

PUBLIC HEARING – SEPTEMBER 19, 2016

Mayor Grenier opened the duly scheduled and advertised Public Hearing at approximately 7:47 p.m. to hear comments on the following subject matters:

Resolution 2016-23 carrying over \$60,373.14 of Grant Funds from the year ended June 30, 2016 which are not yet expended to Fiscal Year 2017. There were no comments and Mayor Grenier closed the public hearing at 7:47 p.m.

A public hearing was opened for Resolution 2016-24 – R1 carrying over \$1,688,358.05 of Capital Appropriations from the Fiscal Year ending June 30, 2016 which are not yet expended to Fiscal Year 2017. There were no comments and Mayor Grenier closed the public hearing at 7:51 p.m.

A public hearing was opened for Resolution 2016-25 appropriating \$20,000.00 to the Police Department Special Project Enforcement (01-420-114-0000) from Unappropriated Fund Balance.

Peter Morency, 1944 Riverside Drive (Police Chief), stated that he wanted to make sure that the Mayor and Council understood the difference between Resolution 2016-25 and 2016-26. The monies indicated in Resolution 2016-26 are monies that the City has received from other entities such as Coos County Delegation and Camp RZR. The City needs to create an account to place the incoming monies into so that in turn the City/Police Department will have the ability to spend the money.

There being no one wishing to speak further regarding the subject matter at this time, Mayor Grenier declared the Public Hearing portion of the meeting closed at approximately 7:52 p.m.

CITY COUNCIL MEETING – Monday, September 19, 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.

Minutes, Previous Meeting

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

Disbursements:

Disbursement Summary Draft #1773 start date 9/7/2016 end date 9/19/2016 for a total cash disbursement of \$1,971,835.14. Councilor 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 carried.

PUBLIC COMMENTS

Joyce Labrecque, 46 Pershing Avenue – Ms. Labrecque stated that she would like the City finish the Hutchins Street project as it relates to the proposed street lighting. She asked what the City has done to date to raise the money and wondered if there was anything that she may be able to do to assist the City.

Mayor Grenier stated that the Hutchins Street project was completed with mainly grant monies, noting that the City's share of the project was \$100,000. At this time the City does not have any plans in place to complete the lighting project. It will need to be set up as a Capital Improvement Project.

Councilor Theberge informed Mrs. Labrecque that the lighting project will cost just over \$200,000. He is, however, in agreement that he would like to see the lighting project completed for the safety of pedestrian traffic. It will also assist with beautifying the City.

Ms. Labrecque stated that she knows that the original plans for lighting include 27 lights. This amount seems to be excessive. She feels that 10-15 lights would be acceptable and suggested that the City revise the lighting plan.

Roland Labrecque 46 Pershing Avenue – Mr. Labrecque asked if the City had anything in place so that donations may be made by residents for this project. Mayor Grenier stated that currently there is nothing in place and said that the City would need have their legal department review the matter. At this time, he feels that this is the responsibility of the City and that the project should be addressed as having two phases. The lighting is phase two of the project.

Mayor Grenier thanked everyone for their input.

UNFINISHED BUSINESS

1. Council Committee Reports – Councilor Rozek stated that the Traffic Safety Committee met prior to this meeting. He noted that they reviewed the following agenda items:

1. Minutes

2. Jericho Road – Councilor Rozek stated that the Police Department was in attendance and could answer questions. Officers from the Department have attended special schooling for to learn how to use the decibel meters. . The Police Department is setting up the radar cart and have decibel meters.

Public Works will set up an information center at the Veteran Park as well as re-route traffic for the RZR event. 3. Handicap Sign Oak Street – Councilor Rozek stated that this request was denied. The resident has their own personal parking spot available on their property. The Committee is concerned to set a precedence and/or the resident will use the proposed space as their own personal parking spot.

4. Burgess Bioplane – Mike Perreault, PWD, Police Chief Peter Morency, , have spoken with Carl Belanger of the Bioplane regarding parking on Community Street. It is anticipated that an Ordinance will be drafted and brought before the Mayor and Council.

5. OHRV Ordinance – The Committee will meet in November to start reviewing details as they relate to noise and youth operation on streets prior to the 2017 riding season.

