

CITY COUNCIL MEETING – Monday, April 15, 2024

Public Hearing

Mayor Cone opened the Public Hearing at 8:05 pm for Resolution 2024-06 US Forest Service PD. There were no public comments. Mayor Cone closed the Public Hearing at 8:05 pm.

Mayor Cone opened the Public Hearing at 8:05 pm for Resolution 2024-07 Walmart PD. There were no public comments. Mayor Cone closed the Public Hearing at 8:05 pm.

Mayor Cone opened the Public Hearing at 8:06 pm for Resolution 2024-08 Homeland Liaison Officer PD. There were no public comments. Mayor Cone closed the Public Hearing at 8:06 pm.

Mayor Cone opened the Public Hearing at 8:06 pm for Resolution 2024-09 Byrne JAG DTF PD. There were no public comments. Mayor Cone closed the Public Hearing at 8:06 pm.

Mayor Cone opened the Public Hearing at 8:06 pm for Resolution 2024-10 NHFG OHRV PD. There were no public comments. Mayor Cone closed the Public Hearing at 8:06 pm.

Mayor Cone opened the Public Hearing at 8:07 pm for Resolution 2024-11 Highway Safety PD. There were no public comments. Mayor Cone closed the Public Hearing at 8:07 pm.

Mayor Cone opened the Public Hearing at 8:07 pm for Resolution 2024-12 Opioid Grant PD. There were no public comments. Mayor Cone closed the Public Hearing at 8:07 pm.

Mayor Cone opened the Public Hearing at 8:07 pm for Resolution 2024-13 Search and Rescue Equipment PD. There were no public comments. Mayor Cone closed the Public Hearing at 8:07 pm.

Mayor Cone opened the Public Hearing at 8:07 pm for Resolution 2024-14 Congressionally Directed Spending PD. There were no public comments. Mayor Cone closed the Public Hearing at 8:07 pm.

Regular Meeting

Mayor Cone called the Regular City Council Meeting to order at approximately 8:07 pm.

a. Pledge of Allegiance

b. Roll Call

Present: Mayor Cone, Councilors Higbee, Berthiaume, Morency, Valerino, Grenier, Korzen, and Theberge.

Absent: Councilor Qualls

Also present: City Manager Phillip Warren, Jr., Finance Director Holly Larsen, City Clerk Shelli Fortin, Police Chief Daniel Buteau, Scott Lees, William Graham, Christian Judson, and Lisa Connell, Berlin Daily Sun.

c. Councilor Theberge moved, with a second by Councilor Higbee, to accept the minutes of the April 1, 2024 Regular Meeting and Work Session, and April 8, 2024 Budget Work Session. So moved, the motion passed.

Disbursements:

Disbursement Summary Draft #1959 with a start date of 04/02/2024 and an end date of 04/15/2024 for a total cash disbursement of \$1,336,494.66. Councilor Theberge moved, with a second by Councilor Berthiaume, to accept the disbursement summary and pay all bills as recommended by the Committee on Accounts/Claims. So moved, the motion passed.

PUBLIC COMMENTS

There were no public comments.

UNFINISHED BUSINESS

1. Council Committee Reports

There were no Council Committee Reports.

2. Electricity Aggregation Program

Councilor Grenier moved, with a second by Councilor Valerino, to accept the Electricity Aggregation Program as presented to the City Council in the Work Session. So moved, the motion carried.

3. Resolution 2024-06 US Forest Service PD (tabled 4/1/2024)

In the Year of Our Lord Two Thousand Twenty-Four

A **RESOLUTION** authorizing the Berlin Police Commission to apply for and receive grant funds in the amount of \$10,000 from the U.S. Forest Service for the 2025 Berlin Cooperative Law Enforcement Agreement.

Resolved by the City Council of the City of Berlin as Follows:

WHEREAS it is the mission of the Berlin Police Department to provide community-oriented law enforcement, designed to protect life, property and maintain order, while assuring fair and equal treatment for all and to continually enhance the training and expertise of each member of the police force, and

WHEREAS the White Mountain National Forest is patrolled by the U.S. Forest Service, and a section of the National Forest is within the jurisdiction of Berlin, NH, and

WHEREAS the U.S. Forest Service has limited resources, and provides funding to local departments to supplement patrols to these areas with no required match.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH, that the Berlin Police Commission is authorized to apply for and receive grant funds from the U.S. Forest Service for the 2025 Berlin Cooperative Law Enforcement Agreement. Said funds granted to the City of Berlin will be used for the purpose of meeting the expenses directly included in the purpose of the grant during Fiscal Year 2025 and 2024. Be it further resolved that the City Manager is authorized to sign the grant documents and execute all things necessary to effectuate the grant.

