

City Council Work Session

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

October 5, 2020

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 894 7116 6905; Passcode 322827, or by clicking on the City Council agenda on the City's website, [www.berlinnh.gov](http://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](mailto: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.

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

Others present: City Manager Jim Wheeler, Recreation Director Terry Letarte, HEB Engineer Eric Grenier, Fire Chief Jay Watkins, George McDonough, City Clerk Shelli Fortin, Community Development Director Pamela Laflamme, and Barbara Tetreault, Berlin Daily Sun

### **Setting Polling Times/Locations**

Ms. Fortin informed the Council that per State law, the Council needs to set polling times and locations. Councilor Berthiaume moved with a second from Councilor Theberge to approve polling hours for the November 3, 2020 State General Election from 8:00 a.m. to 7:00 p.m. Voting locations are Precinct 1 – Recreation Center, First Avenue entrance; Precincts 2 & 3 – St Anne Hall, School Street; and Precinct 4 – Community Bible Church. The motion carried unanimously by roll call vote.

### **Energy Storage Zoning Ordinance**

Ms. Laflamme explained that the proposed amendment affects four parts of the zoning ordinance. In 2008, with several energy projects in the planning phases, the Council was looking at adding an extra layer of review similar to what was happening at the State level with the Site Selection Committee. They decided on a special exception that would be heard by the ZBA. It is very unusual for ZBA's to act in such a process of review. It made more sense to make this part of the ordinance come under the planning board and not the zoning board. To that end, and after consulting with Chris Boldt, the proposal is to create a special use permit and to give the planning board granting authority for energy projects under 30 megawatts. This was brought up with the Planning Board last month and they will review the language at their next meeting.

Councilor Rozek asked if this will streamline the permitting process or bog it down. Ms. Laflamme replied that it should streamline because it eliminates having to go before the ZBA. The regular special exception, special use, and site plan will now come to the Planning Board and the process can be done concurrently. Councilor Theberge questioned whether the Council will have any say and Ms. Laflamme clarified that such land use issues do not go to the Council as it is. She added that the special use permit is much more in line for the Planning Board to hear and nothing is being taken away from the Council. The ordinance is on the agenda for first reading.

### **Riverwalk Update**

Ms. Laflamme reported on progress with the Riverfire Project. DOT has informed that we can move on to final design. HEB has everything in place for bidding in the spring and construction in the summer of 2021

### **Paving Projects**

Mr. Wheeler explained that the Council talked about paving Pleasant Street and Glen Avenue around Veteran's Park. HEB was able to get video of the drain line in Glen Avenue. Eric Grenier reported that there are sections of the drainage where the pipe is in fair condition; however there are also sections that have deteriorated. There would be some risk with vibrations of the milling process that may impact the drain line. He suggested the possibility of another project next year, slip lining the drain pipes which are 30 inch pipe.

Suggestions for alternatives included paving Pleasant and doing Glen Avenue next year or doing a mill and overlay from St Anne's to Walgreens or adding a top coat 8 feet wide to Glen Avenue. There was some discussion about the removal of railroad tracks on Pleasant and Eric Grenier noted that the tracks would stay.

Councilor Eastman confirmed that drainage on Pleasant Street was not inspected; he suggested getting the inspection done first adding that it is important to get the entrance to the City paved. Mayor Grenier determined that the paving will be delayed on Pleasant and Glen until there is more information on subsurface infrastructure.

### **Halloween**

Chief Watkins reported that the COVID Task Force met and their main focus was Halloween and how it can be done safely. ReadyNH.gov has come out with a good flyer that states guidelines. It's not the intention to tell people what they can and cannot do but rather to put out the best information to keep everyone safe. Mr. Wheeler said that nothing about Halloween is changing; it will be held October 31, 2020 from 5:00 to 8:00 p.m. Ms. Laflamme added that Main Street will also do Downtown Trick or Treating Friday, October 30 from 3:00 p.m. to 5:00 p.m. Candy will be given outside of stores using the same safety practices.

### **Verizon Wireless Zone Letter**

Council had no objections to having George McDonough speak. Mr. McDonough said that Verizon is trying to achieve some degree of normalcy by having a pumpkin carving contest. Entries 13 and under can win a tablet; 14 and over can win a cell phone and activation. Pumpkins are available for free to the public at Verizon. Berlin City contributed \$250 and 50 pumpkins were purchased with that money. Councilor Remillard moved to donate \$250; Councilor Berthiaume seconded and the motion carried unanimously by roll call. Councilor Higbee asked if this is coordinated with what the Chamber is doing. Mr. McDonough noted that the Chamber is holding a virtual contest which ends mid-month. The pumpkins can then be entered at Verizon for a second chance to win until October 29<sup>th</sup>. Mayor Grenier thanked Mr. McDonough for everything he does for the City. Mr. McDonough left the meeting at this time.

### **Non-public Session**

On a motion by Councilor Higbee seconded by Councilor Remillard, the Council voted to enter into non-public session per RSA 91-A:3, I (c) legal consultation. The motion carried unanimously by roll call.

City Attorney Chris Boldt reviewed the final version of the Brookfield option agreement with the Council. He noted that the purchase price is \$92,000 for 3.83 acres of land that is on the east side of the railroad behind the courthouse. Brookfield will be responsible for the boundary adjustment, and site plan. There is a term of 1 year which can be extended another six months. One condition is that Brookfield agree to a PILT.

Councilor Theberge moved to come out of non-public session; Councilor Higbee seconded and the motion carried unanimously by roll call.

There being no further business in Work Session, Mayor Grenier moved on to the Regular Meeting.

Respectfully Submitted,  
Susan Tremblay  
Administrative Assistant

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