

The Claremont City Council held a meeting on Tuesday, February 17, 2009, in the Council Chambers of City Hall.

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

Members of the Council present were:

At-Large Councilor Thomas (Toby) Batchelder, III  
At-Large Councilor Robert Picard  
At-Large Councilor Keith Raymond  
Assistant Mayor Andrew Austin  
Mayor Deborah Cutts  
Ward II Councilor Paul LaCasse  
At-Large Councilor Kyle Messier  
Ward I Councilor Christopher Lewis  
Ward III Councilor Jeffrey Goff

Also present were:

Guy Santagate, City Manager  
Jane Taylor, City Solicitor

## **NEW BUSINESS**

### Citizens' Petition (Public Input Invited)

Mayor Cutts said after the February 11<sup>th</sup> Council meeting that she had received citizen and Councilor feedback regarding concerns. This meeting was called to address them in reference to the misapplication of the conflict-of-interest rule. She apologized to Councilors LaCasse and Picard. This meeting can be used to change or revise and/or correct potential mistakes.

Messrs. Picard and LaCasse offered to step down. Mayor Cutts asked the Council for discussion before they stepped down. Council agreed they should stay seated and be part of the discussion for reconsideration.

**A motion was made by Ms. Messier and seconded by Mr. Austin to reconsider the original motion which caused Councilors LaCasse and Picard to step down at the February 11<sup>th</sup> Council meeting.** [Original motion: A motion was made by Mr. Goff and seconded by Mr. Lewis that due to the appearance of a conflict, Councilors LaCasse and Picard recuse themselves from petition discussion.]

**Roll call vote: Motion carried 8-1 with Mr. Picard voting no. After discussion, Mr. Picard changed his vote to yes. Motion carried 9-0.**

Mayor Cutts said prior to the February 11<sup>th</sup> meeting that a Councilor had approached her with a concern about conflict of interest in regard to the citizens' petition. Another Councilor shared that concern. She said those concerns could be brought up for discussion. Mayor Cutts and Mr. Santagate had a telephone conference on the 16<sup>th</sup> to talk about this agenda. She said Mr. Goff had asked to be in on that meeting. He wanted to know how the meeting would affect his motion.

Mayor Cutts said this meeting is to allow all Councilors to participate in the petition discussion.

Mr. Lewis said that he had originally raised the question about conflict of interest and he asked to talk about it because Councilors have a duty to raise questions of potential conflict as stated in the Code of Conduct. Each Councilor has an obligation to hold themselves to a greater level of accountability. Constituents ask for transparency and that was why he had raised the issue. He asked that if it were ever noted that he had a conflict, that it would be raised.

Ms. Messier said she is in favor of the motion to reconsider. In her opinion, the Code of Conduct regarding conflict of interest is poorly worded and subjective. She regrets not asking more questions to clear up her understanding of the definition. She apologized to Messrs. Picard and LaCasse. She said she made a mistake in asking them to step down. She believes there is no conflict of interest.

Mr. Austin echoed Ms. Messier on the conflict of interest because a conflict of interest involves a monetary gain and that was not the case here. He said he was in error and he apologized to Messrs. Picard and LaCasse.

Mr. Raymond said he would like to make a motion to acknowledge the citizens' petition and to thank the citizens for bringing it to the Council's attention. He asked to put it on the March agenda. Mayor Cutts said a motion to reconsider was needed first.

**A motion was made by Mr. Raymond and seconded by Mr. Batchelder to reconsider the Citizen's Petition for a 30% tax reduction from the February 11<sup>th</sup> meeting.**

Ms. Messier brought forth a point of order for the conflict of interest issue.

Mr. Goff said he would like to rescind the [original] motion that he made.

**A motion was made by Ms. Messier and seconded by Mr. Austin that due to the appearance of a conflict, Councilors LaCasse and Picard recuse themselves from petition discussion.** [Original motion: A motion was made by Mr. Goff and seconded by Mr. Lewis that due to the appearance of a conflict, Councilors LaCasse and Picard recuse themselves from petition discussion.]

