

## Board of Public Works Meeting of May 25, 2023

A meeting of the Board of Public Works was held on Thursday, May 25th, 2023, at 4:00 PM in the Mine Falls Conference Room – 848 West Hollis Street, Nashua, NH 03062.

Mayor Jim Donchess, Chair, declared the meeting to order at 4 PM and called the roll.

### I. Roll Call

#### Members Present:

Mayor Jim Donchess, Chair  
Commissioner Kevin Moriarty  
Commissioner Shannon Schoneman  
Commissioner June Lemen  
Commissioner Paul Shea (Arrived at 4:01 PM)

#### Also Present:

Lisa Fauteux, Director of Public Works, Clerk  
Patti Rogers, Executive Assistant DPW  
David Boucher, Wastewater Superintendent  
Bryan Conant, Superintendent of Parks and Recreation  
Dan Hudson, City Engineer

#### Mayor Donchess

Alright. Thank you very much. There's a motion to approve the agenda, Commissioner Schoneman.

### II. MOTION: Commissioner Schoneman to approve the agenda as amended.

#### Mayor Donchess

Discussion? All those in favor say aye. Opposed?

**MOTION CARRIED: Unanimously**

#### Mayor Donchess

Item three, approval of the minutes, Commissioner Lemen.

### III. MOTION: Commissioner Lemen to approve the minutes of the Board of Public Works meeting of April 27th, 2023.

#### Mayor Donchess

Anyone? All those in favor of the motion say aye.

**MOTION CARRIED: Unanimously**

### IV. Public Comment

Mayor Donchess

Public comment. Is there any member of the public who wishes to address the Board of Public Works? Apparently not. And let the record show that Commissioner Shea has arrived at 4:01 PM. Board of Alderman Referrals. We have item A, Commissioner Moriarty.

**V. BOA Referrals**

- a. **MOTION:** Commissioner Moriarty moves for a favorable recommendation for **R-23-119** - Changing the purpose of up to Three Hundred and Fifty-four Thousand Six Hundred and Fifty-Eight Dollars (\$354,658) of unexpended bond proceeds from three Wastewater Projects to the Sewer Improvement Project.

Mayor Donchess

Any information you want to give us, Mr. Hudson?

Dan Hudson

Sure. So, Dan Hudson, City Engineer. So, this is repurposing surplus funds from three projects, which are a storage tank facility, aeration, blower upgrade, and dewatering equipment replacement. These are wastewater projects that were bonded. So, this is requesting to repurpose those funds into the sewer fund where that money can be used for other projects of similar duration. The bonds are usually 20 or 30 years. Anything we would do, such as digging and replacing pipes, lining pipes, will have a useful life longer than 30 years. So, it's appropriate to repurpose those funds that way.

Mayor Donchess

Any discussion? Commissioner Shea.

Commissioner Shea

For the three wastewater projects, I imagine that those had somewhat of a federal match. Do you recall?

Dan Hudson

I don't have specifics on that. I mean, it's typical that, if they're done under like an SRF process, they're low interest loans or bonds. And then sometimes there's principal forgiveness through the State Aid Grant Program. So, sometimes we get like a 2% payment back, based upon the capital. But I don't know if these particular projects benefited from those or not.

Commissioner Shea

Okay. Thank you.

Mayor Donchess

Alright. All those in favor of the motion, say, aye. Opposed?

**MOTION CARRIED: Unanimously**

- B. R-23-123** – Authorizing the Granting of an easement to Pennichuck Water Works, Inc. for the construction and maintenance of a water line.

Mayor Donchess

Item B, we're going to seek a tabling of that because there's still discussions going on with Pennichuck and the Board of Alderman who would have to approve this. So, without objection, I'll just say that will be tabled until the next meeting. Next item, area six, Wastewater. Now, Mr. Boucher is not here.

**VI. Wastewater Department**

Director Fauteux

He's on his way. So, maybe we can skip ahead to the Street Department.

Mayor Donchess

So, if there's no objection, we'll go to item seven, Street Department and come back to Wastewater. Item A, Commissioner Shea.

**VII. Street Department**

- a. MOTION:** Commissioner Shea moves to approve Change Order No. 2 to the Fimbel Garage Door Contract with Fimbel Garage Doors of Merrimack, NH in the amount of \$145,594.70. Funding for this contract is through Department 161: Streets; Fund: Capital; Activity: Overhead Doors.

Director Fauteux

Superintendent Ibarra is sick today. So, I'll speak to this motion. So, we have 26 overhead doors at the Street Department. This is to replace the last 15. So, this is a big safety issue, as you can imagine. Because these are really large doors. So, this now they'll all be updated.

Mayor Donchess

All those in favor of the motion say, aye. Opposed?

**MOTION CARRIED: Unanimously**

Mayor Donchess

Next item B. Commissioner Schoneman.

- b. MOTION:** Commissioner Schoneman moves to approve the award of the FY23 Pavement Markings contract to Markings Inc. of Pembroke, MA in the amount not to exceed \$162,000. Funding for this contract is through

Department 161: Streets; Fund: General; Account Classification: 54 - Other services.

Director Fauteux

So, this is our annual striping contract. We're excited to work with Marking Inc. This is a new company. We haven't worked with them before, but they have a good reputation and we think they'll do a good job. And this of course includes long lines and across some crosswalks.

Mayor Donchess

Any discussion? All those in favor of the motion, say aye. Opposed?

**MOTION CARRIED: Unanimously**

Mayor Donchess

Now, Mr. Boucher is here. So, we'll return to Wastewater. Under Wastewater, we have item A, Commissioner Lemen.

- a. **MOTION:** Commissioner Lemen moves to approve the User Warrants as presented.

Mayor Donchess

All in favor of the motion to say aye.

**MOTION CARRIED: Unanimously**

Mayor Donchess

Item B, Commissioner Moriarty.

- b. **MOTION:** Commissioner Moriarty moves to approve the purchase of the chemical Sodium Bisulfite in the amount of \$80,000 from PVS Chemical Solutions. Funding will be through: Department: 169 Wastewater; Fund: Wastewater; Account Classification: 61 Supplies & Materials.

Dave Boucher

Dave Boucher, Wastewater Superintendent. This is for the annual purchase of Sodium Bisulfite for FY24. We participate in the Northeast Merrimack Valley Chemical Consortium bid process to get the best bid. Sodium Bisulfite fights a chemical used on a daily basis. It's used to remove chlorine from the wastewater before it's discharged into the Merrimack River. And PVS was the low bidder in the consortium. Happy to answer any questions.

Mayor Donchess

Anyone?

Commissioner Shea

Just out of curiosity, while we're on the topic of chemicals, how much do we attend to benzene in wastewater output? And is that an important thing in wastewater? I know in drinking water it's an issue. But while you bring up chlorine, I think they're related. And I figured, I would ask just out of curiosity.

Dave Boucher

Yes. It's not in our discharge permit, but it is in our industrial pre-treatment permits. So, when we permit industries, they're regulated as far as what they can put down the sewer. And so, they test for it on an annual basis, and they send it to us, but they're not required to put it down the drain. So, we want it to now.

Commissioner Shea

Thank you.

Mayor Donchess

All those in favor of the motion to say aye. Opposed?

**MOTION CARRIED: Unanimously**

Mayor Donchess

Item C from Commissioner Shea.

- C. MOTION:** Commissioner Shea moves to approve the purchase of the chemical Sodium Hypochlorite in the amount of \$420,000 from Univar USA, Inc. of Morrisville, PA. Funding will be through: Department: 169 Wastewater; Fund: Wastewater; Account Classification: 61 Supplies & Materials.

