

The Claremont City Council held a meeting on Wednesday, November 10, 2010, 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:

Ward II Councilor Keith Raymond  
Ward I Councilor Victor Bergeron  
Ward III Councilor Nicholas Koloski  
Assistant Mayor Andrew Austin  
Mayor Deborah Cutts  
At-Large Councilor Adam Burke  
At-Large Councilor Christopher Lewis  
At-Large Councilor Kyle Messier

Absent: At-Large Councilor Jeffrey Goff

Also present were:

Guy Santagate, City Manager  
Jane Taylor, City Solicitor

## **MAYOR'S NOTES**

### Stevens High School Student Council Update

Student Council members introduced themselves: Chad Lauren, Student Council President; Joe Tarr, Student Council Vice President; and Cassandra Cutts. Mr. Lauren gave news about last June's second field day; this year's homecoming and pep rally where the seniors took home the gold. Mr. Tarr talked about the class "penny war" where they raised \$478 and will donate \$250 to breast cancer awareness. He talked about the homecoming dance; NHASC Fall Leadership Conference; and there will be an open mic night and neon dance next week. Mr. Lauren thanked the City Council for its support.

Mayor Cutts read a commendation from Governor Lynch. It was for an Excellence in Economic Development Award in the category of Real Estate Redevelopment & Reuse from the International Economic Development Council for the Monadnock Mills Revitalization Project .

Mayor Cutts read a letter of congratulations from U.S. Senator Jeanne Shaheen for the Sustainable Community Challenge grant the City received for the city center.

Mr. Burke said that Stanford University was nominated for the Google Fiber Project, but there have been no selectees yet.

Mayor Cutts thanked the Ladies Union Aid Society (LUAS), Valley Regional Hospital Auxiliary, for donations of two AED defibrillators. One is located in City Hall and one will travel with the swim team for away events.

Mr. Bergeron said the New Hampshire ToDo magazine, November 2010 issue, had an article about Claremont, "Coming Along at a Clip, Claremont."

Mayor Cutts said on December 5, 12 noon, there will be a trail run and kids fun run in Moody Park as a fundraiser for Adam Maki who is ill. Council sent good wishes to him and his family. Mr. Bergeron said there would also be a dance for him on Saturday at the Zotto Gym. Council sent sympathies to the Lathrop and Towle family on their loss.

### **REPORT OF THE SECRETARY**

**A motion was made by Mr. Austin and seconded by Mr. Lewis to accept the minutes of the October 13, 2010, City Council meeting.**

**Roll Call Vote: Motion carried 8-0.**

### **APPOINTMENT TO BOARDS AND COMMITTEES**

#### Conservation Commission

Mayor Cutts said the application for a seat on the Conservation Commission was in the packet. It is a Mayoral appointment. She has not made a decision, but will let Council know when she has.

#### Fiske Free Library Board of Trustees

**Mr. Burke nominated Lauren Simpson to seat # 6, of the Fiske Free Library Board of Trustees.**

Ms. Taylor noted a recent change in state law, so that when terms expire, if you do not have someone to step in, then the person holding the seat (if they don't wish to be reappointed) may continue to stay in the seat. This applies only to certain boards, primarily land use.

**Roll Call Vote: Motion carried 8-0.**

**Mr. Raymond nominated Henry Normandin to seat #5 of the Fiske Free Library Board of Trustees. Seconded by Mr. Bergeron.**

**Roll Call Vote: Motion carried 8-0.**

Mr. Bergeron asked Mayor Cutts if a husband and wife can serve on the Conservation Commission. She will look into it.

## **OLD BUSINESS**

### Transfer Funds Between Departments

Withdrawn.

### Council Rule #22 Change

The Claremont City Council hereby amends and readopts Council Rule 22 as follows: *(2/3 vote required)*

## **22: Order of Business**

The business of all regular meetings of the Council shall be transacted in the following order, unless the Council by vote of at least two-thirds of the members present shall suspend the rules to change the order:

1. Pledge of Allegiance
2. Roll Call of Council Members
3. Mayor's Notes
4. Citizen's Forum
5. Report of Secretary
6. Appointments to Boards and Committees
7. Old Business
8. New Business
9. City Manager's Report
10. Future Agenda Items and Directives
11. Committee Reports
12. Adjournment

During the Citizen's Forum portion of the Council Meeting, citizens in attendance may speak on both agenda and non-agenda items, with the exception of agenda items with a previously-noticed public hearing and on the first reading of proposed ordinances. Each citizen so recognized may speak not more than once and for not more than five (5) minutes.

