

The Claremont City Council held a meeting on Wednesday, April 11, 2012, in the Council Chambers of City Hall.

The meeting was called to order by Mayor Neilsen at 6:30 p.m.

Members of the Council present were:

At-Large Councilor Keith Raymond
Ward I Councilor Victor Bergeron
Ward III Councilor Nicholas Koloski
Assistant Mayor Andrew Austin
Mayor James Neilsen, IV
At-Large Councilor Christopher Irish (late)
At-Large Councilor Kyle Messier
At-Large Councilor Thomas Burnham

Absent:

Ward II Councilor Roger Formidoni (excused)

Also present were:

Guy Santagate, City Manager
Jane Taylor, City Solicitor

MAYOR'S NOTES

Mr. Burnham talked about veterans programs in the City and at the Veterans Administration in White River Junction, Vermont. He said the VA can help with jobless veterans. He invited people to call him if help is needed.

Mayor Neilsen read a proclamation for the Week of the Young Child, April 22-April 28.

Cathy Paradis, Family School Connections, said there are very dedicated child care providers in Claremont providing programs for working families with children in Claremont. She introduced Michelle Johnson and MacKenzie from the Sugar River Valley Child Care Center in Claremont as well as Jana Gillespie, Director of Parents as Teachers.

Mayor Neilsen shared that he went to Mrs. Davidson's third grade class to read a book to the students called "Rocks & Boxin." Mayor Neilsen said he shared with the third graders that they can be anything they want to be and do anything they want to do. Just try it. He said we have great young people in this community.

Ms. Messier thanked all organizations in this community that work with young children. It is important to establish good habits, etc. and that is what these organizations do.

Stevens High School Student Council Update

None

REPORT OF THE SECRETARY

A motion was made by Mr. Koloski and seconded by Mr. Austin to accept the minutes of the March 14, 2012, City Council meeting.

Voice Vote: Motion carried 7-0.

APPOINTMENT TO BOARDS AND COMMITTEES

Claremont Development Authority

Ms. Messier nominated Martha Maki to seat #4 of the Claremont Development Authority. Seconded by Mr. Raymond.

Voice vote: motion carried 7-0.

Conservation Commission

Mr. Raymond nominated Stephen Wood for re-appointment to seat #2 of the Conservation Commission. Seconded by Mr. Burnham.

Voice vote: motion carried 7-0.

OLD BUSINESS

Introduction of Matt Leahy of Senator Shaheen's Office

Mr. Santagate introduced Matt Leahy of Senator Shaheen's office. He said when someone has a problem with the federal government, they should call Matt Leahy. He commended Sen. Shaheen for the work she did to bring \$5 million for this region for job training and job development. She helped us to get \$500,000 for the Main Street Project; she helped with the Mills Project; eight years ago Claremont had the highest electric bills in the country and as Governor, she worked to have PSNH (Public Service of NH) buy out CVEC. With the high electric rates, we could get no development in the City.

Matt Leahy introduced Bethany Yurek who is in Senator Shaheen's local office. He works in the Manchester office. He works on the larger scale issues. He told citizens that if Senator Shaheen can help, to call Ms. Yurek.

Mr. Burnham asked about grants for non-profits in reference to Arrowhead Recreation. Mr. Leahy said he would like to talk more about it with Mr. Burnham.

Bernie Folta, Ward 3, asked where Sen. Shaheen is in her term. Mr. Leahy said her term ends in 2014 and he hopes she runs again.

New Community Center Update

Scott Hausler, Parks and Recreation Director, showed a PowerPoint presentation about the New Community Center.

- Project Update
 - Footings, walls, foundation, drainage under construction
 - Parking lot subgrade near completion
 - Pool subcontractor due on site April 16
 - Rail Trail entrance from Chestnut Street is complete
 - Meeting with Warren Street Architects next week to begin discussions on facility flooring & facility color schemes.
- Showed images of the site
 - Before each pour, there are inspections
- Steel should arrive 1st of June

Mr. Burnham asked if they are on schedule. Mr. Hausler said that due to the good weather, they may possibly be ahead of schedule.

Mr. Austin asked if the house in the parking lot is scheduled for demolition. Mr. Hausler said early on there was an attempt to purchase the property, but the owner was unwilling to sell, so they designed the project around the house. If, in the future, they are able to buy the property, they can add parking spaces.

Mr. Bergeron asked for a tour every couple of months to be better informed. Mr. Hausler said he would be happy to arrange that. Every Monday, prior to the Parks and Recreation Commission meeting at 5 p.m., they have a regular tour.

Discussion of TIFD (Tax Increment Finance District) Special Meeting Dates

Mayor Neilsen said this is to talk about the River Road TIFD (when it expires, etc.) and to talk about the Downtown TIFD. He would like to schedule it for April 25. Mr. Raymond asked if a special meeting is really needed. Mr. Neilsen said the meeting would be to talk about the TIFD and also to talk about a possible 10-year road bond. Mr. Raymond is in favor of putting this on a regular agenda.

