

**Board of Public Works Meeting  
Meeting Minutes  
May 31, 2018**

A special meeting of the Board of Public Works was held on Thursday, May 31, 2018, at 4:30 p.m. in the Auditorium at City Hall, 229 Main Street, Nashua, NH 03060.

Mayor Donchess, Chair, declared the meeting to order at 4:30 p.m. and called the roll.

Members Present:

Mayor James Donchess, Chair  
Commissioner Joel Ackerman, Vice Chair  
Commissioner Tracy Pappas  
Commissioner Kevin S. Moriarty  
Commissioner G. Frank Teas

Also Present:

Ms. Lisa Fauteux, Director of Public Works  
Mr. Tim Cummings, Director of Economic Development  
Mr. Jeffrey Lafleur, Superintendent of Solid Waste  
Mr. Nicolas Caggiano, Superintendent, Parks & Recreation  
Ms. Amy Gill, Sr. Staff Engineer  
Mr. Stephen Dookran, City Engineer  
Alderman Ernest Jette, Aldermanic Liaison

**MOTION:** Commissioner Teas to approve the agenda as amended.

**SECONDED:** Commissioner Moriarty

**MOTION CARRIED: Unanimously**

Commissioner Pappas

Do we have to wait another month before we address the “seconded” thing? I did it the day after the meeting the last time. It has been several months.

Mayor Donchess

I forgot to ask them about it. It was not the biggest item on my agenda.

Commissioner Pappas

I asked for a written, legal opinion and I was told I could share it with you and I e-mailed it to you.

Mayor Donchess

What did it say?

Commissioner Pappas

It said that no second was needed because it was a small Board.

Mayor Donchess

It did?

Commissioner Pappas

Yes.

Mayor Donchess

Does anybody have a copy of that? Did you copy everyone or just me?

Commissioner Pappas

I just copied you because I was told that I should not share it with everyone.

Mayor Donchess

Director Fauteux, did you get it?

Director Fauteux

No, I have not seen it.

Mayor Donchess

I think that is their opinion. Attorney Bolton had previously said that the School Board, which consists of nine members, was ruled by the small Boards portion of Robert's Rules. Commissioner Pappas then raised it and now he has apparently issued a written ruling which I did not see. For now, we will go with the procedure outlined in memo and in the small Boards section of Robert's Rules, that we do not need a second.

### **Approval of Meeting Minutes – April 26, 2018**

**MOTION:** Commissioner Pappas to approve the minutes of the Board of Public Works Meeting of April 26, 2018, as amended.

### **Discussion:**

Commissioner Ackerman

Page 1 - Under the motion to approve the agenda, "Commissioner Ackerman" was deleted, as he was not present at the meeting – Ackerman

**MOTION CARRIED: Unanimously**

**MOTION:** Commissioner Pappas to unseal the non-public minutes regarding Personnel from the Board of Public Works Meeting of April 26, 2018.

**MOTION CARRIED: Unanimously**

### **Public Comment**

There was none.

## **Aldermanic Referrals**

- A. **R-18-035** - RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$30,001 FROM RENAISSANCE DOWNTOWNS, LLC INTO PUBLIC WORKS CAPITAL PROJECT ACTIVITY "EAST HOLLIS STREET GATEWAY IMPROVEMENTS PROJECT."

**MOTION:** Commissioner Pappas to favorably recommend **R-18-035** - Relative to the Acceptance and Appropriation of \$30,001 from Renaissance Downtowns, LLC into Public Works Capital Project Activity "East Hollis Street Gateway Improvements Project."

### **Discussion:**

Commissioner Pappas

Could some just quickly explain where that money is going to be used?

Mr. Tim Cummings, Director of Economic Development

My office is charged with executing on the East Hollis/Bridge Street Transportation Improvement Project, which is a locally managed project funded through the state on behalf of the federal government with transportation funds. This is a housekeeping matter that is basically an accounting issue where we need to transfer the money that was received a couple of years ago. It came in as a private donation from Renaissance Downtowns, which is doing the development right off of Bridge Street. The idea is that the money will be used for the improvement project that is currently being designed and ideally be used to help beautify the area with whatever design is actually decided upon, which we will not have until fall. If all goes according to plan, we would be looking to start construction in 2020.

**MOTION CARRIED: Unanimously**

### **Parks & Recreation**

- A. **MOTION:** Commissioner Teas to approve the purchase and installation of a central irrigation system from Smart Water Management LLC of Hopkinton, MA, for the sum of \$26,220. Funding will be through Department: 177 Park & Recreation; Fund: General; Activity; Central Irrigation Project.

**MOTION CARRIED: Unanimously**

### **Wastewater Department**

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

**MOTION CARRIED: Unanimously**

- B. **MOTION:** Commissioner Pappas to approve the purchase of a 6 inch trailer mounted portable Godwin brand pump from Xylem in the amount of \$45,279.09 Funding will be through Department: 169 - Wastewater; Fund: WERF; Account Classification: 71 Equipment.

**MOTION CARRIED: Unanimously**

### **Solid Waste Department**

- A. **Discussion:** Recycling Center Costs

Director Fauteux

Originally, Commissioner Pappas had expressed interest in looking at what our costs are for the items in the Recycling Center and what other communities are charging.