Dave Boucher

Dave Boucher, Wastewater Superintendent. For this one, we also participated in the chemical consortium to get the lowest bid price. Sodium Hypochlorite is a disinfection we use in our effluent to make sure the wastewater is disinfected before goes to the river. We utilize it on a daily basis. We also use it in our odor control systems to oxidize the odors. And Univar was the low bidder on this one. We have previously been using Borden & Remington. But we've also used Univar in the past, so we know they're reputable company.

Mayor Donchess

Alright. Any questions or comments? All those in favor of the motion, say aye.

**MOTION CARRIED: Unanimously**

Mayor Donchess

Item D, Commissioner Schoneman.

- D. **MOTION:** Commissioner Schoneman moves to approve the Class I service on the three Turblex brand blowers in an amount not to exceed \$32,910 from BCV Systems of Springfield, MO. Funding will be through Department: 169 Wastewater; Fund: Wastewater; Account Classification: 55 Other Services.

Dave Boucher

Dave Boucher, Wastewater Superintendent. So, wastewater has three turbulent blowers. They're high efficiency blowers that supply aeration microorganisms. And one of our tanks, they run 24/7. And they're high efficiency blowers. And BCV is the company that services this particular model of blower. Unfortunately, they're not nearby, so it costs higher. They send someone out and they're here for like three days servicing each one. But we've used them several times in the past. They're a good company, and this is just an annual service for these blowers.

Mayor Donchess

Alright, all those in favor of the motion, say aye. Opposed?

**MOTION CARRIED: Unanimously**

Mayor Donchess

Item E, Commissioner Lemen.

- E. **MOTION:** Commissioner Lemen moves to approve the creation of a third Wastewater Foreman position at the Wastewater Department. Starting salary for this position will not exceed \$35.67 per hour. Funding will be through Department: 169 Wastewater; Fund: Wastewater; Account Classification: 51 Salaries & Wages.

Dave Boucher

Dave Boucher, Wastewater Superintendent. Currently we have two foremen at the facility. Over the years, we've been putting in more high-tech equipment to treat our process and meet regulations. Also, we have new regulations in our collection systems outside the facility. We've added employees to that aspect so we can maintain that better. But that's also required one of our foremen to be outside the facility more often managing that. We've got the upgrades of our pump station, a lot of new equipment out there going on. So, we kind of only have one foreman in the facility to oversee both operations portion of the facility and maintenance portion of the facility, which can be overwhelming. So, this would help alleviate that and help us to maintain a nice facility and keep things up.

Director Fauteux

And I'll just add that we had this discussion at our budget meeting. We mentioned it. And this is a position that we had before, you recall.

Mayor Donchess

Any discussion. All those in favor of the motion, say aye. Opposed?

**MOTION CARRIED: Unanimously**

Dave Boucher

Thank you.

**VIII. Solid Waste  
No motions from Solid Waste**

Mayor Donchess

Now we're in Park & Rec, item A, Commissioner Moriarty.

**IX. Park and Recreation**

- A. MOTION:** Commissioner Moriarty moves to approve the purchase of a 2023 John Deere 4066R for a price of \$67,497.66 pursuant to the Sourcewell Contract #031121-DAC. Funding will be through Department: 177 Parks and Recreation; Fund: Trust; Activity: CERF.

Bryan Conant

Bryan Conant, Superintendent of Parks and Recreation. Good afternoon, everyone. This tractor will be used by the Parks and Rec Department to accomplish many different aspects. From fertilizing the fields, different cultural practices that we, you know, attachments that we have that hook up to the tractor. You know, it helps us out tremendously. Integral part of our fall leaf cleanup operations. So, I'd be, this is replacing a 22-year-old tractor that will then become a back line unit, until it's no longer feasible to keep up and running. So, I'd be happy to answer any questions.

Mayor Donchess

All those in favor of the motion, say aye.

**MOTION CARRIED: Unanimously**

Mayor Donchess

Item B, Commissioner Shea.

- B. MOTION:** Commissioner Shea moves to approve a three-year contract with Pyrotecnico Fireworks, Inc. of Jaffrey NH for Fourth of July Fireworks Display at a total contract value of Sixty-Three Thousand Dollars (\$63,000). Funding will be through Department: 177 Park and Recreation; Fund: General; Account Category: 55 Other Services.

Bryan Conant

Bryan Conant, Superintendent of Parks and Recreation. As you're all well aware, we have a wonderful fireworks display at Holman Stadium on the 4th of July. We put this out to bid. This is a three-year contract with an optional fourth. And one thing the company did relay to us, which works out in our favor with going out with a three-year contract, is we're going to have 2026 in the books. A lot of municipalities reach out to these companies the year of. They're estimating that that cost will be in 2026, to celebrate the 250-year anniversary, to be about \$35 to \$45,000. And we're going to be at around \$25, so that'll be beneficial. But I'd be happy to answer any other questions about this.

Director Fauteux

I just, Bryan, just to add something to this, Pyrotecnico is actually the same company. They acquired Atlas, who has been doing the firework displays, which everybody has been raving about. So, I did want to let you know this is the same company, they were just acquired.

Bryan Conant

Thank you. Atlas was acquired by this company.

Commissioner Lemen

I remember, since I live really close to the stadium there was a change a few years to make them quieter. It's the same company, right? Because it's been a huge difference for

Bryan Conant

Yes.

Commissioner Lemen

Where I sit. I mean, we used to have, every time the fireworks went off, all the car alarms would go off, which was really annoying. And that has not happened in the past few years.

Director Fauteux

Yes. This is, I think at least three years. The last three years. Yes.

Mayor Donchess

Yes, Commissioner Shea.

Commissioner Shea

This include the service of setting them up and firing them off and cleaning them up and the whole thing?

Bryan Conant

Not cleaning them up. Not cleaning them up. Well, they'll clean up the display, but a lot of the stuff, obviously wise blows in the wind and we will pick up the rest. So, okay. This is quite a pickup day, the day after this event.



Commissioner Shea

Do we have a little extra in there for '26? Or what do you regular, I mean, our display is pretty significant as it is. So-

Bryan Conant

Yes, I think there is something special in there for 2026. Yes.

Mayor Donchess

Thank you. All those in favor of the motion, say aye. Opposed?

**MOTION CARRIED: Unanimously**

Mayor Donchess

Item C, Commissioner Schoneman.

- C. **MOTION:** Commissioner Schoneman moves to approve changes to the Stellos Stadium Attendant Job Description and increase the hourly rate by 30 cents per hour.

Bryan Conant

Bryan Conant, Superintendent of Parks and Recreation. What I'm trying to accomplish here is to make this position more self-efficient. And currently right now, we'll, you know, on as needed basis, we will spray the weeds in the parking lot at the curbside, around the David Dean Skate Park. That's why I want to include the pesticide license, so that we don't have to send a crew over there. The person that's the stadium attendant should be able to take care of it. And I also feel with the David Dean Skate Park being right close to the Stellos Stadium, that the person there should be responsible for the maintenance of that as well, which is fairly limited. But I'd be happy to answer any questions on this.

Mayor Donchess

All those in favor of the motion, say aye. Opposed?

**MOTION CARRIED: Unanimously**

Bryan Conant

Thank you.

Mayor Donchess

Thank you, Mr. Conant. Now we're onto Engineering. Mr. Hudson, you're up. Item A, Commissioner Lemen.

