

Public Hearing – November 19, 2012

Mayor Grenier opened the duly advertised public hearing portion of the meeting at approximately 7:43 p.m. to hear public comments on the following subject matters:

- Resolution 2012-33 Communications Specific Professional Development Grant
- Resolution 2012-34 Supporting Restored Funding to State Aid Grant Deferred Projects

There being no one wishing to speak for or against the subject matters, Mayor Grenier closed the public hearing portion of the meeting at approximately 7:43 p.m.

CITY COUNCIL MEETING – Monday, November 19, 2012

Mayor Grenier called the City Council Meeting to order at approximately 7:44 p.m. in the City Hall Council Chambers. The pledge of allegiance to the flag preceded roll call. Present: Councilors Remillard, Otis, Benski, Rozek, Nelson and Th  berge. Councilors Morgan Allain and Higbee were absent. Also present: Pat MacQueen and the press.

Minutes, Previous Meeting

Councilor Remillard moved with a second by Councilor Otis to accept the minutes of the November 5 Regular Meeting/Work Session and November 12 Work Session. So moved, the motion carried.

Disbursements: Disbursement Summary Draft #1678 start date 11/08/2012; end date 11/21/2012 has a total cash disbursement of \$1,178,927.64. Councilor Theberge moved with a second by Councilor Remillard 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 comments

UNFINISHED BUSINESS

1. Council Committee Reports. No reports
2. Resolution 2012-33 authorizing the Berlin Police Commission to apply for and accept funds from the NH Department of Safety for State Homeland Security Communications-Specific Professional Development Grant and appropriating the sum of Two Thousand Seventy-Nine Dollars and Sixty-Four Cents (\$2,079.64) to the Berlin Police Department FY'13 budget for the purpose of effectuating the grant. (tabled 11/05/2012) Resolved by the City Council of the City of Berlin as follows:

- Whereas, funding is available to State and Local units of government to implement the Statewide Communication Interoperability Plan and align it to the National Emergency Communications Plan to further enhance interoperability; and
- Whereas, said funding includes reimbursement for communications training in collective response to natural disasters, acts of terrorism, and other man-made disasters; and
- Whereas, dispatchers as first responders in communications, require such specialized training. Now therefore, be it resolved by the City Council of the City of Berlin, NH that the Berlin Police Commission is authorized to apply for and accept funds from the NH Department of Safety for communications-specific professional development. Further, that \$2,079.64 is appropriated to the Berlin Police Department for the purpose of effectuating said grant. This resolution shall be in full force and effect from and after passage.

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

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

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

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

3. Resolution 2012-34 requesting that all candidates running for State elective office support legislation to be filed in the 2013 legislative session that will authorize fully restored funding to the State Aid Grant Program's eligible deferred projects. (tabled 11/05/2012)

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

- Whereas, the State Legislature has historically supported municipal wastewater, public drinking water and landfill closure projects through the State Aid Grant Program administered by the New Hampshire Department of Environmental Services; and
- Whereas, the public derives significant benefits from municipal infrastructure systems, including improved public health, public safety, environmental protection and also monetary benefits to our state and local economies from economic growth, recreation and tourism; and
- Whereas, pursuant to RSA 486 and RSA 486-A, the State Legislature has expressly authorized a grant program for municipalities to receive from 20% to 30% of assistance toward principal and interest payments on eligible environmental infrastructure projects; and
- Whereas, local government officials and citizens faithfully relied on the State's commitment to this funding partnership that was created by the Legislature to make these environmental infrastructure investments more affordable at the local level; and
- Whereas the Legislature since October 2008 has deferred all state appropriations to the State Aid Grant Program resulting in 124 eligible municipal projects, constructed in reliance of grant funding, but not receiving any funding in State fiscal years 2009, 2010, 2011 and 2012; and
- Whereas the backlog of eligible municipal projects includes 100 wastewater projects totaling more than \$46 million; 17 public water supply projects totaling more than \$7.5 million, and 7 landfill projects totaling more than \$800,000 in grant requests; and
- Whereas the New Hampshire Municipal Association has adopted a Legislative Policy position to support future legislation that requests the State fulfill its existing statutory obligation to municipalities. Now Therefore Be It Resolved that the City of Berlin hereby respectfully requests all candidates running for State elective office to support legislation which will be filed in the 2013 legislative session and which will authorize fully restored funding to the State Aid Grant Program's eligible deferred projects. This Resolution shall be in full force and effect from and after passage.