This Resolution shall be in full force and effect from and after passage.

Councilor Higbee moved, with a second by Councilor Berthiaume, to remove this item from the table. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Berthiaume, to read Resolution 2024-06 by short title for a second time. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Berthiaume, to read Resolution 2024-06 by short title for a third time. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Berthiaume, that Resolution 2024-06 be passed. So moved, the motion passed.

4. Resolution 2024-07 Walmart PD (tabled 4/1/2024)

In the Year of Our Lord Two Thousand Twenty-Four

A **RESOLUTION** authorizing the Berlin Police Commission to apply for and receive grant funds in the amount of \$10,000 from the Walmart Community Grant Program.

Resolved by the City Council of the City of Berlin as Follows:

WHEREAS, it is the mission of the Berlin Police Department to provide community-oriented law enforcement, designed to protect life, property and maintain order, while assuring fair and equal treatment for all and to continually enhance the training and expertise of each member of the police force, and

WHEREAS, the Walmart Community Grant Program provides match-free funding to law enforcement agencies to enhance public safety, and

WHEREAS, this grant program is open to applications on a quarterly basis to help fund various projects and equipment purchases.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH, that the Berlin Police Commission is authorized to apply for and receive grant funds from the Walmart Community Grant Program. Said funds granted to the City of Berlin will be used for the purpose of purchasing public safety equipment during Fiscal Year 2025. Be it further resolved that the City Manager is authorized to sign the grant documents and execute all things necessary to effectuate the grant.

This Resolution shall be in full force and effect from and after passage.

Councilor Berthiaume moved, with a second by Councilor Higbee, to remove this item from the table. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, to read Resolution 2024-07 by short title for a second time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, to read Resolution 2024-07 by short title for a third time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, that Resolution 2024-07 be passed. So moved, the motion passed.

5. Resolution 2024-08 Homeland Liaison Officer PD (tabled 4/1/2024)

In the Year of Our Lord Two Thousand Twenty-Four

A **RESOLUTION** authorizing the Berlin Police Commission to apply for and accept funds in the amount of \$45,000 from the NH Department of Safety for the State Homeland Security Grant Intelligence Liaison Officer (ILO) Program for Fiscal Year 2025.

Resolved by the City Council of the City of Berlin as Follows:

WHEREAS the *National Strategy for Information Sharing* emphasizes the importance of fusion centers in facilitating the exchange of threat-related information between federal, state, and local governments; and

WHEREAS Implementing the Recommendations of 9/11 Commission Act amended the Homeland Security Act of 2002 by adding Section 210A (State, Local, and Regional Fusion Center Initiative) requiring the Secretary of Homeland Security to share threat-related information with states through fusion centers; and

WHEREAS many states and major urban areas have established information fusion centers for the gathering, analysis, and dissemination of law enforcement, homeland security, public safety, and terrorism information; and

WHEREAS grant funds are available to continue the ILO program in support of the information sharing activities of the New Hampshire Information and Analysis Center (NHIAC) in order to gather and disseminate threat-related information while ensuring privacy and civil rights and civil liberties are respected and protected; and

WHEREAS continuation of the Intelligence Liaison Officer (ILO) program is a vital component of an information and intelligence sharing network, as ILOs serve as the primary conduits for gathering relevant, unevaluated information concerning homeland security threats as well as other specified precursor crimes; and

WHEREAS the NH Department of Safety will provide grant funds for the purpose of sustaining an ILO to improve and maintain the effective exchange of threat-related information between local agencies and the NHIAC in a manner that respects and protects privacy and civil rights and civil liberties.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH, that the Berlin Police Commission is authorized to apply for and accept NH Department of Safety ILO Program funds. Said funds granted to the City of Berlin will be used for the purpose of meeting the expenses directly included in the purpose of the grant during Fiscal Year 2025. Be it further resolved that the City Manager is authorized to sign the grant documents and execute all things necessary to effectuate the grant.

This Resolution shall be in full force and effect from and after passage.

