

## **Board of Public Works Meeting Meeting Minutes April 29, 2020**

A meeting of the Board of Public Works was held on Wednesday, April 29, 2020, at 3:00 p.m. via WebEx Conference Call.

Mayor Donchess stated as Chair of the Board of Public Works, due to the state of emergency declared by the Governor Sununu as a result of the COVID-19 pandemic and in accordance with Governor Sununu's emergency order #12, pursuant to executive order 2020-04, this public body is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to this meeting as authorized, pursuant to the Governor's emergency order. However, in accordance with the emergency order, I am confirming that we are providing public access to the meeting via telephone with additional access possibilities by video or other electronic means. We are utilizing WebEx through the city's IT Department for this electronic meeting. All members of the Board of Public Works have the ability to communicate contemporaneously during this meeting through this platform and the public has access to contemporaneously listen in to this meeting by dialing the following number 978-990-5294 and using the access code 273974. The public may also view this meeting on Comcast channel 16. Secondly, providing public notice of the necessary information for accessing the meeting; we previously gave notice to the public for accessing the meeting for public posting. Instructions have also been provided on the City of Nashua's website at [www.nashuanh.gov](http://www.nashuanh.gov) and has also been publicly noticed at City Hall. Thirdly, we have also provided a mechanism for the public body to alert us if there are problems with access. If anyone has a problem accessing the meeting via phone or channel or 16, please call 603-821-2049. In the event the public is unable to access the meeting via the phone number mentioned, the meeting will be adjourned and rescheduled. Please note that all votes taken shall be done by a roll call vote.

We will start the meeting by taking a roll call of attendance. When each member states their presence and why they are not physically present for the meeting, they will also state whether there is anyone in the room with them during this meeting. This information is required under the Right-to-Know law.

Mayor Donchess, Chair, declared the meeting to order at 3:00 p.m. and called the roll.

### Members Present:

Mayor James Donchess, Chair

- I am attending remotely due to the emergency order and the social distancing and I am alone in my living room.

Commissioner G. Frank Teas, Vice Chair

- I am attending remotely due to the emergency order and the social distancing and I am alone in a room in my house.

Commissioner Tracy Pappas

- I am attending remotely due to the emergency order and the social distancing and I am alone in my room at my house.

Commissioner Kevin S. Moriarty

- I am attending remotely due to the emergency order and the social distancing and I am alone in a room in my house.

Commissioner Shannon Schoneman

- I am attending remotely due to the emergency order and the social distancing and I am alone in a room in my house.

Mayor Donchess

I want to add that anybody may submit their comments via e-mail which will be accepted and placed on file with the minutes of the meeting. Please e-mail your comments to [bpwcommissioners@nashuanh.gov](mailto:bpwcommissioners@nashuanh.gov).

Also Present:

Ms. Lisa Fauteux, Director, Division of Public Works

Mr. Tim Cummings, Director of Economic Development

Mr. Jeff Lafleur, Superintendent of Solid Waste

Mr. Dan Hudson, City Engineer

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

Mr. David Boucher, Superintendent of Wastewater

Mr. Jon Ibarra, Superintendent of Streets

Ms. Carolyn O'Connor, Finance & Administration Manager, Division of Public Works

Mr. Nicholas Caggiano, Superintendent of Parks & Recreation

### **Approval of Agenda**

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

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

Yea:	Mayor Donchess, Commissioner Teas, Commissioner Pappas, Commissioner Moriarty, & Commissioner Schoneman	5
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Nay:		0
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**MOTION CARRIED: Unanimously**

## **Approval of Meeting Minutes**

### ➤ **February 27, 2020**

**MOTION:** Commissioner Pappas made a motion to approve the meeting minutes from February 27, 2020, as presented.

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

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

Nay: 0

**MOTION CARRIED: Unanimously**

### ➤ **April 8, 2020 – Special Meeting**

**MOTION:** Commissioner Pappas made a motion to approve the meeting minutes from April 8, 2020, as presented.

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

Yea: Mayor Donchess, Commissioner Teas, 4  
Commissioner Pappas, Commissioner Moriarty,  
& Commissioner Schoneman

Nay: 0

Abstained: (Teas) 1

**MOTION CARRIED: 4 – 0 – 1**

## **Update from Mr. Tim Cummings, Director of Economic Development Regarding the Burke Street Property**

### Mayor Donchess

This Board did vote back in July to relinquish the building and turn it over to the Board of Aldermen which was pursuant to the Charter which provides once the Board of Public Works decided they no longer needed or wanted to use any property it would revert to the Board of Aldermen.

### Mr. Tim Cummings, Director of Economic Development

For the record, 141 Burke Street was put under agreement and there was an executed purchase and sales and I've only ever represented that there was a purchase and sale on the property. Subsequently, the purchase and sale has been terminated and is currently

under active negotiations right now. I do understand that this is a priority and time is of the essence and so I am working on it even in this emergency state that we are in. The jurisdiction of this property is now under the Board of Aldermen and so I have them focusing on it and will continue to focus my updates in my communicating with them on this matter. That is all I have at this time.

