

REPORT OF THE FINANCE COMMITTEE

SEPTEMBER 4, 2019

A meeting of the Finance Committee was held on Wednesday, September 4, 2019, at 7:00 p.m. in the Aldermanic Chamber.

Mayor Jim Donchess, Chairman, presided.

Members of the Committee present: Alderman Michael B. O'Brien, Vice Chair  
Alderman-at-Large Brandon Michael Laws  
Alderman Linda Harriott-Gathright  
Alderman Patricia Klee

Members not in Attendance: Alderwoman-at-Large Shoshanna Kelly  
Alderman June M. Caron

Also in Attendance: Kim Kleiner, Director, Administrative Services  
David G. Fredette, Treasurer/Tax Collector  
Dan Kooken, Purchasing Manager

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PUBLIC COMMENT - None

COMMUNICATIONS

**There being no objection, Mayor Donchess suspended the rules to allow for the introduction of a communication received after the agenda was prepared**

From: Dan Kooken, Purchasing Manager  
Re: Extension of Contract for Phase 2 of Consulting regarding Implementation of Fundraising for the Performing Arts Center

**MOTION BY ALDERMAN O'BRIEN TO ACCEPT, PLACE ON FILE AND APPROVE THE CONTRACT EXTENSION WITH FULL CIRCLE CONSULTING IN THE AMOUNT OF \$24,000. FUNDS ARE AVAILABLE IN DEPARTMENT: 183 ECONOMIC DEVELOPMENT; FUND: PAC PROJECT COST  
MOTION CARRIED**

From: Mayor Jim Donchess  
Re: Contract for Construction of the Heritage Rail Trail to Mine Falls Park Trail and Pedestrian Bridge  
Change Order #3 and #4

**MOTION BY ALDERMAN O'BRIEN TO ACCEPT AND PLACE ON FILE**

ON THE QUESTION

Alderman Laws

I just think it is worth putting on the record so if anybody is watching knows that this is actually cheaper. Usually when we are doing these change orders it is because it is costing the City more money.

Mayor Donchess

This time we are amending the contract down by \$3,000.00 or \$4,000.00.

**MOTION CARRIED**

From: Dan Kooken, Purchasing Manager

Re: Approval for a Contract to hold an Online Auction of Surplus Equipment at Ultima Nashua Industrial Corp

**MOTION BY ALDERMAN O'BRIEN TO ACCEPT, PLACE ON FILE AND APPROVE THE ONLINE AUCTION CONTRACT WITH QUAKER CITY AUCTIONEERS, INC.**

ON THE QUESTION

Alderman Klee

Yes I just have a quick question. I assume that this is auctioning off the older vehicles, is that what it is or just equipment in general?

Dan Kooken, Purchasing Manager

This is all the equipment contained in the Nimco Building, there is a lot of C&C Equipment, a lot of old lays and that kind of thing and then a lot of machine tools, that sort of thing.

Alderman Klee

So it's just from that one particular building?

Mr. Kooken

Yes.

Alderman Klee

I'm sorry I thought when I read this it was talking about other things, but thank you for clarification.

Mayor Donchess

So the reason we have possession and ownership of this is that as part of all the litigation which is still ongoing with the former owner of Nimco, the City obtained a judgement against the company and then went to court to get an order saying that we own the equipment, which we got. So now we have the right to go forward an auction the equipment to the highest bidder.

Alderman Klee

Just one more question. And the funds for this would go into what account?

Mayor Donchess

Nothing designated yet; if the Board of Aldermen were to direct it or appropriate into a particular purpose that's where it would go. If no action were taken before June 30 of next year, the end of the Fiscal Year, then it would just become surplus.

Alderman Klee

Ok thank you very much.

