

**City Council Work Session**  
**February 24, 2020**

Present were: Mayor Grenier, Councilors Rozek, Remillard, Higbee, Eastman, Theberge, Berthiaume and Morgan. Councilor Otis was absent.

Others present: City Manager Jim Wheeler, Tom McCue Planning Board Chair, Finance Director Patty Chase, Barbara Tetreault, *Berlin Daily Sun*.

Mayor Grenier opened the meeting at 6:30 p.m. He asked to add one item to the agenda: Cornerstone solid waste collection. Councilor Remillard so moved; Councilor Higbee seconded and the motion carried unanimously.

**Public Hearing re: Payment in Lieu of Taxes – City of Berlin & North Country Growers, LLC**

Mayor Grenier opened the public hearing at 6:32 p.m. and asked for comments regarding the proposed Payment in Lieu of Taxes Agreement with North Country Growers

Tom McCue, 27 Cambridge, spoke in support. He hopes the public understands the advantages to the payment in lieu of taxes. It avoids fighting over property values which has been the City's experience with the mill and utilities. It also helps for budgeting on the community's side because they know ahead what tax amount they will get and the taxpayer knows what their taxes will be for years ahead. Mayor Grenier closed the public hearing at 6:34 p.m.

**Payment in Lieu of Taxes Agreement with North Country Growers**

Mr. Wheeler noted that the public hearing has taken place. The Council could now vote on the agreement. Councilor Berthiaume moved to authorize the City Manager to make any needed revisions with advice of the City Attorney and execute the PILOT agreement with said PILOT agreement being contingent upon the land sale closing; Councilor Higbee seconded.

In discussion, Councilor Remillard confirmed that the Council will be apprised of any substantive changes. Councilor Higbee noted that there is only five days before p & s goes through. In the vote that followed, the motion carried by unanimous roll call vote.

**NHMA 2021-22 Legislative Policy Process**

Mayor Grenier introduced Tom McCue noting that he is on the Coos County Planning Board and he is Chair of the Berlin Planning Board. Mr. McCue has been active in development and planning for the entire area. Mr. McCue indicated that we are in the second year of the biennium and it is time to look ahead to year 2021-22. NHMA, who advocates for municipalities, would like to hear policy proposals from their member communities. Representatives at the April policy conference are separated into three groups: Finance and Revenue; General Administration and Governance; and Infrastructure, Land Use. Each group reviews policies and decides which should be supported or not. This provides guidance to advocates. NHMA is always looking to oppose legislation that will downshift costs to cities and towns and legislation that will cause erosion of local control. Mr. McCue added that he is seeking permission to represent Berlin in the policy process.

Mayor Grenier reported that the City has no proposals ready yet. He mentioned the affordable housing initiative. Any member of a planning board would have to do training. Mayor Grenier stated that Berlin does not have the housing pressures of other communities. He suggested that perhaps the measures could be taken if a municipality has an occupancy rate of under 3%. If there are too many stipulations put on volunteers, we won't be able to fill positions. Mr. McCue noted that this is a good example of people below the notch not knowing what it's like here. The Planning Board training bill is in this session. He added that it is similar to legislation regulating Air B & B short term rentals. Berlin's Planning Board has been waiting to see what happens as there is no authority to regulate now. There is, however, a bill this session would forbid banning short term rentals.

Mayor Grenier noted that the DOT 10 year plan is seriously underfunded. It is now a 15 year plan and there is not enough to fulfill the needs. Red listed bridges are increasing not decreasing. Mr. McCue agreed saying that issues are kicked down the road and sent to study committee.

Councilor Rozek commented on a Tri-State pact that was introduced many years ago. Maine and Vermont spent money on their sections of Route 2; and NH has not spent any money.

Mayor Grenier reasoned that there needs to be permanent education funding fixes. The extra \$2 million from this year is not a fix; it's a onetime payment. Mr. McCue added that there needs to be a permanent set up. In last year's State budget, poor communities that needed help, did not get it. He added that it's important because people looking for a place to move look at crime, medical care and education when they choose a place to buy a house.

Councilor Higbee asked about Air b & b and whether there is rooms and meals tax coming back to the city. Mayor Grenier noted that the tax goes to the State, then they reimburse to the City based on a formula. Mr. McCue noted that this is another area where the State has not met its obligation.

Mr. Wheeler stated that there is a bill this year that deals with median ratio and if the bill gets kicked to next year, it would be one to watch.

Councilor Rozek moved to authorize Tom McCue to serve as Berlin's representative for the Legislative Policy Process at NHMA; Councilor Morgan seconded and the motion carried.

### **Cornerstone Garbage Collection**

Councilor Remillard explained that someone from the Cornerstone Housing contacted her about receiving a letter from Ben Hall explaining that garbage would no longer be picked up at Cornerstone by the City. That building pays a large PILT and they are saying they don't want to pay a pilt and pay for garbage pick-up. Mr. Wheeler reported that the letters were sent to non-profits that generate more than 2 cans or 240 lbs of trash. All the non-profits were advised. By the ordinance, we would not pick up commercial either.

PWD is only supposed to pick up two cans (two cubic yards or 240 lbs) per household. If the building is a six unit, it is still two cans. Mr. Wheeler noted that ultimately, the plan would be to go to pay as you throw and that would take care of making things fair. Councilor Remillard asked to bring the solid waste ordinance to the next meeting for review.

**Other**

Councilor Rozek asked about the status of the bid to tear down the Princess Theater. Mr. Wheeler replied that the bid for tearing it down has not gone out yet. We reported the condition of the building to Primex and we are waiting to hear the result. There was a request for proposals that went out asking for proposals to tear down the building in exchange for the brick and ownership of the property. There were no responses to the proposal. Councilor Rozek expressed concern for the small building near the Princess.

Councilor Berthiaume asked if the City is self-insured, mentioning fire trucks that collided in Manchester. Mr. Wheeler stated that the City is insured with Primex.

**Non-Public Session**

Councilor Higbee moved to go into non-public session per RSA 91-A:3II (d) land matters; Councilor Berthiaume seconded and the motion carried unanimously by roll call.

Two separate land matters were discussed.

Councilor Rozek moved to come out of non-public session; Councilor Morgan seconded and the motion carried.

Councilor Rozek moved to seal the minutes of the non-public session indefinitely, as releasing them would make the action taken ineffective; Councilor Theberge seconded and the motion carried unanimously.

Councilor Rozek moved to adjourn; Councilor Morgan seconded and the motion carried. The meeting ended at 7:45 p.m.

Respectfully Submitted,  
Susan Tremblay  
Administrative Assistant

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