Mr. Jeffrey Lafleur, Superintendent of Solid Waste

A couple of my employees and I went through over ten or twelve of the surrounding communities and this shows what they are charging in their respective communities. These are just some thoughts on how we can help work on the recycling at the landfill and possibly help to get some revenues and make some money back.

Director Fauteux

One major issue that we are having in the landfill right now is with C&D, the wallboard that is going in is creating hydrogen sulfide gas and we are dangerously teetering on permit non-compliance. That is something that we may want to look at increasing the price and maybe diverting all of the C&D at some point from the landfill.

Mayor Donchess

Do you mean paying someone to take it away?

Director Fauteux

Yes.

Mayor Donchess

What do you think that would cost per ton?

Mr. Lafleur

Right now, we are paying about \$71 per ton to ship it out. I would be looking at a pretty substantial amount of money to ship it out. The other thing that we could do is try a ban or raise the cost so high that residents would want to take it to LL & S or Errco which are within a 50-mile radius of the landfill. These are construction recyclers that will take that demo.

Mayor Donchess

I noticed that Manchester is charging \$7.50 per pound which is \$1,500 per ton.

Commissioner Pappas

Right now, we are paying about the same for recycling as we are for construction and demolition.

Director Fauteux

Yes, it is fairly close.

Commissioner Pappas

This has obviously been an issue. For quite some time I have expressed an issue in perhaps taking a look at us charging for our electronics to help fill the gap. I do not know if we should have a couple of workshops with some interested parties.

Director Fauteux

I think that is a great idea. I think there are a number of things that committee could look at; one is single-stream and whether or not we should continue to recycle glass. Also, looking at the cost of electronics as well as C&D and food waste.

Commissioner Pappas

Is food waste causing some problems in the landfill?

Director Fauteux

No, it is not but it makes a much more nutrient rich compost. Some people and restaurants have asked about it.

Commissioner Ackerman

You specifically spoke of glass and yet glass is not on this document.

Director Fauteux

That is correct, we did not include single-stream on this document but it is something that has been a pretty big issue and something that we should continue to monitor.

Commissioner Ackerman

The committee we are talking about could address that as well.

Director Fauteux

Yes, that is true.

Commissioner Ackerman

Where are we with putting a cover over the single-stream area to possibly reduce the cost of recycling?

Director Fauteux

That was funded in our fiscal 2019, budget and the superintendent has worked out a plan and we plan to move forward as soon as our new budget takes affect.

Mayor Donchess

It is in the Capital Improvements section of the city budget for \$200,000. Last night, the Budget Review Committee recommended approval of the budget with some changes but nothing having to do with that. As it stands right now, the budget will pass as recommended by the Budget Review Committee and there will be

money to put a cover over the recycling area. I do not think there is any guarantee that will get us anything, but on the other hand, it may prevent things from getting too much worse. Right now, we have so-called “contaminated recycled stream” because in part, it is wet and this will at least eliminate that containment.

Commissioner Ackerman

This document is great and I am sure it took a lot of work just to get to this point and glass is a concern. What is the biggest piece that is costing the city money? Is it glass, specifically or just a combination of everything?

Director Fauteux

It is a combination of everything. People have asked if it would help to separate and the answer is not really. All commodities are really low right now. There used to be a commodity for newspapers but nobody reads newspapers anymore so those plants have gone out of business for the most part. I think single-stream is definitely the way to go but we could reduce our cost by taking glass out of our single-stream flow because it is being landfilled now anyway.

Commissioner Teas

Under electronic equipment, can someone remind me the discussion that we had? What happens to people’s habits if we were to increase it from two free to be “X” number of dollars per unit? Do you think they would just find their way into the trashcan and be placed in the landfill?

Director Fauteux

That is always a concern but that does not seem to be happening in other communities who charge fees.

Mr. Lafleur

There is an electronics ban in the landfill. If we find electronics in the trashcans, we have to pull it out or we could be fined for it. It does not happen often. If my staff find it they take it out and leave it next to the trashcan and typically, the residents would get the hint. Surrounding communities have had fees. The people who are going to dump are going to not be honest and just dump wherever they want to dump but the honest people will pay the fee to do the right thing.

Commissioner Teas

Do we have the ability to augment this chart to give us an idea of what the volume is of each of these items so when we start discussing numbers and increasing fees we have a sense of what that means from a revenue standpoint?

Mr. Lafleur

We get charged by the pound for electronics and that is how we came up with (inaudible) as just a rough number and we can come up with numbers that way. It is the same thing with our tires. Fluorescent’s, we have bulbs and we know how many bulbs we ship out to the (inaudible), my Recycling Coordinator is great with that.

Director Fauteux

If we do establish a committee, that is something where we could take it a step further...what the economics of this really means.

Mayor Donchess

I think what you are also asking is if we were to say for electronics, charge \$15.00 which is kind of in the middle of these communities, how much money would that bring in.

Commissioner Teas

That is right. I think it makes sense to understand the volume, both in terms of pieces of equipment, dollars in the door and how much of an impact it could make on the budget and other things.

