

PUBLIC HEARING – December 18, 2017

Mayor Grenier opened the duly scheduled and advertised Public Hearing at approximately 7:35 p.m. to hear comments on the following subject matters:

Ordinance 2017-07 Zoning Amendments for Photovoltaic Systems

Resolution 2017-23 PD \$120,000 Byrne JAG Grant

Resolution 2017-24 Authorizing an Application to NH Public Infrastructure Fund for Life-Safety Infrastructure Repairs (\$2,001,000.00) and Improving Security (\$99,568.00)

Mayor Grenier asked for comments from the public; with none presented, the public hearing on the subject matters above closed at 7:37 p.m.

CITY COUNCIL MEETING – Monday, December 18, 2017

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:37 p.m. in the City Hall Council Chambers. The pledge of allegiance to the flag preceded roll call. Present: Councilors Otis, Nelson, Higbee, Gentili, Rozek, and Theberge. Absent: Councilors Remillard and Morgan Allain. Also present: Jim Wheeler, Susan Tremblay, Corrine Cascadden, Dan Buteau and Barbara Tetreault, Berlin Daily Sun

Minutes, Previous Meeting

Councilor Theberge moved with a second by Councilor Nelson to accept the minutes of the December 4th Regular Meeting/Work Session as well as the minutes from the December 11th Work Session. So moved, the motion carried.

Disbursements:

Disbursement Summary Draft #1804 start date 12/05/2017 end date 12/18/2017 for a total cash disbursement of \$1,011,866.55. Councilor Theberge moved with a second by Councilor Nelson to accept the disbursement summary and pay all bills as recommended by the Committee on Accounts/Claims. So moved, the motion carried.

PUBLIC COMMENTS – There were none.

UNFINISHED BUSINESS

1. Council Committee Reports – There were none.
2. Ordinance 2017-07 Zoning Amendments for Photovoltaic Systems (tabled 12/04/2017)

AN ORDINANCE amending the Code of Ordinances of the City of Berlin, Chapter 17, ZONING, ARTICLE V., Rural Residential Zone, Section 17-58, Requirements for Special Exceptions for Commercial Scale Solar Photovoltaic Systems and Overlay Area, ARTICLE XI., Industrial Business Zone, Section 17-118, Requirements for Special Exceptions for Commercial Scale Solar Photovoltaic Systems and Overlay Area and ARTICLE XXI. Definitions, Section 17-122, Specific Definitions

Be it ordained by the City Council of the City of Berlin as follows:

That the Code of Ordinances of the City of Berlin Chapter 17, ZONING, ARTICLE V. Section 17-58, Requirements for Special Exceptions for Commercial Scale Solar Photovoltaic Systems and Overlay Area, ARTICLE XI. Section 17-118, Requirements for Special Exceptions for Commercial Scale Solar Photovoltaic

Systems and Overlay Area and ARTICLE XXI. Definitions, Section 17-122, Specific Definitions are hereby amended to read as follows (double underline = new language):

Article V

Rural Residential Zone (RR)

Sec. 17-58

Requirements for Special Exceptions for Commercial Scale Solar Photovoltaic Systems and Overlay Area

Special Exceptions for commercial scale solar photovoltaic systems may be granted provided that the system meets the requirements of Section 17-24 and the following criteria:

1. Commercial Scale Solar Photovoltaic Systems will only be allowed in Rural Residential in the area designated as shown on the attached map. This area is generally described being located north and west of NH Route 110 bounded by NH Route 110, the White Mountain National Forest, Jericho Mountain State Park and the town boundary line with Gorham.

Article XI

Industrial Business Zone (IB)

Sec. 17-118

Requirements for Special Exceptions for Commercial Scale Solar Photovoltaic Systems and Overlay Area

Special Exceptions for commercial scale solar photovoltaic systems may be granted provided that the system meets the requirements of Section 17-24 and the following criteria:

1. Commercial Scale Solar Photovoltaic Systems will be allowed in all of the Industrial Business Zone.

Article XXI

Definitions

Sec. 17-222.

Specific Definitions

Solar Photovoltaic (PV) System - A solar collection system consisting of one or more building systems, solar photovoltaic cells, panels or arrays and solar related equipment that rely upon solar radiation as an energy source for collection, inversion, storage and distribution of solar energy for electricity generation which is intended only for commercial use or sale.

This Ordinance shall be in full force and effect from and after passage.

