

City Council Work Session

Pursuant to Executive Order 2020-04, Section 8 and Emergency Order #12, Section 3

April 27, 2020

Present were: Mayor Grenier at City Hall; via Zoom, Councilors Remillard, Otis, Higbee, Eastman, Theberge, and Morgan were present; Councilors Rozek and Berthiaume were absent.

Others present: At City Hall City Manager Jim Wheeler; via Zoom Superintendent Julie King, Community Development Director Pamela Laflamme, City Clerk Shelli Fortin, Finance Director Patty Chase, Clean Energy NH Executive Director Madeleine Mineau, Clean Energy Melissa Elander, Waste Zero Director Courtney Forrester, Lane and Kendall Strahan, Jamie Welch, Barbara Tetreault, *Berlin Daily Sun* and public.

Mayor Grenier asked to add project bidding to the agenda. Councilor Higbee moved with a second by Councilor Morgan to add the item. So moved, the motion carried unanimously by roll call.

At 6:30 p.m. Mayor Grenier opened the meeting. Due to the State of Emergency declared by the Governor as a result of COVID-19 pandemic and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04 this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

- a) *Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means;*

We are utilizing the Zoom platform for this electronic meeting. All members of the Council have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # 1-646-558-8656, meeting ID 938 1550 0705, or by clicking on the City Council agenda on the City's website, www.berlinnh.gov.

- b) *Providing public notice of the necessary information for accessing the meeting:*

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have been provided on the City of Berlin's website of the Council at City Council-agendas

- c) *Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:*

If anybody has a problem, please call Pam Laflamme at 603-752-8587 or e-mail at: plaflamme@berlinnh.gov

d) Adjourning the meeting if the public is unable to access the meeting

In the event the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote. By roll call, each member is to state their presence, and whether there is anyone in the room during this meeting, which is required under the Right to Know law.

Councilors Remillard, Otis, Higbee, Eastman, Theberge, and Morgan were present. Mayor Grenier was present and in the room with City Manager Jim Wheeler.

Downtown Tax Incentive

Ms. Laflamme explained that Lane and Kendall Strahan have plans to improve the former David Lee Mountain building. Their application for a downtown tax incentive is in the packet. Renovations are estimated to be over \$28,000 and the value of the property is \$43,900 making renovations 64% of the valuation. Their plan is to do a coffee bar with no food preparation on site. There is a checklist for the Council to determine eligibility for the tax incentive.

- The project is located in downtown;
- The building improvements will be at least 15% of the assessed value
- The project adds economic vitality to the downtown.
- The applicants are willing to sign a covenant; Lane & Kendall Strahan acknowledged that they are willing to sign.

Ms. Laflamme said that the incentive can be for up to five years. Mayor Grenier indicated that the downtown desperately needs the business. With no objections from the Council, there will be a public hearing next Monday regarding the application. Ms. Strahan stated that they are ready to get started. Councilor Remillard asked when the expected completion will be and Ms. Strahan said that the opening will depend on the rules surrounding COVID but the plan is to have the work done by the end of the summer. Lane & Kendall Strahan left the meeting at this time.

Net Metering

Mayor Grenier reported that Damon Frecker from Burgess Biomass was contacted regarding net metering and he said Burgess would welcome the increase from 1 mw to 5 mw which is being proposed.

Madeleine Mineau Executive Director of Clean Energy gave an overview of net metering. A large facility or a group of accounts that share renewable energy receive a credit on their bill for putting energy back on the grid. The limit to net metering now is 1 megawatt and there is a movement to get the State Legislature to agree to allow an increase to 5 megawatts. The Governor has vetoed; however he has come out and said that he would agree to some version of net metering. Clean Energy is asking municipal members to write a letter to the Legislature. With the possibility of economic stimulus money, it is important to allow municipalities the flexibility of building a clean energy project. The letter outlines a reasonable compromise which is to allow municipalities and low income group projects to go to 5 mw immediately and for the PUC to decide to allow business to participate, if appropriate.