Alderman Jette

On the point of a study committee, I have been working on preparing an ordinance to be introduced to form a committee to study our solid waste and our recyclable problem. There appear to be a number of different solutions out there and whether or not they are applicable here or practicable here is a question. As has been pointed out here before, solid waste has become a big problem and our landfill is filling up. The cost of finding another place whether local or shipping it out, wherever it goes it ends up being buried somewhere and the impact that has on the environment is something that concerns me.

Recycling has also been pointed out. The market has dropped out. Last month, Director, you said it was at the level of 72 and then we heard the Mayor say it was 84.

Director Fauteux

It has increased to that point. It was 72 in March and 84 in April.

Alderman Jette

I have had people ask me if they should be putting their recyclables in the trash instead of the recycling because I want to save the city money. I think this is something that we want to study and come up with a solution. It is not only the cost of the recycling; it is how it impacts the environment.

I see a lot of plastic bottles here and there is the plastic bag issue. A 7<sup>th</sup> grade student contacted me about proposing an ordinance to ban plastic bags because she read about how terrible they are to the environment. Unfortunately, we cannot do that because it would require the state to pass enabling legislation to allow us to do something like that and when it was last proposed, as recently as last year the state legislature defeated a Bill which would have enabled communities to impose a ban on plastic bags. Hopefully, that effort will be renewed in the coming legislature and have more success. These are all things that I think a committee should study and bring in experts in this area to give us guidance on what is the best way for us to handle this.

Director Fauteux

I want to remain quiet here but I really take offense to your saying "bring in experts." That is my background, it is the superintendent's background and we have Sally Hyland who has been here for 30 years. Sally knows more about recycling than anybody. We have experts and I think we should be trusted. With the Board of Public Works guidance, I do not think we have big problems in solid waste and in fact, I think we have really managed our landfill and our solid waste extremely well, just as well, if not better than other communities have. I take offense to with your saying we should bring in experts to guide us because I think you do have experts here.

### Alderman Jette

I am just following up. I have spoken to you, the superintendent and Sally Hyland and everyone phrased this issue as being a problem. I am not saying that you are not handling it as best as possible but I read about different places all over the world that are coming up with different processes to deal with this. I get the feeling that as good as our Solid Waste Department is that it seems like an overwhelming problem and whether or not there is information out there that would help...

### Mr. Lafleur

It is not just a problem for the solid waste of the City of Nashua; it is for the United States right now. China dropped out so I concur with what the Director said. We are doing everything we can. It is not as if we are not turning every leaf and looking at what we can do and how we can do it better. We are looking at a recycling cost for other commodities other than single-stream recycling that we can discuss at a separate time but I spend \$180,000 per year on electronics and \$75,000 on the disposal of tires. We are looking at how we are going to recoup that money to help out with the city's budget.

### Director Fauteux

We talked to a lot of agencies including DES and the NRAA who have their ear to the ground about what is going on all over the world. We are keeping track of everything that is going on in the recycling industry and what commodities are trending and what they are worth. Single-stream has increased significantly but we had one bidder. If Casella decides they do not want to take our single-stream, we do not have anyone else to take our recycling. That is the predicament that most communities are in right now. A lot of communities cannot afford recycling and they have to abandon their recycling programs, it is a really tough time right now. We have spent a tremendous amount of time talking to Ecomaine, Casella and the NRAA. Again, that is my background.

### Mayor Donchess

As it happens, there is an article on the front page of the Business Section of the *New York Times* today on this issue which basically describes exactly what we are facing. Their costs are escalating, China is not taking anything and they are stock piling. These are communities very dedicated to things like recycling. We are not alone.

### Commissioner Teas

I am a big fan of committee work because I think it serves as a great vehicle for education and it sounds like this might be a unique opportunity for us, particularly myself as a new Commissioner, to learn more about the great work of the folks at the Solid Waste Department. Is the process that you come to the Board of Public Works and then go to the Alderman or does it go the other way and how can we work jointly to satisfy all of the stakeholders.

### Mayor Donchess

It is kind of a joint responsibility in the sense that the Board of Public Works oversees the landfill and other public works operations but on the other hand, the city budget's and directs to the landfill a couple of million dollars a year and that has to be voted on by the Board of Aldermen. I think the fees are set by ordinance but I would have to review that. Obviously, the cost is great enough that everyone is involved. There was a day when the landfill operated as a profit some years ago. Decades ago, the tipping fee paid for everything and more. I would say if we can increase some of the fees then we can offset some of the money. In an ideal world, we would not charge for some of this stuff but if other communities are charging \$15 per piece for

electronics and we are putting out \$180,000 per year to dispose of electronics then maybe we should be trying to recover some of that cost.

#### Commissioner Teas

I would gladly enjoy being part of a committee or just learning about it. I think it would be a tremendous opportunity.

#### Mayor Donchess

The Aldermen could create a committee or the Board of Public Works could look at this as a committee. When we did look at recycling the last time, there was a committee that was a joint group of people. There could be an ordinance that could say the committee would consist of a few Aldermen and a few public works Commissioner's. Maybe that joint approach would ensure that we reach a consensus more quickly.

