

PUBLIC HEARING – SEPTEMBER 16, 2013

Mayor Grenier opened the duly advertised public hearing portion of the meeting at approximately 7:40 p.m. to hear public comments on the following subject matters:

Resolution 2013-21 Carrying Over \$579,617.70 of Capital Funds from FY13 – No Comments

Resolution 2013-22 Authorize the Transfer of 613 Western Ave. to Billy J. Gagnon.

Housing Coordinator Linda White, 262 Hillside Avenue, asked Council to authorize the transfer.

She sent a letter to each abutter asking if they were interested in purchasing the lot but received no competing interest in that property. Ms. White recommends going forward at this point.

There being no one else wishing to speak for or against the subject matters, Mayor Grenier closed the public hearing portion of the meeting at approximately 7:42 p.m.

CITY COUNCIL MEETING – Monday, September 16, 2013

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:43 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, citizens and the press.

Minutes, Previous Meeting

Councilor Remillard moved with a second by Councilor Morgan Allain to accept the minutes of the September 3 Work Session and Regular Meeting and September 9 Work Session. So moved, the motion carried.

Disbursements: Disbursement Summary Draft #1699 start date 9/04/2013 end date 9/17/2013 for a total cash disbursement of \$905,554.27. Councilor Nelson moved with a second by Councilor Theberge to accept the disbursement summary and pay all bills as recommended by the Committee on Accounts/Claims. So moved, the motion carried.

PUBLIC COMMENTS – David Rodriguez, 431 Madison Avenue, spoke regarding ATV's. He personally agrees with allowing street access to a trail. He does not believe people have the right to go from house to house but should be allowed to get from the house to a trail on the closest possible route.

UNFINISHED BUSINESS

1. Council Committee Reports. No Reports
2. Resolution 2013-21 Carrying over Five Hundred Seventy-Nine Thousand, Six Hundred Seventeen Dollars and Seventy Cents (\$579,617.70) of Capital Appropriation from the Fiscal Year 2013, ending June 30, 2013 which are not yet Expended. (tabled 9/03/2013)

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

That the following capital appropriation funds be carried over as described below:

From Account #	Purpose	Request	City Manager Recommendation	Total
	Carryover Requests from Capital Improvements to Segregated Funds			
01-480-907-0004	Bickford Place Cameras	\$1,716.81	\$1,716.81	\$1,716.81
Justification	<i>For ongoing internet expenses relative to the Bickford Place CIP.</i>			
01-480-910-0003	Downtown Improvements	\$76,807.98	\$76,807.98	\$76,807.98
Justification	<i>For ongoing downtown improvements.</i>			
01-480-913-0003	Retaining Wall Repair	\$5,850.53	\$5,850.53	\$5,850.53
Justification	<i>Plan to re-allocate for Hutchins Street Project</i>			
01-480-913-0006	Bridge Inspection/Repair	\$15,000.00	\$15,000.00	\$15,000.00
Justification	<i>Plan to re-allocate for Hutchins Street Project</i>			
01-480-913-0016	Storm Drain Replacement	\$5,891.40	\$5,891.40	\$5,891.40

