

Minutes of the Board of Public Works Meeting of August 25, 2008

A meeting of the Board of Public Works was held on Monday, August 25, 2008 at 3:30 P.M. at the Division of Public Works Administration and Engineering Office, 9 Riverside Street, Nashua.

Members Present

Mayor Donnalee Lozeau, Chair  
Timothy Lavoie, Vice Chair  
Daniel Gagnon, Commissioner  
Donald Dyer, Commissioner  
Tracy Pappas, Commissioner

Rick Seymour, Director, Public Works  
Jeanne Walker, Deputy Manager of Engineering  
Mario Leclerc, Superintendent, Wastewater  
Nick Caggiano, Superintendent, Parks & Recreation  
Tom Dwane, Recreation Program Manager  
Jay Marcotte, Superintendent, Solid Waste  
Wayne Husband, Superintendent, Traffic/Parking  
Kathie Berube, BPW/DPW Administrative Assistant III  
Kathie Conti, DPW Contract Administrator

David Deane, Aldermanic Liaison

Chair Lozeau opened the meeting at 3:30 p.m. and noted that all Commissioners were present.

Chair Lozeau stated that there were two changes she would like to make to the Agenda; Item V. under Engineering should read \$25,000 and that she also wanted to add an item under VIII. Wastewater, regarding flooding and sewer issues.

Director Seymour informed Chair Lozeau that there was an item under X. Administration regarding storm events and she agreed to have discussion regarding flooding and sewer issues under Administration.

Director Seymour added that Item V. E under Engineering should read \$1,500.

Aldermanic Liaison David Deane stated that he had previously requested a communication from a resident be accepted, placed on file and made part of the record.

Chair Lozeau replied that it would and asked if it could be addressed under Public Comment.

*I. Motion: To approve the Agenda as presented.*

MOTION: Commissioner Dyer to approve the Agenda and accept with the changes.

SECONDED: Commissioner Pappas.

MOTION CARRIED: Unanimously.

*II. Motion: To approve the Minutes of the Board of Public Works Meeting of July 9, 2008.*

**CORRECTION TO THE MINUTES:**

Chair Lozeau referred to page 6 of the Minutes of the Board of Public Works Meeting of July 9, 2008 and said that she would like the record to state that she left the meeting at 5:30 p.m. to attend a wake.

Alderman Deane mentioned that he was disappointed that the Board did not have the opportunity to vote on R-08-111 which pertains to the \$37.6M bond for the Broad Street Parkway. He added that because the amount of the bond had been decreased by \$6.8M he felt it should have been referred and didn't know why it wasn't.

Alderman Deane also stated that the other item that he would like discussed was the sewer rate increase and stated that after review of the spreadsheets there were some inequities. He felt that it was approved under the pretense of what was presented to them.

Chair Lozeau thanked Alderman Deane and stated that she was going to discuss and reintroduce the rate increase to the Board.

MOTION: Commissioner Lavoie to approve the Minutes of the Board of Public Works Meeting of July 9, 2008.

SECONDED: Commissioner Gagnon.

MOTION CARRIED: Unanimously.

### *III. Public Comment*

Barbara Nelson, (no address given) a Nashua resident, spoke to the Board of Public Works regarding a problem that she is having with her neighbor leaving their recyclables on her property. She asked that the Board incorporate guidelines and regulations for placement of recycling bin as they have for the trash totes.

The Commissioners informed the resident that they would be discussing policies for trash and recycling at an upcoming workshop and told her it was good timing on her part to be informing the Board of the issue.

Mrs. Lucille Kaminsky addressed the Board and informed the Board of unpleasant odors that she has been experiencing late at night on July 30<sup>th</sup>, August 6, 8, 10 and 13th. She informed the Board that she believes that the odors are coming from the Wastewater Treatment Facility between 2:00 and 2:30 a.m. She mentioned that she contacted the Wastewater Plant and that they had no knowledge of the smell. She then called Alderman Flynn and also had an unpleasant experience with an unknown city employee who works at the facility. She requested a list of all of the chemicals used at the wastewater plant.

Dianna Gahlsdorf, 6 Terry Street addressed the Board and handed out a letter chronologically listing sewer backups in and around her home and to other residents the street. She stated that she was unhappy with lack of customer service from the city and wanted something to be done.

Other residents of Terry Street, Mr. and Mrs. McNulty addressed the Board and informed them that they have also been experiencing sewer backups as well although they have purchased a check valve and water detector to help alleviate the problem. Mrs. McNulty also mentioned that for years they have contacted the city for help and have had no response.

