

City Council Work Session July 1, 2019

Present were: Mayor Grenier, Councilors Theberge, Otis, Berthiaume, Rozek, Higbee, Gentili and Remillard; Councilor Morgan Allain was absent

Others present: City Manager Jim Wheeler, Police Chief Pete Morency, Community Development Director Pamela Laflamme, BPCF Superintendent Jon Goodreau, Recreation Director Terri Letarte, Christie Langlois, Holly Paquette, Steve Paquette, Gina Welch, Jamie Welch, Liam Alnwick, Heather Alnwick, Barbara Tetreault, *Berlin Daily Sun* and public

Mayor Grenier opened the meeting at 6:30 p.m.

Mayor Grenier asked to add one item to the agenda: Budget Discussion due to Governor Sununu's Veto of the State Budget.

Councilor Rozek moved to add the item, Councilor Higbee seconded, and the motion carried.

Skate Park Rules

Mr. Wheeler explained that the skate park is essentially done, just waiting on a couple small things to be done, and the grass to grow. Mr. Wheeler passed out a list of rules to be considered for the park, which could be posted on a sign adjacent to the park. Councilor Theberge asked when it would be open and Christie Langlois advised they were hoping for a grand opening on July 10. Langlois suggested that the park be open to bikes, as well as skateboarders, in-line skaters, and any specialized equipment for those with disabilities. Langlois stated that the park should be inclusive, and advised that her experience with parks has shown that the different groups are respectful of each other and interact well. Terry Letarte suggested that the hours should be dawn to dusk, and to include that no motorized vehicles are allowed. Councilor Higbee also suggested that the rules state that no competitions or demonstrations are allowed without prior permission. Chief Peter Morency advised that violators should be issued a no trespass letter for one year.

Councilor Rozek moved, with a second from Councilor Higbee, to adopt the rules as discussed and to allow the skate park to open on July 10, 2019. Councilor Higbee thanked everyone for their work on the park. So moved, the motion passed.

Tibbetts v. Berlin Police Department

Chief Morency presented the Council with the lawsuit recently filed against the department. Morency assured the Council that the officer involved did not violate any policies, civil rights, or laws. Morency shared the concern that there is a different culture today, and people do not want to take responsibility for their actions. Morency shared his frustration of suits being filed in an attempt to get money from the city, which is costing the taxpayers in higher insurance rates, time, and resources. Morency suggested that the city countersue, as this needs to stop. Morency stated that this lawsuit was filed after the deadline and without an attorney. The person involved created the problem, was charged with a crime, found guilty, and they are not happy with the outcome. Councilor Higbee suggested that the Council discuss the actions they are going to take with frivolous lawsuits and Mayor Grenier advised he is willing to countersue to recoup money spent defending ourselves. The Council voiced its support for the Chief and the Department in the action. Councilor Berthiaume asked about attorney fees for this suit and was advised it will be handled through Primex.

Maintenance Position at Wastewater Treatment Plant

Jon Goodreau advised the Council that the Maintenance person at the Wastewater Treatment Plant will be retiring at the end of July and asked to start the hiring process early to replace him. Councilor Berthiaume asked if the position would be filled from within and Goodreau advised that the job description does require a license and 3-4 years of experience, so that is likely. Both Councilor Rozek and Councilor Berthiaume expressed concern over the budget and Mr. Wheeler advised that this does not affect the general fund. Councilor Berthiaume asked if there were any layoffs, if those affected would have first option. Mayor Grenier advised that Local 1444 does have bumping rights by seniority.

Councilor Berthiaume moved, with a second from Councilor Higbee, to fill the Maintenance Position at the Wastewater Treatment Plant. So moved, the motion passed.

Garage Supervisor at Public Works Department

Mr. Wheeler advised that Mark Lapointe, who was the garage supervisor, has taken the Park Supervisor position, after Paul Blais' retirement. Public Works is now looking to fill the garage supervisor position. The Council again shared the concern of being fiscally responsible due to the Governor's veto of the state budget. Councilor Berthiaume asked if this was a working supervisor position, and Mr. Wheeler advised it is not, although there are some duties they can perform. Mr. Wheeler reminded the Council that they are still holding one position at public works that has not been filled.

Councilor Rozek moved, with a second from Councilor Theberge, to advertise for the Garage Supervisor position and select a candidate, but to come back to Council before filling. So moved, the motion passed.

SRF Loan Analysis

Mr. Wheeler distributed a summary of the Sewer User Capital Plan and advised the Council that the yearly payments for the SRF loans would be approximately \$73,000. Mr. Wheeler also advised that this does not take into account the 20% grant that would reduce the payments.

Budget Discussion

Mayor Grenier advised that Governor Sununu vetoed the state budget on Friday evening. This included \$238,000 for infrastructure and the school funding for Berlin. Mayor Grenier stated that he believes this is short-sighted and suggested that if it is not resolved, the City should consider joining the other communities in the lawsuit against the State to fund education. Councilor Berthiaume suggested that the City not wait, but join the lawsuit now. Mayor Grenier suggested that the Council meet with the Board of Education before making this decision. The City will operate on the proposed Public Hearing budget for now, until the state budget situation is resolved. Mayor Grenier advised there will be no capital purchases or labor agreements considered at this time.

Mayor Grenier moved on to the Regular Meeting at 7:33 p.m.

Respectfully Submitted,
Shelli Fortin
City Clerk

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