

**BOARD OF PUBLIC WORKS  
MEETING OF APRIL 28, 2022  
MEETING MINUTES**

A meeting of the Board of Public Works was held on Thursday, April 28, 2022, at 4:00 p.m., in the Auditorium at City Hall, 229 Main Street, Nashua, NH 03060.

Chairman Moriarty 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

Absent.

Also Present:

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

Lisa Fauteux, Director, Division of Public Works

Dan Hudson, P.E., City Engineer

David Boucher, Superintendent Wastewater

Jeffrey Lafleur, Superintendent, Solid Waste

John Stewart, Fleet Manager, Street Department

Bryan Conant, Superintendent, Parks and Recreation

Brad Marx, Liberty Utilities (Via Zoom)

Matt Sullivan, Director, Division of Community Development (Via Zoom)

Jeremy Lynch, Senior Account Executive, Bird Rides, Inc. (Via Zoom)

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

Chairman, Moriarty

Okay, we have a quorum so the meeting will proceed. Also here is Alderman O'Brien, our liaison from the Board of Aldermen. Item No. 2, is there a motion please?

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

**MOTION CARRIED:** Unanimously.

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

Chairman Moriarty

Item 3, Commissioner Lemen can you, would you mind making that motion?

**Motion by Commissioner Lemen:** To Approve the Minutes of the Board of Public Works Meeting of March 24, 2022.

**MOTION CARRIED:** Unanimously.

**IV. PUBLIC COMMENT**

Chairman Moriarty

Next, is public comment. Before we get going on public comment, just a couple guidelines, please. If you have a public comment, please come up to the mic and state your name and address. Also, comments are limited to 3 minutes as they have been in the past. With that we will open up the public comments.

Laurie Ortolano, City of Nashua Resident

41 Berkeley Street. A couple of things. I know your agenda has (inaudible), and I just wanted to address the patching and cutting on roads and whether that could be revisited. I'm trying to get enforcement when a road has to be cut into that has been freshly paved. I went down Hall Street and I took photographs that I'll send to you of cuttings that were done on Hall Street, that the density of the patch is --

*[Mic turned on].*

--okay, that the density of the patch is very well done. Extremely well compacted, and then after they put the patch in they did that black seal, crack sealing all the way around the patch sort of putting that shiny band around it. Very level with the road. Very well done. If you go down Broad Street and you see that street was pretty newly paved and then they must have had maybe gas or water problems, I don't know which one. There was some problem on that road that resulted in the need to cut-in, there's maybe 5 or 6 patches between Coliseum Ave., and the Broad Street School. Those patches are a lot rougher. They're not as compacted, they're not dense, they're not level with the pavement, they're not crack sealed or banded; and I think we

should to develop more consistent protocols on that, particularly when we spend so much money doing the roads; and I know there are certain regulations that if you are going to do a patch you got to go curb to curb or whatever, and we've probably never done that enforcement, but I think the consistency of the patch quality should be looked at and some level of oversight, particularly on high traffic roads like Broad Street, which gets a lot of traffic should be looked at.

The second issue, is disc golf, and I would like to ask this Board to consider since there appears to be more public interest holding another walkthrough with potentially some of the neighbors or people who have raised some concerns. I saw the walkthrough for the winter time and I was going to go but it was cancelled because of icy conditions. You then did a walkthrough on the 15<sup>th</sup>, but I was on vacation and didn't get back into town until the 16<sup>th</sup>, so I missed it. I went over yesterday and walk around, and frankly, I'm really surprised by the amount of cutting--

*[30 seconds]*

--and removal of trees to the land. When I was here and listened to that pitch in September 2021, it was minimal tree cutting, high branches. I really thought it was going to be very non-invasive. I was shocked when I walked in there yesterday. Absolutely shocked! There was no permit pole for intent to cut. Not certain what the intent to cut law are, but I've checked with assessing on that, and they're looking into it.

*[Time]*

Okay-- (inaudible) to invite your neighbors.

Chairman Moriarty

Are there any other public comment?

Tracy Pappas, City of Nashua Resident

Tracy Pappas, 12 Terrace.

Chairman Moriarty

Yes, go ahead.

Ms. Pappas

Tracy Pappas, 12 Swart Terrace. I actually think it is, I did watch some of the neighbors, at the last Board of Aldermen meeting, so I think that it would really be a show of good will to go ahead and do a walkthrough for the neighbors regarding the disc golf. As I mentioned when I was on the Board of Public Works, I really felt that any tree slated for removal should have been marked prior to the tree removal, and the neighbors should have been involved in the process and abutter notified, if you do a project at your house, abutter really do need to be notified, and I understand the folks who envisioned this project really were adamant that it needed (Inaudible)

that these tournaments are very well attended. Parking has always been a premium at Roby Park. The park contains an outstanding playground which is used by residents throughout the City and I'm just wondering what is going to happen if there is a large tournament on the weekend, if families with children won't have a place to park. There are communities close by that have such golf courses, I just think that projects like this might be more successful if the public-at-large, the neighbors and abutters are included in the planning phase. I know that it's is easy to say, when I was on the Board I was kind of (inaudible) wrecking everybody's fun, but I was simply trying to be an adult in the room and attempting to get neighbors involved. I obviously hold no ill will towards anyone who planned this project, but I'm just a big believer in public input. I thank you very much for your time.

Chairman Moriarty

Are there other public comments?

Richard Smart, City of Nashua Resident

Richard Smart, 159 Searles Road. I'm a lifelong Nashua resident, avid disc golfer, and one of the driving forces behind this project. I'm here today to clear up a lot of the issues that have been brought to this Board that have been brought to the public's attention. I agree with a lot of the sentiment that's been shared today. This project has been very well documented through the processes of City's municipality. We have followed all the rules. We have brought to the attention of everyone involved our goals. We are doing exactly as we said we were doing. A lot of the safety concerns that have been brought forth, yes, there are risks involved with every sport, but we are focused on safety. We brought in a world champion disc golfer, he's world renowned course designer and he is going to make sure that this property is safe. Not only for disc golf, but for everyone else that uses the park. I think that we as a community, the disc golf community, in Nashua in southern New Hampshire have crossed all of our Ts, dotted our Is and we have brought to you a petition with signatures and we have done everything in our power to make sure that everyone has been notified of the processes. There's a little bit of sour milk going on here as people have now realized that this project is coming to reality and they don't like it. We as a community will stand strong behind this project and we'll answer any and all questions that you have moving forward. I appreciate your time. Thank you.

Chairman Moriarty

Thank you. Okay, are there any other public comments?

Alex MacLean, City of Nashua Resident

Alex MacLean, 47 Williams Street. I have also been one of the major driving forces behind this. This is a great community sport. It allows players of all levels, all ages, my son and my daughter both 8 and 9 are here today too. They both play, on the regular. They enjoy going to school and talking about disc golf. They have been done projects in school about disc golf. It's something that is really embedded in them and they enjoy it. They love talking to people. Love talking to friends about it. This moving forward will be great for the community and it's going to be great

for generations growing up, and in all honesty, it secures that patch of woods to almost never be developed. There's no chance of it ever being developed by anybody because of disc golf. That community is so strong that it, those woods will stay there forever, and that's really, I just wanted to say my little two cents on how I feel about it. I, it's going to be great. (Inaudible).

Chairman Moriarty

Are there any further public comments before we close the public comment session?

(Inaudible).

Folks who are listening online, could you kind mute your device. We are getting some feedback here during the meeting. Thank you.

(Inaudible)

## **V. BOARD OF ALDERMEN REFERRALS**

**A. R-22-020 Authorizing the Mayor and the City Treasurer to Issue Bonds not to Exceed the Amount of Thirty-Seven Million Five Hundred Thousand Dollars (\$37,500,000.00 to Fund the Second Five Year Phase of a Ten Year Pavement Management Project.**

Chairman Moriarty

Next, we'll move onto Item No. 5 and Commissioner Schoneman if you could read that motion.

**Motion by Commissioner Schoneman:** To Recommend a Positive Referral R-22-020 Authorizing the Mayor and the City Treasurer to Issue Bonds not to Exceed the Amount of Thirty-Seven Million Five Hundred Thousand Dollars (\$37,500,000.00 to Fund the Second Five Year Phase of a Ten Year Pavement Management Project.

Chairman Moriarty

Thank you. Any comments?

### **Discussion:**

Commissioner Schoneman

The City Engineer going to speak?

Lisa Fauteux, Director, Division of Public Works

He could if you'd like him to.

Chairman Moriarty

Okay, City Engineer, please, Hudson.

Dan Hudson, City Engineer

Thank you Mr. Chair. So, a couple of months ago we came before you and we gave a presentation about the status of the paving program. The fact the City embarked on a 10 year paving plan, and it funded the first 5 years through a previous resolution. We are seeking to fund the second 5 years of that program to complete the 10 year plan. As shown on the previous presentation we've had good impact from the first 5 years raising the average PCI or Pavement Condition Index in the City about 11 points over that timeframe, so it's been a good program. We proposed to continue it. We did attend the public hearing on this item on Monday night and it was presented at Infrastructure on Wednesday, and of course, you guys had an advanced view of it a month or two ago. I'd be happy to address any questions.

