

MEETING OF THE BOARD OF PUBLIC WORKS
September 21, 2023
MEETING MINUTES

A meeting of the Board of Public Works was held on Thursday, September 21, 2023, at 4:00 p.m., at the Division of Public Works Administration Building in the Mine Falls Conference Room, 848 West Hollis Street, Nashua, New Hampshire 03062.

James Donchess, Chairman declared the meeting to order at 4:00 p.m. and called the roll.

I. ROLL CALL

Members Present

Chairman, James Donchess, Mayor
Vice-Chairman, Kevin S. Moriarty
Commissioner, Shannon Schoneman

Members Absent

Commissioner, June Lemen
Commissioner, Paul Shea

Also Present:

Michael B. O'Brien, Sr., Aldermanic Liaison
Alex Comeau, Alderman
Alderwoman, Patricia Klee
David Boucher, Superintendent Wastewater
Bryan Conant, Superintendent, Parks and Recreation
Carolyn O'Connor, Senior Manager DPW Finance & Administration
Dan Hudson, P.E., City Engineer
Andrew Patrician, Assistant Director, Division of Public Works

II. MOTION TO APPROVE THE AGENDA AS SUBMITTED

Chairman, James Donchess, Mayor

Our first item is to approve the agenda. Commissioner Moriarty. Oh, excuse me, we also have the Alderman-at-Large, Mike O'Brien our liaison.

Motion by Commissioner Moriarty: To Approve the Agenda as Submitted.

MOTION CARRIED: Unanimously.

III. MOTION TO APPROVE THE MINUTES OF THE BOARD OF PUBLIC WORKS MEETING OF AUGUST 24, 2023.

Chairman, James Donchess, Mayor

Next is Motion to Approve the Minutes of the last meeting. Commissioner Schoneman.

Motion by Commissioner Schoneman: Approve the Minutes of the Board of Public Works Meeting of August 24, 2023.

MOTION CARRIED: Unanimously.

IV. PUBLIC COMMENT

Chairman, James Donchess, Mayor

Now we have public comment. Is there anybody who would like to address the Board of Public Works?

Alderman, Alex Comeau

Hi, good afternoon, Alex Comeau, Ward 6 Alderman. I just wanted to speak to you briefly in support of your lighting system upgrade at Sargent Ave Playground. We did a similar project to this earlier in the year at Levine Park. It's a system similar in scope with the all LED system remote control; it's just a really good system so far at Levine. We've had a lot of success with it. My goal if I could predict 20 years in the future we'd have this system at every park in the City. I'm glad to see that it's before you tonight at Sargent Ave. Alderman Klee, Alderman Caron, and myself worked pretty hard to get the funding secured for this. I look forward to your support of the project later in your meeting. Thank you.

Mayor Donchess

Thank you.

Alderwoman, Patricia Klee

Alderman, Klee, Ward 3. I also want to basically echo what my colleague from Ward 6 said as well. It's much needed, I think there is danger currently at the park where people can get hurt and so on. Anybody who goes through that area you'll see that--just a specific tennis court type thing we get a lot of traffic through that. A lot of the kids go through there, they play in the park. I would really like to see it. I'm glad that we've gone with the LED, and I'm glad we've with this particular system. I think this, as Alderman Comeau said, it's been at Levine so we know that it works, it's not going to be the first time we're trying it, and it would be nice to see even at all the other parks. Brian, keep up the good work. Thank you.

Bryan Conant, Superintendent, Parks and Recreation

Thank you, Alderman Klee.

Mayor Donchess

All right. Thank you very much.

V. WASTEWATER DEPARTMENT

Chairman, James Donchess, Mayor

All right, next we have Wastewater. Item A, Commissioner Moriarty.

A. Motion: To Approve the User Warrants as presented.

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

MOTION CARRIED: Unanimously.

B. Motion: To Approve the Contract with Northeast Earth Mechanics, LLC of Pittsfield, New Hampshire In An Amount Not To Exceed \$6,181,612.50, For The Construction OF The Dry Well Upgrade Project. Funding Will Be Through: Department: 169 Wastewater; Fund: SRF Loan; Activity: Dry Well Upgrade.

Chairman, James Donchess, Mayor

Item B. Commissioner Schoneman.

Motion by Commissioner Schoneman: To Approve the Contract with Northeast Earth Mechanics, LLC of Pittsfield, New Hampshire In An Amount Not To Exceed \$6,181,612.50, For The Construction OF The Dry Well Upgrade Project. Funding Will Be Through: Department: 169 Wastewater; Fund: SRF Loan; Activity: Dry Well Upgrade.

Mayor Donchess

And, Mr. Boucher is here.

David Boucher, Superintendent Wastewater

Thank you, Dave Boucher, Wastewater Superintendent. The dry well upgrade consists of replacing large piping in our main control building. It is two-levels of piping. There is also a section of force main that's underground. The piping ranges from 36-inch piping up to 42-inch piping. Along with this is also the replacement of some valves. All being replaced due to age and wear. We put out a bid. Northeast Mechanics was the low bidder on this project, and they are within 7 percent of the engineer's estimate. Wright-Pierce had looked at the qualifications and their references and everything checked out, so we'd like to use Northeast Mechanics as the contractor for the project.

Mayor Donchess

Comments or questions? Commissioner Schoneman.

Discussion:

Shannon Schoneman, Commissioner

When I first joined the Board of Public Works three-odd years ago, Commissioner Pappas was kind enough to tell me that what we see coming from Wastewater as far as funding requests would make me blink. This is making me blink. This is an awful lot of money. Can you give me a better idea of what this is--is this a major part of Wastewater's function? Why is this so much money?

Mr. Boucher

Yes, I could explain that. The reasons for some of this cost. The main facility can receive up to 50 Million gallons a day. This project is expected, the major part of the project is expected to last 10 months. During that time all that flow has to be diverted from this building so it can't go through

these pipes. All the flow in the City goes through these pipes and gets pumped up to ground level so it can be treated, so we have to bypass that through our wet weather facility, but, it can't fully go through the wet weather facility, so another bypass piping above ground has to be created to bypass it into the original process just after the main building. That takes a lot of effort there. That's the majority of the cost.