**X. Engineering**

- A. **MOTION:** Commissioner Lemen moves to approve the Sewer Service Permits and Fees as submitted.

Mayor Donchess

All those in favor with the motion? Say aye.

**MOTION CARRIED: Unanimously**

Mayor Donchess

Item B, Commissioner Moriarty.

- B. **MOTION:** Commissioner Moriarty moves to approve the following Pole License Petitions as listed in the staff report.

Mayor Donchess

Anyone? Any discussion on any of that? Questions? All those in favor of the motion, say aye. Opposed?

**MOTION CARRIED: Unanimously**

Mayor Donchess

Item C, Commissioner Shea.

- C. **MOTION:** Commissioner Shea moves to approve Amendment 1 to the engineering services contract for pavement management services with Stantec Consulting Service, Inc. of Burlington, MA in an amount not to exceed \$34,700. Funding will be through Department: 160 Admin/Engineering; Fund: Bond; Activity: Paving.

Dan Hudson

Dan Hudson, City Engineer. So, Stantec Consulting has served us for many years providing updates to our road network evaluation. Typically doing a third of the city each year. This year we're modifying the program a little bit. We're going to look at the northern two thirds of the city, but instead of doing the deep dive in all the conditions, we're going to focus on the roads that have been recently paved or in the do-nothing category. Or slightly less than that. The idea of that is we want to kind of build and build out a preservation program, more robust preservation program. So, he's done a lot of paving. We want to preserve the pavement we have. We know the roads that we looked at previously that were in poor condition before that haven't been paved are still in poor condition. So, you know, we can get a new number on those. It's kind of less important from our perspective, to looking at the roads and making sure that we're reserving those through crack ceiling and fog ceiling of various other treatments. So, that's the proposal this year under this contract is to focus on those things.

Mayor Donchess

Anyone questions? All those in favor of the motion, say aye. Opposed?

**MOTION CARRIED: Unanimously**

Mayor Donchess

Item D, Commissioner Schoneman.

- D. MOTION:** Commissioner Schoneman moves to consider the hardship request from Hayner Swanson, Inc. on behalf of RAK Construction Services, LLC to excavate to install sewer, water, and gas at 58-61 Lund Street.

Dan Hudson

So, again, Dan Hudson, City Engineer. I'll just briefly introduce this. We have guests here who can speak to it in detail. But the request is due to a new subdivision in construction of the house to install the water, sewer, and gas services to that new house. There is a one mitigated factor for the city that is that across the street is a house that has a sewer service, which we believe is in disrepair. There's been a little sinkhole on the road. So, it may be proven for the board to consider this one in light of the fact that, you know, we can repair that and then these guys can come in and do their thing and then they'll restore the whole roadway in accordance with the moratorium requirements. So that's something to consider. We probably are going to be forced to fix the abutting sewer issue regardless. So, I just want to make the board aware of that fact, and turn over to the applicants here to describe the proposal in their hardship.

Mayor Donchess

Alright. So, our guests are here on that. So just come on up and just introduce yourselves when you speak, just so we get it right on the record.

Bradford Westgate

Good afternoon members of the commission and city officials. My name is Bradford Westgate. I'm a lawyer of Winer & Bennett, 402 Amherst Street, suite 302 in Nashua. And with me is Ethan Beals of Hayner/Swanson Project Engineers. And sitting on the side is Rob Crowley, who's the principal of our RAK Construction Services, LLC. But we appreciate the time you've given us today to address this matter. If I may, Mr. Mayor, can I give a little bit of background and just sort of set the stage and I'm just going to turn it over to Ethan to detail a little bit better the circumstances involving these sewer water connections and the sink hole or pavement failure issue that exists in nearby on Lund Street.

So, this property's in the RB zone is two lots. One's a vacant lot recent subdivision after a variance was granted to permit the subdivision, then planning board approval of the subdivision last December. The existing house on the property occupies one lot, and the other one's vacant. As mentioned, Mr. Crowley's Company purchased his property late last year. Prior to that is when the ZBA had granted the variance. And subsequent to his purchases, when the plot was subdivided through Hayner/Swanson. When we were before the ZBA, we had indicated Mr. Crowley would be the likely buyer of this property, which he did. He's in the process of renovating the existing house.

He's done renovations on some properties on Abbott Street before. And his experience with that, the existing house and the grounds around it were in very poor condition. There was a dilapidated in-ground pool, concrete decking around it. Tremendous overgrowth, poor fencing, a lot of, sort of undesirable characteristics. So, what Mr. Crowley's been doing has been in the process now of renovating the existing house, both inside, including utility systems, HVAC, wiring, plumbing, and the like, fully doing the inside work itself. Then sprucing up the outside as well. He's removed the dilapidated pool, has also taken down a garage that was there. Gotten rid of some of the concrete as well, and cleaned up the bad vegetation just to set the stage of what's now to occur.

Property serviced by water, sewer, gas, as well as electric power, telephone, and cable television. The idea is to build a new single-family home on the vacant lot, but that's the lot that needs the sewer connections for water and sewer as well. Both service connections, which Mr. Beals will detail. Also, a new driveway would service that new lot. So, it's coincidental, frankly, that there's the pavement failure issue right in the, almost the exact same area where the sewer connection is and water connections are about to occur. They're a little further on the other side of the street, as you'll see in the plans. But all of this gives an opportunity to both permit Mr. Crowley to make his connections within the five-year timeframe.

And also sort of set the stage so coordination could be done with the city to have them go in and deal with the matter that Mr. Hudson referenced. The timing could be coordinated or not, but in either case, the idea would be that Mr. Crowley would handle the overlay, milling, and pavement that ultimately has to occur when a cut into the street is made, whether it is required by the city or not, he would handle and pay for the cost of all of that overlay work. So let me, if I may, turn it over to Mr. Beals, just to detail better what's actually going on in the street.

#### Ethan Beals

Good afternoon. For the record, Ethan Beals, Project Manager at Hayner/Swanson, doing business at 3 Congress Street here in Nashua, as Attorney Westgate had previously mentioned, our client is looking to construct a single family, house on a recently subdivided and now vacant lot. The proposed dwelling will be serviced by gas, water by Pennichuck Waterworks, municipal sewer, all of which are currently present on Lund Street. In order to construct these utility services, Lund Street will have to be opened. The utility services designed have been designed in close proximity to each other. We're still meeting all the political regulations in order to minimize the overall street disturbance. Recently it came to our attention there was a pavement failure in the center of Lund Street, directly across from the subject property and in the general area that would be open to construct utility services.

This is shown on the plans that were handed out today. I also want to make note that the letter that I sent out today was revised slightly. My original letter had an incorrect date when we went to check, the street was originally paved in May of 2021, and the moratorium is up in May of 2026, as is now correctly noted on the plans and the attached letter. To the best of my knowledge, as Dan had just mentioned, I think that the pavement failure is likely caused by a city in abutters sewer service, and/or the existing utilities in one street. And speaking with city engineering personnel, this pavement failure is something that the city would likely want to address pretty quickly and will also need to open the street to do so. We are

proposing to open Lund Street in order to construct the proposed utility services service connections for the single-family dwelling.

All opening will be trench passed in accordance with section 285-13. As required, the entire width of the street will then be resurfaced 20 feet in each direction from the disturbance commonly referred to as a mill overlay. The final mill overlay restoration will not be completed until the city and or their contractor has had the opportunity to investigate and address the underlying cause of the pavement failure issue in Lund Street.

