
Board of Aldermen

City of Nashua

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Ken Siegel

Alderman, Ward 9



TO: Board of Alderman

FROM: Ken Siegel, Alderman, Ward 9

DATE: March 10, 2014

SUBJ: Report of the Liaison to Board of Public Works

Colleagues,

The following memo is a report on the BPW meeting held on 2/27/14:

There was a large turnout of concerned parents of Mt. Pleasant Elementary School children. The condition of the sidewalks and snow removal in the school and immediate surrounding neighborhoods was a big concern. Danielle St. Hilaire gave an excellent presentation. There was a constructive conversation among all parties and hopefully going forward the concerns of the parents may get addressed.

Commissioner Pappas made a motion to have meeting minutes recorded verbatim in keeping with the practice of the Board of Alderman. This did not seem to be well received. We have no authority to compel the BPW to keep verbatim minutes but I believe it is in the long term interests of the City and citizens if they were. I would like to be able to go back and review discussions so that policy decisions are clear. This is impossible under the current system.

There was a review of the priority of the Parks and Recreation supervisor for maintenance works on each of the city parks and an overall assessment of the criticality of the requested maintenance items.

I learned that trash barrels on fully automated routes do not have to have the handles turned away from the street and by facing the handles towards the street the lids will be closed automatically. This is especially useful on those days where there is snow and rain so that barrels do not get filled with water.

At the end of the regular meeting there were Commissioner comments. Commissioner Lavoie voiced his concern over the handling of the 10 wheel truck purchase by the Finance Committee of the BOA. I would suggest that anyone interested in this watch the last 20 minutes of the 2/27 meeting. For those not inclined to watch the video I have taken the liberty of including, as an attachment, the fully transcribed minutes of that part of the meeting.

COMMISSIONER COMMENTS

BOARD OF PUBLIC WORK MEETING OF FEBRUARY 27, 2014

Commissioner Lavoie

I'm concerned. Recently we went forward to purchase a 10-wheel dump truck, and Finance is in essence blocking the purchase not because it doesn't meet the bid criteria. They are doing it because they don't like the idea of that truck. I think Finance is supposed to be a check and balance, not a decision-making board as far as what our purchases or needs are. I almost think we need to check with legal if that is being done correctly at that point.

Commissioner Lozeau

At our last meeting we authorized the purchase of the 10-wheel dump trucks. At the finance committee one of the aldermen raised concerns about whether or not we need those trucks. I think that's what you're referring to.

Commissioner Lavoie

That's exactly what I'm referring to because I don't believe it's finance's position or duty to look at the purchase as in you shouldn't be able to buy that truck. I believe their check and balance is to make sure you've done the proper bidding. That you finance the truck or you have the money for it. I think that's what the decision is. I don't think it's supposed to be a second Board of Public Works.

Commissioner Lozeau

I don't disagree. They're not a policy committee. I think there is going to be some struggles over whether they want a purchase to happen or not. I would be concerned as well, and I expressed it. I agree it's not up to them on whether we purchase the truck. We're the policy committee. We determine that we want the truck for whatever our purposes our and then it moves along the process. The finance committee is supposed to make sure that the process was used correctly on how the bid went out and that process and then whether the funds are available as described. This purchase also has to go through the CERF Committee and it did, and they approved it as well. There have been questioned asked to get more information. We're going to provide that. I've asked the Director to put something together that we can provide our liaison who is also on the finance committee as well as the full Finance Committee and frankly the Board of Aldermen. If people are interested in these trucks, we're happy to explain it. At our last meeting we did the fleet presentation and walked through what do we need and why we need them. I think the Director has been collecting information to give real examples of what we use the 10-wheelers for.

Commissioner Lavoie

I was about to say you've seen us change the axle because it wore out because it wasn't heavy enough.

Commissioner Lozeau

What do you mean it wasn't heavy enough?

Commissioner Lavoie

The rear axle wore out because we ran into this before. You end up with any of those trucks and in some cases you end up overloading them or you're making so many more trips because you're running such a smaller truck. It's kind of like when you look at the Broad Street Parkway. You're looking at these giant Caterpillar trucks. You're looking at the size of those out there. You look at how small the bed is in comparison to it just to move that load.

Commissioner Lozeau

Because of the weight.

Commissioner Lavoie

Because of the sheer weight of it. With the solid axle trucks in the back, you do need that many tires. You do need that size of a truck to unload. It really comes down to that.

Commissioner Lozeau

That had a send up with four total 10-wheelers?

Director Fauteux

We have four 10-wheelers

Commissioner Lozeau

Do you know off the top of your head how many 6-wheelers we have. I brought the presentation tonight.

Director Fauteux

I don't know that off the top of my head

Commissioner Lozeau

I was watching them on Kinsley Street this week carrying the snow. They didn't even get to a full block before that 6-wheeler was full.

