

Work Session June 20, 2011

Mayor Grenier opened the City Council Work Session at 6:30 pm in the City Hall Executive Chambers. Present were: Councilors Remillard, Otis, McCue, Ducharme, Evans, Rozek, Nelson and Theberge. Also present: Pat MacQueen, Pam Laflamme, Larry Gomes, Brian McDonald, Corinne Cascadden, Brian Lamirande, Andre Caron and the press.

White Mountain Ridge Runners Proposed Trail Improvements.

Larry Gomes, Assistant Trailmaster, White Mountain Ridge Runners introduced Brian McDonald who is the trailmaster for the ATV Club. Mr. Gomes said that last year they were trying to improve the Berlin trail which is numbered PT108. A numbered trail is a big deal because people use it more. It is a main route from west into Berlin at Bass Shoe and parallels Dead River into the city. Anyone coming from Jefferson could use the services offered in Berlin. This trail has given them many problems and when it would rain it made floods so the trail was unreliable. They tried to make a lot of improvements to bridges as well. For the next phase they spoke to landowner Pierre Lessard and Pat MacQueen helped them last year. They took the first part of renovations between the High School and Memorial Field and that part is completely done. It was a \$20,000 effort that was done with volunteers, donated equipment, MG Construction, Ray's Electric and the Berlin Water Works. It was a cooperative effort to take the flood plain in the Dead River and raise it by three feet.

The next phase runs from behind the running track of the High School all the way back of the Lessard land. It involves removing old culverts and rerouting the trail and a section in the flood plain to be moved up. The first thing they do is to look at the historical database. If flagged, they have to go to the next step like they had to at Mt Jasper. Last year they made two field trips with the State Archaeologist to meet the archaeologist's requirements and they received his approval for the project.

The club decided to expand the project to include improvements to the Cates Hill and Suicide Hill Trails and those were also approved by the State Archaeologist. Details of the work were submitted to the Planning Board where possible easements for land around Mt. Jasper were discussed and no negative comments were received.

The WMRR club has appropriated funds to do the construction work starting in the fall. They will request written permission from the landowners along the three trails including the City of Berlin to make improvements to the trail.

Mayor Grenier asked if with these access trails whether the landowners who gave their permission would be covered by the State Liability Insurance. Larry replied that they are already covered. This does not change anything. They previously had handshake agreements on this and he is trying to formalize matters by getting written permission and they can check off one year, five years or indefinite. Most landowners check off indefinitely. Mayor Grenier thinks it would be appropriate if each landowner would have a copy of the insurance rider in their files. If something should ever happen like someone getting killed in a snowmachine accident on the trail on their land, they may panic if they have nothing in their files. Larry said that it is on the form that they give the landowners that the State has a Two Million Dollar policy which is like having a lawyer on retainer.

Mayor Grenier assumes that all these landowners are in current use. Larry clarified that it does not matter whether you are in current use or not, you are still covered. Mayor Grenier has no problem with this so long as these landowners know they are covered.

Once they have landowner permission and have gates up, Larry affirmed they can get enforcement involved. It is a free for all out there since they don't have gates but they are trying to fix that situation as part of this project.

Councilor Remillard questioned that this improvement is done for existing trails only. Mr. Gomes confirmed that is correct. Councilor Remillard continued that Suicide Hill is not used yet but the hiking trail to Mt. Jasper is used and usually hikers and snowmobilers don't mix. Larry said the snowmobile trail will only cross that trail so it should not be a problem. According to Larry, the major thing they are talking about now is if they put a gate on the Suicide Hill Trail they want to make sure hikers can go around.

Councilor Rozek thinks they have done a terrific job and that little feeder trail has been there first and that first users have precedence. What he was getting at is that they had discussions with some of the folks with this conservatory and what he hears is about gates going up. He asked Larry if he was in favor of gates going up. Larry replied yes, because he does not think there is any other way to control illegal traffic because signs do not work. Councilor Rozek inquired how is it illegal? Larry explained the way it works is when you register your ATV, it says right on the registration that you are only supposed to ride on a trail that allows an ATV. It means that there has to be a green marker every eighth of a mile and if there is no green marker, it is not an ATV trail. The problem is they figure they can go anyway and the trails are soft soils and not gravel and the ATV's damage the trails since you cannot have wheeled vehicles on soft trails. Councilor Rozek added that ATV's have their own park. Larry speculates that it is mostly kids with ATV's who get in by Bisson Fields. Once the trail is gated and posted that no wheeled vehicles are allowed, they can get law enforcement involved.

Councilor McCue read in Mr. Gomes' letter that they have the budget for this but does that budget include maintenance too? Mr. Gomes replied that yes, they have the budget for this including maintenance.