The other part is everything has to be lowered through a small trap for all these large pipes and welded in place. Some of the piping, the section that's underground has to be done with machinery that can coat things underground from one building to another. That's a majority of the cost.

Commissioner Schoneman

You have to make kind of a backup system?

Mr. Boucher

Correct.

Commissioner Schoneman

Send all the flow from the entire City to another place.

Mr. Boucher

That's correct.

Commissioner Schoneman

Through another system while you're building or replacing the usual system.

Mr. Boucher

That's correct.

Commissioner Schoneman

And, this is mostly labor? This is mostly parts? This is--

Mr. Boucher

--it's both. All the piping, like I said it's large piping. There are motor-operated valves involved. All the those valves and check valves, there are plug valves are very expensive. Material costs now is quite expensive.

Commissioner Schoneman

And you knew this was coming?

Mr. Boucher

It's part of our 20-year plan. It was put into that as a Phase 1 project. Well, before the Phase 1 project, but part of the 20-year plan.

Mayor Donchess

Anyone else?

MOTION CARRIED: Unanimously.

C. Motion: To Approve The Contract With Wright Pierce Of Thompson, Maine In An Amount Not To Exceed \$601,000.00 For Construction Administration Services For The Drywell Upgrades Project. Funding Will Be Through: Department: 169 Wastewater; Fund: SRF Loan; Activity: Drywell Upgrades.

Chairman, James Donchess, Mayor

Next, communications, next Item C, Commissioner Moriarty.

Motion by Commissioner Moriarty: To Approve The Contract With Wright Pierce Of Thompson, Maine In An Amount Not To Exceed \$601,000.00 For Construction Administration Services For The Drywell Upgrades Project. Funding Will Be Through: Department: 169 Wastewater; Fund: SRF Loan; Activity: Drywell Upgrades.

David Boucher, Superintendent Wastewater

Dave Boucher, Wastewater Superintendent. Write-Pierce was the engineer involved in the 20-year study also. They did the preliminary engineering work on this. We'd like to continue using their services throughout the oversight of the construction project because of the complexity of it. I didn't mention, but this project is--the major part of the project is due to start in October of next year, but there are some elements that will start earlier. Some of the submittals and that. We have to do this project during dry weather, drier weather. October would be the best time to start. Wright-Pierce has worked well with us; we've got a good reputation with them. We'd like to continue using their services for the construction oversight. That will have to be close oversight just because of the bypass aspect of this. I'd be happy to answer any questions.

Mayor Donchess

Anybody? Commissioner Moriarty.

Kevin S. Moriarty, Commissioner

Thank you. I just can't recall the SRF. What is that the State Resolve--

Mr. Boucher

--revolving--

Commissioner Moriarty

--revolving Fund. That's what I thought. Okay, thank you.

MOTION CARRIED: Unanimously.

D. Motion: To Approve The Contract With R. H. White Construction Co., Inc. In An Amount Not To Exceed \$65,000.00 For The Lime Silo Removal Project. Funding Will Be Through: Department: 169 Wastewater; Fund: Wastewater; Activity: Lime Silo Removal.

Chairman, James Donchess, Mayor

Next communication or next item is Item D. Commissioner Schoneman.

Motion by Commissioner Schoneman: To Approve The Contract With R. H. White Construction Co., Inc. In An Amount Not To Exceed \$65,000.00 For The Lime Silo Removal Project. Funding Will Be Through: Department: 169 Wastewater; Fund: Wastewater; Activity: Lime Silo Removal.

David Boucher, Superintendent Wastewater

Dave Boucher, Wastewater Superintendent. The lime solo is an old process that still sits on the wastewater site. It was used back in the 70s, 80s, hasn't been used since. It just sits and rots there. It's a large metal solo. It sits cradled next to our main building. It's seen aged. We'll never use it again, but the rot and the cracks in the foundation of it, it sits on some pillars is concerning. We don't want it to fall into our building, but by removing it we'll also have real estate for future processes to be put in. R.H. White was, we submitted out to five different contractors in the area that specialize in removal of this and R.H. White is the one that submitted a bid and under our estimated estimate, engineer's estimate so we'd like to use them to do the construction or demo for the silo. Happy to answer any questions.

Mayor Donchess

Anyone?

MOTION CARRIED: Unanimously.

VI. PARKS AND RECREATION DEPARTMENT

A. Motion: To Approve The Contract For Portable Toilet Rentals With United Site Services Of Westborough, Massachusetts For A Two-Year Term With An Annual Cost Of \$58,796.00. Funding For The Contract Will Be Through: Department: 177 Park & Recreation; Fund: General And Trusts; Account Classification: 54 Property Services.

Chairman, James Donchess, Mayor

We now have the Parks and Recreation Department. Item A, Commissioner Moriarty.

Motion by Commissioner Moriarty: To Approve The Contract For Portable Toilet Rentals With United Site Services Of Westborough, Massachusetts For A Two-Year Term With An Annual Cost Of \$58,796.00. Funding For The Contract Will Be Through: Department: 177 Park & Recreation; Fund: General And Trusts; Account Classification: 54 Property Services.

Bryan Conant, Superintendent, Parks and Recreation

Good afternoon everyone. Bryan Conant, Superintendent of Parks and Recreation. This contract is to provide portable restrooms throughout parks. It's \$187.00 a unit per month. An ADA unit costs \$237.00 per month. This contract was advertised through the Purchasing Department. A bid was sent out to seven vendors and was advertised for Bid Express System as well. One bid was received. Currently, we seasonally provide 36 units throughout various different parks, usually from April through November and we do have six units that stay out year-round. I'd be happy to answer any questions on this, if there are any.