Chairman Moriarty

Seeing no questions, yes, Alderman O'Brien.

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

Thank you, Mr. Chairman. I would just like to say at last night's Infrastructure meeting it was attended by City Engineer Hudson, and also at the budget hearing. If the public has additional questions who want to see the presentation, I'm sure on Channel 16, if they flip back to last night's meeting which would be the infrastructure meeting of April 27 and the budget meeting I think of the 25<sup>th</sup> and they can see that presentation, but it is definitely money well spent right now on our roads. Something we haven't done in a long time. Good presentation Mr. Hudson. Thank you, very informative.

**MOTION CARRIED: Unanimously.**

## **VI. SOLID WASTE DEPARTMENT**

**A. Motion to Approve a Three Year contract for General Engineering Services for the City of Nashua's Landfills covering FY23 – Fy25 at an Annual Cost Not To Exceed \$220,000.00 to Sanborn Head & Associates of Concord, NH, Pending Approval of the FY23 Operating Budget. The Term of this Contract will be from July 1, 2022, through June 30, 2025. Funding will be Through Department: 168 Solid Waste; Fund: Solid Waste; Account Classification: 53 Professional and Technical Services.**

Chairman Moriarty

Listeners, could you please mute your device. Item No. 6, Commissioner Shea.

**Motion by Commissioner Shea:** To Approve a Three Year contract for General Engineering Services for the City of Nashua's Landfills covering FY23 – FY25 at an Annual Cost Not To Exceed \$220,000.00 to Sanborn Head & Associates of Concord, NH, Pending Approval of the FY23 Operating Budget. The Term of this Contract will be from July 1, 2022, through June 30, 2025. Funding will be Through Department: 168 Solid Waste; Fund: Solid Waste; Account Classification: 53 Professional and Technical Services.

Chairman Moriarty

Thank you, that's the motion. We have Superintendent Lafleur here to fill us in.

Jeffrey Lafleur, Superintendent, Solid Waste

Sure, Jeff Lafleur, Superintendent Solid Waste. As stated this is our general engineering services that Sanborn Head does for the City of Nashua. They are our preferred engineer, very, very well known throughout the State. DES works with them, they know what they're doing. The services will include air permitting and emissions reporting, and any related questions or answers to DES. It also, they also work on groundwater reporting with any questions from DES. They also work on our annual waste capacity analysis and any other, oh, and our financial assurance, which is when we close our landfills we need to have a certain amount of money set to close our landfills. They review that every year and update us on how much I have to budget for to put into our financial assurance through the State. They also do all kinds of general engineering. Any questions that we have, if we have any issues at the landfill they'll answer any questions for us to make sure that we're doing everything properly within DES's regulations.

Chairman Moriarty

Questions? Seeing no questions I'll move for the vote.

**MOTION CARRIED: Unanimously.**

## **VII. STREET DEPARTMENT**

**A. Motion to Approve the Purchase of One Wireless Mobile Lift System from Ari Phoenix, Inc., Lebanon Ohio for a Price of \$74,532.97, Pursuant to the Sourcewell Contract Number 013020-ARP. Funding will be Through Department: 161; Fund: General; Account Category: 71 Equipment.**

Chairman Moriarty

Item No. 7, Commissioner Lemen.

**Motion by Commissioner Lemen:** To Approve the Purchase of One Wireless Mobile Lift System from Ari Phoenix, Inc., Lebanon Ohio for a Price of \$74,532.97, Pursuant to the Sourcewell Contract Number 013020-ARP. Funding will be Through Department: 161; Fund: General; Account Category: 71 Equipment

Chairman Moriarty

Thank you. You may.

John Stewart, Fleet Manager, Street Department

John Stewart, Street Department, Fleet Manager. The lifts we're replacing have failed all their safety inspections, and they are non-repairable because that company has gone out of business. That is a safety issue and these lifts will be replacing that lift system. They are approximately 20 to 25 years old.

***Discussion:***

Chairman Moriarty

Commissioner Schoneman.

Commissioner Schoneman

What's the lead time for getting this equipment in?

Mr. Stewart

Six months.

Commissioner Schoneman

So you don't anticipate installing it until--

Mr. Stewart

Actually, when we, yeah, as soon as they come in we'll be looking at filling in our maintenance pit--

Commissioner Schoneman

Okay--

Mr. Stewart

--because that is a safety hazard in its own right, so when they come in we'll be moving forward with that.

Commissioner Schoneman

And how are you managing now? How many lifts do you have besides the ones that are not safe?

Mr. Stewart

As far as heavy truck lifts we're down to one, one set of lifts.

Commissioner Schoneman

That's not very much.

Mr. Stewart

No.

Commissioner Schoneman

All right, thank you.

Chairman Moriarty

Commissioner Shea.

Commissioner Shea

Thank you. Is this a singular wireless mobile lift system or is the brand One Wireless Mobile?

Mr. Stewart

It's an Ari Hetra is the brand.

Commissioner Shea

Okay.

Mr. Stewart

They have their own dedicated wireless. And when I say wireless, it is wireless between the wheel lift post--just not connected to the internet.

Commissioner Shea

Just for further clarity on my sheet here the word One is capitalized, and so I'm wondering if it is a single lift or if One is--

Mr. Stewart

--one set of six.

Commissioner Shea

So it is six lifts--

Mr. Stewart

--six posts.

Commissioner Shea

Okay, thank you very much.

Chairman Moriarty

Okay, thank you Mr. Stewart and I don't see any other questions.

**MOTION CARRIED: Unanimously.**

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

**A. Motion to Approve the Purchase of Aquatic Invasive Weed Treatment Services from Solitude Lake Management for the Sum of \$40,640.00. Funding for this Purchase will be From Department: 177 Park & Recreation; Fund: Trust; Account Classification: 54 Property Services.**

Chairman Moriarty

We'll move on to Item No. 8, Commissioner Schoneman.

**Motion by Commissioner Schoneman:** To Approve the Purchase of Aquatic Invasive Weed Treatment Services from Solitude Lake Management for the Sum of \$40,640.00. Funding for this Purchase will be From Department: 177 Park & Recreation; Fund: Trust; Account Classification: 54 Property Services.

Chairman Moriarty

Thank you. Superintendent Conant.

Bryan Conant, Superintendent, Parks and Recreation

Commissioners. Bryan Conant, Superintendent of Parks and Recreation. This work will be performed in late June or July 2022. This proposal is for the Mine Fall's portion of the

treatments that are part of the treatment of the Nashua River and Sandy Pond being managed through Community Development by Waterways Manager, Deb Chisholm. These waterbodies in Mine Falls Park received the treatment every other year. That the treatments help to combat invasive aquatic weeds such as milfoil and fanwort. This program has been in place since 2009, and has made a substantial improvement in both the Mill Pond and Canal. Any questions?

**Discussion:**

Chairman Moriarty

Yes, Alderman O'Brien.

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

Just to make sure, if I remember from the past there is some State contribution to this? Is there not into mitigating some of the Milfoil?

Mr. Conant

That I can't speak to Commissioner.

Lisa Fauteux, Director, Division of Public Works

Yes, there is. That's part of Community Development's portion. But there is, and I'm not sure exactly how that works, but you are correct there is some State.

Mr. O'Brien

Okay. Yes, thank you Director, because I just want it out there to the taxpayers so that they understand this is a combined effort in working on this evasive, and urge people, anybody who portage a boat please be careful this is one of the reasons why it is very invasive, but thank you.

Mr. Conant

You're welcome. Any other questions?

Chairman Moriarty

Thank you. Okay. We've heard the motion.

**MOTION CARRIED: Unanimously.**

**IX. WASTEWATER DEPARTMENT**

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

Chairman Moriarty

We are now moving onto Wastewater Department, Motion A, Commissioner Shea.

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

Chairman Moriarty

Okay, that's the motion.

**MOTION CARRIED: Unanimously.**

**B. Motion to Approve the Three Year Contract In an Amount not to Exceed \$2,940,000.00 with Resource Management, Inc. of Holderness, NH for Management of Biosolids at the Wastewater Treatment Facility. Funding will be Through: Department 169 Wastewater; Fund: Wastewater; Account Classification: 54 Property Services.**

Chairman Moriarty

Commissioner Lemen Item No. B.

**Motion by Commissioner Lemen:** To Approve the Three Year Contract In an Amount not to Exceed \$2,940,000.00 with Resource Management, Inc. of Holderness, NH for Management of Biosolids at the Wastewater Treatment Facility. Funding will be Through: Department 169 Wastewater; Fund: Wastewater; Account Classification: 54 Property Services.

Chairman Moriarty

Thank you. Superintendent Boucher.

David Boucher, Superintendent Wastewater

Thank you, Dave Boucher, Wastewater Superintendent. The wastewater facility currently produces roughly 8,000 wet tons of biosolids per year. It's a byproduct of cleaning wastewater. We truck it out daily and we have to have a management company that manages it once it leaves our gate, so they distribute it on farmlands and stuff like that. They handle all the permitting and all the regulatory agency requirements. RMI is the company that we've used, currently using, we've used them in the past as well. They were the low bidders on a recent bid, we'd like to continue using them for a 3 year contract, which would start July 1. Be happy to answer any questions.

