

**Board of Public Works Meeting  
Meeting Minutes  
March 8, 2019**

A meeting of the Board of Public Works was held on Thursday, March 8, 2019, at 1:00 p.m. at 9 Riverside Street, Nashua, NH 03062.

Mayor Donchess, Chair, declared the meeting to order at 1:16 p.m. and called the roll.

Members Present:

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

Also Present:

Ms. Lisa Fauteux, Director, Division of Public Works  
Mr. Andrew Patrician, Assistant Director, Division of Public Works  
Mr. Stephen Dookran, City Engineer  
Ms. Amy Gill, Senior Staff Engineer  
Ms. Celia Leonard, Assistant Corporation Counsel  
Alderman Ernest Jette, Aldermanic Liaison

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

**MOTION CARRIED: Unanimously**

**Public Comment**

There was none.

**Aldermanic Referrals**

**A. R-19-114: MOTION: COMMISSIONER PAPPAS MADE A MOTION TO FAVORABLY RECOMMEND AUTHORIZING THE MAYOR AND CITY TREASURER TO ISSUE BONDS NOT-TO-EXCEED THE AMOUNT OF SIX MILLION DOLLARS (\$6,000,000) FOR THE PHASE III LINED LANDFILL EXPANSION OF THE NASHUA FOUR HILLS LANDFILL, TO INCLUDE ENGINEERING SERVICES**

**Discussion:**

Director Fauteux

This is for the Phase III expansion. We are very quickly running out of room in Phase II. We put the construction out to bid and it has already been permitted, we received conditional

approval from the Department of Environmental Services (DES). We received one bid back and fortunately, it was within the engineer's estimate. The name of the company is Charter and they have experience doing this sort of thing. They have built other landfills for other communities. We are happy with their bid and we hope if it is all approved, that we can get started this spring because we are getting dangerously close to running out of landfill space. This includes the engineering services for Sanborn Head to oversee the project.

Commissioner Pappas

Are we getting a timeline as to when we will get the approval from DES?

Director Fauteux

As things go, there are some hoops that we have to jump through and one of them is that we have to test the groundwater because that will determine how high we need to build up the landfill. It's more like we will be working with them along the way. We already have the approval to get started but it took us about one year to get it. This will give us approximately ten years of additional life at the landfill.

We are also in the process of permitting Phase IV and in total it should give us another 50 years. (Phase III and Phase IV combined)

Alderman Jette

How close are we to running out of space currently?

Director Fauteux

Right now we have about another year's worth of space left. There is additional room in Phase II but the problem is we can't get to it until we build Phase III because the two will be joined together.

**MOTION CARRIED: Unanimously**

**B. R-19-115: COMMISSIONER TEAS MADE A MOTION TO FAVORABLY RECOMMEND RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF \$120,000 OF UNANTICIPATED REVENUE FROM FUND 6000 "SOLID WASTE FUND", ACCOUNT 44286 "COVER MATERIAL REVENUE" INTO FUND 6000 "SOLID WASTE FUND," ACCOUNT 55699 "OTHER CONTRACTED SERVICES"**

**Discussion:**

Director Fauteux

This is something that the Board of Public Works recommended. We appropriated \$400,000 to pay for our single-stream recycling. We anticipate that as of the end of March we will have depleted that \$400,000 and we discussed alternatives as to how we should proceed and the

Board of Public Works voted to request a supplemental appropriation from the Board of Aldermen to get us through the rest of this year until July 1<sup>st</sup>.

Mayor Donchess

This will be introduced to the Board of Aldermen on Tuesday.

Director Fauteux

There will be a brief presentation regarding the matter prior to the Board of Aldermen meeting starting at 6:30 p.m.

Commissioner Pappas

I really struggle with this. I struggle because if I were to spend my own tax dollars, I would spend it on something like this and I know many people who feel this should be supported. We did not include any extra money for recycling in the budget for next year and I feel as if I really want an accurate number for what we are spending. Can you please remind us of what the difference in cost is to put something in the landfill and then have it recycled?

Director Fauteux

We charge about \$80.00 per ton for recycling and the value of our air space is probably more like \$65.00 per ton.

Commissioner Pappas

Is the \$120,000 for three months?

Director Fauteux

That is correct.

Commissioner Pappas

I am really struggling with that.

Director Fauteux

To Commissioner Pappas' point, we had discussed a couple of options. We talked about taking the recycling and landfilling it for the last three months or we could ask the Board of Aldermen for a supplemental appropriation. We also talked about the difficulty of notifying all of the residents that we would be doing that and we would have to continue picking up the recycling as we currently are. There are residents who work really hard recycling and clean out their mayonnaise jars and they may feel deceived if we landfilled it and they didn't know. It's a tough decision. I know the vote to do this wasn't unanimous but the majority of the Board decided it would be best to ask for the supplemental appropriation.