**Roll Call Vote: Motion failed 1-8 with Mr. Batchelder, Mr. Picard, Mr. Raymond, Mr. Austin, Mr. LaCasse, Ms. Messier, Mr. Lewis and Mayor Cutts voting no.**

**A motion was made by Mr. Raymond and seconded by Ms. Messier to reconsider the action on the Citizen's Petition from the February 11<sup>th</sup> meeting.**

**Roll Call Vote: Motion carried 7-0 with Messrs. Picard and LaCasse abstaining.**

**A motion was made by Mr. Raymond to add the Citizen's Petition to the March Council agenda.**

**A motion to amend the motion was made by Ms. Messier to include that the Council would like to acknowledge receipt of the Citizen's Petition.**

Mr. Austin said at the last meeting that he had made a motion to accept the petition, so he asked about reconsidering that motion. Mayor Cutts said that has been done. [Original motion: A motion was made by Mr. Austin and seconded by Ms. Messier to accept the petition for a vote. Roll Call Vote: Motion failed 1-6 with Mr. Batchelder, Mr. Raymond, Ms. Messier, Mr. Lewis, Mr. Goff and Mayor Cutts voting no. Mr. Austin said he voted yes only to accept what he has seen come before him, not to accept the cut in taxes.]

Mr. Picard asked to abstain. Council accepted.

There was discussion about the difference between acceptance and agreement of the petition.

**Mr. Raymond withdrew his original motion** [A motion was made by Mr. Raymond to add the Citizen's Petition to the March Council agenda.].

**Ms. Messier withdrew her admendment** [A motion to amend the motion was made by Ms. Messier to include the Council would like to acknowledge receipt of the Citizen's Petition.]

**A motion was made by Ms. Messier and seconded by Mr. Raymond to reconsider the motion made at the February 11<sup>th</sup> meeting to accept the petition made by Councilor Austin.** [Original motion: A motion was made by Mr. Austin and seconded by Ms. Messier to accept the petition for a vote.]

**Roll Call Vote: Motion carried 7-0 with Messrs. Picard and LaCasse abstaining.**

**A motion was made by Mr. Raymond and seconded by Mr. Austin to acknowledge receipt of the Citizens' Petition and to add it to, and to hold a public hearing at, the regularly scheduled March Council meeting.**

**Roll Call Vote: Motion carried 9-0.**

**A motion was made by Mr. LaCasse and seconded by Mr. Picard to suspend the five minute rule for public input.**

**Roll Call Vote: Motion carried 9-0.**

Jim Neilsen, Ward 1, reminded Council that it can only gross appropriate. The City Manager has total authority on how funds are spent. Mr. Neilsen suggested level funding the budget using a dollar figure. He said the budget is about \$15 million and it would be difficult to do a 30% cut on it. Some may say we are going backward by keeping the budget at \$15 million, but within the budget are fire apparatus capital funds which will allow for apparatus replacements. There are lease payments for Public Works vehicles so you won't hurt that. We have cut back on some paving. One area to begin to save money is by not getting more bonded debt. He talked about cutting hours and making larger contributions to health and retirement costs.

Cynthia Howard, Ward 2, said Claremont has the highest tax rate in the state. She said the people on the petition are not all asking for the same percentage reduction. They are asking for 10% to 60%. The message is to cut the spending and lower the taxes. They would like to see reductions in the following budgets: first and foremost, Planning and Development, Assessing, Municipal Complex, General Services, Library, Cemeteries, Parks and Recreation, Community Services, Welfare, Sanitation, Policy and Finance. She will not propose cuts for highway, streets and roads, fire and police as they are essential services. Another part of the petition is freezing non-emergency spending. She talked about layoffs being considered in Manchester. Manchester's tax rate is \$17.35. They have 100,000 tax payers. Their budget cuts will amount to \$3.8 million. Our tax rate since 1999 has gone from \$29.16 to \$32.59 for 2009, an average increase of 3% which [according to her] equals a 30% increase, so her suggestion that a budget reduction of 30% is not bad. She questioned whether the revaluation would drop the tax rate. She asked people to call her to sign the petition 543-1372.

Levi Sanders, Ward 1, talked about the conflict of interest issue. He was confused about why there was no problem now with the petition and now it is being accepted. He sees a crisis and the most important thing is to keep people in their homes. People cannot afford to pay their taxes. He hopes to have a serious discussion in March about the petition. He claims he and other people are not getting responses from the Councilors. He said even though Councilors are not paid and they have a thankless job, people will want their positions.

Steve Raymond, Ward 1, said he is concerned that he has heard the Council say we don't want to go backward. The taxpayers can't afford a new community center. He doesn't see the value of the pedestrian bridge. He thinks going forward is hurting taxpayers. He hopes Council listens to taxpayers.

Judith Moriarty, Ward 1, said people in the community are afraid. We are interconnected in a global economy. The community is an extended family. We don't need to call names ( i.e. idiots and CAVE people). She admires the Councilors although she doesn't always agree with them. We need to support one another.