Chair Lozeau informed the residents that she would have the street limed and swept but that it would have to be examined and assessed as to what steps could and would be taken.

Director Seymour informed the residents that they should contact him directly for follow up.

Chair Lozeau stated that an assessment of the entire city, in quadrants, was being examined and that solutions were being sought. She thanked the residents for their patients.

### *IV. Aldermanic Referrals- AUTHORIZING THE CITY OF NASHUA TO ENTER INTO A TOWER COMMUNICATIONS SITE LEASE AGREEMENT WITH METROPCS MASSACHUSETTS AT MINE FALLS PARK (10 WHIPPLE STREET)*

MOTION: Commissioner Lavoie to forward a favorable recommendation to the Board of Aldermen regarding authorizing the City of Nashua to enter into a Tower Communications site lease agreement with Matropcs Massachusetts at Mine Falls Park (10 Whipple Street).

SECONDED: Commissioner Gagnon.

Commissioner Pappas inquired as to whether or not there were any other cell towers in Mine Falls Park?

Chair Lozeau mentioned that was not an additional tower but a lease. She informed the Board that she had tabled this Referral at the Finance level because she wanted to review the amount of cell towers in the City and their contracts.

MOTION CARRIED: Unanimously.

V. *Engineering Department*

A. *Motion: To approve the Residential Wastewater Service Permits and Fees as submitted.*

MOTION: Commissioner Dyer to approve the Residential Wastewater Service Permits and Fees as submitted.

SECONDED: Commissioner Gagnon.

MOTION CARRIED: Unanimously.

B. *Motion: To award the contract to CWS Fence & Guardrail for the construction of the Gilson, Tinker, Ridge and Martin Roadway Safety Improvements project in the amount of \$ 19,518.75. Funding for this project will be through account #590-23553-6901 – Prior Year Escrow – Guardrail Improvements*

MOTION: Commissioner Pappas to award the contract to CWS Fence & Guardrail for the construction of the Gilson, Tinker, Ridge and Martin Roadway Safety Improvements project in the amount of \$ 19,518.75. Funding for this project will be through account #590-23553-6901 – Prior Year Escrow – Guardrail Improvements.

SECONDED: Commissioner Dyer.

MOTION CARRIED: Unanimously.

C. *Motion: To award to consultant Hazen and Sawyer, P.C., the construction phase services contract for the CSO System Optimization and Infrastructure Improvements project in the amount of \$120,952. Funding for this contract will be through account #792-53030-3793 Capital Improvements –CSO System Optimization Improvements, Construction Phase Services.*

MOTION: Commissioner Gagnon to award to consultant Hazen and Sawyer, P.C., the construction phase services contract for the CSO System Optimization and Infrastructure Improvements project in the amount of \$120,952. Funding for this contract will be through account #792-53030-3793 Capital Improvements –CSO System Optimization Improvements, Construction Phase Services.

SECONDED: Commissioner Pappas.

Chair Lozeau recognized Kathleen Conti, DPW Contract Administrator who then informed the Board that the account number given in the motion was incorrect and should read #792-53075-3793.

The Board concurred.

Commissioner Gagnon amended the motion with correct account number.

MOTION CARRIED: Unanimously.

D. *Motion: To approve Change Order No. 13 to the construction contract for the Wet Weather Flow Treatment Facility to Methuen Construction Corp., in the amount of \$25,005. Funding for this change order will be through account #792-01310-3799-0000, Wet Weather Flow Treatment Facility Construction.*

MOTION: Commissioner Gagnon to approve the Change Order No. 13 to the construction contract for the Wet Weather Flow Treatment Facility to Methuen Construction Corp., in the amount of \$25,005.00.00. Funding for this change order will be through account 792-01310-3799-0000, Wet Weather Flow Treatment Facility Construction.

SECONDED: Commissioner Pappas.

MOTION CARRIED: Unanimously.

E. *Motion: To approve the reimbursement of tuition for Engineer Joe Mendola in the amount of \$1,500 for his Fall 2008 course. Funds will be paid under account # 551-94005-6901, Conferences and Seminars.*

MOTION: Commissioner Pappas to approve the reimbursement of tuition for Engineer Joe Mendola in the amount of \$1,500 for his Fall 2008 course. Funds will be paid under account # 551-94005-6900, Conferences and Seminars.

SECONDED: Commissioner Gagnon.

Chair Lozeau recognized Kathleen Conti, DPW Contract Administrator who then informed the Board that the correct account number should read #551-94010-691.

The Board concurred.

Commissioner Pappas amended the motion with the proper account number.

MOTION CARRIED: Unanimously.

