

## **PUBLIC HEARING – AUGUST 15, 2011**

Mayor Grenier opened the duly advertised public hearing at approximately 8:04 p.m. to receive public input regarding the following subject matters:

- Ordinance 2011-06 Meeting Schedules – no comments
- Resolution 2011-27 Authorize a \$249,102 Cops Hiring Program (CHP) Grant from the DOJ – no comments
- Resolution 2011-28 Authorize \$9,972 grant application from FY 2012 Conservation License Plate Program for the "Restoration, Conservation & Microfilming of Early Berlin Records"- no comments

There being no one wishing to speak for or against the subject matters, Mayor Grenier closed the public hearing at approximately 8:05 p.m.

## **REGULAR CITY COUNCIL MEETING – MONDAY, AUGUST 15, 2011**

Mayor Grenier called the regular City Council Meeting to order at approximately 8:05 p.m. in the Council Chambers of City Hall. The pledge of allegiance to the flag preceded roll call. Present: Councilors Otis, McCue, Ducharme, Evans, Rozek, Nelson and Theberge. Also present: City Manager MacQueen, Local IAFF Firefighters and the press. Councilor Remillard was absent.

### **Minutes, Previous Meetings**

Councilor Evans noted a spelling error on the regular meeting minutes under Council Comments, the paragraph beginning with Councilor Theberge, the second reference to ATV is incorrectly stated as AVT. Councilor Evans moved with a second by Councilor Otis to accept the minutes of the August 1 Work Session and Regular Meeting, as amended. So moved, the motion carried.

**Disbursements:** It was recommended by the Committee on Accounts/Claims to pay all bills dated 8/04/2011–8/17/2011 for a total cash disbursement of \$461,802.75 Draft #1647. Councilor Nelson 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 - No reports
2. Ordinance 2011-06 amending the Code of Ordinances of the City of Berlin, Chapter 2. Administration; Article III Boards, Committees and Commissions, Division 1. Generally by adding a new Section 2-45. Meeting Schedules (tabled 8/1/11)

Be it ordained by the City Council of the City of Berlin as follows: The following new section is hereby added to Chapter 2. Administration; Article III. Boards, Committees and Commissions. Division 1. Generally: "Sec. 2-45 Meeting Schedules. Members of boards, committees and commissions shall meet after 5:30 p.m. unless there is unanimous agreement among the members to meet between the hours of 7:00 a.m. to 5:00 p.m." This Ordinance shall be in full force and effect from and after passage.

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

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

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

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

3. Resolution 2011-27 authorizing the Berlin Police Commission to apply for and accept funds for the purpose of effectuating the COPS Hiring Program Grant (CHP). (tabled 8/1/11)  
Resolved by the City Council of the City of Berlin as follows:

Whereas law enforcement agencies are embracing the challenges of keeping communities safe while maintaining sufficient sworn personnel levels; and

Whereas the U.S. Department of Justice, Office of Community Oriented Policing Services, recognizes this challenge and provides funding through its COPS Hiring Program (CHP) grants which are designed to advance public safety through community policing by addressing the full-time sworn officer needs of local law enforcement agencies; and

Whereas funding is provided for law enforcement agencies to hire new law enforcement officers and to increase their community policing capacity and crime prevention efforts for three years, and at the conclusion of those three years, grantees must retain all sworn officer positions awarded under the CHP grant for a minimum of twelve months; and

Whereas the Berlin Police Department explored the opportunity for a CHP grant, and the Department of Justice recognized Berlin's need for additional personnel by providing a grant award in the amount of \$249,102.00 for a three year period; and

Whereas, the funds for this grant have already been appropriated by the Berlin City Council in the current year budget. Now therefore, be it resolved by the City Council of the City of Berlin, NH, that the City Manager is hereby authorized to apply for and accept funds from the Department of Justice for the purpose of effectuating the COPS CHP grant and that the City Manager is hereby authorized to sign all papers and do all things necessary to accept, effectuate and carry out the grant. 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 Theberge to pass the resolution. So moved, the motion carried and Mayor Grenier declared the resolution now passed.

