

## **CITY COUNCIL MEETING – Monday, December 4, 2023**

### **Public Hearing**

Mayor Grenier opened the Public Hearing at 7:14 pm for Resolution 2023-39 DOJ BVP PD. Chief Buteau advised that this grant would fund half of the cost of bulletproof vests for the department, up to \$4,600. There were no public comments. Mayor Grenier closed the Public Hearing at 7:15 pm.

Mayor Grenier opened the Public Hearing at 7:15 pm for Resolution 2023-40 Northern Border Alliance PD. There were no public comments. Mayor Grenier closed the Public Hearing at 7:16 pm.

Mayor Grenier opened the Public Hearing at 7:16 pm for Resolution 2023-41 Unanticipated Highway Block Grant Funds. There were no public comments. Mayor Grenier closed the Public Hearing at 7:17 pm.

### **Regular Meeting**

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:17 pm.

#### **a. Pledge of Allegiance**

#### **b. Roll Call**

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

Absent: None

Also present: City Manager Phillip Warren, Jr, City Clerk Shelli Fortin, Chief Daniel Buteau, Deputy Chief Nathan Roy, Mayor-Elect Robert Cone, Councilor-Elect Steven Korzen, Lori Korzen, Jamie Welch, Gina Welch, and Lisa Connell, Berlin Daily Sun.

**c.** Councilor Roland Theberge moved, with a second by Councilor Morgan, to accept the minutes of the November 20, 2023 Regular Meeting and Work Session and the Non-Public Session of November 30, 2023. So moved, the motion passed.

### **Disbursements:**

Disbursement Summary Draft #1950 with a start date of 11/20/2023 and an end date of 12/04/2023 for a total cash disbursement of \$3,801,952.94. Councilor Roland Theberge moved, with a second by Councilor Valerino, to accept the disbursement summary and pay all bills as recommended by the Committee on Accounts/Claims. Mayor Grenier noted that the County tax was paid in the amount of approximately \$2.1 million, which accounts for the higher amount on this report. 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. Resolution 2023-39 DOJ BVP PD (tabled 11/20/2023)**

In the Year of Our Lord Two Thousand Twenty-Three

A **RESOLUTION** authorizing the Berlin Police Commission to apply for and receive grant funds from the Department of Justice Bulletproof Vest Partnership (DOJ BVP).

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

WHEREAS due to the danger and inherent risks of being a police officer, it is the policy of the Berlin Police Department that each officer is equipped with a ballistic vest; and

WHEREAS the DOJ BVP grant provides reimbursement for 50% of the cost of a ballistic patrol vest; and

WHEREAS the DOJ BVP grant has authorized us to receive up to \$4,600 in reimbursement for these mandatory purchases, with a grant expiration of 8/31/2025.

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 New Hampshire Department of Justice Bulletproof Vest Partnership. Said funds granted to the City of Berlin will be used for the purpose of purchasing ballistic patrol vests during Fiscal Year 2024 and 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 2023-39 by short title for a second time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, to read Resolution 2023-39 by short title for a third time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, that Resolution 2023-39 be passed. So moved, the motion passed. Morency - recused

**2. Resolution 2023-40 Northern Border Alliance PD (tabled 11/20/2023)**

In the Year of Our Lord Two Thousand Twenty-Three

A **RESOLUTION** authorizing the Berlin Police Commission to apply for and receive grant funds from the Northern Border Alliance Task Force, for participation in patrolling the jurisdictions along the New Hampshire and Canadian border.

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

WHEREAS, there are two State Highways in Berlin, NH that provide a route from the New Hampshire and Canadian border to larger communities in the southern part of our state and other states in New England; and

WHEREAS, there has been a significant increase in criminal activity along the New Hampshire and Canadian border, and an increase in the transportation of illicit drugs from Canada to other areas of New England; and

WHEREAS, the New Hampshire Attorney General's Office is forming a task force utilizing members of North Country Law Enforcement Agencies to conduct patrols along border communities. These patrols will be staffed by officers on a voluntary, overtime basis, not to interfere with our agencies regular patrol schedule; and

WHEREAS, these patrols are fully funded, to include cruiser use reimbursement, with no required match. The combined total funding allocated for all local agencies to participate in this task force during the 18-month program is up to \$800,000; and

WHEREAS, the increased presence along the border can help reduce crime throughout the North Country, to include our community.

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 Northern Border Alliance Task Force. Said funds granted to the City of Berlin will be used for reimbursement of patrols conducted along the New Hampshire

and Canadian border during Fiscal Year 2024 and 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 Morgan, to remove this item from the table. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Morgan, to read Resolution 2023-40 by short title for a second time. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Morgan, to read Resolution 2023-40 by short title for a third time. So moved, the motion carried.

Councilor Higbee moved, with a second by Councilor Morgan, that Resolution 2023-40 be passed.