Councilor Rozek moved with a second by Councilor Theberge to accept the trail improvement proposal by the White Mountain Ridge Runners and to allow them to use city land. So moved, the motion carried.

School Grants Resolution.

Brian Lamirande, stated that new grants have come in within the course of the year and some have increased so they need Council approval. Pre-Engineering software is new and any 0 grants are new grants this year and the ones with the dollar figure are what they received from a grant. They received more than they thought they would get.

Mayor Grenier asked if the North Country Health Consortium Contracted Services was a Forty Thousand Dollar grant that they did not anticipate? Brian replied that was a grant they administered for NCHC which is an in and out grant.

Superintendent Cascadden explained that they work as a fiscal agent and don't get money but can factor in administrative services at 3.4% like 21st Century and Pre-Engineering by design. In the Middle and Jr High School they were able to get money to get the program going. Instead of getting indirect costs they get membership for free.

Mayor Grenier explained that since this is the tail end of the fiscal year, Council will need to pass this resolution all at once so they will need to suspend Council Rules. Generally he doesn't like to do this but this resolution technically does not spend taxpayer money. They will need a 2/3 majority both to suspend and pass the resolution.

Councilor Ducharme asked Mr. Lamirande what the Ninety-Six Thousand is for. Mr. Lamirande replied it is the early retirement insurance program that the Federal Government funded for five years for as long as the money is available. Retired employees between 55-65 years old because they are on the school's health insurance plan, it could decrease the total cost of their health insurance. They are able to apply for the grant and option two allows revenues to reduce benefit health premiums to all employees taking insurance but it can't go to the employer it has to go to the

employee. It helps reduce their costs and the Ninety-Six Thousand Dollars is divided amongst all participants to reduce their costs for health insurance.

Councilor Ducharme then asked how they calculate the 3.4% on grants like the 21st Century Indirect Costs. Mr. Lamirande replied that the state tells them what they get for a percentage.

Proposed Amendment to Resolution 2011-21 CDBG for Brookside Park.

City Planner, Pam Laflamme explained the changes as stated on her memo. The applicant for the grant refined details and Norwich Corporation is not doing the project but has assigned Liberty Park Associates. The other change is that the City only takes Twenty-Five Thousand Dollars for administrative costs and not Thirty Thousand as shown on the resolution.

Timed Ordinance Parking.

Councilor Evans reported that the Traffic Safety Committee worked on the changes for two hour and fifteen minute parking since lots of signs don't make sense and don't match the ordinance. It is easier to review the ones that make sense and to restructure the current parking ordinance. Page one has the old Granite State building where employees used to park. These are old signs that should be removed.

Mayor Grenier thanked Councilor Evans for giving him a heads up on all of this. He was wondering if that change might be better served when the new road is put through and could it wait.

Councilor Evans replied not really and that they were just taking the old sign down. Once pulled, if they receive complaints, they will address the issue from a fresh start.

The second and third pages are all downtown zones. They cleaned up language for loading zones and streamlined downtown parking zones to look the same. On Glen Avenue they removed timed parking and left a gap on the left side of Pleasant and Green Street so Caron Building Center employees could park there. All else will be two hour parking. A fifteen minute parking will remain in front of the PD. The sign will be removed in front of the old Toni's Pizza from Green Street to Second Avenue. The signs further up Main Street by Ron's Variety will remain.

Mayor Grenier was concerned about restricted parking on lower Glen Avenue up to the movie theater. When he was a member of the Traffic and Safety Committee years back, they instituted timed parking for the Holiday Center because people stayed there all day and it impeded business at the hair salon.

Councilor Evans recalled that the argument was brought forward because it is primarily a residential area. Residents and their guests should be able to park in front of their homes long as they choose. He doesn't know what the right answer is.

Mayor Grenier suggested that they can read and table the ordinance tonight and if they want to alter the ordinance they can do it at the next meeting. It would give the committee a couple of weeks to review that matter and alter this ever so slightly because if you removed it people could park right in front of that business all day.

Councilor Remillard said they recently talked about keeping the easterly free but on the westerly side restricting parking. She would have no problem restricting one side over another.

Councilor Nelson would prefer to keep two hour parking spots in front of the business there.

Mayor Grenier reiterated they can accept and table the ordinance as presented by the Safety Committee and it will give the Safety Committee an opportunity to go down there to make a recommendation to Council.

Councilor Evans understands and will make note of the comments. He went on with page four which is basically the East Side which has various states of parking and none are marked or serving a useful purpose at this time. There is a fifteen minute parking sign on the corner of Coos and Sullivan because there was a store there years ago. There is 2 hour parking on Champlain Street that is no longer needed. There is one hour parking in front of Sinibaldi's Restaurant which is not signed but it is not a problem since no one follows the ordinance. He did not ask the residents what their views are.

