

CITY COUNCIL MEETING – Monday, July 1, 2019

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:39 p.m. in the Council Chambers.

Public Hearing

Mayor Grenier opened the Public Hearing at 7:39 pm for Resolution 2019-24 Authorizing an Application for \$500,000 of SRF for Inflow/Infiltration Reduction Project- Building Demolition. There were no public comments. Mayor Grenier closed the public hearing at 7:40 pm.

Mayor Grenier opened the Public Hearing at 7:40 pm for Resolution 2019-25 Authorizing an Application for \$848,620 of SRF for Inflow/Infiltration Reduction Project – Phase 2 Contract I. There were no public comments. Mayor Grenier closed the public hearing at 7:40 pm.

Regular Meeting

a. Pledge of Allegiance

b. Roll Call

Present: Mayor Grenier, Councilors Remillard, Otis, Gentili, Higbee, Rozek, Berthiaume, and Theberge

Absent: Councilor Morgan Allain

Also present: James Wheeler, Shelli Fortin, Pam Laflamme, Gina Welch, Jamie Welch, and Barbara Tetreault, Berlin Daily Sun.

c. Councilor Remillard moved, with a second by Councilor Otis, to accept the minutes of the June 17, 2019 Regular Meeting and Work Session. So moved, the motion carried.

Disbursements:

Disbursement Summary Draft #1841 start date 06/18/2019 end date 06/28/2019 for a total cash disbursement of \$908,478.42 and Summary Draft #1842 start date of 07/01/2019 end date 07/01/2019 for a total cash disbursement of \$1,124,455.52. Councilor Theberge moved with a second by Councilor Berthiaume to accept the disbursement summaries and pay all bills as recommended by the Committee on Accounts/Claims. So moved, the motion carried.

PUBLIC COMMENTS – There were no public comments.

UNFINISHED BUSINESS

1. Resolution 2019-24 Authorizing and Application for \$500,000 of SRF for Inflow/Infiltration Reduction Project – Building Demolition (tabled 06/17/2019)

In the Year of Our Lord Two Thousand Nineteen

A RESOLUTION authorizing the application filing, accepting, borrowing, raising, appropriation and expenditure of an estimated Five Hundred Thousand Dollars (\$500,000.00) of State Revolving Loan (SRF) Funds for Sanitary Sewer Inflow/Infiltration Reduction Project - Building Demolition for inflow and infiltration removal necessary to minimize and ultimately eliminate combined sewer overflows.

Resolved by the City Council of the City of Berlin as Follows:

WHEREAS, the City Council, after thorough consideration of the nature of its water pollution problem, hereby determines that the construction of certain works, generally described as Sanitary Sewer Inflow/Infiltration Reduction Project - Building Demolition is desirable and in the public interest, and to that end it is desired to apply for assistance from the State Revolving Fund (SRF); and

WHEREAS, the Applicant has examined and duly considered the provisions of RSA 486:14 and the New Hampshire Code of Administrative Rules Chapter Env-Wq 500, which relate to loans from the Clean Water

State Revolving Fund and deems it to be in the public interest to file a loan application and to authorize other actions in connection therewith;

NOW, THEREFORE, BE IT RESOLVED BY the City Council, as follows:

1. That the person holding the position of City Manager, currently held by James A. Wheeler, is hereby designated as the Authorized Representative of the Applicant for the purpose of filing an application for a loan in accordance with New Hampshire Code of Administrative Rules Chapter Env-Wq 500, furnishing such information, data, and documents pertaining to the applicant for a loan as may be required;
2. That if such loan be made, the following position(s), currently held by the following individual(s), is/are the Authorized Representative(s) of the Applicant for the purpose of signing any documents pertaining to the disbursement of funds to the loan recipient.

| Name | Position Title |
|------------------|------------------------------------|
| James A. Wheeler | City Manager |
| Patricia Chase | Finance Director and Tax Collector |

3. That if such loan be made, the Applicant agrees to repay the loan as stipulated in the loan agreement.
4. That a certified copy of this resolution be included as part of the application to be submitted for a loan.
5. That persons holding the following position(s) at the time of loan execution are authorized to sign the loan agreement binding the Applicant to the terms and conditions of the loan.