**MOTION CARRIED**

From: Dan Kooken, Purchasing Manager  
Re: Low Floor Cutaway Van

**MOTION BY ALDERMAN O'BRIEN TO ACCEPT, PLACE ON FILE AND AWARD THE CONTRACT TO NEW ENGLAND WHEELS IN THE AMOUNT OF \$123,894. FUNDS ARE AVAILABLE IN DEPARTMENT 181, COMMUNITY DEVELOPMENT; TRANSIT GRANTS; CERF  
MOTION CARRIED**

From: Dan Kooken, Purchasing Manager  
Re: City Hall Front Door Renovations

**MOTION BY ALDERMAN O'BRIEN TO ACCEPT, PLACE ON FILE AND AWARD THE CONTRACT TO NORTHPOINT CONSTRUCTION MANAGEMENT IN THE AMOUNT OF \$27,169. SOURCE OF FUNDING IS DEPARTMENT 129, BUILDING DEPARTMENT; BUILDING TRUST FUND**

ON THE QUESTION

Mayor Donchess

And Ms. Kleiner is here to discuss this.

Kim Kleiner, Administrative Services Director

So we apologize; on July 24<sup>th</sup> we actually brought this item to Infrastructure where we talked about it at some length, we included that presentation with your packet so that you could review that. At that time it fell just below the threshold to bring it to finance. It came at \$24,869. Since then we have realized that we need a change order. One of the latches for the door actually needs a second latch in order for the doors to both open when you get the signal, the electronic signal which Risk will have control of. So we didn't want to have to have a crash bar or some sort of lever on that second door, so we are going to put an electronic latch on that one as well. That's an extra \$2,300.00. So what we decided to do was to bring the entire thing to you this evening since now the price of the entire project is over \$25,000.00. Now it comes it at \$27,169.00 but still the same importance follows from the original project. This is going to make City Hall much more welcoming, much more accessible, much more secure. So all the same factors that we discussed at Infrastructure still exist except it will be even better with that second locking, interlocking mechanism. So I am happy to answer any questions.

Alderman Klee

Thank you. When you are talking about the second latch, you said Risk would have control of that. Does that mean that that door is not going to open or it will just be the single door that will open or will both doors open?

Ms. Kleiner

Both doors will unlock and we hope to have Risk have control of that. Right now we have a system which you are all aware of at the backdoor and the doors unlock in the morning. That's run by our Building Department and they work very closely with our IT Department on that access. And then some of us have cards access that we can access on a small keypad. You won't have the keypad at the front door, but you will have that same unlocking system so that at 7:30, I think we have set it for 7:30 now for the backdoor, it will automatically unlock.

Alderman Klee

I want to say that I am glad that we are getting these doors fixed. I was not here at the Infrastructure but I did watch it and it was quite shocking, some of the issues and so on with that door and I think it is in desperate need for replacement and repair. Thank you.

**MOTION CARRIED**

From: Dan Kooken, Purchasing Manager  
Re: 2019 Paving Program – Local and Collector Roadways – Change Order #1

**MOTION BY ALDERMAN O'BRIEN TO ACCEPT, PLACE ON FILE AND APPROVE CHANGE ORDER #1 TO THE CONTRACT WITH SUNSHINE PAVING CORPORATION IN THE AMOUNT OF \$300,000. FUNDS ARE AVAILABLE IN DEPARTMENT 161, STREETS DEPARTMENT AND DEPARTMENT 169, WASTEWATER**

ON THE QUESTIONMayor Donchess

And of course we have our Engineering Department here to explain this. Please explain what the change would be.

Peter Kohalmi, Deputy City Engineer

The initial contract with Sunshine Paving is almost complete. They are over 90% done. They have done a good job for us. They are looking to do more work and we are more than happy to give them some more streets to pave in the City. There should be a list of the streets and the proposed treatments in the packet. It is quite simple I think.

Alderman Laws

Just because there is a theme here, if I am not mistaken they were actually under budget and there was money left over in the contract with them and we are going to roll that into this as well?