Councilor Higbee moved, with a second by Councilor Grenier, to remove this item from the table. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Grenier, to read Resolution 2024-08 by short title for a second time. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Grenier, to read Resolution 2024-08 by short title for a third time. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Grenier, that Resolution 2024-08 be passed. So moved, the motion passed.

6. Resolution 2024-09 Byrne JAG DTF PD (tabled 4/1/2024)

In the Year of Our Lord Two Thousand Twenty-four

A **RESOLUTION** authorizing the Berlin Police Commission to apply for and receive up to \$180,000 in grant funds from the NH Department of Justice for the Byrne JAG Grant for Fiscal Year 2025.

Resolved by the City Council of the City of Berlin as Follows:

WHEREAS the Berlin Police department supports a state-wide drug policy; and

WHEREAS use and trafficking of illegal drugs remains problematic statewide, including the North Country; and

WHEREAS there are limited resources for the New Hampshire Drug Task Force and northern New Hampshire police departments to call upon for assistance, and

WHEREAS Byrne JAG grant funding is available for agency participation in the NH Drug Task Force; and

WHEREAS the Department's participation in the NH Drug Task Force has an impact on the trafficking of illegal drugs in the North Country, as well as the drug problem statewide, by assisting in halting the sources of supply into and out of the northern portion of the state.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH, that the Berlin Police Commission is authorized to apply for and receive grant funds from the NH Department of Justice for the Byrne JAG Grant. Said funds will be used for the purpose of meeting the expenses directly included in the purpose of the grant during Fiscal Year 2025. Be it further resolved that the City Manager is authorized to sign the grant documents and execute all things necessary to effectuate the grant.

This Resolution shall be in full force and effect from and after passage.

Councilor Grenier moved, with a second by Councilor Valerino, to remove this item from the table. So moved, the motion carried.

Councilor Grenier moved, with a second by Councilor Valerino, to read Resolution 2024-09 by short title for a second time. So moved, the motion carried.

Councilor Grenier moved, with a second by Councilor Valerino, to read Resolution 2024-09 by short title for a third time. So moved, the motion carried.

Councilor Grenier moved, with a second by Councilor Higbee, that Resolution 2024-09 be passed. So moved, the motion passed.

7. Resolution 2024-10 NHFG OHRV PD (tabled 4/1/2024)

In the Year of Our Lord Two Thousand Twenty-four

A **RESOLUTION** authorizing the Berlin Police Commission to apply for and accept grant funds in the amount of \$10,000 from the New Hampshire Fish & Game Department, Law Enforcement Division, for OHRV patrols for Fiscal Year 2025.

Resolved by the City Council of the City of Berlin as Follows:

WHEREAS Berlin is the gateway to the Great North Woods where many NH and out-of-state residents come to enjoy outdoor activities such as OHRV riding; and

WHEREAS Berlin has designated trails which access local establishments, and more trails will be added through the development of the OHRV park; and

WHEREAS young people often use these trails for illegal drinking; and

WHEREAS an increased number of people operate OHRVs on City streets to gain access to designated and/or unauthorized trails; and

WHEREAS an OHRV operator violating the law is virtually impossible to follow and apprehend with a cruiser; and

WHEREAS the Berlin Police Department possesses OHRVs, and officers are certified in the use of these vehicles; and

WHEREAS House Bill 1273 allows for the NH Fish & Game Department to contract with local law enforcement for OHRV details.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH, that the Berlin Police Commission is hereby authorized to apply for and accept funds for OHRV law enforcement patrol details for Fiscal Year 2025. Be it further resolved that the City Manager is authorized to sign the grant documents and execute all things necessary to effectuate the grant.

This Resolution shall be in full force and effect from and after passage.

Councilor Grenier moved, with a second by Councilor Valerino, to remove this item from the table. So moved, the motion carried.

Councilor Grenier moved, with a second by Councilor Valerino, to read Resolution 2024-10 by short title for a second time. So moved, the motion carried.

Councilor Grenier moved, with a second by Councilor Valerino, to read Resolution 2024-10 by short title for a third time. So moved, the motion carried.

Councilor Grenier moved, with a second by Councilor Valerino, that Resolution 2024-10 be passed. So moved, the motion passed.

8. Resolution 2024-11 Highway Safety PD (tabled 4/1/2024)

In the Year of Our Lord Two Thousand Twenty-Four

A **RESOLUTION** authorizing the Berlin Police Commission to apply for and receive grant funds in the amount of \$25,000 for any and all purposes from the New Hampshire Highway Safety Agency for Highway Safety Project Grants for Fiscal Year 2025.

