

PUBLIC HEARING – SEPTEMBER 6, 2016

Mayor Grenier opened the duly scheduled and advertised Public Hearing at approximately 7:50 p.m. to hear comments on the following subject matters:

Ordinance 2016-06 Adding “No Parking” to the South Side of Industrial Park Road. There were no comments and Mayor Grenier closed the public hearing at 7:50 p.m.

A public hearing was opened for Resolution 2016-22 Appropriating \$30,000 in the FY 2016 Budget to the Community Field Improvements Project Account 01-495-995-0712. There being no one wishing to speak for or against the subject matter at this time, Mayor Grenier declared the Public Hearing portion of the meeting closed at approximately 7:51 p.m.

CITY COUNCIL MEETING – Tuesday, September 6, 2016

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:52 p.m. in the City Hall Council Chambers. The pledge of allegiance to the flag preceded roll call. Present: Councilors Remillard, Otis, Morgan Allain, Gentili, Higbee, Rozek, Nelson and Theberge. Also present: James Wheeler, Susan Tremblay, Barbara Tetreault and Ann Brungot.

Minutes, Previous Meeting

Councilor Remillard moved with a second by Councilor Otis to accept the minutes of the August 15 Regular Meeting/Work Session. So moved, the motion carried.

Disbursements:

Disbursement Summary Draft #1772 start date 8/13/2016 end date 9/6/2016 for a total cash disbursement of \$1,711,157.21. Councilor Theberge moved with a second by Councilor Nelson 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 none

UNFINISHED BUSINESS

1. Council Committee Reports - None
2. Ordinance 2016-06 Adding “No Parking” to the South Side of the Industrial Park Road (Tabled 8/15/2016)

AN ORDINANCE amending the CODE OF ORDINANCES, Chapter 15 , TRAFFIC AND VEHICLES, ARTICLE III. STOPPING, STANDING AND PARKING, Sec. 15-69. Prohibited at all times in designated places.

Be it ordained by the City Council of the City of Berlin, as follows:

That Sec. 15-69. is hereby amended as depicted below.

Sec. 15-69. Prohibited at all times in designated places.

- (a) When signs are erected, or other markings made, giving notice thereof, no person shall park a vehicle at any time upon any of the following streets or

parts of streets longer than necessary to load or unload passengers or commodities:

Industrial Park Road, south entrance, beginning 43 feet from East Milan Road, for 117 feet on the westerly side of the Industrial Park Road.

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

Councilor Nelson moved with a second by Councilor Theberge to remove the ordinance from the table at this time. So moved, the motion carried.

Councilor Nelson moved with a second by Councilor Theberge to have the ordinance read a second time by title only. So moved, the motion carried.

Councilor Nelson moved with a second by Councilor Theberge to have the ordinance read a third time by title only. So moved, the motion carried.

Councilor Nelson moved with a second by Councilor Theberge to pass the ordinance. So moved the motion carried and Mayor Grenier declared the ordinance now passed.

3. Resolution 2016-22 Appropriating \$30,000 in the FY 2016 Budget to the Community Field Improvements Project Account 01-995-0712 (Tabled 8/15/2016)

A RESOLUTION appropriating \$30,000 in the FY 2016 Budget to the Community Field Improvements Project Account 01-495-995-0713.

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

Whereas, handicap accessible restrooms were added to Community Field and to the Gilbert Street building as part of the Community Field Improvement appropriation authorized on June 2, 2014 by the City Council in Resolution 2014-10; and

Whereas, an additional \$30,000 is needed to cover the cost of the completed project; and

Whereas, these funds were originally expected to come from surplus CIP appropriations made for Police Dept. renovations, and

Whereas, all appropriated CIP funds for this purpose were needed for the Police Dept. renovations resulting in no surplus to be re-allocated for the Community Field Project, and

Whereas, there are surplus funds anticipated in the FY2016 Budget in excess of \$30,000, and

Whereas, the completed Community Field Improvements Project is in the best interest of the public.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH that the appropriation of FY2016 funds, in the amount of \$30,000 is hereby authorized and appropriated to Community Field Improvements (01-495-995-0713).

