

CITY COUNCIL MEETING – Monday, February 3, 2020

Mayor Grenier called the Regular City Council Meeting to order at approximately 8:03 p.m. in the Council Chambers.

Public Hearing

Mayor Grenier opened the Public Hearing at 8:03 pm for Ordinance 2020-01 Proposed Zoning Change. There were no public comments. Mayor Grenier closed the Public Hearing at 8:04 pm.

Mayor Grenier opened the Public Hearing at 8:04 pm for Resolution 2020-02 Census Awareness Grant for \$6,000. There were no public comments. Mayor Grenier closed the Public Hearing at 8:04 pm.

Mayor Grenier opened the Public Hearing at 8:04 pm for Resolution 2020-03 Re-appropriating \$24,287.45 to Bridge Inspection/Repairs.

Richard Laflamme of 128 Jasper Street asked how the contractors were chosen and City Manager Wheeler advised that the Council was asked to waive the RFP process so that the work could get done, since they can only evaluate the bridge when Central Rivers draws the river down. Laflamme mentioned that there was an employee at HEB who is a relative of someone in city government and Mayor Grenier confirmed that his son works for HEB as a civil engineer, not a structural engineer.

Mayor Grenier closed the Public Hearing at 8:07 pm.

Regular Meeting

a. Pledge of Allegiance

b. Roll Call

Present: Mayor Grenier, Councilors Remillard, Otis, Morgan, Eastman, Higbee, Rozek, Berthiaume, and Theberge
Absent: None

Also present: James Wheeler, Susan Tremblay, Pamela Laflamme, Shelli Fortin, Richard Laflamme, Adam Hammill, Gina Welch, Jamie Welch, Julie King, Peter Morency, Jan Zicha, and Barbara Tetreault, Berlin Daily Sun.

c. Councilor Remillard moved, with a second by Councilor Otis, to accept the minutes of the January 20, 2020 Regular Meeting and Work Session, and the January 27, 2020 Work Session. So moved, the motion carried.

Disbursements:

Disbursement Summary Draft #1856 start date 01/18/2020 end date 02/03/2020 for a total cash disbursement of \$1,228,170.37. 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.

PUBLIC COMMENTS –

Richard Laflamme of 128 Jasper Street stated that he spoke with other cities as to how they conduct their meetings and was advised they are broadcast on local television stations. Mayor Grenier mentioned that we do not have a radio or television station in Berlin. Laflamme suggested that the City buy the equipment and have someone record the meetings.

Jan Zicha spoke on behalf of Transit X, a company interested in coming to Berlin to install a gondola system from Route 110 to the top of Jericho Mountain. Zicha advised that they have asked him to make this public information and are hoping for expeditious dealings with the City to start building in the spring. Zicha stated he is optimistic about the project, which could create jobs and an opportunity for tourism. Mayor Grenier advised that they are meeting on Wednesday morning, and noted that Jericho Mountain is state property.

UNFINISHED BUSINESS

1. Ordinance 2020-01 Proposed Zoning Change (tabled 01/20/2020)

In the year of our Lord Two Thousand Twenty

AN ORDINANCE amending the Code of Ordinances of the City of Berlin, Chapter 17, ZONING, ARTICLE IV, Establishment of Zoning Districts, Section 17-41, Zoning Districts

Whereas, the Planning Board has determined the best and highest reuse of the property (which is the site of the former Berlin Armory), will only occur if rezoned from its current designation of Rural Residential to Industrial Business

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

NOW THEREFORE BE IT ORDAINED by the Mayor and Council that the Code of Ordinances of the City of Berlin Chapter 17, ZONING, ARTICLE IV, Establishment of Zoning Districts, Section 17-41, Zoning Districts is hereby amended as follows

OFFICIAL ZONING MAP

The City of Berlin Zoning Map shall be changed to reflect the following:

1. A map is attached to this ordinance to clearly reflect the change being made along Riverside Drive by adding Tax Map 404 Lot 1 to the Industrial Business Zone.

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, with a second by Councilor Otis, to read Ordinance 2020-01 by short title for a second time. So moved, the motion carried.

Councilor Remillard moved, with a second by Councilor Otis, to read Ordinance 2020-01 by short title for a third time. So moved, the motion carried.

Councilor Remillard moved, with a second by Councilor Otis, that Ordinance 2020-01 be passed. So moved, the motion passed.

2. Resolution 2020-02 Census Awareness Grant \$6,000 (tabled 1/20/2020)

In the Year of Our Lord Two Thousand Twenty

A RESOLUTION accepting a grant in the amount of Six Thousand Dollars (\$6,000.00) from the Neil and Louise Tillotson Fund of the NH Charitable Foundation to increase public awareness and participation in the 2020 Census throughout Coos County.

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

Whereas, the Census is mandated by Article I, Section 2 of the Constitution and takes place every 10 years; and

Whereas, the data collected by the census determines the number of seats each state has in the U.S. House of Representatives and is also used to distribute billions in federal funds to local communities; and

Whereas, the Neil and Louise Tillotson Fund wants to ensure a complete count of the citizens in Coos County and has funds available to allow the City purchase outreach materials to increase public awareness and participation in the 2020 Census throughout Coos County; and

Whereas, the funds awarded are to be used for the communities of Berlin, Gorham, Colebrook, Groveton and Lancaster but will managed and distributed by the City of Berlin.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH that a grant in the amount of Six Thousand Dollars (\$6,000.00) from the Neil and Louise Tillotson Fund of the NH Charitable Foundation is hereby accepted and appropriated for the purpose of the grant.

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

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

Councilor Berthiaume moved, with a second by Councilor Higbee, to read Resolution 2020-02 by short title for a second time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, to read Resolution 2020-02 by short title for a third time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, that Resolution 2020-02 be passed. So moved, the motion passed.