Mayor Donchess

Are there any questions or comments for Mr. Cummings?

Commissioner Pappas

My comments are more to the Mayor's update from the meeting that the public did not hear and I would like to state for the record that the information on the Burke Street sale for the Board of Public Works office facility issues has been delivered to city officials in an extremely convoluted manner that makes it very difficult to understand how the facility financing will proceed without the sale of Burke Street. Neither this Board nor the Board of Aldermen was informed that the Burke Street deal fell apart in early January of 2020. I feel that it is wrong that the information wasn't shared with this fully elected Board and during the unpublished meeting, you clearly were very angry that I called you out on this and you took your anger out on me. During the meeting that excluded the public and wasn't recorded, I was diminished, demeaned, and reprimanded for actions that did not warrant such a hostile response. No dissenting communication is (inaudible) of civility and any person who steps beyond the (inaudible) group (inaudible) can expect a personal attack.

I was elected to represent the people, period, and the day that can't deliver that service of looking out for the taxpayers and residents of this city and their best interest, I will resign from this Board.

Mayor Donchess

I would just say when a Commissioner makes statements that are very inaccurate and somebody corrects that record that it's not hostility or anger. In any event, why don't we move on?

Mr. Cummings

I just want to correct for the record that the deal did not fall apart in "early January" as that is factually inaccurate.

Commissioner Pappas

I said "early 2020."

Commissioner Moriarty

The way I look at this is the fact that the deal didn't go through yet might work in our favor, from the Board of Public Works, because as you had mentioned, we only have 24 months

to use the funds and we are not quite ready to get going on this project so I think this will work in our favor when we actually do sell this property.

### **Solid Waste Department**

**A. MOTION:** Commissioner Pappas to approve the purchase of recycling and trash carts and cart lids for curbside collection for FY21 in an amount not-to-exceed \$145,000 from Toter, Inc. of Statesville, NC. Funding will be through: Department: 168 Solid Waste; Fund: Solid Waste; Account Classification: 71 Equipment.

### **Discussion:**

Mr. Jeff Lafleur, Superintendent of Solid Waste

This is our annual appropriation for toter's that we buy and replace yearly. It's also for the recycling carts that we sell to residents.

Mayor Donchess

Are there any comments or questions?

Commissioner Pappas

I think it's important for us, if we do have radios on our trash trucks, to call in when there is a lid that needs to be replaced. I understand that folks are busy and that sort of thing but I have driven by houses that it's been at least one year since the top was on it. I would guess it's only a small portion if you just have to replace the lid and not the whole toter. My recollection is we are well beyond what is supposed to be the life of these toter's and it sounds like we are actually doing quite well with it and I think replacing those lids would be advantageous.

Mr. Lafleur

Absolutely Commissioner Pappas, we are doing as many as possible. We are doing probably over 100 of them per week. We are trying to get them all but it's overwhelming how many broken cart lids there are out there but we are getting as many as possible.

Commissioner Pappas

Off the top of your head do you have a sense as to how many of the regular carts themselves you have had to replace? I think they are about 20 years old, is that correct?

Mr. Lafleur

They are about 17 years old because we started in 2003. We haven't actually replaced all that many but I don't have a number off the top of my head. Like you said, they are holding up very well.

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

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

Nay: 0

**MOTION CARRIED: Unanimously**

**Engineering Department**

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

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

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

Nay: 0

**MOTION CARRIED: Unanimously**

**B. MOTION:** Commissioner Moriarty to approve the engineering services contract with Hayner/Swanson. Inc. (HSI) of Nashua, NH, in the amount of \$398,230 for the management and construction administration of the paving program. Department: 160 Admin/Engineering; Fund: Bond; Activity: Paving.

**Discussion:**

Mr. Dan Hudson, City Engineer

This contract is with Hayner/Swanson as noted and it is to help support with the construction administration and inspection efforts from the paving program. We have another extensive year planned with over 22 miles of paving, some 2019 carry-over work, and it also includes some ADA ramps from the federal paving program last year. We can certainly use this help and that's why we are making the request.

Commissioner Pappas

This is something that we did last year and the amount of money that you either...management construction would help with would depend on the number of miles of road we are paving, is that correct?

Mr. Hudson

Yes, Commissioner Pappas, that is correct. The more miles the more hours it is basically and this is a service contract whereby for the hours they work...if they don't use up all of it then we don't spend that money. This is established based upon our best estimate of what this years' needs are for everything that is planned.

Commissioner Pappas

And we wouldn't be able to complete the project without the contract, is that reasonable?

Mr. Hudson

Yes, that is correct.

Commissioner Pappas

Or it would make it a lot more difficult I would think.

Mr. Hudson

Yes, that's correct.