Resolved by the City Council of the City of Berlin as Follows:

WHEREAS voluntary compliance of bicycle, scooter, and skateboard laws is a problem in Berlin, particularly in the downtown area; and

WHEREAS DWI offenses are problems in Berlin; and

WHEREAS speed and traffic light avoidance are problems which creates unnecessary risk for pedestrian traffic, and designated patrols are needed for enforcement; and

WHEREAS the New Hampshire primary child passenger safety law requires that all children up to the age of seven be restrained and properly secured in an approved child passenger safety seat, and everyone up to the age of 18 use a seat belt; and

WHEREAS operation of OHRVs on public ways is a concern; and

WHEREAS distracted driving is a statewide problem requiring increased public awareness that distracted driving will not be tolerated; and

WHEREAS information is available to teach young, inexperienced drivers specific educational experiences that focus on the behavior of vehicles, their limits of operation, and the effectiveness of seat belt use in the operation and occupancy of a motor vehicle, as they do not realize the limitations of vehicles or the harmful impact that alcohol may have on their ability to safely operate a vehicle; and

WHEREAS the NH Highway Safety Agency funds local projects to promote designated enforcement and education.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH, that the Berlin Police Commission is hereby authorized to apply for and receive funds for Highway Safety Project Grants. Said funds granted to the City of Berlin will be used for the purpose of meeting the expenses directly included in the purposes of the grants during Fiscal Year 2025. Be it further resolved that the City Manager is authorized to sign the grant documents and execute all things necessary to effectuate the grant.

This Resolution shall be in full force and effect from and after passage.

Councilor Berthiaume moved, with a second by Councilor Higbee, to remove this item from the table. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, to read Resolution 2024-11 by short title for a second time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, to read Resolution 2024-11 by short title for a third time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, that Resolution 2024-11 be passed. So moved, the motion passed.

9. Resolution 2024-12 Opioid Grant PD (tabled 4/1/2024)

In the Year of Our Lord Two Thousand Twenty-Four

A **RESOLUTION** authorizing the Berlin Police Commission to apply for and receive grant funds in the area of \$30,000 from the NH Department of Safety for the ongoing LE Substance Abuse Reduction Initiative for Fiscal Year 2025.

Resolved by the City Council of the City of Berlin as Follows:

WHEREAS the Berlin Police Department participates in the ongoing opioid grant program; and

WHEREAS opioid sales and abuse continue to cause overdoses, deaths, and a rise in serious crimes; and

WHEREAS Berlin is not immune to the opioid epidemic, and the Berlin Police Department has confirmed opioid trafficking in Berlin; and

WHEREAS the opioid epidemic has not only caused an increase in drug offenses but has affected an increase in property crimes and other non-drug related crimes which are taxing on the Police Department's and City's resources; and

WHEREAS the New Hampshire Department of Safety recognizes the severity of the opioid crisis and has grant funding available to support the continuation and expansion of successful partnership patrols and joint narcotics enforcement operations.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH, that the Berlin Police Commission is authorized to apply for and receive grant funds from the NH Department of Safety for the ongoing LE Substance Abuse Reduction Initiative. Said funds granted to the City of Berlin will be used for the purpose of meeting the expenses directly included in the purpose of the grant during Fiscal Year 2025. Be it further resolved that the City Manager is authorized to sign the grant documents and execute all things necessary to effectuate the grant.

This Resolution shall be in full force and effect from and after passage.

Councilor Higbee moved, with a second by Councilor Berthiaume, to remove this item from the table. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Berthiaume, to read Resolution 2024-12 by short title for a second time. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Berthiaume, to read Resolution 2024-12 by short title for a third time. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Berthiaume, that Resolution 2024-12 be passed. So moved, the motion passed.

10. Resolution 2024-13 Search and Rescue Equipment PD (tabled 4/1/2024)

In the Year of Our Lord Two Thousand Twenty-Four

A **RESOLUTION** authorizing the Berlin Police Commission to apply for and accept grant funds in the amount of \$4,351.27 from the NH Department of Safety under the 2024 Homeland Security Grant Program - LETPA Search and Rescue equipment and appropriating said funds to the Police Department for the purpose of the grant.

