

CITY COUNCIL MEETING – Monday, April 4, 2022

Regular Meeting

Mayor Grenier called the Regular City Council Meeting to order at approximately 8:05 p.m.

a. Pledge of Allegiance

b. Roll Call

Present: Mayor Grenier, Councilors Remillard, Morgan, Eastman, Roland Theberge, Robert Theberge, Higbee, Berthiaume, and Morency

Absent: None

Also present: Interim City Manager Pamela Laflamme, Finance Director Holly Larsen, City Clerk Shelli Fortin, SAU3 Superintendent Julie King, SAU3 Business Manager Marion Moore, Chief of Police Dan Buteau, Captain Nathan Roy, School Board Members Nathan Morin, Ann Nolin, Eamon Kelley and Jeanne Charest, Lynn Mercier, David McGloughlin, Lori Korzen, Steven Korzen, Micah Bachner, Amber Bachner, Theodore Bosen, John Seabury, Danielle Demers, Sonya L'Heureux, Sandy Pouliot, Jamie Welch, Gina Welch, Carol Gilbert, Michelle Belanger, Ravenmoon Hart, other members of the public, and William Carroll, Berlin Daily Sun.

c. Councilor Remillard moved, with a second by Councilor Morgan, to accept the minutes of the March 21, 2022 Regular Meeting and Work Session, and the Budget meetings of March 23, 2022 and March 30, 2022. So moved, the motion passed.

Disbursements:

Disbursement Summary Draft #1909 start date 03/22/2022 end date 04/04/2022 for a total cash disbursement of \$1,238,898.11. Councilor Roland Theberge moved with a second by Councilor Higbee to accept the disbursement summary and pay all bills as recommended by the Committee on Accounts/Claims. So moved, the motion passed.

PUBLIC COMMENTS

Theodore Bosen of 13 Bisson Road stated that he would be at the hearing to express support for SB249. Mr. Bosen stated that he came to Berlin 6 years ago and started a short-term rental business, and is one of the highest paying taxpayers in the City. Mr. Bosen stated that he has guests almost every day of the year, and supports local businesses. Mr. Bosen stated that what the Council has done by not supporting SB249 is tell the public that investment in these small businesses is at risk. Mr. Bosen noted that the bill still allows the community to permit and regulate short-term rentals, just not ban them. Mr. Bosen noted that the Planning Board has discussed this issue, and advised that he was resigning from the Board.

Carol Gilbert of 10 Village Road in Shelburne asked what happens when teachers abuse and neglect children in the Berlin Schools and stated that nothing gets done. Ms. Gilbert stated there is a lot of bullying and that Mayor Grenier should be ashamed for blaming parents or their home life for the problems. Ms. Gilbert noted her displeasure that Mayor Grenier was the mayor and stated he should go home to think about what he has done. Mayor Grenier asked Ms. Gilbert to end her comments.

Mayor Grenier closed the public comment section of the meeting.

Ravenmoon Hart of 717 Third Avenue stated that she was going to be heard and began speaking. Ms. Hart was escorted out of the meeting by Captain Roy.

Lori Korzen of 788 Kent Street began speaking and was advised the public comment portion of the meeting was closed. Ms. Korzen was escorted out of the meeting by Capt. Roy and Chief Buteau.

UNFINISHED BUSINESS

1. Council Committee Reports

Councilor Robert Theberge advised that the Committee on Accounts and Claims had 3 invoices missing while reviewing them this evening. Interim City Manager Laflamme stated that the accounts payable employee had been out today, and are not missing but maybe misplaced, and advised she would be sure to get them for him. Councilor Remillard advised Councilor Theberge that the invoices are sometimes in the Mayor's folder for signatures, and may have been there.

NEW BUSINESS

2. Ratification of Labor Agreements

Councilor Higbee moved, with a second by Councilor Roland Theberge, to approve the cost items in the 2-year contract agreement with Berlin Education Association.

