

City Council Work Session

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

August 17, 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 865 5365 5197; Passcode 842307, 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, Councilor Rozek at City Hall; via Zoom, Councilors Theberge, Otis, Remillard, Higbee, Eastman, and Morgan. Councilor Berthiaume was absent

Others present: City Manager Jim Wheeler, Wastewater Superintendent Jon Goodreau, National Guard Deputy Adjutant General Warren Perry, Police Chief Pete Morency, Kiwanis President Paul Thibeault; Kiwanis Incoming President John Loven, City Clerk Shelli Fortin, Community Development Director Pamela Laflamme, and Barbara Tetreault, Berlin Daily Sun

Berlin Armory Environmental Letter

Mr. Wheeler noted that the Council had asked for a letter regarding environmental conditions at the National Guard Armory. Deputy Adjutant General Perry summarized a letter sent August 7, 2020 to Mr. Wheeler that stated there are no environmental conditions that are hazardous in the building. DES has declared that the building is clean as well. Councilor Rozek asked if there are water wells on the perimeter that are monitored and Deputy Adjutant General Perry replied that he is not aware of any.

Councilor Eastman asked about environmental documents that were submitted and whether someone has reviewed them and if the Council can get copies. Mr. Wheeler noted that they were reviewed by Ms. Laflamme and she reported that, in the 60 documents, some of which are lengthy, she did not find anything alarming. Mr. Wheeler noted that the documents can be placed on the City's web site for access by the Council.

Councilor Eastman questioned the lead levels in the building and how they are not safe for children. He asked if the encapsulation would be as effective if the building were disturbed. Deputy Adjutant General Perry noted that the lead was present in dust particles from the indoor firing range and it was encapsulated in a special epoxy. Councilor Eastman asked about asbestos if disturbed, would it need to be abated. Deputy Adjutant General Perry stated that it is reasonable to assume that it would need to be abated. He added that the building is in exceptional shape for its age. Deputy Adjutant General Perry left the meeting at this time.

Proposed Litter Deterrence Proposal

Mayor Grenier stated that the issue will be brought back in a few weeks.

Ejector Station and Remote Pump Station Upgrades Contract

Mr. Wheeler explained that the bid for the ejector station came in \$56,428 more than the estimate. There was only one bidder. It was reported to the Council that the project would be designed so that it was eligible for SAG. Wright Pierce designed and sent their design to DES for approval. They did not include Davis Bacon wages and the project would not be eligible for SAG. We have two additional projects that would be eligible. The Council could award to Daniel Hebert Inc or the bids could be rejected and we could rebid.

Jon Goodreau reported that he came to the Council in August of 2019 to get this project done. The fencing is important to avoid vandalism and theft. The Sewer ejector station will avoid replacing pumps every few months. The funding is from the Sewer Fund's FY 2020 CIP. Mr. Goodreau strongly recommend going forward with the project. Councilor Rozek moved to proceed with awarding the project to Daniel Hebert Inc for \$563,328 and to execute all documents necessary to move the project forward; Councilor Higbee seconded and the motion carried unanimously by roll call. Mr. Goodreau left the meeting at this time.

Shelby Street

Councilor Rozek stated that there are three areas of the road going into the Wastewater Treatment plant that have 102 potholes. This road is mostly used by city trucks and should be repaired. He would like to see quotes from 3 paving companies to pave the road 8 feet wide, 300 feet long. Councilor Rozek so moved, Councilor Remillard seconded and the motion carried unanimously by roll call. The Sewer Fund will cover the cost.

Skate Park Rules and Correspondence.

Mr. Wheeler noted that Paul Thibeault and John Loven representing the Kiwanis are on and are prepared to encourage the Council to have a helmet rule for skateboarders. Mr. Thibeault reported that the Kiwanis give out bicycle helmets and this year they extended to skate boarders because many are skating without helmets. Chief Morency added that there is currently a State law that allows for the PD to enforce bicycle helmet use and there is a \$20 fine; however the law does not include skateboards.