Commissioner Ackerman

We had a great conversation at the sub-committee meeting and I think it is important to note that the month to month expense for recycling changes monthly from Casella. The projection 1 ½ years ago was \$400,000 for this current fiscal year and we are going to be \$120,000 short because of the increases and as we look into the next fiscal budget, the proposed amount is to allocate another \$400,000 for the line item, knowing that it changes month to month and we might have to come back and revisit it twelve months from now. I support this because I think changing behaviors is not the right thing to do and keeping the life expectancy of the landfill open is the right thing to do.

Alderman Jette

The appropriation of the \$120,000 is unanticipated revenue from the Solid Waste Department so we are really not looking for new money but transferring it from one account to the other.

Mayor Donchess

The money is coming out of the general fund contingency.

Director Fauteux

I think it is actually coming from the cover material revenue which is much higher than we anticipated.

Commissioner Pappas

So we won't be dipping into the general fund.

Mayor Donchess

It's kind of six of one, half dozen of the other. The bottom line is the same.

Director Fauteux

This is not a true enterprise fund like wastewater is. Whatever is leftover in the fund doesn't stay in the fund like in wastewater, it goes back to the general fund.

Mayor Donchess

The city, through taxes, is supporting the landfill enterprise fund. If money is spent out of that to do something like this that means the tax transfer into the fund is just that much greater. I don't love it because we don't know for sure what is happening with this stuff. We don't know that it's not being recycled but we don't know that it is either. It goes to Casella and they put it on a barge and who knows where it is going. When we started this program a long time ago, and I was in office then, the paper was going to a mill in Maine and it was made into pulp. If that were the case here it would make things clearer and I would have a little bit less reservation. It is supposedly going to Southeast Asia. There may be a temptation to take the

money and get out to where no one is around and then just dump it. No one is auditing it. Casella is a reputable company but they are dealing with someone else. Casella is landfilling the glass but the not the rest of it.

Commissioner Pappas

We have been meeting with the Recycling Committee and one of the things that about changing behaviors is changing what we purchase and not using plastic.

Mayor Donchess

If the recycling was going somewhere bad then we are paying to create harm.

Alderman Jette

I would respectfully caution you from making statements like that. When you precede it with "I don't know," then you ought to stop talking.

Mayor Donchess

Okay, then I'll put the question to you. Where do you think it's going and show me the evidence?

Alderman Jette

Well, I don't know.

Mayor Donchess

Exactly, you just made the same statement that I did. I think we have to be straight with people. We don't know where any of this is going.

Alderman Jette

We discussed this at the Recycling Sub-Committee. You talked about the glass and as it turns out we are told that the glass is being crushed by Casella and they are selling it back to us and we are using it in part of the fill for the landfill.

Director Fauteux

Some of it but not all and it's not necessarily all of our glass.

Alderman Jette

The whole recycling thing is in a state of flux and the questions you raised are very valid questions but until we find out, I don't think we ought to abandon the Recycling Program. This is something that has come up and we ran out of money and it's a short-term solution to a problem. Until we figure out exactly what the long-term solution is going to be...these markets

are changing constantly. Since China has shut the door there are companies that want the recycling products and especially, the plastics. In a few years that could end up being a very valuable commodity. They are coming up with more and more ways of reusing it. Hopefully, the company's will be creative and get into business and we will have a better feeling about where this stuff is going and how it is being used. Ideally, it would be great if we could teach our citizens not to acquire this stuff to begin with so they then don't have to throw it away and we don't have to deal with it.

Mayor Donchess

I wasn't totally clear. I am a sponsor of this, I am not saying we shouldn't do it, I am just saying that I proceed with reservations and the person who has helped educate me about what could be happening here is Alderman Jette because you have shown me films of the ocean and what it looks like. It's horrible. I think we should spend the money but spend it with our eyes open.

Alderman Jette

I think your point is well taken but we ought to find out.

Mayor Donchess

Is there any way to find out? Is it possible to talk to Casella?

Director Fauteux

It is exactly what Alderman Jette said, it's in a state of flux. It's going to Vietnam, Thailand and a number of other countries who are going to jump into the market and try to fill the void that China left when they stopped taking recyclables. I have some concerns about that. Do we have the competence that those countries will be handling recycling properly or are we going to find out that a lot of it has gone into the ocean? There are interesting articles that point out this is sort of an unregulated industry. Nobody is keeping tabs on what is actually being done with it or where it is going. I think more of that needs to take place and there needs to be more accountability for it.