Ms. Messier is in favor of putting this on the regular agenda and thinks that Finance Director Mary Walter recently did a good job researching and answering questions. Ms. Messier said the

TIFDs have been talked about multiple times and she suggested if people don't understand them, they should do more research.

Mr. Burnham said he would like to make a motion that the City Manager put together a long range plan for both TIFDs and to put it in the Council packet. Mr. Santagate said he would do as the Council directed.

Mr. Bergeron asked if this is the sole purpose is for the special meeting. Mayor Neilsen asked if Councilors realized this was borrowed money and it will need to be paid back. He asked if there is a plan to borrow for the next two years and what will the City do to pay it back when the River Road TIFD expires. He has no problem putting this on a regular meeting.

Mr. Burnham would like to make a motion to bring this back at the next meeting.

At 7:00 p.m., Mr. Irish arrived.

Mr. Austin didn't see the need to make this a motion; he asked if it can be put on as a future agenda item. Mr. Burnham agreed.

Mr. Bergeron doesn't object to the discussion, but it has been done several times already. He would like to hear about the road bond; he would like to have the Public Works Director come back with ideas. Mayor Neilsen said he would like Council to talk about the appropriate dollar amount for each year to cover the bond payment. Mr. Bergeron thinks that is a good idea, but that it could be done at a regular meeting.

Bernie Folta, Ward 3, thinks there are questions in the community about aspects of the TIFDs. He doesn't agree that questions have been answered. His questions are: 1) When the TIFD expires, how is the indebtedness from one to the other going to be covered when that borrowing comes due. 2) Were proper procedures followed in the transfers and the modifications.

Mr. Koloski said he has questions, and would like it discussed during a regular meeting.

Mayor Neilsen is not looking to going backward. He cares about the present and going forward.

Mr. Bergeron said we can convey all this at a regular meeting.

Sale of City-Owned Property

Nancy Merrill, Planning and Development Director, talked about how some City-owned properties are currently being used. She described two parcels: one abuts Barnes Park and one abuts Monadnock Park. They are both currently being used as part of the parks and we would like to merge them with the parks. A third property (lot behind former Tambrands/CSI building) has been used by Gary LeClair to plant agricultural crops since 1995. We can't find a formal agreement. She asked the Council to allow the City Manager to formalize an agreement with Mr. LeClair.

Mr. Burnham asked about the tillable acres on River Road. Ms. Merrill said that is unknown, but she believes Mr. LeClair has tilled all of the area that he can. Mr. Burnham suggested there should be a lease agreement. Ms. Merrill talked about liability and the need for an agreement.

Mr. Koloski said this property on River Road is an example of what he has talked about (i.e. liability to the City).

Ms. Merrill this has been a continuing use over time.

Mr. Koloski said people have come to him about people using City-owned properties. Ms. Merrill encouraged people with information about such usage to contact the City.

Mr. Raymond asked what is needed. He said it is important to keep that land open and used as farm land.

Mr. Bergeron said he is concerned about the land being used without an agreement.

Ms. Messier asked what is needed for these parcels. Ms. Taylor said the two parcels next to the parks are part of the parks, but we need a lease or license with Mr. LeClair to formalize the relationship. Ms. Merrill said the merger information was for the Council's information and we need a motion to authorize the City Manager to negotiate an agreement with Mr. LeClair to farm lot 152-7.

A motion was made by Mr. Burnham and seconded by Mr. Raymond to authorize the City Manager to formalize an agreement with Mr. LeClair to use lot 152-7 for agricultural use for no longer than one (1) year to be renewed annually and that the City is not liable for Mr. LeClair's actions.

Mr. Koloski asked if this type of thing should be presented to the public or any other farmers. He had other questions: length of the agreement; what happens after the natural resources inventory is done. Mr. Burnham said the land has been used by Mr. LeClair for a long time. It is landlocked. He should be given the first opportunity to use it. We need to do what is best for both parties.

Mr. Koloski said the natural resources inventory is important as far as looking at City parcels like this. He would like to see nothing longer than a one-year term. He thinks it sets a bad precedent that when it is discovered that someone from the public has been using City-owned land, the City sets up an agreement so that they can continue to do so and he doesn't think that is the proper way.

Mr. Irish was concerned with the process being followed. Mr. Raymond said Mr. LeClair was using land annually anyway. We don't want to lose anymore farm land in this area and Mr. LeClair is keeping it that way. Mr. Irish suggested adding a section for agricultural use into the process.

Steve Raymond, Ward 1, talked about the process he went through with his property in reference to squatters' rights.

Roll call vote: motion carried 8-0.

Mr. Koloski asked if lot 107-292 (corner Elm and North Streets) is marketable/developable. Ms. Merrill said it is used for parking when there are activities at the park. Mr. Koloski suggested this might be a parcel the City might want to sell. Mayor Neilsen said he lives around the corner and when there are activities at the park, the lots are full. He thinks we want to keep this as part of the park. The lot across the street has been for sale for quite a while. He said there are three or four other lots in that area that he would rather see sold instead of this one that is close to the park.

