

## **CITY COUNCIL MEETING – Monday, October 7, 2013**

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:30 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, Pam Laflamme, citizens and the press.

Proclamation: Extra Mile Day, November 1, 2013 to acknowledge the following citizens:

- Jay & Kelly Poulin, who are involved in many civic activities. Jay is a BIDPA member and involved with Youth Hockey. He and his wife Kelly make Main Street something to be proud of.
- Paula Kinney from the Chamber of Commerce and Northern Forest Heritage Park and is the glue that keeps both going. She knows everyone and is always willing to help with a smile.
- Dick Huot is a ZBA member, former Mayor, has over 35 years of Community service and is always there when you need him.
- Mark Dorval can be considered the Father of Hockey in Berlin and is on the Notre Dame Arena Board. He took over when they were in over \$65,000 in debt but due to his love for hockey and kids he persevered to get the Arena out of debt. He is at the forefront of the upcoming \$300,000 Arena renovation. Mark is the Youth Hockey Association President and involved with Cal Ripken baseball. Mayor Grenier congratulated all of them for going the extra mile for Berlin.

### **Minutes, Previous Meeting**

Councilor Theberge moved with a second by Councilor Nelson to accept the minutes of the September 16 Work Session and Regular Meeting and September 30 Work Session. So moved, the motion carried.

**Disbursements:** Disbursement Summary Draft #1700 start date 9/18/2013 end date 10/7/2013 for a total cash disbursement of \$2,803,561.84. Councilor Theberge moved with a second by Councilor Nelson 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

### **NEW BUSINESS**

2. Resolution 2013-23 authorizing application to the Community Development Block Grant Feasibility Study Program for \$12,000 on behalf of a local nonprofit organization for funds to see if there is a market for a Food Cooperative in Berlin, NH. (1<sup>st</sup> read)  
Councilor Remillard moved with a second by Councilor Otis to table the resolution and schedule a public hearing on October 21. So moved, the motion carried.
3. Polling Hours for the November 5, 2013 Municipal Election  
Councilor Higbee moved with a second by Councilor Morgan Allain to set the polling hours for the November 5, 2013 Municipal Election from 8:00 am until 7:00 pm. So moved, the motion carried.
4. City Manager's Report  
**Effects of Federal Government Shutdown**  
To date, effect of the government shutdown have been relatively minor. Noted effects include:
  - Delay in review of City request to EPA to consider adjustments to our National Pollution Discharge Elimination System, NPDES permit.
  - Inability to contact some Federal agencies such as USDA Rural Development.
  - Notice from US Department of Justice FBOP regarding the provision of essential services and possible delay of payment for such (see attached).

### **NPDES Permit Discussion with EPA Official with Brian Pitt, EPA Municipal Permits Section Chief**

I spoke with Brian Pitt, EPA Municipal Permits Section Chief last week about the rationale for a phosphorous limit for the City of Berlin. I explained the communications that Wright-Pierce has had on the City's behalf with Maine Department of Environmental Protection, MEDEP and the fact that the Town of Bethel, ME and City of Rumford, ME do not have a phosphorous limit. Given this information, Mr. Pitt agreed that EPA needed to contact MEDEP to get their thinking on the TMDL and the apparent rationale for there being no phosphorous limits for these communities and how this rationale might extend to the City of Berlin, NH. He was unaware that Bethel and Rumford had no limit but was very open to the idea that if there is good reasoning for there being no phosphorous limit for these communities that it may not make sense, nor would it be equitable, that one be imposed on Berlin. Brian said that he will contact MEDEP directly and follow up with the City.

### **Department of Revenue Administration Technical Information Release TIR 2013-008**

The DRA issues TIR 2013-008 on October 1<sup>st</sup> notifying communities that Sen. Bill 401, effective with the 2013-2014 school year would inhibit the setting of municipal tax rates due to a change in the timing of the data used in part of the calculation that is relative to schools. The DRA projected that the tax rates would be delayed approximately one month from mid-October to mid-November. In response to concerns raised by municipal and state officials, the DRA issued a revised TIR on October 3<sup>rd</sup> which described a plan and process that would yield tax rates by on or about October 22<sup>nd</sup> (see attached).

### **FairPoint/Granite State Telephone/Dunbarton Company Tax Litigation**

Update provided by DTC is attached.

### **Creating Organizational Alignment – Primex Center or Public Advancement**

On Thursday October 3<sup>rd</sup> five City department heads attended a morning training session presented by Ty Gagne, CEO of Primex in Littleton, NH. Mr. Gagne presented a model developed by the Harvard Business Review called the 7S Model. In November additional department heads will attend the same program. Department heads are attending this educational session as part of an investment in their professional leadership development.