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

Councilor Remillard moved with a second by Councilor Otis to remove the resolution from the table at this time. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Otis to have the resolution read a second time by title only. So moved, the motion carried. Councilor Remillard moved with a second by Councilor Otis to have the resolution read a third time by title only. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Otis to pass the resolution. So moved the motion carried and Mayor Grenier declared the resolution now passed.

NEW BUSINESS

4. Ordinance 2016-07 Electronic Message Display Regulations (removed from the agenda)
5. Ordinance 2016-08 Signs Allowed by Permit Only (removed from the agenda)
6. Resolution 2016-23 Deferred Revenue (1st Read)

Councilor Remillard moved with a second by Councilor Otis to table the resolution and schedule a public hearing on September 19, 2016. So moved, the motion carried.

7. Resolution 2016-24 Carry-Over Funds from FY 2016 to FY 2017 (1st Read)

Councilor Remillard moved with a second by Councilor Otis to table the resolution and schedule a public hearing on September 19, 2016. So moved, the motion carried.

8. Resolution 2016-25 Appropriating \$20,000 to PD Special Project Enforcement (1st Read)

Councilor Remillard moved with a second by Councilor Otis to table the resolution and schedule a public hearing on September 19, 2016. So moved, the motion carried.

9. Vote on Police Department Contract

Cost items from the proposed contract were read into the record:

Article 14.1 Holidays – adding Good Friday at a cost of \$600.

Article 17.3 Custodial Shoe and Clothing Allowance at a cost of \$100

Article 26.2 Wages – 2% increase 2016, 2017

Article 27.4 Retirement – Early retirement for second year of contract (no cost)

Year 1 Wages Increase – 8 months	\$23,560.12
Year 1 Benefits Increase – 8 months	\$ 5,734.91
Year 1 Insurance Savings - 8 months	<u>(\$42,033.33)</u>
	\$(12,738.29)

10. Communication – Community Street Parking

A letter addressed to Michal Perreault and copied to the Council:

During sporting events at Community field, cars are parking on both sides of the street and sometimes double parked (unloading gear) in the south bound lane at the intersection causing a restriction in traffic flow to and from the facility.

There are times when the path in the street is barely wide enough for our personal vehicles, and it's near certain that large trucks and emergency vehicles would not get through.

For safety we are requesting that the city restricts parking along the inside curve from the entrance of Community Street to the beginning of the westerly straight stretch of road on the north side of the ball park.

We also request that parking be not be allowed on both sides of Community Street except for the short stretch of road beyond the facility Administration parking lot entrance.

I look forward to reviewing this problem with you and hopefully we can come up with a parking scheme that satisfies both our needs.

Thank you

Carl Belanger
Compliance Manager
Burgess Biopower
One Community St
Berlin NH, 03570
Delta Power Services, LLC

Councilor Nelson moved to accept the letter and place it on file as well as refer the letter to the Traffic Safety Committee; Councilor Higbee seconded and the motion carried.

Councilor Theberge commented that due to the immediate need, the Committee should take the item up soon.

11. Communication – Request to Close Main Street for Homecoming Sept 30, 5-8 pm

Berlin High School Backers
550 Willard Street
Berlin, NH 03570

August 24, 2016

Berlin City Hall
Mrs. Elaine Riendeau, City Clerk
168 Main Street
Berlin, NH 03570

Dear Mrs. Riendeau,

The Berlin High School Backers are writing to request permission to hold the annual BHS Homecoming Parade and Bonfire on Friday, September 30, 2016, beginning at 5:00 p.m. as part of the BHS Homecoming festivities.