Mr. Burnham said he would like to see it kept for parking for the park. He thinks we need to look at North Street zoning.

Mr. Burnham asked about putting the process back on the agenda. Mr. Bergeron talked about the City Center Committee and re-zoning the core of the City. That will come about in August or September. Mayor Neilsen suggested putting it on the agenda in September. Mr. Koloski said at the last meeting he was pushing to get this going and developed and he complained about how slow government is and how long this process would take, but he is now in favor of waiting, because what he wanted to see is what is happening (Council is getting the information and people know; information has been coming forward about lots that are being used privately and we are decreasing the City's liability). To him, the document that was in the packet is not usable. He said the process to acquire a piece of City-owned property has a lot of requirements. He said City employees go through the information and then lets the Council know the end result. He would like to see more input from the public. He thinks the City Center Committee should work with the natural resources inventory on this and then to develop a process. He said he has researched sales of city-owned properties in other communities and most are done by a committee that would go back to the Council with the information and not this. He said this is a bid process that would be bounced back to the Council and he doesn't like that.

Mr. Irish asked to add section for agricultural sale and use as well as general use.

CITIZEN'S FORUM

Bernie Folta, Ward 3, talked about a regional appointment and RSA 227-E, Connecticut River Valley Resource Commission, and its sister group in Vermont working together through the Connecticut River Joint Commissions (CRJC). The CRJC consists of 15 communities from NH and 15 from VT. The CRJC is the umbrella group for local river subcommittees. Claremont belongs to the Mount Ascutney Local River Subcommittee (MALRS). Bob Woodman was Claremont's delegate. Claremont can name two people to the MALRS. They are City Council appointments. He said anyone can call him at 542-3233 for more information.

Mr. Burnham asked for a website. Mr. Folta said it CRJC.org.

Nancy Merrill, Planning and Development Director, said this was added to the boards and commissions list. She encouraged people to apply.

Steve Raymond, Ward 1, passed out an Eagle Times story dated November 23, 2009, which was about the road issues on East Green Mountain Road. He said it is costing taxpayers more money to work on the road than it would be to fix it. He asked why the road base was not being done. He knows Public Works is working with the money they have available. He said he brings this up a couple times a year and nothing is getting done.

Larry Converse, Ward 2, said of the Barnes Park property that the City is using it, so he asked to not sell it.

NEW BUSINESS

Acceptance of a Scoreboard for Veterans Park

Scott Hausler, Parks and Recreation Director, said Veterans Park has received a handcrafted scoreboard from an anonymous donor. It will be used for Stevens softball as well as other programs. The City appreciates the donation.

Mr. Irish said he is involved with softball teams this year. The anonymous donor brought the scoreboard to the park. It has Stevens Cardinals on it. It was presented to the School Board at their last meeting and they were grateful. This needs to be accepted by the City so it can be installed and then it can be moved, if needed.

A motion was made by Mr. Bergeron and seconded by Ms. Messier to accept the scoreboard for Veterans Park with thanks.

Voice vote: motion carried 8-0.

Mr. Irish asked if this could be placed on the City's website. Mr. Bergeron asked if a thank-you letter from the Council could be given to the donor. Mayor Neilsen said one could be done and given to Mr. Irish for delivery to the donor.

Upper Valley Lake Sunapee Regional Planning Commission Regional Plan

Christine Walker, Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC), passed out "Upper Valley Lake Sunapee Regional Housing Needs Assessment." They are required by law to do this assessment, but it is not funded. Eighteen months ago they received a challenge grant from HUD to allow them to do this. She talked about the aging population in NH. 48% of all households to be headed by 65 and older by 2030; we may need more assisted living, rentals, or additional transit. She said the numbers of 25-34 year-olds is a shrinking demographic (first-time homebuyers). Claremont's housing prices are a draw to this area, and

could be a potential “sell” to revitalization. The housing size has been reduced from 2.5 people per household to 2.3. People are looking for smaller homes. The cost of housing in the region is so diverse: \$248,000 in Hanover and \$128,000 here. In 2008 there was a shift in prices, but not a drop in rental rates. Projections are that we will need 3,800 to 4,600 new units in the next 10 years. This study was done in collaboration with VT.

Mr. Austin asked about energy costs and transportation. Ms. Walker said they would like to look at the housing and transportation costs and what drives them. She said a sense of community drives the decision of where to live. She talked about the cost of housing versus the transportation costs.

Ms. Messier asked, in reference to transportation costs, what cost per gallon of gas would make a reasonable commute. Ms. Walker said she didn't know, but can address it if there is enough interest. It's not just the cost of gas; there is a housing and transportation cost index that was done for the Center for Neighborhood Technologies that can be used to find out those costs.

