

CITY OF LACONIA - CITY COUNCIL SUBCOMMITTEE MEETING  
Public Works Committee

March 13, 2023  
6:00 pm

City Hall - Armand A. Bolduc Council Chamber

1. **CALL TO ORDER**
2. **SALUTE TO THE FLAG**
3. **RECORDING SECRETARY**
4. **ROLL CALL**
5. **STAFF IN ATTENDANCE**
6. **ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS**
  - 6.A. **Approval of draft Public Works Subcommittee minutes of August 25, 2022**

Documents:

[STAFF REPORT - APPROVAL OF DRAFT PUBLIC WORKS  
SUBCOMMITTEE MINUTES - 08.25.2022.PDF](#)  
[8\\_25\\_2022 - DRAFT MINUTES.PDF](#)

7. **PUBLIC WORKS (Haynes (Chair), Felch, Soucy)**

- 7.A. **Proposed changes to the City's Code of Ordinances, Chapter 189, Sewers**

Documents:

[STAFF REPORT - PROPOSED SEWER USE ORDINANCE.PDF](#)

- 7.B. **Request for City Council guidance on the Council's method for apportioning costs to abutters for a private road accepted as a City public street through the betterment process**

Documents:

[STAFF REPORT - ACCEPTING PRIVATE ROADS THROUGH THE  
BETTERMENT PROCESS.PDF](#)

- 7.C. **Automated Solid Waste Collection update**

Documents:

[STAFF REPORT - AUTOMATED SOLID WASTE PICKUP  
ORDINANCE.PDF](#)  
[PROPOSED CHANGES TO SOLID WASTE ORDINANCE CONVERSION  
TO AUTOMATED.PDF](#)

**7.D. Discussion regarding the City's retaining wall policy**

**8. Any other business that may come before the Committee**

**9. ADJOURNMENT**

This meeting facility is ADA accessible. Any person with a disability who wishes to attend this public meeting and needs additional accommodations, please contact the City Clerk's Office in City Hall by calling (603) 527-1265 at least 72 hours in advance so that the City can make any necessary arrangements.

**LACONIA CITY COUNCIL – PUBLIC WORKS SUBCOMMITTEE AGENDA  
MARCH 13, 2023**

**STAFF REPORT  
AGENDA ITEM 6A.  
APPROVAL OF DRAFT PUBLIC WORKS SUBCOMMITTEE  
MINUTES OF AUGUST 25, 2022**

**Discussion:** Minutes of the Public Works Subcommittee meeting of August 25, 2022 were distributed to the Subcommittee members on August 26, 2022.

**Fiscal Impact:** Not applicable.

**Recommendation:** Not applicable

**Report Submitted by:** Kirk Beattie, City Manager

**Proposed Motion:** *“With no corrections or changes submitted, the minutes will be accepted as distributed.”*

**CITY OF LACONIA - CITY COUNCIL SUBCOMMITTEE MEETING**  
**Public Works Committee**  
**August 25, 2022 - 7:00 P.M.**  
**City Hall - Armand A. Bolduc Council Chamber**

8/25/2022 - Minutes

**1. CALL TO ORDER**

Chairman Haynes called the meeting to order at 4:05 pm.

**2. SALUTE TO THE FLAG**

Chairman Haynes led the salute to the flag.

**3. RECORDING SECRETARY**

Nancy Brown, Administrative Assistant to the City Manager

**4. ROLL CALL**

Recording Secretary Brown called the roll of the following Councilors: Councilor Soucy and Chairman Haynes. Councilor Tony Felch was absent.

Chairman Haynes stated that a majority of the Committee members were in attendance, and a quorum was established.

**5. STAFF IN ATTENDANCE**

Scott Myers, City Manager; Glenn Smith, Finance Director; and Wes Anderson, Public Works Director

**6. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS**

**6.A. Public Works Subcommittee meeting minutes of July 21, 2022**

Minutes of the Public Works Subcommittee meeting of July 21, 2022 were distributed to the Subcommittee on August 23, 2022.

With no corrections or changes submitted to the Clerk, the minutes were accepted as distributed.

**7. PUBLIC WORKS (Haynes (Chair), Felch, Soucy)**

**7.A. Discussion on the proposed solid waste curbside collection cart allocation plan**

Public Works Director Wes Anderson provided the City Council with information related to automated solid waste pickup and the proposed solid waste cart allocation plan. He noted that there will be some City Council decisions coming up soon regarding this plan. At the September 12, 2022 City Council meeting he will make a presentation to the full Council, and at the September 26, 2022 meeting the Council will be asked to make a decision on the number of solid waste carts to be ordered.

