

## **CITY COUNCIL MEETING – Monday, October 16, 2023**

### **Public Hearing**

Mayor Grenier opened the Public Hearing at 8:22 pm for Resolution 2023-33 NLTF DASH Grant. There were no public comments. Mayor Grenier closed the Public Hearing at 8:22 pm.

Mayor Grenier opened the Public Hearing at 6:59 pm for Resolution 2023-34 Voting Machines. There were no public comments. Mayor Grenier closed the Public Hearing at 8:23 pm.

### **Regular Meeting**

Mayor Grenier called the Regular City Council Meeting to order at approximately 8:23 pm.

**a.** Pledge of Allegiance

**b.** Roll Call

Present: Mayor Grenier, Councilors Robert Theberge, Higbee, Berthiaume, Morency, Valerino, Morgan, and Roland Theberge.

Absent: Councilor Eastman

Also present: City Manager Phillip Warren, Jr, City Clerk Shelli Fortin, Janet Tremblay, and Lisa Connell, Berlin Daily Sun.

**c.** Councilor Roland Theberge moved, with a second by Councilor Morgan, to accept the minutes of the October 2, 2023 Regular Meeting and Work Session. So moved, the motion passed.

### **Disbursements:**

Disbursement Summary Draft #1947 with a start date of 10/03/2023 and an end date of 10/16/2023 for a total cash disbursement of \$1,119,144.53. Councilor Roland 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 passed.

### **PUBLIC COMMENTS**

Janet Tremblay of 812 Second Avenue shared concerns about water and wastewater problems in her yard that have been occurring since 2016. City Manager Warren advised that Public Works can spend some time in that area with the camera to see what is going on. Mr. Warren noted that they are working with Wright Pierce in the Mt. Forist area, as there is lots of inflow and infiltration and there are problems with the sewer and drainage. Ms. Tremblay also advised that the house next door has been up for sale several times, and the landowner will not talk with her about the retaining wall that is falling apart. Mr. Warren advised this would be a civil issue between the two parties. The other house involved is 806-808 Second Avenue.

### **UNFINISHED BUSINESS**

**1.** Council Committee Reports

There were no Council committee reports.

**2.** Resolution 2023-33 NLTF DASH Grant (tabled 10/02/2023)

In the Year of Our Lord Two Thousand Twenty-Three

**A RESOLUTION** accepting a grant in the amount of Two Thousand Dollars (\$2,000.00) from the Neil and Louise Tillotson Fund – DASH Grant of the NH Charitable Foundation to support the development of a racial equity policy.

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

Whereas, the City of Berlin has received a large federal grant from the US Department of Transportation; and

Whereas, the majority of federal grants are requiring communities to have policies in place around racial equity, climate justice, and labor & work as well as other performance measures; and

Whereas, this policy needs to be implemented before any construction starts related to the RAISE grant; and

Whereas, the City does not have a racial equity policy in place; and

Whereas, the NH Center for Justice & Equity is willing to help put together such a policy but there are costs related to this work; and

Whereas, the DASH Grant program provides up to \$2000.00 each calendar year to North Country Organizations for projects and we were successful in receiving funds to assist us in this work.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH that a grant in the amount of Two Thousand Dollars (\$2,000.00) from the Neil and Louise Tillotson Fund – DASH Grant 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 2023-33 by short title for a second time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, to read Resolution 2023-33 by short title for a third time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, that Resolution 2023-33 be passed. So moved, the motion passed.

### 3. Resolution 2023-34 Voting Machines (tabled 10/02/2023)

In the Year of Our Lord Two Thousand Twenty-Three

**A RESOLUTION** adopting the use of the Dominion ImageCast Precinct electronic ballot-counting device for elections in the City of Berlin and authorizing the expenditure of \$18,300 to purchase three devices.

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

WHEREAS, the Ballot Law Commission is vested with the authority to examine and approve devices for the electronic counting of ballots in New Hampshire; and

WHEREAS, the Ballot Law Commission has conditionally certified the Dominion ImageCast Precinct electronic ballot counting device for use in New Hampshire elections; and

WHEREAS, NH law requires the governing body to vote to adopt a new device at a properly noticed public meeting; and

WHEREAS, the City of Berlin would like to replace the Accuvote machines that have been in use since 2000; and

WHEREAS, LHS Associates of Salem, NH has provided at quote of \$18,300.00 for three Dominion ImageCast Precinct electronic ballot counting devices, and

WHEREAS, there is \$12,500 in the Segregated Fund for Voting Machines, Account 01-495-495403-0008, and the remainder of \$5,800 would be paid from ARPA funds, Account 01-455-455900-0000.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH, that the City adopts the use of the Dominion ImageCast Precinct electronic ballot-counting device for elections in the City of Berlin and authorizes the expenditure of \$18,300, \$12,500 from the Segregated Fund for Voting Machines Account 01-495-495403-0008, and \$5,800 from ARPA funds Account 01-455-455900-0000, to purchase three devices.

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 2023-34 by short title for a second time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, to read Resolution 2023-34 by short title for a third time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, that Resolution 2023-34 be passed. So moved, the motion passed.

## **NEW BUSINESS**

### **1. Resolution 2023-35 InvestNH Municipal Per Unit Grant (1<sup>st</sup> read)**

Councilor Higbee moved, with a second by Councilor Morgan, to table the Resolution and schedule a public hearing for November 6, 2023. So moved, the motion carried.

### **2. City Manager's Report**

1. The City's parking ban starts on November 1. No vehicles shall be parked on City streets between the hours of Midnight and 7:00 a.m. Overnight parking is allowed in the parking lot adjacent to the Salvation Army.
2. Attached is the September 2023 Real Estate Transfer Report.
3. The contractor has commenced work on the streets, today we are milling sections of Cole and Emery Street. Paving is scheduled to commence on the 19<sup>th</sup> and be complete as of the 24<sup>th</sup>, weather permitting. Streets to be paved include Cole Street, Emery Street, Beaudoin Street, Gendron Street, King Street, Peavey Lane and Jasper Street.
4. From all indications the Riverfire event was a success.
5. The salt shed is scheduled for an October 24 delivery and construction should take 2 to 3 days.
6. Replacement lights for the River Walk should be in this week and will be installed shortly thereafter.
7. The stair lift for City Hall has been ordered and is being fabricated. The schedule for installation will be updated in the near future.

City Manager Warren noted the sale prices in the Real Estate Transfer Report, which are within or exceed the values that the City has established. Mr. Warren also advised that City staff would be placing flyers on every house in the area to advise them of the paving work that is being done. This information will also be available on the website.

Councilor Higbee asked if the replacement lights on the River Walk would have a more secure installation method, and Mr. Warren advised that the contractor has provided anti-tamper screws for all of the lights.

Councilor Morency moved, with a second by Councilor Higbee, to accept the City Manager's Report and place it on file. So moved, the motion passed.

### **3. Mayor's Report**

Mayor Grenier thanked Councilor Berthiaume and the Androscoggin Valley Chamber of Commerce for a job well done on Riverfire. Mayor Grenier noted that this was the biggest one yet, and that it is incredible to see what a small group of people can do.

**4. Public Comments**

There were no public comments.

**5. Council Comments**

There were no Council comments.

**6. Adjournment**

On a motion by Councilor Higbee, seconded by Councilor Morgan, the Council voted to adjourn the meeting at 8:42 pm. 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.