6. Street Lights – The Committee reviewed a request for additional street lights from Twelfth Street to White Mountain Lumber. The request was made because of the increase in traffic due to the prisons. Councilor Rozek noted that there are left over lights that may be able to be placed along Hutchins Street, using the poles opposite of the sidewalks. Councilor Rozek stated that the matter will be discussed again at the October 24th meeting. Mayor Grenier asked City Manager Wheeler to look at using left over cobra light heads along Hutchins Street until such time as the City can obtain period lighting.

Councilor Higbee moved with a second by Councilor Morgan Allain to accept the Council Committee Report as presented by Councilor Rozek and place it on file. So moved, the motion carried.

2. Resolution 2016-23 Deferred Revenue (Tabled 9/6/2016)

A RESOLUTION carrying over Sixty Thousand, Three Hundred Seventy-Three Dollars and Fourteen Cents (\$60,373.14) of Grant Funds from the year ended June 30, 2016 which are not yet expended to Fiscal Year 2017.

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

That the following grant funds for the year ended June 30, 2016 be carried over to FY17 as described below:

Rev Acct #	Description	Grant Amount Received	2016 Expense	Grant Funds Re-Appropriated	Totals By Fund
	FUND 10				
10-305-240-0000	AV Roy Grant	21,423.57	6,295.17	15,128.40	
10-305-239-0000	School Grants/Donations	44,062.47	38,596.65	5,465.82	
10-309-201-0000	Berlin City Dealership	12,145.03	8,049.33	4,095.70	
10-382-301-0000	NH Charitable Foundation	961.36	-	961.36	
10-383-301-0000	NC Health Consortium	11,897.81	8,687.00	3,210.81	
Total Revenue Deferrals FD 10 - School Grants					28,862.09
	Health Dept.				
30-361-604-0017	Hazard Mitigation Grant	154.83	-	154.83	
30-361-604-0019	Public Health Community Initiative	2,661.64	-	2,661.64	
30-361-604-0020	NC Health Consortium Pandemic Planning	831.44	-	831.44	
30-361-604-0021	Pandemic Acute Care Center Supplies	9,850.00	-	9,850.00	
30-361-604-0022	Heal NH Grant	2,201.13		2,201.13	
30-361-604-0024	Home Care Association	205.95		205.95	
30-361-604-0026	Harvard Pilgrim Healthy Food Grant	3,954.42	1,308.02	2,646.40	
					18,551.39
	Other City Departments				
30-366-603-0001	Better Buildings-EECBG	689.02	-	689.02	
30-366-603-6012	NH Charitable FND Leadership Program	22,289.61	18,673.81	3,615.80	
30-368-601-0001	Rec Dept - Attitash Donation	6,013.58	2,070.00	3,943.58	
30-368-601-0002	Rec Dept - Babe Ruth Grant from CCB	1,424.38	-	1,424.38	
30-368-601-0004	Recreation Donations	1,687.61	1,333.74	353.87	
30-369-605-0002	Community Field Imp Berlin Biomass	3,048.88	115.87	2,933.01	
					12,959.66
30-209-202-0000	Total Revenue Deferrals Fund 30 - Grant Fund				31,511.05
Total Grant Funds Deferred					60,373.14

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.

3. Resolution 2016-24 R-1 Carry-Over Funds from FY 2016 to FY 2017 (Tabled 9/6/2016)

A RESOLUTION carrying over One Million, Six Hundred Eighty-Eight Thousand, Three Hundred Fifty-Eight Dollars and Five Cents (\$1,688,358.05) of Capital Appropriations from the Fiscal Year ending June 30, 2016 which are not yet expended to Fiscal Year 2017.