Mr. Kohalmi

I do not know if they are under budget. I don't the specifics of this particular contract.

**MOTION CARRIED**

From: Dan Kooken, Purchasing Manager  
Re: Marshall Street Roadway Improvements – Change Order #2

**MOTION BY ALDERMAN O'BRIEN TO ACCEPT, PLACE ON FILE AND APPROVE CHANGE ORDER #2 TO THE CONTRACT WITH THIBEAULT CORPORATION IN THE AMOUNT OF \$20,000. SOURCE OF FUNDING IS DEPARTMENT 169, WASTEWATER**

Mr. Kohalmi

Ok so we've been working with the developer on Marshall Street. We initially hired them to do a little bit of curb re-set and install some drainage for us. Marshall Street is in rough shape it needs some help with drainage and grading. As we started to dig into the road, we discovered there was a concrete base under the asphalt. It is crumbling and we'd like to get rid of it and replace it with gravel and asphalt.

This money is just for the concrete excavation; the paving will be probably done by either Sunshine or Brox, one of our paving contractors.

Alderman Klee

Sorry to be – so many questions. When you say that the paving will be done by Brox by and so on is that within contract or will you come back again for the additional funding. Because you said that was just for the excavation?

Mr. Kohalmi

No I don't believe we will be coming back; it actually might be in the initial \$300,000.00 that we just talked about. I think it may be one of those streets.

Alderman Klee

I saw Gilson Road I don't know if I saw ...

Mayor Donchess

Well the \$300,000.00 is because they are under budget so they are completing more streets than we thought for the amount of money allocated. So the reason that there are quite a few additional streets, 12, 15 additional streets here is that we were under budget and now can do more streets. I am not sure it is determined who is going to do the paving and how it will be paid for. But these contracts are quite large and this a fairly short section so it probably won't be a problem including it in the either Brox or Sunshine; the two paving contractors that are out in the field right now.

Alderman Klee

I'm glad to see more streets getting done thank you.

Mayor Donchess

Some of them in Ward 3 I think.

Alderman Klee

Yes.

Mayor Donchess

Yes. That's good right?

Alderman Klee

Yes.

Mayor Donchess

And some in Ward 9, that's right.

Alderman O'Brien

Actually my street is currently under the repair and doing a fine job, yes.

Alderman Harriott-Gathright

Still waiting for mine.

**MOTION CARRIED**

From: Dan Kooken, Purchasing Manager  
Re: Monica Drive Drainage Improvements

**MOTION BY ALDERMAN O'BRIEN TO ACCEPT, PLACE ON FILE AND AWARD THE CONTRACT TO RWC ENTERPRISE IN THE AMOUNT OF \$129,900. FUNDS ARE AVAILABLE IN DEPARTMENT 169, WASTEWATER**

ON THE QUESTION

Mayor Donchess

Do you want to give an explanation?

Mr. Kohalmi

The Monica Drive area has been suffering from drainage issues for years. We have had a lot of complaints from the residents. The Streets Department did try and go in there and kind of patch things up a year or two ago but it needs more extensive, deeper work than that. So this project is going to install some drainage pipe under the road and we are going to reconstruct part of the road that was pretty badly beaten up from groundwater and storm water not having a place to go.

**MOTION CARRIED**

From: Dan Kooken, Purchasing Manager  
Re: Consent Decree – 2019 Updated Long Term Control Plan

**MOTION BY ALDERMAN O'BRIEN TO ACCEPT, PLACE ON FILE AND AWARD THE CONTRACT TO HAZEN IN AN AMOUNT NOT-TO-EXCEED \$487,760. SOURCE OF FUNDING IS DEPARTMENT 169, WASTEWATER**

ON THE QUESTION

Mayor Donchess

This is a control plan that the EPA has requested that we do in order to further reduce CSO or Combined Sewer Overflow Discharge to the rivers.