3. Resolution 2020-03 Re-appropriating \$24,287.45 to Bridge Inspection/Repairs

In the Year of Our Lord Two Thousand Twenty

A RESOLUTION re-appropriating Twenty Four Thousand, Two Hundred Eighty-Seven Dollars and Forty-Five Cents (\$24,287.45) from FY20 SF-PW Sidewalk Replacement Account 01-495-995-2605 to FY20 CI-PW Bridge Inspection/Repair Account 01-480-913-0006.

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

Whereas, the City is in need of completing important design work on the western Mason St. Bridge span to coincide with the annual shutdown of the Smith Hydro facility; and

Whereas, such design work will produce the plans and specifications necessary to bid the work and obtain pricing for construction, and

Whereas, said funding construction and construction engineering can be budgeted in the FY21 Capital Improvement Budget.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH that Twenty Four Thousand, Two Hundred Eighty-Seven Dollars and Forty-Five Cents (\$24,287.45) is hereby re-appropriated from FY20 SF-PW Sidewalk Replacement Account 01-495-995-2605 to FY20 CI-PW Bridge Inspection/Repair Account 01-480-913-0006.

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

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

Councilor Higbee moved, with a second by Councilor Morgan, to read Resolution 2020-03 by short title for a second time. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Morgan, to read Resolution 2020-03 by short title for a third time. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Morgan, that Resolution 2020-03 be passed. So moved, the motion passed.

4. Council Committee Reports - There were no Council Committee reports.

NEW BUSINESS

5. Resolution 2020-04 Authorizing an FR-CARA Application for \$4,544 of Naloxone Kits (first read)

Councilor Higbee moved, with a second by Councilor Morgan to table the Resolution and schedule a public hearing for February 17, 2020. So moved, the motion carried.

6. Agreement with School Custodians AFSCME Local 1444

Mayor Grenier presented the cost items. The entire 2-year package has a total of \$26,977.32. The first year cost, for FY2021, is \$8,000. The second year cost for FY2022, is \$18,900.

Councilor Remillard moved, with a second by Councilor Otis, to approve the cost items in the agreement between AFSCME Local 1444 and the Berlin Board of Education for \$26,977.32. A roll call vote was taken. Remillard – no, Otis – no, Morgan – no, Eastman – no, Theberge – no, Berthiaume - yes, Rozek – no, Higbee – no, Grenier - no. So moved, the motion failed.

7. Appoint Ward Selectman

Mayor and City Council,

The citizens listed below are willing to serve at the following polling locations as Ward Selectman for elections. I am requesting that they be appointed by the Council to serve for the Presidential Primary on February 11, 2020.

PRECINCT 1 –	Stephen Dion Shirley Croteau Paul Croteau
PRECINCT 2 AND 3-	Pauline Suiter Melvin Heidt
PRECINCT 4 -	Linda Nadeau Eddy L'Heureux Roland Lamontagne

Respectfully submitted,

Shelli Fortin
Berlin City Clerk

Councilor Berthiaume moved, with a second from Councilor Theberge, to appoint Ward Selectman as presented by the City Clerk. So moved, the motion passed.

8. City Manager's Report

1. I attended the Assessing Standards Board North Country meeting last Thursday at White Mountain Regional High School. The public who attended received a presentation on the overall taxation system in NH. There was a lot of discussion and answer about the "view tax"
2. Financial Assistance for Heating Oil Tank Replacements - NHDES is looking to increase awareness of the [Safetank program](#) among NH cities and towns. This nearly 20-year-old program provides eligible homeowners assistance of up to \$2,250 for the replacement of an aboveground

heating oil tank if they meet the definition of “low-income” by U.S. Department of Housing and Urban Development (HUD). Applicants need to meet income eligibility requirements. For more information please use the following contacts: Genevieve Al-Egaily at Genevieve.Al-Egaily@des.nh.gov or (603) 271-3577, or Erik Paddleford at Erik.Paddleford@des.nh.gov or (603) 271-3431.

3. Mr. Greg Auger recently bought a tax deeded property on Beech Street that was offered to abutters. Mr. Auger paid \$2010.08 for the property and it will be merged with his existing property on Wentworth Avenue.
4. Mapping and Planning Solution, Inc. had been meeting approximately monthly with City Staff and other stake holders to update the City’s Emergency Operations Plan. The information gathering process is nearing completion and we should receiving a draft of the plan for review within the next few weeks.
5. HEB is getting ready to submit to NHDES for final project permits on the Riverwalk project. The project is expected to be ready for bidding in April or May. We need to receive permits as well as permission from NHDOT to go out to bid a year early.
6. Both the City and Eversource have filed post trial briefs in the Smith Hydro tax case. We expect an Order from the BTLA in April or May.
7. Attached is the PUC’s Order in the Burgess Biomass PPA Case. The order approves a settlement agreement which essentially suspended the crediting of the cumulative reduction factor for three years to November 20, 2022.
8. The Assessor’s Office has provided December’s property transfers and they are attached.
9. PD Statistics are attached.

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

Councilor Rozek asked City Manager Wheeler to keep the Council posted on any progress in the Smith Hydro Tax Case. City Manager Wheeler advised that either side could appeal to the NH Supreme Court after the BTLA order.

So moved, the motion carried.

9. Mayor’s Report

Mayor Grenier advised that he represented the City’s interests last Wednesday in Concord for the OHRV bills. Mayor Grenier stated that there has not been a decision yet, but he believes that the bills will become part of a 2-year study.

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

10. PUBLIC COMMENTS –

There were no public comments.

11. Council Comments –

There were no council comments.

12. Adjournment

At approximately 8:38 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.