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

Yea: Mayor Donchess, Commissioner Teas, Commissioner Pappas, Commissioner Moriarty, & Commissioner Schoneman	5
Nay:	0

**MOTION CARRIED: Unanimously**

**C. MOTION:** Commissioner Teas to approve the purchase of manhole and catch basin castings from Concord Winwater Works Co. of Concord, NH, in the amount of \$65,251.35. Funding will be through: Department: 169 Wastewater; Fund: Wastewater; Activity: Sewer Structures

**Discussion:**

Mr. Hudson

This is another item that supports the paving program. This replaces castings as it is noted. As we do the paving work and we find structures that are broken and they need to be replaced as well as a number of them that need to be replaced because they don't meet current standards. We have a lot of the triangular covers which don't meet current standards for access. This is a proposed expansion of the purchase order from the last year. Concord Winwater Works has agreed to hold the 2019 pricing.

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

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

Nay: 0

**MOTION CARRIED: Unanimously**

**D. MOTION:** Commissioner Moriarty to approve the following Pole License Petitions: PSNH # 21-1490, #211507, #21-1511.

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

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

Nay: 0

**MOTION CARRIED: Unanimously**

**E. MOTION:** Commissioner Pappas to consider the hardship request to excavate in a five-year moratorium street from Liberty Utilities for the installation of a high-pressure gas line.

**Discussion:**

Mr. Hudson

This is a request submitted by Liberty Utilities to extend a gas main at the intersection of Main Street and Allds Street. They are asking for relief from the moratorium because it was at the limit of a previous paving project from 2018. They are replacing some older cast iron pipe and setting themselves up for future replacement of a main further up on Main Street. The current standard when they work on a high-pressure gas main which is a smaller diameter such as a 2 inch main and that enables some them to include some additional safety features where there are integrated pressure relief valves at the houses. It's setting them up to use the latest technology which is safer. We saw the gas events that happened in Massachusetts and my understanding is that this will help address some concerns that maybe you would have with the older main.

Where they are proposing to tie in is just within the limits of the previous project and within the next couple of years we plan to pave Main Street and portions of (Recording went out for approximately one minute at about 24 minutes in.)

Commissioner Pappas

I have been pretty consistent that I always vote no to cut into our roads because it's bad for the longevity of the road if it is not a gas leak. I don't remember at the last meeting that we are re-doing currently I don't remember there being a statement that said it would make the gas lines safer and obviously, given what happened in Lowell, MA, where the gas lines blew up, I will change my vote and vote yes for safety reasons.

**Recorder's Note:** The call-in line went down and the meeting was paused until the connection was back up.

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

Yea: Mayor Donchess, Commissioner Teas, Commissioner Pappas, Commissioner Moriarty, & Commissioner Schoneman	5
Nay:	0

**MOTION CARRIED: Unanimously**

Commissioner Moriarty

I will have to sign off at 5:00 p.m. if the meeting has not concluded as I have a patient who is in acute pain.

**F. MOTION:** Commissioner Pappas to approve the hardship request from Liberty Utilities for excavation to repair ten Grade 2 leaks located at 16 Hassel Brook Road, 7 Kenmare Road, 3 Kerry Lane, 8 Kerry Lane, 13 Manchester Street, 29 Nottingham Drive, 6 Piermont Street, 21 Pinehurst Avenue, 34 Pinehurst Avenue, & 124 Peele Road.

**Discussion:**

Mr. Hudson

This is a request by Liberty Utilities to repair gas leaks that they have discovered since we did the paving within the last five years which is an unfortunate situation but, it does happen. They verified that they looked for leaks prior to all of those paving events and corrected what they found but had since found these since. As required by the New Hampshire Utilities Commission they are required to fix them within one year and that's why we are recommending approval of this hardship request.

Commissioner Schoneman

I noticed that some of these inspections and leaks that were found are quite recent; 124 Peele Road was paved and we have to assume it was also inspected in May of 2019, so I am a little concerned if the inspection was adequate or do the leaks creep up in such a

short time and is the equipment in such bad shape that things are cropping up in 10 or 11 months or less in the gas line.

Mr. Hudson

I don't pretend to know exactly how all the issues are related to gas but I do know that different times a year they will get different results because pipes and soils expand and retract and that sort of thing. Our understanding is that they did do inspections prior to paving and since that time they have found at least one additional one from last year and a few (5 or so) from the year before. We do pave lots of streets and although there are a couple of these, in relation to all of the paving we have done it is still probably a low percentage although this is obviously nothing that anybody likes to see happen. They are aware of the moratorium paving requirements and that they need to do additional paving on 20-feet on either side of the damaged area that would be required to repair these. Unfortunately, we don't see that it was avoidable in this case.

Commissioner Schoneman

Is there a lot of excavation that goes on for each repair? Is this a big project for each of these repairs?

Mr. Hudson

No, these are typically smaller excavations. In a letter, they estimated that excavation is 4' wide x 8' long each. Basically, they just dig a small hole as needed to get in and find the issue. Sometimes it can be more because gas can travel along the pipe and that sort of thing but typically it should be a fairly small excavation, about the size of a sheet of plywood.

Mayor Donchess

Is there anything else, Commissioner Schoneman?