*F. Motion: To approve for Stephen Dookran the carry over of 80 hours in excess of the allowed two times annual accrual of unused vacation beyond his anniversary date of August 23, 2008.*

MOTION: Commissioner Gagnon to approve for Stephen Dookran the carry over of 80 hours in excess of the allowed two times annual accrual of unused vacation beyond his anniversary date of August 23, 2008.

SECONDED: Commissioner Lavoie.

Alderman Deane informed the Board that he spoke with the legal department and that the language in the merit handbook is set by ordinance and that if it were to apply then the language needed to be changed. He also added that it was not to be taken personal by City Engineer Dookran but that it was not up to the Board to make that decision.

Chair Lozeau suggested that the motion be tabled and examined.

The Board concurred.

MOTION: Tabled. Unanimously.

*G. Informational: Proposed Sewer Connection -, Jensen's Mobile Home Park request to construct a private sewer system and connect to the City sewer system.*

A brief discussion was had regarding a proposed sewer connection at Jensen's Mobile Home Park.

Chair Lozeau stated that representatives for Jensen's Mobile Home Park would be attending the next Board of Public Works meeting to give a presentation supporting their request.

## **VI. Street Department**

*A. Motion: To approve the donation of approximately 100 feet of used granite curb for Mr. Jean Louis Riendeau to be installed at the corner of Shelly Drive and Bolic Street.*

MOTION: Commissioner Pappas to approve the donation of approximately 100 feet of used granite curb for Mr. Jean Louis Riendeau to be installed at the corner of Shelly Drive and Bolic Street.

SECONDED: Commissioner Lavoie.

MOTION CARRIED: Unanimously.

*B. Motion: To approve the award of the contract for winter sand to the low bidder, Pembroke Sand and Gravel of 619 Sand Road, Pembroke, NH 03275. Price for the material is 9.90 per ton delivered to Nashua or \$3.50 per ton at the location of the source. Funding for this contract is found in the FY 2009 Operations budget in account #553-45265-7163-00 in the amount of \$28,000.*

MOTION: Commissioner Dyer to approve the award of the contract for winter sand to the low bidder, Pembroke Sand and Gravel of 619 Sand Road, Pembroke, NH 03275. Price for the material is 9.90 per ton delivered to Nashua or \$3.50 per ton at the location of the source. Funding for this contract is found in the FY 2009 Operations budget in account #553-45265-7163-00 in the amount of \$28,000.

SECONDED: Commissioner Pappas.  
MOTION CARRIED: Unanimously.

*C. Motion: To approve the award of two contracts for winter road salt to Eastern Mineral of Lowell Ma at the bid price of \$66.00 per ton and a second contract to Morton International Inc. of Chicago, IL at the bid price of \$67.69 per ton. Funding for this contract is found in the FY 2009 Operations Budget in account #553-45260-7163-00 in the amount of \$450,000.*

MOTION: Commissioner Pappas to approve the award of two contracts for winter road salt to Eastern Mineral of Lowell Ma at the bid price of \$66.00 per ton and a second contract to Morton International Inc. of Chicago, IL at the bid price of \$67.69 per ton. Funding for this contract is found in the FY 2009 Operations Budget in account #553-45260-7163-00 in the amount of \$450,000.

SECONDED: Commissioner Gagnon.  
MOTION CARRIED: Unanimously.

*D. Motion: To approve the promotion of Mr. John Jarry to the position of Mason at the Street Department. Funding for this position is found in the Street Department Operations Budget in account #553-11465-6921-00.*

MOTION: Commissioner Pappas to approve the promotion of Mr. John Jarry to the position of Mason at the Street Department. Funding for this position is found in the Street Department Operations Budget in account #553-11465-6921-00.

SECONDED: Commissioner Lavoie.

Commissioner Lavoie asked if the Division would be posting a laborer's position.

Director Seymour replied yes, to replace Mr. Jarry's position.

Commissioner Lavoie asked that the Board be informed prior to when the position is to be posted.

MOTION CARRIED: Unanimously.

*E. Informational: A copy of the letter to be sent to the snow contractors with the rates for equipment to be supplied to the City of Nashua. The rates include a fuel cost surcharge based on fuel prices.*

MOTION: Commissioner Pappas to accept and place on file a copy of the letter to be sent to the snow contractors with the rates for equipment to be supplied to the City of Nashua. The rates include a fuel cost surcharge based on fuel prices.

SECONDED: Commissioner Gagnon.

Alderman Deane asked whether the private contractors were allowed to fuel up at the city pump.

Director Seymour replied that on occasion they do but only on rare occasions.

MOTION CARRIED: Unanimously.