Justification	<i>Plan to re-allocate for Hutchins Street Project</i>			
01-480-962-0004	PW Equipment Replacement	\$29,810.00	\$29,810.00	\$29,810.00
Justification	<i>Plan to re-allocate for Hutchins Street Project</i>			
01-480-963-0004	Recreation Center Improvements	\$2,378.72	\$2,378.72	\$2,378.72
Justification	<i>Projects are not completed-bathroom upgrades</i>			
01-480-965-0001	Housing Initiative	\$55,414.61	\$55,414.61	\$55,414.61
Justification	<i>Grant deadlines required expenditure of NSP3 funds for demolition in 2013. Demolition projects are in process to utilize remaining capital funds</i>			
	Total Capital Improvements	\$192,870.05	\$192,870.05	\$192,870.05
01-495-995-0104	Housing Initiative	\$2,212.00	\$2,212.00	\$2,212.00
Justification	<i>Grant deadlines required expenditure of NSP3 funds for demolition in 2013. Demolition projects are in process to utilize remaining capital funds</i>			
01-495-995-0403	Public Works Garage	\$ 71,607.83	\$ 71,607.83	\$ 71,607.83
Justification	<i>Need for window replacement and electrical upgrades</i>			
01-495-995-0502	Library Exterior Paint	\$ 7,186.57	\$ 7,186.57	\$ 7,186.57
Justification	<i>To finish repainting trim on back of the main building. Painting includes dental work on back of building and window frames. This amount is for the east side of the building over the river which has not been done for over 25 years and is in desperate need of repair.</i>			
01-495-995-0712	R & P Bleacher Improvements	\$ 1,609.27	\$ 1,609.27	\$ 1,609.27
Justification	<i>Project not complete</i>			
01-495-995-0714	Rotary Park Improvement	\$ 1,092.51	\$ 1,092.51	\$ 1,092.51
Justification	<i>project not completed</i>			
01-495-995-0901	Police Building Maintenance	\$ 11,493.34	\$ 11,493.34	\$ 11,493.34
Justification	<i>Ongoing building maintenance projects were unable to be completed by June 30. First floor renovations have been completed and we are now waiting for the top floor to be scheduled.</i>			
01-495-995-0906	Police Impound Building	\$ 58,350.00	\$ 58,350.00	\$ 58,350.00
Justification	<i>Ongoing building maintenance projects were unable to be completed by June 30. First floor renovations have been completed and we are now waiting for the top floor to be scheduled.</i>			
01-495-995-0907	PD Air Filtration System	\$ 2,701.42	\$ 2,701.42	\$ 2,701.42
Justification	<i>Basement-level air filtration system project was unable to be complete by June 30, 2013.</i>			
01-495-995-1001	City Hall Repairs	\$ 3,209.82	\$ 3,209.82	\$ 3,209.82
Justification	<i>back entrance needs to be rebuilt/painted due to rain damage</i>			
01-495-995-1111	Downtown City Property	\$ 1,417.10	\$ 1,417.10	\$ 1,417.10
Justification	<i>For ongoing expenses related to the Farmers Market</i>			
01-495-995-1313	Fire Dept. Repair Program	\$ 13,042.34	\$ 13,042.34	\$ 13,042.34
Justification	<i>These funds will be utilized to complete brick repointing too the Apparatus bay outside wall. The bricks are falling into the apparatus bay, which may cause injury to employees or the public.</i>			
01-495-995-2504	Storm Drain Replacement	\$ 23,919.98	\$ 23,919.98	\$ 23,919.98
Justification	<i>Projects not completed -Johnson Brook Culvert Replacement- Hutchins Street</i>			
01-495-995-2602	Salt/Sand Storage Shed	\$ 81,452.00	\$ 81,452.00	\$ 81,452.00
Justification	<i>Project not completed</i>			
01-495-995-3503	Library Outside Brickwork	\$ 12,981.68	\$ 12,981.68	\$ 12,981.68
Justification	<i>To finish repair work to the deteriorating brick exterior to the back of the library building. Because of the riverbank, it will require specialized staging.</i>			
	Total Carryover Capital Funds (Segregated) Requests from FY2013	\$292,275.86	\$292,275.86	\$292,275.86
	Total Carryover Capital Improvements and Segregated Funds FY2013	\$485,145.91	\$485,145.91	\$485,145.91
	Sewer Fund			
60-480-438-0001	CI - Sanitary Line Replacement	\$ 63,210.76	\$ 63,210.76	\$ 63,210.76
Justification	<i>I&I Projects</i>			
60-480-438-0004	Cost Replacement	\$ 31,261.03	\$ 31,261.03	\$ 31,261.03
Justification	<i>Vac-all Truck New Pick up for Sewer crew</i>			
	Total Sewer (Fund 60) Carryover Requests	\$ 94,471.79	\$ 94,471.79	\$ 94,471.79
	Total Carryover Capital Improvement Funds Requested from FY 2013 (All Funds)		\$579,617.70	\$579,617.70

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 read the resolution for a second time by title only. So moved, the motion carried.

Councilor Remillard moved with a second by Councilor Otis to read the resolution 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.