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

That the following capital appropriation funds be carried over as described below:

From Account #	FY16 Carry Over Request to FY17 Purpose	Request	City Manager Recommendation	Total
	Carryover Requests from Capital Improvements to Segregated Funds			
	General Fund			
01-461-400-0000	BMS Gym Floor	\$78,200.00	\$78,200.00	\$78,200.00
01-461-400-0007	School Hill/BMS Fire Alarm	\$225,000.00	\$225,000.00	\$225,000.00
01-461-400-0013	HS Gym Floor and Bleachers	\$50,000.00	\$50,000.00	\$50,000.00
01-480-905-0001	Assessors City/Utility Valuation	\$8,932.65	\$8,932.65	\$8,932.65
01-480-913-0003	Retaining Wall Repair	\$25,000.00	\$25,000.00	\$25,000.00
01-480-932-0025	PD Phone System	\$20,000.00	\$20,000.00	\$20,000.00
01-480-932-0026	PD Recording System	\$13,600.00	\$13,600.00	\$13,600.00
01-480-961-0022	FD Emergency UTV	\$8,835.11	\$8,835.11	\$8,835.11
	Justification <i>Needed for UTV trailer and accessories.</i>			
01-480-962-0004	PW Equipment Replacement	\$18,500.00	\$18,500.00	\$18,500.00
01-480-963-0031	Recreation Department Equipment	\$35,000.00	\$35,000.00	\$35,000.00
01-480-963-0034	Skate Park	\$25,000.00	\$25,000.00	\$25,000.00
01-412-220-0000	NFHP (from non-CIP Outside Agencies)	\$3,934.75	\$3,934.75	\$3,934.75
	Justification <i>Needed for CIP reserves per agreement with AVCOC.</i>			
	Total Capital Improvements Carryover Requests from FY2016 Budget	\$512,002.51	\$512,002.51	\$512,002.51
01-495-995-0105	Moving Downtown Forward	\$55,010.56	\$55,010.56	\$55,010.56
01-495-995-0200	Bridge Inspection Repair	\$ 26,866.00	\$26,866.00	\$26,866.00
01-495-995-0403	PW Garage Improvements	\$ 44,992.70	\$44,992.70	\$44,992.70
01-495-995-0502	Library Exterior Paint	\$ 7,186.57	\$7,186.57	\$7,186.57
01-495-995-0709	Interior/Exterior Recreation Center	\$ 1,385.77	\$1,385.77	\$1,385.77
01-495-995-0901	Police Bldg Maintenance	\$ 11,153.56	\$11,153.56	\$11,153.56
	Justification <i>Needed for PD Renovations.</i>			
01-495-995-0906	Police Impound Renovations	\$ 4,858.93	\$4,858.93	\$4,858.93
01-495-995-1001	City Hall Repairs	\$ 3,209.82	\$3,209.82	\$3,209.82
01-495-995-1313	FD Repair Program	\$ 3,804.28	\$3,804.28	\$3,804.28
01-495-995-2501	PW Fuel Distribution System	\$ 166,400.00	\$166,400.00	\$166,400.00
	Justification <i>Needed for mandated upgrades to fuel system.</i>			
01-495995-2503	Retaining Wall Repair/Replacement	\$ 36,196.88	\$36,196.88	\$36,196.88
01-495-995-2605	Sidewalk Replacement	\$ 34,502.48	\$34,502.48	\$34,502.48
01-495-995-3503	Library Outside Brickwork	\$ 12,981.68	\$12,981.68	\$12,981.68
	Total Capital Improvements Carryover Requests from FY2015 Segregated Funds	\$408,549.23	\$408,549.23	\$408,549.23
	Total General Fund Capital Improvements Carryover Funds for FY2016	\$920,551.74	\$920,551.74	\$920,551.74

	Sewer Fund			
60-480-438-0005	Utility Mapping	\$ 7,320.08	\$7,320.08	\$7,320.08
60-480-438-0008	Long Term CSO Plan	\$ 100,000.00	\$100,000.00	\$100,000.00
60-480-438-0021	Short Lived Asset Reserve	\$ 488,000.00	\$488,000.00	\$488,000.00
	Total Capital Improvements Carryover Requests from FY2016 Budget	\$ 595,320.08	\$595,320.08	\$595,320.08
60-495-995-0015	Chopper Pumps	\$ 70,133.62	\$70,133.62	\$70,133.62
Justification	<i>Needed for short lived assest replacements/repairs</i>			
60-495-995-0101	Sanitary Line Replacement	\$ 22,048.55	\$22,048.55	\$22,048.55
60-495-995-0103	Cost Replacement	\$ 30,304.06	\$30,304.06	\$30,304.06
Justification	<i>Needed for short lived assest replacements/repairs</i>			
60-495-995-0106	Long Term CSO Plan	\$ 50,000.00	\$50,000.00	\$50,000.00
	Total Capital Improvements Carryover Requests from Prior Years' Segregated Funds	\$ 172,486.23	\$172,486.23	\$172,486.23
	Total Sewer Fund 60 Capital Improvements Carryover Funds for FY2016	\$767,806.31	\$767,806.31	\$767,806.31
	Total Carryover Capital Improvement Funds Requested from FY 2016 (All Funds)	\$1,688,358.05	\$1,688,358.05	\$1,688,358.05