James A. Wheeler, City Manager

6. That if such loan be made, the Applicant agrees to make provisions for assuming proper and efficient operation and maintenance of the facilities after completion of the construction thereof.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH that the application filing, accepting, borrowing, raising, appropriation and expenditure of an estimated Five Hundred Thousand Dollars (\$500,000) of State Revolving Loan (SRF) Funds for Sanitary Sewer Inflow/Infiltration Reduction Project - Building Demolition for inflow and infiltration removal necessary to minimize and ultimately eliminate combined sewer overflows is hereby authorized.

This Ordinance shall be in full force and effect from and after passage.

Councilor Berthiaume moved, with a second by Councilor Higbee, to remove this item from the table. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, to read Resolution 2019-24 by short title for a second time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, to read Resolution 2019-24 by short title for a third time. So moved, the motion carried.

Councilor Berthiaume moved, with a second by Councilor Higbee, that Resolution 2019-24 be passed. So moved, the motion passed.

2. Resolution 2019-25 Authorizing an Application for \$848,620 of SRF for Inflow/Infiltration Reduction Project – Phase 2 Contract I (tabled 06/17/2019)

In the Year of Our Lord Two Thousand Nineteen

A RESOLUTION authorizing the application filing, accepting, borrowing, raising, appropriation and expenditure of an estimated Eight Hundred Forty-Eight Thousand, Six Hundred Twenty Dollars (\$848,620.00) of State Revolving Loan (SRF) Funds for I/I Reduction Project – Phase 2 Contract I for inflow and infiltration removal necessary to minimize and ultimately eliminate combined sewer overflows.

Resolved by the City Council of the City of Berlin as Follows:

WHEREAS, the City Council, after thorough consideration of the nature of its water pollution problem, hereby determines that the construction of certain works, generally described as I&I Reduction Project – Phase 2 Contract 1 is desirable and in the public interest, and to that end it is desired to apply for assistance from the State Revolving Fund (SRF); and

WHEREAS, the Applicant has examined and duly considered the provisions of RSA 486:14 and the New Hampshire Code of Administrative Rules Chapter Env-Wq 500, which relate to loans from the Clean Water State Revolving Fund and deems it to be in the public interest to file a loan application and to authorize other actions in connection therewith;

NOW, THEREFORE, BE IT RESOLVED BY the City Council, as follows:

1. That the person holding the position of City Manager, currently held by James A. Wheeler, is hereby designated as the Authorized Representative of the Applicant for the purpose of filing an application for a loan in accordance with New Hampshire Code of Administrative Rules Chapter Env-Wq 500, furnishing such information, data, and documents pertaining to the applicant for a loan as may be required;
2. That if such loan be made, the following position(s), currently held by the following individual(s), is/are the Authorized Representative(s) of the Applicant for the purpose of signing any documents pertaining to the disbursement of funds to the loan recipient.

| Name | Position Title |
|------------------|------------------------------------|
| James A. Wheeler | City Manager |
| Patricia Chase | Finance Director and Tax Collector |

3. That if such loan be made, the Applicant agrees to repay the loan as stipulated in the loan agreement.
4. That a certified copy of this resolution be included as part of the application to be submitted for a loan.
5. That persons holding the following position(s) at the time of loan execution are authorized to sign the loan agreement binding the Applicant to the terms and conditions of the loan.

James A. Wheeler, City Manager

6. That if such loan be made, the Applicant agrees to make provisions for assuming proper and efficient operation and maintenance of the facilities after completion of the construction thereof.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH that the application filing, accepting, borrowing, raising, appropriation and expenditure of an estimated Eight Hundred Forty-Eight Thousand, Six Hundred Twenty Dollars (\$848,620.00) of State Revolving Loan (SRF) Funds for I/I Reduction Project – Phase 2 Contract I for inflow and infiltration removal necessary to minimize and ultimately eliminate combined sewer overflows is hereby authorized.

This resolution shall be in full force and effect from and after passage.

Councilor Remillard moved, with a second by Councilor Otis, to remove this item from the table. So moved, the motion carried.