Resolved by the City Council of the City of Berlin as Follows:

WHEREAS Coös County encompasses 1,794 square miles, is comprised of many small towns and communities, has a population of approximately 32,000 people, and is home to several critical infrastructures, e.g., schools, prison(s), and hospital; and

WHEREAS; search and rescue equipment technology enhance screening, search, detection, threat assessment, and discontinuation of threat capabilities, which is essential in preventing threatened or actual acts of terrorism; and

WHEREAS; search and rescue equipment would provide the department with the ability to actively and passively surveil and search a scene or incident in all conditions, which without this technology is not possible; and

WHEREAS; the departments capability to perform the above necessary tasks, specifically, the important tasks of navigation, surveillance, observation, and the identification of threat and not-threat subjects in low light conditions they are required to operate in routinely; and

WHEREAS the department is called upon to enter areas of danger; and

WHEREAS search and rescue equipment is designed to assist in all of the aforementioned situations as well as; and

WHEREAS said equipment would render the department safely and effectively mission ready and better equipped to assisting their partner communities and the State of New Hampshire; and

WHEREAS use of such specialized equipment increases the ability of the department to safely resolve situations without injury or loss of life and will enhance agency interoperability, especially in response to a large-scale event or disaster; and

WHEREAS: search and rescue equipment will help mitigate risk.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH, that the Berlin Police Commission is authorized to apply for and accept funds from the NH Department of Safety for the 2024 Homeland Security Grant Program – LETPA Search and Rescue Equipment for the purchase of additional search and rescue equipment; to be appropriated to the Berlin Police Department FY 2025 Budget for the purpose of effectuating said grant. Be it further resolved that the City Manager is authorized to sign the grant documents and execute all things necessary to effectuate the grant.

This Resolution shall be in full force and effect from and after passage.

Councilor Grenier moved, with a second by Councilor Valerino, to remove this item from the table. So moved, the motion carried.

Councilor Grenier moved, with a second by Councilor Valerino, to read Resolution 2024-13 by short title for a second time. So moved, the motion carried.

Councilor Grenier moved, with a second by Councilor Valerino, to read Resolution 2024-13 by short title for a third time. So moved, the motion carried.

Councilor Grenier moved, with a second by Councilor Valerino, that Resolution 2024-13 be passed. So moved, the motion passed.

11. Resolution 2024-14 Congressionally Directed Spending PD (tabled 4/1/2024)

In the Year of Our Lord Two Thousand Twenty-Four

A **RESOLUTION** authorizing the Berlin Police Commission to apply for and receive grant funds in the amount of \$355,000 from the FY 2024 Congressionally Directed Spending Funds.

Resolved by the City Council of the City of Berlin as Follows:

WHEREAS effective communications are vital to provide interoperable communications to Emergency Responders; and

WHEREAS our jurisdiction covers a vast area in Coos County where there are logistical challenges, in that, our communications system requires coverage for almost 200 square miles, over mountainous terrain, and we rely heavily on North Country area public safety departments; and

WHEREAS the current radio equipment is over twenty years old and many components have become obsolete; and

WHEREAS this funding will be used to replace all of the radio system equipment infrastructure, except the tower, to improve operational coordination for the City of Berlin's public safety departments; and

WHEREAS this system will allow for interoperable emergency communications from the dispatch phase of the call to the ground operations of multiple public safety agencies and all of our mutual aid partners; and

WHEREAS the new equipment and technology will bolster and solidify the national preparedness with all the partners we work with in the North Country; and

WHEREAS this communications equipment replacement will support several FEMA Core Capabilities, such as Operational Communications, Operational Coordination, Search and Detection, Physical Protective Measures, Situation Assessment, Fire Management and Suppression, Mass Search and Rescue Operations, On-scene Security, Emergency Medical Services.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH, that the Berlin Police Commission is authorized to apply for and receive grant funds from the Office of Senator Jeanne Shaheen FY 2024 Congressionally Directed Spending Funds. Said funds granted to the City of Berlin will be used for the purchase of radio equipment during FY 2025/2026. Be it further resolved that the City Manager is authorized to sign the grant documents and execute all things necessary to carry out this project.

This Resolution shall be in full force and effect from and after passage.

Councilor Higbee moved, with a second by Councilor Berthiaume, to remove this item from the table. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Berthiaume, to read Resolution 2024-14 by short title for a second time. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Berthiaume, to read Resolution 2024-14 by short title for a third time. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Berthiaume, that Resolution 2024-14 be passed.

