

MINUTES OF THE PUBLIC WORKS AND ENVIRONMENT COMMITTEE
EXECUTIVE CONFERENCE ROOM
May 27, 2020 – 3:00PM

Committee Members present:	Councilor David A. Witham, Chair Councilor Martin P. Dumont, Sr. Vice-Chair Councilor Kenneth Vincent Councilor Matt Gerding
Administration/Staff present:	City Manager Bob Belmore Finance Director Scott Smith Director of Public Works Michael Bobinsky City Engineer Gary Lemay Planning Secretary Dana Crossley
Other:	Mayor Dana Hillard (Attended for a brief period of time)

Chairman Witham called the meeting to order at 3:03 pm.

Chairman Witham stated due to the State of Emergency declared by the Governor and in accordance with the Governor's Emergency Order#12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. This meeting will be held via Zoom online platform. The public is asked to submit comments via email to kgagne@somersworth.com or bblmore@somersworth.com. Comments must be received by Wednesday, May 27, 2020 at 12 noon. The public can access the meeting and listen live by telephoning any of the numbers posted on the agenda.

Chairman Witham stated that all votes will be taken by a roll call vote.

Roll call attendance was taken, Councilors Witham, Dumont, Vincent and Gerding were remotely present and by themselves.

City Manager Belmore stated who was present in Council Chambers which is noted above.

MINUTES OF THE PREVIOUS MEETING

Motion made by Councilor Vincent, seconded by Councilor Dumont, to approve the minutes of the February 18, 2020 meeting. Motion was approved 4-0 by a roll call vote.

NADEAU ST. REPAIRS BETTERMENT ASSESSMENT

Manager Belmore stated that Nadeau Street is located off of Main Street. He stated it has been plowed by the City for many years but was never accepted by the City. He stated there has been discussion regarding the steps that would need to be taken if the City was to accept the Street.

Manager Belmore stated staff has met with the property owners along Nadeau St. to discuss their request for the City to accept Nadeau St. as a City maintained street. He stated the property owners appear to have done their due diligence research and would like the City to move forward with establishing a Betterment District. He stated the creation of a Betterment District is allowed by State Statue. He stated the plan needs to be finalized and a legal agreement would be drafted that the property owners would sign as a commitment prior to the City spending funds.

City Engineer Lemay reviewed the cost estimate for acceptance of the Nadeau Street as a City Street. He stated there are five main cost components for this process and they have estimated it will cost about \$100,000. Manager Belmore noted that that the \$100,000 is an estimate, and some components are simply placeholders, such as charges for our Contracted City Attorney which will depend on actual billable hours spent on this matter.

Councilor Vincent inquired if the property owners are the ones paying for the project. Manager Belmore stated yes, it would be the three (3) property owners along Nadeau Street. He stated this proposal will also be reviewed by the Finance Committee. He stated there would be formal documents put together by the City Attorney that will address the terms of the Betterment District and payment details.

Councilor Vincent stated he would be interested in discussing cost sharing for this project.

Director Smith stated when a Betterment District is established it applies a lien on the properties within the District until the Betterment Assessment is paid off. He stated this ensures the City will still get the money owed, even if a property owner sells their house. He stated once the Betterment Assessment has been paid off the lien would be released from each property.

Director Smith stated when the Betterment Assessment is established there will be an interest figure also attached. He stated the City will collect the interest and principal that will be paid off over an agreed period of time. He stated the property owners would ultimately receive a second tax bill for the yearly Betterment Assessment fee. He stated the City will need to appropriate the funds for the project. He stated if Council decides to cost share a portion of the project that would need to be determined before the documents are finalized.

Councilor Vincent stated he would like to discuss with the Committee their thoughts on cost sharing. He stated he would consider the City sharing \$20,000 of the project costs.

Councilor Witham inquired how we got to this point. He stated if there was an error on the City's part that created the issue or if it was an oversight by the residents, it would have an effect on his opinion to cost share the project.

Manager Belmore stated the City has been plowing Nadeau Street for at least 30 years or so. He stated he does not have the exact details of when it started. He stated the residents inquired when the City was going to repair Nadeau Street and at that time it was realized that it was not a City owned street.

After further discussion, Councilor Witham stated he is not inclined to cost share.

Councilor Dumont stated he recalls the original subdivision documents stated this was a private road. He stated he is willing to be reasonable.

Councilor Gerding stated when reviewing the cost estimate, he feels there is nothing the City is going above and beyond to require. He stated he is hesitant to commit to sharing the cost of the Betterment Assessment. He stated he also recalls that the original land developer had the language in the documents stating it was a private road.

Councilor Witham noted that the residents that this affects appear to be supportive of paying the Betterment Assessment.