The proposed contract for automated solid waste and recycling collection is based on 5,400 stops, including the two summer pickups in the Weirs that occur. Pickup of each container is considered a stop. The initial plan calls for carts to be provided to all curbside collection customers. Public Works will be identifying those streets that will still have to be manual collection because they are one-way streets or cul-de-sacs.

Director Anderson stated that property owners on private roads will have to bring their trash to the City's right of way. This will also be the case for some of the streets that the City is looking at not providing service

to, such as Plantation & Colonial, Hadley and New Hope Drive.

Councilor Soucy asked what will happen if property owners do not properly space their containers for pickup. Director Anderson replied that the containers will not be picked up.

Director Anderson stated that the current curbside container allowance for a single family (or apartment/condo complex with three units or less) is two 30-gallon containers for trash and no limit on recycling. Businesses now get a maximum of seven 30-gallon containers, and apartments/condos over three units also max out at seven 30-gallon containers, also with unlimited recycling.

Research from other communities shows that very few provide services to businesses. The communities that do limit those services to certain areas. City Manager Myers pointed out that the challenge is that all businesses cannot be treated equally in terms of collection of trash and recycling as some businesses may be more trash intensive than others.

A Recycling Partnership grant to assist the City in converting its recycling system from manual to automated collection would provide \$15 per cart reimbursement towards the purchase of recycling carts for residential properties. Households would be getting one 96-gallon cart for recycling to be put out for collection every other week.

City Manager Myers pointed out that part of the reason for the proposed 96-gallon recycling container is that all recycling materials (including cardboard, which is sometimes flattened and placed next to a recycling bin) will need to fit completely into the container. There will still be the option of bringing cardboard to the Messer St. location. This will also be true for businesses. City Manager Myers added that if an elderly or disabled resident does not generate that much recycling and would prefer a smaller container, the City would make that exception.

The current proposal would allow single family households, duplexes and triplexes one 64-gallon container per unit for disposing of trash per week. Recycling, which presently has no limit, will be restricted to one 96-gallon container under the proposed plan. Businesses will go from being allowed seven 30-gallon containers for trash to four 64-gallon containers; and from no limit for recycling to four 96-gallon containers. Apartments and condo complexes over three units will go from being allowed seven 30-gallon containers currently for trash to four 64-gallon containers; and from no limit for recycling to four 96-gallon containers.

City Manager Myers noted that an additional cage for cardboard was placed at the Messer Street location recently, providing twice the capacity as previously.

Councilor Soucy asked what would happen if an apartment complex, for example, has more than the proposed four 96-gallon cans every two weeks of recycling. City Manager Myers answered a program could be developed with an annual fee charged; the property owner would have to buy the container themselves in that case. He added that the City is not looking to increase the amount of trash picked up. If an apartment complex, etc. needed more capacity for trash they would have to get a dumpster for that property, or take the trash up to the Transfer Station and pay for it as a Laconia property owner.

Chairman Haynes raised the concern of someone parking in front of a container resulting in the container not being able to be picked up. City Manager Myers answered that is part of the planned education process. In the early stages of automated collection, the driver could get out of the truck, make a note and put a sticker on the container as to why it was not picked up. If the same situation occurred multiple times, eventually the container would not be emptied.

Director Anderson stated that the target date for implementation of the automated pickup is April 1, 2023.

**Motion made by Councilor Soucy to accept the recommendations provided by the Public Works Director, and present those recommendations to the City Council at the September 12, 2022 meeting. Seconded by Chairman Haynes.**

From the audience Councilor Cheney asked about the possibility of giving out some 96-gallon containers for trash. City Manager Myers answered that the City is trying to encourage more recycling because it is more cost effective. He added that a lot of food trash could be composted. The cost of solid waste is going to be increasing at a much greater rate than the cost of recycling. He does not feel the City should think about starting an a la carte service for trash removal choices. City Manager Myers does think, however, that allowing someone who wants an additional 96-gallon recycling container to pay a \$135 annual fee (plus the cost of the container) would be appropriate.

Chairman Haynes' voiced his concerns that part of the educational process has to be that this trash removal situation is not going to be cheap, and it is going to get worse. There is no easy fix and he believes this information has to be included in any education that is provided to the residents. The amount of City services and the expectation of future City services cannot continue at its current pace if there is going to be an exorbitant price increase in solid waste removal.

Councilor Soucy stated he has no problem with spending money on the educational component of this proposal. Director Anderson noted that part of the Recycling Partnership grant funds provide \$1 per cart purchased for educational purposes. City Manager Myers added that sample instructional videos were provided to the Council previously; it would not be necessary to re-invent the wheel. He stated that there will definitely be quirks along the way that we will work through as they come along, but nothing that would be insurmountable.

