

## **PUBLIC HEARING – DECEMBER 15, 2014**

Mayor Grenier opened the duly advertised public hearing at approximately 7:33 p.m. to discuss the following subject matter explaining that this is the first of two public hearings on this subject:

### **- Street Name Changes Route 110 – No Comments**

There being no comments for or against the subject matter, Mayor Grenier declared the public hearing portion of the meeting now closed.

## **CITY COUNCIL MEETING – Monday, December 15, 2014**

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:33 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: City Manager James Wheeler, Susan Tremblay, Barbara Tetreault and citizens.

### **Minutes, Previous Meeting**

Councilor Remillard moved with a second by Councilor Otis to accept the minutes of the December 1 Regular Meeting/WS and December 8 Work Session. So moved, the motion carried.

**Disbursements:** Disbursement Summary Draft #1730 start date 12/2/2014 end date 12/15/2014 for a total cash disbursement of \$882,829.94. 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 – Councilor Rozek gave the following Traffic and Safety Committee Report:

- First Avenue No Parking Request. Recommendation to amend the current ordinance to reflect no parking on First Avenue on the west side from Shepard Street to Clark Street and an installation of a no parking sign on the east side of First Avenue just across from the intersection with Clark Street to properly authorize the existing sign at this location.
- School and Willard Street No Parking Request. Recommendation is to have no parking on the east side of School Street from Willard Street, 70 feet north.
- Traffic Control. Recommendation that Police Chief Morency work with the City Manager to complete the draft traffic control ordinance for presentation to the Mayor and Council.

Other:

- Sign removal alert system to be established. The City Manager will work with the Public Works Director to create this type of work order.
- Traffic Safety Committee Application Process. The Police Chief suggested the committee might want to consider a more formal process which collects specific data that they can review when a request is made. The City Manager, Chief Morency and Public Works Director will work on the creation of a process which can be brought back to the Safety Committee for review.

Councilor Remillard moved with a second by Councilor Otis to accept the Safety Committee Report and place it on file. So moved, the motion carried.

## **NEW BUSINESS**

2. Ordinance 2015-01 amending the Code of Ordinances, Chapter 15, Traffic & Vehicles, Article III. Stopping, Standing & Parking, Sec. 15-69. Prohibited at all times in designated Places. (1<sup>st</sup> read)  
Councilor Remillard moved with a second by Councilor Otis to table the ordinance and schedule a public hearing for January 5, 2015. So moved, the motion carried.
3. Ordinance 2015-02 amending the Code of Ordinances, Chapter 7, Health, creating a new Article IV Prohibition of the Possession or Sale of Synthetic Cannabinoids. (1<sup>st</sup> read)  
Councilor Nelson moved with a second by Councilor Morgan Allain to table the ordinance and schedule a public hearing for January 5, 2015. So moved, the motion carried.
4. Resolution 2015-01 appropriating Thirty Three Thousand, Two Hundred Forty Dollars (\$33,240) from the Neil and Louise Tillotson Fund of the NH Charitable Foundation to hire a consultant who will work with the City Manager and Department Heads in 2015 to focus on building leadership and relationship skills for the development of stronger interdepartmental relationships which are intended to result in more efficient utilization of our scarce resources in providing City services as well as produce more aligned and strategic actions by City Departments which are designed to move the City toward a more prosperous future. (1<sup>st</sup> read)  
Councilor Theberge moved with a second by Councilor Higbee to table the resolution and schedule a public hearing for January 5, 2015. So moved, the motion carried.
5. Resolution 2015-02 changing the names of a section of Green Street and a section of First Avenue along the newly realigned section of NH Route 110. (1<sup>st</sup> read)  
Councilor Remillard moved with a second by Councilor Otis to table the resolution and schedule a public hearing for January 5, 2015. So moved, the motion carried.
6. Resolution 2015-03 authorizing the Berlin Police Commission to apply for and receive \$5,000.00 (Five Thousand Dollars) in grant funds from the NH Department of Justice for the purpose of the Project Safe Neighborhood Grant for Fiscal Year 2015. (1<sup>st</sup> read)  
Councilor Nelson moved with a second by Councilor Morgan Allain to table the resolution and schedule a public hearing for January 5, 2015. So moved, the motion carried.
7. Resolution 2015-04 authorizing the Berlin Police Commission to apply for and accept Two Hundred Seventy-Four Thousand, Five Hundred Fifty-Three Dollars (\$274,553.00) in grant funds from the NH Department of Safety under the 2014 Homeland Security Grant Program and appropriating said funds to the Police Department for the purpose of the grant. (1<sup>st</sup> read)  
Councilor Remillard moved with a second by Councilor Otis to table the resolution and schedule a public hearing for January 5, 2015. So moved, the motion carried.
8. City Manager's Report  
NH Fish and Game has notified Eric Kaminsky that their moose tagging project will resume January 12. Helicopter crews will tranquilize moose from the air, then descend to draw blood, count ticks, and collar each animal.