#### Alderman Jette

I was thinking about was an ordinance that would create a committee with the composition that the Mayor (inaudible) a public works Commissioner, the Director of Public Works, the Superintendent of Solid Waste and Sally Hyland. I was envisioning that all of these people would be included and I imagined that ordinance would be referred to the Board of Public Works for their approval and ultimately passed by the Board of Aldermen and become a committee similar to the Energy & Environment Committee. I looked at it as something that I thought would be welcomed and I had no idea it would be taken as an insult in any way whatsoever. If the Director is telling me that she does not need any help and does not want any help, I suppose I would have to reconsider whether I want to do this.

#### Director Fauteux

No, that is not what I am suggesting. It was just the suggestion that we bring in experts when we already have those here. I also think that Commissioner Pappas has a lot of knowledge about the history of the landfill and recycling. I think she brings a unique perspective because of her time on the Board. I think she is somebody that should be involved. I think there are things we should definitely look at but something like siting a new landfill is something that would never happen. We are so fortunate to have the landfill that we have. You cannot site landfills anywhere in New England anymore and that is a real problem. The focus should be on maximizing the space that we do have. Superintendent Lafleur and I have a presentation coming up next month to show you what we are looking at but right now we are trying to permit construction of Phase III and that will buy us probably another ten or fifteen years. We are also looking at the permitting of Phase IV. We have been meeting with the consultants and talking about the design. We could have a lot of time left if we can make the design that we are hoping for work. I would like to see a committee; I think that would be great. I would love to see the Board of Public Works advise us and have some input from the Aldermen. I think that we should focus on the things that are really the issues and I do not see solid waste as being a huge problem. I think we are managing it pretty effectively.

#### Commissioner Moriarty

I would have to agree with Director Fauteux. I feel that the landfill is under our jurisdiction. I would like to see this Board take the lead on a committee with the division before we get a joint committee and have the Aldermen...An ordinance to me, it seems like the intentions are good but I would rather see this Board at least start the committee and report back. That is what we are here for, we are elected officials, the landfill is under our jurisdiction and we should be the ones doing this.

Commissioner Pappas

I was hoping for a long time that we would take a look at increasing the \$5.00 permit fee but I know a lot of people get upset about that. It seems to me that this is a more focused issue and I think if we wanted a broader more long-term strokes like that, I think it might come under the purview of the Board of Aldermen and certainly you bring a lot to the table in the interest of this area but I do think that we need to look at both short-term and long-term. Even in the past ten years, I have seen the recycling markets change a lot. The other reality that we have is regardless of how much the recycling costs....I would need a second garbage can if I did not recycle. I think in the long-term, if the recycling markets do not change, I think we might need to take a look at some of those more long-term issues. I think we could get more done in a shorter period of time if we focused in a more narrow fashion.

Mayor Donchess

Do you mean to look at the specific items here?

Commissioner Pappas

Yes, exactly, start small. I could not agree more about the plastic bags but at a certain point there are things that we do not have control over anymore than you have control over the Board of Aldermen has the state charging the city more for the retirement benefits. I think one of the things that we do pretty well is roll up our sleeves and get into the weeds that we have control over. We have always had very active liaisons, I have found their help and input over my ten years to be very valuable and certainly, Alderman Jette, yours' included.

Alderman Jette

I want to make it very clear that if the Board of Public Works wants to form a committee and study this issue then I am all for it. I do not care who does it. My vision was that you would certainly be involved in it. I was not looking to take anything away. I am happy to sit back and let you run with it and support you in any way I can.

Commissioner Pappas

For what it is worth, I did not take any offense at all. I mentioned it because I was hoping you would participate because you have a very good background knowledge and it is not the most exciting stuff to a lot of people.

Director Fauteux

Is there any Commissioner that would be interested in chairing such a committee? Perhaps Commissioner Pappas could chair and Alderman Jette could also join the committee.

Mayor Donchess

If we do this you have to look at the broader issue of not only the specific items but also the issue of what about all of the money we are putting into disposing of recycling and what should we do about the fact that we know the glass is going into the landfill and I think we also have to think about community education as well. I think many people are very committed to recycling and have been for a long time. I started recycling in 1987, but conditions have changed a lot since then. I think you should consider all of these broader issues in addition to the very specific items that we are looking at here. What do you want to do; do you want to make a motion?

**MOTION:** Commissioner Pappas to for a committee consisting of Commissioner Pappas, Commissioner Teas, Commissioner Ackerman, Commission Moriarty, Alderman Jette, as the advisory member from the Board of Aldermen as well as the appropriate staff members to begin looking at all of the issues pertaining to recycling.

**Discussion:**

Mayor Donchess

We can figure out who the appropriate staff should be but certainly the Director, Superintendent Lafleur and Sally Hyland.

**MOTION CARRIED: Unanimously**

**Engineering Department**

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

**MOTION CARRIED: Unanimously**

**B. MOTION:** Commissioner Teas to approve Drainlayer's License for Hooksett Paving Co., Inc., 20 Blevens Drive, Candia, NH, 03034, in accordance with Nashua City Code §255-19 Issuance of Drainlayer's License.

**MOTION CARRIED: Unanimously**

**C. MOTION:** Commissioner Teas to approve the hardship request from Lofts 34, LLC to excavate for installation of three sewer services on Franklin Street which has a 5-year moratorium.