Mayor Grenier read the cost items into the record:

Cost Year One – FY23 2.5%

Wage Teacher FY23 Increase	\$188,306.06
FY23 Extra Curricular Wage Increase	\$ 8,978.07
FICA (7.65%)	\$ 15,092.24
Retirement (21.02%)	<u>\$ 41,469.12</u>
	\$253,845.49

One Time Teacher Stipend	\$ 63,600.00
FICA (7.65%) on Stipend	\$ 4,865.40
Retirement (21.02%) on Stipend	<u>\$ 13,368.72</u>
	\$ 81,834.12

Cost Year Two – FY24 2.5%

Wage Teacher FY23 Increase	\$188,306.06
Wage Teacher FY24 Increase	\$196,704.32
FY23 Extra Curricular Wage Increase	\$ 8,978.07
FY24 Extra Curricular Wage Increase	\$ 9,399.72
FICA (7.65%)	\$ 30,859.20
Retirement (21.02%)	<u>\$ 84,792.19</u>
	\$519,039.56

Cost of Two-Year Contract	\$854,719.17
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So moved, the motion passed by roll call vote. Robert Theberge – yes, Higbee – yes, Berthiaume – yes, Morency – yes, Remillard – yes, Morgan – yes, Eastman – yes, Roland Theberge – yes, Grenier – yes

3. Resolution 2022-09 COSSAP Grant

Councilor Berthiaume moved, with a second by Councilor Higbee, to table the Resolution and schedule a public hearing for April 18, 2022. So moved, the motion carried.

4. Resolution 2022-10 Byrne JAG Grant

Councilor Remillard moved, with a second by Councilor Morgan, to table the Resolution and schedule a public hearing for April 18, 2022. So moved, the motion carried.

5. Resolution 2022-11 Substance Abuse Reduction Initiative Grant

Councilor Morgan moved, with a second by Councilor Remillard, to table the Resolution and schedule a public hearing for April 18, 2022.

Councilor Robert Theberge asked if these were matching grants and was advised they are not.

So moved, the motion carried.

6. Resolution 2022-12 Highway Safety Grant

Councilor Berthiaume moved, with a second by Councilor Higbee, to table the Resolution and schedule a public hearing for April 18, 2022. So moved, the motion carried.

7. Resolution 2022-13 Homeland Security Liaison Officer Grant

Councilor Remillard moved, with a second by Councilor Morgan, to table the Resolution and schedule a public hearing for April 18, 2022. So moved, the motion carried.

8. Resolution 2022-14 NHFG OHRV Grant

Councilor Morgan moved, with a second by Councilor Remillard, to table the Resolution and schedule a public hearing for April 18, 2022. So moved, the motion carried.

9. Resolution 2022-15 PW Pavement Roller and Trailer

Councilor Higbee moved, with a second by Councilor Morency, to table the Resolution and schedule a public hearing for April 18, 2022. So moved, the motion carried.

10. City Manager's Report

1. Per City Ordinance Sec. 15-81, City's parking ban is lifted as of 4/1/22. During the month of April, the Police Chief is authorized to prohibit parking on City streets between the hours of midnight and 7:00 AM if required for snow plowing and removal operations.
2. NH Route 110 Reclassification.
3. Attached is the Monthly Incident Report and the EMS call volume report for March 2022.
4. Requested Police Department vehicle list.

Ms. Laflamme also noted Mr. Bosen's resignation from the Planning Board and stated that she understands the point he is trying to make; however zoning is hard and depends on the will of the community along with the local Planning Board. Ms. Laflamme stated that it is a hard issue and there is not a one-size-fits-all solution. Ms. Laflamme noted that Berlin has taken a light touch approach to short-term rentals, but this would not apply to all communities. Ms. Laflamme stated that she feels the Council made the right decision to oppose SB249.

Ms. Laflamme advised that the Androscoggin Valley Chamber of Commerce is starting a new initiative and requested the Council members stay after the meeting for a quick photo.

Councilor Eastman asked who is responsible for signage on Route 110, as the speed limit signs will need to be changed. Ms. Laflamme advised that the Traffic and Safety Committee will still need to meet and make a recommendation to the Council on the speed limit. Councilor Morency advised they are planning to meet in the next week or two.

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

11. Mayor's Report

- a. Letter to Traffic Safety Committee re. No Parking Areas

To: Traffic Committee

Re: Painting of No Parking Areas

While I recognize that the city has its priorities, I respectfully request that the printing of "NO PARKING" areas in the city be given the utmost consideration to painting them as soon as possible.