Councilor Eastman asked how net metering would affect the ratepayers. Ms. Mineau stated that excess energy goes in the grid and is distributed to the next nearest draw. The utility will give credit on the energy portion of the bill. Councilor Eastman asked if solar is the same as hydro power and Ms. Mineau said that, after PUC review, it was determined that they are equal. There is a default energy cost which is what the utility is paying the supplier.

Councilor Eastman asked about limitations in the North Country. He asked if it needs to be upgraded before another 5 megs is added. Ms. Mineau stated that any new power will have to apply with the utility for interconnection. They will do a study of the system at the expense of the applicant and if the project can only be done with an upgrade, it would be the responsibility of the applicant to upgrade to meet this need. Councilor Eastman asked how far you would need be in a project before getting the distribution information. Ms. Mineau stated that the utility would have to have the exact location, system type, capacity of the system and where it will connect to the grid. Councilor Eastman asked how much excess power can be supported before the loop needs to be upgraded. Ms. Mineau explained that it depends on location. In Whitefield, nothing of significant size could be built without an upgrade.

Mayor Grenier stated that there was a letter in last week's packet asking the City to sign on in support of net metering. Councilor Higbee moved to support net metering for renewable energy projects up to 5MW which, under current programs and credits, are now available to projects up to 1MW; Councilor Theberge seconded and the motion carried by roll call with Councilors Higbee, Theberge, Remillard, Morgan, Otis and Mayor Grenier voting in favor and Councilor Eastman voting against. Ms. Mineau and Ms. Elander left the meeting at this time.

Waste Zero

Courtney Forrester, Director of Community Programs for Waste Zero explained that the company has been in business since 1991 and their mission is to cut the trash in half. They have had a 99% success rate. Their view is that trash is like a utility where we should pay for what we use. Paying by the bag gives people an economic incentive to reduce the waste. Waste Zero makes the bags and handles all distribution. Retailers order and manage inventory. Waste Zero handles accounting for the trash as well. Once the program is successful there is an average reduction in trash of 44%. It usually takes 90 days for the implementation of the program.

Councilor Eastman asked if there is an increase in recycling, would the community then have to invest more into recycling infrastructure. Ms. Forrester stated that there is usually only a 20% increase in recycling. To a question about the cost of bags, Ms. Forrester replied that the average for a 30-33 gallon is around \$2.00 and a kitchen bag is \$1.25. Councilor Remillard asked if the bags would be suitable for trash compactors and Mr. Forrester stated that it's not recommended to compact trash. The bags are heavier than a regular trash bag and its likely they could accommodate a trash compactor. Councilor Higbee asked what fees are paid to Waste Zero and Ms. Forrester replied that they receive bag fees at .35 for 33 gallon bag. Councilor Higbee asked what the compensation is for the retailer and Ms. Forrester indicated that there are no incentives other than the foot traffic. The bags don't have to be put on the shelf; they can be kept at registers so as not to take up shelf space.

What happens if you put out your trash in a Hefty bag? Ms. Forrester stated that about 95% of people are in compliance and it would be up to the city to enforce. Councilor Higbee asked if most municipalities continue to pick up with their personnel or do they move to a private service. Ms.

Forrester stated that both have occurred. Mr. Wheeler added that trash pick up would no longer be funded with the General Fund; it would become an enterprise fund and would pay for itself. By not funding the \$800,000 for municipal waste, we could reduce the tax rate by a few dollars.

Councilor Remillard noted that if the tax rate could be lowered by 2.00, there would be a different outlook. She would like to see the figures of how it works. Mayor Grenier added that Public Works could be using the personnel to do other work. Councilor Theberge asked for samples of the trash bags; Councilor Remillard asked for a list of communities where this has worked. Mr. Hall stated that this was for the Council's information and he will provide costs and information on privatization at a later date. Ms. Forrester left the meeting at this time.

Mt. Jasper Park

Councilor Eastman reported that Mt. Jasper trails are being used extensively and people are walking with their dogs unleashed. He asked if dogs are allowed, should they be leashed; their poop should be bagged, and there should be signage for what needs to be done. Mr. Wheeler stated that Mt. Jasper is a city property; however it is not one that is maintained by the City. People should have dogs on a leash. Mayor Grenier asked for something in writing to submit to the Police Commission.