Mayor Donchess

Anyone?

MOTION CARRIED; Unanimously

B. Motion: To Approve The Purchase Of A 2023 Toro Pro-Core 1298 For A Price Of \$59,502.05 From Turf Products Of Enfield, Connecticut Pursuant To The Sourcewell Contract #18696-CEC. Funding Will Be Through Department: 177 Parks & Recreation; Fund: CERF; Activity: CERF.

Chairman, James Donchess, Mayor

Next Item B. Commissioner Schoneman.

Motion by Commissioner Schoneman: To Approve The Purchase Of A 2023 Toro Pro-Core 1298 For A Price Of \$59,502.05 From Turf Products Of Enfield, Connecticut Pursuant To The Sourcewell Contract #18696-CEC. Funding Will Be Through Department: 177 Parks & Recreation; Fund: CERF; Activity: CERF.

Bryan Conant, Superintendent, Parks and Recreation

Good afternoon everyone. Bryan Conant, Superintendent of Parks and Recreation. This is an air fire, they're used to alleviate soil compaction. Aerification is really an essential cultural practice when it comes to maintaining high quality turf. This is a PTO driven aerifier, which far superior to what we have right now. We have something that you would tow behind. It's only capable of really giving us a core pull of about 6 inches. This could give us a hole about every 1 ½, it's a drastic different when it comes to alleviating the soil compaction, creating holes, which allow us to overseed into as well. Really looking forward to getting this piece of equipment. It's going to really enhance the quality of our athletic fields. I can't state that enough, and I'd be happy to answer any questions.

Mayor Donchess

All right, anybody have anything?

MOTION CARRIED: Unanimously

C. Motion: To Approve The Purchase Of A 2023 Toro Outcross 9060 For A Price Of \$111,815.89 Pursuant To The Sourcewell Contract #18696-CEC From Turf

Products Corporation In Enfield, Connecticut. Funding Will Be Through Department: 177 Parks & Recreation; Fund: CERF; Activity CERF.

Chairman, James Donchess, Mayor

Next, is Item C. Commissioner Moriarty.

Motion by Commissioner Moriarty: To Approve The Purchase Of A 2023 Toro Outcross 9060 For A Price Of \$111,815.89 Pursuant To The Sourcewell Contract #18696-CEC From Turf Products Corporation In Enfield, Connecticut. Funding Will Be Through Department: 177 Parks & Recreation; Fund: Cerf; Activity CERF.

Bryan Conant, Superintendent, Parks and Recreation

Good afternoon. Bryan Conant, Superintendent of Parks and Recreation. This is a scheduled replacement for Vehicle ID No. 547. Currently, right now we have a 2009 Wacker that we use down at Holman Stadium. We use it to move around different materials like loan, in-field mix, warning track mix, different pieces of equipment through the stadium complex especially, during the season, this overnight season. The requested replacement is a Toro Outcross. The reason why I want to go with the Outcross is because it's a far more versatile machine. Instead of just having a articulating small frontend loader, we're going to have something that's capable of giving us the same loader requirements and capabilities let's say, but we're also going to have a machine that we can use for field maintenance such as aerification, overseeding. fertilizing. It's going to make our operations down at Holman Stadium far more versatile and far more efficient, and I'd be happy to answer any questions on this, if there are any.

Mayor Donchess

Alderman O'Brien.

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

Thank you, Mr. Mayor. I do enjoy at times when we take a look at something and say, okay it needs to be replaced, but sometimes we can be repurpose the older vehicle. Do you see? Are you going to trade it in? Or, could this possible be repurposed for something not as dynamic as we need it at Holman Stadium?

Mr. Conant

Excellent question. We are not going to be turning in this Wacker, and what I see us using it for is a lot of our smaller parks it's hard to get in playground cushion into the playgrounds. This is, the Wacker is a small articulating front end loader. We're going to continue to use it just for that purpose.

Mr. O'Brien

Beautiful.

Mr. Conant

Thank you.

MOTION CARRIED: Unanimously.

D. Motion: To Approve The Purchase Of A 2023 Massey Ferguson MF6713 From Big Boy Toys, LLC In New Boston, New Hampshire Pursuant To The Buy Board National Purchasing Cooperative Vendor Contract #706-23 In The Amount Of \$132,554.00. Funding Will Be Through Department: 177 Parks & Recreation; Trust; Activity: CERF.

Chairman, James Donchess, Mayor

Next motion is Item D. Commissioner Moriarty.

Kevin S. Moriarty, Commissioner

Mayor, actually I think we're on Item D.

Mayor Donchess

Oh, Sorry. Item D. Commissioner Schoneman.

Motion by Commissioner Schoneman: To Approve The Purchase Of A 2023 Massey Ferguson MF6713 From Big Boy Toys, LLC In New Boston, New Hampshire Pursuant To The Buy Board National Purchasing Cooperative Vendor Contract #706-23 In The Amount Of \$132,554.00. Funding Will Be Through Department: 177 Parks & Recreation; Trust; Activity: CERF.

Bryan Conant, Superintendent, Parks and Recreation

Good afternoon. Bryan Conant, Superintendent of Parks and Recreation. This is a scheduled replacement for Vehicle No. 541. This tractor will be used by our department to accomplish many different maintenance aspects. Roadside mowing. We use this also for hazardous tree removal when a tree comes down in the road. We'd also use it for fertilizing, cultural practices on our fields, and to also use at Greeley Park when we rototill the garden. I'd be happy to answer any questions on this, if there are any.

Discussion:

Mayor Donchess

Commissioner Moriarty.

Commissioner Moriarty

Thank you, Mayor. I don't recognize that vendor. Have we used them before? The Big Boy Toy?

Mr. Conant

No, they are out of New Boston, New Hampshire and they have a store down in Connecticut as well. They're a Massey Ferguson dealer. We've bought a lot of John Deere in the past, so no I don't--we have not bought a tractor off of them as far as I know, Commissioner Moriarty.