Director Fauteux

The 10-wheelers are pretty critical to our snow operations. We use them in the main corridors: DW Highway, Broad Street, Amherst Street and 111A. We use it on the off-season too. I'll talk about that in a minute, but the real advantage of having the 10-wheelers is that you can load them with salt and they can stay out there. They don't know need to come back and reload. For safety reasons that's critical because it could take up to 45 minutes to get out of their route, go back and reload. By the time they get back that route could really get away from them. You don't want that to happen. That's our critical focus, keeping the mains open in any snow storm. That's why you see some residents will say you haven't touched my street. That may be because the snow is coming down at an inch an hour and we're keeping the mains open. If you have 6-wheelers, they will have to keep coming back. You don't want to have that happen.

Commissioner Lozeau

Alderman Siegel, I'm going to let you participate. It's just first the commission.

Alderman Siegel

Understood.

Director Fauteux

For efficiency purposes too on any of our projects during the construction season, we have one truck, one employee which makes it a lot more efficient than having two employees, two trucks. We can use that equipment and those people in other locations. We use these year-round.

Commissioner Lavoie

There's a huge difference in the cubic feet that you can carry in those two trucks, the difference between the trucks.

Director Fauteux

One can haul about 7 yards, the other 15 so it is a big difference.

Commissioner Lozeau

It's more than double.

Commissioner Pappas

I disagree. I think that finance does have the authority to do that.

Commissioner Lavoie

To clarify that, they have the decision on what trucks you can buy?

Commissioner Pappas

Everything has to go through them that's over \$10,000.

Commissioner Lavoie

I understand that.

Commissioner Pappas

I do think that they have the right. Just asking questions I don't think is a bad thing. It is an awful lot of money. I don't see it as anyone stepping on our toes. We had a presentation but we didn't have a whole lot of discussion. Maybe they want some more discussion at the finance meeting. That's how they feel, they want it justified. Even if you disagree with them, I think they do have the right to question it.

Commissioner Lozeau

I think they have the right to ask for information to understand something if they want to simply because they are an alderman and they are part of running the city with us. I don't agree that they have the authority to not allow a policy that's been decided in the proper places to

determine that they're not going to let it go through. They can certainly vote no. You can consider that an alternative but that's just not the role of the finance committee. I would disagree with that particularly when something has gone through a process. I think things are pretty clear. I think maybe it is worthwhile to get a legal opinion so people can look at it and decide from there and know what the answer is to that. I constant struggle between different groups on things is not healthy either. If we can all at least understand everybody's role it might take some of that tension down a little bit.

Commissioner Pappas

I would disagree. I would respectfully disagree. I think they have the right to do that.

Commissioner Lozeau

I understand.

Commissioner Lavoie

I definitely feel they are entitled to absolutely asking questions and getting answers. I just don't think it's the place for finance to decide what trucks you're going to buy. No, you only get a six because we prefer six. It's not, I don't think, the place of the finance committee. I mean they definitely have the right to ask why you're getting it, why you feel you need it but I don't think you should be denying it using as a second board in essence.

Commissioner Lozeau

I think that question isn't necessarily because they are a finance member. I think that question is about just kind of knowing the big scheme.

Commissioner Lavoie

You have to know it. If you're an alderman and someone calls up and says why did you just buy a 10-wheel dump truck and you're like I don't know; I didn't ask. You'd be in a lot of trouble with your constituents.

Commissioner Lozeau

I'm glad that they tabled it and didn't kill it.

Alderman Siegel

As a member of the finance committee and actually the person that moved to table, the person who had that discussion, let me just say this: there's no intention to set your policy, there's any intention to kill your finance purchases. The problem was what came in was just a request to replace a truck that was on schedule. There was no detail given other than to say it's used for snow operation. I can tell you my personal viewpoint is that all I wanted was enough information. All I am going to say is going forward, I will help you to describe what will help us in the best way possible. Say for example how the police department went about spec'ing their cruisers. Very, very clear. Here's the need, here's what we're replacing, here's the alternatives, here's our experience. Basically everything you need to know so it became fairly straightforward. Nobody is saying we want to take the job of the commissioners of public works. If you review the minutes or look at the film, you will see that had nothing whatsoever to do with it. It was just we'd like some more information to make an informed decision. I think as Director Fauteux knows, I sent a very specific e-mail requesting just that. I just wanted to get the

information necessary in a timely fashion to make an informed decision. In fact had I had the information and I believe the other aldermen had that information at the last finance committee meeting, I'm sure that given some of the discussion that might have occurred it would have been fairly straightforward. Nobody is trying to prevent the Department of Public Works from getting their equipment replaced. We all recognize the need and certainly recognize the need for heavy equipment. Alderman Deane had raised the point that if this is for snow removal and the standard of New Hampshire Highway was 6-wheelers, all we knew was this was for snow operation. That was the only detail we were given. That was the discussion. Nobody said we don't need these; we just didn't have the information.

Commissioner Lozeau

Actually Alderman Siegel, Alderman Deane clearly said he doesn't agree that we need 10-wheel trucks and that he was there when the trucks that we were replacing were purchased and that he didn't agree and that he was concerned then about the 10-wheelers. I'm not trying to dispute.