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

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

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

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

NEW BUSINESS

4. Resolution 2012-35 Adopt the Solar Energy Systems Exemption Provision of RSA 72:62 (1st read)
Councilor Nelson moved with a second by Councilor Theberge to table the resolution and schedule a public hearing on December 3. So moved, the motion carried.
5. Resolution 2012-36 Authorize the sale of 702 Glen Avenue, Map 114; lot 08 to Jason and Mary Sullivan for the sum of Five Hundred Dollars (\$500.00). (1st read)
Councilor Nelson moved with a second by Councilor Theberge to table the resolution and schedule a public hearing on December 3. So moved, the motion carried.
6. Resolution 2012-37 Authorize the transfer of 717 Fifth Avenue, Map 110; Lot 104 to Barry Kelley. (1st read)
Councilor Remillard moved with a second by Councilor Otis to table the resolution and schedule a public hearing on December 3. So moved, the motion carried.
7. Resolution 2012-38 Appropriate an additional Six Thousand Dollars (\$6,000) to the Enforcing Underage Drinking Laws Grant (30-420-908-1000) administered by the Berlin Police Department for Fiscal Year 2013, to be offset by grant revenues awarded by the US Department of Justice. (1st read)

Councilor Remillard moved with a second by Councilor Otis to table the resolution and schedule a public hearing on December 3. So moved, the motion carried.

8. City Manager's Report

Tax Rate

Our official rate of \$32.31/k has been received from DRA and the tax bills have been run and should be out this week.

McGee/Kent Street I&I Contract 2 Substantial Completion

I am happy to report that this contract has satisfactorily achieved substantial completion and did so on time. A punch list of items for final completion has been compiled. Substantial completion was October 25th and final completion is set for the end of November.

SAG Applications

Resolution 2012-34 on the Council agenda tonight is pushing to have the State of New Hampshire restore State Aid Grant 20% funding for sewer and water projects. For example, we are receiving this 20% funding on the WWTF work which was performed in 2006. However, because the State has "deferred" all such funding even though it was promised, we are not yet receiving it on the East Milan Road gravity sewer, force main/pump station project completed over a year ago. We are not receiving it on any of the I&I contract work we are doing and we are not receiving it on the improvements to the WWTF currently underway. To be eligible for it if and when it is restored, we have to have State Aid Grant applications in to the State of New Hampshire. We have completed the required pre-applications for all the projects and the final applications for the East Milan Road Project and the I&I Contract 1 (Insituform) project because they have both had final completion. For I&I Contract 2 (McGee-Kent) and the main WWTF improvement contract, we will have to wait for the year warranty periods to run before being able to complete the final SAG applications.

Sidewalks Retaining Walls

In the last month or so several sidewalk retaining wall repair/replacements have been undertaken. These are in the area of 399 Burgess and Denmark between 7th and 8th Streets.

Paving and Potholes

The Gorham paving plant is closed but we have still been getting hot-top from a small plant in Bethlehem. We have used this for a number of sewer repairs and potholes as things wind down for the winter.

\$20k Garbage Packer

We have the equivalent of a new \$20k garbage packer on the road. The Garage has taken the new \$20k truck chassis we purchased from surplus in Concord and put our packer body on it, and it has been out operating since last Friday. This came at the right time as the holidays often require every bit of our 3 truck packer fleet.