Mayor Grenier said there is a new homeowner across the street and a no parking here to corner is still painted too and that is the big problem in that area. He is not thrilled by it in front of the doctors' office and this might have to be readdressed.

Councilor Remillard does not remember any East Mason Street discussion with the Safety Committee and wants to review that one closer. The big problem there is they not only have no parking there, they have trouble getting out of their driveway.

Councilor Evans suggests to change it to two hour parking since we have no other one hour parking in the City and it would just add another set of complications. He would like to see just two hour or 15 minute parking or even 20 min parking.

Mayor Grenier clarified that Councilor Evans will come back at the July 5 Work Session to make recommendations for Sinibaldi's and Glen Avenue to amend tonight's ordinance.

Councilor Theberge concurred that residents there do park on the street and keep it pretty well occupied. If one or two hour parking stops property owners from parking there he is not sure what to do.

Councilor Remillard said these two items need to go back to traffic and safety for further discussion.

Disposition of Courthouse.

City Manager MacQueen said that we don't have a major tenant but still have city offices in the basement with tentative plans to bring them to City Hall. We need to either sell or lease the court house. The City Planner drafted a request for proposals to hire a realtor to market the court house for either sale or lease but before they spend too much time doing that, the City Manager wants to see if Council is ok with disposing of that property. The staff views this as a critical downtown building and would hate to lose it. We have to be careful about disposition since we can't afford to hold on to it since it expensive to heat. He is asking for Council authorization to allow staff to move forward on an RFP to hire a realtor to market the court house for sale or lease. Nothing has to be done tonight except to begin discussing the matter.

Mayor Grenier cautioned the City Manager that the city bought the court house from the County for \$1.00 and he believes there may be a stipulation on the deed that specifies if the city sells the building any profit made is to be split 50/50 with the County. He suggests that the City Manager check the records to see how much cash they have put into repairs and maintenance over the years so anything over what the city has in it could be split if it was sold.

Councilor McCue asked how much work is needed in that building.

The City Manager replied that the windows need to be replaced which is expensive and they need insulation.

Andre Caron said the boilers need to be done, energy efficiency experts said the easiest way to insulate would be to wrap the building from the outside which drives up the cost and it also has high ceilings. You are looking at least a million dollars.

Councilor McCue wants to keep the façade and take it back to its original design which should be a stipulation or condition of sale. To lease is a potential cost.

Andre added that they learned from the sale of Bartlett School that they need a more solid financial plan and need to see where finances are to back them up.

Councilor Remillard said that the Town of Lancaster redid their old courthouse and their RFP had the stipulation to keep the façade. It looks great and something like that would be ideal.

July 4 Holiday Meeting Decision

It was the consensus of the Mayor and Council to meet on Tuesday, July 5th due to the holiday.

Other:

Andre Caron made a Brownfields presentation at the River Day on Saturday and the NHDES was there. He depicted the clean-up effort in Berlin and so far the DES has spent Two Million in the last three years. Three Hundred Fifty Thousand went for Notre Dame to abate the soil and the lead. It encompasses everything that happened here to the court house. They are currently working on the old bermico site plant 5 acres that was deeded to us. For the dummer yard they spent money for a study because they need to have a path forward for Council to consider. They would like to tax deed the land but there are other issues that need to be resolved first. The bulk of the money went to the former research center and the DES helped with the old dairy and the new little pocket park.

The City Manager heard about what a waste of money this is but when you stop to think about it none of these parcels is developable at all.

Andre continued that the last one they have is Gilbert Street. Right now they have the money to demolish it. They make an effort to go after the worst buildings and competed strongly for grant monies. If you look at it from a small town point of view, we did well. Mr. Caron asked Council to send a letter to the NHDES Commissioner to thank him for all the help they have given to Berlin and to send a copy of the letter to the Governor and Executive Council. Council agreed to do so.

There being no further Work Session business on the agenda, Mayor Grenier concluded the Work Session and Council went into the Public Hearing portion of the meeting at this time.

Respectfully submitted,
Debra A. Patrick, CMC
City Clerk

PUBLIC HEARING – JUNE 20, 2011

Mayor Grenier opened the duly advertised public hearing at approximately 7:36 p.m. to receive public input regarding the following subject matters:

- Resolution 2011-18 Accepting \$465.41 Donated to the Recreation Department for the Easter Eggstravaganza. No comments.
- Resolution 2011-19 Accepting \$6,413.00 Donated to BIDPA for Bickford Park. No Comments.
- Resolution 2011-21 Authorizing a \$500,000.00 CDBG for Brookside Park.