Councilor Roland Theberge asked if the officers from Berlin PD would be patrolling along the border and Chief Buteau advised they would be. Chief Buteau stated it is unknown what the schedule will be at this point. They will be using Berlin's vehicles, and this will be reimbursed by the grant. Mayor Grenier asked if the Berlin officers would be deputized, as they will be out of their jurisdiction, and Councilor Valerino noted that deputizing all of the officers as sheriffs would be a liability. Deputy Chief Roy explained that the Northern Border Alliance Task Force falls under the Attorney General's Office, similar to the Drug Task Force, and officers would be allowed to make arrests outside of their jurisdiction as part of that task force. The grant will also cover any time for officers to testify in court.

Councilor Robert Theberge asked if any plans were being made for the solar eclipse. Chief Buteau advised that have had a number of meetings at the state level, and are in the process of planning for it.

So moved, the motion passed. Morency - recused

#### **4. Resolution 2023-41 Unanticipated Highway Block Grant Funds (tabled 11/20/2023)**

In the Year of Our Lord Two Thousand Twenty-Three

**A RESOLUTION** accepting unanticipated funds from the State of New Hampshire

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

WHEREAS, HB2, Sections 520 and 521 have provided additional unanticipated highway block grant funds for the City, which shall be accepted pursuant to RSA 31:95-b, shall be treated as non-lapsing funds and shall be appropriated consistent with guidance offered by the state; and

WHEREAS, the city has been allocated \$63,488.80 in additional highway block grant aid.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH accepts the unanticipated amount of \$63,488.80 in additional highway block grant aid to be expended consistent with state guidance offered and shall be considered non-lapsing funds.

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 2023-41 by short title for a second time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, to read Resolution 2023-41 by short title for a third time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, that Resolution 2023-41 be passed. So moved, the motion passed.

## **NEW BUSINESS**

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

1. The traffic light at Hutchins and East Mason has some serious problems with the wiring – it appears that wires have failed and the enclosure has concerns as well. The vendor will be reporting back as to options for repair.
2. Snow removal operations are ongoing – it is the first storm and is a “learning” opportunity for both residents and staff.
3. There has been an increase in unacceptable behavior as it relates to interactions with the public. There are interactions where callers have used foul and threatening language towards staff. It is the policy of this office to terminate phone calls and interactions where obscenities or threatening language is used. Furthermore, any threatening statements / interactions will be referred to the police department. It is unreasonable to assume that staff should tolerate this behavior – we all deal with difficult issues.
4. The lights for Hutchins Street have been received and will be installed at the first opportunity, which will probably be Spring 2024 unless we have a prolonged “thaw” this winter.
5. Capital Improvement submissions have been received, the next step will be that my office will meet with departments and finalize the plan.

Mayor Grenier asked if the lights would remain blinking through the winter at the Hutchins and East Mason Street intersection and City Manager Warren advised he is not sure of the timeframe. Mr. Warren stated that the goal is to get refurbished parts, so they do not incur the expense of new lights that may not be compatible with the RAISE Grant.

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

### **2. Mayor's Report**

#### **a. Planning Board and Zoning Board of Adjustment Appointments**

Mayor Grenier and City Council,

The Planning Board has an open spot in its regular membership and Micah Bachner, an alternate member with the board is interested in moving up to be a regular member. In his new role, he will now have a term that will run until April 30, 2026.

Eamon Kelley who previously served on the Planning Board but stepped down for a term with the Berlin School Board would like to come back to the board when his term finishes in January. He will be an alternate member and will fill a term that will run until April 30, 2026.

Cassandra Mason who recently applied to fill the unexpired term of Councilor Remillard with the City Council would like to serve on the Planning Board. She will be an alternate member and fill a term that will run until April 30, 2025.

Mark Evans and Tiffany Hale have both resigned from the Zoning Board of Adjustment. Mr. Evans will be joining the Berlin School Board in January and Ms. Hale is leaving due to personal reasons. Linda Lamirande currently an alternate with the ZBA but a former ZBA member in Milan with considerable experience is being recommended to take one of the regular membership spots on the ZBA. She will be a regular member with a term to run until April 30, 2025.

Sincerely,

Pamela E Laflamme  
Director of Strategic Initiatives

Councilor Roland Theberge moved, with a second by Councilor Berthiaume, to approve the nominations of Micah Bachner as a regular member of the Planning Board with a term to expire April 30, 2026, Eamon Kelley as an alternate member of the Planning Board with a term to expire April 30, 2026, Cassandra Mason as an alternate member of the Planning Board with a term to expire April 30, 2025, and Linda Lamirande as a regular member of the ZBA with a term to expire April 30, 2025. Also, to accept with regret the resignations of Mark Evans and Tiffany Hale from the Zoning Board. So moved, the motion carried.

**6. Public Comments**

There were no public comments.

**7. Council Comments**

Councilor Berthiaume advised she would not be able to attend the meeting on December 18, and wished everyone a Merry Christmas.

**8. Adjournment**

On a motion by Councilor Higbee, seconded by Councilor Berthiaume, the Council voted to adjourn the meeting at 7:39 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.