe on line.

Commissioner Lemen:

I have a question. Where is Chapman and Cote? What part of the City?

Commissioner Schoneman:

It's off, it's on the other side of the highway East Dunstable.

Commissioner Lemen:

Oh, okay.

Mayor Donchess:

All right. Is Liberty on here? Are you on by Zoom or ...

Brad Marx, Liberty Utilities

Um, hello, yes, I've called in my name is Brad Marx. I work for Liberty. I'm the manger of the gas engineering department. I can answer any questions--

Mayor Donchess:

All right, now, it's a little, you're pretty faint, your voice is pretty faint, we're having a little trouble hearing. I don't know if you can improve that in any way.

Mr. Marx:

Okay, does this sound any better?

Mayor Donchess:

A little better, yeah.

Mr. Marx:

Ok. If I need to introduce myself again, my name is Brad Marx, I work for Liberty Utilities, I'm the manager of the gas engineering department.

Mayor Donchess:

Okay, and we're looking at this exemption at Cote and Chapman, for this hardship request.

Mr. Marx:

Yes, yup.

Mayor Donchess:

Can you speak to the need for it?

Mr. Marx:

Ah, yeah, so the idea of this project, there is currently three services at the east end of Chapman Street that are on our low pressure system, and we have a project to basically, our goal is to abandon a significant of low pressure main by making all the services in this area high pressure. The one area on here we would like to extend some high pressure along Chapman Street to the end of Chapman Street on the east side so we can get all the services to high pressure, which will allow us to abandon a significant amount of low pressure main, much of which is considered leak prone. This has arisen because Lake Street showed up on a paving list which I believe the City will try to pave probably in 2023, is what I was told.

Mayor Donchess:

All right, Now if you can hear us there might be questions. Anybody have questions or comments? Commissioner Schoneman.

***Discussion:***

Commissioner Schoneman:

I think once again, this is why we need to address these things on a case-by-case basis because this is not a very young street. Chapman Street is a dead end street I believe just after Cote Avenue. I don't think it is as high traffic as Concord or Amherst. So I think that installing the gas main while they can wouldn't be so detrimental to the traffic and the road in that area, so I would be okay with supporting this. Thank you.

Mayor Donchess:

Any other discussion?

**MOTION CARRIED: Unanimously.**

**G. Motion to Consider the Hardship Request From Liberty Utilities to Excavate in Amherst Street for the Installation of Gas Main.**

Mayor Donchess

Now we will move onto Item G. Commissioner Lemen.

**Motion by Commissioner Lemen:** To Consider the Hardship Request From Liberty Utilities to Excavate in Amherst Street for the Installation of Gas Main.

Mayor Donchess:

Can the Liberty representative address this request please.

Brad Marx, Liberty Utilities

Yes, we have a project on Amherst Street between Bennett Street and this one heads east about 1500 feet with tie in connection on each end. The anticipation here is that Amherst is kind of similar to Lake, we were told by the City it would potentially get paved possibly next year. Because of the amount of work on the street we wanted to get a year ahead of it. The hang up here is that it looks like when Broad Street was paved in 2019, it looks like the intersection of Amherst Street and Bennett Street was also paved over. Unfortunately, we need to make a tie in connection in that intersection. So that is the need for this request here to excavate in that intersection that looks like it was paved when Broad Street was paved.

Discussion:

Mayor Donchess

Comments? Anyone? Commissioner Schoneman.

Commissioner Schoneman:

Broad Street was paved in 2019 and Amherst Street as well. It's a young street, very young, very high traffic. It would be a big mess and to put a hole in Amherst at that spot would be extremely messy. I think that it is part of a routine gas main replacement. I would not be in favor of this hardship request.

Mr. Marx:

I'm sorry, could I just respond to that?

Mayor Donchess:

Yeah, go ahead.

Mr. Marx:

Amherst Street was paved, but not the section that we're mostly looking to work in. Amherst Street was paved from Broad Street heading north. The only section where we need to make a connection is at Bennett. Right where it looks like the paving was stopped, the limit of the paving from 2019 I believe it was 2019. I think it was from when Broad Street was paved. But, in either case the section of main that we're replacing, looking to replace is from Bennett Street to Mitchell Street. That section I do not believe is under moratorium right now. Aside from the intersection of Bennett.

