

PUBLIC HEARING – FEBRUARY 2, 2015

Mayor Grenier opened the duly advertised public hearing at approximately 7:48 p.m. to discuss the following subject matter:

- Resolution 2015-08 Appropriate \$779,200 from FHA to the Hutchins St. Project

There being no one wishing to speak for or against the subject matter at this time, Mayor Grenier declared the Public Hearing portion of the Meeting closed at approximately 7:48 p.m.

CITY COUNCIL MEETING – Monday, February 2, 2015

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:49 p.m. in the City Hall Council Chambers. The pledge of allegiance to the flag preceded roll call. Present: Councilors Remillard, Otis, Gentili, Higbee, Rozek, Nelson and Theberge. Councilor Morgan Allain was absent. Also present: City Manager James Wheeler and Susan Tremblay.

Minutes, Previous Meeting

Councilor Remillard moved with a second by Councilor Otis to accept the minutes of the January 19 Regular Meeting/WS and January 26 WS. So moved, the motion carried.

Disbursements: Disbursement Summary Draft #1733 start date 1/17/2015 end date 1/30/2015 for a total cash disbursement of \$1,051,841.47. Councilor Theberge moved with a second by Councilor Remillard 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 – Election Committee

Councilor Nelson, Election Committee Chair, reported that the committee met a couple of times and should be ready with details in two weeks.

Councilor Higbee moved with a second by Councilor Rozek to accept the Election Committee oral Report. So moved, the motion carried.

2. Resolution 2015-08 Authorizing the City Manager to accept Seven Hundred Seventy-Nine Thousand, Two Hundred Dollars (\$779,200.00) from the Federal Highway Administration and appropriating these funds to the Hutchins Street Reconstruction project. (tabled 1/19/2015)

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

- Whereas, Hutchins Street (otherwise known as the East Side Arterial) is the main truck route in the City and is heavily used by pedestrians, bicyclists and OHRV's; and
- Whereas, Hutchins Street, because it was built on bark piles, must be rebuilt providing the opportunity to dramatically improve safety; and
- Whereas, Senator Shaheen successfully set aside funds from the "Surface Transportation Priorities" account for Hutchins Street in the 2009 Federal Budget. Now therefore, be it resolved by the City Council of the City of Berlin, NH, that the City Manager is authorized accept \$779,200.00 of funding from the Federal Highway Administration and these funds are hereby appropriated to the Hutchins Street Reconstruction project. Be it Further Resolved that the City Manager is authorized to do all things necessary to effectuate the grant. 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.

Councilor Theberge asked if the pedestrian right-of-way is still in the plans. The City Manager replied there will be a sidewalk if we can afford it.

NEW BUSINESS

3. Ordinance 2015-03 Amending the Code of Ordinances, Chapter 13, Streets, Article IV. Parks and Recreation, Division 2, Operation of Off Highway Recreational Vehicles, Sec. 13-112. Operation of OHRV's. (1st read)

Councilor Theberge moved with a second by Councilor Nelson to table the ordinance and schedule a public hearing on February 16, 2015. So moved, the motion carried.

4. Ordinance 2015-04 Amending the Code of Ordinances, Chapter 9, License and Regulation of Occupations and Businesses, Article VI. Restaurants by amending Division 3. Alcoholic Beverages, Sec. 9-236 Hours of Sales. (1st read)

Councilor Nelson moved with a second by Councilor Rozek to table the ordinance and schedule a public hearing on February 16, 2015. So moved, the motion carried.

5. Ordinance 2015-05 Amending the Code of Ordinances, Chapter 8, Article III, Disorderly Actions in Non-Owner Occupied Dwellings by Amending Division 1. In General Sec. 8-176 Statement of Purpose and Sec. 8-177 Definitions. (1st read)

Councilor Remillard moved with a second by Councilor Otis to table the ordinance and schedule a public hearing on February 16, 2015. So moved, the motion carried.

6. City Manager's Report

1. Attached for review is the Berlin Police Department's activity report for December 2014 as reported to the Police Commission.
2. At their meeting of January 28, the Governor and Council unanimously voted to authorize a loan agreement with the Berlin Water Works, Berlin, NH, to finance water system improvements, in the amount not to exceed \$2,000,000 funded 100% from Drinking Water State Revolving Loan Fund
3. The City awarded demolition contracts to the low bidder: Douglas Jones, dba Cross Excavation. Bid amount for the demotion of 155 Willow Street is \$8,500. and 32 & 52 Ottawa Street will be demolished by the same contractor for \$14,300. The asbestos abatement work will begin Monday and demo should follow within the next two weeks, weather permitting.
4. The Berlin Board of Education will be holding a public hearing on a proposed budget of \$17,980,056 at their Thursday, February 5, 2015 meeting. The hearing begins at 6:00 p.m. at the Berlin High School Library with the School Board meeting immediately following. An agenda is attached.
5. For you information attached is the 2014 Annual Report of District Activities of the AVRRDD.
6. The City's budgeting process is proceeding on schedule. All departments (excepting Schools as noted in item 4) have submitted their budgets. Internal budget reviews with the City Manager and Finance Director/Tax Collector are ongoing at this time.
7. The Fire Department Staffing Task Force has developed a work plan to further develop to the work areas presented to City Council. The Task Force has begun to work in detail on; Enhanced Collaboration with EMS, a PILOT program, User Fees and Insurance Recovery and ways to augment the current call system. The Task Forces most recent meeting was February 2nd at 3:00 PM.

8. Attached, please find a written version of the City Manager's verbal testimony provided to the Municipal and County Government Affairs Committee on January 30, 2015 at the Legislative Office Building in Concord. The testimony is relative to HB 192 and proposes a bar on the use of RSA 83-F utility values, as determined by the DRA, in tax dispute proceedings between another subdivision of the State and a utility. Also included is the testimony of the City Attorney. Please note that Mr. Boldt spoke on behalf of many communities and will not submit a charge to the City or another community for his effort.
9. Testimony regarding HB 224 will be heard tomorrow, February 3, 2015, by the Municipal and County Government Affairs Committee. This is a bill that eliminates the Pollution Control Tax Exemption.

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 how the new sewer truck was to be paid since it was not discussed at the work session. The City Manager explained that according to last week's report from Public Works Director Perreault he had the following line item designations allocated to pay for a truck now:

60-480-438-0016 CI – Vac Truck Lease/Purchase	\$70,000.00
60-495-438-0016 SF – Vac Truck Lease/Purchase	\$70,000.00
60-495-995-0103 - Cost Replacement	\$75,236.83
60-480-438-0001 CI – Sanitary Line Replacement	\$74,127.17

Councilor Remillard remembers that in the past, Council used to get a copy of the demolition bids just to see the comparisons so it was nice to have the bids. The City Manager will continue to provide Council with those copies.

7. Mayor's Report - No Report
8. Public Comments – No Comments
9. Council Comments - No Comments
10. Adjournment: There being no further business before the Mayor and Council, Councilor Rozek moved with a second by Councilor Higbee to adjourn the regular meeting. So moved, the motion carried and Mayor Grenier declared the regular meeting closed at approximately 8:10 p.m.

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