**The motion was unanimously approved.**

**8. Any other business that may come before the Committee**

There was no other business to come before the Committee.

**9. ADJOURNMENT**

Chairman Haynes adjourned the meeting at 4:45 pm.

**LACONIA CITY COUNCIL – PUBLIC WORKS SUBCOMMITTEE AGENDA  
MARCH 13, 2023**

**STAFF REPORT  
AGENDA ITEM 7A.  
PROPOSED CHANGES TO THE CITY’S CODE OF ORDINANCES,  
CHAPTER 189, SEWERS**

**Discussion:** In 2022 Public Works proposed a change to the City’s Sewer Ordinance so that the Ordinance and the system itself would meet the City’s Environmental Protection Agency (EPA) Permit and align with the Winnepesaukee River Basin Program (WRBP) sewer use rules and NH Department of Environmental Services’ suggested model sewer ordinance. The sewer collection system in the City, both public and private, must meet the permit’s requirements, WRBP rules and NH DES requirements.

On March 28, 2022, the City Council held a public hearing on the proposed changes to the City’s Sewer Ordinance. The public hearing was continued to date to be determined by the Council.

Part of the Council’s guidance after the public hearing was for Public Works to develop a proposal for the Sanitary Sewer Fund to pay for and coordinate the cleaning and inspection of the private sewers. The owners of private sewer systems would be responsible for meeting the remaining EPA requirements.

The City Council, as part of the sewer rate increase approved on February 13, 2023, funded the cleaning and inspection program for private sewers beginning in FY2025. The inspection program, however, is only one of the tasks that must be performed by collection system owners. The following are the EPA permit requirements for public and private sewer system owners:

- Adequate maintenance staff to carry out operations and maintenance
- Preventative maintenance program to prevent overflows and bypasses. Shall include an inspection program designed to identify all potential and actual unauthorized discharges and pump stations shall have an alternate power source in the event of a power failure.
- Shall control inflow and infiltration
- Collection system mapping
- Operation and maintenance plan
- Reporting sewer spills/overflows
- Annual reporting

The proposed changes to the ordinance will establish the following responsibilities.

<b>Permit Required Tasks</b>	<b>Association</b>	<b>City</b>	<b>Comments</b>
Day to day management of the system to include any pump stations that are part of the system	X		Property manager, Association or Contractors
Procedures for residents to report sewage issues to manager	X		Property Manager Or Association

Permit Required Tasks	Association	City	Comments
Inspection program for pipes		X	City programs begin FY 2025
Inspection program for manholes		X	City programs begin FY 2025
Maintenance/repair/improvement program for pipes	X		Property Manager Or Association
Maintenance/repair/improvement for manholes	X		Property Manager Or Association
Maintenance/repair/improvement program for pump stations	X		Property Manager Or Association
Reporting procedures for sewage spills	X		Property Manager Or Association
Correcting faults found during inspections	X		Property Manager Or Association
Updating the maps for systems	X		Property Manager Or Association
Annual report	X		Property Manager Or Association
Update City on Association POC	X		Property Manager and Association

In addition to incorporating the requirements of the WRBP's sewer rules (Env- Wq 1200), the changes add definitions, update design standards and the City's sewer connection permit requirements. The updates also include:

- Clarification on the 15% sewer surcharge for connections outside City limits to conform with existing intermunicipal agreements.
- A provision requiring the developer of a proposed sewer extension to analyze the capability of the existing system to accept a development's proposed flows.

Due to the extent of the changes, Public Works is proposing to change the Ordinance in its entirety.

**Fiscal Impact:** The owners of private sewers will have to develop funding sources to meet EPA requirements.

**Staff Recommendation:** Staff recommends the City Council schedule the continuation of the public hearing for June 12, 2023.

**This report submitted by:** Wesley B. Anderson, Director of Public Works

**Proposed motion:**

*"I move that the Public Works Committee ask the City Council to schedule a continuation of the public hearing on the proposed Sewer Ordinance for June 12, 2023."*



**LACONIA CITY COUNCIL – PUBLIC WORKS SUBCOMMITTEE AGENDA  
MARCH 13, 2023**

**STAFF REPORT  
AGENDA ITEM 7 B.  
REQUEST FOR CITY COUNCIL GUIDANCE ON THE COUNCIL'S  
METHOD FOR APPORTIONING COSTS TO ABUTTERS FOR A  
PRIVATE ROAD ACCEPTED AS A CITY PUBLIC STREET  
THROUGH THE BETTERMENT PROCESS**

**Discussion:** Public Works asks the Public Works Subcommittee to develop a recommendation for the City's Council's consideration and decision on how to apportion costs associated with the betterment process.