In a major victory for municipalities, the New Hampshire Supreme Court ruled today that the legislature did not violate the federal or state constitutions in 2011 when it increased the contribution rates paid by employee members of the New Hampshire Retirement System. A copy of the court's opinion is attached. Several state and local employees had challenged the legislation, claiming that the retirement system statute, RSA 100-A, somehow constituted a contract between the state and employees, and that the state therefore could not increase the employee rates without their consent.

We have been notified by Primex, our liability insurer that they have decided to add up \$75,000 of coverage for qualifying sewer back-ups which damage property in the City. Historically these costs have had to be paid out of pocket. Given that these damages can range in the tens of thousands of dollars, this is very welcome news.

The Finance Department has notified me that there are a total of eight post audit journal entries. These entries are both minor in form and number. They are indicative of a highly skilled and professional Finance

staff led by a highly skilled and professional Finance Director and Tax Collector. I wanted to take a moment to recognize what an asset the Finance Department is to the City with results such as this.

A Draft Engineering Study of the Hutchins Street Reconstruction has been submitted by HEB to the NHDOT for review. The study analyzes several alternatives and their associated construction cost. The recommended preferred alternative includes reconstruction of Hutchins Street within the existing alignment. Once the study is approved and finalized HEB will be able to proceed with final design with the intent of bidding for construction as early as possible next year.

Recreational Hockey starts the first week of January. There are two age levels, Mites for ages 5-10 and Bantams ages 10-16. The cost is \$75.00 and the program is on Saturday morning for eight weeks. Give the Recreation Department a call at 752-2010 for more information.

The municipal election is in 2015 and Debbie Patrick has put together the attached information for anyone interested in an elected position.

Public Works' service request system is in place. A system generated report is attached detailing PWD calls from December 1 to today.

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.

Councilor Rozek asked about item 5 in the Manager's Report regarding Hutchins Street and wanted to know how deep the bank is there. The City Manager replied it varies with a low of two feet to seven or ten feet. Councilor Rozek asked for details about the entrance on the north side realignment on the corner of the old Morris Company Building that they were working on. City Manager Wheeler said they have two options that they were studying to do that realignment. Both options require adding a right-of-way. To introduce a new intersection would slow down the project significantly so they elected not to pursue realignment on this project. They could plan for a stand-alone project later. Councilor Rozek then asked if we could gain access to part of that land. According to the City Manager the deed that we thought gave us the right-of-way was actually a deed to acquire the current right-of-way. The alignment was previously where we would like it to be but we changed it to the current configuration.

9. Mayor's Report – BIDPA Appointment:

Roland Olivier, Milan, for a term to expire July 2015. Mayor Grenier explained that although Mr. Olivier lives in Milan, the BIDPA Bylaws state they allow three members from out-of-town. Currently there is only one other person living out of Berlin on the BIDPA Board. Mr. Olivier was originally from Berlin and still has strong ties in Berlin. He will be an asset to the board.

Councilor Rozek moved with a second by Councilor Nelson to accept the Mayor's nomination of Roland Olivier to BIDPA. So moved, the motion carried.

10. Public Comments – No comments.

11. Council Comments

Councilor Rozek wished everyone Happy Holidays and asked the Mayor about the Holiday schedule for the December 22 and 29 work sessions. Mayor Grenier would like to have a small work session December 22 to take care of any lingering business but take the 29<sup>th</sup> off.

12. Adjournment: There being no further business before the Mayor and Council, 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  
City Clerk