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

City Manager Wheeler stated that the original Resolution that was presented contained the same information, however, the Skate Park and NFHP line item amounts were not included in the overall total. The correction was made and the final carry over amount will be \$1,688,358.05.

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

Councilor Higbee moved with a second by Councilor Morgan Allain to amend Resolution 2016-24 to be Resolution 2016-24 R-1 to include the two line item amounts noted to change the total amount to \$1,688,358.05. So moved the motion carried and Mayor Grenier declared the amendment now passed.

Councilor Higbee moved with a second by Councilor Morgan Allain to have the resolution read a second time by title only, as amended. So moved, the motion carried.

Councilor Higbee moved with a second by Councilor Morgan Allain to have the resolution read a third time by title only, as amended. So moved, the motion carried.

Councilor Higbee moved with a second by Councilor Morgan Allain to pass the resolution, as amended. Roll call resulted in unanimous affirmative votes including Mayor Grenier who declared the resolution now passed as amended.

4. Resolution 2016-25 Appropriating \$20,000 to PD Special Project Enforcement (Tabled 9/6/2016)

A RESOLUTION appropriating \$20,000.00 to the Police Department Special Project Enforcement (01-420-114-0000) from Unappropriated Fund Balance.

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

Whereas, the City of Berlin is the location of several events such as the Jericho ATV Festival, Wingzilla, RiverFire and new this year will be Camp RZR, scheduled for Friday and Saturday, September 23 & 24; and

Whereas, in anticipation of successful events with continued increase in participation by local citizens and visitors, the Berlin Police Department wants to be prepared to keep peace and order in the community.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH that \$20,000.00 is appropriated to the Police Department Special Project Enforcement account (01-420-114-0000) from FY16 Unappropriated Fund Balance.

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

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

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

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

Councilor Nelson moved with a second by Councilor Higbee to pass the resolution. Roll call resulted in unanimous affirmative votes including Mayor Grenier who declared the resolution now passed.

NEW BUSINESS

5. Ordinance 2016-07 Electronic Message Display Regulations (1st read)

Councilor Remillard moved with a second by Councilor Otis to table the ordinance and schedule a public hearing on October 3, 2016. So moved, the motion carried.

6. Ordinance 2016-08 Signs Allowed by Permit Only (1st read)

Councilor Nelson moved with a second by Councilor Higbee to table the ordinance and schedule a public hearing on October 3, 2016. So moved, the motion carried.

7. Resolution 2016-26 Appropriating up to \$30,540.00 (1st Read)

Councilor Remillard moved with a second by Councilor Morgan Allain to table the resolution and schedule a public hearing on October 3, 2016. So moved, the motion carried.

8. Communication re: Madison Avenue and Memorial Lane:

September 12, 2016

Mr. James Wheeler
City Manager
168 Main Street
Berlin, NH 03570

Dear Jim,

I am writing to you with a concern about the lack of a stop sign at the intersection of Madison Avenue and Memorial Lane. I have recently started bringing my son to Berlin High and have noticed that there is no stop sign at this intersection. There are many new drivers in this area

going to and from the high school and I feel that a lack of a stop sign here is a danger. If you need further information, please contact me. Thank you for your consideration.

Sincerely,

Christine Landry
1900 Hutchins Street
Berlin, NH 03570
752-6656
clandry@ne.rr.com

Councilor Remillard moved with a second by Councilor Higbee to forward the communication to the Traffic and Safety Committee, Public Works Director and Police Chief for review and recommendation. So moved, the motion carried.