Commissioner Moriarty

Okay. Thank you.

Mayor Donchess

Commissioner Schoneman.

Shannon Schoneman, Commissioner

Can you explain the Buy Board National Purchasing Cooperative?

Mr. Conant

So that's pretty much--it's just like Sourcewell I don't know if you can help me out with this Mrs. O'Connor.

Carolyn O'Connor, Senior Manager DPW Finance & Administration

It's a similar type of thing to Sourcewell, and through a similar type of state bids where they work through a buying cooperative and end up how to do the research for our set pricing.

Mayor Donchess

Anyone else?

MOTION CARRIED: Unanimously.

E. Motion: To Approve The Purchase Of A 2023 Light Structure System With Total Light Control - TLC For LED Technology Pursuant To The Sourcewell Contract #07619-MSL In The Amount Of \$207,028.00. Funding Will Be Through Department: 177 Parks & Recreation; Fund: Trust; Account: 71 Equipment.

Chairman, James Donchess, Mayor

Item E now, Commissioner Moriarty.

Motion by Commissioner Moriarty: To Approve The Purchase Of A 2023 Light Structure System With Total Light Control - TLC For LED Technology Pursuant To The Sourcewell Contract #07619-MSL In The Amount Of \$207,028.00. Funding Will Be Through Department: 177 Parks & Recreation; Fund: Trust; Account: 71 Equipment.

Bryan Conant, Superintendent, Parks and Recreation

Good afternoon. Bryan Conant, Superintendent of Parks and Recreation. The current lights at Sargent Ave. are extremely old. The wooden joists have started to rot away so much that the lights are actually pulling away from the poles. I want to say thank you to Alderman Klee and

Alderman Comeau for helping us get this through and making this a possibility. I think it's well overdue. I'd be happy to answer any questions on this, if there are any.

Mayor Donchess

Anyone?

MOTION CARRIED: Unanimously

VII. ENGINEERING DEPARTMENT

A. Motion: To Approve The Sewer Service Permits And Fees As Submitted.

Chairman, James Donchess, Mayor

Now, we're on to the Engineering Department. Item A, Commissioner Schoneman.

Motion by Commissioner Schoneman: To Approve The Sewer Service Permits And Fees As Submitted.

MOTION CARRIED: Unanimously.

B. Motion: To Approve The Pole License Petition As Listed In The Staff Report.

Chairman, James Donchess, Mayor

Item B. Commissioner Moriarty.

Motion by Commissioner Moriarty: To Approve The Pole License Petition As Listed In The Staff Report.

MOTION CARRIED: Unanimously.

C. Motion: To Approve A Drainlayer's License For Mountainshade, LLC Of Jaffrey, New Hampshire In Accordance With Nashua City Code §255-19, Issuance Of Drainlayer's License And Authorize The Division Of Public Works To Temporarily Suspend The License If Work Is Found To Be Unsatisfactory During An Initial 6-Month Probationary Period.

Chairman, James Donchess, Mayor

Item C. Commissioner Schoneman.

Motion by Commissioner Schoneman: To Approve A Drainlayer's License For Mountainshade, LLC Of Jaffrey, New Hampshire In Accordance With Nashua City Code §255-19, Issuance Of Drainlayer's License And Authorize The Division Of Public Works To Temporarily Suspend The License If Work Is Found To Be Unsatisfactory During An Initial 6-Month Probationary Period.

MOTION CARRIED: Unanimously

D. Motion: To Approve Change Order 2 For The 2023 Paving Program – Contract 1 To Continental Paving, Inc. Of Londonderry, New Hampshire In An Amount Not To Exceed \$200,000.00. Funding Through Department:160 Admin/Engineering; Fund: Bond; Activity: Paving.

Chairman, James Donchess, Mayor

Item D. Commissioner Moriarty.

Motion by Commissioner Moriarty: To Approve Change Order 2 For The 2023 Paving Program – Contract 1 To Continental Paving, Inc. Of Londonderry, New Hampshire In An Amount Not To Exceed \$200,000.00. Funding Through Department:160 Admin/Engineering; Fund: Bond; Activity: Paving.

Mayor Donchess

Mr. Hudson.

Dan Hudson, P.E., City Engineer

Thank you, Mr. Mayor. Dan Hudson, City Engineer. When we first out the paving contract for Contract 1, which primarily includes Main Street we stopped work short of the bridge. Since that time, we have engaged CSX and they've agreed to replace the Main Street rail crossing, which is long overdue. I'm sure everybody is happy to hear. Given that they are planning to do that work, we didn't want to leave a gap between the Main Street work we were doing there. This proposal is to modify the contract to extend the paving up to the Rail crossing. Then, in future years we look to go further north and south and that sort of thing. We bring this before you today and we had put this on the agenda, we are seeking to expedite contracting through an emergency approval so that the work can be scheduled. The City will actually save money versus having them go away and come back later and have to re-mobilize. As it stands right now we're planning to pave. Right now Main Street has a base paving, but were planning to do the final coat of paving, and include this work all the way to the Rail crossing. That's planned to happen on the 30th. The Rail crossing in and of itself is planned to happen this Sunday, the 24th. We are going to be doing a full closure of the Main Street bridge on the 24th, so I want to make sure everybody is aware of that. When the Railroad starts working they are going to start working about 6:00 a.m. in Sunday, they're going to keep working until they're done. We anticipate that will be probably Monday morning, early Monday morning when they're finishing up. We have posted message boards with notices noting that there will be a road closure through 1:00 p.m., that's just to account in case we have any issues that delay the completion. It's kind of a lot there, but I do hope you support the proposed amendment, change order to extend the paving to the Rail Crossing. I'm happy to address any questions.

Discussion:

Mayor Donchess

Commissioner Schoneman.

Shannon Schoneman, Commissioner

Hoorah!

[Laughter]

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

Absolutely.

Mayor Donchess

I move we second that.

[Laughter]

Mayor Donchess

All right. Any other comments or questions?

