

Public Hearing – June 17, 2013

Mayor Grenier opened the duly advertised public hearing portion of the meeting at approximately 7:30 p.m. to hear public comments on the following subject matters:

- Resolution 2013-11 City Budget Fiscal Year 2014 – No comments
- Resolution 2013-12 Appropriation of Additional School Grants – No comments
- Resolution 2013-13 Authorizing an Application to SAFER for FD – No comments

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 7:32 p.m.

CITY COUNCIL MEETING – Monday, June 17, 2013

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:32 p.m. in the City Hall Council Chambers. The pledge of allegiance to the flag preceded roll call. Present: Councilors Remillard, Otis, Morgan Allain, Benski, Higbee, Rozek, Nelson and Theberge. Also present: James Wheeler, Corinne Cascadden, Bryan Lamirande, Patty Chase, Fire Chief Trull, several firefighters, citizens and the press.

Minutes, Previous Meeting

Councilor Rozek moved with a second by Councilor Higbee to accept the minutes of the May 29 budget public hearing, June 3 and June 10 Regular Meeting/Work Session. So moved, the motion carried.

Disbursements: Disbursement Summary Draft #1692 start date 6/06/2013; end date 6/18/2013 has a total cash disbursement of \$1,280,121.38 Councilor Theberge moved with a second by Councilor Morgan Allain 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. Safety Committee

Councilor Rozek, Safety Committee Chair, presented the following recommendations:

- 1) Hillside Avenue Parking. Steve Griffin expressed concern over parking on Hillside Avenue. The Safety Committee recommends that the Police Department contact the residents living on Hillside Avenue between Spring and Church Streets to attempt to resolve the issue. The accident history of the area will be reviewed to see if there is an accident trend there.
- 2) Willow Street Parking. The parking concern there is on the corner of Willow Street the north side to Pine Street. The Safety Committee recommendation is to direct the Public Works Director to approach the individual in charge of school bussing to ask if the measure of moving the line has helped to rectify the problem. All is fine now.
- 3) Pleasant/Exchange Street Parking. Wanda Pike asked for an additional parking space in that area. The Safety Committee voted to inform Mrs. Pike about the hazard that the parking space would create by not allowing a fire truck to negotiate the turn, it was denied.
- 4) Guardrail Request at Eighth/Finland Street. Rick Drapeau made this request since people were sliding into his fence. The Safety Committee recommendation is to have the City Manager and Public Works Director to review the guardrail installation options discussed and to install a guardrail in a manner that conforms best. Options include a rail at the current curb location, at the retaining wall or somewhere in between which may necessitate the removal of the sidewalk.
- 5) Route 110 Signalization. The ATV Committee requested a cautionary signal on Route 110 at the trailhead since there was a close call last year. The Safety Committee recommends to have the Public Works Director to continue to contact the State DOT for placement of flashing light outside the urban compact at the trail head on Route 110. The PW Director found out we could get a solar panel blinking light as a cheaper alternative.
- 6) Momz Parking Space Request. Ron Forster requested a “pick up” parking space in front of 2 Main Street. The Safety Committee voted to deny the request for ten minute parking based on information from the Police Department due to safety concerns in that area.

Councilor Rozek moved with a second by Councilor Nelson to accept/proceed with the Safety Committee Recommendations as presented. So moved, the motion carried.

2. Resolution 2013-11R1 adopting a budget and appropriating money to defray the expenses of Berlin's City Government for the fiscal year 2014. (tabled 6/3/2013)

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

That the following budget be adopted and accordingly, the sum of Thirty-Seven Million, Two Hundred Fifty-Nine Thousand, Five Hundred Twenty-Two Dollars (\$37,259,522.00) be appropriated to defray the expenses of Berlin's City Government for the period of July 1, 2013 through June 30, 2014, less expected revenues, with the balance to be raised by taxation on real estate of the municipality.