There are private roads that the City has been plowing that cannot participate in the accept "as-is" process based on a City Council decision. They can, however, become a private road through the betterment process. Under this process the abutting property owners pay back the City the costs of bringing a private road up to City standards so that it can be accepted as a public road. Per state law the abutters must pay back the City over a period of not more than 10 years. The City Council has traditionally required that all abutters agree to participate in the process before initiating the betterment process to accept a private road as a public street. The City Council can apportion the costs based on the number of lots, lot size, lot frontage or a combination of the three.

Two sets of private roads are considering participating in a betterment process that have a mixture of small and large lots. Thus, the method of apportioning costs is a consideration for property owners on whether they want to participate or not.

The abutters along Prescott Ave and Paugus Ave in the Christmas Island area are considering whether to petition the City Council to accept these two roads through the betterment process. The condominium association, The Lake Houses at Christmas Island, has asked City staff how the City Council intends to apportion the betterment costs before they make a decision to support the petition. The Association is one of the largest lots and has the most frontage on Prescott Ave which means their share of the cost of the project will vary depending on the Council's concept for apportioning costs. One factor that is impacting their decision is that the City has a pump station just west of their property, and the Association's leadership believes that the City will plow enough of Prescott Ave to be able to access the pump station if the abutters decide not to participate in the betterment process. Public Works plowing to the pump station also plows past their driveway entrances.

There is no option that is going to satisfy every abutter.

Background on Prescott Ave that is necessary for the discussion:

Abutters – 28

Frontage varies from 1 foot to 425 feet

Acreage varies from 0.05 acres to 4.2 acres

**Fiscal Impact:**

**Staff Recommendation:** Staff recommends that the Subcommittee discuss and make a recommendation to the City Council.

**This report submitted by:** Wesley B. Anderson, Director of Public Works

**Proposed motion:** None

**LACONIA CITY COUNCIL – PUBLIC WORKS SUBCOMMITTEE AGENDA  
MARCH 13, 2023**

**STAFF REPORT  
AGENDA ITEM 7C.  
PROPOSED CHANGES TO THE CITY’S SOLID WASTE  
ORDINANCES IN SUPPORT OF THE CONVERSION TO  
AUTOMATED SOLID WASTE COLLECTION**

**Discussion:** Request that the Public Works Committee review the proposed changes to the City’s solid waste Ordinance and recommend that the City Council approve the changes to the Ordinances.

The changes include the following:

- Eliminates the requirements for households and commercial properties to provide their own cans and the size requirements for those cans.
- Adds the requirement that solid waste containers provided as part of the conversion to automated collection belong to the City and remain with the property whenever the property is sold or a tenant relocates.
- Adds the requirement that properties with dumpsters will not receive City curbside collection services.
- Eliminates the remote recycling program.
- Changes the maximum quantity of containers based on the standard container sizes the City is providing to property owners.
- Eliminates the excess trash sticker program that allowed a single-family resident to put out an extra solid waste container for a fee.

Public Works recommends that the Public Works Subcommittee recommend that the City Council approve the proposed changes to the Solid Waste Ordinance that is attached.

**Fiscal Impact:** Eliminates the cost of providing containers and collecting solid waste from properties with dumpsters.

**Staff Recommendation.** That the Public Works Subcommittee recommend that the City Council approve the proposed changes to the Solid Waste Ordinance.

**This report submitted by:** Wesley B. Anderson, Director of Public Works

**Proposed Motion:**

*“I move that the Public Works Subcommittee recommend that the City Council approve the proposed changes to the Solid Waste Ordinance as presented.”*

CITY OF LACONIA

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In the Year of our Lord two thousand and twenty-three

**AN ORDINANCE AMENDING CHAPTER 194, SOLID WASTE**

The City of Laconia ordains:

That the ordinances of the City of Laconia, as amended, be and are further amended in Chapter 194, as follows:

§ 194-2 Refuse containers.