## **VII. Parks & Recreation Department**

*A. Informational: Letter of thanks from American Legion Baseball regarding the use of Holman Stadium this year.*

MOTION: Commissioner Gagnon to accept and place on file a letter of thanks from American Legion Baseball regarding the use of Holman Stadium this year.

SECONDED: Commissioner Dyer.

MOTION CARRIED: Unanimously.

## **VIII. Wastewater Treatment Facility**

*A. Motion: To approve the User Fee Warrants as presented.*

MOTION: Commissioner Gagnon to approve the User Fee Warrants as presented.  
SECONDED: Commissioner Lavoie.

MOTION CARRIED: Unanimously.

*B. Motion: To award the contract for Hypochlorite to JCI Jones Chemicals, Inc at a price of \$0.83 per gallon: not to exceed \$93,000. Funds are available in account #802-45103-8500-8900.*

MOTION: Commissioner Gagnon to award the contract for Hypochlorite to JCI Jones Chemicals, Inc at a price of \$0.83 per gallon: not to exceed \$93,000. Funds are available in account #802-45103-8500-8900.

SECONDED: Commissioner Pappas.

Alderman Deane inquired as to whether there was a clause to opt out to the contract for the purchase of these chemicals.

Wastewater Superintendent Leclerc stated that he believes there is a 60 day return policy if a better price was supplied.

MOTION CARRIED: Unanimously.

*C. Motion: To award the contract for Sodium Hydroxide to JCI Jones Chemicals, Inc. at a price of \$2.46 per gallon: \$6420.00 per year. Funds are available in account #802-45104-8500-8900.*

MOTION: Commissioner Gagnon to award the contract for Sodium Hydroxide to JCI Jones Chemicals, Inc. at a price of \$2.46 per gallon: \$6420.00 per year. Funds are available in account #802-45104-8500-

8900.

SECONDED: Commissioner Pappas.

MOTION CARRIED: Unanimously.

*D. Motion: To award the contract for Sodium Meta Bi-sulfite to Holland Company, Inc. at a price of \$1.68 per gallon: \$43,870.00 per year. Funds are available in account #802-45106-8500-8900.*

MOTION: Commissioner Pappas to award the contract for Sodium Meta Bi-sulfite to Holland Company, Inc. at a price of \$1.68 per gallon: \$43,870.00 per year. Funds are available in account #802-45106-8500-8900.

SECONDED: Commissioner Dyer.

MOTION CARRIED: Unanimously.

*E. Motion: To award the contract for Ferrous Chloride to Kemira Water Solutions, Inc. at a price of \$1.10 per gallon: \$81,320.00 per year. Funds are available in account #802-45106-8500-8900.*

MOTION: Commissioner Pappas to award the contract for Ferrous Chloride to Kemira Water Solutions, Inc. at a price of \$1.10 per gallon: \$81,320.00 per year. Funds are available in account #802-45106-8500-8900.

SECONDED: Commissioner Gagnon.

MOTION CARRIED: Unanimously.

*F. Motion: To award the Collection System Operator position to Michael Atwater. Funds are available in account #802-11157-8330-8700.*

MOTION: Commissioner Gagnon to award the Collection System Operator position to Michael Atwater. Funds are available in account #802-11157-8330-8700.

SECONDED: Commissioner Pappas.

MOTION CARRIED: Unanimously.

*G. Motion: To approve the hiring of Methuen Construction Company for the Secondary Clarifier Repair for the amount of \$17,195. Funds are available in account #802-96080-8500-900-72.*

MOTION: Commissioner Gagnon to approve the hiring of Methuen Construction Company for the Secondary Clarifier Repair for the amount of \$17,195. Funds are available in account #802-96080-8500-900-72.

Superintendent Leclerc was recognized by Chair Lozeau.

Superintendent Leclerc stated that the amount was incorrect and should be \$18,055.

Maker of the motion concurred.

SECONDED: Commissioner Pappas  
MOTION CARRIED: Unanimously.

*H. Motion: To approve the hiring of Methuen Construction Company for the Flame Arrestors (Four) Repairs for the amount of \$17,195.00. Funds are available in account #802-96135-8500-8900-72.*

MOTION: Commissioner Pappas to approve the hiring of Methuen Construction Company for the Flame Arrestors (Four) Repairs for the amount of \$17,195.00. Funds are available in account #802-96135-8500-8900-72.

SECONDED: Commissioner Lavoie.  
MOTION CARRIED: Unanimously.