Councilor Nelson moved with a second by Councilor Higbee to remove the ordinance from the table at this time. So moved, the motion carried.

Councilor Nelson moved with a second by Councilor Higbee to have the ordinance read a second time by title only. So moved, the motion carried.

Councilor Nelson moved with a second by Councilor Higbee to have the ordinance read a third time by title only. So moved, the motion carried.

Councilor Nelson moved with a second by Councilor Higbee to pass the ordinance. So moved, the motion carried.

3. Resolution 2017-23 PD \$120,000 Byrne JAG Grant (tabled 12/04/2017)

In the Year of Our Lord Two Thousand Seventeen

A RESOLUTION authorizing the Berlin Police Commission to apply for and receive One Hundred Twenty Thousand Dollars (\$120,000.00) in grant funds over two years, from the NH Department of Justice for the purpose of effectuating the Byrne JAG Grant.

Resolved by the City Council of the City of Berlin as Follows:

WHEREAS the Berlin Police Department supports a state-wide drug policy; and

WHEREAS use and trafficking of illegal drugs remains problematic statewide, including the North Country; and

WHEREAS, there are limited resources for the New Hampshire Drug Task Force and northern New Hampshire police departments to call upon for assistance; and

WHEREAS Byrne JAG grant funding is available for agency participation in the NH Drug Task Force; and

WHEREAS, the grant requires matching funds of \$40,000.00 of which \$26,667.00 is to be appropriated in FY18 from Unappropriated Fund Balance and future matching funds will be subject to the standard municipal budget process; and

WHEREAS, the County has tentatively agreed to provide up to \$20,000.00 which, upon receipt, would be deposited into the General Fund; and

WHEREAS the Department's participation in the NH Drug Task Force would have an impact on the trafficking of illegal drugs in the North Country, as well as the drug problem statewide, by assisting in halting the sources of supply into and out of the northern portion of the state.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH, that the Berlin Police Commission is authorized to apply for and receive \$120,000.00 of grant funds from the NH Department of Justice Byrne JAG Grant. The sum of One Hundred Twenty Thousand Dollars (\$120,000.00) is hereby appropriated to the Berlin Police Department grant fund, and Twenty-Six Thousand, Six Hundred Sixty-Seven Dollars (\$26,667.00) is hereby appropriated to the Special Enforcement line item (01-420-114-0000) for Fiscal Year 2018, in addition to all previously-appropriated funds.

Be it further resolved that the City Manager is authorized to do all things necessary to effectuate the grant.

This Resolution shall be in full force and effect from and after passage.

Councilor Nelson moved with a second by Councilor Higbee to remove the resolution from the table at this time. So moved, the motion carried.

Councilor Nelson moved with a second by Councilor Higbee to have the resolution read a second time by title only. So moved, the motion carried.

Councilor Nelson moved with a second by Councilor Higbee to have the resolution read a third time by title only. So moved, the motion carried.

Councilor Nelson moved with a second by Councilor Higbee to pass the resolution. So moved, the motion carried.

4. Resolution 2017-24 Authorizing an Application to NH Public Infrastructure Fund for Life-Safety Infrastructure Repairs (\$2,001,000.00) and Improving Security (\$99,568.00) (tabled 12/04/2017)

In the Year of Our Lord Two Thousand Seventeen

A RESOLUTION authorizing the Berlin School Department to apply for and accept funding from the N.H. Public Infrastructure Fund for Life-Safety Infrastructure Repairs (\$2,001,000.00) and Improving Security (\$99,568.00) (NH RSA 198:15-y,III,(a) & (b))

Resolved by the City Council of the City of Berlin as Follows:

Whereas Life-Safety Infrastructure Repairs are directed to the development of an access road, parking, and a secure main entrance to Mini-Mounties preschool/Career and Technical Education Program, on the backside of Berlin High School, abutting Mt. Jasper.

Whereas Life-Safety Infrastructure Repairs are also directed to renovate the main front entrance facing Willard St. at Berlin High School, for a more secure and safe entrance with a vestibule.

Whereas Improving Security will include additional surveillance cameras to accommodate the rear building entrance access to Berlin High School

Whereas Improving Security will upgrade the current security system of access control with wireless solutions for effective video management, audio and data in real time.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Berlin, NH authorizes an application to the NH Public Infrastructure Fund for Life-Safety Infrastructure Repairs in the amount of Two Million, One Thousand Dollars (\$2,001,000.00) and Improving Security in the amount of Ninety-Nine Thousand, Five Hundred Sixty-Eight Dollars (\$99,568.00). Further that upon receipt, such funds shall be appropriated to the School Department for the purpose of the grant.