#### Bradford Westgate

Thank you, Ethan, so just to talk for a couple minutes about the rationale for the granting of the waiver. The commission's well aware of section 285-13 of the city code that requires waivers to be granted for cutting into the city street. If it's to be done within five years after pavement had been undertaken. The work that's to be done if a waiver is granted is, as Ethan stated, would be done by Mr. Crowley at his cost, including the milling and overlay that was described, which goes from curb to curb and 20 feet each side of the cut in. So, the waiver is granted in two cases as the commission's well aware, either an emergency circumstance or hardship.

We would respectfully submit that both are present here. I think the emergency circumstances, as Mr. Hudson first indicated, the pavement failure or the likely as a result of matters concerning abutter sewer hookup across the street from this property. I think the hardship circumstance does also exist as well. Cause either one or the other is sufficient for the commission to make a finding to grant the waiver. I would just say a couple thoughts on hardship. The idea Mr. Crowley has a course is to have two nice houses completed, but if three years or so have to have to pass before the vacant lot can be built with its new single-family home, then there's a bit of a burden on the existing one that is being renovated.

It will be put on the market. A family ultimately will live in there, but they'll sort of be burdened by this lack of activity on the vacant lot. So, the hardship, I think is thought of in the context of both lots, not just the singular circumstance involving the sewer and water connections described. So, it's, I don't know if fortuitous is the best word, but it's at least coincidental that these two circumstances happen now. And I think there's a good way for them to be solved timely. And obviously Mr. Crowley will work with the city departments as they indicate in terms of the timing. He would like to get going as soon as he can, of course. But again, the ultimate result of the milling and overlay, is the final work that he would do once the city work is also completed. Thank you for your time.

#### Mayor Donchess

Alright. Any questions for the applicant? Commissioner Schoneman?

#### Commissioner Schoneman

If I could just have a little clarification on a couple of things. Is it possible for these two lots, as some do, to share utilities?

#### Ethan Beals

Typically, no. The existing sewer connection to the other lot is really kind of an unknown condition currently. I think typically the city tries to get away from especially shared sewer connections, because then there's a debate about who's responsible ultimately for a shared utility connection. I also don't believe that that either, nor the gas company prefers that if at all possible. So, to answer your question succinctly, in all cases they try to avoid that at all costs.

Commissioner Schoneman

Can you explain what it means? That the existing single-family dwelling is their sewer connection is an unknown condition?

Ethan Beals

It was.

Commissioner Schoneman

Nobody's checked.

Ethan Beals

So, to the best of our knowledge, it functions properly for the existing house that's currently there. But it has not been, we didn't video it, it wasn't videoed, we didn't do a flow check. We don't know truthfully this, well, I believe the size of it is located on the plans. But then you would of course need to run some calculations to make sure that it could still handle an additional unit. But as I previously mentioned, in past projects that the city typically tries not to have a shared sewer connection, if at all possible, for different lots.

Commissioner Schoneman

Okay. That kind of leads into the other question, which is the failure of the pavement due to some not quite clear problem with somebody's sewer connection. That's a little vague. Can you be any more specific about what you suspect is going on there?

Dan Hudson

So, I can speak to that. So, Dan Hudson, City Engineer. Yes, we expect there's a problem with the sewer connection in the main, or a problem along the sewer pipe itself. This is one of those scenarios where the resident owns their sewer service to the main of being single friendly resident. There's the provision in our ordinances that the city will make the repair if they pay \$600. But before we would do that, we would need a video. We need them to prove that there's a condition problem. So, what we're suffering from right now is we see a sinkhole in the road. We reached out to the resident; we've asked them for a video. They haven't come forth with that video yet. So, we're kind of in an in between situation of not fully understanding what the issue is, but there is a depression in the pavement. There's certainly material from underneath the pavement is going somewhere. Given that there's the sewer pipe in the area makes perfect sense if that's where it's going. So, there's some issue there that we're trying to, we're going to need to resolve.

Commissioner Schoneman

Yes, I think that's the catch. Yes, if you don't know, you know, the residence's property that's responsible for the pavement failure, yes or no -

Dan Hudson

Are they responsible for the pavement failure?

Commissioner Schoneman

Do you know who is responsible? Which property, which lot has the sewer connection?

Dan Hudson

Yes. I mean, I think from historic records we know where the sewer services are, and I believe that some other staff is more familiar with this case than I am, but okay. I believe they represented me that this is in line with where the sewer service is for that residence across the street.

Commissioner Schoneman

Across the street, yes. Okay. And do you see this being a problem with continuing on the timeline, whatever timeline the developers have in having this homeowner comply?

Dan Hudson

No, I think we'll reach agreement with them and be able to get our work done long before these guys will finish their work, is my expectation.

Commissioner Schoneman

Okay. And what is that timeline for both, when does the city expect to have the pavement failure taking the sewer connection fixed? And then they can get on with their work?

Dan Hudson

I mean usually we can respond to a sewer issue such as this within a week or two of identifying it. So, or basically having that video proof that enables us to go forward and make the repair. So, I can't predict exactly when we're going to get that video, but our response time will be quick once we have everything we need. I'm assuming that their development process is going to take longer, much longer than that.

Commissioner Schoneman

I hope that's the case. I hope you -

Dan Hudson

Yes, I don't think we're going to hold that on at all.

Ethan Beals

I think to reiterate, if I may to reiterate a point that I had made is we're committed to holding that second mill and overlay the final street restoration regardless of timing on the city until the city basically gives us the green light that they're comfortable with their fixed. And that that's something that our client has kind of committed to I'm just happy to.

Mayor Donchess

Alright. Anyone else on this? Commissioner Shea.

Commissioner Shea

The language that establishes the moratorium, does it specify emergency? The word emergency was used a number of times and I'm just; I'm not used to everything being referred to as an emergency. I'm just curious if there's like space in the language for non-emergency. I think it's great that we're developing more housing and I think that, you know, housing coming in is a non-emergency thing, but it's certainly something that we should be making space for with our decisions. So, I'm just curious about that if anybody knows.

Bradford Westgate

If I may, Mr. Mayor?

Mayor Donchess

Yes, please.

Bradford Westgate

So, section 285-13 of the code, just to read, the start construct sets forth the five-year rule, of course, is in that section. Then construction shall not be printed at any street paved within the past five years except for emergency or hardship purposes. So, there are the two standards.

Commissioner Shea

So, this would be a hardship example.

Bradford Westgate

Yes, I think it's actually both the emergency being the -

Commissioner Shea

Given the sinkhole.

Bradford Westgate

Because of the proximity of it, yes. If we are 200 feet down the street from our connection versus the pavement failure, different issue, yes. But we're right next to each other.



Commissioner Shea

Thank you. Yes. But just point of curiosity language wise, I appreciate that. Thank you.

Mayor Donchess

Anyone else? Commissioner Moriarty?

Commissioner Moriarty

Yes, I would just, revealing this, I would say that I really don't think it falls into the hardship category, but I would agree that it is an emergency standard and I would approve it because of the emergency of the pavement failure is my opinion.

Mayor Donchess

Alright. Well, if there's no other questions or comments, all those in favor of the motion say aye. Opposed?

**MOTION CARRIED: Unanimously**

Bradford Westgate

Thank you all very much.

Mayor Donchess

Thank you. The next item E is an informational item. Does anybody have any questions or comments on item E?