Mayor Donchess

The glass thing is great, at least we are getting a little bit of money.

Alderman Jette

I was at the State House on Wednesday testifying in favor of a House Bill which will enable cities and towns to regulate single-use plastics. It doesn't mean we would do anything but it would enable us to investigate and decide whether we would want to do something in that regard. Included in the testimony was the statement "that the plastic bags you get at the supermarket can be recycled and can be used for playground equipment and lawn furniture." The person was speaking in opposition stating that he felt there was no need to regulate plastic bags because there was a process in place for recycling them and he said the name of

the company was Trex and they can't get enough of the recycled bags and they wished they had more. That makes me hopeful that there are companies who are finding ways to recycle plastics. I think we should find out what Casella is doing with it. I point that out to illustrate that it's not as dire as we might think because eventually, we are going to find more and more markets, even in the United States that will find a use for the recyclables. Plastic comes from petroleum so the more we can recycle it the less petroleum we have to use to make it in the first place.

Director Fauteux

I will be very honest with you, I don't think we would find anyone to take our recyclables and the only reason Casella continues to serve us is because we have a contract with them. If we put it out to bid right now, I don't think you would see anyone take it because recycling is a very big problem right now.

Alderman Jette

When does the contract end?

Director Fauteux

I think we have a couple of more years. I know Casella has dropped a number of communities as has Waste Management and others.

Mayor Donchess

If it were separated at the source...at the beginning we separated it at the curbside which is much more expensive and involved, but if it were separated would there be a known buyer for some of the commodities like the aluminum?

Director Fauteux

If you separated paper and aluminum there would be a market for those. It would not really be lucrative for the city.

Commissioner Moriarty

From a cost aspect, it costs us the most money to get rid of the glass.

Director Fauteux

That is correct.

Commissioner Moriarty

So if we eliminated the glass from a cost factor, we wouldn't need to tell anyone to separate. We mentioned that at the recycling meeting.

Mayor Donchess

It would be very involved, you would have to have a separate truck with different sections and the employee would have to pick up the basket and separate it at the curbside. It would be difficult to go back to that.

Director Fauteux

We could just eliminate glass, that is a possibility.

Commissioner Pappas

It is very hard to change people's behavior.

Director Fauteux

The Mayor mentioned this and I think it's a good idea; if the recycling markets continue to be horrible then maybe next January, we could hold some kind of public forum and ask residents what they think we should do. I think it would be important to get feedback from the residents. Hopefully, things will turn around.

Commissioner Moriarty

Recycling is in flux but we also just invested in a cover at solid waste so the recyclables won't get wet and that might change the cost factor. We are also talking about increasing the fees for C&D. We have a lot of moving parts and we don't have the data to analyze anything yet.

Commissioner Teas

I think we need to focus on the short-term solution and then have a strategy for the long-term solution.

Commissioner Ackerman

I heard the whole discussion regarding the legislation Alderman Jette is referring to at the state level. Boston recently eliminated plastic bags out of all grocery stores and provided them with one-year to process that. Are plastic bags currently an issue at the landfill?

Director Fauteux

Not really. It does become problematic at the materials forwarding facilities like Casella's because they get wrapped up in the belts.

Commissioner Ackerman

So it's not a huge cost factor or problem for the City of Nashua?

Director Fauteux

No.

Commissioner Ackerman

What about Styrofoam cups?

Director Fauteux

A lot of places have done away with Styrofoam cups and even Dunkin Donuts is now using the biodegradable cups.

Commissioner Ackerman

Only their small cups. The medium and large cups are still Styrofoam.

Commissioner Pappas

Do the schools still use them?

Director Fauteux

I don't know but that's a good question.

**MOTION CARRIED: 4-1-0 (Nay – Pappas)**

**C. R-19-117: COMMISSIONER PAPPAS MADE A MOTION TO FAVORABLY RECOMMEND CHANGING THE USE OF FUNDS FOR A WASTEWATER FUND CAPITAL IMPROVEMENTS PROJECT FROM BRIDGE STREET OVERFLOW DETENTION BASIN IMPROVEMENTS TO WET WEATHER FACILITY SCREEN AND RAKE UPGRADES**

***Discussion:***

Director Fauteux

This is actually cash that we have in the Wastewater Fund that was designated for the detention basin and we do not need it for the detention basin at this time but we do need to make improvements to the Wet Weather Facility with new screens and rakes. It requires Board of Aldermen approval.