We are requesting permission to utilize the same parade route as last year. The parade would begin at the 12th Street Bridge and proceed South down Main Street exiting Main Street at Iceland Street across from the Northern Forest Heritage Park. This is same route that we used the last 4 years and is an established route that all departments of the city are familiar with.

We would ask that the route be closed from 5:00 to 8:00 from the start of staging to the end of the parade. This would allow for parade participants to safely prepare for the parade and line up with the floats and proceed down Main Street. The actual parade would start to proceed south down Main Street at 7:00 p.m. The parade would end with a bonfire event at Northern Forest Heritage Park. As in past years we would ask that the corner of Norway to Iceland and the Southern end of Norway from Brown School to the corner of Iceland be no parking to accommodate the redirected traffic.

As part of the planning process we have met with the city departments for coordinating this event. We continue to receive positive feedback about the BHS Parade and Homecoming event and hope to make 2016 even better by working together again this year.

Thank you for your time and consideration of our request. We appreciate your continued support of the BHS Backers and our school. Please let us know if you have and questions or concerns by calling [603-723-1582](tel:603-723-1582) or by sending an e-mail to the Backers at berlinbackers@gmail.com.

We look forward to hearing from you.

Sincerely,

Stephanie Ayotte

Berlin High School Backers, 2015-2016 President

The Berlin High School Backers is a Non-profit organization whose primary goal is to support and promote the student clubs, organizations, athletic teams, and other extracurricular activities of Berlin High School through financial support and volunteerism.

Councilor Remillard moved with a second from Councilor Otis to accept the letter and authorize the closure of Main Street as described. So moved, the motion carried.

Councilor Otis expressed some concern about the construction on Route 16 in the parade's path. Mr. Wheeler stated that the contractor is aware and they will make the necessary changes to their schedule.

12. Communication – Jericho Passes

From: Leane Rexford <leanerex@me.com>

Date: August 26, 2016 at 9:44:05 AM EDT

To: info@berlinnh.gov

Subject: Jericho passes

Hello,

I'm writing regarding the recent article in the Berlin Daily Sun about the city implementing a pass system for Berlin residents at Jericho Lake Park.

Frankly, I am confused as to why this is even an issue. As a Berlin resident, I was told that the use of Jericho Lake would remain free of charge. I don't know the language that is in the deed but I do know what this pass system sounds like to me- a fee for use of Jericho Lake Park. The amount of the fee is not the point. The fact that the city would even entertain the discussion is.

Normally, I go to the park office and show them my driver's license and they tell me the park rules and issue me a car pass for the season.

I don't see how this is a problem that needs fixing.

Are people causing trouble? I assume the park staff can call the police and/or revoke their parking tag.

Is the city looking for a new revenue stream? This is not the way to do it.

From my vantage point, the park appears to want to make it more difficult for Berlin residents to use the beach.

If the original deal was (as I understand it) for Berlin residents to have free use of Jericho Park then it should remain. Park staff ought to be able to discern residence by a state issued ID and call it good. It looks like they're inventing a problem that doesn't exist and trying to pass responsibility off to city hall.

Thanks for your time and feel free to contact me if you'd like to discuss this further.

Leane Rexford

Councilor Remillard moved to accept the letter and place on file; Councilor Nelson seconded and the motion carried.

13. City Manager's Report

1. The Recreation Department had another successful season providing 1,553 lunches and 1,399 afternoon snacks at four playground locations throughout the City from July 5th through August 12th. Meals were provided by Senior Meals with pickup and delivery by Recreation staff. This process was made easier this year because the School Department allowed the use of a

school van for the six week program. The program is funded by the USDA. Terry Letarte provided a more detailed report that is attached.