**E. INFORMATIONAL: Street Opening Permits issued for Streets in Moratorium.**

Dan Hudson

Mr. Mayor, I would just make one comment that there are quite a number of these this month, and that's because we opened permits in April. And so, there's a lot of work here by Liberty Utilities that was queued up over the winter months as soon as permits opened. And they, proceeded with that work. That's why there's so many this month versus other months.

Mayor Donchess

Okay. Alright. So now we'll move on to administration and we have the Directors Report.

**XI. Administration Department**

**A. INFORMATIONAL: Director's Report**

Director Fauteux

Okay. Thank you, Mayor. Okay. This first slide, we put out the barriers for extended outdoor dining on May 1<sup>st</sup>. Wenrich Brothers Construction did it. This is an ADA ramp shown on Timberline Drive and Erion Drive corner, the work was on April 20th. This is some milling done on Hammar Road by Sunshine Paving subcontractor Garrity. And that work was performed on May 1st. The paving course is now in full swing. This is some paving that was done on Country Side Drive on May 11th by Sunshine Paving. We celebrated Arbor Day on May 4th with Bicentennial Elementary School, which is always a really fun day. The principal bought them all little hard hats as you can see there. And, Eversource gave them a free sapling. So, since it was this year at Bicentennial, they did it with the kindergartners. So, it was super cute. It was fun.

Our spring plantings are going in. This is some staff planting around the Civil War Monument. I don't know if you've seen the plant tins on Main Street. Really nice. Looks great. This is another landscape bed at Campanella Way near Holman Stadium. Park & Rec staff have been hanging new banners at Holman Stadium. The SGXL sprayer that was purchased last year has been heavily utilized. This spring pictured here is a plant protecting application, which will enhance the growth and overall health of the cure. We've had a fair amount of park vandalism unfortunately. The gazebo at Fields Grove was torched and the police are investigating, but it was a total loss, so it's really unfortunate. And then we also had, I think, I believe it was Mother's Day, we had three brush fires, in Mine Falls Park. So, we're seeing more and more and other vandalism too. Some of it off colored, unfortunately. So hopefully that subsides.

This is just a picture of Lion's Field. We're preparing athletic fields. Maintenance is continuing striping, raking, mowing. We cleaned up a homeless encampment behind the Boys and Girls Club.

Mayor Donchess

Oh good.

Director Fauteux

That was all cleaned up.

Mayor Donchess

Former homeless encampment.

Director Fauteux

Yes, former homeless encampment. Yes, we have a lot of homeless encampments right now. It's becoming a bigger and bigger concern. Yes, this is on Greenwood Drive. Crews were preparing a sewer manhole needed to be raised for access. This is a picture of Epping Street and the crews' cleaning curbs, sweeping, and some debris removal. This is Holman Stadium. We are prepping, we pour a concrete pad in anticipation of the Silver Knights will be putting a couple of very large coolers there for their upcoming season for their food freezer, not freezer, sorry. This is New Hampshire Avenue. This is a crew fixing lawn damage caused by our snow operations. We're pretty well done with, we have a few stragglers, I think, but we're pretty well done with all of our lawn repairs.

This is Atherton Park, which is nearing completion. We're working on installing basketball hoops and we're still completing under drains for water drainage. And we need to find the basketball board. So that's coming along nicely. We also have a playground to put in. We had a water main break here at the landfill and that actually shut down water for our new building. But it was on the landfill side. And so, that was repaired. And now we've separated the connection. They're no longer shared. This is on Ledge Street. The sidewalk was closed to a sink hole along the canal. They're working on figuring out a fix and a repair so that we can prevent this from happening in the future. The Wastewater Treatment Facility, all of our pump stations have Gorman Rock Pumps now. So, they received training on those pumps. There are two wastewater mechanics working together here to align a waste activated sludge pump, wastewater electrician and mechanic working together to repair one of the polymer makeup units in the thickening room.

We are measuring and having parts made because of long lead times. We're having a difficult time. So, we're doing more of our own fabricating so we can get repairs done. The first household hazardous waste collection was held on April 22nd, and we had 137 households from Nashua participate. That was a success. The diesel fuel tank at the Four Hills Landfill has been repainted, relabeled, and inspected. And the Four Hills Landfill and Recycling Center will be closed on Monday, May 29th for Memorial Day. So, all trash and recycling collections will be delayed a day that week.

## **XII. Commissioner's Comments**

Mayor Donchess

Any questions or thoughts, comments for the director? Commissioner Shea.

Commissioner Shea

Sure, there was a hullabaloo on social media about the ADA ramps. The ramps and then an adjacent tree, blocking some sidewalk and the juxtaposition of accessibility at the corner versus not accessibility several feet beyond. And I wanted to ask, so we have an extensive ramp repair and installation program going right now. And is, I believe, is there federal funds in that program?

Director Fauteux

No.

Commissioner Shea

No. So it's something we're all we're doing in house.

Director Fauteux

And where was the, what was the discussion? Where was the discussion?

Commissioner Shea

I'm guessing it was on the civic sounding board,

Director Fauteux

But I mean, where in the-

Commissioner Shea

I'd have to look it up and I can get that info to you. But basically, you know right, before I go back and offer some insight, we are undergoing a citywide ADA ramp replacement and installation program. Where some of them, it's just straight up cement and there's no compliant textured ramp and all that business. We are also in tandem doing a sidewalk inventory. Is that right?

Director Fauteux

So, we are improving all of the ramps as part of the paving program.

Commissioner Shea

Okay.

Director Fauteux

So, as we pave streets, we're redoing all of the ramps.

Commissioner Shea

That's a good specific piece.

Director Fauteux

Yes. But we also, we did do a complete sidewalk inventory, and now we are working on putting together a plan for up upgrading all of our, so a transition plan to update all of our sidewalks.

Commissioner Shea

Okay.

Director Fauteux

So, but there are a lot of sidewalks and disrepair.

Commissioner Shea

Yes, there's no question. And so, the ramps are being done in advance of paving that's coming for one of those roads at least. And then right now we're kind of assessing these things and identifying where improvements can be made and prioritizing them, and then coming back with a suggested plan and discussion about funding and how to make that happen.

Director Fauteux

Correct.

Commissioner Shea

Okay. I think, I think that's it.

Director Fauteux

I'd like to know though, if you let me know where the ramp maybe we can address that.

Commissioner Shea

Yes. It sounds like it's maybe not a busy neighborhood. It sounds like it's like in, you know, in the north end there's a lot of sidewalks, but also like you can just walk in the street, it's no big deal. It sounds like it's one of those areas, but I'll get you the info.

Director Fauteux

Sure.

Commissioner Shea

And, I'm bummed Jon isn't here, but I'm going to share my thought before I forget about it. I'm curious to know if I believe that we have a contract for recyclables that go to a facility. Do we have like an agreement where we send all of it to someone and they process it?

Director Fauteux

Yes, you're talking single stream. Yes.

Commissioner Shea

And so, my question is there any value to presorting? Not that I think we can accomplish this citywide, but as I pulled up and offloaded a million billion Amazon boxes in into one of those, the coverings here, the thought hit me. I was like, I wonder if cardboard just by itself or something just by itself, has a higher value and a lower likelihood that that will qualify for contamination. And I'm curious about that.

Director Fauteux

I don't – that's a good question. Yes so, as we saw recycling costs escalate, we certainly asked those questions. And the answer that we received was no. Because it goes to a material recovery facility, it's separated there anyway. So, it would be a waste for us to spend the time and money separating it here.

Commissioner Shea

Okay.