Councilor Grenier asked if the grant has already been awarded and Chief Buteau advised that it has, however it might take a while to go through the full process. Councilor Grenier asked if the Police Commission would work with the City Manager on this, and Chief Buteau advised they would.

So moved, the motion passed.

NEW BUSINESS

1. City Manager's Report

1. Attached is the March 2024 Real Estate Transfer Report.
2. Per City Ordinance Sec. 15-81, City's parking ban was lifted 4/1/24. 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.
3. Attached is the 2023 AVRDD budget report, for your information.
4. Other than traffic after the event, the eclipse was uneventful. There were many people viewing the eclipse, both in the City and at the airport. Traffic was heavy prior to the event and after the event traffic heading south did not subside until after 10 pm. We did open the Emergency Operations Center and fortunately we did not have any serious incidents that occurred. The biggest impact was traffic heading south after the eclipse, as predicted traffic was extremely heavy as everyone left the north country after the eclipse.

City Manager Warren noted that 25 airplanes flew into the airport during the eclipse, and they totaled \$4,000 in fuel sales.

Councilor Morency asked about trailers parked on the streets, and asked if they were going to work on the ordinance to address this. City Manager Warren advised that it will be on the Traffic Safety Committee agenda to discuss, and that he hopes to have a revised Ordinance for Council at the beginning of May.

Councilor Berthiaume asked about yard debris on the side of the road and asked if BPW was taking this in the garbage. City Manager Warren advised they are not. Mr. Warren advised they do counsel residents on the rules. In cases where the debris is obstructing the sidewalk, the Police Department is notified.

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

2. Mayor's Report

a. FRC – Community Baby Shower Request

Dear Sir/Madam,

I am writing to formally request the use of the lawn space adjacent to Maureen's boutique on Main Street on Saturday, July 20, 2024. The Family Resource Center is organizing our 6th annual Community Baby Shower for Berlin. This event has been instrumental in connecting numerous families with essential items such as diapers, wipes, used clothing, baby gear, books, and other resources. Last year, with your generous support in providing us with the space, we were able to assist over 70 families. This year, we aim to support an equal or greater number of families. We ask for your consideration of this request, and if you have any inquiries, please contact me.

Yours sincerely,

Briana Shannon
Program Manager-Healthy Families America
The Family Resource Center
123 Main Street
Gorham, NH
(603)631-0054

Councilor Grenier moved, with a second by Councilor Berthiaume, to approve the use of the space as requested by the Family Resource Center for the Community Baby Shower on July 20, 2024. So moved, the motion passed.

b. Request for Use of Milan Field

Good afternoon Shelli,

I was contacted last night to see if I would be able/willing to run shoe tournaments this summer. Before making any comments I just wanted to confirm I am able to continue using the field with the changing of the Mayor seat. Is this something you are able to check on for me and let me know please?

Thank you,

Zuri Chambers

Councilor Grenier moved, with a second by Councilor Valerino, to approve the use of the field for horseshoe tournaments with the stipulation that any garbage is removed and subject to previous regulations.

Councilor Grenier requested that the Berlin Airport Authority be notified, as it is their land. City Manager Warren advised he would take care of notifying them.

Councilor Korzen asked if there were dates and times that it would be used, and Councilor Grenier advised it is open throughout the summer during nights and weekends.

So moved, the motion passed.

c. Letter from W. Graham re: EMS Service

To the Mayor And Council of the City of Berlin,

Greetings,

I write this letter not so much as an objection but as concern as to the future of not only emergency medical services but also general ambulance transport for the city of Berlin.

My first concern is the units recently purchased. I question whether the vehicles will be “fully” equipped. These vehicles, I believe, have already been idle for a year and still will not be used for another year. How much will be spent on replacing expired equipment. Also there is also certain pieces of equipment that will satisfy the list of state required equipment but as a provider I would wish a better quality than the bare minimum. An example of this is a stair chair. The ones I have used on board 911 trucks (and not only in Berlin) have a caterpillar attachment as opposed to the basic chair which is much left safe to use in bringing a patient down the stairs. The caterpillar type may or may not be on board, I do not know. In addition there may be high cost equipment that may be requested to enhance care of patients by the staff these may include a Lucas device which used for cardiac compressions and, in a few years, ultrasound machines. Finally, no person can guarantee the actions of another and in a few years when a new fire chief comes along, the new chief may propose that these trucks are not useable and the department needs 2 new units which today would be priced at the very least \$200, 000 plus each (or the equivalent of a single year's contract with the current service.)