Be it further resolved, that the Superintendent of Schools is authorized to do all things necessary to effectuate the grant.

This Resolution shall be in full force and effect from and after passage.

Councilor Theberge moved with a second by Councilor Higbee to remove the resolution from the table at this time. So moved, the motion carried.

Councilor Theberge moved with a second by Councilor Higbee to have the resolution read a second time by title only. So moved, the motion carried.

Councilor Theberge moved with a second by Councilor Higbee to have the resolution read a third time by title only. So moved, the motion carried.

Councilor Theberge moved with a second by Councilor Higbee to pass the resolution. So moved, the motion carried.

NEW BUSINESS

5. Resolution 2018-01 Appropriating up to \$28,000 for the Purchase of a Pickup Truck (1st read)

Councilor Nelson moved with a second from Councilor Higbee to table this resolution and schedule a public hearing for January 2, 2018. So moved, the motion carried.

6. City Manager's Report

1. Bids were opened on Thursday, December 7 for 635 Hillsboro Street and Mr. Nigel Wright was the high and only bidder at \$15,200. Mr. Wright is eager to acquire the property and to do the necessary repairs. He intends to use it as an investment property.
2. The City received bids for the aeration blower replacement at the wastewater treatment plant. The bids are currently being reviewed. We had very competitive pricing in that we received a total of 7 bids for the work. The bid summary is attached.
3. The Subcommittee of the ASB charged with providing guidance to the Legislature on Utility valuation is continuing to meet. The next meeting is on January 5th. The group hopes to inform the commission that will potentially be formed as part of HB324 for the same purpose. The subcommittee members include Rep. Peter Smith, Selectmen Bob Edward, Antrim, Betsey Patten, Bow, DRA. Dir. Steve Hamilton, Scott Bartlett, Goffstown Assessor, Joe Lessard, MRI Assessor, Loren Martin, AVITAR Assessing and me.
4. It is that time of year. City Department Heads are receiving FY19 Budget information now and will be working on the initial budget over the next few weeks. A proposed budget schedule will be provided and an upcoming City Council Meeting.

5. The Berlin Recreation Department and the Berlin Bowling Center are offering a Cosmic Bowling Event during Christmas Vacation, on Wednesday December 27th from 11:00 a.m. to 1:00 p.m. In addition to bowling, there will be pizza and “make your own sundae.” Register ahead at the Rec or at the Bowling Center. Cost is \$8 for children under 12 and \$10 over 12.
6. The Police Statistic Report for November is attached.
7. Attached is an article about a small community in Nova Scotia that wants to model itself after Berlin with regard to ATV’s. Don’t be confused by the familiar names you read in the article. It is in Cumberland County in Nova Scotia (not Maine) and Hudson is the president of the Cumberland County Riders, not Hudson, NH. The article cites the success of Berlin! Imitation is the best form of flattery, as they say.
8. As the year closes, I would like to thank all City Staff for the committed work they provide to the citizens every day. I would also like to thank the City Council for its hard work week after week to make Berlin better and better. Happy Holidays to everyone!

Councilor Rozek stated that the gasoline breakdown that has been received/prepared works well. He wondered if Council will be receiving the same thing from the Police and Fire Departments. Mr. Wheeler stated that he will look into getting the report for them. Councilor Nelson asked when budget information from the department heads is expected to be forwarded to Finance Director, Patty Chase. Mr. Wheeler said that the department heads need to have the information to Ms. Chase by January 16th.

Councilor Rozek moved with a second from Councilor Gentili to accept the City Manager’s Report and place it on file. So moved, the motion carried.

7. Mayor’s Report – There was none
8. PUBLIC COMMENTS - There were none.
9. Council Comments –

Councilor Gentili stated that on Thursday, December 21st, the Berlin/Gorham Emergency Response Team will be training at 611 Rockingham Street. He thanked Mr. Wheeler for the opportunity.

10. Adjournment

There being no further business before the Mayor and Council, Councilor Rozek moved with a second by Councilor Nelson to adjourn the regular meeting. So moved, the motion carried and Mayor Grenier declared the regular meeting adjourned at approximately 7:58 P.M.

A True Record, Attest:

Elaine Riendeau
City Clerk

Note: Minutes are unofficial until they have been accepted by the Council by motion.