Informational packets were distributed and made available to the public. Donna Lane, CDBG Consultant, gave the following presentation:

Open Public Hearing

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority (NHCDFA). Up to \$500,000 annually is available on a competitive basis for housing and public facilities, up to \$500,000 for economic development, and up to \$500,000 for emergency activities. All projects must benefit primarily low and moderate income persons. Up to \$12,000 is available for feasibility study grants.

The purpose of this public hearing is a proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant funds. Of the funds, \$475,000 will be subgranted to Liberty Gardens Associates for improvements, primarily energy improvements, to the Brookside Park Apartments. The 120 units of affordable housing are located on 155 Maynesboro Street in Berlin. The remaining \$25,000 will be retained for the City's administrative expenses. The total project cost is in excess of \$1.5 million.

This project conforms with Berlin's Housing and Community Development Plan's Goal of: Rehabilitate existing buildings

The public was asked for comments at this time. There were no comments.

This first portion of the CDBG Public Hearing was closed.

Mayor Grenier opened the floor for a Public Hearing to discuss the updated Housing and Community Development Plan (no changes)

The public was asked for comments at this time. There were no comments.

Mayor Grenier Closed that Public Hearing.

Mayor Grenier then opened the Public Hearing for the Residential Antidisplacement and Relocation Assistance Plan.

If any temporary displacement or relocation of persons shall be required during this project, a unit on the premises will be made available until the original unit can be moved back into. The project will follow the antidisplacement plan if any displacement occurs. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated. It is mostly weatherization that would take place.

The public was asked for comments at this time. There were no comments
Mayor Grenier Closed this Public Hearing.

There being no one else wishing to speak for or against the subject matters, Mayor Grenier declared the public hearing portion of the meeting closed at approximately 7:41 p.m. Council went into a Non-public session at this time.

Non Public Session: per RSA 91-A:3II(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person; (d) consideration of the acquisition, sale or lease of real or personal property.

Councilor Remillard moved with a second by Councilor McCue to move into non-public session. Roll call resulted in unanimous affirmative votes. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor McCue to end the non-public session.

Councilor Rozek moved with a second by Councilor Nelson to seal the minutes until the matter is resolved. So moved, the motion carried.

Council entered into Non-Meeting per RSA 91-A:2,I(b) Collective Bargaining.

REGULAR CITY COUNCIL MEETING – MONDAY, JUNE 20, 2011

Mayor Grenier called the regular City Council Meeting to order at approximately 8:51 p.m. in the Council Chambers of City Hall. The pledge of allegiance to the flag preceded roll call. Present: Councilors Remillard, Otis, McCue, Ducharme, Evans, Rozek, Nelson and Theberge. Also present: Pat MacQueen, and the press.

Minutes, Previous Meetings

Councilor Remillard moved with a second by Councilor Otis to accept the minutes of the June 6 Work Session/Regular Meeting and June 13 Work Session. So moved, the motion carried.

Disbursements: It was recommended by the Committee on Accounts/Claims to pay all bills dated 6/9/2011–6/22/2011 for a total cash disbursement of \$2,579,584.82 Draft #1642. Councilor Remillard moved with a second by Councilor Otis to accept the disbursement summary and pay all bills as recommended by the Committee on Accounts/Claims. So moved, the motion carried.

PUBLIC COMMENTS: No public comments

UNFINISHED BUSINESS

1. Council Committee Reports

Councilor Evans Chair of the Traffic & Safety Committee reported they received a request to change stop signs, which will be on the next agenda, for the Coos and Howland Street intersection. The stop sign request will be reviewed and they will discuss whether they will recommend a three way stop or leave it as is.

Councilor Remillard said Barney Valliere from the PD agrees that the best solution would be a three way stop.

Councilor Theberge got a complaint from Dana Turgeon who is concerned about kids playing in the street and traffic coming from Coos to Howland Streets too fast. Mr. Turgeon wants to have the two stop signs on Howland removed and have one only on Coos Street.

Mayor Grenier's recommendation is to look at those roadways in the winter because putting a stop sign on a hill usually creates more issues and added that unfortunately, you can't address every complaint out there.

Councilor Remillard moved with a second by Councilor McCue to accept the Traffic and Safety Committee Chair oral report and place it on file. So moved, the motion carried.

