

Work Session – Monday, April 8, 2013

Mayor Grenier called the City Council Work Session to order at approximately 6:30 p.m. in the City Hall Auditorium. Present: Councilors Otis, Morgan Allain, Benski, Higbee, Rozek, Nelson and Theberge. Councilor Remillard was absent. Also present: Pat MacQueen, Mike Perreault, Pam Laflamme, Corinne Cascadden, Bryan Lamirande, Nicole Plourde, Donny Labrecque, citizens and the press.

Proclamation: Mayor's Day of Recognition for National Service.

Mayor Grenier thanked the many AmeriCorps and Senior Corps volunteers who demonstrate commitment, dedication and patriotism through their service to improve lives and strengthen our community.

1. Cemetery Trustee Cemetery Rule Discussion

Councilor Rozek related that this discussion came about when he contacted Ed Bryant to make arrangements to buy a cemetery lot for his family. His family does own a plot in the New City Cemetery but since there is a potential problem with the bark fill that was previously used there, he decided a better option would be to purchase a new lot in the Russian City Cemetery but was told there has to be a death or immediate need before he could purchase a Berlin cemetery lot. He brought the matter up at a Council Meeting and Council agreed that should be reviewed. The City Clerk was asked to contact other communities to see what their rules were regarding the purchase of cemetery lots. Councilor Rozek noted that the Catholic Church sells two lots anytime.

City Clerk Debra Patrick reported that she contacted eleven communities regarding cemetery questions and received nine replies. Her report indicated that Berlin was the only community that did not pre-sell cemetery lots. Most communities put a limit on the amount of lots that could be purchased and most cemeteries were managed by Cemetery Trustee Bylaws. Ms. Patrick also provided Council with a map of the current cemetery on Cates Hill which only has a total of 450 regular lots and 300 cremains lots. She cautioned Council that this is the only land we currently have available in the city for future burials.

Councilor Rozek asked that since land is so sparse, could we have more than two cremains per lot? We could use fiberglass vaults as opposed to cement vaults to be more efficient and could put six cremains in one lot to take advantage of limited space. We could allow people to purchase two lots prior to an immediate need which is equal to the Catholic Church.

Cemetery Trustee, Janet King, questioned what would happen if there were to be a big epidemic in the City, there would be no more space left up on hill. Without that, we have no place else and cannot go out to sell lots. If there is no space, where would we put them?

Councilor Rozek asked that if there is room for six cremains, would it be ok to put that in the bylaws?

Ms. King doesn't know where they could possibly put six cremains in a regular lot.

Local Funeral Director, Ed Bryant replied that in terms of a lot being 40 inches wide, for the six he would assume that would be in three rows. The vault is approximately 16-18 inches wide so, in his opinion, there is space to comfortably fit six cremains in one grave lot.

Mayor Grenier said that the proper protocol is to ask the Cemetery Trustees to discuss possible changes to oversee cemetery needs at their next meeting since times are changing. He asked the Cemetery Trustees to review the issues discussed tonight and then make their recommendation to Council in an effort to work together.

Mr. Bryant added that when the Trustees review changing the number of cremains allowed they should also keep in mind the number of markers or monuments they would permit on the lot.

Councilor Rozek agreed it is a good point and they could consider a uniform monument that would accommodate six names.

Mayor Grenier concluded that the Cemetery Trustees were appointed to take care of our cemetery issues and they do a good job. He would like the Trustees to could come up with a satisfactory solution and make something happen with the limited space we have.

2. Community Field Discussion

HEB Engineer Jay Poulin and PSNH Engineer Ingrid Rahaim presented Council with a review of the PSNH proposal to upgrade the Community Street Substation distribution system that serves Berlin. Due to the increased electricity demand over the last ten years, they need to replace outdated equipment and expand the substation. The plan is to expand into the city-owned recreation park at Community Field by taking the existing tennis court and both the brick building and the large storage building for a 180x140 foot area. A right-of-way access to the property is also needed. The proposed property is suitable from a technical and engineering viewpoint given the close proximity to PSNH's transmission and distribution lines. They would need Council's support for a potential boundary line adjustment requiring a Planning Board special exception and a ZBA right-of-way easement impact would be up for discussion. Upon approval of all applicable site permits and regulatory requirements, they hope to be operational by June 2014. They are here tonight to inform Council about their proposal and welcome discussion pertaining to the plan as presented.