**MOTION CARRIED: Unanimously**

**Solid Waste Department**

**A. MOTION:** Commissioner Teas to approve Change Order #1 to the contract with Casella Recycling LLC of Charlestown, MA in the amount of \$120,000 contingent upon approval of

supplemental appropriation. Funding will be through Department: 168 Solid Waste; Fund: Solid Waste; Account Classification: 55 Other Contracted Services.

**MOTION CARRIED: 4-1-0 (Nay – Pappas)**

**Discussion: Wastewater Fees**

Mr. Stephen Dookran, City Engineer

We have been talking about the sewer connection fees for the last couple of years and the fact that they are way too low. The last increase was done a couple of decades ago. We also want to look at the ordinance that governs how we charge these fees.

Ms. Amy Gill, Senior Staff Engineer

We put a presentation together just to show you where we are with regard to changes in sewer connection fees.

The Sewer Disposal Ordinance, chapter 255 places the burden of ownership of the sewer connection fees on the property owner, from where the sewer leaves the building to the public main, typically located in the street. That portion of the pipe, the whole connection, is the responsibility of the property owner. They are responsible for the cost of installation of pipe and connecting it to the public sewer as well as any expenses related to its operation, repair or maintenance and reconstruction.

Mr. Dookran

It is important to understand that because a lot of people think once the sewer leaves their houses it's not theirs anymore. We end up having a lot of problems because people don't understand that and end up not maintaining it.

Ms. Gill

Referring to the slide, Ms. Gill stated that the yellow portion of the pipe was in the right-of-way section of the roadway, however, the property owner owns the entire pipe from the building to the sewer.

Based on the ordinance we currently have connection fees that are charged when someone new wants to join the sewer collection system. We have an entrance charge and it varies from a residential versus a commercial property, a betterment charge and a connection fee. These fees were put in place in approximately 1970 for the purposes of which was to help pay for the expanding of the wastewater collection system that the city was constructing. At that time, the new Wastewater Treatment Plant was being contrasted, we were introducing new interceptors in order to collect the flow and stop the wastewater flow from discharging into the rivers and this is how we recouped some of those costs. Typically, it was two-thirds of the cost of a sewer going into a residential neighborhood. The city paid the remaining third.

Commissioner Ackerman

If we were improving the sewer in the main body of a street, would every homeowner on that street have to have a betterment charge to reconnect their line to the new sewer?

Ms. Gill

No, this goes back to the late 1960's when the city had a very small treatment plant and the majority of our wastewater was still being discharged directly to the rivers. Based on the Clean Water Act, the EPA required that we stop discharging to the rivers, we collect and we treat our own wastewater prior to discharging it to the rivers. We had to put sewers into the residential neighborhoods that already existed and the fee helped pay for the initial installation of the collection system.

Commissioner Ackerman

Are we currently doing any betterment charges in the city?

Ms. Gill

Yes, that charge is in place.

Mr. Dookran

A betterment charge is a one-time charge when you first connect to the sewer. Existing people would not be charged.

Ms. Gill

The entrance fee is a flat fee for anyone to join which are now residential dwellings. The betterment fee was based on the frontage a property had. If you were in a residential neighborhood and you had 200 feet of frontage then you were charged based on your linear foot a certain amount to pay for that portion of the sewer that was installed in front of the property. It was bettering the house because now there was a municipal service rather than a septic system. Then there was an additional connection fee and that was to pay for a certain portion of the pipe getting connected to the public main. At that time, the city was greatly expanding the sewer with the process taking thirty years.

Prior to 1969, the only charge for anyone to connect to a municipal system was \$2.00 and then the three additional charges were instituted. In 1969 the entrance fee was \$230; the betterment charge was \$5.50 per linear foot and the connection fee was \$200. In 1972, the fees were increased based on the costs at that time and it wasn't increased again until 1982. In 1982, the entrance fee remained at \$295, the betterment charge increased to \$8.10 per linear foot and the connection fee was increased to \$600. In 1982, the city was still paying to do the work in the street for that portion of the connection. If the city built the public sewer main in the street, they would run the connection out to the property line for a fee of \$600. While the fee had not changed, in 1995, the ordinance changed to where we took all

properties that were three units and above and any commercial property out of the equation and we would only offer the \$600 connection to one and two-unit dwellings.

Commissioner Teas

I think it would be helpful to understand what we are proposing to charge versus what other towns and cities are charging.

Mr. Dookran

That information is in the presentation.

Alderman Jette

When there is a new subdivision, does the city pay to put in the main sewer line?

Ms. Gill

Not anymore. Since the 2000's, the city no longer does anyone's sewer extensions because we are so built out. If someone wants to build a subdivision they put in the sewers and storm drains.