Councilor Remillard moved, with a second by Councilor Otis, to read Resolution 2019-25 by short title for a second time. So moved, the motion carried.

Councilor Remillard moved, with a second by Councilor Otis, to read Resolution 2019-25 by short title for a third time. So moved, the motion carried.

Councilor Remillard moved, with a second by Councilor Otis, that Resolution 2019-25 be passed.

Councilor Theberge asked if the loan was necessary at this time since there are concerns about the budget. City Manager Wheeler advised that this is out of the sewer fund and not the general fund, so taxes will not be affected. There is also a 20% grant that will help to reduce the loan amounts. City Manager Wheeler advised that the EPA has ordered that Inflow and Infiltration be reduced.

So moved, the motion passed.

3. Council Committee Reports – Councilor Rozek advised that the Traffic Safety Committee met on June 10, 2019. The issue of parking by the High School at the end of Willard Street was discussed again and an arrow will be painted indicating that the street is one-way. They will also re-use flashing lights from Brown School and update the signs. When buses are parked, there may be an issue with traffic. The Committee also discussed ADA parking in front of homes. If the City designates ADA parking, it must comply with many rules and regulations and the City would be liable. The Committee has to be sure the City provides 5% of the total parking in the City for the disabled. This issue has been tabled indefinitely. The Committee discussed a letter from Nancy Delafontaine concerning ATV's on Brown Street and Monty Road not operating in a safe manner. The PD is aware of the situation and City Manager Wheeler will send a letter to the property owner asking that they advise anyone renting the property of the rules. The Committee heard from Normand Rheume about his request for crosswalks on Mason Street. If crosswalks were added, the sidewalks would need to be rebuilt and there would be no parking allowed. It was suggested that the PD provide extra patrol in the area to cut down on speeding. The Committee also discussed a request from Nathan Alander for a 4-way stop at the intersection of Park and Willard Street. If this was added, it may create a problem getting up Park Street in the winter. The committee encouraged neighbors to call the PD to report the cars that are speeding. Councilor Berthiaume pointed out that this is already a busy intersection, which is just going to get busier with the closing of Brown School and increased school traffic in the area.

Councilor Remillard moved with a second by Councilor Otis to accept the report of the Traffic Safety Committee. So moved, the motion carried.

NEW BUSINESS

4. Letter from Marc Lauze

Dear Mr. Wheeler:

I am writing to express a significant concern in the matter of the recent abatement hearings. After finding out that my tax abatement was denied, I decided to check the minutes of that meeting along with the minutes from the April 30th and May 16th meetings. In looking closely at the meeting minutes, I noticed that all three members of the Board of Assessors, along with the son of one of the board members, had assessments that were greatly reduced in comparison to other taxpayers' abatements. In particular, one board member's new house sits on 2.7 acres and was drastically reduced to \$15,025.00 for land assessment. Some of us taxpayers are assessed at 15,000 or 16,000 for a 100 x 100 lot (0.23 acres). It is concerning that the properties connected with the board members are significantly reduced while most other taxpayers' abatements were being denied or marginally reduced. I am concerned that the members of this board are using their positions and authority in a manner that gives them a personal advantage and is thus unfair to other taxpayers that have filed for abatements. It appears that in the matter of abatements, the taxpayers of Berlin are seemingly being deprived of their right to unbiased and fair decision-making from the Board of Assessors.

Thank you for your attention to this matter.

Sincerely,

Marc Lauze
Berlin Tax Payer

Councilor Theberge moved, with a second by Councilor Higbee to accept the communication from Marc Lauze and schedule a joint meeting with the Board of Assessors for July 15, 2019. So moved, the motion carried.

5. City Manager's Report

1. The State Budget that passed the House and Senate includes additional funding for state aid grants for 70 projects on the SAG list. Of the 70, the City has one for Phase 1 I&I Contract 3. If ultimately passed, this will result in approximately 5 annual payments of \$31,095 to the City.

The Governor has signed HB 700 which establishes a more uniform process for establishing the value of public utility assets for the purpose of tax assessing.

The Governor has also signed HB 370 which will allow for Planning Board members to serve on other public boards.

