

## **PUBLIC HEARING – OCTOBER 17, 2016**

Mayor Grenier opened the duly scheduled and advertised Public Hearing at approximately 7:27 p.m. to hear comments on the following subject matters:

A public hearing was opened on Ordinance 2016-09 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. No comments were presented and Mayor Grenier closed this portion of the public hearing at 7:28 pm.

A public hearing was opened on Resolution 2016-27 appropriating the sum of \$3,000 to the Berlin Police Department Fiscal Year 2017 budget for the purpose of effectuating the NH Highway Safety Project Grant, "Distracted Driving Patrols". No comments were presented and Mayor Grenier closed this portion of the public hearing at 7:28 pm.

A public hearing was opened on Resolution 2016-28 authorizing the Berlin Police Commission to apply for and accept \$17,981.32 in grant funds from the NH Department of Safety for the purpose of effectuating the Opioid Abuse Reduction Initiative. No comments were presented and Mayor Grenier closed this portion of the public hearing at 7:29 pm.

A public hearing was opened on Resolution 2016-29 appropriating the sum of \$3,600 to the Berlin Police Department Fiscal Year 2017 budget for the purpose of effectuating the NH Highway Safety Project Grant, "E-Ticket Equipment". No comments were presented and Mayor Grenier closed this portion of the public hearing at 7:29 pm.

A public hearing was opened on Resolution 2016-30 authorizing an Application to the Community Development Block Grant Planning Grant Program for \$12,000 for technical assistance to determine the scope and feasibility of installing infrastructure in the downtown area to heat streets and sidewalks in the winter months.

Pamela Laflamme, Community Development Director, presented the following: Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for economic development, up to \$500,000 for public facility and housing projects, up to \$500,000 for emergency activities that directly benefit low and moderate income persons, and up to \$12,000 is available for feasibility study grants.

The purpose of this Community Development Block Grant funding request: This is a proposed application to the Community Development Finance Authority for up to \$12,000 in Community Development Block Grant planning grant funds to define a scope of work to determine feasibility for heated streets and sidewalks in downtown Berlin.

Mayor Grenier asked for comments from the public; with none presented, this portion of the public hearing closed at 7:32 p.m.

A public hearing was opened noting this project conforms with Berlin's Housing and Community Development Plan's Goals of: Assist non-profit service agencies in expansion, consolidation and relocation efforts.

Mayor Grenier asked for comments from the public; with none presented, this portion of the public hearing closed at 7:32 p.m.

A public hearing was opened noting though this project does not involve any displacement or relocation of persons (or businesses), if the City were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated.

Mayor Grenier asked for comments from the public; with none presented, this portion of the public hearing closed at 7:33 p.m.

## **CITY COUNCIL MEETING – Monday, October 17, 2016**

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:34 p.m. in the City Hall Council Chambers. The pledge of allegiance to the flag preceded roll call. Present: Councilors Remillard, Otis, Morgan Allain, Higbee, Rozek, Nelson, Gentili and Theberge. . Also present: James Wheeler, Susan Tremblay, Barbara Tetreault, Pamela Laflamme and Jeff Lemoine

### **Minutes, Previous Meeting**

Councilor Remillard moved with a second by Councilor Otis to accept the minutes of the October 3 Regular Meeting/Work Session as well as the October 10 Work Session. So moved, the motion carried.

### **Disbursements:**

Disbursement Summary Draft #1775 start date 10/04/2016 end date 10/17/2016 for a total cash disbursement of \$1,179,812.17. 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 – There was none.
2. Ordinance 2016-09 Removing Parking on a Portion of Community Street (Tabled 10/03/2016)

**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:

**Community Street**, south side, “No Parking Between Signs” from signs placed at 10’ east of utility pole #410/4A to 57” east of pole #129/5 FP.

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

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

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

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

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

3. Resolution 2016-27 Appropriating \$3,000 to PD for Distracted Driving Patrols (Tabled 10/03/2016)

A RESOLUTION appropriating the sum of Three Thousand Dollars (\$3,000.00) to the Berlin Police Department Fiscal Year 2017 budget for the purpose of effectuating the NH Highway Safety Project Grant, "Distracted Driving Patrols."