Mr. Dookran

The Board of Public Works made that decision because the cost of extending sewers was prohibited and we put a hold on extensions.

Alderman Jette

So right now, with new subdivisions, the developer puts in the sewer?

Ms. Gill

The developer puts in everything.

Alderman Jette

So where it indicates an unused sewer connection placed by the city for future use, are there others out there?

Ms. Gill

There are a few but very few are remaining.

Alderman Jette

If someone built a house on what is now an empty lot, and the connection is sitting there, they have to line themselves up to join the connection at that point.

Ms. Gill

That's correct.

Alderman Jette

Would they reimburse us for the pipe that goes to the sewer?

Ms. Gill

They would today but there are very few of those remaining.

Mr. Dookran

There also could be complications because you may have the connection all the way to the property line or you may just have a Y to connect to. In that case, the fee for reimbursement may have to be evaluated.

Alderman Jette

What is the difference between an unused sewer connection and a Y, what's a Y?

Ms. Gill

A Y is when it doesn't come all the way to the property line, it stays closer to the sewer main.

Certain fees are obsolete today because the expansion of the system is done by the developers. They put in the pipe and we observe it and we inspect it. When we accept the street, we accept the sewers and the storm drains. The city is no longer paying for new sewer extensions.

New sewer users are buying into an established system and, therefore, betterment and connection fees are no longer needed.

We are proposing to perhaps remove those three fees and have one fee called an entrance fee. This number would allow someone to join into the established system. We would not evaluate it on linear feet for betterment or a connection charge, it would just be an entrance fee. Right now we don't do those connections for most people, commercial users all have to make their own connections in subdivisions. Anyone who is building a new house would also be responsible for their own connections.

Commissioner Pappas

Do we inspect those?

Ms. Gill

Yes, we do.

In order to update the entrance fee, we were trying to think of what would be fair.

ENR is the Engineering News Record magazine published weekly and reflects a cost index which is based on a construction index for twenty large cities which are evaluated annually by the magazine. It basically allows you to take any number at any time and bring it up to present day cost.

The formula for this is as follows:

If we were to bring the entrance fee to its present value, it would be rounded to about \$1,450.

Alderman Jette

Why are you dividing the new ENR cost by the old ENR cost?

Mr. Dookran

In 1975, the ENR index was 2,212, which represented what construction value was then and in 2018, that index is 10,737.

Ms. Gill

It's just a way to equate dollars at a certain time period for construction costs.

Mr. Dookran

ENR publishes the construction index for this kind of street/sewer work and they also publish a building index and those indices represent inflation from year to year. There might be a year or two where the index goes down. It's a pretty fair way to do it.

Commissioner Ackerman

If we get rid of the betterment charge, if we line the sewers, we don't charge the residents by the linear feet of frontage. Is that by ordinance? We are improving the sewer instead of replacing it which saves the city a lot of money. Wouldn't we want to have that betterment charge?

Mayor Donchess

That would be very expensive for the homeowner.

Commissioner Ackerman

I'm not saying to charge them for everything, I'm just saying, technically, aren't we bettering the system?

Mayor Donchess

We are but, in those days, we were building the system and now we are just fixing it so they are not getting anything new.

Commissioner Pappas

We are not lining the sewers for people's houses, we are lining the sewer main.

Ms. Gill

We looked at many communities to see what they were doing and one of the things we found out was that nobody uses an easy standard on how to generate sewer fees. We took some typical ones as summarized below:

<b>Town/City</b>	<b>Single-Family House</b>	<b>Three-Family House</b>	<b>Apartment Building</b>
<b><i>Nashua (Existing)</i></b>	\$295	\$885	\$29,500
<b><i>Nashua (Proposed)</i></b>	\$1,450	\$4,350	\$145,000
<b><i>Hudson</i></b>	\$2,325	\$4,650 (\$1550 per unit)	\$116,000 (\$1,160 per Unit)
<b><i>Salem</i></b>	\$7,500 Lump Sum	\$13,000 Lump Sum	\$550,000

Commissioner Teas

What does Manchester look like?

Ms. Gill

You would think we would be most comparable to Manchester but they have many different charges. They charge an inspection fee, a degradation fee for making the connection to the sewer. There are approximately six different charges and it depends on what you are doing in the street.

Commissioner Teas

By increasing these fees are we putting an unfair burden on the population and would it discourage any future development within the city on the already limited resources that we have.

Ms. Gill

We are trying to bring up the current cost to make it more realistic. When you look at the comps you can see that we really are very low.

