

City Council Work Session

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

November 16, 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 848 5082 8989; Passcode 879043, 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.

Mayor Grenier opened the meeting at 6:30 p.m. He reviewed the Council's guidelines for public comments.

Present at roll call were: Mayor Grenier at City Hall and in the room with City Manager James Wheeler; via Zoom, Councilors Higbee, Berthiaume, Rozek, Morgan, Otis, Remillard and Eastman who noted they were alone in their respective rooms. Councilor Theberge was excused.

Others present: City Manager James Wheeler, Community Development Director Pamela Laflamme, City Clerk Shelli Fortin, Fire Chief Jay Watkins, Police Chief Pete Morency, Barbara Tetreault, Berlin Daily Sun, media and public.

### **CDBG Planning Grant Resolution**

Ms. Laflamme reported that Northwoods Learning Center, who operated from the White Mountain Community College closed in 2018 and they have since been looking for a new location. Potential places have been found to be unsuitable. They have been working with North Country Council who encouraged them to seek grant money for feasibility work. A CDBG Planning grant is the best option. The grants are now up to \$25,000. There is no limit to how many we can apply for and if awarded, it does not go against our \$500,000 yearly allocation for community development or housing. There is a resolution for first read on the agenda.

### **Public Works Equipment**

Mr. Wheeler explained that when he received reports of failed ROPEs in the PWD's four remaining loaders, he started looking for an independent contractor who will come to look at our equipment and prescribe and oversee repairs. When complete, he can recertify the equipment. Out of the 4 loaders, it is likely that there are two that can be recertified.

In addition, John Deere has extended last year's pricing which is \$32,416 per piece for a 5 year lease. There are currently eight pieces of equipment for snow plowing, and as of Wednesday, there may be a few more. We are also concurrently working with the DRA to get a tax rate set. Councilor Remillard confirmed that there are three loader with plows that we leased last year.

### **FD Engine Grant**

Chief Watkins stated that he was notified by FEMA that we missed the engine grant by 1/10<sup>th</sup> of a point. There were questions about our need for a four wheel drive fire truck from a representative in Hawaii. FEMA has recommended that we go for the truck again, with narrative explaining our need for a four wheel drive engine. Mayor Grenier asked about the time line and Chief Watkins stated that if we submit in January, we will know by April.

### **SCBA Apparatus**

Chief Watkins recommended that the Fire Department standardize SCBA purchased from Scott manufacturer. The BFD has used and is well trained on this breathing apparatus. There are local service centers and Gorham has decided to go with Scott as well. They are our primary mutual aid and it is best if all are uniform with air pacts. He added that the grant specifies that we need to follow our purchasing policy. Councilor Higbee stated that this makes perfect sense due to familiarity with the product, and standardized parts. If it works well, we should stick with it. Mr. Wheeler noted that there is a resolution, in accordance with the purchasing policy, on the agenda for 1<sup>st</sup> reading.

### **Ordinance Proposed Revision of Face Cover Ordinance**

Mayor Grenier stated that the Council heard many recommendations for changes to the Face Covering Ordinance that the Council is considering for the safety of the public. If the Ordinance passes, the Police

Department can have signs available for businesses. The initial ordinance was slated for 90 days; however it will be amended to 60 days with a 30 day revisit. During the first 30 days the ordinance will not have a penalty phase. Mayor Grenier stressed that he is asking the public to comply for a very serious public health crisis. We are not looking to impose on people's freedoms; we need to get past the biggest public health crisis in 110 years. He added that masks may not help but doing nothing is not an option. He suggested keeping the timeline short and waiving punitive actions in the first 30 days.

In 30 days, the Governor may have superimposed the ordinance. Councilor Morgan asked about employees not wearing masks. If that is the case, it would be doing so against the Governor's orders. Councilor Rozek stated that he would support the resolution but he will not support an ordinance. He suggested that we are at 90% compliant now, and he's not sure it will bring the other 10% around. Councilor Higbee said that he received several calls over the week from people who oppose the ordinance. He clarified that masks do not have to be worn outdoors if maintaining a distance of 6 feet from people. He added that it would be good if everyone took responsibility; there are enough who don't really care. There are a lot of old people in the city and if they get COVID there is a 15% chance they will die.

Councilor Eastman said that everyone he's spoke to is against the ordinance. People are wearing masks and keeping vulnerable separated. He's had people in tears about the ordinance saying they follow laws and don't want to be a criminal. He added that he would strongly support a resolution but not an ordinance.

Mayor Grenier suggested passing the ordinance for 60 days rather than 90; however it would be revisited in 30 days. Penalties will be removed for the initial phase. It will get a full review on December 14. Councilor Eastman asked what the benchmark is for instituting penalties and Mayor Grenier replied that will be discussed on the 14<sup>th</sup>. Councilor Remillard stated that this is a good foundation. The ordinance will be amended to incorporate the changes.

At 7:30, 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.