Manager Belmore stated the residents have been informed of the estimated cost. He stated they were agreeable to splitting the cost between the three properties.

Councilor Witham stated in regards to the term of the Betterment Assessment, he is comfortable with a 10 year Assessment. He stated since this is a low traveled road, the road would likely last more than 10 years.

Councilor Vincent stated he would be in favor cost sharing a portion of the Assessment. He stated he will be willing to motion the approval of \$20,000 from the road fund to assist in paying for this project.

Councilor Witham inquired if the approval of the Betterment District required a full Council vote. Manager Belmore stated yes.

Councilor Witham clarified the cost sharing would also be determined by a full Council vote as well. Manager Belmore stated yes.

Councilor Gerding stated with the information that the residents are willing to move forward with the Betterment District and Assessment with the estimate costs makes him more hesitant to agree to cost share. He stated the City will be taking on the long run maintenance cost of the road.

Council Vincent stated that he is willing to postpone cost sharing discussions until the matter is brought before the full Council.

Councilor Vincent, seconded by Councilor Gerding, made a motion to authorize City staff to finalize the Betterment District and send to Council for review. The Motion passes by a 4-0 roll call vote.

TOWN OF BERWICK EMERGENCY WATER STUDY

Manager Belmore stated the Town of Berwick is looking to do a Water Interconnect Feasibility Study to provide Berwick with water from Somersworth during emergencies when they couldn't supply their customers. He stated this has been discussed in the past during the reconstruction of the Somersworth-Berwick Bridge, but due to the conditions required by the City Council of Somersworth, Berwick chose to not move forward with the interconnect. He stated at this time Berwick wants to start the process to research the best way to connect to our water. He stated Berwick would be responsible to fund the study, cost of construction if a connection is approved and other associated fees.

Councilor Witham stated this project is more beneficial to Berwick than Somersworth. He stated he is in favor of moving forward with the study so long as it does not negatively affect Somersworth.

Councilor Vincent stated he agrees with Councilor Witham.

Councilor Gerding stated his concerns of this project are the impact to traffic during construction if the connection was made at the Berwick Bridge. He stated if the connection is made from the water plant, he is concerned about the private land and the issues associated with that.

Councilor Witham stated the study would look into and consider the disruptions. He stated he would not want to push Berwick towards completing the study if in the end Somersworth does not want to allow the water connection.

Councilor Dumont stated he thinks Berwick is making the right offer and would not want to stand in their way.

Manager Belmore stated it was previously discussed that any future expanded use of water to neighboring communities will require an inter-municipal agreement.

Manager Belmore stated City Council will make a determination on the final agreement with Berwick but this Committee can authorize Berwick to move forward with the Study.

Councilor Dumont, Seconded by Councilor Gerding made a motion to authorize City Staff to work with Berwick on their Engineering Study in regards to a potential inter-municipal emergency water sharing agreement. The motion passed by a 4-0 roll call vote.

PIKE ROAD WORK PUNCH LIST

City Engineer Lemay reviewed his memo regarding follow-up paving items that will be dealt with by Pike in the month of June.

Councilor Witham stated a rough area is the transition from Franklin Street to High Street. He stated he expects it was left out in anticipation of the TAP grant taking care of it, but as that has been pushed to 2021, he would like to a cost estimate and maybe see it addressed sooner rather than later.

There was a brief discussion of pavement depressions and pavement degradation responsibility.

Councilor Dumont stated he was concerned with the amount of delamination that needs to be addressed. He stated it is throwing up a red flag for him. He questioned if it has to do with the time of year that paving is getting done or the material.

Councilor Witham stated he believes the proposed change in the time of year paving happens will address this concern.

Manager Belmore explained that we will be going out to bid for paving projects in the fall and will complete the paving in later spring-early summer of the following year. He stated quality assurance checks are done as well regarding the product specifications. He stated the weather is a big factor in the matter.

Councilor Witham requested the transition from Franklin to High Street estimated cost to be provided at the next Finance Committee meeting.

HIGHLAND ST. REPAIRS (SECTION)

Manager Belmore stated one of the conditions of approval for the Hilltop School was that they were to pay \$2,500 towards the re-paving of a portion of Highland Street. He stated those funds have been received. He stated there are two treatment options, the first to do full-depth reclamation,

regrade and pave for \$30,000. He stated the second option is to do a 1.5” shim-and-overlay for \$15,000.

City Engineer Lemay stated Highland Street was a bid alternative for the last paving done.

Councilor Witham inquired how long the City has to spend the exaction funds.

Manager Belmore stated six years.

Councilor Witham stated he thinks it would make sense to leave Highland Street as a bid alternative at this point. He stated it is not a high trafficked street but understands there will be an increase with the new apartments.

