

CITY COUNCIL MEETING – Monday, September 16, 2019

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:58 p.m. in the Council Chambers.

Public Hearing

Mayor Grenier opened the Public Hearing at 7:58 pm for Ordinance 2019-05 Rescinding No Parking on Main and Eighth Street by Brown School. There were no public comments. Mayor Grenier closed the public hearing at 7:59 pm.

Mayor Grenier opened the Public Hearing at 7:59 pm for Resolution 2019-27 Carry Over Capital Appropriations from FY19 to FY20. There were no public comments. Mayor Grenier closed the public hearing at 7:59 pm.

Regular Meeting

a. Pledge of Allegiance

b. Roll Call

Present: Mayor Grenier, Councilors Remillard, Otis, Morgan, Gentili, Higbee, Rozek, Berthiaume, and Theberge

Absent: None

Also present: James Wheeler, Susan Tremblay, Shelli Fortin, Jamie Welch, Sandra Barreira, Fernando Maximo, and Barbara Tetreault, Berlin Daily Sun.

c. Councilor Remillard moved, with a second by Councilor Otis, to accept the minutes of the September 3, 2019 Regular Meeting and Work Session. So moved, the motion carried.

Disbursements:

Disbursement Summary Draft #1847 start date 09/04/2019 end date 09/16/2019 for a total cash disbursement of \$677,161.52. Councilor Theberge moved with a second by Councilor Berthiaume to accept the disbursement summary and pay all bills as recommended by the Committee on Accounts/Claims. So moved, the motion carried.

Councilor Rozek moved, with a second from Councilor Morgan, to add a communication from Judith Thompson that was received today to the agenda under 4a. So moved, the motion carried.

PUBLIC COMMENTS – There were no public comments.

UNFINISHED BUSINESS

1. Ordinance 2019-05 Rescinding No Parking on Main and Eighth Street by Brown School (tabled 09/03/2019)

In the year of our Lord Two Thousand Nineteen

AN ORDINANCE amending the CODE OF ORDINANCES, Chapter 15 , TRAFFIC AND VEHICLES, ARTICLE III. STOPPING, STANDING AND PARKING, Sec. 15-69. Prohibited at all times in designated places, rescinding “no parking” on Eighth Street and rescinding “no parking” on Main Street, both in the area of Brown School.

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

That Sec. 15-69. is hereby amended by eliminating the “no parking” designations depicted below.

Sec. 15-69. Prohibited at all times in designated places.

(a)

~~Eight Street, south side, Main Street to Norway Street and be posted with signs stating, "No Parking between signs, Monday to Friday, 7:00 a.m. to 3:30 p.m. during school hours."~~

~~Main Street, west side, for forty (40) feet north of Eighth Street (Ord. 9/21/09)~~

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

Councilor Remillard moved, with a second by Councilor Otis, to remove this item from the table. So moved, the motion carried.

Councilor Remillard moved to amend the Ordinance by removing the language in section A. Mayor Grenier advised that an amendment was not needed. Councilor Remillard rescinded her motion to amend.

Councilor Remillard moved, with a second by Councilor Otis, to read Ordinance 2019-05 by short title for a second time. So moved, the motion carried.

Councilor Remillard moved, with a second by Councilor Otis, to read Ordinance 2019-05 by short title for a third time. So moved, the motion carried.

Councilor Remillard moved, with a second by Councilor Otis, that Ordinance 2019-05 be passed. So moved, the motion passed.

2. Resolution 2019-27 Carry Over Capital Appropriations from FY19 to FY20 (tabled 09/03/2019)

In the Year of Our Lord Two Thousand Nineteen

A RESOLUTION carrying over One Million, Nine Hundred and One Thousand, Five Hundred Sixty Five Dollars and Ninety-Five Cents (\$1,901,565.95) of Capital Appropriations from the Fiscal Year ending June 30, 2019 which are not yet expended to Fiscal Year 2020.