<u>ACCT. NO.</u>	<u>ACCOUNT TITLE</u>	<u>FY2013</u>	<u>FY2014</u>
01-401	Mayor and City Council	47,608	50,858
01-402	Administration	1,074,922	1,126,144
01-403	Elections	12,030	8,115
01-404	City Hall & Other Bldgs	54,922	53,858
01-406	Insurance	170,084	116,469
01-408	Central Services	249,580	344,580
01-409	Exemptions and Abatements		
01-410	Personnel Insurance Benefits	290,500	203,736
01-411	Contingency	9,600	9,600
01-412	Outside Agencies	64,914	61,575
01-413	Cemetery	11,861	11,861
	Total General Government	1,986,022	1,986,797
01-420	Police Department	2,810,505	2,916,640
01-421	Fire Department	2,038,820	2,174,796
01-422	Street Lighting	122,000	124,500
01-423	Ambulance Service	246,000	311,000
01-424	Special Public Safety	70,470	73,230
	Total Public Safety	5,287,794	5,600,166
01-425	Housing Coordinator	80,443	95,165
	Total Housing Coordinator	80,443	95,165
01-430	Public Works Department	1,611,642	1,665,275
01-431	Engineering	115,790	120,050
01-436	Solid Waste	853,374	858,991
	Total Public Works Services	2,580,806	2,644,316
01-440	Health	481,315	484,998
01-441	Welfare	124,890	123,247
01-450	Recreation & Parks	382,745	405,529
01-451	Library	172,534	176,690
	Total Community Services	1,161,484	1,190,463
01-470	Debt Service	1,458,571	652,217
01-480	City Capital Improvement Projects	743,600	529,900
	Total Debt, Capital Improvement Projects	2,202,171	1,182,117
	Total City General Fund Approp.	13,298,719	12,699,023
01-460	School	16,731,124	16,792,801
01-470	School Debt	733,509	226,779
01-461	School Capital Improvement Projects		95,000
	Total School General Fund Approp.	17,464,633	17,114,580
01-407	County Tax	1,778,000	1,685,902
	Total County Tax Appropriation	1,778,000	1,685,902
	Transfer Out - Sewer Fund Grant	62,046	70,041

01-414	Transfer Out	62,046	70,041
	Total City General Fund Budget	32,603,399	31,569,546
	Other City Funds		
10-405	School Grants/Donations	99,261	219,866
10-483	School Education Grants	2,256,645	1,803,500
11-464	School Food Services	700,000	637,800
13-400	Trust Funds	-	
13-468	Recreation Activity Fund	41,400	40,700
21-400	BIDPA Fund	64,742	59,600
30-400	Grant Fund	237,503	199,372
31-427	NSP 3	5,000	5,000
31-484	EDI Special Projects	5,000	5,000
59-400	CDBG	5,000	400,000
60-432	Sewer Fund	1,846,932	1,938,360
63-437	Cates Hill Landfill	10,000	7,296
64-400	Mt. Carberry Landfill	1,700	
65-434	Airport Fund	373,163	373,482
66-100	District Court Fund	2,000	
	Total Other City Funds Budget	5,648,347	5,689,976
	TOTAL CITY BUDGET	38,251,745	37,259,522

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

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

Increases to budget:

Councilor Rozek moved with a second by Councilor Nelson to increase the Administration Total account 01-402 by \$25,286.99 for a new appropriation of \$1,126,144.41. Roll call resulted in unanimous affirmative votes, motion carried.

Councilor Rozek moved with a second by Councilor Nelson to increase the Fire Department Total account 01-421 by \$115,096.58 for a new appropriation of \$2,174,795.67. Roll call resulted in unanimous affirmative votes, motion carried.

Councilor Rozek moved with a second by Councilor Morgan Allain to increase the Public Works Total account 01-430 by \$52,042.63 for a new appropriation of \$1,665,275.20. Roll call resulted in unanimous affirmative votes, motion carried.

Councilor Rozek moved with a second by Councilor Morgan Allain to increase the Solid Waste Total account 01-436 \$52,668.16 for a new appropriation of \$858,990.86. Roll call resulted in unanimous affirmative votes, motion carried.

Councilor Rozek moved with a second by Councilor Morgan Allain to increase the Parks Total account 01-449 by \$46,092.68 for a new appropriation of \$290,941.79. Roll call resulted in unanimous affirmative votes, motion carried.

Councilor Rozek moved with a second by Councilor Higbee to create an appropriation for the Bond School CIP Interest account 01-460-814-0001 for \$16,266.76. Roll call resulted in unanimous affirmative votes, motion carried.

Decreases to budget:

Councilor Rozek moved with a second by Councilor Higbee to decrease the Bond School CIP Principal Total account 01-460-813-0001 by \$107,068.25 for a new appropriation of \$226,779.33. So moved, the motion carried.