Mr. Santagate asked if demographer Peter Francese had input into this study. He identified NH as the sixth oldest state; home buyers can't afford the houses and that is the reason for cluster housing (which is not low-income housing). Ms. Walker said the demographer they worked with is Bruce Mayberry. She said she is well aware of Mr. Francese's work and said it is controversial. The number of people being born in NH is not at same rate as other places in the country. There is always room for improvement in opportunities (own property, create a livelihood) for young people and should be promoted. This is not a unique situation to NH. Mr. Santagate asked if this holds true for 50% of college graduates leaving NH. Ms. Walker said that is outside the scope of this housing needs assessment.

Ms. Walker said this leads to the other questions. The nine regional planning commissions in NH received \$3.4 million from HUD as part of a nationwide initiative to look at what is important to communities and to structure how to implement projects. This will look at what communities want. She hoped that Claremont would agree to be partners in this.

Bernie Folta, Ward 3, said he has been an UVLSRPC commissioner for seven years. Through the leadership from Ms. Walker, the commission has become a bright star and we are using those capabilities in Claremont. He talked about the Planning Board having nominated another commissioner. He said he knows the person and they are an excellent choice to fill the seat.

39 Central Street Update

Nancy Merrill, Planning and Development Director, showed a PowerPoint presentation about 39 Central Street.

- 39 Central Street
 - NH RSA 155-B Removal of Hazardous Building Update

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- Process started on November 9, 2011 when City Council passed a Motion to Order Repair or Removal of Hazardous Building – 39 Central St. pursuant to NH RSA 155-B
- Since the whereabouts of the owner, Paul Ivanov, is unknown, the Order to Correct Hazardous Condition or to Raze or Remove was published in the Eagle Times from November 19, 2011 to December 22, 2011 to comply with notice requirements consistent with NH RSA 155-B:4
- Members of the Department of Public Works secured the building by screwing plywood to windows and doors to prevent continued open access to the building
- Costs incurred to date:
 - Legal notice publishing = \$2,504.32
 - Materials for securing building = \$1,937.10
 - Total = \$4,441.42
- On March 9, 2012 a notice pursuant to NH RSA 155-B:5 of intent to seek summary enforcement of the Order to Correct Hazardous Condition or Raze or Remove was filed with the Claremont Circuit Court, as required
- On the same day, a Notice of Pendency of Proceedings was filed at the Register of Deeds, as required
 - These are required preliminary steps before being able to proceed
- Owner's response to date:
 - There has been no response from the owner, Paul Ivanov, or any other interested party
 - Paul Ivanov's whereabouts is unknown
 - The owner's brother was given notice but has not presented any plan to correct the hazardous situation nor taken any steps to do so
 - Owner's brother has been, and will continue to be, provided with all related correspondence
- What's next
 - File with the Circuit Court to obtain enforcement order after which the City Council may proceed with enforcement of the order to raze or remove
 - Costs associated with this process and proceeding with razing or removing may be levied and collected in the same fashion as a tax lien, however any salvage and valuable materials from the building may be sold at auction to offset costs as well
 - Any lien pursuant to NH RSA 155-B is subordinate to any lien of record on such real property (This means current tax liens and any other existing liens would have priority over payment of an RSA 155-B lien)
 - We are unlikely to recover enough money through sale of property to recover back taxes and costs for razing or removal
- Rough estimate of costs to raze and remove hazard
 - \$30,000 for demolition of building
 - \$10,000 for oil cleanup – oil tank is leaking
 - \$5,000 for asbestos cleanup
 - \$45,000 Total
- What do we need tonight

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- Understanding of Council's desire to proceed or not
- Council's agreement to proceed requires a motion to "move the Court for enforcement of the Council's order of November 9, 2011 regarding 39 Central Street"
- Following a motion to move the Court for enforcement of the order, the following course of action will take place
 - Information will be reviewed with the Historic District Commission (HDC) at its April 26, 2012 meeting since 39 Central Street is in the Historic District
- Thereafter, a motion for enforcement of the City of Council's order of November 9, 2011 will be filed with the Claremont Circuit Court
- If the motion is granted, the City Council would still have to approve, or not approve, funding for the demolition and cleanup at 39 Central Street if the Court's judgment permits the City to raze or remove the same

Mr. Raymond said we need to move forward as this is a safety issue.

Mr. Bergeron said he is the President of St. Mary's Parish Council and they are an abutter to this property. He asked if Council wanted him to recuse himself. It was agreed that Mr. Bergeron would not gain from this, so he was not asked to step down.

Mayor Neilsen talked about the City taking down 600 housing units in a prior three-year period. It is not cheap.

Mr. Irish asked what the opinion of the HDC is. Ms. Merrill said the building is in the Historic District. The things that gave it a high historic value are now gone. Mr. Irish asked if the HDC has the final say. Ms. Taylor said that nothing will happen without the motion that the statute requires to move forward.

Mr. Koloski asked how much this will cost to take to court. Mr. Koloski said he wanted a legal opinion before proceeding; we have taken legal action to secure the property; he questioned paying \$50,000 to level the building. He would like to know what the City Manager thinks. He doesn't feel comfortable making this motion.