3. Resolution 2013-22. Authorizing the Transfer of 613 Western Avenue, Map 117; Lot 93, to Billy James Gagnon of 629 Western Avenue, Berlin, NH 03570. (tabled 9/03/2013)
Resolved by the City Council of the City of Berlin as follows:

Whereas, the City of Berlin currently owns the property at 613 Western Avenue, Map 117; Lot 93, tax deeded on April 23, 2013; and

Whereas, an Environmental Assessment and Clean-up of the property was completed on August 23, 2013 by Acadia Contractors; and

Whereas, there is currently no tax base derived from the burned buildings on the property; and

Whereas, the buyer agrees to complete the demolition of the buildings, capping and sealing the existing foundation, pay tipping fees and any other fees associated with the demolition estimated at over \$10,000; and

Whereas, the Mayor and Council have determined that the City of Berlin has no need for the property; and

Whereas, the proposal tendered by Mr. Gagnon was found to meet the City's goals to remove fire damaged properties and put properties back on the tax rolls. Now Therefore Be it Resolved by the City Council of the City of Berlin as Follows: That the City Manager is authorized to do all things necessary to effectuate a contract to sell the property at 613 Western Avenue, Map 117; Lot 93, for One Thousand Dollars (1,000.00) to Billy James Gagnon under an agreement which makes it clear that the proposed demolition, clean-up, and capping of foundation will be substantially completed within 6 weeks of the closing date, or the property will revert to the City. Further, that upon satisfactory completion of the demolition, the City will reimburse Mr. Gagnon, One Thousand Dollars (1,000.00). This Resolution shall be in full force and effect from and after passage.

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

Councilor Nelson moved with a second by Councilor Theberge to read the resolution 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.

NEW BUSINESS

4. City Manager's Report
Recreation News

Fall programs are being developed including two divisions of soccer which are soon to begin. Other activities include Little Tykes Playground, Create-a-Craft, open gym, and the Giant Indoor Yard Sale.

Many programs depend on the generosity of volunteers. In recognition of their significant contributions it is time to consider nominating someone for the Gus Rooney Volunteer of the Year Award. Mr. Gus Rooney was a tireless promoter of youth sports in the Berlin community. To recognize a person or group that has followed in his footsteps, the Berlin Recreation and the Gus Rooney Committee have been awarding a deserving Berlin individual this award since 1977. Nominations will be accepted until October 31, 2013. Nomination forms may be picked up at the Berlin Recreation office.

In conclusion, the Berlin Recreation Center is the location for the Fall Rabies Clinic. This event is sponsored by White Mt. Beagle Club in conjunction with the Lancaster Veterinary Hospital. The clinic will be held Saturday, September 21, 2013. 12:00 – 2:00 p.m. for Cats, 2:00 – 4:00 p.m. for Dogs.

Public Works Updates/Items

- Phase I Contract 3 update: Cross Excavation has completed the piping and structure installations in the Twitchell Lane, Morning Lane and North Road area. We plan to conduct pipe testing Tuesday September 17th and complete paving in the next couple of weeks. Cross Excavation will move to the Trudel – Kent Street cross-country portion of the project. We expect they will move to Hutchins St. as soon as the change order for this work is finalized.
- We have been working with Burgess Biomass project on sewer flow coordination during the cleaning and boiler flush periods to assure the Berlin Pollution Control Plant's process is not upset by chemicals used in this process. The WWTP has critical tanks and other equipment off-line for the Phase II Upgrade which makes this coordination extremely important to avoid a permit violation.
- We have been working with the JLPC Committee on updating the City's Loss Prevention Management Manual to present to City Manager for comment and review before publishing and presenting to employees. At monthly JLPC meetings, incident reports are reviewed by the JLPC Committee for the purpose of identifying countermeasures to mitigate loss.
- PWD worked with Homecoming Committee on the parade route, detour and bonfire setup. Also, the Junior Class used the Public Works Garage to construct their float. We are happy to report that the Juniors were this year's winner of the float contest.
- Solid Waste Update. We have another decrease of 5.5% in tonnage of the solid waste stream for FY 12-13. Re-cycling tonnage was up 61% in comparison to the 2nd quarters of FY 11-12 and FY 12-13. In those years we averaged a little over 30 tons per month. We are now averaging over 50 tons per month.
- There was a sanitary sewer blockage in the line servicing the St. Barnabas Church on Wednesday September 11th that necessitated the temporary closing of Main St. from Mason St. High St. The problem was rectified by the end of the day and the street was re-opened. During the work, two I&I sources were found and slated for future removal from the sanitary system.