There was a brief discussion of requesting Pike to complete the work at bid price. City Engineer noted that Pike is willing to conduct this work as part of the punch list work at last year’s prices, and will explore a cost estimate with them for other possible work.

CITY PLANNED REPAIRS

BLACKWATER RD. (ESCROWED FUNDS)

Manager Belmore stated Cumberland Farms came before the Planning Board for a compliance hearing regarding the pavement degradation along Blackwater Road that abuts their property. He stated delivery trucks take a wide turn when coming from Route 108 and the pavement by the vacant lot has degraded. He stated a similar issue has started on the Cumberland Farms side of the road as well. He stated both sides of the road will be repaired and repaved.

City Engineer Lemay stated he sought quotes from three paving companies but only received a response from one, Boulanger Paving. He stated Cumberland Farms provided \$16,000 for the paving. He stated the Boulanger quote came in under that at \$13,500, which will allow for overhead to cover unexpected costs if necessary.

Councilor Witham stated Boulanger Paving is a great company and is comfortable moving forward with them.

Councilor Dumont stated he agreed.

Councilor Vincent stated he also agreed.

Councilor Witham stated another concern is the use of the vacant lot across the street from Cumberland Farms. He stated he feels that driveway cut should be closed off to prevent

future degradations to the improved pavement. He inquired how working with the property owner was going.

Manager Belmore stated Director Saunders has reached out to the property owner, the owner's son, and real estate agent with no success. He stated he would check on the possibility to bring the property owner in front of the Planning Board for a compliance hearing.

Councilor Witham stated he would be in favor with that. He stated it has not been approved to be used as a parking lot.

Motion to work with Boulanger to conduct the proposed repaving work on Blackwater Road adjacent to Cumberland Farms made by Councilor Vincent, seconded by Councilor Dumont, motion passed by a 4-0 roll call vote.

PARKING LOT (FY 2021 FUNDS)

Manager Belmore stated City Engineer Lemay has provided a memo to address repaving the City Hall Parking lot. He stated Boulanger provided a quote to complete the project for \$12,300. He stated this project will be completed with the funds budgeted (\$15,000 for FY2021). He stated the proposal is to shim and overlay the parking lot but not the drive thru, and work will not begin until July 1, the start of the FY2021 fiscal year.

Councilor Witham inquired who would take care of the re-striping of parking lot stalls.

Manager Belmore stated City Staff.

Councilor Witham stated he would reiterate his previous comments about Boulanger Paving.

Motion to accept the proposal from Boulanger Paving and move forward with Boulanger completing the City Hall Parking lot repaving made by Councilor Vincent, seconded by Councilor Witham, motion passed by a 4-0 roll call vote.

CRACK SEALING – HIGH STREET OPTIONS

Councilor Witham stated crack sealing was done along High Street last year. He stated he was pleasantly surprised at the results and thinks it performed well over the winter. He stated he would like to hear the thoughts from the Committee and Staff on the subject.

Councilor Dumont stated he would be in favor of doing more crack sealing. He stated he thinks it is a good maintenance procedure.

Councilor Gerding stated he agreed it worked well and would consider pursuing more crack sealing the in the future.

Councilor Witham stated in addition to High Street there was crack sealing done on Main Street and Winter Street. He requested that staff come up with a targeted list of where more crack sealing could be done this year and how it will be funded, possibly in the \$9,000 to \$10,000 range.

MISCELLANEOUS

Councilor Gerding stated a resident inquired if there could be fencing or a barrier installed along Memorial Drive to prevent trash and trespass into the wetlands.

Councilor Witham stated one concern about a fence would be the aesthetics of it. He suggested signage as a first step solution.

Councilor Witham stated about 3-4 weeks ago there was an accident near a culvert that damaged the guard rail. He inquired how the repair was progressing. Director Bobinsky stated it is in progress, they have recently entered the purchase order for approval to get it done.

Councilor Witham stated the light pole that was replaced at the Police Department appears to be damaged again, perhaps during the installation process. He requested that be looked into.

Manager Belmore stated a Fremont Street resident reported a broken sign post. He stated Public Works addressed the matter. He stated the same resident requested that sidewalks receive more maintenance.

There was a brief discussion about a sidewalk maintenance plan. The Committee felt it deserved more attention. Councilor Witham suggested it may be a future agenda item to set policy, including the plan for addressing highly degraded sidewalks.

There was a brief discussion on the Blackwater Road pavement repairs at the transition to Old Rochester Road.

ADJOURNMENT

Motion to adjourn made by Councilor Vincent seconded by Councilor Gerding, motion passed 4-0. Meeting adjourned at 4:31 pm.

Respectfully submitted,

Dana Crossley, Planning Secretary