Councilor Eastman added that there are signs indicating the trail system that are showing signs of weathering. They can be replaced and installed at a cost of \$255. Ms. Laflamme stated that she reported the issue with dogs to the PD. There is a stewardship ordinance for Mt. Jasper. There is a carry in carry out rule that could be enforced. There is a funder that has expressed interest in making the repairs. Ms. Laflamme suggested changing the Mt. Jasper ordinance to add leashing of dogs making it easier to enforce by pd.

Proposed Sewer Rate

Mr. Wheeler reported that the sewer fund continues to be in good shape. We get the consumption amounts from Berlin Water Works and those numbers were down by 6%. The City's current sewer rate is an average of \$51.65 and the NHDES average in the State is \$56.68. The recommendation is to increase the rate to \$8.66 per hundred cubic feet.

Councilor Eastman questioned why there would be a decrease in usage and the price will go up. Mr. Wheeler noted that the consumption fluctuates from year to year. It is the goal to keep the UFB at \$5 million.

Councilor Higbee moved to raise the sewer rate to \$8.66 using \$1.2 million of ufb; Councilor Morgan seconded. In discussion, Councilor Remillard asked how long we have for payment on the bonds and Mayor Grenier replied there are payments until 2037. Councilor Remillard confirmed that the rate is brought up in small amounts rather than have a large increase. In the vote, Councilors Morgan, Higbee, Theberge, Otis and Mayor Grenier voted affirmatively and Councilor Eastman voted against.

Berlin Armory

Mr. Wheeler reported that the Division of Historic Resources was seeking a very restrictive easement which would have prohibited use of the building or changes to the building. City Council had expressed that they did not want the building with the restrictions. In a conference with DHR participating, they backed off and agreed that the city could create a link on the web site to celebrate the history of the armory. We would do this as inexpensively as possible.

Councilor Eastman encouraged having an environmental study done. Mr. Wheeler affirmed that he asked and was told there were no environmental issues; however we could ask them to do a Phase 1.

Project Bidding Strategy

Mr. Wheeler explained that the Governor is encouraging postponement of capital projects because there may be stimulus money. We have the Mason St Bridge that is designed and supposed to be advertised for bid today. We want to hold off for 1 month; any longer would put the project in jeopardy. We will proceed with the fire station design, to include the roof and windows as well.

We have the I & I project for \$1.7 million that would be going to bid next week and we will wait one month for stimulus. The next project is I & I demolition and we can wait on that one. The ejector station is not quite ready and we can wait for stimulus.

The demo of the Princess Theater could come out of the srf money; however it may use most of the money so there would be none left to do other buildings. Councilor Eastman commented that it is a great idea to postpone the projects and maximize the potential for grant money. Councilor Higbee asked where 121 Main Street fits in and Mr. Wheeler noted that the Princess would be funded because it has an I & I issue and 121 Main does not.

Councilor Higbee moved to approve the bidding strategy as outlined above; Councilor Morgan seconded and the motion carried unanimously by roll call.

Non Public Session

Councilor Higbee moved with a second from Councilor Morgan to go into non-public session per RSA 91-A:3 II (d) Consideration of the acquisition, sale or lease of real or personal property, which if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community. So moved, the motion carried unanimously by roll call.

The city received an offer of \$1,000 for a property at 615 Fourth Avenue which is a 50 x 100 lot. The property was put out to bid to abutters, with a minimum bid of \$1,000 3 years ago and there were no bidders. None of the abutters have changed.

Mayor Grenier stated that he has no objections. Councilors agreed, adding that the minimum bid was met and the abutters are still the same.

Councilor Higbee moved with a second from Councilor Remillard to come out of non-public session. The motion carried unanimously by roll call.

Councilor Remillard moved to sell 615 Fourth Avenue to Caren Demacogno for \$1,000 as she is an abutter and will meet the conditions of the bid; Councilor Higbee seconded and the motion carried unanimously by roll call.

There being no further business Councilor Remillard moved with a second from Councilor Morgan to adjourn. The motion carried unanimously by roll call. The meeting ended at 9:05 p.m.

Respectfully Submitted,
Susan Tremblay
Administrative Assistant

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