Director Fauteux

Unfortunately, one of the three bids used to be that paper had a little more value. Yes, and it  
–

Commissioner Shea

What about aluminum?

Director Fauteux

Not now.

Mayor Donchess

Doesn't aluminum a little bit.

Director Fauteux

Yes.

Mayor Donchess

Doesn't that have the most value?

Director Fauteux

Yes. Yes, it does. But still not a lot of value right now.

Commissioner Shea

Okay. Yes, I was thinking as far as like volume goes and stuff that could be contaminated. I wouldn't be surprised if like the cardboard is like the most contaminated thing. I don't know.

Director Fauteux

Well, we can, like just a pizza box?

Commissioner Shea

Yes, pizza boxes.

Director Fauteux

Yes.

Commissioner Shea

Pizza boxes. Weird tape.

Director Fauteux

And not, so if pizza boxes are contaminated, if there's, you know, if there's food in them, then they're not recyclable, they should be thrown in the trash. But now that we have our recycling cupboard, that's helped a lot because it's not quite as contaminated. And it's not as heavy. It's lighter going out. So that's helped a lot. And also, it's helped the prices come down some and other people bid on our recycling because they don't want it when it's really wet.

Mayor Donchess

So Costella did come in a while back, maybe before your tenure and to talk about it.

Commissioner Shea

Okay.

Mayor Donchess

You probably would remember.

Commissioner Shea

Yes.

Mayor Donchess

And one point they made was the glass has no value.

Commissioner Shea

Right.

Mayor Donchess

And in fact, damages the separation machines and they only landfill it anyway. So, glass is better in the waste, in the garbage.

Commissioner Shea

Hmm.

Director Fauteux

Of course, and we do have our program here where our rates are reduced a little bit because we take back the crush glass and use it in our setback and for cover. So -

Commissioner Shea

So, there's a balance there.

Director Fauteux

There's a little bit of a, yes. Yes.

Mayor Donchess

Yes. And do we only get our own glass pack or do we take glass in general?

Director Fauteux

We take glass in general.

Mayor Donchess

Yes. So, glass doesn't really add anything to recycling because it ends up in a landfill somewhere anyway.

Commissioner Shea

Can we get like a rate on the amount of glass that we take back?

Director Fauteux

We do. It reduces, yes. And it, yes, it reduces our cost by a few dollars at a time.

Commissioner Shea

So, if we're sending glass and then we're taking glass back, if we weren't sending glass, it would be a better value proposition for us. But then we'd have to consider a landfill space basically

Director Fauteux

If we put our glass in our landfill. Yes.

Commissioner Shea

Right.

Director Fauteux

Yes. Right. That's, and it would be a challenge trying to sort that here.

Commissioner Shea

Yes.

Director Fauteux

Because we just don't have the equipment. I mean, we could buy the equipment, but it wouldn't, I don't, it's not, wouldn't be worth it.

Commissioner Shea



Okay. Thank you.

Mayor Donchess

Alright. So, I think technically we're still on Director's Report on any comments or questions about that, but if there's nothing else, we go to Commissioner's Comments. Maybe we blur the line there. I don't know. But Commissioner's Comments? Commissioner Shea.

Commissioner Shea

I'm a stickler for propriety. I feel like Commissioner Moriarty should be seated over here. Because he's like the vice chair of the committee. And I should be on the fire end as the,

Director Fauteux

You know what's sort of interesting? Everybody sort of moved there. Everybody comes.

Commissioner Moriarty

I'm happy.

Commissioner Shea

Yes. I mean, if you're happy, I'm happy. I'm happy that that's what matters.

Director Fauteux

This is the way you're seated in the auditorium. That's how I -

Commissioner Shea

Oh, okay.

Mayor Donchess

He's got the best window.

Commissioner Shea

He has sunshine

Mayor Donchess

Commissioner Lemen.

Commissioner Lemen

So, there was a meeting for Ward Three at the Hunt Community Building two weeks ago. And there were a lot of very annoyed residents from Jackson Falls. And they were talking about trash, they were talking about crime, and they were also all really annoyed about

sound and the level of motorcycle noise. And the police were there and they said, look, we pull people over regularly. You may not see us doing it. And they explain that they're, I didn't even know this, that there's a way on a souped-up motorcycle that you can actually switch out. Like, if you're running at too high a noise level, there's something that you can do. There's like a switch where they will pull them over and it will not record at the decibel level that they just had a few moments ago. But they're still, the police are still pulling people over and talking about this.

But one of the things the residents requested was a sign entering downtown that said something like, you know, ordinance number whatever it was, and they all turned to me and said, so you can make this happen. I had no idea that that was part of the Board of Public Works Commission. So, Trish Klee has sent me a list of all the ordinances regarding sound. So, I wondered what is the next step to make this happen? To get a sign posted. Mike Valentine suggested, why don't we just do what they do in South Carolina, which is a little sign that says you are entering downtown, whatever. And I didn't know if we had the power to make that happen.

Director Fauteux

So, I, it's not, it's sort of a public works thing, but not completely. I usually say no to signage.

Commissioner Lemen

Okay.

Director Fauteux

And here's why I get so many requests.

Commissioner Lemen

That's what I figured.

Director Fauteux

And if we start putting up signs that are going to be requested, we are going to have tremendous sign pollution. But having said that, if the mayor or the board thinks that's, I don't think that that's going to help.

Commissioner Lemen

I don't think it's going to help either.

Director Fauteux

So, if it's a, I'd like to look at, I think

Mayor Donchess

These guys do this on purpose.

Director Fauteux

Yes. I'd like to look at it as a safety issue. If it's like genuinely a safety issue and it's something that can help, then I would be in favor. But I don't think it's going to help. And I, I just, I would caution, you know, happy to do whatever the board decides, but I would just caution you that I get, we have a lot of sign requests. And usually, we say no for that reason. Because we have, we just have so much signage. Yes. I mean, and then it becomes a maintenance issue. Right.

Commissioner Lemen

Right. So, I mean, I'm perfectly happy to go back to the Ward Three meeting and, you know, say we find that it doesn't help, so is there something else? And then of course, they brought up the railroad tracks and I was like, okay, we've all - we're yes. Said there are all kinds of people on that. And Trish told them she's been, you know, living with csx. So, but the other thing was, I didn't quite know how to respond to this because they were talking about the trash. And I understand it's a real problem, but when the residents of Jackson Falls were talking to us, they said, well, we've been told that we can't go on the train tracks. And they were told, absolutely you could not go on the train tracks. We can't do it as a municipality. We can't go and pick up their trash. So, then they ask the police out and out, well, if we go down there and clean it up, will we be in trouble? And they said, well, do you mean is, are the national police going to come and arrest you? No. So I did not understand quite how to respond. Like they're looking at me and I'm like, it's not my purview to give you permission or not give you permission to do that as I understand it. Correct?

Director Fauteux

Correct.

Commissioner Lemen

Okay. So yes, we, they're going to do what they're going to do. And I understand if you're sitting there and you're looking out at a pile of trash every day and you have a bunch of neighbors who all have, you know, tools and a lot of trucks, you're going to pick it up yourself. So, if you can.

Director Fauteux

Yes, yes. We do that. That's correct. That we don't have the authority to go on the tracks, unfortunately.

Commissioner Lemen

Okay.

Director Fauteux

Wastewater in fact - But there are tracks and they're not even supposed to cross the tracks at the Wastewater Treatment Plant. So, that's, you know, the rule. But I certainly understand the resident's concern.

Commissioner Lemen

Yes. Yes.