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

That the following capital appropriation funds be carried over as described below:

Item	From Account #	FY19 Carry Over Request to FY20 Purpose	Request	City Manager Recommendation
		Carryover Requests from FY19 Capital Improvement Funds to Current Year FY20 Segregated Funds		
	01-461-400-0000	BMS Gym Floor/Repairs	\$19,660.00	\$19,660.00
	01-461-400-0002	School Masonry and Brick Work	\$10,000.00	\$10,000.00
	01-461-400-0003	School Roof Replacement	\$12,238.44	\$12,238.44
	01-461-400-0023	Resurfacing BHS Running Track	\$2,000.00	\$2,000.00
	01-461-400-0024	BHS Engineering Services Exterior Security	\$30,300.00	\$30,300.00
	01-480-910-0003	Downtown Improvements	\$3,829.78	\$3,829.78
	01-480-913-0020	Coos Street and Johnson Brook Repairs	\$71,250.00	\$71,250.00
	01-480-913-0021	EM Landfill GAS Migration	\$6,120.91	\$6,120.91
	01-480-932-0027	PD Replacement Windows	\$2,640.00	\$2,640.00
	01-480-932-0028	PD Third Floor Renovation	\$5,000.00	\$5,000.00
	01-480-932-0029	PD Dispatcher Desks	\$20,000.00	\$20,000.00
	01-480-932-0032	PD/REC Building Boiler	\$3,227.00	\$3,227.00
	01-480-961-0006	FD Portable/Handheld Rados	\$4,750.00	\$4,750.00
	01-480-961-0009	FD Engine One Replacement	\$80,000.00	\$80,000.00
	01-480-962-0004	PW Equipment Replacement	\$54,699.00	\$54,699.00
	01-480-962-0019	PW Loader Refurbishing	\$45,000.00	\$45,000.00
	01-480-962-0020	PW Infrared Equipment	\$21,000.00	\$21,000.00
	01-480-963-0034	Skate Park	\$2,862.73	\$2,862.73
	01-480-963-0050	Heritage Park	\$783.68	\$783.68
	01-480-965-0002	IT Initiative	\$14,528.91	\$14,528.91
	01-480-975-0000	Library Blding Improvements	\$9,875.60	\$9,875.60
A		Total FY19 Capital Improvement Funds to Carryover	\$419,766.05	\$419,766.05

Item	From Account #	Carryover Requests from Prior Year Segregated Capital Improvement Funds	Request	City Manager
		to Current Year FY20 Segregated Funds		Recommendation
	01-495-995-0102	Heritage Park	\$ 1,201.09	\$ 1,201.09
	01-495-995-0403	PW Garage	\$ 7,039.20	\$ 7,039.20
	01-495-995-0706	Recreation Soccer Goals	\$ 532.44	\$ 532.44
	01-495-995-0709	Interior/Exterior Recreation Repairs	\$ 6,749.86	\$ 6,749.86
	01-495-995-0901	Police Bldg Maintenance/Repairs	\$ 7,763.47	\$ 7,763.47
	01-495-995-1001	City Hall Repairs	\$ 9,751.78	\$ 9,751.78
	01-495-995-1306	FD Engine Repairs	\$ 599.70	\$ 599.70
	01-495-995-1308	Fire Department Floor	\$ 12,000.00	\$ 12,000.00
	01-495-995-1313	FD Repair Program	\$ 685.07	\$ 685.07
	01-495-995-2503	Retaining Wall Repairs	\$ 17,465.03	\$ 17,465.03
	01-495-995-2504	Storm Drain Replacement	\$ 15,842.35	\$ 15,842.35
	01-495-995-2605	Sidewalk Replacement	\$ 26,013.20	\$ 26,013.20
	01-495-995-2606	Highway Contruction/Reconstruction	\$ 11,800.97	\$ 11,800.97
	01-495-995-3502	Library Building Improvements	\$ 32,847.14	\$ 32,847.14
B		Total Prior Year Segregated Capital Funds to Carryover	\$150,291.30	\$150,291.30
		Sewer Fund		
	60-480-438-0026	Replacement Cost Reserve	\$ 423,989.00	\$ 423,989.00
C		Total FY19 Sewer Capital Improvement Funds to Carryover	\$ 423,989.00	\$ 423,989.00
	60-495-995-0101	Sanitary Line Replacement	\$ 15,446.81	\$ 15,446.81
	60-495-995-0103	Replacement Cost Reserve	\$ 892,072.79	\$ 892,072.79
	60-495-995-0106	Long Term CSO Plan	\$ -	\$ -
D		Total Prior Year Segregated Sewer Capital Funds to Carryover	\$907,519.60	\$907,519.60
A+B		Total FY19 Capital Improvement Funds and Prior Year Segregated Funds	\$570,057.35	\$570,057.35
C+D		Total FY19 Capital Improvement Sewer Funds and Prior Year Segregated Funds	\$1,331,508.60	\$1,331,508.60
A+B+C+D		Total Carryover Capital Improvement Sewer Funds Requested from FY 2019 (All Funds)	\$1,901,565.95	\$1,901,565.95