Mayor Grenier asked if an ordinance is passed, do we have the ability to enforce. Chief Morency stated that no trespass letters can be issued, banning an offender for one year and that has held up. Mr. Loven said that he would like to see the PD giving warnings before implementing a fine. He noted that there are free helmets available; the object is to protect the children. Councilor Remillard said that she likes the idea of 16 and under having to wear helmets. Mayor Grenier asked Chief Morency and the City Manager to draft an amendment to the rules that is enforceable. He thanked the Kiwanis for attending the meeting and for their generosity in the community. Mr. Thibeault and Mr. Loven left the meeting at this time.

10 Year Plan

Ms. Laflamme reported that proposals for the 10 Year Plan are due August 28th to North Country Council. She asked the Council if we should resubmit projects from the last round which were \$10 and \$12 million and there was \$6 million available for the whole region. We could phase in projects to make them more manageable. Mayor Grenier proposed doing half of the Glen Ave project with a mill and overlay and resetting manholes.

Councilor Eastman commented that the change in the Route 110 urban compact was mixed in with a complete reconstruction of Route 110. He said that the State would repair culverts, take care of drainage and maintain the road for 10 years if the City took it over. Mr. Wheeler noted that there are very serious drainage issues out there as well as a lot of cracks in that road. Councilor Higbee voiced that he likes the idea of focusing on Glen Ave since it is close to the heart of the city.

Councilor Rozek noted that, at some point in the future, he would like to discuss the 110 project to see what can be done, what is realistic and what is not. Councilor Eastman noted that a lot of people have invested a lot of their own money on Route 110. He felt the delay in moving the urban compact is delaying development. Councilor Rozek asked if someone from DOT could come to a meeting to discuss.

Councilor Rozek stated that before he could promote taking on additional roadway on Route 110, he would want to be sure the tax revenue will be equal to or more than the cost of maintaining. Councilor

Remillard said that we simply want to use part of 110 for atv's and Mr. Wheeler replied that we have asked and to date the State would have to lower the speed and they don't want to do that.

Haynes Letter

Mr. Wheeler noted that a letter came in requesting to purchase 23 Norway Street. The property is scheduled for demolition with I & I money because it has a sump pump that goes into the City's sewer system. The building is in a condition that it could be renovated; however correcting the drainage which is estimated at \$10,000, would need to be a condition of the bid. Does the Council want to sell or to leave the property on the demo list? Councilor Remillard moved to put the property out to bid with the buyer correcting the drainage problem; Councilor Rozek seconded and the motion carried unanimously by roll call.

Election Clerks

City Clerk Shelly Fortin asked for an increase in pay for poll workers. It has been difficult to find people to work at the polls. Berlin's ballot clerks currently make \$70 per day and ward clerks make \$90 per day. Ms. Fortin proposed to pay stipends like Franklin: ballot clerks \$100; Supervisors of the checklist \$125; and Moderators \$150. Mayor Grenier asked, with two elections this year, how much extra it would cost and Ms. Fortin replied that it would bring the budget up to \$11,000 or \$12, 000. Mr. Wheeler noted that there are extra funds in the Finance Director and Public Works Director positions. Councilor Rozek asked about masks and Ms. Fortin reported that the State is providing masks, gloves and gowns. Mayor Grenier asked if there is interest in increasing election worker salaries that would mirror those of Franklin. Councilor Remillard moved with a second from Councilor Morgan to increase election worker salaries to mirror those of Franklin. The motion carried unanimously by roll call.

Councilor Rozek asked if there is anything to decide with regard to the armory. Mayor Grenier replied that the City Council will get access to the environmental information and in September the Council will be asked to make the decision.

Non-Public Session

Councilor Theberge moved with a second from Councilor Higbee to go into non public session per RSA 91-A:3II (d) consideration of the acquisition, sale, or else or 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 (e) consideration or negotiation of pending claims. Councilor Morgan was not present for the non-public session.

Chief Morency discussed a pending claim at the PD. Mr. Wheeler discussed property issues.

Councilor Higbee moved to come out of non-public session; Councilor Otis seconded and the motion carried unanimously by roll call.

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.