9. Communication re: Signs

David R. Poulin
410 Glen Ave
Berlin, NH 03570

9-12-2016

Honorable Mayor and City Council
Berlin, NH

Dear Mayor & Council,

I would like to thank all of our City Officials for the support given to the business community. With that said I was very concerned about signage being brought up by our City Planner. It is extremely difficult to stay open and make a money in our current business climate. Adding restrictions and more red tape to small business will only cost our community money and jobs. I own twelve businesses in numerous community and States. I have no idea why Berlin's City Planner has such issue with signage. We have much bigger fish to fry. I own a business in Littleton, NH and love doing business there. Their sign ordinance is "NONE". One only has to look to Littleton's business growth and success as a template. Littleton allows business to stand on their own merits knowing any business worth its salt will have proper signage and weak ill-advised businesses will fail and close. There is no need for government to micromanage or intervene in small business signage. To succeed we simply need the ability to respond to market conditions and competition without additional regulations. In order to continue developing businesses and bringing jobs to Berlin I need and appreciate your support.

Sincerely,

David R. Poulin
H & R Block, owner
Glen Ave. Plaza, owner
Berlin Auto Mart, owner
Hope for NH Bldg, owner

In light of the conversation during the Council Work Session, Mayor Grenier asked City Manager Wheeler to contact Mr. Poulin to acknowledge and review the proposed new ordinances.

Councilor Nelson moved with a second by Councilor Morgan Allain to accept the communication and place it on file.

10. City Manager's Report

1. Estimated voter turn-out was 22%. The Attorney General's office visited and inspected the St. Anne's location during their North Country tour. The AG's representative made a few small requests related to the layout of aisles and tables which were implemented while he was present.
2. The "go live" date for the City's new web site is September 23, 2016. The new look will be cleaner and easier to navigate; however it is still a work in progress.
3. The Fire Department's Incident Report for August is attached. On Friday August 16th there was a forest land fire in the vicinity of the Burgess St. Reservoir. The fire was determined to be in Gorham, however, Berlin FD assisted in the operation. A total of 42 multi-agency personnel fought the fire. Fortunately, and to everyone's credit, there were no injuries. Berlin, Gorham, Milan, New Hampshire Forest and Lands, Berlin EMS, Gorham EMS and the Red Cross responded. The residents on Burgess St. were very understanding with the parking of equipment. The UTV and boat were both utilized. Due to the rough terrain it was easier and faster to shuttle equipment across the Burgess Reservoir to the fire.
4. Community Field has received a new placement of certified playground wood chips at the base of the play equipment.
5. Among the many Camp RZR preparations, Mark Belanger of the AVCOC is organizing a Welcome and Information Center to be set up on Glen Ave. adjacent to Veteran's Park. He is working with Public Works and the Police Dept. on the traffic pattern design. Anyone interested in volunteering some time at the welcome center on Friday or Saturday should contact me directly.
6. The New Hampshire Municipal Association issued a publication in August 2016 that gives a history of State aid and the effect it has had on local property taxes. Local revenue depends on property taxes and any reductions in State aid programs shifts costs to municipalities. The report can be found at <https://www.nhmunicipal.org/Resources/LegislativeBulletin/117> .
7. There will be a Fall Program Series called "Women Out of the Kitchen" Historical Women of New England at the White Mountains Community College Fortier Library on Wednesdays in October. The series is sponsored by the NH Humanities Council, the Berlin Public Library, the Gorham Public Library and White Mountains Community College. A flyer giving the dates and descriptions of each program is attached.

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.

11. Mayor's Report

Mayor Grenier took a moment to thank the people who worked at the polls during the recent Primary Election, noting that it really is a practice run for the Presidential Election. It is difficult to find folks to work the polls and it is a long day for the workers; their hard work and dedication is appreciated.

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

12. PUBLIC COMMENT

13. Council Comments

Councilor Otis wanted to make sure that the ATV operating hours will be extended for the upcoming event and is being advertised as such.

Councilor Nelson stated that since she was in direct contact with Polaris regarding a portion of the monies outlined in Resolution 2016-26, she will be abstaining from voting on the matter.

Councilor Remillard thanked all those who participated in the Church dinner last week.

14. Adjournment

There being no further business before the Mayor and Council, Councilor Rozek moved with a second by Councilor Theberge to adjourn the regular meeting. So moved, the motion carried and Mayor Grenier declared the regular meeting adjourned at approximately 8:39 P.M.

A True Record, Attest:

Elaine Riendeau
City Clerk