Commissioner Moriarty

I see no questions for you Superintendent.

**MOTION CARRIED: Unanimously.**

**X. ENGINEERING DEPARTMENT**

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

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

Chairman Moriarty

That is the motion, there's typically no questions on that.

**MOTION CARRIED: Unanimously.**

**B. Motion to Approve Two Pole License Petitions as Listed in the Staff Memo.**

Chairman Moriarty

Item No. B, Commissioner Shea.

**Motion by Commissioner Shea:** To Approve Two Pole License Petitions as Listed in the Staff Memo.

Chairman Moriarty

That is the motion. Questions? No questions.

**MOTION CARRIED: Unanimously.**

**C. Motion to Approve a Drainlayer's License for Rowell's Services, LLC of Northfield, 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.**

Chairman Moriarty

Item C, Commissioner Lemen.

**Motion by Commissioner Lemen:** To Approve a Drainlayer's License for Rowell's Services, LLC of Northfield, 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.

Dan Hudson, P.E., City Engineer

Mr. Chair, I'll just affirm that we did receive an application from Rowell's Services. We checked their references. They provided three different references. All were municipal officials, all said

that they did good work completing water and sewer projects. We find no reason not to grant them a drainlayer's license. We just do ask for the stipulation that we can rescind it if we need to within the 6-month probationary period, as they haven't done much work in Nashua prior.

**Discussion:**

Commissioner Lemen

I'm curious, is this something you usually request, if they haven't done much--

Mr. Hudson

--yeah, that's kind of a new thing we added. We decided it was a good idea. We have had some new drainlayers that we weren't that thrilled with I can say, so I'd say that's the exception rather than the norm, but we kind of see this is a good standard practice going forward.

Commissioner Lemen

Okay.

Chairman Moriarty

Okay. Further questions? Seeing none.

**MOTION CARRIED: Unanimously.**

**D. Motion to Approve the Engineering Services Contract Amendment With Hayner/Swanson, Inc. of Nashua, NH in the Amount of \$243,585.00, for Professional Services for the Sewer Rehabilitation Program. Funding Through Department 169 Wastewater; Fund: Bond; Activity: Sewer Infrastructure Improvements.**

Chairman Moriarty

Next, Motion D under Engineering, Commissioner Schoneman.

**Motion by Commissioner Schoneman:** To Approve the Engineering Services Contract Amendment With Hayner/Swanson, Inc. of Nashua, NH in the Amount of \$243,585.00, for Professional Services for the Sewer Rehabilitation Program. Funding Through Department 169 Wastewater; Fund: Bond; Activity: Sewer Infrastructure Improvements.

Dan Hudson, P.E., City Engineer

Dan Hudson, City Engineer. The Board of Aldermen recently approved a sewer bond resolution funding another year of sewer work that includes rehabilitation and the CCTV work, the lining work, but also the dig contract work. It's a significant amount. We really need engineering support to help us with that. There's a lot of planning, design, bidding of projects, contract administration and fields oversight during construction. We propose to award this to

Hayner/Swanson. They provided that service in the past. They are also the engineer that provides similar services for our paving program so it really helps us having the same company provide both those for coordination purposes. That's the request and I'd be happy to address any questions.

Chairman Moriarty

Okay, seeing no questions, thank you we'll move to motion.

**MOTION CARRIED: Unanimously.**

**E. Motion to Approve Change Order No. 4 to the Asphalt Testing Contract with S.W. Cole Engineering, Inc. of Londonderry, NH in the amount of \$63,795.00. Funding will be Through: Department 160 Admin/Engineering; Fund: Bond; Activity; Paving.**

Chairman Moriarty

Moving on to Item No. E, Letter E, Commissioner Shea.

**Motion By Commissioner Shea:** To Approve Change Order No. 4 to the Asphalt Testing Contract with S.W. Cole Engineering, Inc. of Londonderry, NH in the amount of \$63,795.00. Funding will be Through: Department 160 Admin/Engineering; Fund: Bond; Activity; Paving.

Dan Hudson, P.E., City Engineer

This is just as it says. It's testing services. We do our engineering planning and then a contractor does the paving, but it is important to provide oversight to make sure the City is getting the specified materials it has requested, as well as that the pavement is being applied and compacted properly and all those sorts of things. S.W. Cole has provided the service previously. They do full time inspection at the paving plant where they're producing the material and then they do field density testing, concrete inspection, laboratory analysis for pavement that has been placed. This is an important part of the Paving Program, this oversight we feel is money well spent and that is why we requested it be awarded.

**Discussion:**

Chairman Moriarty

Commissioner Shea.

Commissioner Shea

Do you feel that the cost involved here is protective and will reduce--is it a good insurance policy basically is my question. Is it worth the money. Sometimes insurance policies aren't worth the money, right? So I appreciate your thoughts.

Mr. Hudson

Sure, so this is active work, it's not just insurance. It is active work ensuring that we are getting what we are paying for. Not here, but I've been involved in a pavement dispute in another community previously, it dragged on a couple of year, there was a lot of battle back and forth about did we get what we asked for and that sort of thing. It was really important to have test results supporting the fact that we did actually, actually in that case we didn't, didn't get what we had asked for and had seen some premature cracking. It's no coincidence that you get results if people know that you are watching and paying attention and that is what this is in addition to the other oversight we provide. Yes, I certainly feel this is money well spent. I'm aware that in the past prior to me getting here, I know the Mayor had spoken to it before that we have had some issues in the past and those have been resolved through this additional testing work.

Commissioner Shea

Just a follow up if I may. Do you expect this to be an annual expense?

Mr. Hudson

It is an annual expense, yes. When we plan our program we plan for the engineering, the field inspection and this is one piece of that that we always include in the program.

Commissioner Shea

Thank you.

Chairman Moriarty

Commissioner Schoneman.

Commissioner Schoneman

I know that we use a number of different subcontractors to do the actual paving that the City plans around the City. This is a great way to make sure that everybody is laying down good quality pavement that is going to last, correct?

Mr. Hudson

To be clear, this is for the Paving Program where this year we have one contractor, Sunshine Paving. This doesn't cover every bit of paving that happens around the City, trench repairs and things like that that were mentioned previously. This is dedicated to the large Paving Program that we run for that specific work.

Commissioner Schoneman

So the main part of the Paving Program?

Mr. Hudson

Yes.

Commissioner Schoneman

Okay. So, relative to what the resident said during Public Comment, is there a way to apply the same kind of standard to the patches that are being put down for utility work? Everyone does their own so if Liberty cuts into the road for a patch they take care of the patch? As the resident pointed out some patches are way better than others. Is there any way that we could also somehow work in something like this to see if we can get all of these patches up to standard?

Mr. Hudson

I think it would be problematic to try to do it for all the patches because there is so many of them across the city. We do have a specification that lists depth of pavement and that sort of thing and they do bond for their work so if we have problems during a year period or so they're on the hook to come back and fix that. I would note that the area that the resident mentioned on Broad Street that was Liberty Gas. They had an emergency repair where they had an over pressurization at six locations, it blew basically and they've patched those but they're not done because that is a moratorium roadway and it is intended that they'll come back and mill and overlay so although those patches may not be as nice as some of the others, that will all be addressed through the milling and paving effort at a later date. We've talked potential alternatives with them about maybe milling half the road not the whole road that sort of thing. That will have to come before the Board for review and approval. We'll be back to talk about that at a later date.

Commissioner Schoneman

Okay, great. Thank you.

Mr. Hudson

You're welcome.

**MOTION CARRIED: Unanimously.**

**F. Motion to Approve the Award of the Construction Contract for the 2022 Paving Preservation Program to Sealcoating, Inc. of Braintree, MA in an Amount of \$383,928.50. Funding Through Department: 160 Admin/Engineering; Fund: Bond; Activity: Paving.**

Chairman Moriarty

Next, Letter F under Engineering, Commissioner Lemen.

**Motion by Commissioner Lemen:** To Approve the Award of the Construction Contract for the 2022 Paving Preservation Program to Sealcoating, Inc. of Braintree, MA in an Amount of \$383,928.50. Funding Through Department: 160 Admin/Engineering; Fund: Bond; Activity: Paving.

Dan Hudson, P.E., City Engineer

This is basically preservation work. We pave a road and then after a couple years we like to go back and address any cracking, seal the cracks that sort of thing. It helps the pavement last longer by not allowing the water intrusion into the pavement. If you want to go back and see that presentation we talked about a couple different things we do under this program. There's the cracksealing, there the fog sealing, there's coating and we're looking at some bond wearing course too, and I won't go into details now. This is the part of the program where we keep our good roads good and again, this is part of what we have been doing annually under the Paving Program.

Chairman Moriarty

Okay, questions? No further questions?

**MOTION CARRIED: Unanimously.**

**G. Motion to Approve the Purchase and Installation of Six Traffic Camera Systems on Main Street by Electric Light Company of Cape Neddick, Maine in the Amount of \$161,580.00. Funding will be Through: Department: 161 Streets, Funds: Prior Year Escrow (\$130,420.00), Account Category: 71 Equipment; Department 160 Admin/Engineering; Fund: Trusts (Amherst Street \$14,580.00; Main Street \$16,580.00); Account Category: 71 Equipment.**

Chairman Moriarty

Letter G, Commissioner Schoneman.

