

City Council Work Session

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

December 21, 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 **830 3844 8628**; Passcode **248411**, 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.

Present at roll call were: Mayor Grenier at City Hall and in the room with James Wheeler; via Zoom, Councilors Theberge, Rozek, Higbee, Remillard, and Eastman who noted they were alone in their respective rooms; Councilors Berthiaume and Otis were excused.

Others present: City Manager James Wheeler, Fire Chief James Watkins, Community Development Director Pamela Laflamme, City Clerk Shelli Fortin, Dan Whittet, Barbara Tetreault, Berlin Daily Sun.

Liquor License Application

A letter addressed to the City from the NH Liquor Commission informs that Exile Burrito has made an application to the State for a liquor license. Mayor Grenier said that he sees no reason to hold it up and he asked that a letter be sent in support of the application. Councilor Higbee moved to support the application and to send a letter to the Liquor Commission; Councilor Rozek seconded and the motion carried unanimously by roll call.

Code Clerk

Chief Watkins stated that he accepted the resignation of Devon Gagne with regret. He asked to replace the position as it is vital to the operations to have someone in that position. Councilor Remillard confirmed that it is a full time position, split between the Fire Department and Code. Councilor Remillard moved to fill the position; Councilor Morgan seconded and the motion carried unanimously by roll call. Councilor Higbee indicated that it would be a good opportunity see if there are adjustments to make in the position.

FY 2022 Proposed Budget Schedule

Mayor Grenier stated that the schedule is for March and if any conflicts are seen, it can be revised as needed.

Mason St. Bridge Project

Mr. Wheeler reported that the City had put the Mason Street Bridge Project out to bid in the spring and received no bids. The work needs to be done when Smith Hydro lowers the water, giving a 2 week window. Thinking that there had not been enough lead time to prepare, the City went out to bid again in December for a September 2021 project; again there were not bids.

The bid primarily imposes risk on the contractor to complete the project in the window that Smith Hydro allows which is typically 2 weeks; Smith has agreed to 3 weeks. The penalty for going beyond is \$9,000 per day. Mr. Wheeler and Chris Fournier of HEB will engage the contractors and look for another way of procuring the work. Mr. Wheeler added that he will come back to Council with a detailed plan in January.

Other

Mr. Wheeler noted that a resolution is on for first reading for the additional loader that was discussed at last week's meeting.

Councilor Eastman asked about the letter to the DOT and Ms. Laflamme replied that she and Alex Richie are near having a draft. Mayor Grenier clarified that Alex Richie represents the developers. He stated that a follow up meeting has been scheduled with the developers and they will continue to meet every 3 or 4 weeks. He hopes to have a clear path forward early in March.

Non-Public Session

At 6:57 p.m. Councilor Higbee moved with a second from Councilor Remillard to go into non-public session per RSA 91-A:3I(c) Consideration of Legal advice provided by legal counsel; Non Meeting per RSA 91-A:2 I(c) Legal Consultation. So moved, the motion carried unanimously by roll call.

Legal matters were discussed.

Councilor Higbee moved to come out of non-public session; Councilor Remillard 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.