MOTION CARRIED: Unanimously.

E. Motion: To Approve Change Order 1 To The 2023 Sewer Rehabilitation Program Contract 3 With RWC Enterprises Of Nashua, New Hampshire In The Amount Not To Exceed \$245,000.00. Funding Will Be Through: Department 169 Wastewater; Fund: Bond; Activity: Sewer Infrastructure Improvements.

Chairman, James Donchess, Mayor

Item E. Commissioner Schoneman.

Motion by Commissioner Schoneman: To Approve Change Order 1 To The 2023 Sewer Rehabilitation Program Contract 3 With RWC Enterprises Of Nashua, New Hampshire In The Amount Not To Exceed \$245,000.00. Funding Will Be Through: Department 169 Wastewater; Fund: Bond; Activity: Sewer Infrastructure Improvements.

Dan Hudson, P.E., City Engineer

Dan Hudson, City Engineer. We had secured RWC for a contract to do some sewer rehabilitation work. Again, this is dig work. We do a lot of lining, but this is actually where we have to dig up pipes and replace them because of their condition. Since the initial contract aware we have identified additional locations that work needs to be done, and so we bring before this change order to add that work to their contract. I'd be happy to address any questions.

MOTION CARRIED: Unanimously

F. Motion: To Approve The Engineering Services Contract Amendment #2 With CMA Engineers, Inc. Of Portsmouth, New Hampshire In The Amount Not To Exceed \$42,000.00 For The Design And Management Of The Nashua Heritage Rail Trail East Project. Funding Through Department: 180 Community Development; Fund: Grant And Capital; Activity: NHDOT Heritage Rail Trail.

Chairman, James Donchess, Mayor

Item F. Commissioner Moriarty.

Motion by Commissioner Moriarty: To Approve The Engineering Services Contract Amendment #2 With CMA Engineers, Inc. Of Portsmouth, New Hampshire In The Amount Not To Exceed \$42,000.00 For The Design And Management Of The Nashua Heritage Rail Trail East Project. Funding Through Department: 180 Community Development; Fund: Grant And Capital; Activity: NHDOT Heritage Rail Trail.

Dan Hudson, P.E., City Engineer

Dan Hudson, City Engineer. The Heritage Rail Trail Project the design of that is underway. That will extend the Rail Trail along the former rail corridor from Main Street to the east pass under hanger. The project contemplated the work being done without any right-of-way impacts of easements. That has proven to be not possible. This amendment will enable the design engineer to help us with the easement work and the right-of-way phase that needs to be done in order to complete the design so that we can get this out to bid and ultimately construction. This is a design phase we're in preliminary design. With this amendment we'll be able to like I said add that right-of-way phase into the scope of work and continue through completion. Happy to address any questions.

Discussion:

Mayor Donchess

Aldermen O'Brien

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

Am I correct that it says here to extend it to Denton Street, but this is line that runs behind the Crown Hills Station, correct? To the east?

Mr. Hudson

That's correct.

Mr. O'Brien

Okay. And, you looked at the bridge? Is everything--

Mr. Hudson

--East Hollis Station?

Mr. O'Brien

The East Hollis Street Station. There is a railroad bridge that goes over Commercial and I just wondered that that's--

Mr. Hudson

--Yeah, part of the scope of work is to rehabilitate that bridge.

Mr. O'Brien

Okay.

Mr. Hudson

But, yes we will be working behind that fire station.

Mr. O'Brien

And, question no. 2 to follow up if I may. You did discuss with the fire department because that is part of their back yard unfortunately.

Mr. Hudson

Yes, yes. We have, we will continue to coordinate with them through the final details, which are not finalized yet, but we'll be as part of this design work.

Mr. O'Brien

Good. Outstanding, thank you.

Mr. Hudson

You're welcome.

MOTION CARRIED: Unanimously

G. Motion: To Consider The Hardship Request To Excavate For Drainage Installation On LaFrance Avenue.

Chairman, James Donchess, Mayor

Next, Item G. Commissioner Schoneman.

Motion by Commissioner Schoneman: To Consider The Hardship Request To Excavate For Drainage Installation On LaFrance Avenue.

Dan Hudson, P.E., City Engineer

Dan Hudson, City Engineer. This is actually a request of the Department. We have a resident at 25 LaFrance that has some drainage issues they've been suffering for a while. The road is in moratorium so we had delayed that work. We're planning to delay that work until the moratorium is up, but as luck would have it, they're neighbor at 27 LaFrance had an emergency sewer issue and a sewer repair had to be made there. So, what we're requesting is to do the drainage work we need to do, which is going to be installing a leaching catch basin at the edge of the road, and we'll probably cut into the road a little bit. Then we can do the moratorium

restoration through the whole area so that things will be restored to a better condition that they would be if we waited to the end of the moratorium then restored it then. Obviously, the Board, well the emergency sewer repair would happen, but we didn't just want to piggyback off that without bring this to the Board for approval because this is a different item of work in that same area. That's the request, I'd be happy to address any questions.

MOTION CARRIED: Unanimously.

H. Motion: To Consider The Hardship Request From Hayner/Swanson, Inc. On Behalf Of Buckley's-Amherst, LLC To Excavate In Amherst Street To Install Sewer Service At 546 Amherst Street (Lot H-178).

Chairman, James Donchess, Mayor

Next, Item H. Commissioner Moriarty.

Motion by Commissioner Moriarty: To Consider The Hardship Request From Hayner/Swanson, Inc. On Behalf Of Buckley's-Amherst, LLC To Excavate In Amherst Street To Install Sewer Service At 546 Amherst Street (Lot H-178).

Dan Hudson, P.E., City Engineer

Dan Hudson, City Engineer. We have representatives here so I'd just turn this over to them if that's suitable to the Board.

Mayor Donchess

All right, come on up.