**Discussion:**

Attorney Gerald Prunier

I am here representing the applicant. The building on Franklin Street of over 300,000 square feet was purchased approximately three years ago by my client and they are turning it into 200 units of apartments. It is a building that was built in the early 1800's and as they went through the renovations they had some surprises including replacing the connection from the building into the sewer on Franklin Street, which means that we have to do some work to Franklin Street. We are prepared to rent this building at the end of the summer/early fall and we would like to do that rather than wait for a full year. We did not have prior knowledge of these surprises. It is an old building and it did not have a lot of architectural drawings. We did the best we could and want a nice apartment building that the City of Nashua can be proud of. We are at a point now where we would like to put the hazardous sewer from our building under Franklin Street instead of on Franklin Street. We will comply with the City of Nashua's requirements for resurfacing Franklin Street in the proper procedure.

Mayor Donchess

As I understand it, you need to go under Franklin Street and part of Franklin Street was paved about four years ago and so technically the five year moratorium would apply for another year and you are asking for permission to do the work now.

Commissioner Pappas

I am not a huge fan of approving these exceptions. I think I agreed with one because they was about a year left and they were going to double the amount of paving. I feel a little bit better that there is only a year left rather than the full five years but it is still out of my comfort zone. Because of the poor condition our roads are in, we have had to bond money for paving and I never think that is a good position to be in and it is the taxpayer's that will suffer the brunt of the poor roads. I understand that this will be really good for downtown but I cannot support it for those reasons but I am glad there is not a lot of time left to it.

Mr. Cummings

I am here before you tonight to ask that you favorably endorse this for a few reasons. One is relative to the economic impact. If you assign just a per unit value of \$2,000 per taxes with 200 units you would be looking at just shy of a half of million dollars of new revenue coming into the city every year. That is one of the major reasons that we really want to see this project move forward. Prior to Brady Sullivan coming in and doing this wonderful project, we had a blighted building that was depressing the area and if we could move this project along this new revenue could help go towards the paving program that was referenced earlier. The other point that I want to make is that it is overall Nashua issue because of the lack of housing. Currently we have an occupancy rate of multi-family housing at about 99%. We were at the Renaissance Project this afternoon and we were touring the site and learned that the second building consisting of 76 units, which does not have occupancy yet, has a waiting list of over 300 names. Nashua needs these housing units to be put in place. I ask that the Board favorably endorse the motion. Lastly, it is my understanding that Franklin Street is overall in pretty rough shape and this is just a certain section of Franklin Street which work was done on. The overall condition of the road needs to be looked at and I do not think we should throw the baby out with the bath water because this could be helpful in solving the overall problem.

Commissioner Moriarty

Are the 200 units rental units or are they for sale.

Mr. Cummings

They are rental units.

Commissioner Moriarty

You mentioned a \$500,000 income. Are we talking about an assessment value of the rental unit?

Mr. Cummings

We are talking rough numbers. Across the city, a multi-family apartment building like Renaissance, Brady Sullivan and John Flatley's project, you can see a per unit evaluation of about \$2,000.

Mayor Donchess

Meaning that it pays approximately \$2,000 in taxes per year. The evaluation would be more like \$80,000 to \$100,000 per unit.

Commissioner Teas

I will strongly vote in favor of this. I think in doing so, it encourages other developers to come to the city and potentially development other vacant parcels. I am familiar with the developers and Attorney Prunier. I think

by voting unanimously it does send a pretty strong signal for others to come in and help develop our community.

Alderman Jette

I understand that you have to dig up the road to get access to do the sewer work that the building needs but after you are done and it is paved over, is the road going to be as good as it is now?

Mayor Donchess

The answer is maybe better.

Attorney Prunier

It is going to be better. You heard the Economic Development Director tell you about the problems that Franklin Street has. There are parts of the street that are okay but when we are finished with it, it is going to be better than okay at that section of it.

Mayor Donchess

I think the requirements are that they pave over the patched area plus 20' on each side.

Commissioner Ackerman

I too, echo the thoughts and comments of my colleagues. There is a waiting list for Renaissance and I do not know if there is a waiting list for here. August is coming rather quickly. What do we anticipate, assuming it gets a favorable approval, when do we anticipate the work to begin, when do we anticipate the work to end and will it be done prior to the additional 200 new vehicles coming into this facility so it does not further disrupt the other people that use Franklin Street.

Attorney Prunier

The work will begin immediately because we are looking to do this in the next 90-days. We do not expect any of the vehicles to disrupt the work that is done. It has to pass the muster of the Engineering Department before they get approval.

Mayor Donchess

I think the answer is they are going to do this work before they rent the apartments.

Commissioner Ackerman

That is what I want to hear, I want to hear that.

Commissioner Ackerman

Will the paving be done by that time as well?

Attorney Prunier

Yes. The good thing that we are doing is we are doing the paving when the paving plants are open.

Mayor Donchess

I do not know that they could get an occupancy permit without an adequate sewer. They have to do the sewer before the people move in.

Commissioner Pappas

The reason that I feel strongly about cutting into a road is because there was a court case – The City of Manchester and The City of Concord were being sued by the gas company, which is now Liberty Utilities, because they were charging when they were cutting into a road. I think when you cut into a road it is the sub-surface of the road and it causes damage. With all of the monies we have spent on paving, that is why I have been a stickler about it. It is nothing personal about the applicant's.