Commissioner Schoneman

Just for the record, I think it seems a little wasteful. We all know the sooner we dig into a road that has just been paved, the shorter the life of the road. It can be prevented if things could be inspected and taken care of well before the paving and not one year after; I think that would be better.

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

Mr. Hudson, would it be best to have a description that identifies what the grades are, and when we go to pave there may be a present leak but what is acceptable to Liberty Utilities to not handle that particular leak and at what grade level? Maybe that might help to explain to the public what the exact procedure is. Throughout the entire city, there are leaks that are in different gradients and maybe that's the explanation that needs to be made here.

Mr. Hudson

I will reach out to Liberty Utilities and gather some information. I know that we are going to have one of these that we will bring forth in May so I will try to gather that and bring it forth next time.

For a point of reference, this years' paving program is approximately 22 miles and they did an extensive inspection that we were replacing 60 to 80 leaks ahead of our paving. To have one or two pop up a year later is unfortunate but Liberty has been a good partner in working with us to inspect and expedite those repairs to accommodate our paving schedules. We are very comfortable that they are doing everything we are asking them to do in the pre-investigation phase anyway.

Commissioner Pappas

Prior to paving, does Liberty Utilities send engineering a verification that they have checked all of the streets for every single level of a possible gas leak?

Mr. Hudson

I don't know what the paperwork is that they give us but we meet with them bi-weekly and we give them our list of all of the paving streets and then we go through each one and clarify whether they have been cleared for gas leaks. It's a very back and forth collaborative working relationship we have with them. Before we pick the street we are assured that we have cleared it for gas leaks and they don't have any pending construction on that street. We are working together to try to avoid these cuts into new pavement.

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

Yea: Mayor Donchess, Commissioner Teas, Commissioner Pappas, Commissioner Moriarty, & Commissioner Schoneman	5
Nay:	0

**MOTION CARRIED: Unanimously**

**G. MOTION:** Commissioner Moriarty to consider the hardship request from Liberty Utilities for excavation through the intersection of Main Street and Russell Avenue in preparation for paving.

**Discussion:**

Mr. Hudson

Liberty is replacing a gas main on Russel Avenue and that's to support paving work that we are doing later this year. This will extend that work into Main Street so they can tie in

where the main is on Maintenance Street so it's extending the Russell Avenue work by about 10-feet into Main Street to connect to the Main. That would by-pass an old valve and a 10-foot piece of old cast iron pipe. There is also probably a marginal safety improvement by replacing the 10-feet of plastic pipe and putting in a new valve but that is what their request is and there is a diagram in the packet which shows what the proposal is.

#### Commissioner Pappas

As I said on item E. I had voted no during the meeting that we are re-doing now and I since have voted yes because I was told it was definitely a safety improvement. This one sounds like it's only going to be a marginal safety improvement and we investing a whole lot into our roads and anytime you cut in, no matter how much you cut in, it does put the life of the road at risk so I will not be supporting this one.

#### Commissioner Teas

Mr. Hudson, what is the danger to the public and the taxpayers should this repair not be completed in a timely fashion? Is there any risk of injury or additional damage to the infrastructure?

#### Mr. Hudson

There is always that risk. This one is less of a risk than the other one, but it's always preferably to have them put in and complete the project. This will leave a little gap in the work if it's not done. I'm sure they will be back in three years to wrap it up. They will often give us a contribution toward paving and I'm sure as we are paving Russell Avenue this might be a case where we can do that 10-feet and then carry our Russell Avenue paving a little bit into Main Street to probably do a better patch (inaudible) later as a stand-alone project, especially if it's not in the moratorium but just patching the actual work. It probably is less critical than the other one that was approved but I still recommend it so that this project can be completed to facilitate our coordination of the Russell Avenue paving.

#### Commissioner Schoneman

Mr. Hudson, is this approval for excavation actually on Main Street, or is it on Russell Avenue?

#### Mr. Hudson

This is just the portion on Main Street. Russell Avenue will be paved as part of our paving program. It's not in the moratorium, this is just where Main Street was previously past Russell Avenue. It's to address that small impact in that location.

#### Commissioner Schoneman

Okay, so that part of Main Street was paved less than five years ago but you said it's going to be paved again, is that what you said?

Mr. Hudson

No, what I am suggesting is that if the Board does grant this then I am suggesting that we would work with Liberty and instead of...I mean they could do their own paving but lots of times when we work with them they give us a contribution towards re-pavement. Because of the moratorium requirements, this would have to be paved curb to curb. I was just suggesting if this was done now they could give us a contribution towards that and we could probably extend our Russell Avenue work and do that paving now. If they came along later after the moratorium, which they probably will if this is voted down; you wouldn't have that curb to curb pavement, you would just have the patch. I am suggesting that maybe in the long-term interest of this holding up it's better to approve this to get the better patch but I yield to the Board's discretion.

Commissioner Schoneman

I voted no at the meeting that was not recorded but I will take the engineer's recommendation that it seems like a better thing to get the full curb to curb so I will support this one.