Alderman Jette

I don't know how comparable Hudson and Salem are. Do we have information on Concord, Dover, Keene, Rochester or Portsmouth?

Ms. Gill

We do have a large list but each one has different fee structures. None of them do it the same way, they put place a certain amount of importance on different things.

Director Fauteux

What does Concord charge? Hudson is pretty relevant because their flow comes here.

Ms. Gill

Durham, NH does it based on the number of bedrooms, some towns do it by flow rates, some by square footage and type of use. Manchester charges for a new connection fee, a degradation fee for the pavement that is disturbed and they also have an inspection fee.

Alderman Jette

What does Manchester add up to?

Ms. Gill

I don't have it, it's not calculated based on square footage but I can get it for you.

Manchester is \$1,000 for a single-dwelling plus the pavement effect, Tyngsboro is a lump sum of \$7,500 and Durham is \$1,200.

Ms. Celia Leonard, Assistant Corporation Counsel

Were there any city's or town's who had lower fees?

Ms. Gill

Lowell is \$200 for connecting and then .1 cent per square foot of disturbed.

Attorney Leonard

We still have the pavement fee too, is that correct?

Ms. Gill

We have no pavement fee. There is currently no street altering fee and no fee for disturbance.

Commissioner Ackerman

It would be nice to know when Hudson last reviewed their prices.

Ms. Gill

The city uses a commercial sliding scale fee based on gallons per minute and fixture units. Every fixture has a certain weight with certain gallons per minute so you count the fixtures and total the ounce per minute and then we charge it.

Fixture Units	Peak Flow (gpm)	Existing Fee	Proposed Fee
0-12	0-20	\$295	\$1,450
13-40	20-40	\$590	\$2,900
41-100	40-60	\$885	\$4,350
101-190	60-80	\$1180	\$5,800
191-280	80-100	\$1475	\$6,505
281-375	100-120	\$1620	\$7,210
376-500	120-140	\$1765	\$7,915
501-635	140-160	\$1910	\$8,620
636-800	160-180	\$2055	\$9,325
801-950	180-200	\$2200	\$10,030
Refer to sliding curve	200-220	\$2270	\$10,370
	220-240	\$2340	\$10,710
	240-260	\$2410	\$11,050
	260-280	\$2480	\$11,390

For example, a laundromat uses a lot of flow and would have a bigger entrance fee where an office building would have less. There are also some commercial property changes, the entrance fee is credited based on what was applied previously and is updated as such.

Alderman Jette

When a building is built, how do we know what the flow is going to be?

Ms. Gill

For example, if you take the building that was an old warehouse building, they provided us and the Building Department with what they were proposing and we count, we actually (inaudible) based on dwelling units so it would be the flat \$295 per foot for a residential user. If they had 200 units it would be 200 x \$295. However, if that building had become a large dental office, we would count the number of sinks and toilets they were using and total the fixture units and each unit is given a certain amount of points. If they have washing machines then a fixture unit could be as much as 60 fixture units and based on the total number of fixture units, they get a certain rate of flow (gallons per minute) and then we charge for every increment of gallons per minute flow which is currently \$295 and it goes up. Those that are using a lot of water and therefore, generating a lot of wastewater, would get charged a higher entrance fee than someone who was not using a lot of water.

Alderman Jette

If the use of the building changed from a warehouse to a laundry mat, would they have to come back?

Mr. Dookran

Yes. They would receive a credit for what is existing and then they would have to pay the difference because they are increasing the volume of flow entering the system.

Ms. Gill

We are looking at increasing both residential dwelling units and commercial fees.

Commissioner Ackerman

Assuming the Board of Public Works takes action on this, what would be the recommendation of the Engineering Department to relook at this much sooner than the last period of time, would it be every eight years or ten to twelve.

Ms. Gill

It would be based on the change in the cost index.

Mayor Donchess

You could say that it should come up every year based on the cost index.

Ms. Gill

For this portion, we are recommending that the fee structure be changed entirely to have an entrance fee only because we are at a point where we don't need the betterment and connection fees as we did when we were first developing the system in the late 1960's. We would also recommend that you increase the fees to reflect the current value to join an established sewer collection and wastewater treatment system. We would also suggest that you do it for the commercial entrance fees as well, and again, to adjust the fee annually according to the cost index.

Commissioner Teas was excused from the meeting at approximately 2:20 p.m.

Mr. Dookran

One quick thing about the cost index is that it is used more universal than just what we are doing here, the city's Financial Department uses the construction index when they do some of their reporting.

Ms. Gill

We have another fee which is included in the ordinance which is separate than the initial connection and entrance into the collection system. The ordinance allows for the repair of sewer connections in the right-of-way for one and two-unit dwellings at a cost to the resident of \$600.