Commissioner Schoneman:

So how old is the road, the part of the road that they want to cut into, if that's the case?

Mayor Donchess:

Did you hear that question?

Mr. Marx:

I did, I can try and look up—

Mayor Donchess:

--do you know Mr.--

Mr. Hudson:

--yeah, it's--

Mr. Marx:

--off the top of my head--

Mr. Hudson:

I believe it's as drafted in the staff memo. It's July 2019. As was described this is kind of a limit of a number of paving projects as you pave to an intersection, sometimes we carry it through. When we do pave Amherst Street we're likely to go back in and cover up this area, so if this is approved we could probably work out an arrangement with Liberty that rather than do that mill and overlay themselves, we would probably take a contribution and extend our paving project to go the additional 40 feet to cover that area up. It's something that we can possibly with them on, but it is at the limit of all this paving on a couple of different streets and is new pavement, but again it's at the very end of a paving run.

Mayor Donchess:

Any other questions or discussion?

**MOTION CARRIED: 4-Yea – 1 Nay (Schoneman)**

**H. Motion to Consider the Hardship Waiver Request From Liberty Utilities to Excavate in Moratorium Streets for Grade 2 Gas Leaks Repairs through Calendar Year 2022.**

Mayor Donchess:

We now have, next one is Item H. Commissioner Schoneman.

**Motion by Commissioner Schoneman:** To Consider the Hardship Waiver Request From Liberty Utilities to Excavate in Moratorium Streets for Grade 2 Gas Leaks Repairs through Calendar Year 2022.

Dan Hudson, P.E., City Engineer:

I can quickly introduce this. The last couple years, Liberty Utilities has come in and asked for an approval basically, a blanket approval so to speak for a calendar period to be able to make leak repairs. There is different grades of leaks. Grade 1 being the most severe requires emergent action. We had some of those on Broad Street. They needed to go out and do that work right away. Grade 2 is less significant, but still under PUC regulations they're required to repair it



within 6 months or within the same calendar year of discovery of the leak. What this request enables them to do is to respond more quickly to making those repairs and that's why they've asked for it. In our agendas we always as an informational one of the final items we always report what permits were issued in moratorium streets so you get the information of the working having been completed, but wouldn't necessarily get the opportunity to review these individually for separate approvals. I don't know if anybody has any questions for the Liberty representative.

Discussion:

Mayor Donchess:

Questions, comments? Commissioner Schoneman.

Commissioner Schoneman:

I'd like to comment that this has come up before and in general the Board hasn't really been in favor of a blanket approval for the reasons that we just saw. A case-by-case basis is really the best way to deal with these things and if they have 6 months or within the calendar year to address these leaks which are not emergencies, then I think it is perfectly reasonable to ask them to come and show why they have hardship for the sake of the roads and the paving project, which we have spent so much taxpayer money on to have good streets. So, I am not in favor of this.

Mayor Donchess:

Commissioner Shea.

Commissioner Shea:

As a decision maker at this body I don't know that I want to be responsible for determining which gas leaks we are approving the repair of, and which ones we are not approving the repair of. For that reason I'll be in favor of this.

Mayor Donchess:

Alderman O'Brien.

Alderman O'Brien:

I hate to interject, but I have had some minor experience with this. Gas is treated with Mercaptan. It's an odorant because natural gas isn't really, it's odorless. People smell it and they'll call the fire department, and they'll come down to determine and it will get constantly reported, and I've seen that throughout my career. Until the leak is mitigated. You're going to have to decide when you reach that point but when a two turns into a one, and that's the issue at hand.

Mayor Donchess:

Any other comments? Commissioner Moriarty.

Commissioner Moriarty:

I think we just started doing this last year? This blanket –

Mr. Hudson:

Maybe I'm wrong, but we definitely did it last year, but I believe we may have done it the year before as well. In both years they came in about this time of a year and asked for approval through the end of the calendar year.

Commissioner Moriarty:

Has there been any problems from your standpoint?