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

WHEREAS the Berlin City Council passed a resolution on March 8, 2016, authorizing the Berlin Police Commission to apply for and accept funds from the New Hampshire Highway Safety Agency for any and all Highway Safety Project Grants for Fiscal Year 2017; and

WHEREAS driver inattention/distraction remains a primary contributing factor of crashes; and

WHEREAS instead of focusing their attention on safely operating their vehicles, drivers are frequently distracted by other activities such as illegally texting and/or using handheld cell phones while driving, often in combination with speeding and following too close, and this combination of tasks leads to crashes, injuries, property damage, and loss of life; and

WHEREAS the NH Highway Safety Agency recognizes the need to address distracted driving and provides grant funding specifically for that purpose.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH, that the sum of Three-Thousand Dollars (\$3,000.00) from the NH Highway Safety Agency, is hereby appropriated to the Berlin Police Department Fiscal Year 2017 budget in addition to all previously-appropriated funds, for the purpose of effectuating said Distracted Driving Patrols Grant.

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

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

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

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

Councilor Nelson moved with a second by Councilor Morgan Allain to pass the resolution. So moved, the motion carried.

4. Resolution 2016-28 Authorizing a \$17,981.32 Grant for Opioid Abuse Reduction Initiative (Tabled 10/03/2016)

A RESOLUTION authorizing the Berlin Police Commission to apply for and accept \$17,981.32 (Seventeen Thousand, Nine Hundred Eighty-One Dollars and Thirty-Two Cents) in grant funds from the NH Department of Safety for the purpose of effectuating the Opioid Abuse Reduction Initiative.

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

WHEREAS opioid sales and abuse are causing an increase in 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;

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 purpose of effectuating said Opioid Abuse Reduction Initiative.

BE IT FURTHER RESOLVED that upon receipt of said funds, the sum of \$17,981.32 (Seventeen Thousand, Nine Hundred Eighty-One Dollars and Thirty-Two Cents) is hereby appropriated to the Berlin Police Department Fiscal Year 2017 Budget, in addition to all previously-appropriated funds.

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.

**5. Resolution 2016-29 Appropriating \$3,600 to PD for E-Ticket Equipment (Tabled 10/03/2016)**

A RESOLUTION appropriating the sum of Three Thousand, Six Hundred Dollars (\$3,600.00) to the Berlin Police Department FY'17 budget for the purpose of effectuating the NH Highway Safety Project Grant, "E-Ticket Equipment."

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

WHEREAS the Berlin City Council passed a resolution on March 8, 2016, authorizing the Berlin Police Commission to apply for and accept funds from the New Hampshire Highway Safety Agency for any and all Highway Safety Project Grants for Fiscal Year 2017; and

WHEREAS the Berlin Police Department is one of many New Hampshire enforcement agencies that submits manual citations and accident reports to the State, and

WHEREAS there is consistently a backlog of these reports being entered by DMV staff, resulting in untimely data analysis; and

WHEREAS software and equipment exists which provides enforcement agencies the ability to complete and submit citations electronically on location; and

WHEREAS electronic submission enables the State to have more accurate and timely access to data, reducing the backlog of unrecorded data while also efficiently documenting motor vehicle activity and providing necessary data to identify areas where enforcement efforts need to be deployed; and

WHEREAS the NH Highway Safety Agency funds local projects by providing grants for said equipment.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH, that the sum of Three-Thousand, Six-Hundred Dollars (\$3,600.00) from the Highway Safety Agency is hereby appropriated to the Berlin Police

Department Fiscal Year 2017 budget, in addition to all previously-appropriated funds, to meet the expenses directly incurred by the E-Ticket Equipment Grant.

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

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

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

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

Councilor Nelson moved with a second by Councilor Theberge to pass the resolution. So moved, the motion carried.