[Amended 3-31-1980 by Ord. No. 35-80.4; 5-14-2012 by Ord. No. 07.2012.07; 10-26-2020 by Ord. No. 2020-194]

- ~~A. For household garbage and rubbish. Every householder shall provide and maintain in proper order for the purpose of sorting and putting out for collection of garbage a sufficient number of tightly sealed containers having a capacity of not more than 30 gallons each. No container shall have a height greater than 36 inches or less than 18 inches or shall have a diameter larger than 20 inches or smaller than 15 inches, and no container shall weigh more than 50 pounds, including contents. The contractor shall not be responsible for damage to plastic containers. The contractor shall have the authority to refuse collection service for failure to comply herewith.~~

**A. Households and commercial buildings on public streets must use the city provided containers. The containers belong to the City and will remain with the property upon sale of the property or the departure of the tenant.**

~~B. For waste material. All other containers which do not conform to Subsections A and B[1] shall be considered waste material and may be collected and disposed of by the City or by the contractor.~~

[1]

Editor's Note: Former Subsection B was repealed 10-26-2020 by Ord. No. 2020-194.

**B. Properties with a dumpster do not receive solid waste curbside collection services.**

**C. All solid waste must be placed in a container to be collected by the City's collection contractor.**

~~€. D. City-owned public use containers. The City will place containers at various locations within the City. These containers are for the use of the general public. The use of these containers for the disposal of waste from residential or commercial buildings is prohibited.~~

§ 194-5 Maximum quantity of collectible waste.

[Amended 3-31-1980 by Ord. No. 35-80.4; 5-14-2012 by Ord. No. 07.2012.07; 6-10-2013 by Ord. No. 02.2013.02]

A. Residential. The number of **trash and recycling** containers put out for collection from any single-family or duplex dwelling is limited to ~~two~~ **one** per family.

[Amended 10-26-2020 by Ord. No. 2020-194]

B. Commercial/multifamily dwellings. The number of containers placed for collection from any other premises shall not exceed ~~seven~~ four for each collection.

[Amended 10-26-2020 by Ord. No. 2020-194]

~~C. Maximum quantity. Under circumstances where both Subsections A and B above apply, the maximum number of containers that may be put out for collection shall not exceed nine containers.~~

D. Recyclables. Mandatory recycling is a program for the separation of certain recyclable materials from garbage or rubbish. The separation and removal of certain designated materials for the purpose of recycling will serve the public interest by reducing solid waste and conserving our material resources.

[Amended 10-26-2020 by Ord. No. 2020-194]

E. Residents on curbside collection routes must participate in mandatory recycling in order to be eligible for collection of trash. [Amended 10-26-2020 by Ord. No. 2020-194]

F. Residents **on private roads** are invited to use remote recycling drop-off facilities at the Laconia Transfer Station.

~~Individuals exclusively using remote recycling drop-off centers are encouraged to procure from the Department of Public Works a "remote recycler" identification sticker, available at no cost. This will be necessary to identify the location as participating in recycling in order to be eligible for curbside collection of trash.~~

[Amended 10-26-2020 by Ord. No. 2020-194]

G. Recycling containers. ~~Recycling material must be contained in the following manner:~~

[Amended 9-8-2014 by Ord. No. 04.2014.04]

~~(1) Eighteen-gallon recycling bins, available for purchase for the current market price at the Department of Public Works, City Clerk or Tax Collector's office; or~~

~~(2) Sixty-four-gallon commercial-grade, wheeled totes, when available, may be purchased for the current market price at the Department of Public Works; or~~

~~(3) Any rigid container of your choice clearly marked "Recycling"; Department of Public Works has recycling stickers available free of charge.~~

H. Bulky items.

[Added 9-8-2014 by Ord. No. 04.2014.04]

(1) Larger items such as furniture, mattresses, box springs, carpet bundled in manageable sizes, toilets, sinks and other nonmetal items will be collected curbside on regular trash collection days if the item is affixed with a bulky item sticker purchased from the City.

(2) Qualifying metal items such as appliances (no TVs, computers, monitors or freon-containing items) can also be picked up by calling the Department of Public Works and finding out when the next metal item pickup day is scheduled and providing your street address. Metal items also require a bulky item sticker.

(3) Bulky item stickers are available for purchase from the Tax Collector, City Clerk or Department of Public Works for \$6 ~~8~~.

~~I. Curbside collection of excess residential solid waste.~~

~~[Added 10-26-2020 by Ord. No. 2020-194]~~

~~(1) Single-family residences may place excess trash in trash bags in a container. The top trash bag in the excess container must have an excess trash sticker on it. The sticker may also be fixed to the solid-waste container in such a manner that emptying the container destroys the sticker.~~

~~(2) A commercial enterprise may use the excess item stickers on a limited basis with the approval of the City Manager or the Director of Public Works.~~

~~(3) Excess trash can stickers are available for purchase from the Tax Collector, City Clerk or Department of Public Works. The price for five stickers is \$15.~~

This Ordinance amendment shall take effect on May 1, 2023.

Andrew Hosmer, Mayor

Passed and approved this        day of                    2023.

Katie Gargano, City Clerk