**Motion by Commissioner Schoneman:** To Approve the Purchase and Installation of Six Traffic Camera Systems on Main Street by Electric Light Company of Cape Neddick, Maine in the Amount of \$161,580.00. Funding will be Through: Department: 161 Streets, Funds: Prior Year Escrow (\$130,420.00), Account Category: 71 Equipment; Department 160 Admin/Engineering; Fund: Trusts (Amherst Street \$14,580.00; Main Street \$16,580.00); Account Category: 71 Equipment.

Dan Hudson, P.E., City Engineer

Thank you, Mr. Chair. We've talked before about where we can and where it makes sense we're replacing the loop system of vehicle detection at signalized intersections with these camera systems. They seem to work well. We seem to see improvements in the functioning of the intersection and also they're obviously not as susceptible to damage before above the roadway

versus in the roadway where loops get cut continuously via utility worker or sometimes paving and other things. Main Street obviously is an area of high interest, high volume of traffic, we have the outdoor dining and that sort of thing. These camera systems will allow us to maximum the performance of that by improving vehicle detection, and they also have the added capability of continually counting traffic so, you know, spring, summer, fall whatever we can keep track and see how patterns change with the outdoor extended dining or other things and make changes over time. I know some of the things we've talk about, some different downtown traffic patterns potentially and this will provide the data that we really need to support those type of changes. As you noted there's a couple different funding sources. One is money that escrowed last year's budget. That's the bulk of it because we had intended to do this work, and then there's some contributing funding from two of our corridor funds, which is money set-aside or contributed basically from developer projects towards future improvement on the corridor.

*Discussion:*

Chairman Moriarty

Have we used this company before?

Mr. Hudson

Yes, we've used them extensively. They provide a number of camera already for us. We did put this one out to bid because it was a large project. We've directly selected them for some previous ones. They were the sole bidder. After bidding them came in and had some suggestions about changes to the bid. They thought that some of the intersections where we had called for two camera, they thought they would work fine on one. We kind of negotiated with them a little bit to come up with this current plan, which fell within our funding availability, while still providing the same level of service.

Chairman Moriarty

Commissioner Shea.

Commissioner Shea

Do these have –I guess my question is do they record or do they operate as kind of a digital eye that provides you with data?

Mr. Hudson

That's a great question, I'm glad you asked it because I know a lot of people are concerned about video being recorded and that sort of thing. That's not what we use these for and we don't record the video. They are purely for vehicle detection. The cameras basically dumb down the video quality so we can't like zoom in and see a license plate or anything like that. We are able to see that feed from our office so when we get a call about a problem at an intersection we can remote in and we can look at it in real time and see what's going on and observe it, so it does provide

that added remote capability for us, but no we're not recording the video and it is just being used for vehicle detection and our remote access for troubleshooting.

Commissioner Shea

So the resolution is not such that there would be license plate or facial identification?

Mr. Hudson

Exactly.

Commissioner Shea

And this will not be used for law enforcement purposes, it's for traffic management.

Mr. Hudson

Exactly.

Commissioner Shea

Thank you.

Mr. Hudson

You're welcome.

Chairman Moriarty

Okay, Commissioners. No further questions on this motion?

**MOTION CARRIED: Unanimously.**

**H. Motion to Approve the Award of the Canal Street Bridge Repairs Contract to New England Infrastructure, Inc. of Hudson, MA in an Amount of \$373,750.00. Funding will be Through: Department: 160 Admin/Engineering; Funds: Grant and Capital; Activities: Highway Block Grant Aid FY18 and FY18 Bridge Rehab.**

Chairman Moriarty

Item H, Commissioner Shea.

**Motion by Commissioner Shea:** To Approve the Award of the Canal Street Bridge Repairs Contract to New England Infrastructure, Inc. of Hudson, MA in an Amount of \$373,750.00. Funding will be Through: Department: 160 Admin/Engineering; Funds: Grant and Capital; Activities: Highway Block Grant Aid FY18 and FY18 Bridge Rehab.

Dan Hudson, P.E., City Engineer

This bridge has served the City well for many years, but it does need some repairs. Canal Street a heavily traveled corridor with 30,000 vehicles a day. It is on the New Hampshire list of municipal red listed bridges, which is a category that requires that improvements be made before we run the risk of it falling into a category where it has to be load restricted and that sort of thing. It's important to repair this bridge and get it off the red list and that's what this project will do. The work itself is not very complex. It does require getting in the river building, building some coffer dams and then making concrete repairs to the abutments and the piers and that sort of thing. Of course that's challenging so that's why it costs what it costs. With approval of this work is expected to be completed this summer or fall during low flow. That's the plan. We put it out to bid, as noted we got two bids. The low bidder is a bridge engineer with experience and we feel will do a good job, so we're recommending award.

***Discussion:***

Commissioner Lemen

I was just surprised by the difference in the bids. Is that usual? I mean it seems like a pretty big different.

Mr. Hudson

Yeah, it is a big difference and sometimes it goes to what the company's specific capabilities are or their assumptions that the river goes up and down. We did bid this once before and we only got a sole bid. It turns out we had to go do some additional permitting anyway, we didn't award at that time. The bids were similar to what they are here. We did have a contractor that was interested that didn't bid because they were concerned about the river fluctuations. Since the original bid we monitored the river elevations and we included that information so they'd have that. Yeah, you never know, I mean sometimes people are busy and so they're less interested in getting the job and so for a variety of reasons bids can vary quite a bit.

Commissioner Lemen

Okay.

Commissioner Shea

And, I'm sorry if we've already said this. Do I recall correctly that those bridges have kind of lamppost style finials on them? And so, will this job repair those and bring them back to operation?

Mr. Hudson

No, that wasn't the focus of this project. This is purely structural repairs. That would need to be a separate project. This project is addressing the substructure issues underneath and then there was a vehicle crash that cracked one of the overlook areas on top of the bridge, one of the walls on top, so that also will be evaluated and repaired as necessary, but this is purely structural. To get it off the red list.

Commissioner Shea

Okay, and just a follow up. So with this collision, are you aware whether or not we have pursued damages from the vehicle owner or operator if you will? I am just very curious about that process and to what extent we actually engage in that because I often see the collars on lamppost on Main Street get cracked or someone comes and drives into the tree in front of the Telegraph Building and it never get replaced or the fencing at the end of Pearson Avenue Service Lot. If you could speak more to that.

Mr. Hudson

I'd be happy to. So when we're aware of an issue, and issued has occurred or crash we reach out to our risk department and they pursue funding through you through insurance settlement basically for repair. In this case that's what we did we reached out to them. We had our engineer prepare an estimate of what they thought it would cost both the engineering, to design the repair, as well as to make the actual repair. That information was compiled and provided to risk, I don't know if they were successful in recouping that money or not, but that is, once we give them the information they handle the rest of that effort, so I'm not sure what the outcome of that was, but yeah, that's typically how the process works.

Commissioner Shea

If I could just one more, Director Fauteux would it be possible to get data on at-fault damages to City properties maybe over the past year just to get an idea; and to what extent risk has been successful in obtaining damages?

Lisa Fauteux, Director, Division of Public Works

I certainly can ask—

Commissioner Shea

--that would be appreciated

Ms. Fauteux

--our risk (inaudible) I don't have that information, but I can ask for it--I think so

Commissioner Shea

Okay, Yeah, thank you so much.

Ms. Fauteux

Sure.

Chairman Moriarty

Okay, any further questions? Let's move to motion then.

**MOTION CARRIED: Unanimously.**

**I. Motion to Approve the Award for the Purchase and Installation of a 120-Foot Long by 6-Foot Wide Pedestrian Bridge to Beck & Bellucci, Inc. of Franklin, NH in the amount of \$205,200.00. Funding will be through Department: 177 Parks & Recreation; Fund: Trust (Mine Falls); Account Category: Account Category: 81 Capital Improvements.**

Chairman Moriarty

Item I, Commissioner Lemen.

**Motion by Commissioner Lemen:** To Approve the Award for the Purchase and Installation of a 120-Foot Long by 6-Foot Wide Pedestrian Bridge to Beck & Bellucci, Inc. of Franklin, NH in the amount of \$205,200.00. Funding will be through Department: 177 Parks & Recreation; Fund: Trust (Mine Falls); Account Category: Account Category: 81 Capital Improvements.

Chairman Moriarty

Thank you, that's the motion.