6. Resolution 2016-30 Authorizing and Application to CDBG for Engineering & Technical Assistance  
(Tabled 10/03/2016)

A RESOLUTION authorizing an application to the Community Development Block Grant Planning Grant Program for \$12,000 for technical assistance to determine the scope and feasibility of installing infrastructure in the downtown area to heat streets and sidewalks in the winter months.

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

Whereas, there is grant money available from Federal Highways to fund innovative transportation projects; and

Whereas, there are many benefits to having heated streets and sidewalks in the downtown area including economic benefits, health and wellness benefits and benefits for all modes of transportation; and

Whereas, the downtown is in need of inventive new ways to attract and retain commercial development; and

Whereas, Community Development Block Grant Feasibility Study funds are available to hire engineers to determine the viability of the project; and

Whereas, upon approval, the City Manager is authorized to receive said grant and the grant proceeds are hereby appropriated for the purpose of the grant; and

Whereas, all grant proceeds shall be deposited with the City Treasurer and that any additional use of these funds beyond the scope of work as listed in the application shall require prior approval of the City Council.

Now Therefore Be It Resolved by the City Council of the City of Berlin as Follows:

That, the City Manager is authorized to apply to the Community Development Block Grant Planning Grant Program for \$12,000 for technical assistance to determine the scope and feasibility of installing infrastructure in the downtown area to heat streets and sidewalks in the winter months, and the City Manager is authorized to execute any documents which may be necessary to effectuate the CDBG contract.

Be it further resolved that the City Council adopts the updated Housing and Community Development Plan; and the Residential Anti-displacement and Relocation Assistance Plan.

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

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

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

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

Councilor Gentili moved with a second by Councilor Morgan Allain to pass the resolution. So moved, the motion carried.

Councilor Higbee moved with a second by Councilor Otis to adopt the updated Housing and Community Development Plan. So moved, the motion carried.

Councilor Theberge moved with a second by Councilor Otis to adopt the Residential Antidisplacement and Relocation Assistance Plan. So moved, the motion carried.

Councilor Nelson moved with a second by Councilor Otis to approve the submittal of the application and vote to authorize the City Manager to sign and submit the application, and upon approval of the CDBG application, authorize the City Manager to execute any documents which may be necessary to effectuate the CDBG contract. So moved, the motion carried.

## **NEW BUSINESS**

### **7. Resolution 2016-31 Authorizing Assistance to Firefighters Grant for Ladder Truck (1<sup>st</sup> read)**

Councilor Theberge moved with a second by Councilor Higbee to table the resolution and schedule a public hearing on November 7, 2016. So moved, the motion carried.

### **8. Communication re: 1519 Main Street**

10/3/16

RE: 1519 Main Street

Att.: City Council

Hazardous Conditions

We read with interest of your decision to have property cleaned up at 811 Sixth Ave. We commend you. May we please have this same directive apply to property at 1519 Main St. Neighbors and residents have asked this to be done with no results. Residents between Eighth and Eleventh Streets, Norway St. and all residents of area are seeing their property values decline.

Tourists have remarked about the deplorable sight.

Emergency and Fire Dept. service would be unable to reach the rear of this property if necessary. Thus neighbors' properties on Main St. and rear of property (Norway St.) would be taken down! Commercial or residential designations should not have such conditions facing them, see their property values decline, having to look at this property, face that property driving by.

Please may all of Main St. be addressed, as attention is being given to entire city, as necessary, to clean up for its future.

Sincerely,

Leona R. Deyette

Councilor Remillard moved with a second by Councilor Otis to place the letter on file and request that the City Clerk send a letter to Ms. Deyette stating that the Council is currently addressing this issue. So moved, the motion carried.

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

1. Please help us recognize a deserving Berlin resident who has given their time and talent for the benefit of youth in the community by nominating that person for the Gus Rooney Award. [Applications](#) are due to the Recreation Department by November 9<sup>th</sup>.
2. The White Mountains Community College is celebrating their 50<sup>th</sup> anniversary! They are holding a Gala at the Omni Mount Washington on Saturday October 29, 2016 from 6 to 11 p.m. The \$100 per person contribution benefits student scholarships and enrollment and retention efforts.