Mayor Donchess

How long has that \$600 fee been in place?

Ms. Gill

That's been in place since 1982 and at that time the fee was \$200 and then it increased to \$600. In 1972, City Engineer Hogan said the cost was supposed to be equal to the cost of DPW to perform the work, to do the construction of the pipe and excavating in the roadway to make the connection. Today, DPW estimates, and it's on an average because the depth of sewers varies, that it costs about \$3,500 for work that is 8 feet in depth or less. Sometimes a contractor has to be hired because our crews can't do the work if it's a deeper sewer so it can be as much as \$10,000 to \$25,000 for one and two-unit dwellings.

The problem with DPW repairing the sewer connections that belong to one and two-unit dwellings is that they have no control over what is discharged into those pipes. The property owners can put anything into the service connection; some people use it as a trash can and put things in a toilet that should not be put in. There are kitchen materials like grease from cooking and coffee grounds that can cause clogs. The flushable wipes and the roots from

trees are a real problem. People have vegetation over their sewer connection and it causes blockages.

Often times property owner does not understand that they own the service connection and there can be a lack of maintenance. It's in the ground so they don't think about it and don't maintain it. Property owners only react when they have a sewer back-up and most property owners are unaware that it is their responsibility.

The other problem we have is with the one or two-unit dwelling properties that are not owner-occupied and are being used as rental units. There is even less control over what tenants are putting into the pipe when the owner isn't there. Sewer back-ups end up occurring and the portion of the pipe that is under the right-of-way becomes the burden of DPW to address.

Commissioner Pappas

Can stuff from the main sewer pipe end up back in people's connections? Let's say your neighbor is not careful.

Ms. Gill

Sometimes there can be blockages in the public sewer main and sometimes water can back up into the houses. Whenever there is a sewer backed up, we do react first by checking the public main.

Commissioner Pappas

What are people supposed to do for maintenance, just the backflow valve?

Mr. Dookran

Use drain cleaners.

Commissioner Pappas

I thought drain cleaners were bad for your pipes.

Mr. Dookran

Not that I know of.

Mr. Andrew Patrician, Assistant Director, Division of Public Works

There are a lot of tools you can use other than chemicals. There are high-pressure air hoses that you can connect to your faucet to increase the water pressure and flush out the system. Most plumbing is made out of PVC and chemicals don't harm that.

Mr. Dookran

Chemicals are not good for septic systems.

Ms. Gill

There are some big box stores that sell products like salt to address roots and things like that.

Alderman Jette

What should homeowners be doing on a regular basis to maintain their system?

Ms. Gill

Prevention is the best thing. People need to recognize what they put down there may not make it to the public sewer main. It's education more than anything. If you are cooking ground beef or bacon, put the excess fat in a jar and throw it away versus throwing it down the drain because that will harden and it accumulates over time causing clogs.

Commissioner Pappas

Even if you have a garbage disposal, you still shouldn't be putting fat and coffee grounds down the drain.

Ms. Gill

We did some research to find out who else besides the City of Nashua was making repairs in the right-of-way and who was responsible for the repair. We found that the homeowner is responsible for the repairs in Salem, NH; Durham, NH; Manchester, NH; Concord, NH; Worcester, MA and Lowell, MA.

In order to address this ordinance, for DPW to make the repair for the one and two-unit dwellings, is a subjective process that goes through here. An owner will come in and says he has a sewer back-up and then the owner requests, based on the ordinance, that DPW do the work to repair or replace the connection in the right-of-way. We don't just go out and do it, DPW requires proof that they have had the sewer cleaned and found an object. The cost of a plumber to clean it can be \$300 to \$500 or more depending on what needs to be done to unclog the back-up. We also ask that the property owner provide a video, which again is another cost they have to incur because we have to examine the pipe. Again, we are interested in the connection from the property line to the sewer main. The problem could certainly be from the building to the property line. There could be a tree that has roots in it or he could have put all kinds of materials in there that is causing the clog and it may in that portion of the pipe and not in the right-of-way. We need evidence before we go out and dig up the street. We have conversations with the property owner and the review is made by DPW and are subjective because sometimes the video is not good and the picture isn't good. Sometimes a plumber might make an assumption while he is cleaning that is not correct like he felt something hard but can't identify what it is. It might be that a joint is offset but that

doesn't mean the pipe is in failure. Sometimes, based on the back and forth conversations, we have dug places where it was not necessary.

We are recommending that the DPW's responsibility of making repairs to one and two-unit dwellings be removed and the owner takes full responsibility of maintaining and replacing sewer connection from the building to the public sewer main.