Norman Lessard, Ward 2, said the budget has already been voted on last year. He questioned if we will have to go through the budget process again. His other concern is we also have the County and school as part of our tax rate. He is concerned that if there are layoffs in the City, will there also be layoffs in the schools and the County. He doesn't want the City to go

backward. He suggested we may be able to do something for the next budget. Taking away from this budget is the wrong route to go.

Vic Bergeron, Ward 1, said he doesn't want to go back to when taxes didn't go up for nine years. At that time, no infrastructure was worked on and the roads fell apart. This and previous Councils are doing catch-up. In 2001, the City was almost broke. If we go back to that, the projects will come to a screeching halt and the City will not move forward. He asked if the County and schools had been asked to cut their budgets 30%. He does not want to go backward. He has a problem with unprofessional conduct by Councilors (i.e. Councilor calling someone an idiot). Councilor should apologize. Unprofessional conduct should not be tolerated.

Christine Corey, Ward 1, said she does not agree with the petition. The City needs to go forward. She and her husband moved here because they saw the City moving forward. She is a realtor and a broker. This is not turning into a ghost town. Buyers are inquiring. One thing they ask about is what there is to do for children. Arrowhead, the skate park and the new community center excite people. If you wipe that out, then we don't have the incentive for people to come here. Those that are here are important, but so is the next wave. People are calling and are excited about the mill district, also.

Bill Corey, Ward 1, said cuts in Planning and Development would affect our future tax base expansion. To cut programs is short-sighted. Eliminating services will eliminate quality of life. The issue needs to be addressed responsibly and ramifications understood. He would like taxes cut, but not at the expense of the future of Claremont. He is privy to people looking to come to Claremont. Going backward would choke the future of Claremont. Look at the future about the cuts, because it is long term. This is the future poster city of New Hampshire. Cuts will kill this City.

Philip Howard, Ward 2, said, in case someone did not hear, Mrs. Howard did not say to cut Fire, Police and Public Works Departments.

Adam Burke, Ward 2, said Planning and Development are the future of this community. His wife works for Red River Computer Company. They are excited to be coming to Claremont.

Mayor Cutts talked about a letter from Philip J. Brodeur, Ward 2, which was handed to the Council today. It was addressed to the newspaper editor, but Mr. LaCasse said it was meant for the Council. Mr. LaCasse read it into the record. The letter referenced the February 11<sup>th</sup> Council meeting and the term CAVE people. Mr. Brodeur found the term to be very inappropriate. He asked if there were any communications from citizens agreeing with the petition. He complimented Mr. Picard and Mr. LaCasse for doing an outstanding job and for their differences in opinions.

Judith Moriarty said she wanted to make a correction that because people are having a hard time paying for things, does not mean they are against Claremont. The best thing about Claremont is the people.

Steve Raymond, Ward 1, agreed with Ms. Moriarty. He said what he meant by going backward, is that we have been fighting for education for a long time. Give the kids an education before giving them a new community center. He hopes Council will keep taxes level. He hopes people vote for the school budget that is coming up.

Levi Sanders said he is confused and asked if people who come here with money are welcome, but for low income and senior citizens who have been here for years will have their taxes raised. We are trying to build Claremont without throwing people out. He asked how we can make sure people can stay in Claremont. He talked about a regressive form of taxation. We need to get average people involved in the process. People on Social Security cannot afford their taxes. He hopes, in the future, that people can call in to Council meetings to voice their concerns.

Cynthia Howard, Ward 2, asked why Claremont can't have a low tax rate like Keene, Lebanon and Charlestown. They are all in the 20s. She would like Claremont's tax rate to be in the 20s like it was in the 1990s when there were good roads, good schools and a lot of industry in the City.

Judith Moriarty thanked the Council for their work. Steve Raymond thanked the Council for their work. Levi Sanders concurred, but said there is frustration over taxes. Mayor Cutts said Council appreciated the public comments.

Mayor Cutts asked Mr. Santagate to give a copy of the citizens' petition to each Councilor for the next meeting. Next month will be a public hearing on the petition. She appreciated Mr. Sanders' suggestion of alternate ways of communicating. She noted people can call her or e-mail her.

## **ADJOURNMENT**

**At 8:17 p.m., a motion was made by Ms. Messier and seconded by Mr. Raymond to adjourn.**

**Motion carried 9-0.**

Respectfully Submitted,

Dorée M. Russell  
Clerk to the Council