

City Council Work Session

Pursuant to Executive Order 2020-04, Section 8 and Emergency Order #12, Section 3

May 11, 2020

Present were: Mayor Grenier and Councilor Rozek at City Hall; via Zoom, Councilors Remillard, Otis, Higbee, Eastman, Theberge, Berthiaume, and Morgan were present.

Others present: At City Hall City Manager Jim Wheeler; via Zoom: Community Development Director Pamela Laflamme, City Clerk Shelli Fortin, Finance Director Patty Chase, School Superintendent Julie King, School Board Members: Matt Buteau and Louise Valliere; Police Chief Pete Morency, Assistant Chief Dan Buteau, Fire Chief Jay Watkins, Tina Demers, Chris Gamache from the NH Trails Bureau, Jennifer Cloutier, Nicole Hickey, Christy Galloway, William Dow, Jamie Welch, Barbara Tetreault, Berlin Daily Sun, School Business Administrator Marion Moore, and public.

At 6:30 p.m. Mayor Grenier opened the meeting. Due to the State of Emergency declared by the Governor as a result of COVID-19 pandemic and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04 this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

- a) *Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means;*

We are utilizing the Zoom platform for this electronic meeting. All members of the Council have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # 1-646-558-8656, meeting ID 898 9963 3286, or by clicking on the City Council agenda on the City's website, www.berlinnh.gov.

- b) *Providing public notice of the necessary information for accessing the meeting:*

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have been provided on the City of Berlin's website of the Council at City Council-agendas

- c) *Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:*

If anybody has a problem, please call Pam Laflamme at 603-752-8587 or e-mail at: plaflamme@berlinnh.gov

- d) *Adjourning the meeting if the public is unable to access the meeting*

In the event the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote. By roll call, each member is to state their presence, and whether there is anyone in the room during this meeting, which is required under the Right to Know law.

At roll call Councilors Remillard, Otis, Higbee, Berthiaume, Eastman, Theberge, and Morgan were present via Zoom and all noted that they were alone in the room. Mayor Grenier was present at City Hall and in the room with Councilor Rozek and City Manager Jim Wheeler.

Review of BEA Cost Savings

Mayor Grenier noted that after the last week's vote on the school contract, he asked the City Manager to review the cost items. Mr. Wheeler showed the details of the health insurance savings and the increase in wages. The schools were more conservative in their reporting of the savings; they had reported a cost of \$41,607 in the first year and a cost of \$68,933 in the second year. Mr. Wheeler noted that by his calculation, there is a net savings rather than cost to the City. In year 1, there is a savings of \$50,981 and in year 2, there is a savings of \$21,711.

Councilor Otis confirmed that this has already been voted on. He asked if this would cause problems with negotiations with other unions. Mr. Wheeler replied that the salary increase was only made possible because of insurance savings. Other city departments have been on the \$1000/\$3000 plan and such savings will not likely be achieved.

Accepting CARES Act Funding

Mr. Wheeler explained, the City has an allocation of \$226,000 that we can submit for reimbursable expenses. There will also be FEMA and DOJ grant funding. NHMA is encouraging communities to pass a motion to authorize the acceptance and expenditure of emergency management funding. Councilor Higbee said that he read the guidance and it sounds as if we do have to have a hearing. Mr. Wheeler clarified that there is no public hearing requirement; however the best practice is to vote to accept and expend at a public meeting which has been noticed. He added that is tonight's meeting. Councilor Higbee moved with a second from Councilor Otis to accept and expend CARES Act funding for COVID-19 related expenses and that the City Manager is authorized to do all things necessary to procure such funding. So moved, the motion carried unanimously by roll call.

ATV Park Opening and Potential Street Opening Dates

Mayor Grenier noted that Chris Gamache from the NH Trails Bureau is in on the meeting. Mr. Wheeler explained that the COVID task force started talking about opening city streets in connection with the opening of Jericho Park. The best thing to do was to lay out the options for the Council to consider. Mayor Grenier read the options:

Option 1 – The State's efforts on "re-opening" are intentionally planned to be incremental. The reasoning behind this is so that too much is not opened too soon in a manner that could lead to increased infections at a rate that is not manageable.

The Council could take a similar, incremental approach by not opening City streets until after we are able to observe what opening the ATV Park looks like. One aspect to observe will be how many visitors

go to the park and how far they are travelling from. The State would not open Rte 110 to ATV's under this option.

Option 2 – This option would be to open City streets to ATV's for the purpose of Berlin Residents accessing the ATV Park. Under this option, the city would close all City parking lots to trailering and ATV use, including the parking lot on Rte 110. This would mean that people trailering to the park would have to use the State parking lot that is within the park. The State would open Rte 110 to ATV's under this option.

Option 3 – This option would be to open City streets to ATV's for the purpose of Berlin Residents accessing the ATV Park. Under this option, the City would close all City parking lots, except the Rte 110 lot, to trailering and ATV use. This would mean that people trailering to use the park could use the State parking lot that is within the park or the City lot on Rte 110 but they could not park in town to unload at a City lot. The State would open Rte 110 to ATV's under this option.

Option 4 – This option would be to open City streets to ATV's for the purpose of Berlin Residents accessing the ATV Park and not close any parking lots. In this case, non-residents may use an in town lot to load and unload their ATV's. The State would open Rte 110 to ATV's under this option.

