

City Council Work Session

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

October 12, 2020

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 894 1788 5091; Passcode 477754, 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.

Present at roll call were: Mayor Grenier at City Hall; via Zoom, Councilors Theberge, Remillard, Higbee, and Eastman; Councilor Rozek via telephone. Councilors Berthiaume, Morgan and Otis were excused.

Others present: City Manager Jim Wheeler, Community Development Director Pamela Laflamme, Mike Stanley at Transit X, Robert John Fernstrom, Mike Davies, David Brooks, Stephen Plusch, Mike Connelly and Barbara Tetreault, Berlin Daily Sun

Councilor Eastman asked to have this item on the agenda and Mayor Grenier gave him the floor. Councilor Eastman noted that he spoke with representatives from Transit X and he felt their project should be brought in front of the City Council. In his opinion, it is a company that fits well into Berlin's long term goals.

Representing Transit X, Mike Davies reported that they are here to talk about a couple of projects, one being a pod system to the top of Jericho Mountain. The second project would be a transport system consisting of 90 pods with 24 transport stops that would travel 7.2 miles across the City. The Jericho Mtn. pod system would attract tourists for views from the mountain and it would change the dynamics of vacation time. The City transport would feature low fares of .40 per mile. Pods would be accessed by calling in from a cell phone or making the call from a kiosk for pickup and delivery. Pods can hold four people with the ability to expand. The system is ecologically friendly, carbon neutral and it will change transportation.

He went on to say that this is a privately funded project. It is an improvement to public transport and the City would receive 5% of the gross revenue. There is no manufacturing location yet for the pole and beam system, the track, poles, and pod will also need to be assembled. "Bogie" is the cart and it is not subject to weather as long as there are not winds over 45 miles per hour. Mr. Davies noted that they are not looking for any money from the City and if it doesn't work, they will take it out.

David Brooks came on and stated that in 2015 he developed wind turbines on land he owns on Jericho Mountain. He said that Berlin was welcoming. This group is trying to create a pod city. Berlin has been the leader before and it could be home to an entire new industry. This will have more of an impact to the city than atv's and wind turbines.

Bob Fernstrom, Financial Areas Capital Partners, reported that he is fascinated by mass transit. Normally it is extremely expensive; however this system can be built for \$7 to \$8 million per mile. It is financeable. They are looking at going to Northumberland, then eventually to Montreal and Boston.

Mike Davies noted that they have come to tonight's meeting with two asks: a letter of intent to secure the right of way in the streets and approval of work at Jericho Mountain.

Councilor Remillard established that this concept has been to the Planning Board and there are a number of things the Board is waiting for prior to moving forward. David Brooks said that he is asking the City Council to work with the Zoning Board to expedite the permitting process. They also need a letter of intent that the city is ready to work with Transit X on the project.

Mayor Grenier said that the Planning Board, Zoning Board and Board of Assessors are quasi-judicial boards and cannot be overruled by the City Council. They set conditions and the City Council can't interfere with that; it's simply inappropriate. He added that he doesn't want to put the city between two opposing parties.

Mr. Davies conceded that there is no permission for Jericho Mountain until LNS signs off. He asked if there is a hold up to getting a letter of intent. Mayor Grenier stated that he's not prepared to use Route

16, and Route 110 for a project where there is no such operating system in the world. Mike Davies said that they have multiple requirements for factory space. There is already approval for .6 miles in Northumberland where permitting has been approved and they are waiting for financing. Berlin is more attractive because there is more of an operating system with synergies between the Berlin and Jericho Mountain projects.

Councilor Theberge asked how much it will cost and how the system would operate in the winter. Mr. Davies replied that it would be .40 per mile to ride. The rail system is enclosed and the pods are heated and air conditioned. Friction will keep it from freezing. Wind is the only obstacle. Mayor Grenier asked about financial capabilities adding that the City cannot afford an expenditure to find out that it may not be financially feasible. Mr. Davies stated that there is no cost to the city for this work and if the project is started and not completed, there is a bond set up so that it could be removed and the land would be returned to its original state. He asked for a non-binding letter of intent as Transit X does not want to invest unless the City has intent with the right of way. Councilor Remillard said that she is intrigued by this concept and it is a great gesture that it would begin in Berlin. She suggested meeting the recommendations of the Planning Board and Zoning Board and then coming to the Council.

Mr. Davies commented that he understands as it relates with Jericho Mountain; however he is looking for a vote saying the city supports. Councilor Higbee gave feedback on the presentation and he said that he's looked at all the information sent and there is much that does not make sense. He noted that it was evident that the pod would not carry 4 people; it is clearly a 2 seater. There is a notation that the expected revenue at conception would be \$1.33 million; in the build out, it would be \$1.25 million. Why would phase I offer more? He also questioned 20,880 people per day for ridership adding that a study would be needed to know what is real.

Mr. Davies indicated that the financial forecast will have a detailed ridership study as well as feasibility, ridership revenue forecast. Councilor Rozek asked when the test track in Northumberland will be approved and operational. Mr. Davies replied that it is on Bob Chapman's property and there is a blanket building permit in place. It should be built in the spring.

Mayor Grenier thanked the representatives from Transit X and stated that the City Manager will get back to them after the Council confers with the city attorney. He added that the City needs to be comfortable before supporting a letter of intent. The Council is not prepared to vote on the subject this evening. Representatives from Transit X left the meeting at this time. Mayor Grenier asked if there is consensus for a non-meeting with legal counsel on this on this issue.

Councilor Remillard moved with a second from Councilor Higbee to come out of non-meeting. All voted affirmatively by roll call. The meeting moved back into public session.

Councilor Remillard moved to adjourn; Councilor Higbee seconded and the motion carried unanimously by roll call (Note: Councilor Rozek did not return for adjournment)

There being no further business in Work Session, Mayor Grenier moved on to the Regular Meeting.

Respectfully Submitted,
Susan Tremblay
Administrative Assistant

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