

## **Work Session**

### **July 1, 2013**

Mayor Grenier called the Work Session to order at approximately 6:30 p.m. in the City Council Executive Chambers of City Hall.

Present: Councilors Otis, Morgan Allain, Benski, Higbee, Rozek, Nelson and Theberge. Absent: Councilor Remillard. Also present: James Wheeler, Chris Dwinal, Mike Perreault, Henry Noel and the press. Mayor Grenier welcomed Brian Bresnahan, Annie Kuster's North Country Representative to the meeting.

#### **Review of Dewatering Options at WWTP**

Chris Dwinal, of Wright-Pierce, explained Berlin's wastewater history for the past 15 years. In December they began an evaluation of the existing dewatering system. The City spent approximately \$150,000 to rebuild that system. The City felt they could get a few more years out of the old system and it was not included as the phase 2 upgrade. Additional issues are now beginning to show up. The big concern is reliability of the old equipment with new customers coming on board.

Wright-Pierce conducted a life cycle cost analyses over a twenty-year period in today's dollars which includes disposal of sludge at the landfill, equipment capital cost, replacement parts, energy usage, polymer usage and sludge tracking. That scope of work consisted of looking at sludge production, operating schedules, facilitated bench scale and pilot testing and prepared equipment layouts in rooms. Lab testing resulted in sludge samples being sent to each manufacturer. They performed testing, recommended equipment sizing and provided expected performance and budget pricing.

Wright-Pierce then prepared a final evaluation memo with recommendations. The two lower cost companies were FKC Horizontal Screw Press and Fournier Rotary Press. A draft report was presented to the City, DES and Rural Development to review before agreeing to sign a contract. Although Fournier Rotary Press had a lower purchase cost, FKC would end up saving the City more money through a more efficient process and life cycle cost.

Chris concluded that \$990,000 includes construction, contingency, tech services, legal administrative costs and construction financing costs. He has not prepared engineering costs yet but will work with the City Manager on this. The design component will be streamlined and the project will not incur additional inspection costs either. The goal tonight was to answer questions and allow this to move forward. If pricing comes back and it is too high, the City could wait.

The Mayor reiterated that the \$990,000 includes engineering and is a turn-key operation. Mayor Grenier asked Henry what the cost per year was to operate the current centrifuges. Henry will find out and give the Mayor and Council those numbers. The Mayor said the big difference here is in disposal costs. He wonders if financially we could look to cash flow the \$990,000 in operational savings over the existing equipment.

Councilor Therberge asked if the centrifuge parts are obsolete. Chris replied that there are parts available.

The City Manager said the arguments for replacing the equipment are enough to suggest we move forward. We could calculate a cash flow analysis and bring that back because we do know the savings on electricity and sludge disposal so we could tally up what the operational savings are and see what that contributes to the cost of the project.

Mayor Grenier figures about \$1M over twenty years that new equipment will cash flow half the amount spent on that purchase and you are going to increase plant reliability. He supports this.

Chris agreed that disposal costs were able to guarantee 26% solids and in disposal costs at least \$600,000 in 20yrs.

Mayor Grenier asked how we would come up with the \$990,000 needed for this work. The City Manager replied that the sewer fund is in good shape and the Auditors might tell us to spend some of that money. Also, the Bureau of Prison connection fee has \$2M leftover that we could use so we have the ability to pay for it.

Councilor Nelson inquired if that BOP leftover connection money was earmarked for any other purpose other than sludge. The Mayor replied no, we could use those funds.

Councilor Rozek moved with a second by Councilor Higbee to allow the City Manager to enter into an agreement with Wright-Pierce to proceed with the purchase of the FKC Horizontal Screw Press for a total project cost of \$990,000. So moved, the motion carried.

### **Waste Water Treatment Project Update**

Chris Dwinal, Wright-Pierce gave a brief report about the Waste Water Treatment Plant regarding their \$13.2M contract with Apex Construction which is half done. They have used 52% of the work schedule and it is a very busy site. This is the last full summer to do the work since they plan to be finished by June 5 of next year. The electrical people are there now and all is going well with no complaints. There have been slight add/minus costs and only minor change orders. Lots of outside work is being done and in the winter they will work on inside pumps. There are bi-monthly meetings with the Bureau of Prisons for updates as more prisoners come on board.

### **Review of I&I Data**

Chris Dwinal, Wright-Pierce, reported the success of some of the I&I projects to balance new flow coming in from the Bureau of Prisons. On McGee Street they replaced sewer lines and disconnected sump pumps and see a good reduction there. Kent Street from Grafton to Forbush looked at one section and got good progress there. From Forbush to Derrah they have one sump pump to disconnect there due to a code issue and still have the cross-country line from Trudel to Blais Street but saw a reduction of flow but hope for better. The prison no longer dumps at the Dairy Bar pump station, they use the Transfer Station on East Milan Road for an average reduction of 40,000 gallons per day on average for a year and are seeing reductions even with new customers.