Mr. Raymond talked about previous demolitions on North Street and that this is a life safety issue. Mr. Koloski said that he heard City staff was used to take down those properties and that we don't have the staff or resources to do it now. He thinks we will spend more than \$45,000. He agreed with Mr. Raymond about the safety issue, but he is concerned about the cost.

Mr. Irish agreed with Mr. Raymond.

Ms. Messier agreed with Mr. Raymond. She stated this is a hazardous structure.

Mr. Burnham asked if the building is condemned. Ms. Merrill said it has been posted by the Health Officer; it is not livable at this time.

Mary Walter, Finance Director, said this doesn't bind the Council. The land is assessed at \$16,300 and the building is assessed at \$54,500. The back taxes are \$32,000 and the property cannot be purchased without paying the back taxes. No one would want to pay all this to acquire the property and then have to pay even more to use it. We can't move forward without a motion.

A motion was made by Mr. Burnham and seconded by Mr. Raymond to move the Court for enforcement of the Council's order of November 9, 2011 regarding 39 Central Street.

Mr. Koloski said he would have liked to have this information in the Council packet. He said he will vote no as he wants to ask the Police Chief some questions.

Mr. Bergeron said to avoid a conflict, he will not vote.

Roll call vote: motion carried 5-2 with 1 abstain (Mr. Koloski and Mayor Neilsen voted no and Mr. Bergeron abstained).

Motion to Authorize Application for Support of EMPG Grant for EOC/Communications Project

Fire Chief Rick Bergeron said the EOC (Emergency Operations Center) is in Council Chambers and Council Chambers lacks much of the physical necessities for the EOC. This grant covers radio equipment to be housed at the New Community Center, built-in commercial cabinetry for three separate dispatch areas and to upgrade the elevator for the New Community Center from a 2,500 lb. capacity to 3,500 lbs. The New Community Center will also be used as an emergency shelter. The grant is from 2011 funding. This will be blended in with the construction phase of the building; the building will be wired internally for the radio equipment.

A motion was made by Mr. Koloski and seconded by Mr. Raymond that whereas the City of Claremont has received notice of the award of grant funds from the New Hampshire Department of Safety, Division of Homeland Security and Emergency Management (the "State") for Phase 1 of the development of an Emergency Operations Center (EOC), consisting of the development of a communications center for the EOC, and upgrading the size of the elevator at the EOC, the Claremont City Council hereby authorizes acceptance of the New Hampshire Emergency Management Performance Grant in the amount of \$27,184.00 from the State and further authorizes the City Manager or his designees to execute all documents and undertake all actions as may be required for the acceptance of this grant.

Mr. Bergeron asked if this will occupy one of the rooms in the New Community Center. Chief Bergeron said the idea is to create a dual purpose. For example, the radio equipment will be in a small portion of the cabinetry and will be used when needed. The other portions will be used on a regular basis.

Mayor Neilsen asked for public comment. There was none.

Roll call vote: motion carried 8-0.

Resolution 2012-12 City Facility Repairs – Duct Work – Public Hearing

Ms. Walter said the duct work for the Police Department section of the building has not been thoroughly cleaned in about 20 years. It will cost about \$17,000. A Capital Reserve was set up to take care of the flat roofs and that is where the money will be taken from. The Reserve will be addressed through the Capital Improvement Program (CIP). Without the cleaning, the new boiler can't work efficiently.

Mr. Raymond asked if a camera was used to look at the ducts. Ms. Walter did not have that information.

Mayor Neilsen opened the public hearing. No one spoke. He closed it.

A motion was made by Mr. Raymond and seconded by Mr. Bergeron to adopt Resolution 2012-12 City Facility Repairs – Duct Work.

Mr. Raymond read the resolution into the record.

Roll call vote: motion carried 8-0.

Motion to Authorize Multi-Year Landfill Monitoring Agreement

Bruce Temple, Public Works Director, said the landfill was closed in the 1990s. Each year, NH DES (Department of Environmental Services) requires testing and maintenance. We received proposals from eight firms; we are asking Council to authorize \$23,100 over a 3-year period. This has a 1-year renewable option.

Mr. Bergeron said this is required by law and has to be done.

A motion was made by Mr. Bergeron and seconded by Mr. Burnham to authorize the City Manager to enter into a multi-year agreement with Loureiro Engineering Associates, Inc. (LEA) to provide post-closure monitoring services for the Claremont Municipal Landfill for a three (3) year term at a cost for the first year of \$8,040.00, the 2012 costs having been raised and appropriated in the 2012 budget. The proposed agreement contains a termination clause in the event of non-appropriation of sufficient funds for subsequent years of the contract term.

Mayor Neilsen opened the public hearing. No one spoke. He closed it.