2. There will be a workshop on September 17, 2016, 9:00 a.m. – 2:00 p.m., NHMA Offices, 25 Triangle Park Drive, Concord for New Hampshire Elected Officials. This workshop will explore the multi-faceted occupation of City and Town Council form of local government. Join NHMA Legal Counsel for an in-depth review of the charter form of government, as well as the Right to Know Law, RSA 91-A Governmental Records; Roles and Responsibilities of Elected & Appointed City Officials; Roles & Responsibilities of City Council Members; Relationship between elected officials and the City or Town Manager, Ethical Issues, Conflicts of Interest and Incompatibility of Office, Land Use/Planning/Zoning Boards. The presentation will include “real life” scenarios for discussion and a Q & A session with the attorneys.

3. The NHDOT notified the City that we will be receiving \$236,997.38 for Highway Block Grant Aid funding which is about \$19,814 more than budgeted.

4. June Garneau of Mapping and Planning Solutions has informed us that the **Hazard Mitigation Plan** has been **Final Approved** by FEMA. She will be scanning the approval into the Plan, but she is still waiting for the Community Wildfire Protection Plan final approval from NH Forests & Lands (DRED).

5. Both the Berlin Fire Dept. and the Berlin Home Health agency have been approached by the healthcare community and asked if they would administer Narcan. Primex has confirmed that the City and its employees are covered and there is a strong immunity statute that is applicable. Both Departments are considering steps to begin administering Narcan when incidents require it.

6. A Certificate of Substantial Completion and a Punch List were issued on 8/30/16 for the Hutchins St. Reconstruction project.

7. We have conferred with the NHDES regarding the PWD Fuel System upgrade project and the City's desire to re-bid the project for 2017 construction. The NHDES has indicated that if the City enters into an Administrative Order by Consent to complete the project in 2017 an extension is admissible. We have asked NHDES to prepare the documentation required.

8. Simone Health Care Consultants will be on site next week on the 12th through the 15th to conduct their assessment of Health Dept. operations.

9. Vachon and Clukay will be her beginning on the 12th to work on the FY16 audit.

10. The City opened bids for the installation of structural grating on the Chlorine Contact Tanks at the treatment plant on August 17, 2016. The result of the bids were as follows:

1.	Cross Machine	\$28,427.00
2.	Presby Steel	\$29,095.00
3.	Merrimack Sheet Metal	\$34,920.00

11. The City opened bids for the Rotating Beacon and Wind Cone Assembly project at the Berlin Airport on August 31st. The result of the bids were as follows:

1.	Moulison	\$169,850.00
2.	KOBO	\$191,475.00

The bids are currently being reviewed.

12. The Public Works Activity Report is attached.

13. The Fire Department Incident Report is attached.

14. Mr. Wheeler commented on a letter to the editor that questioned the bidding process for the Hutchins Street project. The federal money that funded the project was allocated to the City many years ago and at that time, it is safe to say that there was a quality based selection process that resulted in hiring the engineering firm.

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

14. Mayor's Report

Mayor Grenier encouraged Council member to attend the community supper that will be held Wednesday, September 14th at 5:00 p.m. at the Salvation Army. He added that it is important to show support for the faith community who help with social aspects of what the community deals with. He thanked Pastor Haynes for organizing the event.

Councilor Rozek moved with a second by Councilor Higbee to accept the Mayor's Report and place it on file. So moved, the motion carried.

15. PUBLIC COMMENT

Ann Brungot, 11 Quinn Court stated that she is opposed to charging for a Jericho pass. As a new resident, her understanding is that Jericho Lake was free to the public. The issue of charging for a pass should have been raised when the State transferred the land. The State should be charged, not the city. An issue is being made out of a non-issue. She concluded by saying that we should charge them and not the citizens.

16. Council Comments

Councilor Remillard commented that volunteers are being sought to be assigned a table at the Community Supper on Cole Street and that anyone interested should contact her.

17. Adjournment

There being no further business before the Mayor and Council, Councilor Rozek moved with a second by Councilor Higbee to adjourn the regular meeting. So moved, the motion carried and Mayor Grenier declared the regular meeting adjourned at approximately 8:30 P.M.

A True Record, Attest:

Susan Tremblay