

City Council Work Session

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

September 28, 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 869 1681 3105; Passcode 945755, or by clicking on the City Council agenda on the City's website, [www.berlinnh.gov](http://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](mailto: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, Otis, Remillard, Higbee, Eastman, Rozek Berthiaume and Morgan. Councilor Theberge joined the meeting at 6:50 p.m.

Others present: City Manager Jim Wheeler, City Clerk Shelli Fortin, Community Development Director Pamela Laflamme, Assistant DOT Commissioner William Cass, District 1 Engineer Phil Beaulieu, Tom McCue, Joe Kenney, and Barbara Tetreault, Berlin Daily Sun

#### **NHDOT Re: Route 110**

Mayor Grenier thanked Deputy Commissioner Cass and DOT District 1 Engineer Phil Beaulieu for attending the meeting. He noted that there are two tracks for this discussion: the DOT will discuss what they can do prior to the City taking on the extended urban compact line and the City Council will hold separate discussion on the goals and objectives of extending the urban compact line.

Mr. Wheeler explained that this discussion has been going on for several years. Mayor Grenier and the City Manager met with Commissioner Sheehan and Executive Councilor Kenney about the City taking over a portion of Route 110 to the Jericho Park entrance. It was concluded that the road rehab should be included in the 10 Year Plan. The reality is that there are a limited number of projects and this did not make it onto the 10 year plan. That has brought us back here because there are investors and people who want to do development who consider it essential that the urban compact is extended.

Councilor Eastman commented that this is important for Berlin as Jericho Park is an economic driver. He asked for confirmation that the DOT would accept a proposal from the City to extend the urban compact and that they would fix culverts and do a mill and overlay prior to the City taking it over. Mr. Cass indicated that extending the urban compact would make the approximate 2 miles on Jericho Road more flexible, and under local jurisdiction which would give the city more autonomy. Reclassifying a road is within the commissioner's authority. The State would typically bring the road up to a state of good maintenance, addressing any known or obvious drainage deficiencies, culverts, and resurfacing that is estimated to last three to seven years.

Mayor Grenier stated that there are two bridges that need to be addressed; one has been done within the last 7 years and Head Pond Road Bridge was not part of the original request. Councilor Eastman asked if it is possible for the City to take control of the area and for the State to do the shim and paving in two years. Mr. Cass confirmed that it is not planned to be resurfaced in the next few years. There is a value to the State to it being turned over. Mayor Grenier stated his preference that the work be done before the City takes the road. Mr. Cass noted that there would need to be a caveat to future commitments because budgets are not in the control of DOT.

Councilor Remillard asked if the City were to take the road and allow 2 to 5 years for the State to do the work, what are the chances of having it done. Mr. Cass noted that he would find a way to get it done unless some dire circumstances prevented. Councilor Eastman asked Mr. Beaulieu about the condition of the road. Mr. Beaulieu stated that Jericho Road is in pretty good condition though it does not have full depth base. Full box reconstruction is beyond what is necessary. Shim and overlay is good treatment and would keep the road serviceable for a long time. He did not know the condition of the existing bridge but acknowledged that is something else to look into.

Mayor Grenier explained that a shim and overlay includes work with a grader or paver to fill dips and valleys, then the overlay is pavement from line to line. Councilor Remillard asked if the Council could get the bridge reports and the opinion of the condition of the bridge from bridge maintenance. Mr. Cass

affirmed that he would get an assessment and inspection results to the City Manager by the end of the week. Mayor Grenier asked the Council if Executive Councilor Kenney could speak and the Council conceded unanimously.

Joe Kenney commented that there is a law that clearly states the process for taking over a road and establishes timelines (RSA 229:5 IV). It's important to extend the urban compact; however the bridge has to be brought up to specs as well. He added that the OHRV community would hate to see the State change the law on Coos County's state roads. Mayor Grenier thanked Asst. Commissioner Cass. Commissioner Cass indicated that he will get information on the bridge out to the Council, then wait for feedback from the city on how to move forward. Assistant Commissioner Cass, Phil Beaulieu, Joe Kenney left the meeting at this time.

### **Jericho Corridor**

Councilor Eastman stated that he wanted to show the commitment that is on the Jericho Road strip and the return on investment. He contacted people who own property and potential investment and found a high level of investment, approximately \$5,000,000. When the city controls the road, we will be responsible for plowing and sanding; however all properties will have direct ATV access to the park. If we have control, the permitting process will be easier.

With a potential of \$55,000,000 in assessed value, there would be \$2 million of taxes. Mayor Grenier said that they need a series of work sessions to better understand and to develop a plan. He would want to know what the cost is to the Berlin taxpayer and wants to proceed with caution.

Mr. Wheeler showed a pavement deterioration curve. The State tries to maintain existing roads at a certain level. As the road ages, it will take more effort to maintain in its current condition. The City does not maintain its roads the way the state maintains. He added that he would hate to take the road on and let it slip into disrepair. The Economic Development study that Camoin did suggested hiring a third party to answer the question.

Councilor Eastman asked if Camoin had spoken to the property owners on 110 or if they just referenced. Ms. Laflamme reported that they spent a day on 110 and spoke to owners and they spent time at Jericho Park. She added that the Council may want to have a public meeting to hear from others on Route 110. Mayor Grenier stated that changing the urban compact requires a public hearing.

Councilor Remillard stated that he would like input from the public before making any decision. Councilor Eastman said that he does not want this to take another three years. The business owners are waiting on the Council to make a decision. He clarified that the business owners have no ATV connection to the pavement that brings ATV's in front of the buildings. Councilor Rozek indicate that in four weeks from now, there can be another discussion. The drainage needs clarification. The Council will need to vote it up or down based on the information.

### **Legislative Policies**

Tom McCue noted that he is here about NHMA's legislative policies and conference. He has been appointed as Berlin's representative at the conference whose purpose is to come up with guidance for

NHMA's lobbyists for the next legislative session. He asked if there were questions concerns or recommendations. Mr. McCue reviewed some of the upcoming proposed policies. Councilor Higbee moved to appoint Tom McCue as Berlin's representative to the NHMA Legislative Conference; Councilor Morgan seconded. Councilor Remillard indicated that she would like to hear the results of air b & b legislation. In the vote that followed, the motion carried unanimously by roll call.

### **Potential Paving Projects**

Mr. Wheeler established that there is about \$100,000 of unspent funds for paving and we will have to go to Pike to see if they will honor their bid prices for another project. The possibilities are:

- Mill and overlay of East Mason from Hutchins to Hillsboro with an estimate of \$60,000.
- Pleasant Street from St. Anne's Church to Mason Street with an estimate of \$66,000
- Glen Avenue, Pleasant around Veteran's Park. It is included in the 10 year plan but that will not likely be funded for some time. Estimated at \$106,000
- Sidewalk on Hutchins Street to fill in from where the sidewalk ends which comes to 1760 feet of 8 foot sidewalk with granite curbing and paver section. It is estimated \$715,000.

Mayor Grenier expressed that Glen Avenue would be the best use for the money and Councilors Eastman and Remillard agreed. Mr. Wheeler noted that he see if Pike can do the work.

### **Non-Meeting RT PH**

Councilor Theberge moved with a second from Councilor Higbee to go into nonpublic session per RSA 91-A:2 I (c) legal consultation. So moved, the motion carried unanimously by roll call.

At 8:25 Councilor Morgan moved to adjourn; Councilor Higbee seconded and the motion carried unanimously by roll call.

Respectfully Submitted,  
Susan Tremblay  
Administrative Assistant

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