My next concern is staffing. If the Chief is able to hire all the additional personnel, he wishes too, that would be great. But in addition to my concern that he won't be able to get all he desires, is the retention factor. How many new hirings will leave for southern New Hampshire within a few years because the grass is greener down there. Keep in mind none of these positions have a vast labor pool available these days.

Next is the non 911 operations. Just like the firefighter the role of pre hospital providers have expanded. Firefighters used to just fight fires, now they are expected to be able to handle haz mat situations, extrications, and rescue operations in all types of terrain and situations in addition to the EMS role. With the demise of mom & pops (the Dubeys, Ross of Littleton, Kiesman of North Conway, Tri-town in Paris Maine ect.) many of the operations that they performed are now in a void. These were the local non 911 transports and interfacility transfers as well as coverage details. This is where the mom and pops made their money. Right now the current provider is performing these services but if they lose the contract and, if all remains the same, they are ceasing operations in Berlin due to profitability and these services would not be covered. This would leave the local runs such as transports from the hospital to nursing homes, invalids requiring transport home after being evaluated when they were transported to the hospital via a 911 truck to the hospital, and Grandma going home as a hospice patient to have death with dignity, with no available transport. There would also be no coverage for interfacility transfers such as the 28 week pregnant lady who is being transferred to Dartmouth for a complicated childbirth, the head bleed patient, or the person with a massive heart attack who is well known to the crew. In this case not only would the patient be affected but the providers as well because they would know that a year or two ago their friend or relative who may die would have been transported to another facility in a very timely fashion but now could be delayed for hours waiting for an out of town service to provide that service. Anyone who has a scanner and listens to Gorham Fire can attest to this fact: Memorial Hospital who, I believe, has no contracts with any service are frequently requesting Gorham and other out of area services as far north as Colebrook for non 911 service transports (some of them even for the local runs.) I for one do not want to be sitting for approximately 2 days with a heart attack at the hospital while they search for a unit to transport me to Dartmouth or Catholic Medical like what happened to some poor patient at Memorial recently.

Now is the city responsible for these services, technically **no**, however what public perception is **yes** especially since it is provided by the same service who currently provides 911 and has done so since I have been here. Is the city morally obligated to cover this especially if the city gets the same contract with the hospital as the current service, that is up to you the members of the council for you will be the ones being questioned why this is happening. All I know is this, a couple of weeks ago I did 5 late night interfacility transports some of which were extremely critical and if transport was not provided quickly for some of these patients, they would have died. If this happens after the current service ceases its operation there will be a lot of finger pointing and wailing going on between the organizations including the current service and the city but the bottom line is dead is still dead. There is also another aspect in prehospital medicine that is in its infancy but in 5 years will come into play and that is community paramedicine. I do not know enough how much it will affect out of hospital care but suspect it will impact the way care is provided in the city in the future.

I also urge to council to proceed with caution and research what happened and is going on with the local world of 911 EMS. In particular I urge you to look at what is currently going on with the town of Conway, the village of Conway Water Department and the operations of Conway Fire; what happened a few years back with small towns in

the lower portion of the Mount Washington Valley between those towns and a private service; also between the town of Littleton and a third service a few years back; Brattleboro, Vermont; and the current situation in Cheshire County.

Finally, I am also a little upset with how this was handled. Prior to this, in the past 37 years when talks of mergers or take overs by the Fire Department it was always freely discussed with the ambulance service. Also long term employees of the ambulance service were always slated to be hired in some capacity with the city of Berlin. Also I remembered the Dubeys and even Scott Lees 2 or 3 years ago being allowed to speak at budget session. This year all this seemed to me, as a citizen, being conducted as a secret squirrel operation with all keeping information close to their chest. Also, I was informed the CEO of the current service was planning to come and speak and then canceled coming up here after the service contacted the city manager's office. What's up with that?