Mayor Grenier asked what's in it for the City. They would be taking a main storage building impacting the whole recreation area down there. It does not seem to be much of a win-win for Berlin. PSNH would take usable land from the recreation field and take a storage site which is not an equal trade off. There has to be something in it for the City of Berlin.

Mr. Poulin replied that PSNH is willing to mitigate the plan and they want to get ideas from the Council. Mayor Grenier stated he usually is a team player but he is not if the City does not stand to gain anything. Jay said they could reconstruct those two structures closer to central operations next to the Snack Shack but they will do it any way the City likes.

Councilor Higbee inquired what impact the right-of-way would be off of Community Street.

Ingrid replied that PSNH needs access and the question is the big drop in that land area.

Jay added that PSNH would upgrade the road if necessary for their access. He reiterated they are here tonight just to present the proposal and they want to work with the City.

Councilor Theberge discussed the upgrade of two transformers and asked if that meant new poles as well. He also asked if they considered underground options.

According to Ingrid, there is no need for new poles and underground is not a viable option since it takes longer to repair failed lines and repairing overhead lines is much easier.

Mayor Grenier asked if they spoke to Cate Street Capital about their proposal. Jay related that they did contact them and met with them to try to find few acre spot. They looked at the grass area on Hutchins Street from Carroll Street but the problem in that area is there already is a large line that feeds the landfill. To do it there would be lots of infrastructure with large circuits along the sidewalk and they are required to be at a certain height. It is not a good option because the visual impact on second and third floor apartments would be just wires so it becomes an issue of esthetics.

Mayor Grenier understands and Council is very pro-business and they want to help. They need to make sure the kids of Berlin benefit and have nothing taken away. He is sorry if he appears tough but the recreation fields are near and dear to his heart.

Mike Perreault, Public Works Director, has brainstormed and met with the engineers many times. He wanted Council to know that the possibility of taking the storage building down came from him after he talked to his crews to determine the functionality of the storage building which is used to house off season equipment and bleachers for the fields. That decision did not come from PSNH but from him. As far as the footprint, Public Works measured the fields and the current fields are not affected by this proposal.

The size of the proposed skate park was a question that Councilor Rozek brought up.

Jay did not have an answer to that question since the plan for a skate park was not developed because they did not know that would be one of the items Council would be interested in rebuilding.

Councilor Rozek suggested that the PSNH site across from the Big Apple could be enlarged and would be a great location for a skate park. He then asked if the project going into the field east projection could be brought back 20 feet. How did they come up with the size of the area and could they work with a new plan of 160 feet.

Ingrid explained that the set back is necessary for equipment. They have already shrunk the plan but it can be refined and tweaked as needed.

Councilor Higbee mentioned that the City is also looking for a dog park location as well.

Councilor Theberge was concerned because the corner lot across from the Big Apple is used to park ATVs and trailers. How would we accommodate that in the winter if the area is turned into a skate park? He asked if it would be feasible to make the walkway wider and use the Tondreau Parking Lot instead. If there is no room to park ATV's, they will not come to Berlin.

Mayor Grenier suggested they use the Hutchins Street Park which would be great for a skate park. It is City-owned land and we could work out an agreement.

A member of the public asked if they could be allowed to comment at this time. Mayor Grenier asked Council if the public could speak and Council concurred it was ok.

Public comment: To light up playing fields would be a great community event for Friday nights. The fields at Berlin High School, Community and Memorial Fields should all be lit.

Mayor Grenier commented that Council will discuss this under Non-Public Session. He thanked Mr. Poulin and Ms. Rahaim for their presentation and for taking the tough questions. Mayor Grenier concluded that Council will work through the details and you will get what you need.

3. Lease Extension DMV

Pam Laflamme presented the proposed amendment for the BIDPA DMV five year lease agreement for space located at 143 East Milan Road. The tenant's efforts to find alternative leased space in a location more convenient to clients has failed so they would like to continue to rent the space and want a 13 month lease to match the fiscal year. The tenant will have the option to terminate this amendment early by serving advance written notice to the Landlord at least 90 days prior to termination.