Alderman Klee

Yes thank you. I think as far as our overflow into the river, I think we've been pretty good as to not having to dump. I know this is a double-edged sword; when you separate the sewage from the overflow in this particular thing. I know that that means that runoff water can go into the river and the runoff water isn't always all that clean; sometimes not any cleaner than our sewage water is. When things like that happen, because I have been getting a lot of phone calls and so on from people; about 3 or 4 weeks ago we had a severe Thursday night storm that created a lot of this overflow into people's basement and into their yards and so on. Do we know when any of this regular rainwater overflow would go into the river outside of the wastewater plant? Do we have any knowledge of that particular thing?

Mr. Kohalmi

Well the treatment plant is designed to handle probably 95% to 99% of the storms. But we seem to getting a 10 year storm about every year. Part of the problem is just the drainage infrastructure, the pipes and the catch basins are inadequate. So this plan, this is a long-term plan that is going to partly help to solve that as well. But what the EPA cares more about are discharges into the Nashua and the Merrimack Rivers. So more than anything this plan is going to clean that up or trying to eliminate any kind of dirty discharge from getting into the rivers. This is a long-term plan; this is a plan we will be using probably for the next 10 to 20 years to upgrade pipes, catch basins. It is a significant contract but we need a comprehensive plan to do it right, 5, 10, 20 years from now we will be relying on this document.

Alderman Klee

May I? And I agree with you and I am glad to see we are going to have a plan and so on. I know even over by where your residence is Mr. Mayor, I have gotten some people that have called and complained about the overflow of that type of thing. I know that even some of our drainage areas that we have, we have 2 and 3 catch basins close together and because of the land tilts, after a while there totally inadequate, there is no water even going into them. They are just draining right by them and so on. Will this plan look into any of those types of – the drainage the catch basins at all? Or is this straight off the CSO?

Mr. Kohalmi

We have a plan we called CMOM and that plan is more geared towards the maintenance and operation of the pipes and the catch basins. That plan is fairly new; we received it about a year ago. So we are just taking first steps to implement that.

Alderman Klee

I won't belabor, thank you so much, appreciate it.

#### **MOTION CARRIED**

From: Dan Kookan, Purchasing Manager  
Re: Digester Gas Tank Coating Project

**MOTION BY ALDERMAN O'BRIEN TO ACCEPT, PLACE ON FILE AND AWARD THE CONTRACT TO JB SAFETY, INC., IN THE AMOUNT OF \$136,400. FUNDS ARE AVAILABLE IN DEPARTMENT 169 WASTEWATER**

ON THE QUESTION

Mayor Donchess

Maybe you could provide an explanation?

Bill Keating, Wastewater Project Engineer

Sure, my name is Bill Keating I am the Wastewater Engineer for the Wastewater Department. We have a digester gas tank which stores gas from the digester during the decomposition of the solid material; generates gas, methane gas primarily. We want to feed that into, we are in the process of upgrading the Energy Recovery Facility and it will feed into two gas digesters when they are installed. So this is just one part of the big overall upgrade of the whole anaerobic digesting system. The gas tank is 20 years old and it has a lot of rust both inside and outside it. Right now it is down, it is not being used because we are upgrading the Energy Recovery Facility. So it is a perfect time to get inside and paint it, recoat it inside and outside so it lasts another 20 years or more.

Alderman Laws

I agree with you that the timing sounds perfect so I am supporting it. I am just curious as to how many pieces are there of this puzzle that we are going to be seeing coming down the pipeline?

Mr. Keating

Well when we are done coating the tank we have another project on the gas tank itself, upgrading it because it is kind of hard to explain. But there is an internal diaphragm and it's kind of a felt like material where the gas is compressed. It is like an internal cup that rises up and down and it is attached to a diagram and there are counterweights on the outside and it kind of maintains a pressure a low pressure system of not even a 1 PSI, it is a little less than a PSI. So we are going to upgrade that when we are done with this and that will be a more costly project. We are going to also recoat our primary digester and we have a secondary digester as well; those both need to be recoated next year, 2020, not this year.