Dan Hudson, P.E., City Engineer

This is to buy a temporary bridge, but I'll just give you a little background on this. We inspected all the pedestrian bridges at Mine Falls last year. There were some deficiencies noted, but nothing immediately troubling. A few weeks ago we did get a resident that called with a concern about this bridge, which is the pedestrian bridge near Nashua High School South over the Nashua Canal. They raised their concern and they were an engineer so we took the concern seriously; went out and investigated, we also had noticed a change from the previous years so we called our bridge engineer Hoyle Tanner to come down and look at the bridge. They had concerns so then we in an abundance of caution we immediately closed that bridge and it remains closed because clearly it has structural issues and is not repairable in a cost effective way, in speaking with our bridge engineer. Our engineer was aware of a project occurring in Peterborough and the fact that they had a temporary bridge that was in use that they would be completing that project and would no longer need. This pedestrian bridge is obviously a pretty heavily used one, Mine Falls is a great community resource there are bridges that connect you

from the high school across to the park and so it is an important facility for pedestrian travel in the city. We are pursuing installing a temporary bridge. It will take at least a year to get a new replacement bridge, a permanent replacement bridge. We're aware of this opportunity to get this temporary bridge and are seeking to jump in it sort of speak. Beck & Bellucci is a bridge contractor. The cost here is to mobilize the site, install this bridge which is a bit longer than the existing bridge, but we would set it off to the side of the existing bridge. They shore up and then while the crane is there remove the existing damaged bridge (structurally deficient bridge) and set that to the side so that we can then dispose of it. We do have some thoughts about where we can ultimately relocate this bridge to in the future for a permanent relocation and use it not only for this temporary use, but a permanent use in the future. This bridge only being 6 feet wide is probably not the permanent bridge for this location, so it is kind of multi faceted, and we're taking this step by step, but this first step here is to purchase and place this temporary bridge to restore travel at that location and we expect that if all goes well that we'll be able to do that sometime in June of this year.

**Discussion:**

Chairman Moriarty

Commissioner Shea.

Commissioner Shea

Are we able to pull up GIS just get an idea of this crossing and what the adjacent crossing look like? Is that something that you'd be so kind as to do? Thank you.

Chairman Moriarty

This is the bridge right behind South?

Mr. Hudson

Yes, so if you walk by the fields by the maintenance area there it's that bridge that's right there—

Chairman Moriarty

--right there.

Mr. Hudson

Yup.

Commissioner Lemen

While she is doing that can I ask a question?

Chairman Moriarty

Sure, Commissioner Schoneman.

Commissioner Schoneman

Kind of a strange question, but is it common for people to have extra bridges laying around?

*(Group Laughter)*

And how did you know that they had one?

Mr. Hudson

No, it's not common and that's one of the things that--

Commissioner Schoneman

--you found it on Facebook--

*(Laughter and chattering)*

Mr. Hudson

When we heard about an opportunity it's like one of those things "hey we got a bridge falling, I got a used bridge to sell you", right?

*(Continued laughter)*

Like the old joke, but when we heard about it and based upon discussing with our engineer who does a lot of bridge work, they made it clear that there is not an abundance of these bridges you've probably see a lot of the Bailey type bridges that are used temporarily for vehicle travel? So I asked about those. Through some of the hurricanes that have occurred down south, a lot of those bridges left New England and went down there. So, no it's not like you can go to the used bridge store and pick one of these up easily. That's why as soon as we heard about this opportunity we jumped on it been pursuing it. Our engineer Hoyle Tanner they do a lot of bridge work so I'm sure if there was another used bridge somewhere they would know about it and would have informed us about it. I'm going to try to come up with a plan of sorts

Today I was thinking, this would have been, this would be good to have a picture, right? I apologize for not having that.

*(Establishing presentation)*

Okay so here's the running track and then this is the maintenance facility for school and this outback of the school and the bridge we're talking about is right here. It's over the canal, I don't know if I can zoom in or not, but there's no immediate proximate other crossing. You have to go

down under the highway and I guess there's a crossing or something down there. So it is a ways around. What we'll do is we'll bring this bridge in through this area next to the school with a crane and erect that and remove the other one and then that one will be in place until we can get a permanent bridge. That's going to require us to go through an engineering exercise and we'll have to order the bridge or bid it out basically and then that will take a while to get. You can see there is, this connection over the canal across the river over here to the park is a heavily traveled route.

Commissioner Shea

Thank you, I appreciate that. And if I --just one more--

Chairman Moriarty

Certainly.

Commissioner Shea

Do you think that there would be additional utility to this bridge someday down the line? Is there anything that you can envision that this would be useful for after it's used here?

Mr. Hudson

Yes, we do think so. We're thinking down maybe near the Holocaust Memorial down in that park area--

Commissioner Lemen

Oh, okay--

Mr. Hudson

--there was a, we intended to do a bridge there at point in time and it didn't happen and this bridge is a little bit longer than we would have used, a longer bridge if you need to span further I think it will fit and might be able to work down there. If not, we'll sell it to somebody else.

*(Group Laughter. "Bridges are us.")*

Commissioner Shea

Very good, thank you.

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

I just have a question if I may. The fire department responds out there whether it be for a brush fire, medical emergency and unfortunately there is occasional crime, maybe a police cruiser. This bridge has a rating for a light vehicle, for that type of usage?

Mr. Hudson

The temporary bridge doesn't it is only 6 feet wide, it's purely pedestrian travel, but when we replace it with the permanent bridge that will be rated. These existing bridges were wood, you know the beams were laminate and those are rated for 5 ton. The requirements have changed since that construction and now it is a higher load rating, I think on the order of 10 ton. So yes, they'll be able to support ambulances and those types of things.

Mr. O'Brien

Can I make a suggestions, if I may then, follow up if I may. Suggestion that the fire department is informed of this project so they can put it in within their preplanning and make the appropriate changes that they would have to use the other bridge to get access to that particular area--

Commissioner Lemen

--makes sense.

Mr. Hudson

Yes, I've spoken with Chief Buxton about it--

Mr. O'Brien

--beautiful

Mr. Hudson

--previously, even before we knew there was a problem he was interested and brought up the issue of this whole Mine Falls and how they respond, so where we're making replacement we'll coordinate with him to try to accommodate their needs.

Chairman Moriarty

Okay, Alderman O'Brien?

Mr. O'Brien

I'm good, thank you.

Chairman Moriarty

Perfect, okay. Any other questions on the motion?

**MOTION CARRIED: Unanimously.**

**J. Motion to Approve the Engineering Contract for Mine Falls Park Bridge Engineering Services with Hoyle, Tanner & Associates, Inc. of Manchester, NH in an Amount Not to Exceed \$150,000.00. Funding will be Through Department: 177 Parks & Recreation; Fund: Trust (Mine Falls); Account Category: 53 Professional Services.**

Chairman Moriarty

We are on Item J. Commissioner Schoneman.

**Motion by Commissioner Schoneman:** To Approve the Engineering Contract for Mine Falls Park Bridge Engineering Services with Hoyle, Tanner & Associates, Inc. of Manchester, NH in an Amount Not to Exceed \$150,000.00. Funding will be Through Department: 177 Parks & Recreation; Fund: Trust (Mine Falls); Account Category: 53 Professional Services.

Chairman Moriarty

Thank you.

Dan Hudson, P.E., City Engineer

So this item also is related to this bridge issue at Mine Falls Park. This engineer service will provide a number of things that we need. One is they'll assist us in the engineering aspects of the temporary bridge placement. We have to design some temporary abutments and do some permitting and that sort of thing. So they'll assist with that. They will also assist with the engineering for the full replacement at that location, all the engineering support for that, and then thirdly, we are aware that the Whipple Street bridge also has some issues, so they'll investigate that and help us with capital programming cost needs evaluating perhaps different types of bridges there what they might cost and help us determine what the capital needs are to do that. It is looking like we may need to replace two bridges in this area, but these engineering services will help us do all evaluation and confirm that and come to a place where we are ready to go figure out how to fund that work.

**Discussion:**

Chairman Moriarty

And if I'm not mistaken, the funding from the trust fund is from the cell towers at Mine Falls?

Mr. Hudson

Yeah, that's correct. The temporary bridge and then this engineering effort are being funded under that and then we have some ideas maybe about how to fund the future replacement work, but a bit of work needs to be done until we get to that point to hone in better on what the actual costs will be.

Chairman Moriarty

That's great. Commissioner Shea you had--

Commissioner Shea

--yeah, and my question is in a similar vein. What is the status of our cell tower contracts? As I recall, Nick Caggiano was very like all about getting those done and making sure that we were able to fund great projects and maintenance at parks. Are there any that are kind of pending that we need to attend to I guess is my question.

Lisa Fauteux, Director, Division of Public Works

The only one that is, I think it has already been negotiated is Holman--

Commissioner Shea

--Um hum.

Ms. Fauteux

There is a cell tower there that was increased a little bit. We'll obtain some additional revenue. In fact, the Mayor and I were talking about that today and I need to, Bill Mansfield oversees all of the cell towers in the City, and so I need to connect with him to see exactly how much more revenue we will be getting from that because there is some work that needs to be done at Holman. What I could do is next meeting I could bring you all the cell tower accounts and what the balance are. If you'd be interested in that.

Commissioner Shea

Yeah, that'd be interesting to see, I appreciate it.

Ms. Fauteux

Sure.

Commissioner Shea

Thank you.

Chairman Moriarty

That's great. Further questions on this motion?

**MOTION CARRIED; Unanimously.**

**K. Motion to Consider the Hardship Request From Liberty Utilities to Excavate in Kingsley Street at Hanover Street to Install Gas Mains.**

Chairman Moriarty

Next, we're on Item No. K, Commissioner Shea.

**Motion By Commissioner Shea:** To Consider the Hardship Request From Liberty Utilities to Excavate in Kingsley Street at Hanover Street to Install Gas Mains.

*(Director Fauteux indicates a typo "Kingsley." should be "Kinsley.")*

Chairman Moriarty

City Engineer Hudson.