Mr. Koloski asked if Councilors could see the agreement in the packet. Mr. Santagate said if it is for information, yes. Council doesn't negotiate contracts. Council makes decisions on multi-year contracts, not on annual ones. Council can be provided copies of completed agreements.

Mr. Bergeron said Mr. Koloski was asking if Council could read the contract for understanding before the vote.

Mr. Koloski said he would like information to be informed and have answers to questions he is asked. Mr. Santagate said if he wants contracts for information purposes, that can be worked out. Mr. Koloski said he thinks it is a waste of fuel to have a police cruiser deliver the Council packet to him because there is little to no information in it.

Mr. Irish agreed with Mr. Koloski. Mr. Irish said a long time ago they used to get more information. Mr. Santagate said there is no hidden document. We give out agreements, for 91-A requests, that are completed. A contract that is not completed and then comes to the Council invites negotiation. Council can't appropriate money and then decide how it is spent. If Council wades in on a contract that is not completed, that is not appropriate. Mr. Irish agreed, but he would like to see a copy of the contract before voting on this.

Ms. Walter said Council is approving the encumbrance of funds for a future Council, not the contract itself. Staff makes recommendation to the Council and Council approves the cost.

Mr. Raymond said Council sets policy and approves spending funds. Council needs to trust City staff to do the best job for the City. Ms. Walter said the approval of the funds has already been done. Mr. Koloski said even after the fact, he would like to have a copy of the agreement. The second part is that it would be nice if Council packets had more information (i.e. the motions which are placed on the Council table the night of the meeting). Ms. Walter said Staff does the motions as a courtesy to the Council; technically they are the Council's motions to do.

Ms. Taylor said for clarification purposes, the various contracts are 20-500 pages. She asked if it would be easier to have them available for Councilors to look at. Mr. Bergeron asked for a synopsis of the contract. He agreed with Mr. Koloski that they should have some of this information prior to the meeting, then if there are questions, they could get answers. Mr. Santagate said a synopsis is doable and then following approval, Council could go through the contract if they wanted.

Mayor Neilsen said he would like the motions and synopses in the packets.

Ms. Messier said this was a healthy discussion. Mr. Bergeron said he doesn't want to see the contracts as he doesn't have time to read them.

Mr. Burnham said we have to have confidence that Staff will do what they need to.

Mr. Temple said he can give general information, but the details can be overwhelming.

Mr. Santagate said a synopsis is a good idea. Mr. Bergeron said a synopsis of road work costs would be good to have.

Mayor Neilsen invited Bernie Folta to speak.

Bernie Folta, Ward 3, talked about governance process and, in his opinion, a legal opinion from Ms. Walter and he started to make negative comments about the City Solicitor. He talked about legal versus political issues and Mayor Neilsen gaveled Mr. Folta and Mayor Neilsen told him that this was not Citizens Forum. Mr. Folta sat down.

Roll call vote: motion carried 8-0.

Motion to Authorize Multi-Year Water and Sewer Plant Operation Agreements

Mr. Santagate said we are not asking for a vote on this tonight. A few years back, we were unhappy with the water contract so we changed companies. His interest, this time, was to get a better price. We are satisfied with the current operation. We gave notice to the company that we were going out to bid. A new company will come in from May 1st to December 31st to see how they do and then if they are doing a good job, we will come back to the Council for a multi-year contract. There will be an immediate savings of \$11,000 a month. He signed the May 1 to December 31 contract today.

Mr. Temple said in December 2011, the City Manager sent a notice of termination letter to United Water in conformance with the contract; it was done to attract a better price. We were in the third year of a multi-year agreement. A request for qualifications was sent out. Proposals were received by two companies, United Water and Utility Partners. Proposals were reviewed by people other than Public Works staff (Public Works Director from Hanover, Assistant Public Works Director from Keene and a retired civil engineer). The reviews were done independently. Both firms were qualified and then price envelopes were opened. United Water did a great job. The yearly bids were: Utility Partners, Auburn, NH, \$934,360 and United Water, Springfield, MA, \$983,481. We now pay \$1,066,968 per year, so we will save \$132,608 a year. He said he has heard a lot of buzz that we are laying off people and that is not true. This has no effect on Public Works. Utility Partners indicated a majority of the staff will stay on after May 1.

Mr. Irish asked about the dollar amount of the contract. Mr. Temple said from May 1 to December 31 it is pro-rated.

Mr. Austin asked what they are doing differently to save \$11,000 a month. Mr. Temple said it could be bulk purchasing power.

Mr. Burnham asked if there are any specifications in the agreement to keep staff on. Mr. Temple said no. Mr. Burnham said he is concerned about coverage if there are layoffs.

Mr. Temple said this company is operates 16 facilities and 7 are in NH.

Mr. Raymond thanked Mr. Temple for all the work that he and his crew did to save the City money.

Outdoor Swimming Pool Update

Mary Walter, Finance Director, showed a PowerPoint presentation about the Outdoor Pool at Veteran's Park.