### **Sewer Abatement Committee**

Mike Perreault, PW Director, reported he received only four sewer abatement requests. One was submitted too late but it is in the package for review as well. Some requests are due to leakage and the City usually does not abate for faulty plumbing.

Karen Mailloux, 190 Collins Street, wrote the reason for the higher bill is because the hose was leaking and they were out of town a few days. The Water Works Department abated them for water usage. Mayor Grenier stated that the City standing policy is they don't abate for plumbing or leaks. Councilor Nelson moved with a second by Councilor Otis to deny the request. So moved, the motion carried.

Greg Marrer, 279 Sweden Street, wrote the reason for his request is he thinks his water consumption has been overstated since only two individuals live at the residence. They had a water leak in the 4<sup>th</sup> quarter. Councilor Theberge asked if the Water Works checks meters if people say they are wrong. The reply was yes, they go out to check the meter. Councilor Nelson moved with a second by Councilor Otis to deny the abatement request. So moved, the motion carried.

Jason Dumont, 38 Hermanson Avenue, wrote that he put in a new lawn last year and watered it three times per day. This year, the lawn is in and he no longer needs to water the lawn as frequently. He also does not wash cars home since he works at a car dealership. Councilor

Nelson moved with a second by Councilor Otis to deny the abatement request. So moved, the motion carried.

Kathleen Bergeron, 176 Madison Street, sent her sewer abatement late, it was due May 12 but it was received on June 3. She moved to Milan September first and the house has been empty with no water usage and the water has been shut off and the systems winterized. This service is on an unmetered well. The house was actually occupied 2 out of 3 quarters. Mayor Grenier pointed out that the abatement request was late and it says on the bill when it is due. Councilor Nelson moved with a second by Councilor Otis to deny the abatement request. So moved, the motion carried.

The Public Works Director said he could contact Ms Bergeron to verify if there is a physical separation from the water supply to help her with next year.

**Resolution 2013-15 Reinstating \$27,185 to the \$5M CIP Bond Issue**

The City Manager explained this resolution was drafted as a housekeeping issue. In 2009 there was a resolution that authorized money to charge to the \$5M Bond. In 2010 there was another resolution drafted to reallocate that money to Brown School windows which were done for \$21,755 but the work was not charged to the bond and then the Junior High work was done. This resolution just reinstates that money to agree with bookkeeping.

**Other: ATV Festival Beer Tent Request for Permission to set up at 52 Main Street**

Sylvia Poulin from the Main Street Program is requesting that the City sign their application to have a beer tent set up on 52 Main Street which is City-owned property for the July 26 ATV Festival.

The City Manager checked with Primex about the request and they recommend that we have the Main Street Program acquire language to cover the City in their letter.

Mayor Grenier thinks having law enforcement present within the general area will act as an abuse deterrent and will have people think twice.

Councilor Nelson added that RiverFire paid for law enforcement right there at the beer tent.

Councilor Otis stated that for a one day license they will need liability insurance and have to be trained for the one day license.

Councilor Rozek said we are pushing the limit with the ATV Festival and it is a good thing. We expect a safe, happy turnout without consequences. It is about safety and fun and both go together if properly planned.

Councilor Higbee moved with a second by Councilor Rozek to accept the communication and allow them to set up beer tent on City property as requested. So moved, the motion carried.

The City Manager will send the Main Street Program a letter advising them of Council's decision.

**Mayor Grenier declared the conclusion of the Work Session at this time.**

**Non-Public Meeting Per RSA 91-A:3, II (d) land matters.**

Councilor Higbee moved with a second by Councilor Otis to enter into non-public session per RSA 91-A:3, II (d) land matters at this time. Roll call resulted in unanimous affirmative votes.

Councilor Rozek moved with a second by Councilor Morgan Allain to seal the minutes until a transaction is consummated. So moved, the motion carried.

Councilor Nelson moved with a second by Councilor Rozek to come out of non-public session. So moved, the motion carried.

## Public Hearing – July 1, 2013

Mayor Grenier opened the duly advertised public hearing portion of the meeting at approximately 7:35 p.m. to hear public comments on the following subject matter:

- Resolution 2013-14 Appropriating Donations to the Recreation Department

There being no one wishing to speak for or against the subject matter, Mayor Grenier closed the public hearing portion of the meeting at approximately 7:35 p.m.

## CITY COUNCIL MEETING – Monday, July 1, 2013

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:36 p.m. in the City Hall Council Chambers. The pledge of allegiance to the flag preceded roll call. Present: Councilors Otis, Morgan Allain, Benski, Higbee, Rozek, Nelson and Theberge. Councilor Remillard was absent. Also present: James Wheeler, Brian Bresnahan, Annie Kuster's North Country Representative, and the press.