Councilor Rozek moved with a second by Councilor Remillard to decrease the City Debt Total by \$239,410.47 for a new appropriation of \$652,216.66. So moved, the motion carried.

Councilor Rozek moved with a second by Councilor Remillard to decrease the CIP Total account 01-480 by \$46,000.00 for a new appropriation of \$529,900.00. So moved, the motion carried.

Councilor Rozek moved with a second by Councilor Nelson to decrease the County Tax account 01-407-815-0000 by \$16,649.84 for a new appropriation of \$1,685,902.00. So moved, the motion carried.

Councilor Rozek moved with a second by Councilor Nelson to decrease the Transfer out to Airport Total account 01-414-903-0002 by \$1,046.00 for a new appropriation of \$70,040.82. So moved, the motion carried.

Councilor Nelson moved with a second by Councilor Rozek to decrease account 01-421-128-2000 Salaries (time ½ Sun) by \$10,000.00; account 01-421-134-2000 Salaries (Holidays) by \$10,000.00; account 01-421-135-2000 Salaries (extra days) by \$10,000.00 for a total of \$30,000. So moved, the motion carried.

Councilor Higbee moved with a second by Councilor Rozek to accept the changes to the budget as presented for a new total of \$37,259,522.25. So moved, the motion carried.

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

Councilor Nelson moved with a second by Councilor Theberge to have the resolution, as amended 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, as amended. The motion carried by unanimous votes and Mayor Grenier declared the resolution, as amended now passed.

3. Resolution 2013-12 Amending the 2012-13 budget by revising Fund 10, School Department Federal Programs and Appropriating Two Hundred Fifty Thousand, Eight Hundred Ninety-Four Dollars and Four Cents (\$250,894.04) of additional grant funds to reflect the changes in the following table. (tabled 6/3/2013) Resolved by the City Council of the City of Berlin as follows:

Account Number	Account Description	Current City		
		Budget	Revised Budget	Difference
10-405-241-0000	SINI - SCHOOL IN NEED OF IMPROVEMENT	\$ 34,476.14	\$ 43,976.00	\$ 9,499.86
10-459-XXX-0000	21ST CENTURY	\$ 182,920.00	\$ 199,693.00	\$ 16,773.00
10-462-XXX-0000	TITLE I	\$ 710,203.00	\$ 775,347.00	\$ 65,144.00
10-463-500-0000	VOCATIONAL - OTHER PURCHASED SERVICES	\$ -	\$ 71,183.00	\$ 71,183.00
10-467-XXX-0000	NATIONAL FOREST RESERVE	\$ 23,220.82	\$ 29,866.00	\$ 6,645.18
10-468-XXX-0000	IDEA	\$ 346,023.00	\$ 371,482.00	\$ 25,459.00
10-475-XXX-0000	TITLE IIA - CLASS SIZE	\$ 176,096.00	\$ 182,397.00	\$ 6,301.00
10-487-XXX-0000	BERLIN CITY DEALERSHIP	\$ 10,000.00	\$ 14,900.00	\$ 4,900.00
10-464-100-0000	RLIS	\$ -	\$ 44,989.00	\$ 44,989.00
		\$ 1,482,938.96	\$ 1,733,833.00	\$ 250,894.04

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.

4. Resolution 2013-13 Authorizing an Application for Approximately \$610,000.00 for the Staffing for Adequate Fire and Emergency Response Program (SAFER) Grant from the United States Department of Homeland Security (DHS)/Federal Emergency Agency to the City of Berlin, New Hampshire. (tabled 6/10/2013) Resolved by the City Council of the City of Berlin as follows:
- Whereas, the United States Department of Homeland Security / Federal Emergency Agency is accepting applications for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program; and
 - Whereas, the SAFER Grant provides financial assistance to help Fire Departments increase frontline firefighters, rehire firefighters that have been laid off, retain firefighters facing imminent layoffs, or fill positions that were vacated through attrition; and
 - Whereas; the City of Berlin is facing the layoff of two firefighter positions and the vacancy of two additional positions either through layoff or attrition in the Fiscal Year 2014 due to severe financial constraints; and
 - Whereas, said positions are estimated to cost approximately \$610,000 and the City intends to apply for a grant in this amount. Now Therefore, be it resolved by the City Council of the City of Berlin, NH, that an application to the United States Department of Homeland Security (DHS) / Federal Emergency Agency in the amount of \$610,000 is hereby authorized and upon receipt is hereby appropriated to the City of Berlin Fire Department for the purpose of funding four firefighters to fill vacancies created through lay-offs and attrition, and that the City Manager is authorized to accept and do all things necessary to effectuate the 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.