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

Yea: Mayor Donchess, Commissioner Teas, Commissioner Moriarty, & Commissioner Schoneman	4
Nay: Commissioner Pappas	1

**MOTION CARRIED: 4 – 1 – 0**

**H. MOTION:** Commissioner Pappas to consider the request from the owners of 24 Coburn Ave for one building service connection to service two lots (existing Lot F-71 and proposed Lot F-71-1) with the recommended stipulations.

**Discussion:**

Mr. Hudson

This is a request for an existing sewer service to be shared amongst two separate lots. The city ordinances require that each private building has its own service, however, the Board of Public Works has the authority to grant a combined service if it feels it's in the best interest of the city. In this case, this is on a moratorium street so the owners are asking to combine the service which was rather recently installed so we believe it to be in good shape, although one of the stipulations we have asked for is that they prove that it is suitable for use for the two properties. We find this to be a reasonable request and recommend its approval with the stipulations.

Commissioner Pappas

Since it's not a safety issue, again, I think that cutting in is probably not a great idea for the taxpayers and it's not good for the longevity of our roads so I will not be supporting this.

Mr. Hudson

I may have confused the issue by mentioning the moratorium. They are actually proposing that they do this combined service so they don't have to cut into the road. If this wasn't a moratorium they might provide the two separate services but since this is a moratorium street they are avoiding doing the cutting by combining the services and I do think it's in the city's interest to not cut the street.

Commissioner Pappas

We can also just say we will wait until the moratorium is over. When is the moratorium done?

Mr. Hudson

This was paved in July of 2019 so there are 4 plus years left on the moratorium and I assume they want to move their development through quicker than that so I'm not sure...you can certainly deny this combined service and then they would be forced to come and ask for a hardship request to tie in and if that were denied they would be prohibited from building on this lot for 4 ½ years.

Mayor Donchess

They are not cutting into the street though, right?

Mr. Hudson

They are not currently. This is a proposal to share so they don't have to cut into the street. I believe they are also sharing a driveway. I believe they are making every effort to not cut into the street.

Mayor Donchess

Is there further discussion?

Commissioner Schoneman

So this is a sewer connection and everyone feels like it's okay that the two lots can be handled with the one service. Is everybody happy with that?

Mr. Hudson

I would point out that was one of the stipulations we asked them to prove to us that the one service could handle it. Based upon what the lots are and the size of the service we believe

it's probably adequate but they are going to have to make that case to us in order for us to allow it.

Commissioner Teas

For clarity, they are not cutting the street, they are simply servicing two lots with one sewer connection.

Mr. Hudson

That's correct.

Commissioner Pappas

But in a perfect world, we want each lot to have its own sewer connection, is that correct?

Mr. Hudson

Yes, in a perfect world that would be so and that's why the ordinance is stated the way it is. It does allow for exceptions where the Board of Public Works believes it's in the city's best interest and that's your call.

Commissioner Pappas

Okay, so the two lots with one sewer is not in line with our existing ordinance without an exception, is that correct?

Mr. Hudson

That is correct.

Commissioner Moriarty

I think Mr. Hudson mentioned that we approved a similar request at last months' meeting, I believe it was on Fairway.

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

Yea: Mayor Donchess, Commissioner Teas, Commissioner Moriarty, & Commissioner Schoneman	4
Nay: Commissioner Pappas	1

**MOTION CARRIED: 4 – 1 – 0**

- I. Informational: Emergency approval of a change order with S.W. Cole Engineering, Inc. of Londonderry, NH in the amount of \$94,400. Funding is through: Department: 160 Admin/Engineering; Fund: Bond; Activity: Paving.

### Mr. Hudson

This is an expansion of an agreement with S.W. Cole Engineering which is a testing firm. They do the compliance testing on the asphalt; they are present in the plant while the asphalt is being produced and they also do some density testing for us as (inaudible) is put down and they do some cores to test it afterward. They are here to verify we are getting what we are paying for in terms of the mix properties. This number is larger than last year and I will note that we undershot the number in last years' budget a little bit. The 2019 carryover work is getting addressed with this expansion as is all of the 2020 work. This was on our meeting agenda for the March meeting which ended up getting canceled because of the COVID-19 virus. As paving work was scheduled to start in early April we brought this forward as an emergency request for approval because we weren't sure when we were going to get a chance to bring this to the Board. We did have a meeting on April 8<sup>th</sup> and then we had this meeting tonight. We had neglected initially to add it to the agendas. It was an oversight on the April 8th meeting because that meeting came together pretty quickly. We are bringing this forward to bring the Board up to speed and explain the chain of events as they occur. Normally we would have brought this forward as a normal item for your approval and then do the finance and do the normal process but due to everything that was going on and to get this work going concurrent with the paving work, we went the emergency approval route. I would be happy to answer any questions the Board may have on that.

### Commissioner Pappas

My comment would be the same as the last meeting that we are currently re-doing now. I certainly very much support the testing program. I think it's extremely important to make sure that we do get high-quality asphalt and I understand that things have been difficult and confusing around COVID-19 but we did have that early April meeting. It's money well spent but it is a lot of money and I think it's really important for us as a Board to have good information when we make decisions. I hope in the future we can be really careful about that sort of thing, but again, I very much support this program and I think it's an integral part of the paving program to make sure we are getting what we are paying for.