Alderman Laws

Thank you.

**MOTION CARRIED**

From: Dan Kooken, Purchasing Manager  
Re: Phase III Landfill Expansion Construction – Change Order #1

**MOTION BY ALDERMAN O'BRIEN TO ACCEPT, PLACE ON FILE AND APPROVE CHANGE ORDER #1 TO THE CONTRACT WITH CHARTER CONTRACTING COMPANY, LLC, IN THE AMOUNT OF \$175,000. SOURCE OF FUNDING IS DEPARTMENT 168, SOLID WASTE; PHASE III LANDFILL BOND**

ON THE QUESTIONMayor Donchess

Jeff LaFleur is here.

Jeff LaFleur, Superintendent of Solid Waste

The bulk of this change order is a result of DES not approving our permit in a timely fashion. They have been shorthanded up there. It took them over a year and a half to approve my design for this project. Even when the project wasn't approved we were going forward with getting the project moving with the necessity of the landfill that we have right now we are running out of air space. So this put the contractor behind by 33 days and again that's the bulk of the change order.

**MOTION CARRIED**

From: Dan Kooken, Purchasing Manager  
Re: 2019 Landfill Gas System Expansion Project (Value: \$323,470); Department 168, Solid Waste;

**MOTION BY ALDERMAN O'BRIEN TO ACCEPT, PLACE ON FILE AND AWARD THE CONTRACT TO SCS FIELD SERVICES IN THE AMOUNT OF \$323,470. FUNDS ARE AVAILABLE IN DEPARTMENT 168, SOLID WASTE, LANDFILL GAS EXPANSION BONDS**

ON THE QUESTIONAlderman Klee

Yes I just have one quick question. I always have one quick question. Did the expansion of the landfill gas collection, I just recently had someone who told me that there always used to be a very bad gas smell and so on coming from there and it doesn't seem to be happening anymore. Is that what does this, so it keeps it from killing the neighbors, sort to speak?

Mr. LaFleur

Exactly this system is what is drawing in the gas which is limiting our emissions going out into the atmosphere around our area. That's why I try to an expansion every year when it is needed. We do the trash and cells or lifts. So after you reach so many lifts by permit we have to put in so much gas collection. Last year we didn't do any of this, it is FY19 funds that we are using right now. We didn't have the amount of area that we needed. We had enough well collection where we were; it seems to be working. Now that we are going up another lift, we are putting in this gas collection now.

I will tell you though that within the next 2 or 3 months we will be coming back for another gas expansion. We found a header, a 12 inch header that collects the main part of the gas, is starting to collapse. I am getting bids right now to get that changed. Most likely it will SCS doing it for us, they are already on site. So I am just trying to get the funding; as soon as the funding comes through for FY20 I will be doing that. But your assessment on the odors being under control, this is something that we do every year. We are spending \$300,000.00, \$350,000.00 a year just to keep our neighbors happy.

Alderman Klee

It is worth every penny, Ward 5 is not my Ward but I'm sure Alderman Jette appreciates it as do the neighbors. And it bodes better for Nashua to keep that up, so thank you.

**MOTION CARRIED**

UNFINISHED BUSINESS – None

NEW BUSINESS – None

RECORD OF EXPENDITURES

**MOTION BY ALDERMAN O'BRIEN THAT THE FINANCE COMMITTEE HAS COMPLIED WITH THE CITY CHARTER AND ORDINANCES PERTAINING TO THE RECORD OF EXPENDITURES FOR THE PERIOD FROM AUGUST 2, 2019 TO AUGUST 15, 2019, AND FROM AUGUST 16, 2019 TO AUGUST 29, 2019**  
**MOTION CARRIED**

GENERAL DISCUSSION - None

PUBLIC COMMENT - None

REMARKS BY THE ALDERMENAlderman Klee

I was going to wait until the next Board of Aldermen to bring this up but it has nothing to do with the Finance Committee. But for those that are listening I would like to address the cat mania issue as it was put in the Telegraph. It pained me to say that somebody did something was very nice, sending a mailer to scare the citizens that the City was going to come and capture your kitties and to harm them in some way.