2. Resolution 2011-18 accepting Four Hundred Sixty-Five Dollars and Forty-One Cents (\$465.41) donated to the Recreation Department for the annual "Easter Eggstravaganza" (tabled 6/06/11)

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

Whereas, the Berlin Recreation Department held their 30th annual "Easter Eggstravaganza" on April 16 of this year; and

Whereas, several citizens and businesses participated by providing monetary donations that added to event; and

Whereas, the Recreation Department received balloons from Gill's Flower Shop, cash donations from Verizon Wireless, Coulombe Real Estate and Lena Boucher as well as many anonymous donations during the event. Now therefore be it resolved, that the City Council of the City of Berlin accepts Four Hundred Sixty-Five Dollars and Forty-One Cents (\$465.41) donated to the Recreation Department and appropriates these funds for the annual "Easter Eggstravaganza." This Resolution shall be in full force and effect from and after passage

Councilor McCue moved with a second by Councilor Otis to remove the resolution from the table at this time. So moved, the motion carried.

Councilor McCue moved with a second by Councilor Otis to have the resolution read a second time by title only. So moved, the motion carried.

Councilor McCue moved with a second by Councilor Otis to have the resolution read a third time by title only. So moved, the motion carried.

Councilor McCue moved with a second by Councilor Otis to pass the resolution. So moved, the motion carried and Mayor Grenier declared the resolution now passed.

3. Resolution 2011-19 accepting Six Thousand, Four Hundred Thirteen Dollars (\$6,413.00) donated to the Berlin Industrial Development and Park Authority (BIDPA) for outdoor furniture for Bickford Place (tabled 6/06/11) Resolved by the City Council of the City of Berlin as follows:

Whereas, BIDPA provided funding for an outdoor venue known as Bickford Park; and

Whereas, it was important to BIDPA to provide the downtown with a well-designed facility and remain within their budget; and

Whereas, outdoor furniture was cut from the project to remain within budget; and

Whereas, Bob Chapman of Chapman Steel, the Main Street Program, and the Berlin City Council have seen fit to fund the furniture for the park at equal shares of \$2,547.00 for a total cost of the furniture at \$7,641.00; and

Whereas, the Main Street Program is also funding two garbage disposal units at a cost of \$1,320.00. Now therefore, be it resolved that the City Council of the City of Berlin acknowledges a donation to BIDPA in the amount of \$2,547.00 from Council Contingency and accepts a total of Six Thousand, Four Hundred Thirteen Dollars donated to the Berlin Industrial Development and Park Authority for Bickford Park furniture and appropriates a total of \$8,960.00 for purchasing outdoor furniture and garbage disposal units. This Resolution shall be in full force and effect from and after passage

Councilor Nelson moved with a second by Councilor McCue to remove the resolution from the table at this time. So moved, the motion carried.

Councilor Nelson moved with a second by Councilor McCue to have the resolution read a second time by title only. So moved, the motion carried.

Councilor Nelson moved with a second by Councilor McCue to have the resolution read a third time by title only. So moved, the motion carried.

Councilor Nelson moved with a second by Councilor McCue to pass the resolution. So moved, the motion carried and Mayor Grenier declared the resolution now passed.

4. Resolution 2011-21 authorizing an application for a Community Development Block Grant in an amount up to Five Hundred Thousand Dollars (\$500,000) to be Sub-Granted to Liberty Park Associates to redevelop housing units at Brookside Park. (tabled 6/06/11)

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

Whereas, up to Five Hundred Thousand Dollars (\$500,000.00) is available annually on a competitive basis for housing and public facilities that directly benefit low and moderate income persons; and

Whereas, if awarded, Four Hundred Seventy Five Thousand Dollars (\$475,000.00) of the funds would be subgranted to the Liberty Park Associates to use towards the reconstruction and redevelopment of their housing complex known as Brookside Park; and

Whereas, the housing complex was constructed nearly 35 years ago and is in need of several repairs for its tenants, many of whom are low and moderate income persons; and

Whereas, Twenty Five Thousand Dollars (\$25,000.00) will be used to pay the City's administrative, audit and legal costs.

Now Therefore Be It Resolved by the City Council of the City of Berlin as Follows: That, the City Manager is authorized to apply for Community Development Block Grant in an amount up to Five Hundred Thousand Dollars (\$500,000.00) and upon approval of said application, the grant will be subgranted to Liberty Park Associates and the City Manager is authorized to execute any documents which may be necessary to effectuate the CDBG contract; Be it further resolved that the City Manager is authorized to receive said grant and the grant proceeds are hereby appropriated for the purpose of the grant; and all grant proceeds shall be deposited with the City Treasurer and any additional use of these funds beyond the scope of work as listed in the application shall require prior approval of the City Council.

The City Council adopts the updated Housing and Community Development Plan; and the Residential Anti-displacement and Relocation Assistance Plan. This Resolution shall be in full force and effect from and after passage.