Alderman Siegel

I've reviewed the minutes, and I will say that what Alderman Deane point out, and things may have changed since then, is that when the trucks were initially purchased they were used to plow the Spit Brook Road and Amherst Street corridors. Now they may be used for other things. It's just that we did not have the information needed to make an informed decision. Now remember this is for a chassis and cab alone for each truck, over \$100,000 and approximately, I believe you said, \$65,000 fit up cost. You were going to spec it out. A significant amount of money. Not something that we said we're not going to do. We're not there to put roadblocks in the way of progress. In fact I believe we approved some fairly expensive items requested by the Board of Public Works because the need was fairly obvious and it was spec'd right there and then. I don't see that we have any intention to block anything. I also disagree strongly whether we need to go to legal. The Charter is fairly clear. The finance committee gets everything over \$10,000. That's by ordinance right now. The Board of Aldermen in totality gets everything over \$1 million. Very straightforward. It's not a job that we could say okay, let's just figure out ways to block progress. That's the way we're set up. We're the overseers. The finance committee oversees the purchases over \$10,000. Agree or disagree that's the way it is.

Commissioner Lozeau

Actually \$10,000 is the trigger for something to go to finance. What they are approving is what we're having some disagreement over. The memo that was provided for the 10-wheel dump trucks, I think it would be beneficial for us to have memos be a little meatier. But I did express that these trucks were not just for plowing, that we did use them year round, that we only had four of them, that we had done a fleet assessment some time ago and went through every piece and why it was there. We went through the CERF schedule and funded it accordingly. We went through the presentation that we had last month. The purpose of that was to be able to give people an opportunity to ask questions. I have no problem with people having more information. I do have a problem with people saying whether they are going to vote for something in the finance committee because they decide whether we need it or we don't. That is not their role, and that's fundamentally something we disagree about.

Alderman Siegel

If you're talking about my viewpoint, I'm not setting your policy. I described a presentation by the police department which to me represents a best practice of sending information. Just like any organization, say okay, great. That's the best practice. Let's use that as a model going forward. I doubt seriously there will be any issues. In this particular instance there was a lack of information. That information was requested by me. I have not received it yet. I assume it's in process and will hopefully arrive in time for the next finance committee meeting which is on Wednesday at which point I am sure if the information is there as requested will be fairly straightforward. There's no magic here. There's no great fight to set your policy. Our job is to look at the money that comes in at these threshold limits. It's fairly straightforward.

Commissioner Lavoie

I do definitely understand that. I have a funny feeling that you're going to be a much better liaison, and no insult to anyone in the past, because it looks like you're going to transfer the information for us. My concern was from what I saw of the meeting it looked like, not yourself, but other members were trying to set policy as to what was going to be purchased. If you feel that just a lack of information is what the hurdle was,

Alderman Siegel

That is my sense. I have spoken to other members of the committee and that is the sense. There is no desire. We're not playing games here. Okay. It really isn't like that. To a certain extent, as I said, it's so simple and somewhat confusing to me that we're even having this semi, I wouldn't call it contentious, but a sense of resentment towards the finance committee because it really isn't that in my sense. I don't feel that way at all.

Commissioner Lozeau

I don't think it's resentment; I think it's concern. The police department was done in a way it was done because it was the first time we had the police come to us and do a presentation to the Board of Aldermen. They did so at my request. We set up a special meeting for them, a time before a Board meeting. We did that because in my opinion they were changing what I would consider policy of going from a car that was a cruiser to a utility vehicle. I was really concerned that the full Board of Aldermen be aware that they were going to be doing that before they started seeing half the fleet come across as SUV and go how that happened. So I asked the police to come in and specifically do a presentation for the full Board of Aldermen so by the time it got to finance everybody had already could have or did see that presentation so that was a little bit easier. But I see that as very different. I wouldn't invite them in to say come to a special presentation on replacing a cruiser if it was a cruiser for a cruiser. We're replacing an existing 10-wheel dump truck for a 10-wheel dump truck. We'll have the information available. We'll take it up on Wednesday.

Alderman Siegel

I appreciate that, and once again, yes, certainly we're not going to be driving in like 10-wheel trucks or million dollar retrofits to wastewater treatment. It's just provide the information upfront like anything. If you were in a corporation and one of your department heads said I want to buy this thing and they didn't have enough justification, you'd say that might be great but I just need more information. There's "x" amount of dollars in the kiddy.

Commissioner Lozeau

See that's exactly where the problem is. The finance committee is not the committee where you justify a purchase. Finance is a committee where the committee determines whether or not it was properly purchasing procedures that we have outlined, that the contract was available to the bidders the way it was supposed to be, that we considered who those bidders were and chose based on proper practices and that the funding is available for the purchase. It's not justifying it. I think that's where fundamentally there's a little bit of disagreement. We'll get the information out. I don't think it's unreasonable for people to have information. If it was, we wouldn't provide anything in the finance packet and that's not the case.

Alderman Siegel

Right and then things would get a little bit sticky.

Commissioner Lozeau

They may, but there has been disagreement back and forth over the years with different members.

Alderman Siegel

And I understand that. The finance committee is the finance committee. I'm not trying to set your policy. I don't know. You deal with this stuff every day. You folks have your role, and I appreciate your role. Hopefully you appreciate our role.