- Outdoor Pool At Veteran's Park
- We typically run the pool for about 10 weeks in the summer (weather dependent)
- There is also set up and shut down time adding another week (4 people) of staff time
- Chemicals are needed to keep the water balance "in check" per required state standards. Every time water leaks from the pool, the chemical balance is thrown off and more chemicals need to be added.
- Last year we spent \$8,900 on chemicals (an increase of 61% over previous years)
- Electricity is consumed at a faster rate as well. The average household electric bill is about \$150 per month. In 2011, we spent \$7,300 in electric for the outdoor pool which only operates 25% of the year.
- While you expect some water losses, last year the flood-gates opened with the outdoor pool. Instead of the small losses you would typically see, we were losing thousands of gallons every day, constantly having to refill the pool and continually monitoring the level of the pool to add the necessary chemicals.
- A typical family of 4 uses about 22,000 gallons of water in a 6-month period. The outdoor pool used 5,226,682 gallons of water for just those 10 weeks of operation last summer! That's the equivalent of giving 237 households free water for 6 months!
 - We don't know how many holes there are in the system
- The outdoor pool operated last year due to staff being here at all hours of the nights and on weekends to maintain the levels in the pool.
- DPW staff assisted with the sewer cameras to see what was going on with the gutter system. Experts were called in to help us assess the situation. The camera found pitted and rusted welds at every gutter joint in the pool.
- Several things needed to happen which would require a significant influx of funds (over \$600,000 just for the gutter repairs)
- The outdoor pool has never been a revenue generating source for the City of Claremont
- There have been costly needed upgrades over the years which have been requested, but never funded through the budgeting process as they would have added well over \$1.00 per thousand to the tax rate
- Who do we serve at the outdoor pool (numbers)
 - We typically serve about 30 families (out of 13,200 residents).
 - Anticipated expenses to operate "as is" in 2012
 - Electricity \$7,139.00
 - Pool Chemicals \$8,919.83
 - LG Staffing \$16,488.00
 - Water \$18,900.00
 - Building M & R \$28,900.00
 - Opening/Closing Facility \$5,700.00
 - Added Oversight (Pool Operator) \$2,800.00

- Concessions \$3,500.00
- Total \$92,346.83
- Revenue
 - Gross Revenue \$5,066.90
 - State Swim Meet \$0
 - Total \$5,066.90
- Cost Recover = the amount of revenue received for every tax dollar spent to service about 30 families \$0.05
 - Last year Public Works waived water charges
 - We will not have swim meet this year
- Is it time to find a better solution

Mr. Bergeron recommended keeping it open for one more year until the New Community Center is open next year.

Mr. Irish stated that we are paying \$3,000 for each of 30 families to use the pool.

Ms. Walter said the pool is not warm because we are adding so much water. We have had complaints.

Mr. Bergeron said he is making the recommendation just in case something happens with the indoor pool, so we would not be without a pool.

Mayor Neilsen said we are only serving 30 families; we don't know how much water we may be using this year. Spending money when the indoor pool is available is not a good idea.

Mr. Koloski asked if Council needed to make a decision. Ms. Walter said no, this is for information. She is recommending Parks and Recreation come back next month with information about how much it will cost to keep it running for the summer.

Mr. Burnham asked what the condition is of the indoor pool. Mr. Hausler said it is 1950s vintage; they had to put in a dehumidifier recently. To keep the indoor pool open longer, typically during the summer they reduce the hours of the indoor pool. Swim team practices at the indoor pool. He will come back next month with additional information.

Mr. Bergeron said there is also the cost of treating the water at the water plant. We need to make notice of the possibility of closing the outdoor pool.

Mayor Neilsen said Council needs to have staff recommendation to keep it open or not. Mr. Santagate said we will do that.

Mr. Koloski asked if the outdoor pool is closed, can the cost savings be used to cover some of the problems at the indoor pool to help it limp along. Ms. Walter said there would be more staff at the indoor pool as well as other expenses.

Mr. Irish agreed with Mr. Bergeron that we need to have a public hearing and that maybe it is time that we not open the outdoor pool.

Mr. Bergeron said he is not against closing it, but people need to have a place to go.

Ms. Walter said Mr. Hausler has other ideas to bring forward.

Bernie Folta, Ward 3, approved of the City Manager giving a warning before giving a recommendation and that the public has a chance to weigh in. He talked about transfer accounting and water and whether or not the City is giving free water.

Mr. Hausler said Parks and Recreation pays water bills to the Enterprise Fund. This year the water loss was abated.

Ms. Walter talked about lost water and that departments have been paying for water.

Donation of Proceeds from Scrap Metal to Arrowhead

Mr. Burnham stepped down as he is involved with Arrowhead Recreation.

Ms. Walter said there was scrap at Arrowhead that they cleaned up. The money came into Public Works. The net revenue received is what is being asked to be moved to Arrowhead.