Councilor Remillard moved with a second by Councilor Nelson to remove the resolution from the table at this time. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Nelson to amend the resolution as presented by the City Planner. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor McCue to have the resolution, as amended, read a second time by title only. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Nelson to have the resolution, as amended, read a third time by title only. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Nelson to pass the resolution, as amended. So moved, the motion carried and Mayor Grenier declared the resolution, as amended now passed.

NEW BUSINESS

5. Ordinance 2011-04 amending the Code of the City of Berlin, chapter 15 Traffic and Vehicles, Article III Stopping, Standing and Parking, Sec. 15-70 through 15-74. (1st read)

Councilor Remillard moved with a second by Councilor Otis to table the ordinance and schedule a public hearing on July 5, 2011. So moved, the motion carried

6. Resolution 2011-22 increasing the Berlin Police Department's FY'2012 budget appropriation for the Sobriety Checkpoints Grant (30-420-908-9709) by Five Thousand, Two Hundred Forty Dollars (\$5,240.00) due to additional grant revenues awarded by the NH Highway Safety Agency. (1st read)

Councilor Evans moved to kill the resolution. There was no second, the motion failed. Councilor Nelson then moved with a second by Councilor Remillard to table the resolution and schedule a public hearing on July 5, 2011. Councilor Evans voted no. So moved, the motion carried

7. Resolution 2011-23 appropriating the sum of Four Thousand, Eight Hundred Thirty-Seven Dollars and Fifty Cents (\$4,837.50) to the Berlin Police Department Fiscal Year 2012 budget for the purpose of effectuating the NH Highway Safety Project Grant, "Berlin OHRV Patrols." (1st read)

Councilor Nelson moved with a second by Councilor Remillard to table the resolution and schedule a public hearing on July 5, 2011. So moved, the motion carried

8. Resolution 2011-24 amending the 2010-11 budget by revising Fund 10, School Department Grants and appropriating an additional Three Hundred Forty Thousand, Four Hundred Ten Dollars and Eighty Cents (\$340,410.80) of additional grant funds as reflected below: (1st read/suspend rules)

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

BERLIN PUBLIC SCHOOLS-GRANT FUNDS FY11				
Account Number	Account Description	Budget	Revised	Difference
10-401-500-0000	PRE-ENGINEER SOFTWARE HS	0	3,786.00	3,786.00
10-401-600-0000	PRE-ENGINEER SUPPLIES HS	0	800.00	800.00
10-401-700-0000	PRE-ENGINEER EQUIP/FURN HS	0	45,414.00	45,414.00
10-409-650-0000	BCD BOOK/INFO RES CTE HS(BERLIN CITY DEALERSHIP)	0	3,000.00	3,000.00

10-409-700-0000	BCD EQUIP/FURN PLAY GRND BRN	0	3,000.00	3,000.00
10-409-701-0000	BCD EQUIP/MULTI MEDIA ENG HS	0	2,500.00	2,500.00
10-405-500-0001	FRANKIE STONE GRANT SOFTWARE	0	9,895.60	9,895.60
10-415-650-0000	PRE-ENGINEERING EBD JH BOOKS/INFO RES	0	57,000.00	57,000.00
10-446-000-0000	IDEA - ARRA	189,257.00	212,039.00	22,782.00
10-459-100-0000	21ST CENTURY - SALARIES	150,000.00	157,824.00	7,824.00
10-459-900-0000	21ST CENTURY - INDIRECT COSTS	0	3,000.00	3,000.00
10-467-600-0000	NFR - SUPPLIES & MATERIALS	12,608.00	34,015.10	21,407.10
10-469-200-0000	PRESCHOOL - EMPLOYEE BENEFITS (IDEA)	3,110.00	3,306.00	196.00
10-474-530-0000	SAFE ROUTES - POSTAGE ELEM	0	134.00	134.00
10-474-600-0000	SAFE ROUTES - SUPPLIES/MATERIALS	0	2,539.00	2,539.00
10-474-650-0000	SAFE ROUTES - BOOK & INFO RES	0	630.00	630.00
10-481-200-0000	ERRP - BEN HEALTH INS DISTR	0	96,003.10	96,003.10
10-482-100-0000	NHCF SALARIES (Tillotson)	0	12,620.00	12,620.00
10-482-200-0000	NHCF EMPLOYEE BENEFITS (Tillotson)	0	1,980.00	1,980.00
10-482-500-0000	NHCF OTHER PURCH SERV (Tillotson)	0	400.00	400.00
10-482-700-0000	NHCF EQUIPMENT (Tillotson)	0	2,500.00	2,500.00
10-483-300-0000	NC HEALTH CONSORTIUM CONTRACTED SERVICES	0	40,000.00	40,000.00
10-483-500-0000	NC HEALTH CONSORTIUM OTHER PURCH SERV	0	59.50	59.50
10-483-600-0000	NC HEALTH SUPPLIES	0	2,940.50	2,940.50
	TOTAL	354,975.00	695,385.80	340,410.80

This Resolution shall be in full force and effect from and after passage

Councilor Remillard moved with a second by Councilor Nelson to have the resolution read a second time by title only. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Nelson to suspend the rules of Council to allow the resolution to move onto its final passage at this time. Roll call resulted in unanimous affirmative votes of Council and the motion carried.