### Minutes, Previous Meeting

Councilor Rozek moved with a second by Councilor Higbee to accept the minutes of the June 17 Regular Meeting/Work Session. So moved, the motion carried.

**Disbursements:** Disbursement Summary for Year-End: Draft #1693 start date 6/19/2013, end date 6/30/2013 has a total cash disbursement of \$2,816,953.26; New Fiscal Year Draft #1694 start date 7/01/2013, end date 7/01/2013 has a total cash disbursement of \$178,625.35. Councilor Theberge moved with a second by Councilor Rozek to accept both disbursement summaries and pay all bills as recommended by the Committee on Accounts/Claims. So moved, the motion carried.

### PUBLIC COMMENTS

Brian Bresnahan, informed Council he represents Annie Kuster. They have an outreach program with office hours in the district to reach out to town/city governments to assist however they can.

### UNFINISHED BUSINESS

1. Council Committee Reports. No Reports
2. 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. (tabled 6/17/2013) Resolved by the City Council of the City of Berlin as follows: That donations to the Berlin Recreation Department received from local citizens and businesses are hereby appropriated to the following:

<u>Account</u>	<u>Name</u>	<u>Amount</u>
30-368-601-0004	Laura Lee Viger Botanical Gardens	\$250.00
	Playground Supplies	40.00
	Farm League Baseball	100.00
30-368-601-0002	Babe Ruth Baseball	<u>100.00</u>
	Total:	<u>\$490.00</u>

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

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

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

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

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

### NEW BUSINESS

3. Resolution 2013-15 Reinstating \$27,185.00 to the \$5M CIP Bond Issue Originally Authorized in Resolution 2009-43 for Window Replacement at the Berlin Junior High School. (1<sup>st</sup> read)  
Councilor Theberge moved with a second by Councilor Nelson to table the resolution and schedule a public hearing on July 15. So moved, the motion carried.

4. City Manager's Report  
**Recreation**

Summer Kick-Off was held Thursday, June 27 at Berlin Recreation in cooperation with the Berlin Public Library. Approximately 50 children participated in this summer celebration. There were games, raffles, music prizes, and Kool Pops free to all the children. Children were introduced to the Berlin Playground summer staff and reminded of the Summer Playground program. We are *extremely grateful* to Kathy Godin and the Berlin Public Library for providing prizes, games and assistance. Playground programs begin next week, July 1 – 3 (off July 4 & 5) from 10:00 – 3:00 at Community, Brown and Brookside Park. Breakfast (cold cereal and milk) provided by Salvation Army (cereal) and Berlin Welfare Department (milk) will be served starting July 8 at 10:00 a.m. at these sites. Lunch at 12:00 noon and snack at 2:30 p.m. provided at these sites as well starting July 8 thanks to USDA Summer Lunch Program (USDA is an equal opportunity provider and employer). Playground program will operate until August 9 offering games, sports, crafts and special events free to all children. Many summer programs will be starting soon. Cheerleading begins this Tuesday, July 2nd with a full capacity of 25 girls. We recently held team selection for soccer and baseball. Soccer has over 150 players from kindergarten through eighth grade. Games start July 9th beginning at 5:00 p.m. at Memorial Field. Farm League Baseball has seven teams (age range 5 – 12) with games beginning July 8th starting at 8:30 a.m. at Community Field. Other programs that will start soon with room for more people include Summer Basketball for grades 3 – 5, Tennis Lessons for grades 4 through adult, Field Hockey Clinic for grades 4<sup>th</sup> – 8<sup>th</sup> grade, and Beginner Baseball for ages 4 – 6.

**Finance**

1. Collections Department is busy with tax bills that are due July 2<sup>nd</sup>. As of Friday, June 28<sup>th</sup>, we've collected \$4,662,037.30. The total warrant is \$6,763,022.50.
2. Natalie Croteau, part time clerk for PWD, has accepted the Accounts Payable position in the Finance Department.
3. The City has been officially notified by the Local Government Center what its portion of the HealthTrusts \$33.2 million of surplus will be. Members who participated in the 2010 medical and/or dental program and continued to be participants through August 2012 qualify for a return. The City's refund will be for a total of \$36,127.74 and we will receive it in September of this year. Please see the attached correspondence from the LGC.