NEW BUSINESS

5. Resolution 2013-14 Appropriating \$490.00 of Donations to the Berlin Recreation Department for the Laura Lee Viger Botanical Gardens; Playground Supplies, Farm League Baseball and Babe Ruth Baseball. (1st read)

Councilor Theberge moved with a second by Councilor Nelson to table the resolution and schedule a public hearing on July 1. So moved, the motion carried.

6. City Manager's Report
PWD Monthly Report

An attached summary report for the month of May is attached. Much of the work that was performed is associated with clean up and repairs from the winter season. The work includes street sweeping, catch basin cleaning, filling of pot holes and the trimming of damaged vegetation along street sides. In addition work continues on current and future capital projects related to the WWTF, streets and bridges.

Housing Matters

Evictions - Deeded Properties: Housing & Welfare is working aggressively with tenants and occupants of tax deeded properties to assist with information and follow-up toward relocation. Many have found alternative locations/rents, however we are finding that rentals are more and more difficult to find. This is actually a positive indicator that the rental market is moving towards an equilibrium for supply & demand due to the removal of substandard units and more aggressive adherence to code for multi-families.

3 Glen Avenue: The patio/paver area and concrete sidewalk were completed last week. Paving is planned to occur this week if the weather holds. Granite benches have been delivered, and we are working with the "Moving Downtown Forward" initiative to install plantings & flower pots.

148 Pleasant St: The results for the TCLP & Asbestos survey came back. Results were negative for lead, however there were findings of asbestos in flooring and roofing material. AVRRDD will allow us to dispose of the brick and concrete material at our Western Ave. in-fill site, however all other debris will have to be

disposed of in accordance with DES specs for hazardous material – the 10 day notification was given to DES on Wednesday.

320 High St. & 613 Western: These are both previous burn sites, and Acadia Contractors (Environmental Co.) is has done sampling at both sites and will report back to the City this week with results, so we can move forward with demolition.

Bond Sale Results

The City's new bond was sold on the market on Wednesday June 12, 2013. Due to certain factors in the current climate the bond was sold with higher than normal coupon rates. This mechanism is used to protect investors from potential future rising interest rates. The net result of this is favorable for the City as the higher premium paid by investors resulted in a lower net borrowing rate of 2.8472%. This is in comparison to earlier quotes we had received of 3.5% to 3.7%. A copy of the debt schedule and selected correspondence from the NH Municipal Bond Bank is attached.

I & I Reduction Project Phase I, Contract 3

A preconstruction meeting for the project was held at Berlin City Hall on June 14, 2013. Representatives from Wright Pierce Engineers, Rural Development, NH Department of Environmental Services, Cross Construction and the City attended. The purpose of the meeting was to go over project administrative, construction and inspection processes. Initial test pit activities are expected to start this week in the vicinity of Rte. 16 near Twitchell Lane. A copy of the meeting agenda is attached.

NH JAG

The NH JAG program is gearing up for the summer. This summer the City will directly benefit from the program by hosting four youths within the Public Works/Recreation Depts. Fourteen students will also be working under the supervision of AMC on trail work. A letter from Lisa King, NH JAG Youth Specialist is attached.

Library Summer Reading Program

The Library Summer Reading Program will be kicked off on Thursday, June 28th at 10:00 am. The Library will host singer and storyteller Ms. Judy Pancoast who will be here to entertain the children. Games, raffles, door prizes, baked goods and a fish pond.

Mt. Jasper Natural Resource Inventory and Management Plan

Watershed to Wildlife, Inc. presented a summary of their findings regarding this management plan on Thursday June 13th in the City Hall auditorium. A group of approximately 25 people attended this presentation. The presentation highlighted the unique environmental and cultural significance of Mt. Jasper and highlighted suggested stewardship practices for the property. The findings and recommendations of the inventory and plan will be used by the Mount Jasper subcommittee of the Planning Board to help finalize recommendations for future use on Mount Jasper. These will be presented to the City Council in the fall. A copy of the Executive Summary of the Plan as well as several handouts are attached.