Commissioner Ackerman

I want to thank everyone for the dialogue going on here because it does educate me and give me a good feel that doing this is the right thing for the City of Nashua. As we think about 200 units coming into play, I know there are other strategic plans in place to consider opening up Franklin Street to the Broad Street Parkway. Is that on the horizon for 2018?

Mayor Donchess

I would say that is a possibility but not in 2018 or 2019. That is approximately a \$2 million to \$4 million project so it would have to be looked at very carefully in terms of the impact as well. It would improve the situation getting out of Franklin Street but it would also create another highway to Hudson thoroughfare. Once the project is complete, that neighborhood could become a nicer residential neighborhood. Do we want to create a highway running through there for through traffic going from Hudson to Manchester? I think the best approach may be to see what the conditions are once the apartments open. There are some other things that could possibly be done to address congestion if it does develop.

**MOTION: 4 - 1 (Pappas – Nay)  
MOTION CARRIED**

Commissioner Pappas

Point of Order: I am very uncomfortable right now and there were two items that I had asked the Director to put on the agenda. I am wondering if there is any way we can take those items up out of order.

Mayor Donchess

Which items are those?

Commissioner Pappas

Administration, Items B & C.

**MOTION: Commissioner Pappas to take items B & C under Administration out of order.  
MOTION CARRIED: Unanimously**

**Administration Department**

**B. Informational: O-18-015 – AMENDING THE CITY'S STORMWATER MANAGEMENT ORDINANCES**

Ms. Amy Gill, Sr. Staff Engineer

I am here to talk about the ordinance that is being amended regarding the stormwater management section of the ordinance. The city has an EPA permit that allows us to discharge stormwater directly into our waterways. We have had that permit in place since 2003. The city itself had put it this stormwater management ordinance well in advance of the permit becoming active in 2003. This ordinance was in place in 1998. Fast forward to 2018, the stormwater permit that the EPA has acquired has been updated and it requires that different items be included in regulated municipalities' ordinances for items such as erosion control as well as allowable discharges to the stormwater systems as well as prohibited discharges to the stormwater systems. These storm events will come in line to what the DES requires when a site developer looks at the site. Many people have asked us to get the storms that we looked at, whether they are the one, two, five or twenty-five year storm in line so that they don't have to look at more storms than are required. The biggest changes would be the areas that are allowing erosion control, tightening that up as well as prohibited discharges and allowable discharges. One item that I would like to point out is in the past, with this ordinance we talked about areas in Nashua that were being re-developed. As you know, Nashua is a very robust community and well developed. You see over and over again properties that are being re-developed. We would like to take the opportunity to look at areas that may have been developed long ago with a lot of asphalt and roofs are put in place where we now have a lot of impervious area. We would like to see some of that area become green space so that more water could infiltrate. This is an ordinance that is allowing developers to take a look at perhaps reducing the impervious area by a certain amount. The proposed reduction in here is 10% so they made that a little bit stronger.

Commissioner Pappas

Do you like that 10% or do you think it could go higher?

Ms. Gill

Ten percent is the start. We had discussed in-house what it could be. We originally talked about it being perhaps 20% but 10% is what the group settled on going forward with.

Commissioner Pappas

Was engineering consulted when this came up?

Ms. Gill

We were part of the group.

Commissioner Pappas

So engineering would not mind seeing it go up a little bit more.

Ms. Gill

I would not mind seeing it higher but improving it beyond 20% would be a suggestion that the Board might feel making.

Director Fauteux

I think we would like to see it at 20%.

Mr. Stephen Dookran, City Engineer

Engineer Gill was present at most of the meetings. Recently the EPA visited with us and told us we needed to reduce our CSO dischargers even further. If you look in the city, you will see that there are areas which are impervious. This is an opportunity for us to do something a little bit different with the stormwater discharges as they are re-developed, retention facilities, underground storage and that kind of thing. Twenty percent, though small, will be a significant improvement to what we have right now. As this goes through the public hearing and an Aldermanic Committee, we do not know how it will end up but I think we should shoot for a status of 20%.

Commissioner Pappas

I called the Director because I saw this in the paper and it looked like a pretty technical ordinance. My understanding is that it is under Administration because it was not referred to us. If we felt that 20% was something that would be better, does that mean that we could either go to the public hearing or send the recommendation through our liaison.

Mayor Donchess

We could do either.

**MOTION:** Commissioner Pappas that the ordinance be amended to reflect 20% in section G under Re-Development as opposed to the 10% which is currently in the ordinance.

**Discussion:**

Alderman Jette

Are you talking about section G – re-development? Instead of the 10%, you would rather see 20%.

Commissioner Pappas

Yes, because it has an impact on the CSO's wastewater treatment indirectly.

Alderman Jette

Where is this ordinance now, Mayor?

Mayor Donchess

I think it came into the Board of Aldermen at the last meeting which I was not there for and was referred to a committee.

Director Fauteux

It was referred to a committee but I am not sure which one.

Commissioner Pappas

I think there is a public hearing on June 8<sup>th</sup>.

Director Fauteux

It was referred to the PEDC Committee.

Alderman Jette

I am on the PEDC Committee, the Planning and Economic Development Committee.