Mr. Hudson:

No, so I mean, they're still permitted by us. So we go through the same process. It is just the Board doesn't have the advanced notice of it or an opportunity to prove it. As I said these are leaks that they are required to repair. They really have no choice but to repair them. Should you vote null, they're still probably still going to have to repair it. I don't know, I don't know how that would come to be. I think that was the thought process. Since they're going to have to do it might as well let them do it as quickly as they can and then report back to you that it was done.

Mayor Donchess

Commissioner Schoneman.

Commissioner Schoneman:

Remind me the Grade 2 leak is something, you said there are 6 months. It is not an emergency, it's 6 month they have or until the end of the calendar year to address the leak. Whereas a Grade 1 is an emergency.

Mr. Hudson:

That's my understanding. Liberty representative can probably speak better to it, but yeah so if they find one on December 1 they have to fix it by December 30—

Mayor Donchess:

--By the end of the--6 months or the end of the year—

Mr. Hudson:

Yeah, if they find it in June they have until the end of the year. I'm sure they would like to replace them or fix them as quickly as they can. That's my understanding that that is a requirement, it's 6 months, but within the same calendar year regardless of when they find it.

Commissioner Schoneman:

Who determines whether--

Mr. Marx

--and I'll just say Mr. Hudson is correct in his description of the difference between a Grade 1 and a Grade 2.

Mayor Donchess:

Go ahead.

Commissioner Schoneman:

Who determines the severity of the leak? The grade of a leak?

Mr. Hudson:

I defer to Liberty on that because I know they have sensing equipment. I don't know, I don't know how they determine—

Mr. Marx

--yeah, what we do, what Liberty Utilities does based on regulations and standards. There's certain criteria that would make a leak a Grade 1 versus a Grade 2.

Mayor Donchess:

Commissioner Shea.

Commissioner Shea:

I, I'd just like to further add that the time it would take to come before our schedule, you know, to get on the agenda and come and see us is time where these leaks could be repaired and with natural gas the primary constituent is methane, which is a green house gas that goes straight to atmosphere. If I understand correctly it is like ten times more potent than, I'm sorry, trying to think of what the other, but in any case. It's ten times more powerful than CO2 in terms of retaining heat as a greenhouse gas, and so for that reason, that's another motivator in terms of

why I think there is some urgency and it is not just like a technical and safety standpoint on the ground, but on a global level.

Mayor Donchess

All right. Anyone else?

**MOTION CARRIED: 4-Yea – 1 Nay (Schoneman)**

Mayor Donchess:

Thank you.

Mr. Marx:

Thank you.

**I. To Approve the Award of the Construction Contract for the 2022 Sewer Replacement Project to SUR Construction West, Inc. of Winchester, NH in the Amount of \$2,135,950.00, Contingent Upon Bond Approval. Funding Will be Through: Department: 169 Wastewater; Fund: Bond; Activity: Sewer Rehab.**

Mayor Donchess:

Now we're onto I. Commissioner Moriarty.

**Motion by Commissioner Moriarty:** To Approve the Award of the Construction Contract for the 2022 Sewer Replacement Project to SUR Construction West, Inc. of Winchester, NH in the Amount of \$2,135,950.00, Contingent Upon Bond Approval. Funding Will be Through: Department: 169 Wastewater; Fund: Bond; Activity: Sewer Rehab.

Dan Hudson, P.E., City Engineer:

Thank you, Mr. Mayor. So this is our annual sewer dig contract. It is intended to replace about 4,000 lineal feet of sewer mains this year. The memo lists the streets, I won't read them in the interest of time, so it would include that work in addition to including other work that we may find through that CCTV work. We could use the unit prices in this contract to go do that work. As noted four bids were received on February 10. The lower bidder was Jennings Excavation. We reviewed their bid. They are a good local contractor, but there are a couple bid items that we had questions on. We met with them. After discussing with they requested to withdraw their bid, which we agreed to do, both in the best interests of the City and them. So we are proposing the award here to the second lower bidder, SUR Construction West who did our work, the list last year and has done a good job. I'd be happy to address any questions.

Discussion:

Mayor Donchess:

Commissioner Shea.

Commissioner Shea:

So, do I understand correctly that some of like the relining is part of this project here, is that right?

Mr. Hudson:

This is just digging and replacing pipe and structures. It is actually the physical replacement. The lining is a separate contract.