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

Councilor Higbee moved, with a second by Councilor Berthiaume, to remove this item from the table. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Berthiaume, to read Resolution 2019-27 by short title for a second time. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Berthiaume, to read Resolution 2019-27 by short title for a third time. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Berthiaume, that Resolution 2019-27 be passed. So moved, the motion passed.

3. Council Committee Reports – There were no committee reports. Councilor Rozek reminded the Council that there will be a Traffic Safety Committee meeting next Monday, September 23, 2019, at 5:30 pm.

NEW BUSINESS

4. City Manager's Report

1. There will be a Public Hearing on the State's 10 Year Transportation Plan on Thursday, September 19th, at 1:00 p.m. in the City Hall Auditorium. The purpose of the Ten Year Plan is to develop and implement a plan allowing New Hampshire to fully participate in federally supported transportation improvement projects as well as to outline projects and programs funded with State transportation dollars. The document can be viewed on DOT's website.

2. Berlin Ambulance has forwarded its monthly statistics and they are attached. Chris Dubey informed that BEMS anticipates delivery of a new van on or about the 17th of this month. They are also acquiring new “X series” defibrillators and they are working the possibility of acquiring refurbished power lift stretchers.
3. The House and Senate will both meet this week to consider override votes- the House, on Wednesday, September 18th, and the Senate, on Thursday, September 19th. Below are some of the bills in which municipalities have a strong interest.

Bill no.	Description	NHMA position
HB 183	Requires electric distribution companies to purchase baseload renewable generation credits from eligible biomass energy facilities	OVERRIDE veto
HB 365	Increases cap for net metering projects to 5 megawatts. NHMA POLICY.	OVERRIDE veto
HB 409	Increases maximum optional fee for local transportation improvements. NHMA POLICY.	OVERRIDE veto
HB 706	Establishes an independent redistricting commission. NHMA POLICY.	OVERRIDE veto
SB 100	Prohibits employers from asking about criminal history on employment applications.	SUSTAIN veto
SB 148	Requires public employers to allow labor union representatives to meet with employees on the employer's premises	SUSTAIN veto
SB 271	Requires payment of “minimum prevailing hourly rate of wages and benefits” to workers on public works projects.	SUSTAIN veto

4. Engine 1 sustained some minor damage at a fire at 388 Westcott Street on Saturday, September 7th. The damage did not affect the operation or the functionality of the engine, however some of the lights and stickers were melted, and all the rear compartment doors have been wrinkled or distorted from the heat. A claim was filed with Primex and is under review.

Councilor Rozek moved with a second from Councilor Berthiaume to accept the City Manager's Report and place it on file.

Councilor Higbee pointed out that the filing dates for the municipal election begin next week.