*I. Motion: To approve David Essensa and Randy Mandra to attend a Wastewater Operations Challenge conference in Chicago from October 17, 2008 through October 22, 2008 in the amount of \$2,186.00. Funds are available in account #802-94005-8330-8700.*

MOTION: Commissioner Pappas to approve David Essensa and Randy Mandra to attend a Wastewater Operations Challenge conference in Chicago from October 17, 2008 through October 22, 2008 in the amount of \$2,186.00. Funds are available in account #802-94005-8330-8700.

SECONDED: Commissioner Gagnon.

Chair Lozeau asked Director Seymour if employees are asked to judge competition shouldn't the association pay for a portion of their conference.

Director Seymour replied not necessarily and in this case because these particular employees were judges in Boston they were invited to continue as part of the competition.

Chair Lozeau inquired as to whether there was more than competition to be had at the conference such as courses etc.

Director Seymour replied that it was a type of networking and educational conference.

Chair Lozeau stated that in the future she would request that course outline be provided to inform the Board of the requested conference itinerary.

OPPOSED: Commissioner Lavoie.  
MOTION CARRIED: Majority.

Chair Lozeau stated that before the Board moved onto Solid Waste items she would motion to request reconsideration of the Sewer Rate Study.

MOTION: Chair Lozeau to reconsider the Sewer Rate study.  
SECONDED: Commissioner Lavoie.

Chair Lozeau mentioned that Alderman Deane had said previously at the meeting that there were some inequities on the Sewer Rate Study presented at the last Board of Public Works meeting and then onto the Board of Aldermen. She added that the study was in the finance department for review.

A brief discussion between Commissioner Dyer and Alderman Dean was had regarding the rate decrease several years ago.

OPPOSED: Commissioner Dyer.  
MOTION CARRIED: Majority.

MOTION: Chair Lozeau to table the Sewer Rate Study.  
SECONDED: Commissioner Lavoie.  
OPPOSED: Commissioner Dyer.  
MOTION CARRIED: Majority.

Chair Lozeau apologized for not having the Solid Waste policy workshop but stated that it would be scheduled for the September Board meeting.

#### ***IX. Solid Waste Department***

##### **A. Informational: Collection Equipment Operator (CEO) operational needs assessment.**

Superintendent Marcotte reviewed and discussed a request from the July 14<sup>th</sup> Board of Public Works meeting regarding the operational needs of the collection equipment operators.

Commissioner Dyer commented about the swap shop. He requested that a motion to close the swap shop be added to the September agenda.

Superintendent Marcotte asked where the vacant CEO position at the landfill stood as far as filling the position.

Chair Lozeau replied that it would be discussed at the next Board meeting.

#### ***X. Administration***

##### ***A. Director's Report***

Director Seymour presented and discussed the Director's Report with the Board and highlighted several ongoing divisional projects.

##### ***B. Informational- Recent response to Summer Storm Events***

Chair Lozeau stated that she liked the spreadsheet listing the summer storm events but requested that it be sorted in areas. She asked that the storm events be a standing item on the agenda as well.

A discussion was had regarding history of past storms, hydraulics issues, sanitary sewer overflows and stormwater flooding.

#### **XI. Commissioner's Comments**

Chair Lozeau handed out a draft policy on volunteerism and stated that it could be discussed at the next meeting.

Commissioner Pappas mentioned that there was a flood on Concord Street and stated that she wasn't sure of the date. She mentioned that it was to her understanding that an 800 phone number to contact the police was not in

service at the time. She asked if she could get some information regarding that emergency number being out of order.

MOTION: Commissioner Pappas to move by roll call that the Board enter into non-public session pursuant to RSA 91-A: 3, II (a), to consider the dismissal (or promotion) (or compensation) (or investigation of a complaint) as to a city employee.

Commissioner Gagnon: Yes.  
Commissioner Lavoie- Yes.  
Commissioner Dyer- No.  
Commissioner Pappas- Yes.  
Chair Lozeau- Yes.

MOTION CARRIED: Majority

MOTION: Commissioner Lavoie to move by roll call that the Board come out of non-public session and seal the minutes of the non-public session until such time as the majority of the Board votes that the purpose of the confidentiality would no longer be served.

Commissioner Gagnon- Yes.  
Commissioner Dyer- No.  
Commissioner Pappas- Yes.  
Commissioner Lavoie- Yes.  
Chair Lozeau. – Yes.

MOTION CARRIED: Majority.

Chair Lozeau asked Director Seymour not to submit a Director's Report for the next meeting.

MOTION TO ADJOURN: Commissioner Lavoie to adjourn at 6:05 p.m.

SECONDED: Commissioner Pappas.

MOTION CARRIED: Unanimously.

*Transcribed by  
Kathie Berube  
DPW/BPW Administrative Assistant III*