A motion was made by Mr. Raymond and seconded by Mr. Bergeron that WHEREAS certain scrap metal has been removed from City-owned property at Arrowhead, resulting in net revenue deposited to the City's General Fund in the amount of \$368.70; and

WHEREAS Arrowhead Recreation Club can use these funds for the operation of its recreational programs at Arrowhead for the benefit of Claremont citizens;

The Claremont City Council hereby authorizes the transfer of \$368.70 from General Fund Revenue to the Arrowhead Recreational Club, and further authorizes the City Manager or his designees to execute all documents and undertake all actions as may be required to implement this Motion.

Roll call vote: motion carried 7-0 with 1 abstain (Mr. Burnham).

Council Rules Related to Council Agenda

Mr. Irish handed out a written Proposed Item 34. (Council Rules): Conflict of Interest - Recusal.

Mayor Neilsen asked to put it on next month's Council agenda.

CITY MANAGER'S REPORT

Mr. Santagate said the Commissioner of DOT (Department of Transportation) was in Claremont and received input from people here in Claremont. We will follow up with them about some of our DOT concerns (bridges, roads, etc.).

Drapers Corner is going out to bid.

Mr. Santagate said he and Mayor Neilsen greeted some students from Germany; they were very bright and most of them knew English. One of the biggest things they were interested in was the jail.

Bernie Folta, Ward 3, said about the session with DOT that he heard the North and Main Project would not be done until 2015. Mr. Santagate said the design work could take a long time (couple of years), so construction could begin in 2014.

Ms. Walter talked about a joint employee Health and Wellness Fair between the school and the City; it was very well attended.

FUTURE AGENDA ITEMS AND DIRECTIVES

Mr. Irish asked about putting Council goals on the agenda. He asked about adding a City Council Rep to the Parks and Recreation Commission; he would like to be on it to be part of the building process of the New Community Center. He would like to discuss naming of the New Community Center; now that taxpayers are funding the largest portion of it, he doesn't think that naming it Claremont Savings Bank (CSB) Community Center is appropriate. Mr. Santagate said when CSB sent the original proposal for donation, they said if another larger private donation came in, they would accept a portion of the building (i.e. pool) being named after them, but they never mentioned the City being part of this. Mr. Santagate's concern is that for almost \$3.5 million (including the land, etc.), we don't want a lot of friction because that would affect any future fundraising. In the original letter, it was agreed to be named Claremont Savings Bank Community Center. Ms. Walter reminded that if CSB did not make the donation, the project would not be going forward. Mr. Irish talked about the possibility of the bank changing its name (as other institutions have done). In Mr. Irish's opinion, the citizens' \$5 million trumps CSB's \$3 million.

Mr. Bergeron agreed with Mr. Irish; he wants to see a copy of the agreement between the City and CSB and to have this on the agenda next month.

Mr. Bergeron said we need to have the Planning and Development and the Fire Departments look at the old Merrimack Feed building as you can look through large holes in the cupola.

Ms. Messier talked about road paving and bonding and asked how it would work. Mayor Neilsen said he and the City Manager would get together on this.

Mr. Bergeron said in reference to conflict of interest that the Council can pass a City Ordinance to remove someone for conflict of interest; he will bring the information to the Council.

Mr. Koloski asked about a panhandling ordinance. He said that an officer in a police cruiser was blocked from going to the City's web page (he thinks it is being worked on). Ms. Taylor said she doesn't believe there is an ordinance.

Mr. Koloski asked about a job fair. Mr. Santagate said we were working with the local employment office and he believes they ran a virtual one. We will follow up with them if the Council wishes.

Mr. Koloski asked to have the Council reach out to the school board for a joint meeting to discuss the direction everyone is headed.

COMMITTEE REPORTS

Claremont 250th Anniversary Committee

None

Claremont City Center Project – Steering Committee Report

Mr. Bergeron said Saturday, 9-10:30 a.m., at Marion Phillips, they will hold the last focus group meeting. Public is invited. A request has been made to hire a zoning consultant; the City Center needs to change its zoning.

CONSULTATION WITH LEGAL COUNSEL

None

NON-PUBLIC SESSION PURSUANT TO RSA 91-A:3,II(a) – PERSONNEL

A motion was made by Mr. Bergeron and seconded by Mr. Raymond to go into a non-public session pursuant to RSA 91-A:3,II(a) – Personnel and to invite Mr. Santagate, Ms. Walter, Ms. Taylor and Ms. Russell into the session.

Roll call vote: motion carried 9-0.

A motion was made by Mr. Bergeron and seconded by Mr. Koloski to seal the minutes until the personnel issues discussed have been resolved.

Roll call vote: motion carried 8-0.

A motion was made by Mr. Bergeron and seconded by Mr. Raymond to come out of the non-public session.

Roll call vote: motion carried 8-0

Returned to public session at 11:28 p.m.

ADJOURNMENT

At 11:29 p.m., a motion was made by Mr. Raymond and seconded by Mr. Bergeron to adjourn.

Voice vote: motion carried 8-0.

Respectfully Submitted,

Dorée M. Russell
Clerk to the Council