So moved, the motion carried.

a. Letter from Judith Tompson

City Traffic Safety Committee
ATTN: Mike Rozek, Chairman

I am writing to request a street light be installed on the existing pole directly across from my property located in Berlin at 134 Stafford Street. I purchased the property in April 2019. I am physically disabled. Due to Safety issues, property street lighting is necessary.

Thank you for your time and attention to this matter.

Sincerely,
Judith Tompson

Councilor Rozek moved, with a second by Councilor Remillard, to send a letter to Judith Tompson acknowledging receipt of her letter, to forward the letter to Public Works and the Police Department, and remand the letter to the Traffic Safety Committee for review. So moved, the motion carried.

5. Mayor's Report

a. Letter from Pam Bouchard

To: Mayor and City Council
Berlin Police Department

At 7:45 a.m. on Thursday, September 5th, I wasn't wondering if I would live through the day. It wasn't really a concern until I attempted to go through the High St./School St. intersection on that clear dry morning.

I never saw what hit me. I just knew it was a vehicle coming from the southern end of School St. through the stop sign and into the front driver's corner of my vehicle, deploying the air bags, taking out the front of my van and injuring me.

Even though the other driver failed to stop, the bigger issue here is the cars that are parking too close to the corner along High St. Even when you do stop at the School St. stop sign, there is no way to see to the right if any cars are coming. Visibility looking left up High St. by the Baptist Church is adequate, but there is no trying to look through the cars that hug the corner to right of that stop sign.

For years now, drivers have had to inch their way through that intersection when those cars are parked close to the corner. It's getting ridiculous and dangerous.

I urge you to take this matter as serious as a heart attack. Expedite your discussions and pass whatever you have to in order to rectify this safety issue.

Should the city fail to act in a timely manner and should a FWTH occur; (FATALITY WAITING TO HAPPEN), then I guess someone will have to live with it. I know I'm just happy to not to dead.

Thanks in advance,

Pam Bouchard
Berlin

Councilor Rozek moved, with a second by Councilor Morgan, to send a letter to Pam Bouchard acknowledging receipt of her letter, to forward the letter to Public Works and the Police Department, and remand the letter to the Traffic Safety Committee for review.

Councilor Berthiaume stated that the same issues occur on many corners and also with people parking too close to driveways. Councilor Berthiaume suggested that the Police Department take extra time to enforce parking laws.

So moved, the motion carried.

b. Letter From BHS Backers – Homecoming Parade

Dear Mayor Grenier & Council Members

The Berlin High School Backers would like to extend an invitation to each and every one of you to participate in this year's BHS Homecoming Parade festivities. It would be an honor to have you participate with the students.

The parade will begin at 7:00 pm on Friday, September 29, 2017. We ask that you arrive at the corner of 10th Street and Main Street at 6:30 pm. A Backer will be there to provide parade line up assistance.

Please RSVP to our email address berlinbackers@gmail.com or to Kristy Labrecque at 723-5940 no later than Friday, September 22, 2017.

Sincerely,
BHS Backers
Homecoming Committee

Councilor Remillard moved with a second from Councilor Higbee to accept the communication from the BHS Backers and place it on file. Councilor Higbee noted that the dates are incorrect in the letter, and the parade should be on Friday, September 27, 2019. So moved, the motion carried

6. PUBLIC COMMENTS – There were no public comments.

7. Council Comments – Councilor Morgan asked how the new traffic pattern was working at the Berlin Middle High School. City Manager Wheeler advised he did not hear anything yet from the Police Department, but that it should be covered at the Traffic Safety Committee meeting next Monday.

Councilor Theberge asked about cleanup at George Stanley's property and City Manager Wheeler advised the ad will be in the paper tomorrow for cleanup services. Councilor Theberge mentioned that an unregistered vehicle has been parked in front of the property and halfway on the sidewalk for years. The Police Department will be contacted to have it removed.

8. Adjournment

At approximately 8:24 p.m. Councilor Rozek moved with a second by Councilor Higbee to adjourn the regular meeting. So moved, the motion carried.

A True Record, Attest:

Shelli Fortin
City Clerk

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