J. Bradford Westgate, Esquire, Winer & Bennett, LLP

Thank you. Good afternoon, Mayor and Commissioners. My name is Brad Westgate. I'm a lawyer with Weiner Bennett, 402 Amherst Street in Nashua, and representing Buckley Amherst LLC, Tom Zajac of Hayner/Swanson is with me as well. He's the project engineer, and Ian Buckley of Buckley is sitting in the audience. Just a little bit of background and hand over to Tom to just touch on the project and then come back, I'll talk about the hardship standard a little bit.

Buckley Amherst, LLC was created by Michael Buckley to purchase the former Southern New Hampshire University building at 546 Amherst Street. Closed on that purchase in March 2022. Shortly before that, we had been before the Planning Board with Tom as the lead to obtain site plan approval for a new restaurant. Full renovation of the site and of this building to create a restaurant at that site. After the property was purchased, the Buckley's have been engaged with their architects and engineers to create a pretty detailed and substantial plan and specifications for this renovation.

Last August, excuse me just this past month we did an administrative approval to a small modifications to the site plan. The application before you is to obtain permission to open up Amherst Street in front the building to tie sewer service to the sewer main. We're fortunate that the sewer main is on the same side of Amherst Street, on the eastbound side same as the restaurant site. Of course, I'm sure the Commission knows that this building has been vacant

for a good number of years. If I can turn over to Tom for a moment to walk you through the actual work contemplated for the sewer tie in and then I'll just talk briefly after that. Thank you, Mr. Mayor

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

Thanks, Brad. For the record my name is Tom Zajac, I'm a civil engineer with Hayner/Swanson at 3 Converse Street here in Nashua. We've had the good fortune of representing the Buckley's team on the project that Brad talked about. a long-vacant site. Got a couple approvals, couple extensions to kind of get us to where we're at today. They've got a shovel-ready project hopefully to get in the ground shortly this fall with a hopeful opening next spring, maybe mid-May for this new restaurant to be called The Lost Cowboy. It's kind of an American-Western theme.

When we went through this the first time, went through the Planning Board. The goal was to get the approval for the use so they could purchase the land and they really weren't planning on building it right away until we're here today. We worked with Mr. Hudson and an engineering team as best we could to figure out the existing sewer services. There weren't a lot of records at the time. We didn't want to go out into Amherst Street digging around because of course it was just paved in July 2019. There were no records of the existing service. Since that time, we were able to creatively get video from inside one of the floor drains to go out to the manhole, it's a 5-inch AC pipe, asbestos concrete pipe from the 70s. The video shows it in really poor shape. There's a break in one of the joints. For all the money they're putting into the building, of course, we want to upgrade the sewer service. Put in the right infrastructure. A 6-inch size would be the very minimum that engineering, DES would accept for this use, a 382-seat restaurant, along with a micro-pub component, and we need at least an 8-inch service.

The existing sewer is right on our side of the street and the closest eastbound lane. We've got about 10-12 feet to go in the road in terms of our cut, but of course, since the road is under moratorium, what our application represents is to make that connection with a new 8-inch service this fall and a temporary patch, allow that to settle over the wintertime, and then come back in the springtime and do the full curb-to-curb moratorium work. We've got a median here so we're doing the eastbound lane.

In terms of hardship request, the moratorium expires in July 2024, as Mr. Hudson and I know I've made this argument before in terms of the hardship. We're so late in the game here that we think that this restoration would actually result in a better condition long-term than waiting a couple more months, until July or so.

I thank you for the opportunity to present the application. I'll turn it back over to Brad.

Attorney Westgate

Thank you, Tom. So, relative to the hardship as Tom noted. the hardship is the situation that presently exists the age of the pipe, the size of the pipe, the need to upgrade. Just a little background, based on the assessor's record a building was first built on this site I think in 1965. There were some expansions to that building. I believe it had automotive/motorcycle use way back. A little before my time. Not in age, but in being in Nashua.

Of course, it has been vacant for a good number of years now. Any repurposing, full renovations, and redos of properties on Amherst Street are typically going to involve upgrading

utilities structures. Especially, when the historic uses are just not the type that are going to be made out there in the future. Even without a new restaurant, as discussed with Tom at least a likely rehabilitation of this existing pipe even on a modest use, and even a possible replacement there would be necessary. The restaurant use of course needs the new pipe. Needs the 8-inch capacity as Tom has described.

Obviously, the project will put a vacant property into good use. Implements of Planning Board's desires and the Buckley's vision for this site as approved. We would think the modest cut to undertake this work in the fall and then do the overlay as Tom described in the spring is pretty good timing mechanism leading up to the end of the moratorium. So, we respectfully request permission to make the cut to be able to do it this fall as Tom described.

We thank you for your time of course, and happy to answer questions.

Discussion:

Mayor Donchess

Anyone? Commissioner Schoneman.

Shannon Schoneman, Commissioner

If I understand right, the actual cut to do the sewer replacement is just going to be in the one, the farthest eastbound lane. Is that right? And, then the patch goes not curb-to-curb, but curb-to-median.

Mr. Zajac

Yes, correct. On that eastbound side you've got two lanes, travel lanes and a fairly wide shoulder. That sewer manhole sits within that closest eastbound lane to the right eastbound lane closest to the building. The patch would include the shoulder and the eastbound lane and then of course, the full pavement restoration would go all the way to the center median.

Commissioner Schoneman

So there's still going to be able to be a traffic flow for the bulk of the construction. And, what about when they have to put down the patch to the median, the demand of traffic flow?

Mr. Zajac

Once they complete it they would submit a traffic control plan to the Engineer Department and you would kind of do it in two different applications. You would need to keep at least one lane--

Commissioner Schoneman

--got it--

Mr. Zajac

--keep at least one lane open

Commissioner Schoneman

Right. Okay. So, they'll patch one lane close to the other and then--

Mr. Zajac

--yes.

Commissioner Schoneman

--okay. Got 'cha. All right, thank you.

Mayor Donchess

Once the restaurant is open how many people do you think will be employed there?