Commissioner Shea:

Thank you.

Mr. Hudson:

But, but if we find a section of collapsed pipe we would call SUR in, they replace that section and then we can line the rest of the pipe, that's what happens sometimes. Sometimes the whole pipe is bad enough that you have to dig up and replacement the whole pipe.

Commissioner Shea:

Thank you, it's not necessarily germane because I understand that the relining is kind of like a separate thing, but while I'm thinking about it, I'm just curious if you know much in terms of the off-gassing that happens with the relining? And forgive me if I've asked this before, I think about it all the time whenever I drive by one of those operations. It seems to be a particularly noxious fume, like it chokes you up as you're going by. I can't image that it is good, and I wonder if there is anything that could be done to kind of mitigate that going up into the air, and if you know more about that processes.

Mr. Hudson:

It's a question that has come up many times from the public and/or members. We actually created a page on our website which describes in better detail exactly what the particulates are. It's primarily steam, but then there are some chemicals that you can smell because the liner is a chemical material, basically a plastic type material. So, I would encourage you to visit that, or I can come back and bring that detail. I don't have that tonight, but we did prepare that document to try to help anybody learn more about the process. It has been studied and continues to be studied. It has been determined it is not a health hazard until you are exposed for a period of

time up close type of thing. Just driving by quickly you are not going to, you may smell it but it is not a hazardous condition.

Commissioner Shea:

Okay, thank you. If you could email that to the Board that would be appreciated. I don't need you to come and spend a lot of time with us.

Mr. Hudson:

Yeah, sure.

Commissioner Lemen:

I just have a general question. When you're--

Mayor Donchess:

Commissioner Lemen—

Commissioner Lemen:

--thank you. When you're going through the sewer stuff do you like approach the City as a grid? I mean I'm sure you get all kinds of problem reports, but you know where things are, but then do you just go section by section of the city when you determine to redo pipe?

Mr. Hudson:

No. The downtown is the oldest section of sewer. A lot of them are brick and actually the brick has faired fairly well. So, no it kind of has tended to be more central part of the city out, kind of mirror how development occurred over time. In our GIS systems we are able to see the pipes and the hazardous material type and age, and we go through a screening process. Of course, we're doing a paving program so we're also looking at pipes that are under streets that are going to be paved, just like all the other utilities. It's quite an extensive process that we go through to screen which pipes are going to be looked at first.

Commissioner Lemen:

Thank you.

Mr. Hudson:

You're welcome.

Mayor Donchess:

All right, anyone else?

**MOTION CARRIED: Unanimously.**

**J. Motion to Approve the Engineering Services Contract Amendment with Hayner/Swanson, Inc. of Nashua, NH in the amount of \$227,300.00, For the Management and Construction Administration of the Paving Program. Department: 160 Admit/Engineering; Fund: Bond; Activity: Paving.**

Mayor Donchess:

Next, we have Item J. Commissioner Shea:

**Motion by Commissioner Shea:** To Approve the Engineering Services Contract Amendment with Hayner/Swanson, Inc. of Nashua, NH in the amount of \$227,300.00, For the Management and Construction Administration of the Paving Program. Department: 160 Admit/Engineering; Fund: Bond; Activity: Paving.

Dan Hudson, P.E., City Engineer:

This is a support services for the paving program. We have a fairly extensive paving program. This year we are doing 14 miles of roadway. Hayner/Swanson is a local engineering company they provide engineering support, field inspection report to us, kind of as an extension of our staff. That's what this is. The paving program it was previously approved, so this is some of the support services to support that. Next month we'll be bringing in I think a testing contract to do the asphalt testing work as that is part of that too. I'd be happy to address any questions.

**Discussion:**

Mayor Donchess:

Anyone?

**MOTION CARRIED: Unanimously.**

**K. Informational: Street Opening Permits Issue for Streets in Moratorium.**

Mayor Donchess:

We have an information Item K. Any comments there?

**L. Informational: Outdoor Dining Draft Ordinance (O-22-008).**

Informational Item L. Any comments there? Commissioner Schoneman.

Commissioner Schoneman:

So, this is the information item outdoor dining draft ordinance. Had a lot of discussion about the placement of the barriers, and we don't as a Board don't really have a lot of say in approval or disapproval of this ordinance. Is it more appropriate to speak about it in the Commissioner Comments, or may I speak my mind?

