# CITY COUNCIL MEETING - Monday, November 18, 2019

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:02 p.m. in the Council Chambers.

## **Regular Meeting**

a. Pledge of Allegiance

#### b. Roll Call

Present: Mayor Grenier, Councilors Otis, Morgan, Gentili, Higbee, and Rozek

Absent: Councilors Remillard, Berthiaume, and Theberge

Also present: James Wheeler, Susan Tremblay, Pamela Laflamme, Shelli Fortin, Jamie Welch, Gina Welch, Richard Laflamme, and Barbara Tetreault, Berlin Daily Sun.

**c.** Councilor Otis moved, with a second by Councilor Morgan, to accept the minutes of the November 4, 2019 Regular Meeting and Work Session, and the November 11, 2019 Work Session. So moved, the motion carried.

### Disbursements:

Disbursement Summary Draft #184851 start date 11/05/2019 end date 11/18/2019 for a total cash disbursement of \$1,367,383.66. Councilor Otis moved with a second by Councilor Morgan to accept the disbursement summary and pay all bills as recommended by the Committee on Accounts/Claims. So moved, the motion carried.

### **PUBLIC COMMENTS -**

Richard Laflamme of 128 Jasper Street in Berlin asked about the Camoin Associates study and was advised this is an ongoing process handled jointly between the City and BIDPA. City Manager Wheeler advised that the study is available for review online and Councilor Higbee advised that the BIDPA meetings are open to the public to attend.

## **UNFINISHED BUSINESS**

1. Council Committee Reports – There were no Council Committee Reports.

## **NEW BUSINESS**

2. Resolution 2019-29 Appropriating City Capital Projects (first read)

Councilor Gentili moved, with a second by Councilor Higbee to table the Resolution and schedule a public hearing for December 2, 2019. So moved, the motion carried.

3. Resolution 2019-30 John Deere Standardization (first read)

Councilor Otis moved, with a second by Councilor Morgan to table the Resolution and schedule a public hearing for December 2, 2019. So moved, the motion carried.

**4.** Resolution 2019-31 Sewer Fund Loader (first read)

Councilor Gentili moved, with a second by Councilor Higbee to table the Resolution and schedule a public hearing for December 2, 2019. So moved, the motion carried.

Councilor Higbee moved, with a second from Councilor Morgan to recess for a non-meeting pursuant to RSA 91-A:2 (c) Legal Consultation. A roll call vote was taken. Higbee- aye, Rozek – aye, Otis – aye, Morgan – aye, Gentili, -aye, Grenier – aye. So moved, the motion passed.

Councilor Rozek moved, with a second from Councilor Higbee to re-enter the Regular Meeting at 7:59 pm. So moved, the motion passed.

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

- 1. Berlin Emergency Medical Services informed that they have received three new defibrillators from Zoll, financed at 0% for the next four years. It is anticipated that the working life of these will be approximately 15 years. The new ambulance is in the company's possession and it should be ready to get on the road once the radio equipment is transferred from the retiring vehicle.
- 2. We expect the loaders to be shipped from the factory to Nortrax in Pembroke, NH on 11/22/19. The equipment will then be fitted with wings and plows before delivery to Berlin. This will take another few weeks. The new salt trucks are currently at Donovan Equipment in Londonderry, NH being fitted with wings and plows before being delivered to Berlin. They should be here soon when they will be fitted with salt boxes.
- 3. Pursuant to the October 8, 2019 letter authorized by City Council to seek ownership of the Berlin Armory building, the issue was heard and passed by the Legislature's Long Range Planning and Utilization Committee on 11/6/19. Chief Morency and I have a call scheduled this week with Warren Perry, Deputy Adjutant General, to discuss how the City and the Department of Military Affairs and Veteran Services will pursue final approval from the Executive Council, discuss the needs of the NH Historical Commission, draft the deed for transfer, and any other actions that may need to occur.
- 4. With any luck, we will see our contractor taking a close look at the upper front right section of the Princess Theatre over the next several days. The work is being coordinated with Eversource due to the proximity of power lines.
- 5. Cleanout work at 469 Hillsboro Street has progressed significantly. The City's inspection team should be in a position to re-enter the property within a week.
- 6. We are happy to report that Chris Walters, who was hired as an operator apprentice at the Wastewater Plant, in May of 2019 achieved his NH Wastewater Grade I license on October 31<sup>st</sup>. The use of an apprentice program was suggested by Supt. Jon Goodreau as a means to develop needed operators. Congratulations to both Chris, Jon and the staff at the facility for making this work!
- 7. I plan to be on vacation during the week of Thanksgiving. As always, I will be available as needed.
- 8. Ambulance statistics are attached.
- 9. Property transfers for October are attached.