Mayor Grenier noted that e-mail has been busy with people commenting and there is a strong recommendation for using option #3 with. Chris Gamache stated that the Bureau of Trails presented a phased approach of allowing ohrv use in NH to the Governor's Task Force two weeks ago. The trails have a planned opening day of May 23, only at Jericho Park and Millsfield Pond. This is Phase #1 with no plan to open connectors into municipal centers including Berlin. The Bureau was asked to rethink the plan and they are open to making a change. This would not include Gorham until lodging and restaurants open. Once the Council's feeling is known, Mr. Gamache stated that he would revamp the proposal. Success Trails will remain closed until later in June.

Councilor Higbee said that he heard from a lot of folks and not all were in favor of opening the roads to ATVs. Given the Governor's Order and that the Bureau of Trails is going to partially open Jericho Park where there will be a mix of locals and others coming in to ride for the day. We need to protect our citizens, and offer protection to visitors. We want to reopen to Berlin property owners which rules out Option 1. Everyone would be converging in one parking lot under option 2 which rules it out. Option 4 goes further than necessary, so Option 3 is a workable compromise. Trails will be open to residents and non-residents who will use them with maximum separation.

Councilor Eastman agreed saying that Option 3 allows Berlin residents to ride without being forced to interact at parking lots. Councilor Berthiaume agreed as well adding that there is a need to review the dry camping ordinances. Camping was meant to be for a short stay during the festival. Councilor Remillard asked if Chief Morency had anything to add.

Chief Morency applauded the decision for Option 3 saying that it is a good, safe solution for now and it respects people's rights. He recommended sending the dry camping issue to the task force.

Ms. Laflamme stated that dry camping has been an issue since last summer and due to limited enforcement staff, it's not been enforced. Rv's became a problem as well and though seasonal dwellings are allowed, the zoning ordinance excludes rvs. People are finding and buying lots of land to

put an rv on it. In some remote areas, it may be ok; however in the denser and more settled neighborhoods, it's a problem. Planning and zoning need to take it up.

Councilor Morgan moved to adopt Option 3; Councilor Theberge seconded and the motion carried unanimously by roll call vote. Chris Gamache left the meeting at this time.

Council Decision for Publishing the Budget.

Mayor Grenier explained that this document satisfies the legal requirement for presenting a budget for the public hearing on May 27. It is not the final budget.

Mr. Wheeler presented the changes proposed from the City Manager's budget. On the Revenue side, there is an additional \$200,000 of school reimbursement

On the Expense side, the Assessing Utility update sees an increase to \$36,500 from \$21,000 due to providing the value for Great Lakes Hydro

The fuel oil at city hall was reduced by \$5,000

County tax was increased from \$2 million to \$2,065,000.

Waypoint was removed from Outside Agency funding -\$2,000; Civil Air Patrol was added at \$600

The transfer to airport was reduced to \$34,171 from \$59,171

Fuel for the PD was reduced from \$37,500 to \$33,095; fuel at the Fire Department was reduced from \$13,500 to \$10,000 and PWD fuel oil went from \$43,000 to \$30,000

The schools were given a general reduction of \$1,545,000.00

Capital items include the Assessing Statistical Update which is done every 5 years going from \$80,000 to \$15,000

Master Plan Update sees an increase of \$13,500

The PD's K9 Program will be funded through another source going from \$9,000 to 0

PD's 3rd floor renovations went up to \$20,000 from \$10,843

PD's Winter Jackets from \$12,500 to \$5,000

PD's Interview Room from \$15,000 to \$5,000 and

PD Cruisers from \$15,000 to 0

There are several Capital items that will be put into a loan as rates are very favorable. The first payment would be in fy22. Projects include: FD replacement windows, fd floor, and roof replacement on building next door, and replacement of CBA's. The PWD salt trucks and garbage packer would also be purchased. Mason Street Bridge would be funded through a construction loan. The salt shed was removed from this budget. There will be demolition money for the Princess Theater.

Mayor Grenier stated that this is a very conservative approach. The UFB would be increased in this budget. The City Manager's budget had a tax rate of \$44.37 and the Council has reduced to \$39.54 which is a reduction of .28 from this year's \$39.82 rate.

Councilor Remillard stated that she can't see buying items for cash when borrowing rates are so good. Mayor Grenier noted that we will receive \$2.2 million of 1 time money and if we don't buy what we need this year, there will not be another opportunity next year.

Councilor Eastman would like to see a \$1. decrease in the tax rate. He asked for a copy of the budget in Excel. Councilor Higbee said that he worries about the UFB and he is delighted that it will be

replenished in this budget. He asked about the Riverwalk and Mr. Wheeler stated that the funds are in this year's budget and will be retained in Segregated Funds.

Councilor Morgan said that this is a good presentation and she is hoping we can be more creative to save on the tax rate. Mayor Grenier reasoned that another \$300,000 would need to be cut to achieve a \$1. reduction in the tax rate. The 2nd Monday in June, there will be a Work Session dedicated to going over the budget. He proposed having the meeting on June 8 in the auditorium following CDC guidelines.

Councilor Otis moved to publish the proposed budget as amended above; Councilor Higbee seconded and the motion carried unanimously by roll call.

Adjournment

There being no further business in Work Session, Councilor Rozek moved to adjourn; Councilor Higbee seconded and the motion carried unanimously by roll call.

Respectfully Submitted,
Susan Tremblay
Administrative Assistant

*Minutes are unofficial until they have been accepted by the City Council by motion.