4. Resolution 2011-28 authorizing an application for \$9,972.00 of funding from the FY 2012 Conservation License Plate Program for the "Restoration, Conservation & Microfilming of Early Berlin Records. (tabled 8/1/11) Resolved by the City Council of the City of Berlin as follows:

Whereas, the City of Berlin is seeking to restore, conserve and microfilm its valuable early records; and

Whereas, up to \$10,000 of funding is available through the New Hampshire State Library in the Conservation License Plate Grant Program; and

Whereas, currently these early Berlin records are not available for use by the general public because of their delicate state, this restoration work when complete will make them available for use by researchers, historians, scholars and the general public. Now therefore, be it resolved that the City Council of the City of Berlin hereby authorizes an application for \$9,972 to the FY12 Conservation License Plate Grant Program and the acceptance of such funds for the purpose of the restoration, conservation and microfilming of early Berlin records; and further that the City Manager is authorized to accept the grant and to sign and do all things necessary to effectuate and carry out the grant; and further that the grant funds upon receipt are hereby appropriated for the purpose of the grant. 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.

## NEW BUSINESS

5. Consideration of Ratification of IAFF Contract

IAFF Local #1088 Tentative Agreement Two Year Contract Costs:

	FY 12 Eff 9/1/11	FY 13 Eff 7/1/12
New Health Plan (HMO High 10 (4J) \$0/15/15RM	(32,505)	
O.5% pay increase 1 <sup>st</sup> year and 2% 2 <sup>nd</sup> year	3,431	16,552
FICA/WC/Ret.	961	4,635
Increase in OT Cost	471	2,274
Incremental Dollar Cost	\$(27,642)	\$23,461

Mayor Grenier explained that per RSA 273 cost items, Council, by law, has to approve or disapprove this contract.

Councilor McCue moved with a second by Councilor Nelson to approve the contract cost items as presented. Roll call resulted in unanimous affirmative votes of Council including Mayor Grenier who declared the contract cost items approved.

6. Communication from Laura Viger re: Appreciation of Park Dedication

In her letter, Laura Viger thanked the Mayor and Council for honoring her by naming the botanical garden after her.

Councilor McCue moved with a second by Councilor Otis to accept/file the communication. So moved, the motion carried

7. Communication from J Hunky Dupuis re: Mechanic Street Safety Concern

Ms. Dupuis asked Council to consider looking into a possible “no left turn” sign to be placed on Mechanic Street since many people are driving on that one-way street to get to Main Street and it is a safety issue.

Councilor McCue moved with a second by Councilor Nelson to accept/file the communication and to remand the matter to the Safety Committee for further review. So moved, the motion carried

8. Communication from George Stanley re: Glen Avenue Sign on Sidewalk Complaint

Mr. Stanley asked Council to take appropriate action regarding a metal sign that Super-Salad places on the public walkway in front of the business since he is legally disabled and can’t pass there.

Councilor Nelson moved with a second by Councilor Theberge to file the communication. So moved, the motion carried.

8a. PWD Hourly Foremen OPEIU Contract.

Councilor Nelson moved with a second by Councilor McCue to allow the City Manager to adjust the OPEIU contract for the PWD Foremen’s hourly rate for a total cost item of \$5,616. All votes in the affirmative, the motion carried.

9. City Manager Report

#### State Retirement Changes Budget Impact

Finance Director Betty Domino has in the attached memo reviewed the impact of the latest retirement changes and their likely impact on the City's budget. In sum, we are likely to be about 6% of base pay short for those groups affected based on what we originally budgeted vs. what the state legislature and the NHRS finally ended up with. This is going to be a very significant figure and after determining what it is for each Department, we will be coming to the Council with a recommended approach to dealing with it budget-wise.

#### I&I

Contract #2 of the first phase of Inflow and Infiltration (I&I) removal is at the 90% design stage and has been sent to NH DES for review and comment. We expect that it will go out to bid as soon as we get the approval from DES. This work will be carried out in parts in two areas of the City. The first is to install a new sanitary line from the top of McGee Street down McGee and across Riverside Drive and then across significant wet areas to the so-called Cross Country line (which we just re-lined). The work on Riverside Drive is relatively short and includes three manholes, but controlled traffic will be maintained at all times. It is likely that the work on Main Street will take about three days. BWW is no longer in this section of Riverside Drive. The second is to install a new sanitary sewer on Kent Street from Grafton Street to Derrah Street thereby separating what is currently a combined sanitary/drainage system in that area. The existing sewer will become a storm sewer. The Engineer's estimate for this work is \$1.1M.

