

**City Council Work Session**  
**February 11, 2019**

Present were: Mayor Grenier, Councilors Theberge, Berthiaume, Rozek, Otis, Remillard, Higbee and Gentili; Councilor Morgan Allain was absent

Others present: City Manager Jim Wheeler, City Clerk Shelli Fortin, Public Works Director Eric Grenier, Finance Director Patty Chase, Representative Henry Noel, Fire Chief John Lacasse, Claire Stiles, Rick Alpers NH Primex, Shelly Walts NH Primex, Barbara Tetreault, *Berlin Daily Sun*.

Mayor Grenier opened the meeting at 6:30 p.m.

**Rick Alpers, Risk Management Consultant, NH Primex**  
**City Workers' Compensation Experience**

Mr. Alpers stated that the City has been performing better when it comes to Worker's Compensation claims. Trends are in the City's favor; and the JLPC is active, with employees engaged in safety. Mayor Grenier asked if there is a process to track and identify causes of injury. Mr. Alpers replied that Primex charts data and is able to report on trends. Statewide, there has been an increase in cyber-attacks. Property/liability insurance includes cyber liability coverage.

Mr. Alpers reported that Primex is a risk pool with over 400 members statewide. He reviewed the City's claims in real time. WC is trending down with a loss ratio of .99. The City is currently being rated from January 2012 to December 2017 where there are 122 claims amounting to \$550,000. Slips, trips and falls outside are the # 1 risk. The best way to avoid slips and falls is to keep walkways clear, and to wear proper ice grips for walking on ice. Since last year there have been 12 claims amounting to \$41,000. WC rates for firefighters and police has increased across the state due to changes in the law. The Communicable disease law had police and firefighters having to prove that they were subjected to bodily fluids before WC would pay; the law has become more lenient. There is also a law that allows firefighters to claim certain types of cancer as a WC injury.

**Training opportunities.**

Mr. Alpers gave kudos to the Fire Department stating that they have done back injury prevention, and confined space entry training. Staff can come to training in Concord; however there are several webinars available on line. Video conferencing is coming soon where a conference will be available and users will tune in using Zoom. Departments can also schedule training at their facility.

Mr. Alpers explained that as a nonprofit risk pool, Primex is only allowed to what they need to operate and the remainder is returned to the pool. Mayor Grenier asked about law enforcement law suits and Mr. Alpers stated that there are very few in the north.

Councilor Higbee asked for some examples of the online training. Mr. Alpers named: Blood Borne Pathogens, Slips, Trips, and Falls as well as Cyber Liability. Ms. Wells added that there is an On Line Harassment Training that is very good. She added that next year's Property Liability contribution is going down by about \$10,000.

Mr. Alpers explained a Primex initiative to visit public works garages throughout the state to make recommendations on safety. There have been fires in PW garages and the loss of equipment is very difficult to replace. The review looks at how parking occurs in the facility as well as nearby accelerants. The City's P/L claims have been primarily plowing claims. Mr. Wheeler stated that it is the first time in years that the chairperson of the JLPC is from the labor side. Ron Lemoine is the chair and the changes have had a good impact. There is a focus on making sure that when there is an incident, it is reported and the Supervisor has to follow up with a review of how the accident happened and what led up to the incident. Mr. Alpers and Ms. Walts left the meeting at this time.

### **HB683**

Mr. Wheeler referred to HB683's line 29 on the first page that adds additional structure to how municipal streets get approved. It is contrary to the municipal form of government. The City took a slow process when opening streets by doing a phased in approach. Each step went through a public hearing process. Now in addition to requiring City Council approval, opening a street to OHRV's would need approval of 2/3 of the landowners. Mayor Grenier said that such a bill will completely destroy the Ride the Wilds. If there are problems, they need to be addressed with more law enforcement and patrols.

Councilor Rozek theorized that the intent is to close the in town trail. He added that the trails are a critical part of changing from a paper mill town to a tourist attraction. Councilor Berthiaume added that there are other states trying to be us and if we don't keep the streets open, the riders will go somewhere else. Councilor Remillard stated that house values would be affected as well; closing the ability to ride in town would be detrimental. There are a lot of people who have bought houses to ride in Berlin.

Councilor Rozek mentioned the first paragraph of the bill that gives additional protection for the landowner. Mayor Grenier said he agrees with that; however the remainder of the bill would negatively impact Berlin. Councilor Higbee agreed that the bill is an overreach. Councilor Rozek moved to oppose HB683 as introduced; Councilor Berthiaume seconded and the motion carried.

Mr. Grenier stated that the bill also mentions that trail connectors cannot be more than ½ mile which would stop the connector between Jericho and Success.

### **Other**

Under Other Mr. Wheeler brought up a request for a donation to the Miss Berlin Gorham Scholarship; no action was taken.

### **Adjournment**

Councilor Rozek moved to adjourn; Councilor Berthiaume seconded and the motion carried.

Respectfully Submitted,  
Susan Tremblay  
Administrative Assistant

\*Minutes are unofficial until they have been accepted by the City Council by motion.