Dan Hudson, P.E., City Engineer

Thank you Mr. Chair. So tonight we have two moratorium requests. This is the first one from Liberty. They are working on replacing gas main on Hanover Street and West Hollis with the intent of clearing West Hollis for paving. We are paving a portion of West Hollis, but there is more to do and we need the gas main replaced before that happens. I do believe we have Brad Marks on the phone from Liberty if you have any questions about this item.

Brad Marx, Liberty Utilities

Yes, this is Brad Marx from Liberty. I am here to field any questions.

Chairman Moriarty

Thank you. Are there any questions for Liberty or for the City Engineer? Seeing no questions we'll move the motion.

**MOTION CARRIED: 3-Yea – 1 Nay (Schoneman)**

**L. Motion to Consider the Hardship requests from Liberty Utilities to Excavate in Lake Street at No. 244 to Install Gas Mains.**

Chairman Moriarty

Item No. L, Commissioner Lemen.

**Motion by Commissioner Lemen:** To Consider the Hardship requests from Liberty Utilities to Excavate in Lake Street at No. 244 to Install Gas Mains.

Chairman Moriarty

Thank you.

Dan Hudson, P.E., City Engineer

Okay, so this is another hardship request as noted. This is proposed so that they can replace the rest of the leak prone gas on Lake Street. We paved about two-thirds of Lake Street, we have about a third to go, but that is held up by this gas work needing to be done. This as I understand from Engineer Saunders, who manages our Paving Program he's proposing that we work out an arrangement with Liberty about overlapping this work with our future planned paving. Again, it's unfortunate we have to cut into new pavement, but we have a plan to address it and that would be a contribution from them to do that in lieu of them doing it. We'll figure out the detail on that later, and Brad Marx is here if there are questions about that as well.

**Discussion:**

Chairman Moriarty

Are there any questions? Commissioner Schoneman.

Commissioner Schoneman

May I comment? Again, this is a road that's not even, not even a year old. I know that--the memo makes it sound like this is an emergency. It's not an emergency, it's a planned project. I think that once again cutting up a newly paved road, I know you have a plan, etc., etc., but --this is a street that we paid for. Our taxes paid to pave this street and now it is going to be chopped up and reduce the life of this paving project that we are paying \$37 million for because Liberty wants to go according to their plan. I think that --I think it is irresponsible.

Brad Marx, Liberty Utilities

If I could jump in. Again, this is Brad Marx with Liberty Utilities. So what happened here is before Lake Street, the section of Lake Street was paved, we had coordinated to do some work out there to relay ahead of the paving. Unfortunately, it looks like the paving limit went a little bit past where we had stopped. So now that the next section of Lake Street is getting planned to be paved again, we have to go in and replace mains when unfortunately, there's a small section of main that needs to be replaced that was paved over. So all we're doing is just asking to cut into the recently paved section to complete a tie-in connection and then like Mr. Hudson described we will contribute towards that section getting paved once again when the rest of Lake Street gets paved.

Chairman Moriarty

Mr. Shea.

Commissioner Shea

So this is not the length of that 2 miles of freshly paved area? This is at 244? Is that right?

Mr. Marx

Correct.

Commissioner Shea

Okay.

Mr. Hudson

Yeah, that's correct. My understanding is kind of the limits that we paved before, maybe I'm wrong, but we've had a number of these and they're kind of like unfortunately, we're right at the limit of what we paved and either we paved a little too much or Liberty didn't do quite enough gas work, or Pennichuck, so we've had a little bit of these issue where we're at the limits at the projects. I mean, we're trying to do a better job of when they do do gas work or water work or whatever, that we take those a little bit further and get out of those transition areas, apron areas at the end of the paving, but we do have some of these where we've had these issues and we've had some overlap, so it is unfortunate, but we do, we do support them completing the work so that we can finish paving Lake Street.

Commissioner Shea

And so will this be a trench that is then filled or will this be a push back of the newly paved area and then kind of a roll into with the new pavement? Those aren't good words, but like you understand what I'm asking?

Mr. Hudson

Yeah, I think I understand what you're saying. They'll put the gas, they'll do the gas work, they'll make the standard trench repair. They won't do the moratorium milling because they'll make a contribution and then we'll do that part of it. So it will get milled, but in a similar fashion it would as if they did it. They'll contribute to that so it's going to be no additional cost to the City. As we're running down the street to do our whole operation with that last third of the street, it is more efficient and effective for us to do that versus them do it and then us trying to match that and a number of seams on the road. We'll be able to cover up the seams that they did without our mill and overlay and just have the single seam between the paving mobilizations as we would have anyway. It's just going to be in a different location because we have to go a little bit further to cover this up.

Commissioner Shea

Thank you.

Chairman Moriarty

So, as you know none of us like--

*(Group laughter.)*

Mr. Hudson

--I don't like it either--

Chairman Moriarty

--I know you don't either. So, I am happy to hear that the City is trying to work out a plan with Liberty so that we have --keep it to a minimum. It is what it is, right? Any further questions on the motion?

**MOTION CARRIED: 3-Yea – 1 Nay (Schoneman)**

**M. Informational: Street Opening Permits Issued for Streets in Moratorium.**

Chairman Moriarty

Thank you. Item M. is an informational, just informational street opening permits. No motion is required. We'll move onto Item No. N.

**N. Motion to Approve the Encumbrance Permit for Bird Rides, Inc. from May 1, 2022, until October 15, 2022, Subject to Favorable Review and Approval by the Office of Corporation Counsel of the 2022 Memorandum of Understanding.**

Chairman Moriarty

Commissioner Schoneman.

**Motion by Commissioner Schoneman:** To Approve the Encumbrance Permit for Bird Rides, Inc. from May 1, 2022, until October 15, 2022, Subject to Favorable Review and Approval by the Office of Corporation Counsel of the 2022 Memorandum of Understanding.

Lisa Fauteux, Director, Division of Public Works

Commissioner Moriarty, we have Community Development Director, Matt Sullivan who was kind enough to join us on vacation, while he's on vacation and I think he can probably add something to this.

Chairman Moriarty

Great, thank you Mr. Sullivan. You're on.

Matt Sullivan, Director, Division of Community Development

Good afternoon, Mr. Chair. Thank you very much Commissioners. I appreciate you taking the time. This is as the motion was made the 2022 Bird Rides encumbrance permit for the operation of e-scooters within the City of Nashua. I'm joined today by Jeremy Lynch of Bird Rides, our senior executive or senior account executive that will be assisting with this memorandum moving forward, should the Board of Public Works consent to it as well as the operation of corporation counsel. Just a few comments if I may. You may remember for those that are term members on the Commission, the Board that this was not reviewed as a formal encumbrance permit in prior years. In fact, it was reviewed as an information item. Based on the guidance of the Office of Corporation Counsel, we have brought this to you as a formal encumbrance permit request for the 2022 operation based on again, guidance from the Office relative to encumbrance with the right-of-way, and specifically, the operation of the scooters within the right-of-way and parking of the scooters in the right-of-way. Should the Board choose to approve or move forward with the motion this evening, the MOU (Memorandum of Understanding) will be forwarded to the Mayor for review and approval, and hopefully, we're planning for a slow deployment of the scooters within the community starting May 1, which is just this weekend, and again, assuming favorable review and approval.

Just a few quick comments if I may. There are some changes to the 2022 program based on some feedback that we received from the community in 2021.

Number one we've added an exclusionary area that's been provided within the Mine Falls Park geography. That's shown on Page 2 of the Memorandum included within your packets. Specifically, that was added to avoid any conflicts between the e-scooter operation and pedestrian (inaudible) feedback in prior year that that would be something that would be a priority, and as a result, we've (inaudible) and that will be added as exclusionary area for scooter operation.

Second, Bird has responded to community feedback in working with the City to provide a fleet manager for the scooters. As you may know, the City is not responsible for maintaining the service or operating the service, it is done both by Bird and by responsible local fleet manager who moves the scooters in and out of the community, does maintenance, does charging, all of the customary requirements for actually using service by the community.

Third, a new fleet of scooters will be deployed. We had some responses last year about or rather concerns related to the quality of the scooters that were being used in the community and Bird has responded by making commitment to supply new Birds for use.

And then lastly, Bird will be working directly with city staff as part of this agreement this year, should it be approved. Identify priority locations for deployment and specifically, doing that based on recognized patterns and commuting and also destinations within the community. So we're working to improve how the scooters are actually deployed.

I'd just like to quickly emphasize that although we've heard concerns in the past about conflicts between the scooters, pedestrians, and vehicles, based on where the scooters are being used, I'm not aware of any direct accidents, incidents or the like, nor have we received any direct feedback related to concerns particularly, between pedestrian and scooters. So very positive feedback that we've heard to date.