Attorney Westgate

Ian Buckley, speaking for the record.

(Inaudible).

[Nashua CTV—We need you to sit at the table.]

Mr. Hudson

Yeah, come on up.

Ian Buckley, VP Buckley's-Amherst, LLC

Ian Buckley with Buckley-Amherst LLC for the record. Mayor, we're hoping between 60 and 70 between the restaurant and the small brewery side.

(Inaudible)

Mayor Donchess

All right anyone else? Alderman O'Brien.

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

You said shovel ready project, but it's got to be done before the snow as far as you know, and so there's no concerns there?

Mr. Zajac

Tom Zajac, Hayner/Swanson. Yes, the plan would be upon approval by this Board of the sewer or the moratorium impact they would move right away to make that connection this fall. I think we have a pre-construction meeting scheduled for next week.

Mr. O'Brien

So if we expedite this its--

Mr. Zajac

--correct, yeah, the sewer--

Mr. O'Brien

--no winter concerns.

Mr. Zajac

All the work within the right-of-way, would take place this fall.

MOTION CARRIED: Unanimous.

Attorney Westgate

Thank you Commissioners.

Chairman, James Donchess, Mayor

Thank you very much.

VIII. ADMINISTRATION DEPARTMENT

A. Motion: To Approve And Recommend To The Board Of Alderman The Collective Bargaining Agreement Between The Board Of Public Works Of The City Of Nashua, New Hampshire And Local 365 Of The American Federation Of State, County And Municipal Employees, AFL-CIO For The Period Of July 1, 2023 Through June 30, 2028.

Chairman, James Donchess, Mayor

Next, is Item I, an information item. So we will go on then to Administration. Item A. Commissioner Schoneman.

Motion by Commissioner Schoneman: To Approve And Recommend To The Board Of Alderman The Collective Bargaining Agreement Between The Board Of Public Works Of The City Of Nashua, New Hampshire And Local 365 Of The American Federation Of State, County And Municipal Employees, AFL-CIO For The Period Of July 1, 2023 Through June 30, 2028.

Mayor Donchess

Mr. Patrician.

Andrew Patrician, Assistant Director, Division of Public Works

Andy Patrician, Assistance Director of Public Works. We did start negotiations back in February, they actually went pretty well. This year we we're able to come up with something pretty quick. The last contract expired July 1, 2023. I don't know if you had time to review it, it's 4 percent in 2023, 4 percent in 2024, 3 percent in 2025, 2 percent in 2026, and then 2 percent in 2027. The next change that we had was we wanted to increase the hourly wage for the mechanics and the welder to try to get them up with industry standards. We proposed a \$2.00 an hour raise to that position. Also, beginning July 1, 2023, we actually just because of the way the trucking and everything is growing with emission stuff and the electronics and everything, we're going to give them \$1,000.00 per year for a tool stipend, which doesn't buy them much, a set of wrenches, a set of good wrenches on a truck, just 5 or 6 wrenches or a pair of pliers, I mean it's \$200.00 or \$300.00, f not more because they buy quality equipment. We proposed that and then I thought there was one more thing here. In consideration the City we're going to rescind a 3-day suspension that we gave an employee and give them that back, and the Union will withdraw all pending grievances, arbitrations, and unfair labor practice. So, everything goes away with the signing of this contract. I'll take any questions if you have them.

Discussion:

Mayor Donchess

Any questions, comments? Yes, Commissioner Moriarty.

Kevin S. Moriarty, Commissioner

Yes, could you explain that again? That 3-day suspension. I can't remember what the issue was there.

Mr. Patrician

The employee, it was during a storm and had an issue and we ended up writing him up for it, and then they grieved it. They wanted to send that to arbitration. That's been an ongoing thing for the past couple of years. Ever since COVID started.

Commissioner Moriarty

No, but you're saying we're changing the contract we're getting rid of the 3-day suspension, is that what you said?

Mr. Patrician

Yes. That's not part of the contract. That's just something that we agreed to--

Commissioner Moriarty

--okay.

Mr. Patrician

--to get to where we are. That was one thing that are agreeing to--

Commissioner Moriarty

--got it—

Mr. Patrician

--plus the--

Commissioner Moriarty

--that's fine—

Mr. Patrician

--you know—

Mayor Donchess

Yup, and they agreed to drop all the grievances.

Commissioner Moriarty

Right.

Mayor Donchess

Which there were quite a few, if I recall.

Mr. Patrician

Yes, there was four that they wanted to take to arbitration, I believe and then the two unfair labor practices. That's huge (inaudible). The Union did ratify this. They did approve it I think 49 to 9.

Mayor Donchess

Commissioner Schoneman.

Shannon Schoneman, Commissioner

So, when we discussed this earlier in the year, was it March or quite a ways back, we discussed this. This is essentially unchanged from what was proposed back then, is that right? It sounds like it.

Mr. Patrician

Yeah, I think everyone--

Commissioner Schoneman

--the percentage increases are the same as were discussed earlier in the—

Mr. Patrician

--yes with the Board--

Commissioner Schoneman

--yeah--

Mr. Patrician

--yes, that's the same stuff we talked about. The 2.00 for mechanics, the tool stipend that was all part of it, and then the wages.

Commissioner Schoneman

Okay. So nothing new, nothing different since we discussed it as a group, the Board and all the superintendents?

Mr. Patrician

Nope, just, these are the only changes to the contract all the other language is staying the same.

Commissioner Schoneman

Okay. Great.

Mayor Donchess

Anyone else?

MOTION CARRIED: Unanimously.

IX. COMMISSIONER'S COMMENTS

Chairman, James Donchess, Mayor

Commissioner's Comments. Do any Commissioners wish to make comment? If not, we'll go to Personnel.

X. PERSONNEL

A. Motion: To Approve And Unseal The Nonpublic Minutes For Personnel From The BPW Meeting Of August 24, 2023.

Chairman, James Donchess, Mayor

Item A. Commissioner Moriarty.