Option two would be that the work continues to be performed by DPW if the depth of the sewer 8 feet or less and in-house forces do the work. The fee would be adjusted from \$600 to an average cost of \$3,500 because that is the cost to perform the work based on the estimates from the Superintendent of Streets.

For those digs that are deeper than 8 feet or for a situation where we have to hire a contractor, the cost would vary and we would like to charge the one or two-unit dwelling 50% of the total cost but not less than \$3,500. We would also require if the DPW made the repair or replacement the property must be owner-occupied. If it were a commercial property they would not qualify and in addition, the fee would be adjusted annually.

The payment options would be as follows:

- Payment in full
- Ordinance 255-58 provides for 5 annual installments to repay charges
- Include in homeowner insurance plans
- Potential city grants for low-income situations

Commissioner Ackerman

How many instances per year do we go out to a residence to do this sort of thing?

Mr. Dookran

Approximately fifteen.

Mayor Donchess

How long does the average job take?

Mr. Andrew Patrician, Assistant Director, Division of Public Works

It takes approximately one day for anything under 8 feet unless there is a duct bank there or a major water line.

Director Fauteux

One thing that I do want to make sure is clear is that with regard to option two, the Street Department is not able to do a lot of this work because we are so busy doing other things. Much of the work is being sub-contracted out and I didn't want to give the impression that the Street Department was doing most of it. If we are doing the work then the taxpayers, through

both tax dollars and through the payment of wastewater fees, are funding the repair of these individual connections. The burden should really be on the homeowner to make the repair.

Mayor Donchess

What things would you otherwise be doing if you did not have to do one of these connections?

Mr. Patrician

All of the other things that we do on a daily basis, perhaps a major sidewalk project or restoring a road. Our crews are spread very thin.

Director Fauteux

The other thing that concerns me about option two and charging 50% of the cost is that it's going to be a battle with the homeowner every time regarding what the cost should be and what the cost actually is. It will be a nightmare trying to come up with a cost that everyone feels is equitable.

Alderman Jette

My first impression is that option one is the logical choice. My only concern is that most of these situations will occur in the older neighborhoods and I think the older neighborhoods are populated by older people with less income. I think we ought to think about some way to help those people. If they own their home, they can probably get a home equity loan to pay for it. Perhaps we could have a hardship clause. It makes sense for the homeowner to be responsible for hiring their own contractor and negotiate their own price and they pay the contractor.

Director Fauteux

We had talked to the Treasurer about perhaps offering some type of a payment plan. If you are a homeowner you have to plan for some of these things.

Commissioner Pappas

I like option two but I wouldn't mind putting this vote off until the next meeting.

Commissioner Ackerman

I have no problem with that. I am concerned as to whether or not we have faith in third-party organizations tying into a sewer line that was built in 1895.

Mr. Dookran

We do it all of the time. The contractors are all approved by us and they all have a drainlayers license.

Mayor Donchess excused himself from the meeting at approximately 2:36 p.m.

Mr. Dookran

Part of this was to simplify the process. We would also like to remove the matter of it being subjective.

I think when we hire contractor's we always pay more than when a private individual hires the same contractor. That's my personal opinion.

Commissioner Ackerman

Does the city recommend service providers to do this type of work for residents?

Mr. Dookran

We can't do that by law but we can provide them with a list for work being done in the right-of-way. Work on the private side is typically done by a plumber and we don't control that, it's done through the Building Department.

Director Fauteux

To Commissioner Pappas' point, if we did go with option one then we should come up with some sort of mechanism for a payment plan, even it was part of their sewer bills.

Alderman Jette

The problem with option two is its currently at least \$3,500 and up to 50% of the total cost, but it's going to go up year over year. If we just let the homeowner do it then whatever the cost is, they are in charge of negotiating the best deal they can find.

Commissioner Pappas

I feel a little bit better that a lot of people seem to be doing that work anyway. That was one of my concerns.

Ms. Gill

The fee is meant to cover what it costs the city to do the work. It just hasn't been updated.

Commissioner Moriarty

I am in favor of everything we talked about except for the issue of how people would pay for it because it is a big bill.

Commissioner Pappas

I would like to have a special meeting to discuss the Pavement Degradation Fees. I feel like our regular meetings are already two hours long and it should be discussed in a separate meeting.

Director Fauteux

I will try to find another time to hold a special meeting to discuss pavement degradation.

**Adjournment**

Commissioner Pappas made a motion to adjourn.

**MOTION CARRIED: Unanimously**

Meeting adjourned at 3:00 p.m.