**MOTION CARRIED: Unanimously**

Alderman Jette

Could someone from the Department of Public Works either at the public hearing or at the committee meeting appear and talk about why it should be amended to 20%.

Director Fauteux

Yes.

**C. Discussion: Downtown Events**

Director Fauteux

That was something that Commissioner Pappas had asked to be put on the agenda.

Commissioner Pappas

I think all the events that we hold downtown is great but I think that sometimes we put our budget and sometimes the Director in a tough position if these events come up after we have done budgeting. I just wanted to know if we close down Main Street for the Farmer's Market, does it require staff overtime as well as other events that come up. My train of thought was that wintertime could come and we would not have enough overtime because we had to do other overtime.

Director Fauteux

To the best of my knowledge, I do not think that public works has any involvement in the Farmer's Market.

Commissioner Pappas

I think the Farmer's Market is great and I meant nothing personal about festivals.

I would like to thank the Chair for taking these items out of order and I apologize for all of the sneezing and the coughing.

**Engineering Department (Continued)**

- D. MOTION:** Commissioner Teas to approve the construction contract for the 2018 Sewer Replacement – Kinsley St project to Newport Construction of Nashua, NH, in an amount not-to-exceed \$1,139,300. Funding will be through: Department: 169 Wastewater; Fund: Wastewater; Activity: Sewer Rehab and Sewer Structures.

**MOTION CARRIED: Unanimously**

Mayor Donchess

Commissioner Pappas excused herself from the meeting due to health reasons at approximately 5:35 p.m.

**E. MOTION:** Commissioner Teas to approve the engineering services contract with Hayner/Swanson, Inc. of Nashua, NH, in the amount of \$328,675 for the management and construction administration of the paving program. Funding is contingent upon the approval of the bonds that will be funding the multi-year paving project. Department: 160 Admin/Engineering; Fund: Bond; Activity: Paving.

**MOTION CARRIED: Unanimously**

**F. MOTION:** Commissioner Moriarty to approve the award of the FY18 Asphalt Testing contract to S.W. Cole Engineering, Inc., Londonderry, NH, in the amount of \$43,875. Funding will be through: Department: 161 Street; Fund: General; Activity: Paving; Department: 161 Street; Fund: Trust; Account Category: 54 Property Services.

**Discussion:**

Commissioner Ackerman

Is this something that we have done year over year during our paving program, having a third party?

Director Fauteux

We have done some but we are increasing the amount of testing that we are doing. We are going to be testing both at the plant and in the field just to make sure we are getting the proper mix.

Commissioner Ackerman

Has there been an issue in the past?

Director Fauteux

Yes.

Mayor Donchess

The big change is inspecting at the plant. The test can run on the asphalt as it is being made to make sure that its consistency is correct. What can sound like minor alterations in the content can have significant implications for what you see on the road. We want to make sure this meets the specs and quality requirements by doing inspections at both ends. We did have some problems this past season with some paving that did not seem to have the durability that it should and rather than fighting with the contractor after the fact, we want to inspect at the plant and make sure we are getting the right thing. Those that know this area know that inspecting on the site as the pavement is laid done is good but it is not fool proof and you can miss things or test in an area where the asphalt is good but then somewhere else it is not as good. The real place to be is at the source.

Commissioner Ackerman

Does this company also check out the compaction?

Director Fauteux

Yes, they will be doing that on-site as well.

Mayor Donchess

Since we are spending millions, we want to make sure we are getting our monies worth. This is a relatively minor expense as compared to the money we are spending to put the paving down.

**MOTION CARRIED: Unanimously**

**G. MOTION:** Commissioner Ackerman to approve a contract with Thibeault Corporation of Manchester, NH in an amount not-to-exceed \$35,000 for the Drainage Improvements along Marshall Street. Funding will be through Department: 169 Wastewater; Fund: Wastewater; Activity: CSO Flooding.

**MOTION CARRIED: Unanimously**

Mayor Donchess

I need to apologize as well as I have to be somewhere at 6:00 p.m. so I will leave the meeting and turn the meeting over to Commissioner Ackerman who is the Vice Chair and he will finish the rest of the meeting.

Mayor Donchess left the meeting at approximately 5:45 p.m.

**H. MOTION:** Commissioner Teas to approve the hardship request from Liberty Utilities to excavate for installation of replacement gas lines on East Stark Street which has a 5-year moratorium.

**Discussion:**

Mr. Brian Frost, Engineer, Liberty Utilities

Earlier this spring the City of Nashua approached us because of the need to repave Concord Street. We typically like to replace aging infrastructure before paving so that there is not leakage in the future that requires digging in freshly paved streets. As part of this job, we designed out the Concord Street Project. We need to make a tie in at East Stark Street into the existing gas infrastructure and to provide flow from a regulating station on East Stark Street to gas up the new main that is being installed on Concord Street which will replace the cast iron that was installed in 1930. To do that we need to dig into East Stark Street about 25' to 30'.

**MOTION CARRIED: Unanimously**

**Administration Department (Continued)**

**A. MOTION:** Commissioner Teas to approve the placement of a sculpture in front of the Indian Head Bank Building on Main Street for the Sculpture Symposium.