Some areas in the city are more dangerous than others, but with sand covering these areas people are parking there anyway. There are areas without "NO PARKING HERE TO CORNER" signs that were previously painted. There are a few intersections in the city that are dangerous enough without adequate signage or lights.

It is my hope that the city can begin painting these areas sooner than later, especially the School Street/High Street intersection that continues to have people parking on High Street inches from the corner of School Street, often truly and almost completely blocking the drivers view when trying to enter the intersection.

Thank you in advance for your prompt attention to rectify a serious safety issue that could easily make the difference in whether a driver lives or dies. All that's needed is sweeping the sand and painting the lines, not a traffic signal.

Thank you
Pam Bouchard
Berlin

b. Re-appointment to Police Commission – Marc Tremblay

Mayor Paul Grenier and Members of the Berlin City Council

I have served on the Berlin Police Commission from 04/2015. I have been honored to work closely with Chief Dan Buteau, Commission members and the Berlin Police Department as a whole, and feel that my experience on the Berlin Police Commission has been a valuable one.

As my term expires in July, I respectfully request the Mayor and Council to consider reinstating me for a full term to the position of Commissioner on the Berlin Police Commission. I would consider it an honor to serve again. Thank you for your consideration.

Sincerely,

Marc D. Tremblay

Councilor Remillard moved, with a second by Councilor Roland Theberge, to approve the Mayor's nomination of Marc Tremblay to the Berlin Police Commission for a three-year term to expire on July 31, 2025. So moved, the motion carried.

Councilor Remillard moved, with a second by Councilor Morgan to have the Interim City Manager bring the letter from Pam Bouchard to the Public Works Department to address.

Interim City Manager Pamela Laflamme advised that public works does not usually start painting until the temperature has been consistently above 50 degrees, which is usually late May or early June. Ms. Laflamme advised they have already received calls about sand removal.

Councilor Berthiaume stated that she believed the letter should go to the Traffic and Safety Committee, as there are other issues that should be addressed as well.

Councilor Remillard amended her motion to include forwarding the letter to the Traffic and Safety Committee, Councilor Morgan seconded. So moved, the motion carried.

12. Public Comments

Michelle Belanger of 208 Bridge Street stated that she has a son in the Berlin Elementary School who has an IEP, as well as social and emotional needs. Ms. Belanger stated that she has been in communication with the school and that there is a bigger picture than aggressor and victim, how things are accounted for, and steps taken to de-escalate situations and follow through. Ms. Belanger noted that there does not seem to be a lot of follow through for education or safety, that there have been multiple balls dropped, and that there has been zero accountability. Ms. Belanger stated that someone should monitor to be sure that training that they are getting is followed through. Ms. Belanger stated that her son does not come from a broken home.

Mayor Grenier advised Ms. Belanger to contact the Superintendent of Schools or the School Board, as those are the right people to be speaking with about the situation and they do care.

Superintendent Julie King advised that they are already working together. Ms. King advised that they do have a communication chain that they follow, from teachers to administration, then the Superintendent and the School Board.

Micah Bachner of 59 High Street thanked Ms. Belanger for bringing issues to the Council and also thanked the officers for keeping the peace.

13. Council Comments

Councilor Morgan asked about Theodore Bosen's comments, and what he was looking for from the Council. Councilor Berthiaume stated that he was looking for broad support of SB249, as although the Council is currently supportive of short-term rentals, if the Council changed, it could be an issue in the future. Mayor Grenier added that the Planning Board makes recommendations to the legislative body concerning zoning changes, and Ms. Laflamme added that that is the usual practice, however sometimes the public also recommends changes for the Council to consider. Ms. Laflamme advised that Berlin has taken a light touch approach to short-term rentals, as there are no other lodging options and only 37 units citywide, as opposed to Conway with 600 units. Councilor Remillard advised that each community needs to take charge of the issue for themselves. Councilor Remillard noted that the Planning Board has encouraged it, and tried to make it easy. Councilor Eastman noted that Mr. Bosen was trying to protect his personal interests. Ms. Laflamme will reach out to Mr. Bosen to discuss the issue, and Mayor Grenier advised he could as well.

Councilor Robert Theberge noted that he did make changes to his vote on HB1033, which will appear in the permanent journal.

14. Adjournment

On a motion by Councilor Higbee, seconded by Councilor Morgan, the Council voted to adjourn the meeting at 9:03 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.