Just a few other quick comments if I may before I answer any questions that you might have. This year our offering is between 125 and 200 scooters working with Bird and the community which is an enhancement from where we've been in the past. The maximum ride speed both in, you know, on the sidewalk and the road of course is 50 miles an hour. Folks are encouraged to use alternative means other than the sidewalks, but we do recognize that there's need for safe passage. Riders must be a minimum of 18 years of age, and certainly they're encouraged if not told to wear a helmet to operate the scooter safely. And, finally, I just encourage any members of the Board to maybe take a ride on a scooter in event you do approve this. It is really a safe, and I believe a really a great enhancement to the way you experience our downtown and the areas including within the geography. We're really excited about rolling this program for yet another year, and I just want to thank you for your consideration of this request on behalf of Bird. This is certainly a move forward, a small move forward, but a critical one in implementing the access to alternative transportation modes within the City of Nashua in the context of our Imagine Nashua Masterplan, and we thank you for your consideration of this request. I'm happy to answer any question you might and Jeremy is here as well if there are others.

**Discussion:**

Chairman Moriarty

Commissioner Shea.

Commissioner Shea

Do we have any opportunity to discuss the rate for the service in Nashua? Looking at--we used to have VeoRide in the City, and of course, COVID happened between deploying that service and I get the sense that that company was maybe undercapitalized and for a lot of reason their model was not so resilient? In the event of COVID unfolding, I saw them kind of selling a lot of their scooters that they had on deck, but the rates for the Bird scooters we're looking at I think 2.8 times the cost per minute. It's may I want to say \$.15 a minute for the, my math is bad on that multiple, but it's \$.15 a minute on the Veer Rides \$1.00 to unlock for these Bird scooters it's \$1.00 to unlock and \$.39 a minute. If you get caught up at a stop sign you're paying a buck and a half depending on the stop light to sit there. If you're really going to use it for transportation, and depending on your distance, it might actually end up being cheaper to take an Uber somewhere.

I have found the Bird service to be fun, but prohibitively expensive, and I'd be curious to know if Nashua has any opportunity to discuss the rates that people pay within our city.

Mr. Sullivan

Commissioner Shea I'd be happy to respond and I'm going to ask Jeremy to respond as well. The rates are not a consideration within the MOU nor in the encumbrance permit directly. That said, I think there's certainly an opportunity for not only you as a commissioner, certainly the Board more generally and the community to at least make a request to Bird to discuss that rate, but it not being a specific term or condition of either the encumbrance permit, nor of the MOU itself, I'm not sure that's something that we can strictly require modification to, but I would ask if Mr. Lynch is comfortable, perhaps he can respond to some of those concerns.

Jeremy Lynch, Senior Account Executive, Bird Rides, Inc.

Yeah, so as far as the previous rate one of the reasons why they're probably not there anymore is the \$.15 was, is an extremely low price, probably dating back to 2018 and 2017. We first started the business in Venice, California. \$.39 is probably one of our lower end markets right now considering it's a permitted fee. The dollar to get on and \$.39 a minute thereafter, you know a 10 minute ride that's really not that much money if you're talking about a 10 minute ride considering what an Uber ride would be. We do have community pricing that is available so anyone that does, is on any kind of community assistance a veteran, I think there are several other categories that we do have, so you can get 50% off the ride if you do qualify, if you can prove that you on state assistance. There are pricing programs that do allow for those that it could be price prohibitive to them to allow them to get that 50% off discount. So we do have means for those that can't afford that price. We found in the 350 cities we are worldwide that that number seems to be good for us and it really does as far as, the issue with that pricing as well is that the fleet manager gets a percentage of that ride revenue, and so it kind of makes it the lower it goes the less money make and the less attractive it is for somebody to actually engage in that role for us. So we kind of have to price it so the money that the local person is making actually managing that fleet for us is something that is, you know is something that attracts someone and will keep them in that role.

Commissioner Shea

I would just--I appreciate the insight. I just think that the idea that a \$1.00 to unlock and then it would be what \$3.90 on top of that for a 10 minute ride. If somebody is using this for a commute to work and they're making a low wage, I mean that's a considerable amount. Say it's ten, I mean five bucks both ways, ten bucks you work five days a week, that's to bucks a week, that's 200 bucks a month. You might as well have a car and a car payment. I don't know that we can do anything about it in the context of this conversation. It's a concern of mine and I think adoption is perhaps harmed over the long run by the cost of it and the notion that this service would be used for people who can't necessarily afford a car or do not have a driver's license or for any amount of reasons, using this as a real utility for transportation, I do believe that that cost is prohibitive to that end. I think for somebody who has a good paying job and a couple of bucks to burn and they want to have fun on an afternoon, I think it's a great thing. The reality of this is

a solution for commuting to a job within the city or to a meeting or to the library or what have you. I think the idea versus the reality I think there is a mismatch based on the pricing. I appreciate you listening to my feedback.

Mr. Lynch

Sure, Thank you.

Chairman Moriarty

Very good. Commissioner Schoneman.

Commissioner Schoneman

Can you remind me what the City's responsibility is in this contract? What does the City pay if anything, what is our commitment to this contract?

Chairman Moriarty

Go ahead--

Mr. Sullivan

I'm happy to respond. The City's commitment is essentially nothing Commissioner Schoneman. Thank you for the question. We are simply providing an opportunity to encumber and therefore sort of a license for them to operate within the city. It is a non-exclusive license for the terms of MOU, but we're allowing them to operate within the City's market. There are no obligations of the City to perform any duty. It is directly as a result of the Memorandum of Understanding, but I would ask Mr. Lynch to clarify to comments if such is necessary.

Mr. Lynch

No, you're right. There are no, there's no financial commitment from the City. I guess the only participation would be with some of the product features that we have concern no ride zone or areas where if there is construction that is coming up or a parade or things like that for you to not want scooters to be ridden in that area giving us, and that's why our account manager would be working with someone from the City so that you can let us know about those particular events or issues that come up. If the water main breaks for DPW, something like that we can create no ride zones so the scooters wouldn't be able to be prohibited from riding into there so that they do not become, get in the way or at least involve themselves in some kind of construction that could be going on. So, again those kind of things are important for us to know and like Matt had said about area where like Mine Falls Park those places that come up if someone is interested is there any way we could make this a no ride zone or things like that we always have the ability to make those area and create those area in case of need. So, I guess that's really the only--just that kind of participation from the City and any kind of feedback like the councilman said regarding pricing and things like that to let us know about that is always important and that is kind of really

why we keep that partnership window open so we can listen to your complaints or any concerns and address those.

Commissioner Schoneman

Thank you.

Chairman Moriarty

Commissioner Shea.

Commissioner Shea

And, again I don't think this is something that we can really address in the context of this conversation, but while we're talking about this I would be against the idea of prohibiting the use in Mine Falls Park, especially where that is a real important thoroughway for pedestrian and two-wheeled traffic. There are many people who do use that for commute from apartments over on Broad Street to a job downtown, and it's a low powered low sound vehicle that doesn't go much, if not slower than a bicycle. Those are my thoughts on that and then I have one other thing, and I appreciate it. The train tracks on Main Street. We will--I think for a lot of reasons if, and I understand that they are kind of the responsibility of the train owner, is that correct? The person who operates the train kind of maintaining the asphalt at that site. So, in riding the Bird scooters over that, which like Main Street is like where you want to be with Bird scooters, it is jarring and I imagine that people with bicycles experience the same thing, but like if you are standing and you're maybe a little slack jawed while you're driving you thing, it's a real possibility that you could hit that thing and chip a tooth, or have a wheel go in the ditch and fall over. And so that's another concern that I have that I think that, you know, I don't know how cooperative the train owner is, but or if there is anything that we can do to compel them to better maintain it or partner with them to a greater degree to maintain it. I think attention to that for the safety of these scooters and for general people on bicycles will be good for us to continue to progress toward attending to more.

Lisa Fauteux, Director, Division of Public Works

We have been trying and we'll continue to try.

Commissioner Shea

I appreciate it.

Chairman Moriarty

Alderman O'Brien.

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

Commissioner Shea brings up a very good point, but the previous owner was Pan Am and I wouldn't really say 100% cooperative to the needs of the City on these particular items, but I think Monday there's a new sheriff in town and it's CSX they are taking over they purchased from Pan Am so perhaps it might be wise to reach out with the new owners and see if there might be, but it's only been about a week and I don't think they've gotten their feet wet yet completely. Maybe something that could be done. I agree with you, but we haven't had a heck of a lot of luck, particularly for Main Street. There's a lot that could be done with that particular, but you know--

Commissioner Shea

--I would agree.

Chairman Moriarty

The only question I had, Mr. Sullivan has the chain of communication been established as to who is going to be contacting Bird Ride when we have these events?

Mr. Sullivan

Yes, Mr. Chair, thank you for the question. I have been established as the temporary point of contact. Members of the Board may remember that Julie Chizmas who recently, unfortunately left the City was the primary point of contact. In her absence I will be serving in that role until such time that position is filled. I will be providing the data and any updates necessary, but it was also critical for me to establish those points of contact with folks involved with road closures, any incidents that may occur related to emergency events. I will be serving in that role, but that outreach will occur immediate subsequent to this approval, if in fact it does happen.

Chairman Moriarty

Thank you. Further questions?

**MOTION CARRIED: Unanimously.**

## **XI. ADMINISTRATION DEPARTMENT**

Chairman Moriarty

Next, Administration Department. This is information only, so there's no motion required. Information on the snow budget, budget transfers, and the Director's Report. Any questions on any of those before the Director gives her report? Seeing none, Director.