Motion by Commissioner Moriarty: To Approve And Unseal The Nonpublic Minutes For Personnel From The BPW Meeting Of August 24, 2023.

MOTION CARRIED: Unanimously.

B. Non-Public Session - Pursuant To R.S.A. 91-A:3, II(B) The Hiring Of Any Person As A Public Employee.

Chairman, James Donchess, Mayor

Now we have a non-public session. Commissioner Moriarty.

Motion by Commissioner Moriarty: To Move By Roll Call That The Board Go Into a Non-Public Session Pursuant R.S.A. 91-A:3, II (b), The Hiring of Any Person As A Public Employee.

Viva Voce Roll Call:

3-Yea (Donchess, Moriarty, Schoneman) – 0 Nay

The Board entered into Non-Public Session at 4:45 p.m. and reconvened at 4:50 p.m.

XI. MOTION: TO SEAL THE MINUTES OF THE BOARD OF PUBLIC WORKS PERSONNEL NON-PUBLIC MEETING OF SEPTEMBER 21, 2023, UNTIL SUCH TIME AS THE MAJORITY OF THE BOARD VOTES THAT THE PURPOSE OF THE CONFIDENTIALITY WOULD NO LONGER BE SERVED.

Motion by Commissioner Moriarty: To Seal The Minutes of The Board of Public Works Personnel Non-Public Meeting Of September 21, 2023, Until Such Time As The Majority Of The Board Votes That The Purpose Of The Confidentiality Would No Longer Be Served.

Viva Voce Roll Call: 4-Yea (Donchess, Moriarty, Schoneman) – 0 Nay

MOTION CARRIED: Unanimously.

XII. DIRECTOR'S REPORT

Now, do we have a Director's Report?

Andrew Patrician, Assistant Director, Division of Public Works

We have an Assistant Director's report today.

Mayor Donchess

All right, let's do that then.

Mr. Patrician

The first slide is the Dedication of Name Ceremony up in Concord. It was on the 12th for Public Works Employees who had passed away. There is a memorial up there for them.

I know we spoke about this, CSX will be replacing the railroad crossing on Main on 9/24 and 9/25. There will be detours posted, just try to avoid the area as much as possible.

This slide is Continental finishing up some ADA ramps at Medical Center Drive ahead of final paving.

This is prep work for Continental removing the brick crosswalks on Main Street. That's going to be replaced with the XD pattern. That was the milling.

The next slide is the milling on Main Street that occurred on September 11.

This was a very well attended event, the 2023 Gate City Brewfest.

A new roller slide was installed at Roby Park.

Shannon Schoneman, Commissioner

We had a chance to try that out--.

Mr. Patrician

You did--

Commissioner Schoneman

--my son did.

Mr. Patrician

Very nice. How'd it go?

Commissioner Schoneman

Great! The kids were loving it.

Mr. Patrician

This is the newly installed playground at St. Andrew's Park, which was well overdue. It had the same equipment there back when I started, so that was very nice.

We had a dedication yesterday over at the new dock at Sandy Pond. People were really enjoying it. Fishing off of it and they run their little motorized boats in there.

This is the Street Department work up at Bicentennial School installing new tip downs.

This is another sidewalk that the Street Department replaced at 86 ConcorStreet.

There was also mill and fill to preserve the road and road conditions on Taylor Street.

Solid Waste, the Four Hills Landfill will be closed Monday, October 9 for Indigenous Peoples Day. All collection will be delayed by one day.

Curbside collection and oversized items and appliances will be ending for the season. The last date to request a pickup will be October 21st and collections will end on Friday, October 27.

Nashua Goes Back to School event. The Solid Waste Department table at the Nashua Goes Back to School event.

The next Household Hazardous Waste collection event will be held on Saturday, October 7 from 8:00 a.m., until noon at 25 Crown Street. One Hundred Twelve households participated in the August collection event.

This is Wastewater working on a manhole cover. The manhole cover didn't fit well, there was a lot of vibration, a lot of noise so they worked on getting that quieted down.

This is a replacement of bearings on a pump at Wastewater. (inaudible) size pump.

Clearing access to storm water outfalls. We had summer laborers out there doing that.

This is the redundancy for the heat exchanged that got installed. I think we've talked about that numerous times. So it's good that that's getting done.

River sampling. The wastewater facility has a twice a year requirement for toxicity testing. We had that done.

This was debris removal from the storm water pipes. This was, I believe this was September 11th rain storms that we had just a lot of issues that day, and that's it.

Discussion:

Mayor Donchess

All right. Any questions or comments?

Kevin S. Moriarty, Commissioner

Very good.

Commissioner Schoneman

I just want to double check the dates. The repairs at CSX is doing on Main Street start Sunday at 6:00 a.m.?

Mr. Patrician

Yes.

Commissioner Schoneman

And are probably going to go to Monday you thought.

Mr. Patrician

Yeah. It's going to be, they excavate, they'll do their saw cuts and they take the whole thing out. I believe it's 120 feet of track. It's a big undertaking to do that.

Commissioner Schoneman

Okay. All right, I just wanted to confirm that.

Mayor Donchess

They said that it's going to be a Cadillac grade crossing.

Mr. Patrician

Yes.

Commissioner Schoneman

What's that mean exactly?

Mayor Donchess

Well, because they have--

(Unintelligible)

Mr. Patrician

Yeah, it's going to be very impressive. It's going to be-long overdue.

Commissioner Schoneman

They're not doing any upgrades to gates or lights or anything like that?

Mr. Patrician

No, no. We don't have gates. That type of stuff will be on Main Street, no nothing with that, but with this whole job it's going to (unintelligible). A long time coming.

XIII. ADJOURNMENT

Motion by Commissioner Moriarty: To Adjourn.

MOTION CARRIED: Unanimously.

The meeting of the Board of Public Works of September 21, 2023, adjourned at 5:01 p.m.