### Wastewater Department

- A. **MOTION:** Commissioner Pappas to approve Change Order #6 to the Energy Recovery Upgrade contract with Methuen Construction Company of Plaistow, NH, in an amount not-to-exceed \$5,619.29 for structural support modifications to the energy recovery room. Funding will be through: Department: 169-Wastewater; Fund: Wastewater; Activity: Energy Recovery Upgrade Project.

### Discussion:

Mr. David Boucher, Superintendent of Wastewater

This is a change order to the energy recovery project at the wastewater facility. This project includes two new generators that will run off of the biogas generated by the digester. The cost for this change order is to cover the custom fabricated steel support, the two heat exchangers, and the jet water pump. These weren't in the original contracts as it was thought that these brackets would come with the equipment but they did not. I am happy to answer any questions.

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

Yea: Mayor Donchess, Commissioner Teas, Commissioner Pappas, & Commissioner Moriarty, & Commissioner Schoneman	5
Nay:	0

**MOTION CARRIED: Unanimously**

**B. MOTION:** Commissioner Moriarty to approve Change Order #4 to the contract with Methuen Construction in an amount of \$49,335, for the construction of upgrades to the primary tanks at the Wastewater Treatment Facility. Funding will be through Department: 169 Wastewater; Fund: WERF and SRF Loan; Activity: Primary Upgrade Project.

**Discussion:**

Mr. Boucher

The change order is to cover some unforeseen costs as part of the project. There was a cost for extra coating of the thickening paint that is being upgraded during this project and it was only discovered when the tanks were emptied. There was also some extra digging for some electrical conduits. It was due to unforeseen existing piping being in the way of where the new piping was going to go. We also upgraded to a PLC prop tester that is being moved from an old location to our new electrical building and we want to make sure that is upgraded with the project.

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

Yea: Mayor Donchess, Commissioner Teas, Commissioner Pappas, Commissioner Moriarty, & Commissioner Schoneman	5
Nay:	0

**MOTION CARRIED: Unanimously**

**Streets Department**

**A. MOTION:** Commissioner Pappas to award the contract for the Design/Build of the Fuel Island located at the Street Department Facility to Stephens-Marquis Associates Inc. of Merrimack, NH, in the amount of \$267,000. Funding will be through Department: 161 Street; Funds; General and Escrow; Activity: Fuel Depot Rehabilitation.

**Discussion:**

Mr. Jon Ibarra, Superintendent of Streets

As you may recall, we went out to bid for the rehabilitation of the fuel island located at 9 Stadium Drive, the Streets Department as it had deteriorated and was in need of a design and rebuild. We went out to bid and we awarded the bid and then (inaudible) and through that process and multiple change orders prior to them actually providing any work, the city lost confidence in the ability of that contractor to deliver. We terminated the contract with the original bidder and moved to the next lowest bidder and that is what is before you now.

The Streets Department will be working collaboratively with Stephens-Marquis and we will be taking on approximately \$125,000 of the work related to that project using our city forces.

Commissioner Pappas

Can you explain to the public what you folks will do for fuel in the meantime and then one question I have is if you guys have any underground tanks that we will have to deal with when we do construction on a fuel island like that.

Mr. Ibarra

For that particular project, they are above ground storage tanks and there are no below grade tanks at the Streets Department facility. To answer your question about where we will get fuel, we have access to fuel at the landfill (they have diesel) and wastewater. The project length is supposed to be shorter than six weeks. This does serve the police department, the fire department, AMR Ambulance, and the school department. I believe fire does have (inaudible) down on Spit Brook Road and we will have to make arrangements to give those guys an account to get fuel elsewhere.

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

Yea: Mayor Donchess, Commissioner Teas, Commissioner Pappas, Commissioner Moriarty, & Commissioner Schoneman	5
Nay:	0

**MOTION CARRIED: Unanimously**

## **Administration**

**A. MOTION:** Commissioner Pappas to approve the proposed 2020 Sculpture Symposium sites.

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

Yea: Mayor Donchess, Commissioner Teas, Commissioner Pappas, Commissioner Moriarty, & Commissioner Schoneman	5
Nay:	0

**MOTION CARRIED: Unanimously**

## **B. Informational**

### **I. February-March 2020 Budget Transfers**

Ms. Carolyn O'Connor, Finance & Administration Manager, Division of Public Works

The budget transfers were for Parks & Recreation and they were for additional employees in training so we transferred money over for those additional costs.