### **A. Informational**

- a. Snow Budget.**
- b. Budget Transfers – February 2022**
- c. Budget Transfers – March 2022**

### **B. Director's Report**

Lisa Fauteux, Director, Division of Public Works

I get through this quickly, I know it's getting late.

This is Sunapee Street. This Narbonne concrete Contractors finishing ADA curb ramps on Sunapee on April 13, 2022.

Sunshine Paving milled Huntingdon Lane and Doncaster Drive on April 12, 2022.

This is a sewer replacement on East Pearl Street.

This is an emergency sewer repair at Park and Main. You probably saw this occurring. This was replaced by SUR West between April 19 and April 26, 2022. The work involved removal of concrete road bed and deep excavation around numerous utilities.

The docks are in for the summer. This is the installation of the dock at Mine Falls. That was exciting.

This was our walkthrough at the disc golf park. There has been some things said about Mayor Donchess being a disc golfer, he is absolutely not a disc golfer, never thrown a disc in his life. This was the first time, he was a good sport about it, he's definitely not, nor does he intend to play disc golf. It was a great day and the Street Department is doing a really good job out there, and we appreciate Rotary West's support for this project.

This is a picture of the bridge that we talked about earlier that we had to close from Nashua High School South for structural concerns, and we've been getting a lot of feedback people are unhappy about that and anxious to get (inaudible).

We've been clearing medians on Amherst Street and citywide with sweepers and blowers.

Street crews made a repair to a double catch basin that was collapsing due to its age on North Southwood Drive.

This is a catch basin repair, again located in the parking lot of Nashua High South.

We've been doing a lot of lawn damage repair after our winter plowing.

We have one thing that we enjoy doing and we do a fair amount of at Wastewater is having student tours and this is a group of homeschooled group from Concord that came. It was nice to have kids go back to the plant to learn about wastewater.

We installed a new water system in the lab. This is necessary for our permitting, excuse me our permit. We're required to have a certain quality of water so we just installed the new system.

Curbside collection again has, we want to remind everybody to keep and maintain a proper 3 foot distance between the trash recycling and yard waste. One thing that happens every year that we ask residents to please not put any hot coals either from a charcoal grill or from a fire that creates some problems that can cause a fire in our packers or landfills, and please don't drop it off either. We did have a bid of a brush fire because somebody dropped some coals in the brush pile, so please don't do that. It's amazing sometimes you think that they're okay, but they're really not there could still be some hot coals, so please. We ask residents to aware of that. The other problem that we have this time of year is pool chemicals. Pool chemicals are very dangerous, especially when you put them in a packer or something and then they're compacted, they can explode and cause a lot of problems. Very dangerous. Those should be brought to our household hazardous waste collection.

SeeClickFix which I spoke with Commissioner Shea about earlier this week is now online. You can download the app and use it. It's very intuitive, very easy to use. We certainly could have a demonstration, but I think if you need any additional help let us know because we're happy to walk you through it, but it's very easy to use, very intuitive and easy to download. It's a great tool and residents are using it. There are a lot of communities that have this app and it's really a great app, you can report almost anything. It's primarily right now just for public works, but it certainly could be expanded to other--

#### Commissioner Lemen

--it would be nice if they had that for private property, like there is a tremendous hole in the Dunkin' Donuts drive-thru on Merrimack/Nashua line. I mean I was--

#### Ms. Fauteux

--really--

Commissioner Lemen

I was shocked. I mean I went around the corner and I was like thank goodness I just went enough around because my tire could have gotten stuck right there—

Ms. Fauteux

--wow--

Commissioner Lemen

--there's a deep, deep hole, but anyway, no it doesn't belong to the City.

Ms. Fauteux

I'm glad you missed it.

Commissioner Lemen

Yeah, me too.

Ms. Fauteux

So that's it any questions?

## **XII. COMMISSIONER'S COMMENTS**

Chairman Moriarty

Very good. Okay we'll move on to Commissioner's Comments.

### **Discussion:**

Commissioner Lemen

I have one. You know we're all concerns about the amount of cutting into our moratorium, and I realize that the emergency fixes are different, but when the gentleman from, I don't remember the engineering firm, but they're doing the assisted living for the elderly on Concord Street, talked about how they knew where they fell in the moratorium. When you go in front of the Planning Board to get a permit can we not ask people have your checked where you are on the moratorium, because or have the Planning Board say I'm sorry, you know, we just paved White Oak Street you can't do this. It seems to me that should just be a simple easy checklist. For example, when our next door neighbor put in this berm he had to do a lot of things and it really didn't affect us, but he had to do that and I don't see why that is not required particularly of somebody doing a major develop. That firm wad, I forget the name of the firm they knew it was coming so I don't think it's that heavy a list to ask somebody, there's got to be a list right of

what's in moratorium, and the Planning Board could just say okay you're on this street, no you're in moratorium. Or I don't know if that could be, I don't know how that works within the city government. I know things about the Planning Board, but it seems to me there should be some way to do that because nobody wants to keep paying lots and lots of money to have the street torn up, I mean some we can't prevent. I mean an emergency sewer repair is an emergency sewer repair, but if you're going to do something that's planned you should have to plan for that as well.

Lisa Fauteux, Director, Division of Public Works

So we do send out cards before we pave that explains to people look if you need to get some utility work done get it done now because you won't be able to after we pave. So we do send out those notifications. The problem with the Planning Board is that often times there's a much bigger approval than just cutting into a street. So typically, what will happen is they will tell them, our city engineer sits on the Planning Board and they're told that they need to go to the Board of Public Works to get an exception. That typically the way it works. So they are aware at the Planning Board level, but it doesn't hold up the approval--

Commissioner Lemen

--right.

Ms. Fauteux

--of the site plan.

Commissioner Lemen

--it seems to be there should be some mechanism by which to say, the same way we charge developers if they're going to do certain things.

Ms. Fauteux

The problem has been partially created by our Paving Program too. We have been paving so aggressively for the past 5 years, 5 to 6 years that the utilities can't keep up. They just can't keep up and so that is also part of the problem. Now we're seeing so many street that have been newly paved that it's hard not to end up with some problems where in the past we didn't see this because the streets were sort of a mess. That's part of the issue too. In the next 5 years, really we'll have all of our, hopefully or most of it but most of our streets in the next 5 years will all be up to speed. We're going to see more and more of that unfortunately because of that. But they're trying, you know, Liberty, Pennichuck, even our wastewater program we're doing our best to try to coordinate things and defer streets if we have if utilities can't keep up. We're doing the best we can to coordinate that but given all the streets that are paving that's why you're seeing more and more or these.

Chairman Moriarty

Alderman O'Brien.

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

Director Fauteux I'm glad you mentioned the aggressiveness of the paving. It's practically spot on. The citizen can refer to last night's infrastructure meeting because that was specifically mentioned. I don't have the numbers correct off the top of my head, but when you go from something maybe 5 miles per year to 11 miles, you're doubling in intensity and that's exactly what we're doing here. Thank you for bringing that up and I think that is part of the issue. Again, that could be if people refer back to last night's infrastructure you'll see the presentation.

Chairman Moriarty

Thank you. Other comments by commissioners? Okay, we'll move onto Personnel.

### **XIII. 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.**

Chairman Moriarty

Commissioner Shea would you mind reading Motion A.

**Motion by Commissioner Shea:** To Accept the Resignation of Mr. Shawn Denehy of Chelmsford, MA, Collection System Operator at the Wastewater Treatment Facility, Effective March 29, 2022.

Chairman Moriarty

Okay, that's the motion.

Commissioner Schoneman

Does the Director usually talk about that or not? Usually comment on--

Ms. Fauteux

--I don't he just --

Commissioner Schoneman

--my friend--

Ms. Fauteux

--a different opportunity.

**MOTION CARRIED: Unanimously.**

**B. Non-Public Session – Pursuant to R.S.A. 91-A:3, II(b), The Hiring of any Person as a Public Employee.**

Chairman Moriarty

Commissioner Lemen, Item No. B.

**Motion By Commissioner Moriarty:** I move by roll call that the Board go into non-public session pursuant to RSA 91-A:3, II(b) The hiring of any person as a public employee.

**MOTION CARRIED: Unanimously.**

*(nonpublic session commenced)*

**Motion by Chairman Moriarty:** To Seal The Minutes of The Board Of Public Works Personnel Non-Public Meeting of April 28, 2022 Until Such Time As The Majority Of The Board Votes That The Purpose Of The Confidentiality Will No Longer Be Served.

Chairman Moriarty

The motion does not require roll call, does it, no it doesn't.

Lisa Fauteux, Director, Division of Public Works

No it does require, I believe that does require roll call.

Chairman Moriarty

Okay.

Commissioner Moriarty

Yes.

Commissioner Schoneman

Yes.

Commissioner Lemen

Yes.

Commissioner Shea

Yes.

**MOTION CARRIED: Unanimously.**

Chairman Moriarty

Thank you. There's only one motion left to do. Commissioner Shea.

Commissioner Shea

Oh, goody.

*(Group Laughter).*

Leaving you hanging.

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

**MOTION CARRIED: Unanimously.**

Chairman Moriarty

Thank you.

The meeting of the Board of Public Works is adjourned at 5:53 p.m.