Jericho Warming Hut Visitor Analysis

A visitor analysis for the Jericho Warming Hut was completed for the 2012/2013 Winter Season by Larry Gomes of the White Mountain Ridge Runners. The full analysis is attached to this report. Of particular note is that visitors who signed the log at the hut originated from 23 different states and 7 different countries. Last winter season, which was the first season this data was collected, approximately 700 individuals signed the log. In comparison, over 1500 signatures were obtained in this last season. The information in this report will be used by the NH Trails Bureau for future planning of the trail system.

Local Government Center/HealthTrust Public Hearings Scheduled

As part of the reorganization process the LGC, HealthTrust and Property Liability Trust will b hosting Public Hearings for the purpose of receiving member comment on proposed bylaw changes for each organization. The Public Hearings will be as follows:

Property-Liability Trust, Inc. -	Tuesday June 18, 2013 at 9:00 am
HealthTrust, Inc. -	Thursday June 20, 2013 at 9:00 am
Local Government Center -	Friday June 21, 2013 at 1:00 pm

Legislative Matters

- HB 383 – A ceremony acknowledging the passage of HB 383 was conducted at Coleman State Park in Stewartstown on Saturday June 15, 2013. A copy of the signed Act from the ceremony is attached.

- HB 482-FN – This is an Act that will require us to modify our Housing ordinance regarding bedbug infestations. The Act will ultimately put more responsibility on landlords and on municipalities for seeking compliance with the statute. The statute goes into effect January 1, 2014.
- State Budget – The Senate voted to adopt HB-1 and HB-2, the biennial state operating budget and trailer bill which is the Senate version of the budget. The House and Senate versions will now go to committees of conference between now and June 20th. The deadline for both houses to act on committee of conference reports is June 27th.

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

Councilor Rozek mentioned a letter from Daniel Arsenault regarding the Highland Avenue Park. Mr. Arsenault was concerned after reading that the City is making another park on East Mason Street. The Highland Avenue Park is in disrepair and he wonders why, if the City can't maintain an existing park, would they spend money on another park? Mr. Arsenault requested an upgrade to be done to Highland Avenue Park. Councilor Rozek wants the status/upgrade of the work done.

City Manager Wheeler replied that he sent a letter of response to Mr. Arsenault. He explained that the difference is that Granite Street Park is part of an entire project to restore the lot to an attractive, useful area and the funds for this park are from grants. Highland Avenue Park repairs would require tax dollars. The Public Works Director and Parks Foremen will work to rectify the items in question like replacing the basketball hoop and pave a dribble area.

Councilor Rozek asked if it would be too far reaching in the future to ask folks that have a park in their neighborhood to have a "park day" to clean up their park. It would be a way for the neighborhood to get families to take ownership of a park and make it city-wide in park areas.

Councilor Theberge inquired what the Fire Marshall's findings were about the recent 148 Pleasant Street fire. City Manager Wheeler replied that the rubble is not 100% cleaned-up and the electric panel is still under the rubble. Once the removal process is complete they will get the final report.

Mayor Grenier commented about a newspaper article he read on the bond sale. They finally washed their hands on the five year fiasco put on the City when the previous council voted to fund a 5M bond for five years. That same Council was going to introduce another five year bond once that one was done and the results of financing a situation like that would have been devastating. The City Manager and Auditor advised them not take that bond but they did not listen. Our new bond puts two major projects on the table and we are able to pay for other projects like street paving. The Mayor asked City Manager Wheeler to meet with the Water Works Superintendent to coordinate with paving since they have funds for curb to curb paving which would give citizens a nice finished product thanks to this bond project. Mayor Grenier thanked former City Manager MacQueen and City Comptroller Patty Chase for pulling us out of this mess through their diligence in finding a new bond to replace the old five year bond.

7. Mayor's Report

BIDPA Appointments: Richard Huot, Andre Duchesne, Dave Poirier, Richard Eastman three year terms to expire July 30, 2016. Councilor Rozek moved with a second by Councilor Higbee to accept the Mayor's BIDPA nominations as stated. So moved, the motion carried.

8. Public Comments: No comments

9. Council Comments: No Comments

10. 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 8:23 p.m.

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