Commissioner Schoneman

Is that really the purview of code enforcement?

Mayor Donchess

For the railroad?

Commissioner Schoneman

No, specifically for the railroad. But if you're living in an area and maybe you're abutting property or a nearby property is becoming very trashy and overgrown, what is the, do you know what the sequence of events has to be and is it through court code enforcement that residents, because it decreases the property values. It can be a real problem.

Director Fauteux

So that's a great question. If it's on private property, then it is a code enforcement issue. If it's in the public right of way, then it would be public works.

Commissioner Schoneman

Oh, I see.

Director Fauteux

So that's the way that works.

Commissioner Schoneman

I see.

Director Fauteux

So, if you see for instance, unsightly trash somewhere or a mattress that needs to be picked up, but, and it's on the side of the road, we'll go pick it up if it's abandoned or whatever you can just call us.

Commissioner Schoneman

If it's between the sidewalk and the road.

Director Fauteux

Mm-hmm. <affirmative>

Commissioner Schoneman

Pretty much. Yes.

Mayor Donchess

Or on the sidewalk. Yes.

Director Fauteux

Yes. On the sidewalk. Or even a little bit onto the property. Because the right of way does go onto the property. But it does vary. I can't tell you if it's three feet or five feet, it's sometimes it's 10 feet. I'd have to look at that. But yes, we do pick up.

Mayor Donchess

By the street, you know, the size of the right of way the width carries by the street. Right.

Commissioner Schoneman

So, it is code enforcement if it's on private property.

Director Fauteux

If it's on private property. Correct. Yes.

Commissioner Schoneman

Yes. We've had neighbors come to us. Because our neighborhood is increasing the number of rent rental properties over time. And we've had residents come to talk to my husband because he was the Alderman and say, you know, my neighbors have completely trashed their property, the rental property, what can we do? And they call code enforcement. And code enforcement says there's, you know, there's nothing we can do.

Mayor Donchess

Well, it's because, you know, they have to find a violation of the housing code and like, there's a street, there's a house say on Manchester Street, you know, where there's a lot of -

Commissioner Schoneman

On the corner -

Mayor Donchess

Yes.

Commissioner Schoneman

Across from Jeannotte's -

Mayor Donchess

Yes. Mm-hmm. <affirmative>,

Commissioner Schoneman

That's one of them. Yes.

Mayor Donchess

So, you know, having asked code enforcement look at that, you know, they go out and, you know, keeping a tire or whatever they've got there, I forget it depend, it varies I think a little bit from day to day, but keeping tires or old machines or whatever, you know, don't violate the building though.

Commissioner Schoneman

It has to be something specific that's a fire hazard or,

Mayor Donchess

Or something that, you know, we'd have to look in detail of the building code, but you know, it has, or the housing code. The housing code. But if there's, you know, which is directed more at, you know, safety and, accessibility into the property and things like that. So the thing to do is contact code enforcement, just having to take a look at the, see if they can find it. It might violate the code.

Commissioner Schoneman

If one neighbor calls in and to code enforcement and says, you know, here's a problem, can you come look at it? Will, will they come out? Are they obliged to go out?

Mayor Donchess

Yes, they'll come out and if they don't, you could ask for help on that. And but yes, we can definitely get them to go out. That's why we like the one you're talking about.

Director Fauteux

Because we've worked with them before to help clean up properties.

Commissioner Schoneman

So yeah, we have a, a neighbor who has spoken to us who shares a duplex. So, they actually share the property. So, he owns one half of the building and the, the owner of the other half of the building and the rest of the property, is not taking care of it. So, he's been taking care of it. He's been cutting their grass. He's been

Mayor Donchess

What street is this on?

Commissioner Schoneman

They taking their trash, Roger Street. And he said he, he calls and he calls and he, he's called the police. And the police say, well, there's nothing that we can do about it. There's no violation here. You know, they're not doing anything illegal, but

Mayor Donchess

The double house there.

Commissioner Schoneman

Yes. One in, one in three. And,

Mayor Donchess

Those are really nice. That's really nice. Otherwise, a very nice building.

Commissioner Schoneman

It, it is a very nice building, but he's in a position where he can't take care of it and you know, the neighbor's half of it anymore and he can't sell it because nobody's going to want to buy that property.

Mayor Donchess

Is that a condo situation where it's sold half and half? Or is it

Commissioner Schoneman

It's a duplex, it's a side-by-side duplex, single owners, and the other half is a rental and he owns his half.

Mayor Donchess

Oh, I see.

Commissioner Schoneman

So, it's, he's kind of in a bind and he's a, he's a good neighbor and he contributes to the neighborhood a lot. And we, you know, we kind of, you know, put up our hands. We don't know what to do. We don't know how to, how to help.

Mayor Donchess

Well, we, I can, you know, we can get code enforcement if we go out there and look, check it out. Yeah. The problematic side is one or three,

Commissioner Schoneman

One, I think it, it'll probably be obvious just from what, which is the problematic side, but,

Mayor Donchess

I can call that if you want. Sure.

Commissioner Schoneman

We didn't know whose jurisdiction it was and what someone had said that there has to be six individual complaints against a specific property before something won't happen. But that's apparently rumor.

Mayor Donchess

Yes. There doesn't have to be six complaints.

Commissioner Schoneman

Thank you.

Commissioner Lemen

I have a question. So, all the beautiful flowers, where do they come from?

Bryan Conant

Where do they come from? Cavicchio's down in Sudbury, MA. They're one of the biggest wholesale, greenhouse growers in the Northeast.

Commissioner Lemen

Oh okay. Because it, I mean, it is looking really nice.

Bryan Conant

The quality, I consider the quality to be exceptional. Yes.

Commissioner Lemen

They seem to hold up really well.

Bryan Conant

Well, that's the staff. Yes. That gets back to the park and rec staff. Yes. We constantly go around and water them and fertilize them and take care of them. But yes.

Commissioner Lemen

I had, before this meeting I had a call from Trish Klee about walking all over with these two guys, all over Greeley Park and for the easement. And I said, it'd be a really nice gesture from that company to, you know, buy a lovely specimen tree as the city is being so cooperative with them. And she said, well, I can't suggest that. And I said, well, I can't



suggest it either, except as a citizen. And I could, because I really think the city has really, from what I have heard, people are saying, you know, everybody has done a really good job of trying to make it as palatable for the residents living there as possible, while not doing super amount of damage to the park. Nobody wants any damage to the park. So, I think, I think it would be a nice, maybe I'll just write a letter as a citizen saying it would be a really good idea to do this, because those kinds of, the kinds of trees that are really old. Well, I heard that the ones that they're going to take out are just scrubby. Is this true?

Bryan Conant

Mm-hmm. <affirmative>. Yes.

Commissioner Lemen

So, but they could make up for the scrubby tree by giving us some kind of magnificent tree that we could put a little thing on

Bryan Conant

That's not a bad suggestion.

Commissioner Lemen

Okay. Okay. I will do that. Thank you.

Bryan Conant

You're welcome.

Mayor Donchess

Commissioner Moriarty.

Commissioner Moriarty

Yes. So, Director, I received an email, I guess all the Commissioners did regarding an open house of this facility on, I think it's June 8th.

Director Fauteux

Yes.

Commissioner Moriarty

Thursday. I want, is that open to the public or is that just meant for the Commissioners?

Director Fauteux

It's open to the public. It has to be because of the fact that it's, but you know, we're not really going to, you know, announce it I think too heavily. Just for obvious reasons, you know, we don't want -

Commissioner Schoneman

You want to have enough snacks.