Councilor Higbee moved with a second by Councilor Nelson that the City Council hereby approves the proposed lease amendment with the State of NH through the Department of Safety, Division of Motor Vehicles for 13 months at a rate of \$6.07 per square foot (\$7,284.00) annually and authorizes the City Manager to sign the lease amendment and any and all documents necessary to effectuate the amendment. So moved, the motion carried.

4. School Budget Discussion

Corinne Cascadden, Bryan Lamirande, Nicole Plourde and Donny Labrecque were in attendance. Corinne and the School Board have had many discussions about making cuts in the school budget. She gave Council a brief history about their prior budget numbers and this year the numbers reflected significantly less than the amount previously presented to Council. They have gone back and looked at ways to cut items out of their original budget request and will operate with less for this year.

Bryan Lamirande explained that due to an increase in the NH Retirement System, insurance and Medicaid there will be a 2% increase which is out of their control.

Councilor Rozek wants to know what the historical significance of the school budget was regarding pink slips and asked Corinne to explain the process.

Corinne explained that the NH law says schools must notify their employees by April 15 if they will not renew their contract. In the past, this was done and was bad for the morale of the teachers who got a pink slip only to find out later after the budget process was completed that they actually did still have a job. The schools lost many good teachers due to uncertainty of whether or not they would have a job year to year. Ms. Cascadden affirmed that there is no need for pink slips this year since they will adjust their budgets instead.

Mayor Grenier has a promise to make at the Budget Public Hearing that he would support level funding over what they already have and when the state process works through, the schools would get the lion's share of the \$373,684 of the state education aid if it is restored. They have to realize however, that many people have lost their jobs and there is no other place to work around here. He has five people he wants to bring back into this budget who are potentially losing their jobs. It is a tough situation. We are the poorest in the county and have the highest tax rate. It is a balancing act and we have to make tough decisions that would be level funding.

Nicole Plourde told the Mayor that she respects the tough job the Mayor and Council have. When she saw the line about pink slips on the agenda, she was troubled. Previous school boards went that route but it is not something that she would ever support. The school board did look and will continue to look at decisions to be made to cut items from the budget.

This has been Mayor Grenier's 20th budget and has been the 2nd most difficult budget. In 1994/95 there was a big spike in the tax rate and the community was in a different spot back then. We currently have many delinquencies on taxes. A tax rate over \$4 is bad to attract someone to invest in our community. Outside investments are necessary and he hopes the situation is different in June.

Corinne can feel the pain within community since they have 62% in their breakfast/lunch school program which is an all time high.

5. Sewer Rate Setting Discussion

City Manager MacQueen presented Council with a spreadsheet as to how the sewer rate is calculated. The sewer fund is in good shape and below state average in spite of the repairs they have made. Commercial use is slightly up as neither the prison nor the Biomass Plant has kicked in yet. Residential use bounced back a bit from its lower usage last year. We have held the rate at \$7.99/hcf for the past four years and recommend doing so again this year.

Councilor Rozek moved with a second by Councilor Higbee to set the sewer rate for FY'13 at \$7.99hcf. So moved, the motion carried.

Mayor Grenier congratulated the City Manager, Public Works Director and Finance Director for doing a good job with the sewer rate.

6. Proposed Ordinances

The City Manager presented Council with two draft ordinances for their review. The purpose of the ordinance changes is to make no price difference on fees whether the building inspector or fire inspector does the inspection even if they conduct the inspections at separate times. People would pay one fee and the charges would not be duplicated.

Mayor Grenier asked to have both ordinances placed on the April 15 agenda for a first reading.

7. Other

Non-public Session per RSA 91-A:3 II (d) consideration of the acquisition, sale or lease of real or personal property.

8. Adjournment:

Councilor Rozek moved with a second by Councilor Morgan Allain to recess the work session and enter into non public session per RSA 91-A:3 II (d) consideration of the acquisition, sale or lease of real or personal property. Roll call resulted in unanimous affirmative votes including Mayor Grenier who declared the work session now recessed.

Respectfully submitted,
Debra A. Patrick, CMC
Berlin City Clerk