Councilor Remillard moved with a second by Councilor Nelson to have the resolution read a third time by title only. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Nelson to pass the resolution. So moved, the motion carried and Mayor Grenier declared the resolution now passed.

9. City Manager Report

Main Street and Riverside Drive Waterline Project

The waterlines that BWW is installing on Riverside Drive are being done to provide better pressure and firefighting capability as well as to provide more water to the two prisons across the river. Overall, it is the extension of 3,600 feet of two 12" lines (high and low pressure) from Noury Street to the Pump Station on Cates Hill. It is replacing old cast iron 6" and 8" pipe. In effect it ties the Ramsey Hill tank to the Cates Hill tank providing better pressure and a half million additional gallons for firefighting to the entire area. At the moment BWW is almost done with a 1,000' section to Woodrow Street which should be complete by the end of the week. The remainder of this work at the north end of Riverside Drive is likely to take about six weeks.

BWW will also be installing waterline from about Peavey Lane to the 12th Street Bridge this summer as well as drilling a line under the river from Horne Field to 8th Street. This drilling is likely to take place in July and the rest of the work is likely to take most of the summer.

East Milan Road Sewer Project

The East Milan Road Sewer Project is nearing completion. It is about two weeks behind schedule overall due primarily to extra time needed for the pump station itself. This is a quite large pump station and there is a lot to it including getting our people trained in how to operate it. East Milan Road has now had its final coat of paving put down out to the Urban Compact at Industrial Park Drive. Although there is nothing solid in the works that I am aware of, I believe the State is still considering trying to do something better with their section from the Compact Line out to the City line. It is unfortunate they didn't pursue the options that were available to them last year with the Contractor Sargent giving them some very good prices for making improvements on that section of road.

Value Engineering

The Value Engineering process for the Phase II WWTF improvements is now set for the third week in July. This is the process whereby a third party Engineering Firm (Underwood Engineers) comes in and spends several days with us and our Engineer Wright Pierce reviewing the plans they have developed thus far. Different ideas are floated about how to accomplish different functions and eventually some recommendations may get made about how to better or more efficiently accomplish different functions. The goal is to improve design and reduce costs if possible. The process is required by USDA Rural Development and NH DES when a project exceeds \$10M in cost.

Street Sweeping

Some people wonder why we "waste" money on what they view to be a cosmetic function sweeping streets when the roads are in such bad shape. The aesthetic part of street sweeping is by no means the major reason we sweep the streets. It is very difficult to keep our storm drain system clear of sand and debris even without all the sand we put down every winter. If we don't sweep the streets of winter sand, then most of that sand ends up in the storm drain system which is already overloaded with sand. In addition, it keeps down the dust and danger of bikes and cars sliding in it.

Demolition of 645 First Avenue

Attached are some pictures of the demolition of 645 First Avenue. This was a fire property which is not owned by the City but for which we obtained an RSA 155B order from the court which allowed us to raze the property.

I&I Work

Attached is a copy of a letter from Public Works Director Mike Perreault to residents in the area of the next phase of the I&I work along Riverside Drive now that the main line has been relined. The project is now concentrating on the side streets in the area of the WMCC. Basically, the letter is informing them of the work to come and the fact that if the project needs to touch or cross their property, they will be approached by us to obtain easements.

DOT and Conway Bypass

You will recall that we and other northern NH towns have taken a strong position supporting the completion of the remaining phases of the Conway bypass. Attached is a letter from DOT Commissioner George Campbell responding to the letter and resolution we all supported. Basically, I would say that Commissioner Campbell is saying that the DOT is still studying the matter and evaluating alternatives and their impact.

RD June Home Ownership Project

Each year USDA Rural Development working closely with Tri-County Cap highlight a particular home ownership improvement in the area by spending an all hands on deck day at the selected property finishing up needed improvements to it. This year the home was 377 Western Ave and it is owned by Chad and Genie Tardiff who have a two year old and a brand new baby. The improvements made to the home were already very apparent and it obviously couldn't come at a better time in the lives of this young couple. Councilor Russ Otis and I were able to attend the ceremony for this event on behalf of the City last Thursday. Attached is a copy of a letter from Janice Gingras of USDA RD which further explains the project.