NCC Solid Waste Grant Cost Analysis

You may recall that several months ago the City was requested to support a grant request from North Country Council for funding of studying the detail cost analysis of municipal solid waste. NCC is now trying to spend that grant and will be studying in detail our solid waste costs. Regan Pride is the person from NCC who will be working with PWD and Finance to analyze our solid waste costs in detail. Hopefully, this study will provide us with information on how we can improve these operations.

Cate Street Tour

Last Wednesday afternoon, I was able to take a tour of the biomass plant which as you know is coming along quite nicely. Needless to say, it is very busy site with about 350 people working there. A very large amount of excavated materials are sitting on the northern portion of the site. Any contaminated materials have been removed from the site to appropriate disposal sites. The foundations and backbone of the entire operation are pretty much in place and how it all will work can be seen from these. Something which was quite surprising to me was that the 11-story boiler itself was actually built from the top down and actually hangs from the building roof structure. This is to allow for expansion and contraction of the boiler itself. The other thing that was pretty disconcerting was to be standing on the roof of that 11-story structure with huge crane booms (you can't see the cranes themselves without peering over the edge) moving around next to you and above you. It is an impressive project to say the least, and it is and will no doubt continue to add greatly to Berlin's economic base.

Parade of Lights

The Parade of Lights is this Friday with events beginning at 6pm with mannequins in the windows and the Parade is at 7pm. Fireworks will be immediately following the parade and Santa will be receiving children in the City Hall Auditorium. **WISH YOU ALL A VERY HAPPY THANKSGIVING WITH FAMILY AND FRIENDS!**

Councilor Rozek, regarding the I&I work done on McGee and Kent Street, asked the City Manager if the City would consider rehiring the same construction company to work next summer? The City Manager replied that they hadn't actually thought about that yet and added that the work was done on time and it all tested up fine. He won't prejudge that decision yet.

Councilor Rozek stated that a garbage packer could spew liquid contents if the plug is left out and we have to be sure that does not happen. The City Manager asked if he saw that happen and Councilor Rozek replied he has not seen a problem recently although he did see a stain a while back this past summer.

Councilor Rozek gave his son kudos on being one of the certified welders directly involved on the Cate Street project where they suspended the structure and removed the bottom 28 feet which in itself is a remarkable construction project.

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

9. Mayor's Report

- a. Planning Board Resignation: Diane Alinovi effective immediately. Councilor Remillard moved with a second by Councilor Otis to accept Diane Alinovi's resignation with regret. So moved, the motion carried.
- b. Mayor Grenier had a public item to share but it is a surprise for the Husky Poirier Family. Saturday, November 24 they will celebrate "Husky Poirier Day" commemorating the five decades of service Husky gave to the Youth Hockey Association. At 1:45, the Mayor will present the family with a plaque honoring Husky at the Notre Dame Arena.

Councilor Rozek moved with a second by Councilor Nelson to accept and file the Mayor's Report. So moved, the motion carried.

10. Public Comments: No comments

11. Council Comments:

Councilor Theberge inquired if there has been any more thought about the Public Works Garage windows. Last year there was discussion about changing out windows to save money. The City Manager replied that this item is currently on the Capital Improvement Program list.

Councilor Remillard suggested that Council should tour the public works garage to assess their needs. Councilor Theberge added that solar energy might be a way to help cut the cost of utilities at the garage and there might be money available from the Federal Government.

Councilor Rozek read part of a public record letter from the Department of Homeland Security regarding the FEMA floodplain where they said there were no significant changes made on the preliminary copies. He asked if that was a true statement or not? Mayor Grenier verified that it said the same as what was originally proposed before. Councilor Remillard asked if we got a response from the letter Council sent them. The City Manager said FEMA is scheduled to meet here at City Hall on December 5 to discuss the issue.

12. 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 regular meeting. So moved, the motion carried and Mayor Grenier declared the regular meeting closed at approximately 8:17 p.m.

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