2. The G&C has authorized the Bureau of Aeronautics to provide funding to the City of Berlin, NH, to rehabilitate and mark Runway 18-36 and associated taxiways at the Berlin Regional Airport, Milan, NH, including new airfield sign improvements, in the amount of \$511,252. Funding is 95% Federal and 5% Local Funds.
3. The State has advised that Pike Industries will begin a resurfacing project from the urban compact on Rte.16 (at Cates Hill Road) going north. It is a \$2,986,000 project. (attachment)
4. Central Rivers Power NH LLC has notified us that they plan to lower the water level at Smith Hydro from September 9th to September 21st to perform routine maintenance. Firefighters who have not toured the dam will make arrangements to do so during the shutdown. (attachment)
5. There will be a Federal Resource Roundtable on Wednesday, July 24th at the WMCC from 1:00 PM to 3:30 PM. Please see the attached agenda if you wish to attend. (attachment)
6. Eric Grenier and Jon Lacasse completed their last days with the City. They will be missed. In addition, long time Recreation Supervisor Paul Blais also retired as of June 30th. We wish them all the best with their futures.
7. I have applied for and received a scholarship from the New Hampshire Municipal Managers Association for attending the 2019 Annual Meeting of the International County and Municipal Management Association. The \$1,500 reimbursement scholarship and discount from ICMA will essentially pay for my attendance to this Professional Development opportunity. This year the annual meeting will be held in Nashville, TN from October 20-23. I am very appreciative of the scholarship from my colleagues in the state.

8. Property transfers for May are attached.

Councilor Rozek moved with a second from Councilor Higbee to accept the City Manager's Report and place it on file.

Councilor Theberge asked about HB 700 and City Manager Wheeler advised it is for distribution assets. Councilor Theberge also asked about paving on Cates Hill Road from the Nursing Home to Route 16. City Manager Wheeler will call and ask if this portion could be done as well. Councilor Rozek also mentioned the condition of Cates Hill Road above the Nursing Home.

So moved, the motion carried.

10. Mayor's Report

a. Letter from Kathy Bryant

Mayor Grenier & City Council of Berlin,

I am writing in hopes of getting a handicap parking sign put in front of my residence.

I am 59 years old with chronic back pain and complex regional pain syndrome. I have had the back issues for 30 plus years and the CRPS for 2 years. There is no cure for either and both will only continue to get worse as time goes on.

I have been using a cane for years but as the issues get worse so does the mobility issues and now I am being forced to use a walker more and more.

Having a handicap parking sign placed in front of my residence would be extremely beneficial for me as I would be assured a place to park that I can get gain the easiest access to my home.

If you have any questions you may contact me either by mail or cell phone # is 603-455-0760. I will also agree to you speaking with my current pain care specialist Katheryn Murphy, Granite State Pain Associates, Concord NH and/or my primary care physician Dr. Michael Creppy, Page Hill Berlin NH.

I look forward to hearing from you. Thank you for your interest in this matter.

Sincerely,

Kathy Bryant
376 High Street, Apt 1
Berlin, NH

Councilor Rozek moved, with a second by Councilor Higbee, to send a letter to Kathy Bryant acknowledging receipt of her letter, to forward the letter to the City Manager and Police Department, and remand the letter to the Traffic Safety Committee for review. So moved, the motion passed.

8. PUBLIC COMMENTS – There were no public comments.

9. Council Comments – Councilor Theberge asked about flags on Main Street for Memorial Day, Flag Day, and Independence Day. This used to be done by the Boy Scouts and another private citizen for a fee, and is not a City function. It was suggested that Councilor Theberge contact the Main Street Program, the VFW, or the American Legion to see if this is something they would be interested in volunteering to do.

Councilor Berthiaume asked if the Council was now on summer schedule for meetings and was advised they are.

10. Adjournment

At approximately 8:26 p.m. Councilor Rozek moved with a second by Councilor Higbee to adjourn the regular meeting. So moved, the motion carried.

A True Record, Attest:

Shelli Fortin
City Clerk

Note: Minutes are unofficial until they have been accepted by the Council by motion.