### **II. Director's Report**

- The first picture is of Diane Thibodeau and her daughter Molly making masks for our employees.
- We have also had other people sewing masks for us, Karen Sutherland, Amy Derosche from the Hunt Building, and New Hampshire State Representative Latha Mangipudi along with a number of other Nashua residents.
- We would also like to thank Chick-Fil-A who brought food to the wastewater and solid waste employees. It was very generous and the staff really appreciates it.
- I also want to thank the Nashua House of Pizza who also brought pizza to our Solid Waste Department.
- The Nashua Police Department has notified us of several scams that they are asking folks to be very careful of. For instance, there is no door-to-door test

being offered for COVID-19. They are asking that prior to making a donation to charity to please make sure the charity is registered. Utility companies will not ask for your personal or bank information over the phone and the Social Security Administration will never call asking for money over the phone. There are also people walking around saying they work for the city and asking if residents want their driveway paved.

- Lauren Byers and the Joint Information Committee are working hard at pushing out a lot of information on COVID-19 and one of them is social distancing. They are doing some great work on social media.
- Crisp Contracting did a sewer service at 1113 Harvard Street on March 9<sup>th</sup>.
- Our paving program has begun.
- We have milling on East Hollis Street.
- Work has begun on Lake, Allds, East Hollis Street, Ridge Road, South Main Street, Williams Street, Pawn Street, Ash Street, Hunt Street, Lafrance, Chandler, and Prescott.
- We have also started our crack sealing season and indus has completed carry over crack sealing work on city streets between April 6<sup>th</sup> and April 10<sup>th</sup> and the bids for our 2020 work are due on May 15<sup>th</sup>. So far we have sealed 27 streets. have carried over.
- The Greeley Boat Ramp construction is underway. Northeast Earth Mechanics has completed their portion of the work and now the Street Department is working on constructing the access road to the ramp parking area with millings. The parking site area of development is ready for final grading.
- Crisp also helped us do another family sewer service on 16 Euclid Avenue. The cost to the city was \$15,440 and we received a fee of \$600 from the resident in accordance with the Sewer Disposal Ordinances, which, of course, we are looking at revising.
- We have begun our sweeping program, both streets, and sidewalks.
- We are filling potholes and prioritizing them.
- We have constructed the Jeff Morin Playground at Roby Park. We still have to pave the walk and hang the shade sails.
- The Salem Street Tot Lot's demolition and removal work is complete and the installation of the playground started on April 14<sup>th</sup>.

- The repairs to the Eaton Street Bridge were completed on March 20<sup>th</sup> and the bridge is open for use.
- The Parks & Recreation Department took delivery of a new tractor with several attachments that will come in very handy; a front grapple, dump winder, right side mower, and a ball field groomer.
- We are working on our pump station upgrades. The Fulton Street and the Gillis Street pump stations are being worked on right now and are both part of the phase I station upgrade. All 13 pump stations are scheduled to be either modified or replaced in a phased approach over the next couple of years.
- Our landfill gas collection has recently been completed and we are getting ready to start filling in our phase III landfill. We sent a Notice of Intent and we received a couple of simple questions today which we will respond to and we are hoping to fill that phase very soon.

#### Commissioner Pappas

When you say filling it, that's just with trash. So, the residents are all done with their construction noise?

#### Director Fauteux

Yes, that's correct.

- We are working on permitting the phase IV landfill. We have several permits that will be submitted hopefully by the end of May. We hope there will not be a delay due to DES's work schedule but at least we will start the clock ticking and as Commissioner Pappas has mentioned, once it's approved, it will be grandfathered which will be a good thing.

#### Commissioner Pappas

Let's say that there are no delays with their schedule, do you have a timeline as to how long it might take?

#### Director Fauteux

To get the permits?

#### Commissioner Pappas

It will probably take a couple of years. But once we submit our permit the clock starts ticking which is a good thing. It's a huge process with many, many applications to get through the permitting process. Sanborn Head is working with Kerry Converse who is our Environmental Engineer and Jeff, our Superintendent, to get that done. We will definitely keep the Board updated on how that process is going.

- Our soft yard waste collection began on April 13<sup>th</sup> and residents seem to be very happy about that. I'm not sure we had more calls about when soft yard waste would start.
- I wanted to bring you up-to-date on commercial versus residential MSW. Residential MSW is up a little bit, about 300 tons. Commercial MSW is down about 1,200 tons, however, CND is up about 1,200 tons so it's pretty much a wash but we will continue to watch that as time goes on.

Commissioner Schoneman

Director Fauteux, do you know when the shade sails will be hung in Roby Park?

Mr. Nicholas Caggiano, Superintendent of Parks & Recreation

The paving of the walkway was done today by the Streets Department. The next thing to do will be to put on the shade sails and they should be in place within two weeks.

**Personnel**

**A. MOTION:** Commissioner Moriarty to approve and unseal the nonpublic minutes for Personnel from the Board of Public Works Meeting of February 27, 2020.

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

Yea:	Mayor Donchess, Commissioner Teas, Commissioner Pappas, Commissioner Moriarty, & Commissioner Schoneman	5
Nay:		0

**MOTION CARRIED: Unanimously**

**Non-Public Session**

Mayor Donchess

On the agenda, there is a non-public session for two personnel actions. I am going to propose, and I have talked to the Legal Department about this is that we do this in open session right now. The reason is that the technical requirements of trying to hold a non-public session given the remote nature of the meeting and then coming back to a public meeting to adjourn, which is what is supposed to be done, might not be able to be executed.