Director Fauteux

These are the locations of the three sculptures. All of these sites have already been approved by the Board of Public Works with the exception of the Main Street location, which is before you this evening. It also gives you a sense of what they are going to look like as well.

Commissioner Teas

Will these sculptures become a permanent part of downtown and does it fall under our purview to maintain them?

Director Fauteux

Yes.

Commissioner Teas

Will the one that is going to be placed at 146 Main Street require any special maintenance?

Director Fauteux

No, but we are going to put a granite base for it to sit on. Other than that, I do not see that there will be any maintenance required. It is a stone sculpture.

Alderman Jette

Which one is the sculpture?

Director Fauteux

Each of the sculptors do a model for the Sculpture Symposium to show what their artwork is going to look like. These were present at the opening of the Sculpture Symposium. The one to the right is the actual sculpture.

**MOTION CARRIED: Unanimously**

**B. MOTION:** Commissioner Teas to approve the Budget Transfers as presented.

**MOTION CARRIED: Unanimously**

**C. Director's Report**

- These are new sewer services at 24 Coburn Avenue on the left and 61 East Glenwood Street on the right
- Our paving program is in full swing and we are providing weekly notifications and the information is also available of the city's website (Road Construction/Detour/Paving Button), Facebook and Twitter
- Stello's Stadium work being done.
- The roof on the gatehouse in Mine Fall Park was replaced in April. The work was done by Forcier Construction.
- Mine Fall Park Trail Day.
- The wooden kayak launch on the canal was replaced with a modular dock which is easier to use.
- These are the PAL community gardens. PAL continues to expand the community gardens along the rail trail between Ash and Vine Streets.

- These are the new fields that we added. The goals and painted lines are now on the fields.
- This was a softball competition to promote our residents to “Get off the Couch and get Healthy.” Our Parks & Recreation Department challenged the Department of Public Health and Parks & Recreation won 10-0.
- These are the new plantings in front of City Hall.
- Summer Fun opening day will be Saturday from 10:00 a.m. to 1:00 p.m.
- This was an emergency dig that we did on May 8<sup>th</sup>. We repaired about 15’ of the sewer main.
- This is a catch basin replacement on Thornton Road.
- This is a picture of our sidewalk sweeping. We do sweeping on streets such as Amherst Street in the evening because it is safer.
- This is a sewer repair on Vine Street.
- This is a picture of the Sculpture Symposium, a picture of crews installing bases for the sculptures to sit on.
- There is a Bike Share Program – VeoRide. The event will be held on Sunday, June 3<sup>rd</sup> at City Hall.
- We are adding bike lanes to support both biking in Nashua but also the VeoRide Program that is being launched. We are very close to finalizing the plan. It is on South Main Street, Main Street and all the way from Rivier College to Greeley Park as well as some other areas. It has been a challenge because our streets were not designed for bike lanes.
- This is an aeration basin that was taken off line to do some routine repairs and maintenance. These tanks are about 18’ deep and hold about 900,000 gallons.
- We gave the 5<sup>th</sup> graders at the Bicentennial School a tour of the facility in late May.
- The New England Water Environment Association used our DPW employees on the cover of their career opportunities brochure.
- This is painting the scale at the landfill.
- I want to point out that our hazardous waste collection will be held on Thursday, June 7<sup>th</sup>, at the Street Department from 3:00 p.m. to 7:00 p.m.

Commissioner Ackerman

Director Fauteux, when do you anticipate the lines to be painted?

Director Fauteux

The long lines?

Commissioner Ackerman

No, the bicycle lines.

Director Fauteux

Over the next month or so but it all depends on the schedule of our striping company.

Commissioner Ackerman

Do the bikes have a higher priority right-of-way versus a vehicle? Everybody plays nice in the street, is that correct?

Director Fauteux

That is the hope, yes. We do have some areas where we will have a dedicated bike lane but there are some areas where that is just not possible so that bikes will share a lane with the cars. Our standard lane is about 11' feet wide and the shared lanes will be 13' wide. They will be striped as such.

Commissioner Ackerman

Are the bikes allowed on the rail trail?

Director Fauteux

Yes, absolutely.

**Commissioner Comments**

Commissioner Moriarty

I give accolades to Director Fauteux for being President-elect of the New Hampshire Public Works Association.

**Personnel**

**A. Non-Public Session**

**MOTION:** Commissioner Teas moved by roll call that the Board go into a non-public session pursuant to RSA:91-A(3)IIB, the hiring of any person as a public employee.

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

Yea: Commissioner Ackerman, Commissioner Moriarty,  
& Commissioner Teas 3

Nay: 0

**MOTION CARRIED: Unanimously**

Commissioner Ackerman made a motion to come out of the non-public session.

**MOTION CARRIED: Unanimously**

**MOTION:** Commissioner Teas to seal the minutes of the Board of Public Works non-public meeting of May 31, 2018, until such time as the majority of the Board votes that the purpose of the confidentiality would no longer be served.

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

Yea: Commissioner Ackerman, Commissioner Moriarty,  
& Commissioner Teas 3

Nay: 0

**MOTION CARRIED: Unanimously**

**Adjournment**

Commissioner Teas made a motion to adjourn.

Meeting adjourned at 6:16 p.m.