

**City Council Work Session  
July 6, 2021**

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

Others present: City Manager Jim Wheeler, Community Development Director Pam Laflamme, Finance Director Holly Larsen, City Clerk Shelli Fortin, Chief of Police Peter Morency, Deputy Chief of Police Dan Buteau, Assessing Coordinator Lise Barrette, William Carroll Berlin Daily Sun and Members of the Public.

Mayor Grenier called the meeting to order at 6:30pm.

**Non-Meeting with Legal Counsel**

Councilor Theberge moved to go into non-meeting per RSA 91-A :2 I (c) Legal Consultation; Councilor Higbee seconded and the motion carried unanimously by roll call. Councilor Higbee moved with a second from Councilor Remillard to come out of non-meeting. So moved, the motion carried.

**Non-Public Consideration of Legal Advice**

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

Chief of Police Peter Morency discussed the Opioid Litigation: Purdue Bankruptcy Plan Settlement. He stated the deadline to accept the Purdue Settlement is July 9, 2021. The settlement is in the amount of five billion dollars which the City of Berlin would receive about thirty thousand dollars from this settlement as the distribution was based on population not needs of each Community. The Mayor and Council all agreed to hold the company accountable and send a communication to the City Attorney's representing this class action lawsuit and copy the AG in the communication.

At 7:15pm, Councilor Remillard moved with a second from Councilor Theberge to come out of non-public session. So moved, the motion carried unanimously by roll call.

**Land Use Change Tax Bill**

Mr. Wheeler asked Council for authorization to execute the Land Use Change Tax Bill to Joshua and Gary Lucas in the amount of \$3,600. Councilor Remillard moved to authorize City Manager, James Wheeler to execute the Land Use Change Tax Bill to Joshua and Gary Lucas in the amount of \$3,600; Councilor Higbee seconded and the motion carried by majority in favor with recusals from Councilors Rozek and Eastman.

**Land Use Change Tax Warrant**

Mr. Wheeler asked Council for authorization to execute the Land Use Change Tax Warrant to Joshua and Gary Lucas in the amount of \$3,600. Councilor Remillard moved to authorize City Manager, James Wheeler to execute the Land Use Change Tax Warrant to Joshua and Gary Lucas in the amount of \$3,600; Councilor Higbee seconded and the motion carried by majority in favor with recusals from Councilors Rozek and Eastman.

### **Abatement Recommendations**

Mr. Wheeler advised the seven abatement recommendations presented today were the last of the 2020 abatement recommendations received from Corcoran Consulting Associates. Councilor Remillard moved to accept the abatement recommendations from Corcoran Consulting Associates; Councilor Higbee seconded, the motion carried by majority in favor with recusals from Councilors Rozek and Eastman.

### **Public Works Mechanic/Welder Hiring Request**

#### **Public Works Carpenter Hiring Request**

Mr. Wheeler advised Council he received notices of retirement from both the Public Works Mechanic/Welder and the Public Works Carpenter. He is looking for Council's approval to advertise to replace these positions. Councilor Rozek moved to allow the City Manager, James Wheeler to advertise for the Public Works Mechanic/Welder and the Public Works Carpenter positions; Councilor Remillard seconded and the motion carried by majority in favor.

### **Other**

Mr. Wheeler requested to add two items to the agenda. The items are Tax Deeded Properties and Riverwalk discussion. Councilor Remillard moved to add two items to the agenda, Tax Deeded Properties and Riverwalk discussion; Councilor Higbee seconded and the motion carried by majority in favor.

### **Riverwalk**

Ms. Laflamme advised the City has received the final design approval from DOT. In reviewing the first few pages of the final design approval, it was noticed the budget was off from the last discussions and calculations. Ms. Laflamme commented that after contacting the DOT, it was discovered they had more money available to us than what they said originally. Because of this, the City would be able to include all the items that were listed as alternate items for bid with just the DOT part of it. The DOT is willing to fund at their participation rate of 80/20. The City's 20% portion would be in the amount of \$27,300. Ms. Laflamme is requesting approval from Council for the increase in the City's 20% portion which would include everything the City originally requested. Mr. Wheeler commented that the way we're expecting the project to go out to bid and progress, the Council wouldn't need to appropriate the funds until FY23. Ms. Laflamme commented that HEB is still working on plans and specifications that the DOT still needs to approve. She feels with this timing, they will allow the City to go out to bid around the end of August beginning of September which is bad timing in terms of putting this kind of project out to bid. After discussing with HEB about this at length, it seems to make more sense to put the project out to bid around the holidays and award the bid in early 2022. Ms. Laflamme advised she needs the approval from Council now even though the project isn't till next year. Councilor Remillard moved to approve the amended DOT plan for the Riverwalk reflecting an increase in the amount of \$27,300; Councilor Higbee seconded and the motion carried by majority in favor.

### **Tax Deeded Properties**

Ms. Laflamme presented six single family properties the City has left to put out to bid. She mentioned that two of the properties; 153 Church Street and 212 Glen Avenue both went out to bid last summer. 212 Glen was put out for demolition as it's in very poor condition. 153 Church Street was put out as a regular sale, had one bidder that didn't follow through. She recommended that 293 Burgess Street (Tax Map 117 Lot 22) be put out to bid along with Tax Map 117 Lot 21 to increase the size of the property to give a new owner land to use for parking or any accessory uses. Councilor Rozek questioned when the City would have to give money back in regards to minimum bids. Ms. Laflamme

stated we only have to give money back when the bidder pays more than what is owed to the City. Mayor Grenier asked if the current amounts owed include Water Works. Ms. Laflamme stated it did not, but she does have the amounts owed for Water Works for each property. Mayor Grenier suggested to put the properties out to bid for seventy five percent of what is currently owed, except for 212 Glen which will be put out to bid for \$1.00 for demolition. Mr. Wheeler commented that the bid documents will state that the awarded bidder will need to settle with Water Works any amounts owed. Councilor Rozek moved to advertise for bid the five delinquent properties plus 291 Burgess Street to be joined to 293 Burgess Street for seventy five percent of current money owed to the City with demolition for 212 Glen Avenue be sold for \$1.00; Councilor Remillard seconded and the motion carried by majority in favor. Councilor Remillard asked if there would be viewings. Ms. Laflamme confirmed that yes there will be viewing scheduled for each property. Councilor Rozek asked if it would be on the City website. Ms. Laflamme confirmed it would be on the website. Councilor Remillard asked when the multi-family properties and land will be put out to bid. Ms. Laflamme responded land will come in August and as far as the multi-family properties she is still sorting through the details as there is about six or seven properties and some have abutter interest so she still needs to sort through recommendations for abutters versus general sale.

Councilor Rozek asked for an update on Trudel Street/Heavy equipment. He mentioned a couple Councilors received phone calls from citizens. He stated he was under the assumption the property could not be used to park heavy equipment. Mr. Wheeler stated it is currently zoned residential and it specifically states in our City ordinance you can't set up as a contractor's yard. He mentioned Cross construction had looked at that site, but was advised not to use the property. Because of different feedback they got, initially they did start going there but we made them move and that is why they ended up setting up on Granite/York Street. Mr. Wheeler stated he received notification mid-day last Friday that Cross had parked equipment on Trudel Street. Their intent was to get the equipment off the street for the holiday weekend. It was parked there for the weekend, but was all moved this morning. They have been made aware not to park their equipment there moving forward.

At 7:44pm being no further business in Work Session, Mayor Grenier recessed for a five minute break before moving on to the Regular Meeting.

Respectfully Submitted,  
Danielle Rioux  
Executive Assistant

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