**Housing**

1. 3 Glen Avenue
  - a. Paving was completed on Thursday June 27th by Central Paving. Parking spaces are planned to be striped within the next week.
  - b. Don Piper has installed granite benches on the patio/paver area. (5 in all)
  - c. The Moving Downtown Initiative will be placing potted evergreens and planting perennials in the small garden area between the side walk and parking area.
  - d. Three large lilac bushes were transferred from the island by the Eagles to the lower green space on the slope going down to the parking area.
2. 148 Pleasant St.
  - a. Bids came in on Thursday June 27th for the Final Demolition/Clean-up. There were two bids: Milan Excavating & Cross Excavating – Cross was the successful bidder.
  - b. The DES Notification period ends July 1, so we will be coordinating with Acadia Contractors (Environmental) & Cross to complete the final clean-up as quickly as possible after that.
3. Land Sales to General Public: 5 parcels went out to the general public and bids were received on
4. The successful bids are as follows:

a. 33 Gilbert St.	M/L 118-32	\$1,000	Donald Poirier
b. Hillsboro St.	M/L 131-044	\$1,100	Thomas & Sophie Fortier
c. Hillsboro St.	M/L 131-045	\$1,100	Thomas & Sophie Fortier
d. Former 687 & 695 Main St.	M/L 128-190	\$8,013	Lamontagne
4. Other land sales to abutters: due back July 11<sup>th</sup>

5. A land survey for 3 Western Properties was completed by York Land Services, the results of which is under review by staff.

#### **Public Works Dept.**

Bid for City Electrician Services were received on June 20<sup>th</sup>. The successful bidder was Vaillancourt Electric of Berlin in the amount of \$18,092.

A summary of PWD project highlights for the month of June is attached. The summary includes the approval of final design to address sanitary sewer alignment conflicts on the Route 110 Phase 2 project.

#### **Route 110 Phase 2**

The City has been notified by the NHDOT that all of the property rights needed to build the project have been secured. NHDOT is coordinating some water line replacement work with the BWW and has scheduled to advertise the project for construction from July 13<sup>th</sup> to July 30<sup>th</sup>.

#### **Allen Bouthillier vs. City of Berlin**

Attorney Chris Boldt will be representing both the Planning and Zoning Boards on Wednesday at Superior Court in Lancaster. He will be defending the boards in three separate cases filed by Allen Bouthillier, abutter to the Jericho Power LLC wind project. Mr. Bouthillier is represented by Waystack Frizzell out of Colebrook. The current owner of the project, Jericho Power LLC is an intervener in all three cases. The hearing on Wednesday is the first hearing at the Superior Court level on these matters. The Planning and Zoning boards have each put in a tremendous amount of time and effort on this project and have heard several iterations of the project over the years. Staff has also put in a lot of time on the project and recently helped to prepare the certified record for each of the cases and will attend the hearing on Wednesday with Attorney Boldt.

#### **AVRRDD Draft Title V Permit**

The AVRRDD received a Draft Title V Operating Permit from the NHDES Air Resources Division by cover letter dated June 20, 2013. The permit for the operation of District facilities that have air discharges. The most significant permitted component is the gas to energy project that burns landfill gas in the boilers of the Gorham Paper and Tissue Mill. Notification correspondence is attached.

#### **Berlin Housing Authority**

This week on Wednesday July 3<sup>rd</sup> at 2:45 pm there will be a ribbon cutting ceremony at the BHA at 10 Serenity Circle. Senator Jeanne Shaheen will be in attendance at the ceremony for a pellet boiler

#### **Legislative Matters**

The State operating budget beginning today was adopted last week. The operating budget contains several items that have significance to municipalities. These include:

- Increase in the meals and room tax distribution.
- Funding for State Aid Grants for projects that are on the Delayed and Deferred (D&D) list. (The City has several projects on the D&D list and I will be attending an informational meeting at NHDES regarding the distribution of funds on July 16<sup>th</sup>.)
- Increased funding for the Land and Community Heritage Investment Program (LCHIP)
- Maintenance of Highway Block Grant funding at \$60 million over the biennium.
- An increase in the portion of the copying of vital records fees that is retained by municipalities.

**Time Records for Pat MacQueen** See attached.

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

Mayor Grenier mentioned that a few years ago, the DOT deferred nearly \$500k for the payment project cost on the Twelfth Street Bridge since they did not have money. The City did the whole project with anticipation that the DOT would fund us back in either 2014 or 2015. He asked the City Manager to meet with the DOT Commissioner sometime to see what is happening with that.

5. Mayor's Report  
Mayor Grenier asked the City Clerk to have name plates made for Councilor Benski and City Manager Wheeler.
6. Public Comments: No comments
7. Council Comments:  
Councilor Rozek, regarding decaying infrastructure in the City, asked if there was any Federal money available to help with the seventy miles of road we have.
8. Adjournment:  
There being no further business before the Mayor and Council at this time, Councilor Rozek moved with a second by Councilor Morgan Allain to adjourn the regular meeting. So moved, the motion carried and Mayor Grenier declared the regular meeting closed at approximately 7:54 p.m.

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