That isn't the case. I have posted on Facebook, I have sent out e-mail messages, many other media groups are on Facebook, including Southern NH Emergency and Community Services, as well as the Nashua Civic Sounding Board has debunked this and has said that this is not true, put out all the right ones. Today I received a phone call, somebody very upset that I was going to hurt, I personally is the way it was put, was going to hurt their cat. I can assure everybody I am not going to hurt anybody's kitty. As well as the law that exists now is not going to change; the amended Ordinance does nothing more than to clarify the current law that says "impoundment of dogs, cats, ferrets and chickens at large". "At Large" meaning off premises; we are supposed to keep all of our animals under control. If they are off premises they should be on some type of leash, within your arms or in a carrying case, etc.

But cats do get loose, we can't help it. Cats are prey animals and they are nighttime hunters. So they are going to try to get out. I strongly suggest anybody who has a cat, a dog, even a ferret, get them chipped. Humane Society and Shelters have the ability to scan your animal to find the chip and they can unite you much easier. Many of these chip organizations also have the ability to put in the rabies license so that would be proof of rabies vaccination. It will save a whole lot of time. So I strongly suggest if you have a cat that gets out or is out, that you take the time to have them chipped and please make sure that they have their rabies vaccination. I will be repeating this at the Board of Aldermen meeting but I needed to get this out, thank you very much for indulging me.

#### Mayor Donchess

Just to add to that, the mailer was inaccurate in several respects. One, it does not change the City's Policy or Procedure with respect to cats. Our Legal Department believes that the City currently has the right to pick up cats if someone believes that they are sick, for example they have rabies or some other disease or if they seem to be a stray without a home or something like that. So very few cats are picked up currently; it is probably handful in the course of a year. There is no intention to change that. But the person who apparently sent the leaflet contests the City's ability to pick up cats, even cats that are sick, even cats that have rabies.

So the Board of Health and the Legal Department recommended that we make it absolutely clear that the City does have that authority which the Legal Department believes we already have. So there is no intention here to change anything, to start picking up cats, to harm cats or anything like that. The leaflet really misrepresented the intent and the language of the Ordinance, which if you read it, it is very clear that we are talking about sick cats or cats that seem to be strays which means cats that seem to have a home, which most cats you see seem to have a home would not be even covered by the Ordinance.

#### Alderman Klee

And nuisance cats; I have gotten as many phone calls that I have gotten, that were angry at me, I've gotten some "thank you I want this to go through" and it's like "it's already there". But the nuisance of, sometimes cats want to see other cats and they see them through the glass and they will tear through somebody's screen which can get costly year after year when this is happening. So nuisance cats also.

#### Mayor Donchess

This would enable the City, which we already have the ability to pick up feral or wild cats, the Health Department, the Board of Health, Director Wolf-Rosenblum has testified that feral cats can spread disease. These are wild cats without an owner. So this would make it clear that the City has the authority to pick up a cat under those circumstances and take it to the shelter, that's all. So anyway I think we have clarified this, you have clarified it on-line. I think most people understand it at this point.

#### Alderman Klee

Hopefully.

Mayor Donchess

I guess that's all we need to say at the present time.

Alderman Klee

Thank you.

NON-PUBLIC SESSION – None

ADJOURNMENT

**MOTION BY ALDERMAN O'BRIEN TO ADJOURN  
MOTION CARRIED**

The Finance Committee meeting was adjourned at 7:34 p.m.

Alderman-at-Large Michael B. O'Brien, Sr.  
Committee Clerk, pro tem