Mayor Donchess

Well, I'm about to say go ahead. Now, once you're through I think we've got to think about suspending the rest of the agenda because we have a meeting at 6:00 at Riverside, and there we should do the non-public session because it involves a couple personnel decisions, which need to be made hopefully. Not delayed a month. So, I would suggest that we entertain Commissioner Schoneman, and then if it is okay with the Board we suspend the rest of the agenda and come back to that next time.

Dan Hudson, P.E., City Engineer:

Mr. Mayor?

Mayor Donchess:

Yes.

Mr. Hudson:

If I could be so bold as to ask if you could just do Item M, which was the additional one we snuck in there. It is a pole petition—

Mayor Donchess:

--All right, (inaudible). Anyway, why doesn't Commissioner Schoneman go ahead, or we can, go head, so go ahead.

Commissioner Schoneman:

I'll be very brief. I fail to see why when the intent is to bring revenue from people utilizing the downtown. The plan is to snarl traffic, uglify the city, and alienate many businesses for the sake of extending outdoor dining, which didn't exist before COVID. The businesses that are saying that they need the extended outdoor dining to survive, they survived before COVID, they survived during the winter. I fail to see why we need to spend \$80,000.00 a year to create a mess, and not a very pretty one in the downtown area for the sake of extending, outdoor dining is going to exist. It's great, people love it, but why do we need to do something like to the downtown area? That just, it's not attractive at all. I don't believe. I've never seen the numbers that it really brings in extra revenue. I would be interested in seeing the numbers. By why do it, and why do it for 3 years? I'd like to know the rationale, but for the sake of brevity, I would just



like to express that it is a, this ordinance is not, it's a joke. It's not whatever the motivation behind it is, it is not bringing a lot of revenue. The motivation can't be. It doesn't make sense that the motivation can be to bring a lot of revenue to the downtown area. That's all.

Mayor Donchess:

Well, now that's a longer discussion.

Commissioner Schoneman:

This is the only time I have--

Mayor Donchess

Yes, I understand that, and I think we'd be glad to discuss it if we didn't have this other thing pending. But, I think there is, briefly, even briefer than you, I think there's a lot of evidence that it brings in additional revenue, but you should look at some of the public comment from restaurants and other businesses that have been given at various times before infrastructure, now this task force, and the presentations that have been done. I mean there is more information there. But, I don't think we should debate what the Aldermen have been debating for hours right now. Thank you though for the comments. Could we go to Item M, which Mr. Hudson was just asking about.

**M. Informational: To Approve Pole License Petition PSNH No. 21-16143.**

**Motion by Commissioner Moriarty:** To Approve Pole License Petition PSNH No. 21-1613.

**MOTION CARRIED: Unanimously.**

Mayor Donchess:

Now I would like, if you don't mind we will suspend, without objection, we suspend the rest of the agenda and come back to it next time so that we can make the 6:00 p.m. meeting. We need a few minutes to do the personnel items, the rest of the agenda except for the non-public personnel items, which we really need to --

Director Fauteux:

It's pretty self-explanatory.

Mayor Donchess:

Which we need to address--

Director Fauteux:

--want it back, just bring it back.

Mayor Donchess:

What?

Director Fauteux:

Do you want to bring it to the next meeting? It's pretty self-explanatory, and I will email you my Director's Report for comment, and this is also on Channel 16, and on Facebook.

Mayor Donchess:

But, we'll have like the snow plowing budget on the agenda if people have questions or whatever. Okay, so now why don't we go to the Non-Public Session.

## **XI. Personnel**

**A. Motion: To Accept The Resignation of Mr. Shawn Denehy of Chelmsford, MA, Collection System Operator at the Wastewater Treatment Facility, effective March 29, 2022.**

Mayor Donchess

And, I believe Commissioner Moriarty--

Alderman O'Brien:

Mr. Mayor, I'll peg off and I'll hold a seat for everybody up there.

Mayor Donchess:

Alderman O'Brien needs to be there as well.

Director Fauteux:

We probably need to unseal the non-public minutes for the two personnel, we may need to just do that quickly, Mayor.