3. The Stand Up Androscoggin Valley Coalition and NH National Guard Counterdrug Task Force are hosting an event on November 2<sup>nd</sup> titled "Root Cause: Getting to the Bottom of it". Please see the attached flyer.
4. The City's winter parking ban goes into effect on November 1st.
5. Bids were opened on Tuesday, October 4 for the replacement of the Library boiler. There were three bids with Irving Energy of Berlin providing the lowest price. The work is expected to be completed by October 28, 2016. This project was funded in this year's capital improvement budget. A copy of the bid tabulation is attached.
6. There was a court proceeding on Tuesday, October 4th regarding an "eviction" from a tax deeded property. On October 5<sup>th</sup> the judge issued a decision in favor of the City. The occupant has the right to appeal the judge's decision.
7. The Public Works Activity Report is attached.
8. On Thursday, November 10, 2016 a Fair Housing Training will be held at City Hall from 9:00 to 11:00 a.m. All City Councilors are welcome to attend. The training is being organized by the Berlin Housing Authority.
9. The State of NH issued a letter dated October 4, 2016 to AJ Coleman Son saying that the Route 110 Phase 2 contract was completed and accepted on September 7, 2016. A copy of the letter is attached.
10. City Council phone numbers have been added to the web site as requested.
11. On October 8<sup>th</sup> an editorial appeared in the Union Leader which was critical of the City's efforts to investigate the viability of installing a downtown snowmelt system. In particular, the article targeted the City's intent to apply for federal grants for the feasibility study and assumedly for any grants we would apply to for constructions costs. The City's intent is to apply for a \$12,000 CDBG planning grant to investigate the feasibility. We based this in large part on our conversations with Holland, MI who says their system has resulted in significant economic benefits. Such an application falls in line with the economic development mission of the CDBG program. And yes, if we decide to go forward, we would apply to TIGER which stands for Transportation Investment Generating Economic Recovery. This federal grant program is designed specifically for transportation projects that are innovative and are expected to generate economic activity. It's too early to say if we will move forward with this project but it is too bad that the editorial wasn't able to recognize innovation and forward thinking. The recently completed Rte. 110 project was completed with 80% federal funds. You can be certain that communities to the south also benefit from federal transportation dollars.
12. Finally, attached is an article from yesterday's Portland Press Herald's Sunday edition. The story compares Millinocket, Maine's current economic conditions to that of Berlin's 10 years ago. The primary focus of the article is to question if an ATV industry is right for Millinocket. In doing so it highlights the great success the industry has been for our area.

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.

Councilor Higbee asked City Manager Wheeler about the content of the article in the Union Leader and Mr. Wheeler indicated that they were being critical of the City applying for \$12,000 for the Study of heating the downtown Main/Pleasant Streets and sidewalks.

# 10. Mayor's Report

## a. PROCLAMATION – Go the Extra Mile

**WHEREAS**, Berlin is a community which acknowledges that a special vibrancy exists with the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

**WHEREAS**, Berlin is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends and community; and

**WHEREAS**, Berlin is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and

**WHEREAS**, Berlin acknowledges the mission of the Extra Mile America Foundation to create 300 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2016.

**NOW THEREFORE** I, Mayor of Berlin, New Hampshire do hereby proclaim November 1, 2016 to be Extra Mile Day. I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those around who are inspirational in their efforts and commitment to make their organizations, families, community, country or world a better place.

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**Paul Grenier, Mayor Berlin, New Hampshire**

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.

11. PUBLIC COMMENTS - There were none.

12. Council Comments

Councilor Nelson thanked the Recreation Department, Public Works Department, Police Department and Mayor Grenier for their time and assistance during the RiverFire Festival.

13. 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 8:04 P.M.

A True Record, Attest:

Elaine Riendeau  
City Clerk