Director Fauteux

Snacks and also, you know -

Commissioner Shea

Technical forum.

Director Fauteux

Yes, yes. We don't want.

Commissioner Moriarty

So, it's quasi-public.

Director Fauteux

It's public and it will be posted. We have to, because we'll have forums. Yes.

Commissioner Moriarty

Thank you.

Director Fauteux

Yes.

Commissioner Lemen

Oh, and do we have to RSVP for the thing for the Holman Stadium?

Director Fauteux

Oh, oh, for the Holman Stadium that John Friedman sent out? Yes. Yes. Okay. You should, if you want go to that, you should RSVP for that.

Commissioner Lemen

Okay.

Director Fauteux

Yes. I actually won't be able to go to that,

Commissioner Schoneman

But is that the second?

Commissioner Moriarty

The ninth.

Director Fauteux

No, no.

Commissioner Moriarty

Oh no, I'm sorry. It's not the ninth. It's the week before.

Director Fauteux

The fourth. The week before.

Commissioner Moriarty

The third.

Commissioner Lemen

I thought it was the third. The second or the third.

Director Fauteux

It's, yes, it's the second or the third. I'm not sure exactly. Okay. I can probably find out.

Commissioner Moriarty

It's a Friday anyway.

Director Fauteux

The second

Commissioner Moriarty

It's second. Okay. Yes.

Mayor Donchess

Any other Commissioners' Comments? Commissioner Shea.

Commissioner Shea

Are the banner's up on Veteran's Memorial Parkway?

Bryan Conant

No, not yet, commissioner.

Commissioner Shea

Not yet?

Bryan Conant

No, they're not yet.

Commissioner Shea

Will they be up for the weekend, do you know?

Bryan Conant

We're planning on doing that Monday morning.

Commissioner Shea

Okay. So, alright. Well, it's good that they'll be up for Monday. I know that getting crew for the bucket truck and everything is tough because I think that there's -

Bryan Conant

People tried calling it out for Friday morning. I didn't get any takers.

Commissioner Shea

Yes. Okay. Well, thank you for getting those up.

Mayor Donchess

I saw people putting up the flags today.

Bryan Conant

Yes, those are up.

Commissioner Shea

Nice.

Mayor Donchess

Any other commissioner's comments? All right. We will then go to item A, Commissioner Lemen. We're still in the public set.

**XIII. Personnel**

- A. **MOTION:** Commissioner Lemen moves to approve and unseal the non-public minutes for Personnel from the Board of Public Works Budget meeting of April 11th, 2023 and the Board of Public Works meeting of April 27th, 2023.

Mayor Donchess

All those in favor of the motion, say aye.

**MOTION CARRIED: Unanimously**

Mayor Donchess

Item B, Commissioner Moriarty.

- A. **MOTION:** Commissioner Moriarty moves to approve the resignation of Matthew Collins, Operator II, Wastewater Department, effective May 21st, 2023.

Mayor Donchess

Any, any discussions? All those in favor with the motion say aye.

**MOTION CARRIED: Unanimously**

Mayor Donchess

Item C, which is now a non-public session. Alderman Moriarty.

Commissioner Lemen

Alderman, you've got a promotion.

Mayor Donchess

Excuse me.

Commissioner Moriarty

It happens all time.

- A. **MOTION:** Commissioner Moriarty moves by roll call that the board go into non-public session pursuant to RSA 91-A3, II(b) The hiring of any person as a public employee.

Mayor Donchess

And that's roll call, right?

Commissioner Moriarty

Yes. That's roll call.

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

Yea: Mayor Donchess, Commissioner Moriarty, Commissioner Schoneman,  
Commissioner Lemen, Commissioner Shea 5

Nay: 0

**MOTION CARRIED: Unanimously**

Mayor Donchess

And we will go into non-public session for the reason stated. Okay.

Mayor Donchess

Alright. Thank you for coming back. So, we're now in public session. Commissioner Moriarty.

**XIV. Possible Non-Public Session**

**A. MOTION:** Commissioner Moriarty moves by roll call to seal the minutes of the Board of Public Works personnel non-public meeting of May 25th, 2023 until such time as the majority of the board votes, that the purpose of the confidentiality would no longer be served.

Mayor Donchess

And is that a roll call?

Commissioner Moriarty

Roll call.

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

Yea: Mayor Donchess, Commissioner Moriarty, Commissioner Schoneman,  
Commissioner Lemen, Commissioner Shea 5

Nay: 0

**MOTION CARRIED: Unanimously**

Mayor Donchess

And therefore, Commissioner Moriarty-

**MOTION:** Commissioner Moriarty moves to adjourn the meeting.

Mayor Donchess

All those in favor of the motion say aye.

**MOTION CARRIED: Unanimously**

Mayor Donchess

And the meeting of the Board of Public Works is adjourned at 5:21 PM.

DRAFT



Hayner/Swanson, Inc.

Civil Engineers/Land Surveyors

April 26, 2023  
**Revised May 22, 2023**  
HSI Job #5869

Mr. Dan Hudson, P.E., City Engineer  
City of Nashua Division of Public Works  
9 Riverside Street  
Nashua, NH 03062

**RE: PROPOSED SUBDIVISION  
58-60 LUND STREET  
NASHUA, NEW HAMPSHIRE**

Dear Mr. Hudson,

On behalf of our client, RAK Construction Services, LLC, we respectfully request to be placed on the upcoming Board of Public Works meeting agenda in order to obtain approval for proposed utility work within Lund Street associated with the 58-60 Lund Street property.

As background, the Planning Board granted subdivision approval for the above-referenced project in December 2022. Prior to subdividing, the existing property contained a single-family residential dwelling, inground pool and a detached two car garage. After subdividing, the existing dwelling on Lot 216 has been renovated and the pool and detached garage on Lot 243 has been demolished. It is proposed to construct a new single-family dwelling upon the now vacant Lot 243. A new driveway will provide access from Lund Street to the proposed dwelling. The proposed dwelling will be serviced by public sewer, water by Pennichuck Water Works, gas, and overhead electric and telecommunications utilities.

It is our understanding that this section of Lund Street was paved in May 2021; therefore, is under a street moratorium until May 2026.

During the design process, considerations were made with regards to proposed driveway and utility service connection locations in order to minimize impacts to Lund Street. New water, sewer and gas connections within Lund Street are needed in order to service the proposed project.

Recently, it has been brought to our attention that there is an issue within the roadway causing pavement failure across from the subject property that is likely caused by subsurface utility connections for an abutting property. We anticipate that the City or abutting property owner will be addressing this issue. Because the location of the pavement failure is within the area of our client's proposed utility services, it is proposed to construct the utility connections for the proposed dwelling. Street restoration will then be performed only after the City or abutting property owner has completed the work to mitigate the issue causing pavement failure.



The proposed street restoration will be performed in accordance with Section 285-13 of the City of Nashua Charter with regards to the three-foot trench overcut and curb-to-curb overlay of the road 20-feet beyond the disturbed area on Lund Street (see attached plans).

Therefore, on behalf of RAK Construction Services, LLC, we respectfully request permission from the Board of Public Works to perform this work within Lund Street within the original five-year street opening moratorium period.

Respectfully,



Ethan M. Beals  
Project Manager  
**Hayner/Swanson, Inc.**

cc (via email):           Mark Saunders P.E. Deputy City Engineer  
                                  Rob Crowley, RAK Construction Services, LLC