

**City Council Work Session**  
**August 20, 2018**

Present were: Mayor Grenier, Councilors Theberge, Gentili, Remillard, Rozek, Otis, Higbee, and Berthiaume; Councilor Morgan Allain was absent.

Others present: City Manager Jim Wheeler, Community Development Director Pamela Laflamme, Carol Porter, Claire Stiles, St. Kieran Center for the Arts Director Monique Lavertu, Finance Director Patty Chase, Barbara Tetreault *Berlin Daily Sun* and public.

Mayor Grenier opened the meeting at 6:30 p.m.

Councilor Remillard moved to add Downtown Survey; nonpublic session b) hiring of a public employee and i) Consideration of legal advice provided by legal counsel and removing references to RSA 91-A:3 II a) and e); Councilor Otis seconded and the motion carried.

**Request for Alternate Rain Date for Community Meal**

Mr. Wheeler stated that Harvest Christian Church received permission from the Council to hold a city wide meal on September 6 and they want to add a rain date of September 5. Councilor Otis moved to approve the alternate date; Councilor Higbee seconded and the motion carried.

**Request from St. Kieran Center for the Arts re: Dinner on the Bridge**

Monique Lavertu sent a letter to the Council requesting permission to hold a formal dinner on Bridge Street Bridge on the 16<sup>th</sup> of September. Councilor Otis moved with a second from Councilor Berthiaume to allow dinner on the bridge on the 16th. Mayor Grenier asked if there would be a rain date and Ms. Lavertu stated that there would not. In response to a question about time, Ms. Lavertu stated that the meal would be served at 2:00 p.m. and the entrances to the bridge would be blocked during the meal; however pedestrian traffic would be allowed during set up and take down. In the vote that followed, all voted in favor.

**Deferred Revenue Resolution**

Patty Chase stated that the resolution will bring revenue that was received in 2018 from school and city grant funds into the new fiscal year. Councilor Remillard asked if any of these have been carried for an extended period of time. Ms. Chase responded that Hazard Mitigation, Public Health, Pandemic, Heal NH, Home Care, and Harvard Pilgrim have been carried for years and years. Councilor Remillard asked if these leftover funds could be followed up on and if it is allowed by the guidelines, could they be used or sent to another agency.

**NHDOT TAP Resolution**

Ms. Laflamme wanted to point out that the TAP grant requires a 20% match. HEB's estimate to extend the sidewalk from Napert Village to Columbia Avenue, which is 1760 linear feet of sidewalk, is about \$715,000 and the City will be asked to match with \$143,000. Resolution 2018-22 which is on tonight's agenda, will show DOT that we have committed to the match of 20%

Councilor Higbee commented that lighting should also be considered for the sidewalk. Councilor Rozek entered the meeting at this time, 6:45 p.m. Mr. Wheeler noted that the cost of purchasing LED fixtures may fit in the project budget as presented.

#### **Class Action Suit - Department of Interior**

Mr. Wheeler explained that the City was invited to join a class action law suit against the US Department of the Interior for underpaying PILT. Several communities that have federal lands within their boundaries are affected. The estimate of return is about \$1,701 from which attorney fees would be removed. Councilor Rozek commented that it is not enough because federal land encompasses more than 50% of the City. Mayor Grenier added that this is just a cynical chase that will ultimately serve only to feed the lawyers. Council members conceded not join the law suit.

#### **Potential Solar Project RFP**

Mr. Wheeler explained that, in conjunction with Berlin Water Works, there was a discussion with a solar entity about installing a 1 megawatt solar farm on the Brown Farm property. There is not a lot that can be done with the land but it can support a solar array. This would reduce cost at the pumping station and would put us in a bracket to use 20% of the power generated. The remaining power can then be used for different municipal entities. We would do an RFP, asking for a cost analysis and would only move forward with the project if it makes financial sense. There were no objections.

#### **Downtown Survey**

For the Council's information, Mr. Wheeler reported that Wilson Engineering wants to do a survey of downtown occupants in the next few weeks. They have been working on the Snow Melt project and have done several things jointly with Burgess Biopower including getting an in-depth tour of Burgess Biopower and analyzing its water use. The more this idea is looked into, the more it looks feasible. Councilor Rozek asked for the results of the survey.

#### **Non Public Session**

Councilor Theberge moved to go into nonpublic session per RSA 91-A:3 II i) consideration of legal advice provided by legal counsel; Councilor Berthiaume seconded and the motion carried unanimously by roll call.

Ms. Chase and Ms. Laflamme were present. Mr. Wheeler reviewed legal advice on the Paul Croteau case.

Councilor Theberge moved to come out of non-public session; Councilor Berthiaume seconded and the motion carried.

Councilor Higbee moved to enter into a non-meeting regarding RSA 91-A:2 I (b) collective bargaining; Councilor Theberge seconded and the motion carried unanimously by roll call. Councilor Berthiaume left the meeting at this time.

Fire Department negotiations were discussed.