Councilor Rozek moved with a second from Councilor Higbee to accept the City Manager's Report and place it on file.

Mayor Grenier asked about the cleanup at 469 Hillsboro Street and how to be sure it does not happen again. City Manager Wheeler advised that neighbors and the police will need to keep an eye on it and if the owner begins to bring material there, the court will be contacted.

Councilor Rozek asked about Primex coverage for the liability of the wall at the old movie theater building. City Manager Wheeler will check on this.

So moved, the motion carried.

- **6.** Mayor's Report
  - a. Letter from Della Cartier

Dear Mayor Grenier and Council Members:

RE: Discontinuing of Rheims St / Aug. 2007

I share property ownership with a family member at 246 Bridge St. In the future I intend to return to his home. In reviewing numerous property records of the surrounding neighborhood, there is one issue that requires remedial action by the city.

In July of 2007 a written request (copy enclosed) was submitted to the city council by Tracy and Leane Rexford at 242 Bridge St. to discontinue 200 feet of Rheims St. This section connected Bridge St. and Pershing Avenue. This request was a misrepresentation of a fact. Rheims Street was not a "paper street" as the Rexfords implied. This asphalt street had been paved, maintained, and plowed for decades at taxpayer expense. It also has a public water line that the city holds an easement to for maintenance purposes. The street was wide enough for 2 vehicles to pass by each other in opposite directions.

Also submitted for the request, (unknown by whom) and dated 2 weeks after the Rexfords letter is a map by PEOPLE GSI. This map conveniently does not name Rheims St, but does indicate the Rexford property. This document was printed and produced from the Berlin, NH geographical information system. The document clearly states that the information presented in intended for general review purposes only. This map was used for inappropriate purposes. I have included the underlying map of the area that clearly shows that Rheims Street is not a paper street. City maps of the neighborhood throughout the decades all name Rheims Street and are readily available for review.

Bridge St. and Pershing Avenue are both dead end streets with steep inclines. The loss of this section of Rheims St. has been an inconvenience to neighbors and removed the public's right of way. It is also a safety matter. In the event emergency vehicles have proceeded up the wrong street in error, had to turn around in confining spaces, return back down the hill (s), and turn around to gain access to the street address.

The planning board agreed to the discontinuing of Rheims St and the city council gave its approval to giving up its interest in this street with minimal public notification. It appears that the misrepresentation of the facts was for the personal gain of the Rexfords. The city was remiss in its fiduciary duty to protect the taxpayers and neighbors.

The taxpayers are entitled to an explanation regarding this land give-away. The city needs to remedy this situation and restore the public's access and right of way between Bridge St and Pershing Ave.,

Sincerely, Della Cartier

CC: P. Laflamme (planning board), NH Attorney General

Mayor Grenier advised that he has spoken with Pamela Laflamme concerning this matter and she has sent all documents pertaining to the discontinuing of the street. Mayor Grenier advised there has been civil action between the parties involved and recommended that Pamela Laflamme handle the complaint.

b. Berlin Housing Authority Letter Requesting Re-appointment of Theresa Saucier

Dear Mayor and Berlin City Councilors:

This is to request that City Council renew the term of Theresa Saucier, a Berlin Housing Authority Resident Commissioner. Her new term would be set to expire December 2022.

Mrs. Saucier has served on the board very faithfully and has helped the Authority become what it is today.

We request that you kindly begin the process of reappointment. Thank you for your attention to this matter.

Sincerely, Mary-Jo Landry Executive Director Councilor Rozek moved, with a second by Councilor Higbee, to accept the Mayor's nomination of Theresa Saucier to the Berlin Housing Authority for a 3-year term to expire December 31, 2022. So moved, the motion passed.

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

7. PUBLIC COMMENTS – There were no Public comments.

#### 8. Council Comments

Councilor Otis commended the Berlin Recreation Department for the fine job they did prepping the field for the football game on Saturday. Councilor Otis stated that the Department has good employees who got a great field ready for the football game for the community. Councilor Otis advised that the Gladiators won 18-0 in this championship game.

## **9.** Adjournment

At approximately 8:15 p.m. Councilor Rozek moved with a second by Councilor Higbee to adjourn the regular meeting. 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.