### **Public Works Department**

- PWD Work Items:
  - Worked with NHDOT inmates to clean up the area of Old Rte. 16. Will work to get these resources back to continue the clean-up efforts.
  - Replaced approximately 160 feet of 36" storm system piping at the end of Kent Street where Johnson Brook flows. Trench patching and sidewalk repair remain to be completed. We utilized an operator and excavator from the Waterworks Department to aid us in the project. The crews designed and operated a pump around of Johnson Brook during pipe replacement.
  - Plan to use what is remaining of the nice weather to catch up on construction projects before the season come to an end in the next 6-8 weeks.
  - Prepping up for Riverfire Activities.
- I & I Contract Update:
  - The Trudell Street to Kent Street cross country line to the main sewer line has been installed. We are now starting on the separation of non-sanitary water from the residential homes in the area.
  - Cross Construction is beginning to mobilize in the Hutchins street portion of project.
  - A traffic detour will be set up this week in this area. The detour has been reviewed by the Police Department and approved by City Manager. The truck route will be temporarily altered to keep trucks on Route 16 (west side) and away from the Eastside Arterial. Other vehicles will be diverted to Wood Street and Maynesboro Street around the project.
  - We plan to have final pipe testing completed in the Twitchell Lane, North Road and Morning Lane area this week so we can do the finish grading and paving.
- Recreation and Parks:
  - Has made modifications to Memorial Field to accommodate a regulation football field.
  - Installation of new park equipment at Granite Street has begun.
  - Fall sport programming and associate field maintenance is ongoing.
  - Have been conducting preparation activities for Riverfire event.
- Waste Water Treatment Facility
  - See attached monthly report

### **Recreation Programming**

Heal (Healthy Eating/Active Living) Grant Committee members met last week (Wednesday, Oct. 2<sup>nd</sup>) at the Mason/Granite Street Field to make final decisions on the layout of 12 community raised bed gardens (2 handicap accessible), park benches, picnic tables, and possibly fruit trees. Installation of playground equipment has begun.

We are still soliciting nominations for Gus Rooney Volunteer of the Year Award. We are looking for individuals who generously devote time to the youth of the area who deserve this recognition. The deadline to nominate is October 31<sup>st</sup>.

The annual Giant Fall Yard Sale will be held Saturday, October 26 from 8:30 a.m. – 1:00 p.m at the Recreation Center. The gym will be filled with vendors offering great deals. There will be very limited room available. Space at the sale cost \$10.00 for a 10 x 15' spot.

### **Housing Matters**

-613 Western (that was sold to Billy Gagnon by Resolution) has been completely demolished and the foundation has been capped as agreed. The water and sewer services have both been capped (picture is attached).

-320 High St. The abatement of this property was completed over this past weekend and demolition bids will be due on October 17<sup>th</sup>.

### **Jet A Fueling Facility Construction Well Underway at Airport**

The new fueling facility construction project is well underway at the Berlin Municipal Airport. HEB Engineers is overseeing the project. They are submitting regular progress reports. The most recent report is attached.

### **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 Hasson and DRED Commissioner Jeffrey Rose. RSVP is expected by October 15, 2013.

### **New Hampshire Municipal Associations 72<sup>nd</sup> Annual Conference**

The NHMA Annual Conference will be held on November 6 and 7 at the Radisson Hotel in Manchester.

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.

Councilor Rozek mentioned that the City purchased or rented meters for engineers to use for I&I inspections in manholes since many covers were dancing in the streets during storms. He understood the City Manager as saying in his report that most were corrected. He would like to go back to see what was reviewed. The City Manager replied that what he said in the report was about the current situation with Cross Construction where 2/3 of the work was done in three areas. Now they are going to Hutchins Street. Councilor Rozek would like to know what the water inflows were due to the rainy summer we had and what the future plan is to take care of I&I. The City Manager will speak to the director of Wright Pierce and will provide that info to Council.

Councilor Remillard inquired if the work at 320 High Street included garages. Yes, it did.

Councilor Theberge verified if there would be detour signs heading north for trucks coming into town in the Hutchins Street area. The City Manager said people in the field would deal with that.

### **5. Mayor's Report**

Mayor Grenier thanked all Councilors for signing up for another term of office. They share the same vision for Berlin and will work to keep going forward and It's nice to know they will be there for the challenge.

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

6. Public Comments - No comments

7. Council Comments: No comments

8. Adjournment:

There being no further business before the Mayor and Council at this time, Councilor Rozek moved with a second by Councilor Theberge to adjourn the regular meeting. So moved, the motion carried and Mayor Grenier declared the regular meeting closed at approximately 8:01 p.m.

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