#### Large Loads

The heaviest of the many loads coming through Berlin for the Granite Reliable Wind Project will likely come through Berlin this week (tentatively tomorrow night) and either coming up Main Street or Pleasant Street depending on which route works the best for getting it through Berlin to its destination in Dummer. It is a 175,000# transformer and is currently at a RR siding on Route 110 behind Car Freshener. It will be taken off the rail siding early in the evening and brought in Jericho Road and then through town. Together with its tractor and trailer, the total weight is around to 414,000#. The lighter but larger parts like propellers and tower sections have been coming through town at the rate of about nine per day. They seem to move along fairly well, but there are many of them still to go. Basically there are 33 wind mills with 9 loads per windmill or a total of about 297 loads that have to be transported. Needless to say, it will be another month or so of these loads coming through.

#### Notre Dame Abatement Activities are Complete

The abatement efforts needed clean up Notre Dame High School have been completed using ARRA funds through NH DES. This includes the abatement of lead impacted soils and lead and PCB contaminated paints. Asbestos was taken care of in the first round of abatement work. Overall, this is over \$700k in abatement work at Notre Dame.

#### Andre Caron to be on NHPR interview for the NSP 1 program

We just learned that Andre will be interviewed by NHPR at noon tomorrow. He will be on with Amy Minutti who is the head of the NSP program for CDFA. They will be touring the NSP I program area on the east side and discussing the program which is now complete. Representatives of New England Family Housing will be there as well.

#### Senator Gallus Prison and ATV Tour

Senator Gallus on Monday August 22<sup>nd</sup> will be leading a tour of a contingent of State Senators to the new Federal Prison and also the State Prison in the morning and then the ATV Park in the afternoon. If any of the Mayor and Council would like to attend all or part of this tour, they are welcome to do so.

#### Lunch and Learn

This Wednesday August 17<sup>th</sup> is another workshop put on by the Better Buildings Program in the City Hall auditorium from 11:30-12:30. This program will focus on renewable energy alternatives and in particular solar hot water systems. The flier for this workshop is attached and RSVP (326-6166) is requested.

Councilor Ducharme moved with a second by Councilor McCue to accept/file the City Manager's report. So moved, the motion carried.

Mayor Grenier commented that he was invited by Senator Gallus to meet with the senators at Jericho State Park at noon and he invited Council to attend as well if they would like to interact with the state senators

10. Mayor's Report

Resignation: Board of Assessors.

Councilor Nelson moved with a second by Councilor Otis to accept Jonathan Edward's resignation from the Board of Assessors. So moved, the motion carried.

Councilor McCue mentioned that the Council never received a copy of Mr. Edward's resignation letter. Mayor Grenier asked staff to provide the Council with a copy of the letter for their review.

Appointments:

- Cemetery Trustee - Alison Findsen for a three year term to expire 8/2014.

Councilor McCue moved with a second by Councilor Otis to accept the Mayor's re-nomination of Alison Findsen. So moved, the motion carried.

- Police Commission – Anthony Urban for a term to expire 9/2014. Councilor Theberge moved with a second by Councilor Otis to accept the Mayor's re-nomination of Anthony Urban. So moved, the motion carried.

- Board of Assessors – Robert Goddard, 154 High Street, for a term to expire 3/31/2012. Councilor Nelson moved with a second by Councilor Theberge to accept the appointment of Bob Goddard to the Board of Assessors to fill Jonathan Edward's unexpired term. So moved, the motion carried.

Councilor Evans stated they did not receive a copy of Mr. Goddard's letter. According to Mayor Grenier, Mr. Goddard previously served on the Board of Assessors in the 80's, is a certified appraiser in the State of NH and has done work in many communities. The board needed an individual with practical experience and he is the best candidate and is willing to serve the community once again.

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.

Firefighter William Maddallena thanked the Mayor and Council for ratifying their contract tonight.

12. COUNCIL COMMENTS

Councilor Rozek asked the City Manager if three days is all it will take to do the I & I work on McGee Street and across Riverside Drive and if McGee Street will be repaved when it is done? Councilor Rozek also asked if McGee Street will be kept open at all due to a person living on that street? The City Manager replied that he will check into those questions for Councilor Rozek.

Mayor Grenier reminded Council that since the ward redistricting meeting has been pushed back, their next meeting will be on Tuesday, September 6. From that meeting on, Council will go back to their regular busy schedule of meeting every Monday night.

Councilor Nelson reminded everyone about Chris Dubey's letter regarding the Horrorfest promotion for RiverFire and encouraged all of Council to support those efforts with RiverFire.

13. Adjournment

There being no further business to come before Council at this time, Councilor Nelson moved with a second by Councilor Evans to adjourn the Regular City Council Meeting. So moved, the motion carried and Mayor Grenier declared the Regular Meeting adjourned at approximately 8:39 p.m.

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