

City Council Work Session
April 12, 2021

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 829 3287 1161; Passcode 724250, 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: Councilors Remillard, Eastman, Theberge, Berthiaume, Morgan, Higbee, Rozek and Otis who acknowledged that they were alone in their respective rooms; Mayor Grenier was at City Hall with City Manager, James Wheeler.

Others present: Community Development Director Pam Laflamme, Finance Director Holly Larsen, City Clerk Shelli Fortin, Assessing Coordinator Lise Barrette, Fire Chief James Watkins, Chief of Police Peter Morency, Deputy Chief of Police Dan Buteau, School Board Member Nathan Morin, BHS JAG Program Coordinator Kurt Melanson, Berlin Daily Sun Barbara Tetrault and Members of the Public.

BHS JAG – Kurt Melanson

Mr. Melanson gave an overview of the JAG Program. The program is designed to organize and train students with a purpose to get them out there and be part of the community. Whether it's by gardening, clean up, planting trees, artwork, etc. He is addressing Council as he is looking for ideas of what the community would like to see from the program. He provided his email address kurtmelanson@gmail.com and is open to suggestions. Mayor Grenier discussed with Memorial Day coming, the Berlin Veterans Council is rearranging the Veteran's Park and Students could be part of this project. He also suggested clean up at the Glen Ave. Park.

Councilor Eastman questioned how long the program runs for. Mr. Melanson explained the AMC has a similar program that runs for 7 weeks, but the JAG program could continue over the summer as there is funding for students to earn income over the summer through the program. Councilor Eastman suggested partnering with the Main Street Program as they always need help. He also mentioned volunteering at food banks.

Mayor Grenier suggested contacting the BWW as they may be able to utilize students for their hydrants over the summer. Councilor Remillard stated the students could start at the Veteran's Park. She commented that the Parks always need work. She also agreed the Main Street Program is a good suggestion as they're always looking for help.

FY22 Budget

City Manager, James Wheeler discussed reaching out to the school Superintendent and Board of Education on May 3rd to identify revenues and increases to help reduce tax rate. Mayor Grenier advised the vast majority of the increase is for Education. He has asked Mr. Wheeler to review the City part of the budget as it represents about \$1.60 of the increase and approximately \$670,000 worth of expenditures or revenues.

Councilor Remillard questioned how much will be received from the school. Mayor Grenier stated it is too early in the process and the information is not yet available. He also stated we are in the blind as far as the state share goes and won't know till the third week of June when the budget is finalized. Councilor Remillard asked that Mr. Wheeler send any adjustments made to the City part of the Budget to Council to keep them informed.

Cheryl Fenwick BTLA Decision and Associated Abatements

Mr. Wheeler described the BTLA decision as a run of the mill type decision. The Citizen filed with the BTLA and this would have typically gone to the BOA for approval, but because the City currently has no BOA, it is brought to Council for approval.

Councilor Rozek questioned the Council voting in place of the BOA and if this is the case he would like to recuse himself from voting due to liability and conflict of interest. Councilor Eastman also recused himself from voting as he feels he is not qualified to make these decisions. Councilor Remillard commented she understands the BTLA is qualified, but doesn't feel it would be appropriate to send more of these and would like prior notice before presenting to Council. Councilor Theberge moved to

authorize City Manager, James Wheeler to sign; Councilor Remillard seconded and the motion carried by majority roll call with the two recusals.

Response to BTLA in BOA Matter

Mr. Wheeler informed Council of the attached response to the BTLA for all specific items they've requested. Councilor Rozek questioned when this will be all done. Mr. Wheeler advised the City has 60 days from March 17, 2021 to comply with the requests. There is no timeline on the 35 abatements. Councilor Rozek asked when the court case will officially be closed. Mr. Wheeler stated he doesn't know, that will be up to the BTLA to close the case when all is received and processed.

Other

Mayor Grenier added an item for discussion. The Friends of Big Nansen/Nansen Ski Club are asking the City to support their grant request in attempt to return ski jumping to our youth in Northern NH, by restoring their 40 meter hill and two companion beginner hills. These will be located adjacent to the historic Big Nansen Ski Jump that is also being restored, in a separate project. Community Development Director Pam Laflamme presented a letter and is asking for Council to endorse and support this request. Councilor Rozek moved to authorize City Manager, James Wheeler to send the letter on behalf of the City to support the grant request; Councilor Higbee seconded and the motion carried unanimously by roll call.

Non-Public Session

At 7:12 Councilor Theberge moved with a second from Councilor Morgan to go into non-public session per RSA 91-A:3 II (I) Consideration of legal advice provided by legal counsel. So moved, the motion carried unanimously by roll call.

At 7:26 Councilor Morgan moved with a second from Councilor Higbee to come out of non-public session. The motion carried unanimously by roll call.

Councilor Theberge moved to seal the minutes indefinitely as releasing them would render any action ineffective; Councilor Higbee seconded and the motion carried unanimously by roll call

Law-as Settlement

Mayor Grenier discussed the multimillion law suit that was filed in 2018 and informed that an out of court settlement was reached on March 9, 2021 in the amount of \$120,000. Mayor Grenier commented that this puts behind us a two year court case and it's to the City's best interest to allow this settlement. This incurred no cost to the City as it was processed by the City's Liability Insurance Company Primex and ended litigation.

Adjournment

There being no further business, Councilor Rozek moved to adjourn; Councilor Higbee seconded and the motion carried unanimously by roll call. The meeting ended at 7:33 p.m.

Respectfully Submitted,
Danielle Rioux
Executive Assistant

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