

CITY COUNCIL MEETING – Monday, December 17, 2012

Mayor Grenier called the Regular City Council Meeting to order at approximately 7:25 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 and Th  berge. Councilor Nelson notified the Mayor that she would be absent. Also present: Pat MacQueen, Pamela Laflamme and the press.

Mayor Grenier called for a moment of silence in memory of the Newtown, Connecticut tragedy.

Minutes, Previous Meeting

Councilor Remillard moved with a second by Councilor Otis to accept the minutes of the December 3 Regular Meeting/Work Session and December 10 Work Session. So moved, the motion carried.

Disbursements: Disbursement Summary Draft #1680 start date 12/06/2012; end date 12/18/2012 has a total cash disbursement of \$2,730,461.64. Councilor Remillard moved with a second by Councilor Otis 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. Ordinance 2013-01 Amending the City of Berlin Code of Ordinances, Chapter 10.5 Offenses and Miscellaneous Provisions by adding a new Article IV. Public Nuisance Activity. (1st read)

Councilor Remillard moved with a second by Councilor Otis to table the Ordinance and schedule a public hearing on January 7, 2013. So moved, the motion carried.

3. Ordinance 2013-02 Amending the Zoning Ordinance to Adopt National Flood Insurance Program Maps. (1st read) A copy of this ordinance is available for public review at the City Clerk's Office.

Councilor Remillard moved with a second by Councilor Otis to table the Ordinance and schedule a public hearing on January 7, 2013. So moved, the motion carried.

4. City Manager's Report
FEMA Meeting the Wednesday

The meeting in Gorham with FEMA was well attended by the congressional delegation. Mayor Grenier, Pam Laflamme and I attended as well. Most of the meeting revolved around the fact that the 100-year flood plain designated on the new floodplain maps don't fit with what was actually seen and recorded in Gorham at the Ed Fenn School in the storm of 1998. FEMA however, said they would go back and re-look at this issue to see if it changes their approach to things.

State Impact Aid

Superintendent Cascadden, trying to leave no stone unturned, has been researching federal school grants for municipalities which are impacted property tax-wise by federal facilities in the community. We thought that if any community would qualify for this it would be Berlin since about half 45% of the City is National Forest, and we also have around 700 acres of new federal prison in Berlin. We learned however after a long conference call with a federal official who oversees these grants that we don't qualify. A basic rule is that to qualify for this type of grant the municipality has to be able to show that the land acquired by the federal government at the time of acquisition had to be worth 10% of the entire assessed value of the city at the time of the acquisition. The properties also all had to be acquired after 1938. By these criteria, unfortunately, we don't come even close to qualifying.

Sport About Charlie's Demolition Bid

Bids were received last Thursday for the demolition of Sport About Charlie's at 554 Hillsborough Street. Three bids were received and the low bidder was Cross Excavation at \$19,000. The high bid was \$38,138. This contract will be awarded to the low bidder and the demolition will occur this month.

State Insurance for Trails

Attached is a Certificate of Insurance which we receive from the State each year for coverage of the OHRV trails through the City which are on City property. Specifically, the coverage is for landowners who permit their land to be used for participation in the NH Heritage Trails and OHRV program. The general limit of coverage amount is \$2M. It is this insurance provided by the state which basically encourages landowners to make their land available for these trails.

Steel Elements Building Auction

The foreclosure auction of the Steel Elements Building which sits on abandoned Dummer Yard land is scheduled for January 7th at 2pm. This service garage building on Perry Street (off Hutchins) was foreclosed on by its main lender Northern Community Investment Corporation (NCIC).

Mount Carberry Landfill Expansion

Attached is a copy of a letter from NHDES to the AVRDD commenting on modification to the District's landfill permit to allow it to expand the development of the Mount Carberry landfill. That landfill is a critical resource to Berlin and this region.

LGC Return of Surplus Matter

Attached is a letter from LGC Executive Director Maura Carroll which talks about the LGC's continuing case with the Secretary of State's office over return of surplus. Maura's letter reviews how they are approaching the matter for all members.

Berlin Station and Site Evaluation Committee

Attached is a notice indicating that the SEC will be meeting in Berlin here at City Hall on January 10, 2013 at 9am to review the motion of Berlin Station to amend their Certificate of Site and Facility to reflect Berlin Station's current construction plans based on the realities on the ground and to reflect its current agreements with the City.

Interesting Call

Sue Tremblay took a call recently from a man in Georgia who asking what airport to fly into to get to Berlin. His company was hired to install facial recognition technology in all Federal Prisons and Berlin was first on his list. He was looking for scheduled air service so Sue had to direct him to Manchester.

Happy Holidays: Wishing you all the very best for a joyous holiday season!!

Mayor Grenier asked the first date we have to file as interveners with EFSEC. The City Manager replied there is no need to do so since the City Attorney already filed a letter of support.

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 Remillard stated it is terrific that the Sport About Charlie's building is finally coming down!

5. Mayor's Report

Mayor Grenier invited the Police Chief to attend the January 7 Work Session to go over questions Council has on the proposed Nuisance Ordinance and suggested that Council prepare questions.

Last week, Mayor Grenier met with Governor Hassan and with Senator Woodburn to discuss issues pertinent to Berlin.

Councilor Rozek moved with a second by Councilor Theberge to accept and file the Mayor's Report. So moved, the motion carried.

6. Public Comments: No comments

7. Council Comments:

Mayor Grenier wished all a Merry Christmas. He added that Council has lots of work pending after the Holidays such as the hiring of a new City Manager and the upcoming budget process. The Mayor asked to have a preliminary budget discussion to give the City Manager goals be put on the January 14 Work Session agenda. Mayor Grenier concluded that this is time for Council to rest and enjoy being with family. He will only call a special meeting if there is a dire emergency.

Councilor Theberge asked if the City will get back any returns from the LGC. The City Manager replied the City has two groups affiliated with the LGC and we will get a portion of prorated returns.

8. Adjournment:

There being no further business before the Mayor and Council at this time, Councilor Rozek moved with a second by Councilor Remillard to adjourn the regular meeting. So moved, the motion carried and Mayor Grenier declared the regular meeting closed at approximately 7:41 p.m.

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