Laura Viger Retirement Dinner

Last Thursday evening, the retirement dinner for Laura Viger was held at the NFHP. It was a very informal affair pretty much as Laura wanted. She was able to be there in good spirits which she needed because there was a little roasting going on as well. Needless to say, we all wish this special lady (particularly so to the City of Berlin) the very best in her retirement.

Berlin Leadership New Hampshire Graduation

On Tuesday the 14th, I was able to attend the graduation of this year Class of Leadership North Country. I am proud to say that Administrative Assistant Sue Tremblay was one of this year's graduates in this fine program which is building leaders for Berlin, the North Country and the State.

Legislative Matters

Budget Bills: The House and Senate conference committees have reached agreement on a budget to be presented to the House and Senate this Wednesday and it looks as though it is coming down to what we thought in terms of the major impact on us – what is retirement going to cost. For that we are still going to have to wait and see, possible until mid-July. We may get hit with a large increase on July 1, which may get

ameliorated in mid or late July. SB 3 on retirement reform was vetoed by the Governor but its language has all been put into the budget trailer bill HB2. So we may find out late this week how this all sugars out.

Time Off

I plan to take the week of the July 4th (4th through 8th) off to attend a family reunion. Pam Laflamme will be Acting City Manager in my absence that week.

Mayor Grenier asked since there has been extremely high water events in the spring has Henry been able to collect that data and what impact did it have on the sewer treatment plant. The City Manager replied they had seen enough large water events. They only needed one pump to run and although Henry can't quantify the numbers, it was a huge impact. The Mayor asked if we have exceeded out limits. We have not according to the City Manager.

Councilor McCue asked when they would be naming a park for Laura Viger. The City Manager said they have an inventory of parks and it will be done soon.

Councilor Rozek asked the City Manager that under Value Engineering the next time he brings it up rather than just say they are doing different functions, like he mentioned twice in his report, he wondered if next time, the City Manager could be more specific and discuss the different functions. He wants a highlight of the design of what they are talking about. The City Manager replied that he will have more detail once the work begins and will keep Council informed. On another matter, Councilor Rozek mentioned the I&I work which will impede traffic flow more time, one with Water Works and one with PWD and would like to be informed on the progress.

Councilor McCue moved with a second by Councilor Otis to accept the City Manager's Report and place it on file. So moved, the motion carried.

10. Mayor's Report

Mayor Grenier is unable to attend Wren's Ribbon Cutting ceremony for their second farmers market on June 23 and asked who on Council can be there. Councilors Otis and Nelson plan to attend.

The Clerk's Office has received numerous complaints about the recent pet ordinance. The Mayor asked her to prepare a statement to read to the public and gave the following press release to the press:

PRESS RELEASE. To clarify misconceptions about the newly passed ordinance regarding pets. The following underlined language is in the ordinance:

"Sec. 13-1. Pets prohibited on city properties including parks, school yards, playgrounds and at Community events.

(a) Prohibited. All pets to include all dogs, cats, and other household pets as well as all exotic animals as defined by State law RSA 207:14 and further defined as controlled or non-controlled under the State of New Hampshire Administrative Rules of Fish and Game Chapter 800; PART 804 POSSESSION OF WILDLIFE; Section Fis 804.01 Definitions and Section Fis 804.02 Non-controlled Species are hereby prohibited on city properties, including parks, school yards, playgrounds and locations of community events. This prohibition includes pets under the control of their owner/keeper by leash or other means except for working (guide) dogs which are permitted."

City properties is not intended to mean city streets. City properties does mean the inside of city buildings such as the Library, City Hall, etc. People and their pets are allowed to walk past or near city buildings. City properties does include all parks, school yards and playgrounds.

People are free to walk their pets on any city street. The exception to this is during a city event such as the Drive in the 50's. Pets are not allowed at locations of community events during the event. Once the event is over, that restriction is removed.

Councilor McCue moved with a second by Councilor Otis to accept the Mayor's report and place it on file. So moved, the motion carried.

11. Public Comments No comments

12. COUNCIL COMMENTS

Councilor McCue said the City Planner asked him to mention the Downtown Action Strategy Project which is an effort to move Downtown Berlin forward. The meeting is on June 29 at 6:00 p.m. at Bickford Place Park in the old Rite Aid building. They want to hear from citizens and the Council and want to get to know everyone's wishes for a better downtown.

No Work Session on the 27th which is the beginning of Council's summer meeting schedule.

13. Adjournment

There being no further business before the Mayor and Council at this time, Councilor Rozek moved with a second by Councilor Nelson to adjourn the meeting. So moved, Mayor Grenier declared the Regular Meeting adjourned at approximately 9:33 p.m.

A True Record, Attest:
Debra A. Patrick, CMC
City Clerk