

**Public Works and Buildings Committee**

**April 17, 2014**

**Council Chambers**

**7:00 PM**

**MEMBERS PRESENT**

Councilor Torr, Chairman  
Councilor Ray Varney, Vice-Chairman  
Councilor David Walker  
Councilor Sandy Keans  
Councilor Donald Hamann

**OTHERS PRESENT**

Councilor James Gray  
Councilor Derek "Mac" Kittredge  
Dan Fitzpatrick, City Manager  
Peter Nourse, Director DPW  
Gretchen Young, Construction Engineer  
Steve Beaudoin  
Cindy Andrews  
Paul Whitehouse  
Lee Hillsgrove  
Andrea Lemire

**Minutes**

Chairman Torr called the Public Works and Buildings Committee meeting to order at 7:00 PM.

**1. Approve minutes from March 20, 2014 meeting**

Chairman Torr asked for a recommendation for the last month's minutes.

***Councilor Walker made a motion to accept the minutes of the February 20, 2014 meeting as presented. Councilor Hamann seconded the motion. The motion passed unanimously.***

**2. Backflow Survey and Testing**

Mr. Nourse stated that this item is on the agenda to clarify the project in progress due to questions raised by State of NH Representative Steve Beaudoin. Mr. Nourse stated that the State of NH RSA 485:11 does state as Mr. Beaudoin suggest that the responsibility will reside with the property owners. He further stated that the City's own backflow ordinance also puts the responsibility on the property owner. Mr. Nourse went on to explain that the City has received a "Letter of Deficiency" (LOD) in regards to our backflow program. Due to the LOD it is important to both the department and NHDES to get necessary permitting program into place in order to be in compliance. Mr. Nourse stated that he has spoken to NHDES officials who have stated that what we are doing Rochester is

similar to how other Cities and Town are managing the start up. Mr. Nourse then stated that the department went out to bid for survey and inspection services and we have awarded the contract to Denron Plumbing. Denron is completing the surveying of commercial properties to determine if each property has a backflow, if they do, is it the correct device for the type of business, and is it a high or low level. Councilor Keans asked if Denron is installing backflow during this process. Mr. Nourse stated they are not. He stated this is a onetime only survey required to get our program up and running. The results will allow us to get the permits issued to those with the correct working devices, and those with devices not working will be issued letters to comply with the City's ordinance and the State of NH RSA. Chairman Torr asked Mr. Beaudoin if he would like to speak. Mr. Beaudoin stated that he is here as a Rochester resident and as a rate payer not as a State of NH Representative. He stated that he believes that the RSA referred to does mean the financial responsibility belongs with the property owner. He stated that he as a rate payer and all of the other rate payers should not be participating in the cost of the surveying and testing of these devices. Mr. Nourse stated that Backflow devices are meant to protect the health of all rate payers.

### **3. Upper City Dam**

Mr. Nourse stated that last month he had brought this projects status to the Public Works Committee due to anticipate shortage of funds and due the poor management of the project by a sub-consultant to the City's consulting engineer. He stated that as he had expected the project is over budget and will need a supplemental appropriation of thirty thousand dollars (30K). After a brief discussion the following motion was made.

***Councilor Varney motion to recommend that the full Council appropriate the additional thirty thousand dollars (30K) for this project. Councilor Walker seconded the motion. The motion passed unanimously.***

### **4. Chamberlain Street:**

Mr. Nourse stated that he was directed to put this item on the agenda by referral from the Finance Committee. Councilor Varney stated that Mr. Nourse's memo dated 3/31/14 should be provided to the residents of Chamberlain Street. Mr Nourse stated that he has done as directed regarding the project and that it is in the FY15 CIP to be weighed for priority with the other projects. Councilor Walker stated that he believes that the residents need either water or sewer on this road. Councilor Keans stated that more than half of them either didn't respond or responded that they didn't want either. Mr. Nourse stated that it is highly unusual, and not recommended to install sewer without water. To run both, this is a 1.6 million dollar project. Councilor Varney stated that if the

project does not get approved the road will be paved in FY2015 as previously approved.