As a final word, I have served the people of Berlin for the past 37 years in the EMS world in a private capacity. I have also taught CPR and pre-hospital medical courses to many people in Berlin and that includes city departments with the last being CPR for the police department in February and last September voluntarily assisting a firefighter in recertifying his EMR (and would do so again if necessary despite all that is going on) a few days before his expiration. I also have been guaranteed work by the current ambulance service even if they leave the area, so this letter is not a "Oh please let me keep my job type" appeal and in fact have hold no malice toward the Chief or working with him in the field. This letter's primary purpose is what I perceive as best for the people of Berlin in relation to ambulance service. The only goal I have is that the residents of the city of Berlin are provided with the best possible service in all aspects of pre hospital care. As I stated previously this is my goal whether that be provided by the Fire Department, the current service, another service, or even a non profit regional EMS Service. I would welcome this goal even if I was not a part of it. I also, if it helps in obtaining this goal, be willing to work for the fire department full time as an IFT person and also in an education capacity.

Thank you for your consideration and hopefully reflect upon this and just not dismiss it out of hand

William T. Graham
589 Cheshire Street

Mayor Cone thanked Mr. Graham for his letter.

d. Letter from Kathy Trumbull

Dear Mayor, City Manager and Council Representatives,

It was encouraging to see so much interest in the vacancy position of the City Council. I am thankful for the opportunity to apply, appreciate your consideration, and wish the best to the council and Paul Grenier.

After applicants competed interviews and just prior to the vote, Peter Higbee made disparaging and false statements alleging that I spoke badly about the Berlin schools numerous times at City Council Meetings. Specifically, he said,

"My concern with Kathy Trumbull was four or five years ago she was coming to Council and EVERY SINGLE WEEK she was bad-mouthing the schools and saying how bad they were. Tonight she said she thinks they're fine. It's in the newspaper and in all the minutes, so that was an interesting turn-around."

One can only assume this was to deliberately sway votes away from me. I NEVER "bad-mouthed" the Berlin schools. I actually worked in them. They treated me well, and I have had no grievances with them. I conducted a comprehensive search of the City Council minutes dating back to 2016. There was absolutely no reference to any discussion of the Berlin schools by me. Peter had the opportunity to ask me about this during my interview, however, he brought it up when I was not in the room and unable to dispute its validity, a devious maneuver, obviously intended to discredit me.

Peter's negative statement was disrespectful, reckless and irresponsible. This behavior is precisely the antithesis of what is needed for productive discussion and what is expected professional decorum from a sitting City Council member.

This is not the first time I witnessed rude and disrespectful behavior from Peter Higbee at a City Council meeting or hearing. Attached is my letter from 1/7/22, when after numerous residents expressed their disapproval of the

decision made to dispose of Brown School for \$1.00, Peter stood up and smashed his hand on the table in front of him and shouted at all of the people who had spoken, causing the meeting to end very abruptly, with some people prevented from speaking after attending the entire meeting. Peter's behavior was unacceptable and unprofessional then also.

Based on his total disregard for respectful discourse twice in two years, Peter Higbee should resign his seat on the City Council immediately. If I don't receive a public apology from Peter, I will pursue defamation charges.

Sincerely,

Kathy Trumbull
348 First Avenue
Berlin, NH 03570

Attachments: Letter dated 1/7/22

Mayor Cone thanked Ms. Trumbull for her letter.

Councilor Grenier moved, with a second from Councilor Valerino, to accept the Mayor's Report and place it on file. So moved, the motion passed.

3. Public Comments

There were no public comments.

4. Council Comments

Councilor Grenier addressed the letter submitted by Kathy Trumbull, and noted that he finds Councilor Higbee to be professional and a true public servant.

Councilor Grenier asked about the ARPA funds approved for the tennis courts at Horne Field, and City Manager Warren advised that they are waiting on the vendor. The courts will most likely not be done for this season. City Manager Warren advised that they will handle the pickleball court on Glen Avenue themselves, but this will depend on the workload for BPW, and will be done during the paving season.

Councilor Grenier asked when the Community Day of Caring would be held, and was advised it is scheduled for Mayr 17, 2024. Councilor Grenier noted that this a perfect way for residents to help clean up the community.

Addressing the letter from Kathy Trumbull, Councilor Higbee admitted that he erred by lumping Ms. Trumbull into a group of people who had spoken about the school, and after doing a search of the minutes could only find one instance where Ms. Trumbull had mentioned the schools. Councilor Higbee noted that he misattributed remarks to Ms. Trumbull. Councilor Higbee noted that he sent an email to Ms. Trumbull and submitted a correction to the Berlin Sun. Councilor Higbee apologized again to Ms. Trumbull and stated he would be more careful in the future with his comments.

5. Adjournment

On a motion by Councilor Higbee, seconded by Councilor Grenier, the Council voted to adjourn the meeting at 8:58 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.