The Board collectively agreed to address the items in the non-public session.

**A. MOTION:** Commissioner Pappas moved to approve the selection, contingent upon acceptable results of criminal and driving record checks, and pre-employment checks of Robert DeLuca for the position of Truck Driver/Street Repair, Streets Department. The starting salary for this position will be \$22.41 per hour. Funding will be through: Department 161 Streets Department; Fund: General; Classification 51 Salary and Wages.

**Discussion:**

Director Fauteux

Mr. DeLuca worked for the Solid Waste Department as a temp for a period of time and did a great job. The staff speaks very highly of him. He went on to get his CDL and he has some experience as a truck driver. He is very eager and I think he will be a good fit and both the Superintendent and I support his candidacy for a truck driver.

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

Yea: Mayor Donchess, Commissioner Teas, Commissioner Pappas, Commissioner Moriarty, & Commissioner Schoneman	5
Nay:	0

**MOTION CARRIED: Unanimously**

**B. MOTION:** Commissioner Pappas moved to approve the selection, contingent upon acceptable results of criminal and driving record checks, and pre-employment checks of Ronald Lucci of Merrimack, NH, for the position of Electrical Diagnostic Technician I at the Wastewater Treatment Facility. The hourly rate for this position is \$28.00 per hour. Funding will be through: Department 169 Wastewater Fund; Account Classification: 51 Salary and Wages.

**Discussion:**

Director Fauteux

We have been looking for a Master Electrician for a long time and it's been quite a challenge. The Superintendent was really excited when he saw this gentleman apply. When you look at his resume you can see that he has an amazing background. When I asked him about why he wanted to make the move to wastewater he said he has traveled about three hours every day because he is working in Boston and would love to work closer to home. We think he is going to

be a great fit for the Wastewater Treatment Plant and we are really excited to see that he is interested in this position.

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

Yea: Mayor Donchess, Commissioner Teas, Commissioner Pappas, Commissioner Moriarty, & Commissioner Schoneman	5
Nay:	0

**MOTION CARRIED: Unanimously**

### **Commissioner's Comments**

#### Commissioner Teas

I am curious as to whether or not if we know the roster of attendees at this meeting. Is it listed who is participating?

#### Mayor Donchess

Does anybody have that information?

#### Ms. Thibodeau, Executive Assistant to the Director of Public Works Division

I can tell you that I've been told by IT that there is no way to actually know who is calling in if you don't have their name listed. WebEx does not show the phone number. Technically, this information is being given to employees and members of the Board of Public Works only. The public should be calling in on the bridge line that was put on the website calendar as just a listen-only. All of the callers here should be members of the Board of Public Works and employees.

#### Commissioner Pappas

I know you were going to try to think of a way to have the public interface with the meeting. I can imagine the phone situation is a little bit difficult so I wasn't sure if you had looked into folks being able to submit something in writing if they wanted it read.

#### Mayor Donchess

My recollection is that Commissioner Schoneman's proposal was for consideration at the next meeting and since this is a re-do of the same meeting I interpreted that to mean the May meeting. I think that is what Commissioner Schoneman had suggested she was going to do.

#### Commissioner Schoneman

At the previous meeting, we discussed how we could include public comment in the remote meetings. We certainly hope we won't be meeting remotely too much longer and then we can go back to having public comment as usual. At the beginning of this meeting, the Mayor addressed briefly that public comment can be emailed to the director and he gave the address where those can be sent. I will continue to look into ways that the public can possibly participate in remote meetings but we need to consider the legality and the technicality of it. I will reiterate that I feel like public comment is very important. When I voted to agree to suspend it for the remote meetings, I believed it was only because of a technical issue. I will continue to look into ways for the public to not only listen but participate and have a time for public comment if possible and if technology allows. I will submit that to the Director as soon as I am able to come up with something.

#### Commissioner Pappas

I did vote against suspending public comment just because we don't get a whole lot of it and I don't think we've ever really been flooded with requests for public comment but when we do...I just thought that since we had our public works email that would be an easy way to do it. That was my suggestion. I would like to go low-tech because I am not a high-tech type of person.

#### Director Fauteux

To Commissioner Teas' question, the IT Director just texted me and said that we do know who called into the meeting and he will send that information to me so I will be able to get that information to the Commissioner's.

#### Commissioner Pappas

I just wasn't sure...I guess if someone's interested that's fine, I just wasn't sure of the relevance. We don't know who tunes in on Channel 16 and I guess some folks don't have Channel 16. It is interesting because we may have more people interested in listening to public meetings because more people are working from home or furloughed from work.

### **Adjournment**

Commissioner Moriarty made a motion to adjourn.

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

Yea: Mayor Donchess, Commissioner Teas, Commissioner Pappas, Commissioner Moriarty, & Commissioner Schoneman	5
Nay:	0

**MOTION CARRIED: Unanimously**

Meeting adjourned at 4:29 p.m.