Councilor Rozek moved to come out of non-meeting; Councilor Higbee seconded and the motion carried.

Councilor Rozek moved to seal the minutes until a there is a TA approved by the City Council; Councilor Theberge seconded and the motion carried.

**Non-public Session**

Councilor Rozek moved with a second from Councilor Theberge to enter into a non-public session per RSA 91-A:3 b) hiring of a public employee. So moved, the motion carried unanimously by roll call. Mayor Grenier exited the meeting.

Councilor Higbee moved to come out on nonpublic session; Councilor Rozek seconded and the motion carried.

Councilor Higbee moved to seal the minutes of the non-public session as releasing them would render the proposed action ineffective; Councilor Rozek seconded and the motion carried with all in favor.

With no further business in the Work Session, the Council moved on to the Regular Meeting.

## **CITY COUNCIL MEETING – Monday, August 20, 2018**

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:30 p.m. in the Council Chambers. The pledge of allegiance to the flag preceded roll call. Present: Councilors Otis, Rozek, Higbee, Berthiaume, Gentili, Remillard and Theberge. Councilor Morgan Allain was absent. Also present: Jim Wheeler, Pamela Laflamme, Claire Stiles, Carol Porter, Barbara Tetreault, Berlin Daily Sun, and public

### **Minutes, Previous Meeting**

Councilor Remillard moved with a second by Councilor Otis to accept the minutes of the August 6, 2018 Regular Meeting/Work Session. So moved, the motion carried.

### **Disbursements:**

Disbursement Summary Draft #1821 start date 08/04/2018; end date 08/20/2018 for a total cash disbursement of \$1,268,084.49 Councilor Theberge moved with a second from Councilor Berthiaume to accept the disbursement summary and pay all bills as recommended by the Committee on Accounts/Claims. So moved, the motion carried.

**PUBLIC COMMENTS** – there were no comments

### **UNFINISHED BUSINESS**

1. Council Committee Reports – There were none.

### **NEW BUSINESS**

2. **Resolution 2018-21 Appropriating \$191,026.68 of Deferred Revenue** (1<sup>st</sup> read)

Councilor Remillard moved, with a second from Councilor Otis, to table the resolution and schedule a public hearing for Tuesday, September 4, 2018. So moved, the motion carried.

3. **Resolution 2018-22 Authorizing Grant Application of Up To \$800,000 for Hutchins St Sidewalk** (1<sup>st</sup> read)

Councilor Theberge moved, with a second from Councilor Higbee, to table the resolution and schedule a public hearing for Tuesday, September 4, 2018. So moved, the motion carried.

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

1. Attached is a letter from DOT affirming the City's Highway Block Grant Aid from the State of NH. The payment is derived from highway revenue and is disbursed based on \$1,496 for each mile of Class IV and Class V highway and \$13 for each person residing in a municipality.
2. Eversource will be performing infrared aerial patrols of the entire transmission right-of-way system beginning Tuesday, August 21, and continuing through Saturday, August 25, weather permitting. The patrols are being performed to identify any over temperature equipment that needs attention. Flight times will be between 7:30 a.m. to 5:00 p.m.
3. Diane Fortier retired from the Public Works Department after 30 years of service. We wish her a long and happy retirement.

4. Berlin's Board of Education and Mayor are hosting a workshop on education funding on Thursday, September 6 at 6 p.m. in the Berlin Middle School Auditorium, located at 200 State Street.
5. The most recent project status update for the Hillside Ave Bridge project from HEB is attached. Currently, the new bridge is expected to be installed this week. We are discussing methods of opening the bridge to pedestrian traffic for School Dept. purposes. If this is not possible, alternative bussing arrangements will have to be made.
6. Attached is a correspondence from the Berlin Fire Department describing the Incident Command System Summary for Executives and Elected Officials class that will be held Saturday, November 3rd from 9:00 a.m. to Noon. The class is free and City Councilors are welcome and encouraged to attend if you are interested.
7. Attached are sample ballots for the upcoming Primary that will be held on September 11, 2018
8. The City's auditors are here this week to complete the FY18 audit.

Councilor Rozek moved with a second from Councilor Higbee to accept the Manager's Report. So moved, the motion carried.

## **5. Mayor's Report**

Mayor Grenier nominated Gerry Nault to the Police Commission for a term to end 8/31/2021. Councilor Rozek moved with a second from Councilor Higbee to accept the Mayor's nomination of Gerry Nault who will serve a term on the Police Commission until 8/31/2021. So moved, the motion carried.

## **6. Public Comments - none**

## **7. Council Comments – Councilor Theberge commented that school opens Wednesday, August 29.**

Councilor Rozek asked for another reminder of the school funding meeting.

## **8. Adjournment - Councilor Rozek moved to adjourn; Councilor Theberge seconded and the motion carried. The meeting ended at 7:46 p.m.**

Respectfully Submitted,  
Susan Tremblay  
Administrative Assistant

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