**5. Stillwater Circle:**

Mr. Nourse stated that the Finance Committee had asked him to gather quotes regarding the work discussed. That work includes leveling off the area in question, putting in the proper soil and materials and planting grass. There was a second option to also include a stone dust track around the perimeter. He stated he had received three quotes starting at fifteen thousand and with the track included topping out at forty-five thousand. He stated the lowest quote was not going to be considered as it didn't include the required silt base or the storm water pollution prevention criteria that will be necessary for the state. He stated that left him with the lowest quote of twenty thousand just to level it off, put in the right soils and plant the grass. Councilor Torr stated that this was as he expected. Cindy Andrews from Stillwater development stated that she and her neighbors are aware that the ten thousand dollars set aside is insufficient. She stated that Mr. Nourse and some Councilors were very clear of that during the Finance Committee meeting. She stated that the suggestion that they contact UNH about the construction of the project does not make sense as they do not have sufficient funds to complete the project. Ms. Andrews stated that they have amended their request. She stated that this development started out as a mobile home park and that there was an association that has since dissolved and not going to be formed again. She stated that the City accepted the amended project with green space that would be turned over to the City and she believes it is the City's responsibility to maintain the space on both the left and right side of the entrance, including the mowing the entrances. Ms. Andrews suggested that the ten thousand three hundred and sixty dollars be put in to the general fund to be drawn from for the maintenance. Councilor Keans stated that one thing does not have to do with the other. She stated that the funds in question were specifically to be dedicated to a park. The area is beyond the entrance on the right side of the road. Councilor Keans also stated that she understands that they would like the entrance mowed, she respectfully disagrees that the City should go out there to mow. Councilor Keans stated that there are many neighborhoods with entrances that the City does not mow. Another Resident spoke requesting just maintenance at the entrance. There was a short discussion as to City resources and obligations. Also discussed was that any work to be completed in the area would need to be completed after the Stillwater Bridge Project.

***Councilor Walker made a motion that the committee recommend that the full Council approve a plan that includes using the ten thousand three hundred and sixty dollars for landscaping at the entrance to the development, and to have the area put on the City's mowing***

***schedule. The motion was seconded by Councilor Hamann. The vote passed 4 to 1.***

**6. Paving:**

Councilor Walker suggested that the Council look at approving the five hundred and fifty thousand dollars as budgeted. Councilor Varney stated that he had driven all of the roads on Mr. Nourse's recommended list and that they were all in bad shape. Mr. Nourse stated that he had added traffic counts to the list and he distributed it to the Councilors. Councilor Varney stated that he had contacted the Ward 2 Councilors Keans and Lauterborn as there are streets in their neighborhood that had been previously approved for FY14 paving, but were not in as bad shape as the ones for consideration in FY15. In response to Councilor Varney's inquiries he said that Councilors Keans and Lauterborn had agreed with him, and stated they did not have constituents complaining in those areas. The Committee decided it was in the best interest of the paving plan to remove the 2014 streets that are still pending paving, from the approved list. Those streets are Boulder Ave, Conifer Circle, Rockledge Drive and Chamberlain Street. All agreed that Chamberlain will go back on the FY15 list if the water and sewer project does not make the FY15 CIP. Councilor Varney stated that leaves the City with an estimated four hundred and seventy-seven thousand to get started in June. He stated that if the City Council approves the five hundred and fifty thousand there may also be another two hundred available from a source regarding a payback of benefits to the city. He stated that he would check with Mr. Cox, the Finance Director to see if those funds could be put into the paving budget. There was discussion on all roads on the list and the following motions were made.