Mayor Donchess:

All right, so let's go to the motion under Personnel B.

**B. Motion: To Approve and Unseal The non-public Minutes for 2 Personnel Non-public Meetings From the Board of Public Works Meetings of February 24, 2022.**

Mayor Donchess:

So there's a motion to unseal the minutes. Commissioner Moriarty.

Commissioner Moriarty:

I don't know if I have that portion, I'm sorry.

Director Fauteux:

It's on the goldenrod agenda. It's the last page Motion B.

**Motion by Commissioner Moriarty:** To Approve and Unseal The non-public Minutes for 2 Personnel Non-public Meetings From the Board of Public Works Meetings of February 24, 2022.

**Discussion:**

Mayor Donchess:

Any discussion?

**MOTION CARRIED: Unanimously.**

**XII. NON-PUBLIC SESSION**

Mayor Donchess:

We now will go into non-public, excuse me we have a motion on non-public session.  
Commissioner Moriarty.

**Motion by Commissioner Moriarty:** I move by Roll Call that the Board go into Non-Public Session Pursuant to R.S.A. 91-A:3, II(b), the Hiring of any Persona As A Public Employee.

Mayor Donchess:

And, I believe we need to do that by roll call, correct?

Commissioner Moriarty:

Yes.

**Discussion:**

Mayor Donchess

Any discussion? Could you please call the roll.

Ms. Fauteux:

Commissioner Moriarty

Yes.

Commissioner Schoneman

Yes.

Commissioner Lemen

Yes.

Commissioner Shea

Yes.

Mayor Donchess

Yes.

Mayor Donchess

So we will go into non-public and please turn off the video.

Mayor Donchess

And there is no need for a motion to seal in this case, right?

Director Fauteux:

Correct.

**Board of Public Works**

**Non Public Personnel Meeting Minutes**

**March 24, 2022**

**Members Present:**

Mayor James Donchess, Chair

Commissioner Kevin S. Moriarty, Vice Chair

Commissioner Shannon Schoneman

Commissioner June Lemen

Commissioner Paul Shea

**Also Present:**

Lisa Fauteux, Director of Public Works

**A. Motion:** Commissioner Moriarty to approve the selection of Mr. Jeffrey DiSalvo of North Chelmsford, MA to the position of Recreation Program Manager at the Parks and Recreation Department. Salary will \$65,541.29 per year. Funding will be through Department: 177 Parks and Recreation; Fund: General; Account Classification: 51 Salary & Wages.

Last month when the Recreation reorganization was presented, the salary for this position was set to NTE the salary of the former Recreation Program Manager of \$63,607.44. We are requesting this step increase because it came to our attention that he wouldn't receive an increase in July since he was promoted after January 1<sup>st</sup>. This salary is still lower than that of other surrounding communities for this position.

**MOTION CARRIED:** Unanimously

**B. Motion:** Commissioner Shea to approve the change in the rate of pay for Lauren Byers, Communications and Recreation Administrator, from \$74,280.12 to \$77,254.42. Funding is through Departments: 160 Admin/Engineering (53%), Wastewater (17%), Parks & Recreation (17%), Solid Waste (5%); Funds: General, Solid Waste and Wastewater; Account Classification; 51-Salary & Wages.

This is the same exact scenario. We are requesting an increase to the pay that was approved last month because Ms. Byers won't get an increase in July since she was promoted after January 1<sup>st</sup>. The agreement for her to take the position was with the understanding that she would receive an increase in July. She is undertaking the work of two people in this position for not a whole lot more money and is one of the best employees in the division.

**Motion:** Commissioner Moriarty moved that the Board of Public Works come out of non-public session.

**MOTION CARRIED:** Unanimously

**XIII. ADJOURNMENT**

All right, so the next motion would be to adjourn. Commissioner Moriarty.

Commissioner Moriarty:

Thank you, Mayor.

**Motion by Commissioner Moriarty:** To adjourn.

Mayor Donchess:

All right, the motion is to adjourn the meeting of March 24, 2022, Board of Public Works.

**MOTION CARRIED: Unanimously.**

**Mayor Donchess:**

The meeting of the Board of Public Works is adjourned at 5:43 p.m.

DRAFT