NPDES Permit Meeting at NHDES in Concord on Tuesday September 10th

I attended a meeting with representatives from the City's engineering firm, Wright-Pierce to discuss potential new permit limits to be established in the City's National Pollutant Elimination Discharge System permit when it is re-issued in the near future. We met with officials from NHDES to discuss strategies that would minimize the regulatory requirements on the City while protecting the Androscoggin River water quality. NHDES officials were very receptive to our position. Next we will engage the Federal EPA in similar discussions with the same purpose in mind. The NPDES permit will be issued from the EPA.

New England Community Development Advisory Council for the Federal Reserve Bank of Boston - Council's 2013 Regional Convening in Newport, VT.

On Monday, September 9, 2013, I attended the Council's regional meeting in Newport, VT. The meeting consisted of several presentations and concluded with a panel discussion and questions and answers. A focal point of the meeting were presentations and follow up discussion by Brent Raymond of the State of Vermont's EB-5 Regional Center and **Bill Stenger** of Jay Peak Resorts. The two discussed the success of the Federal EB5 program with regard to development of the Jay Peak Resort. The EB5 program is designed to offer permanent residency in the United States to foreign investors in exchange for targeted investment in development projects.

NH Lean Summit II – Lean Inspiring Innovation

I will be attending this event on September 23, 2013 at the NH Police Standards and Training Council in Concord. Lean is a system of behaviors and tools that are used to create continuous process improvements. Notably Lean is used to reduce costs and improve quality while also increasing an organization capacity to do so. It is not a "do more with less" strategy. Rather, it is a "do less non-value added activities so that you can do more value added activities" strategy. It was first prevalent in manufacturing. It is now becoming prevalent in healthcare and government. Both Governors Lynch and Hassan have supported the movement of Lean in government.

North Country Council Annual Dinner Invitation

The North Country Council Annual Dinner will be held on October 23, 2013 at the Mountain View Grand in Whitefield. The invited keynote speakers are the Honorable Maggie Hassan and DRED Commissioner Jeffrey Rose. If any City Councilors are interested in attending, please let Sue Tremblay know and we will glad to make to make the arrangements.

Reminder of Public Hearing Schedule for 2015 – 2024 Ten Year Plan

Please see the attached schedule. There will be a District 1 public meeting at the Berlin City Hall at 10:00 AM on Thursday September 19, 2013.

City Manager Away on September 22, 2013

I will be away on September 22nd for a family event and therefore have asked Pam Laflamme, Development Director to sit in for me at the City Council Meeting.

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 gave kudos on the push for recycling that has significantly reduced solid waste for a cost reduction. The next step is to drag in some small businesses that still don't recycle and cardboard still needs to be tackled. The Mayor spoke with Sharon from the AVRDD who might be receptive from taking it from us. The possibilities are endless and the Mayor thinks we should thank the public who have taken ownership of the recycling program and encourage them to keep it up. It would be nice for the public to see the results of their efforts in the local paper by placing a full page ad that could be paid from the Council Contingent Fund. We must celebrate our successes since the press is quick to remind us of our failures.

Mayor Grenier stated that the Supreme Court on Friday did inform Coos County of its intent to hear the appeal from the County Commissioners regarding the wind park. The Supreme Court has expedited the process and the County has until November 15 to supply a case of no more than 35 pages so this will be resolved rather quickly. The extra money may not be a reality so we have to be cautious and put that aside because if the County wins, the City pays more.

Councilor Theberge asked what caused the blockage in the sewer last week. The City Manager replied there was a sag in the line which sometimes happens over time. The sag will transmit a flow but the solids collect there and block the line. It has since been repaired.

Councilor Rozek remembered that last year it was reported that the recycling bins were being improperly used for all kinds of other things. He assumes that the problem has been resolved but would like to have the City Manager follow up to see if that problem has gone away.

5. Mayor's Report - No Report

6. Public Comments - No comments

7. Council Comments:

Councilor Remillard completed the survey with AHEAD and said it went well since people were willing to do the survey. The neighborhood is excited to see construction begin.

8. 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 8:06 p.m.

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