***Councilor Varney made a motion to recommend that the full Council approve paving of Blackwater Road, Pawtuckets Way and Crocker Court with the remaining FY14 paving appropriation (est \$468K). The motion was seconded by Councilor Walker and passed unanimously.***

***Councilor Varney made a motion to recommend that the full Council approve the paving of Brickyard Drive, Railroad Avenue, Industrial Way, Yeagley Way and Chamberlain Street if not done as part of a Water / Sewer CIP Project with the FY15 paving appropriation (Est \$553K plus possible \$300K for Chamberlain St.) The motion was seconded by Councilor Walker and passed unanimously.***

**7. Public Input:**

Mr. Paul Whitehouse stated that he had come to the committee because of the weight restricted use of Channing Lane. He stated that the street had recently been posted to limit heavy truck traffic. He further stated that this restriction is prohibiting his work as a logger that needs to use that road. Mr. Lee Hillsgrove the driver of the heavy truck for Mr. Whitehouse's

operations also spoke. He stated that he always operates in a way to avoid damage to the road. Mr. Nourse stated that there has already been damage to that roadway due to the logging operations. After lengthy discussion regarding the issue, Mr. Nourse agreed to meet with Mr. Whitehouse and Mr. Hillsgrove on site to work out a plan for logging to continue with restrictions or permit.

#### **8. Sidewalks:**

Mr. Nourse stated that work has begun on Charles Street using the one hundred thousand dollars remaining from FY14, and he has proposed two hundred and fifty thousand in the FY15 budget to continue down Charles Street. Mr. Nourse stated that this is a much longer street than N. Main and that it will be a multi-year project based on annual funding.

#### **9. Other:**

**City Hall Annex** – Mr. Nourse stated that the panel has selected an Architectural firm for this project. He stated that Oak Point Associates is the select firm. He stated that they seemed to be the most experience and were about the middle of the road expense wise. He stated that the preliminary discussion determined that it is unlikely that this project will be completed by end of calendar year 2015 Mr. Nourse stated it is the departments plan to move it as quickly as possible.

**Brock Street** – Mr. Nourse stated that there is still some water work and paving to be completed. He stated that we have extended the project deadline so that this work can be done while the schools are out for the summer. Councilor Walker stated that he has received a complaint about the quality of loam in front of the Trueworthy property. He also stated that the hydro-seeding was completed very late in the season and thinks this might need to be looked at.

**Communtiy Center** – Cross Point Church Lease – Mr. Nourse stated that this had been referred to this Committee for discussion; if all questions are answered the City Manger can enter into a lease agreement. Councilor Keans asked if the Community Center is open on weekends. Mr. Nourse stated that there is a custodian that opens the building from 8AM to 4PM every Saturday and Sunday and that the building is open until 9pm on week days. There were no other questions.

**Pine Street** – Andrea Lemire stated that in front of #17 Pine Street there is a structure that has collapsed leaving a large hole / dip approximately 1-2 feet deep. Mr. Nourse stated he would have staff look into it quickly.

**Eastern Ave** – Councilor Kittredge stated that there is and area between #8 and #9 Eastern Avenue where the sidewalk stops and starts about 150 feet long. He asked if Mr. Nourse consider it for a sidewalk extension.

**Woodman Street** – Councilor Walker asked Mr. Nourse to check on the construction in this area. He said he did not think it was related to the sidewalk work and questioned what it might be.

**Colonial Pines** – Councilor Keans asked if Mr. Nourse knew of a second

phase drainage project to be conducted in the Colonial Pines neighborhood. Mr. Nourse stated that back in 2011 the first phase of drainage work was completed. He said that if there were still concerns and complaints from that area there was a second phase of recommendations that could be done. He state that until this week he has not had any complaints and it is just the one. Councilor Keans asked if the maintenance is being completed per schedule. Mr. Nourse stated that the routing maintenance is on a regular maintenance schedule. He also stated that he will continue to watch the area for complaints and drainage concerns, but he would not recommend any additional work at this time. Councilor Keans asked if the sewer project for this neighborhood is in the CIP for FY2015. Mr. Nourse stated the initial engineering is in the FY2015 CIP as a proposed project. Councilor Keans stated that this neighborhood would make sense for a sewer project as they have water, and the sewer fund would be picking up a considerable amount of services.

***Councilor Walker made a motion for adjournment at 8:26PM.  
Councilor Hamann seconded the motion. The motion passed  
unanimously.***

Minutes respectfully submitted by Lisa Clark, Rochester DPW Office Manager