Mayor Cutts noted this had come before the Council at last month's meeting and would be voted on at this month's meeting.

Mr. Bergeron said in reference to a newspaper article that he doesn't care how long the meeting takes, this proposal is to make the meetings run better. Mayor Cutts agreed with Mr. Bergeron.

Mr. Koloski said he will vote no. He wants to make an informed decision. He thinks this rule change punishes the majority of people for those few who want to come and speak consistently.

Ms. Messier said that Levi Sanders had sent her an e-mail opposing this change. She read her response back to Mr. Sanders and in it she explained that this is a representative democracy and she represents all citizens. We have a participatory government and there is no law requiring time for citizens to speak other than at a public hearing.

**A motion was made by Mr. Austin and seconded by Mr. Raymond to amend and re-adopt Council Rule 22.**

Bernie Folta, Ward 3, believes the rule change is a step backward. He said the contemporary trend is toward more citizen input. This rule change compresses the time available to comment on agenda and non-agenda items to 5 minutes at one point. He objected to the change. He hopes to have the Council packet available at the Library and also on the City's website. He passed out a handout about elements of effective governance and said that if anyone wanted a copy to call him at 542-3233.

Francis Gauthier, Ward 2, asked the Council to vote no. He said since June he has found it difficult to communicate with the City. He would like the Council packet at the Library. He feels the Council doesn't want people coming to the Council meetings.

Mr. Raymond said Council is not trying to shut people out. He said he is available by phone or e-mail, but he doesn't get many phone calls.

Mayor Cutts wanted to be clear that this Rule change does not eliminate public comment, but moves it to beginning of the agenda.

Mr. Burke said he would like to see the packet on the website and at the Library.

Mr. Austin said he has lived in the same house and has had the same phone number for many years, but has not heard from Mr. Gauthier or anyone else on this issue.

Levi Sanders, Ward 1, said we need to be more positive. He asked what exactly Council Rule 22 was. He thinks people would like to talk at each agenda item even if it is for 1, 2 or 3 minutes. He said Mr. Raymond's phone number is not available. He said if people are not allowed to speak they would feel invisible. He would like people to be able to video conference into Council meetings.

Mr. Koloski asked how citizens can give an opinion without knowing the specifics of the item, such as when Staff makes PowerPoint presentations. Mr. Burke agreed with Mr. Koloski and that we should use technology to our advantage, including streaming the meetings online. He said he was torn as he doesn't see a problem with the Rule change, because people have an opportunity to speak, however he did agree with Mr. Koloski.

Mr. Lewis said he had received feedback. He said speakers on agenda items should be respectful of their time limits. He sees nothing wrong with the Rule change, however it is being used to circumvent a few people that tend to abuse their opportunity to speak. With the current process,

Council has the ability to control that and to move the meeting along. He doesn't think the Rule change should be used to manage the meeting.

Mr. Austin said that of over 13,000 people, only a handful of people stand up to speak. He doesn't think the Rule change will bring out more people to speak.

Mr. Bergeron said since the change was proposed, he has heard only one negative comment, but has heard lots of positive comments. The important things on the agenda have public hearings. This is not to try to stop people from speaking.

Ms. Messier said she has have heard many positives. The information she receives from people who contact her (by phone, e-mail, etc.) carries the same weight as people who come up to the podium to speak. She encouraged citizens to come and say what they like.

Mr. Koloski said he doesn't want to take away citizens' rights to express themselves.

Mr. Lewis said when citizens speak, he wants to hear about pertinent issues, not that the government is shady. Speaking at each agenda item is not a big problem. He said Council can manage without the Rule change and still move the meeting along.

Mr. Bergeron said if this passes and in the future it proves to keep people from coming here, he'll propose a change.

**Roll Call Vote: Motion failed 5-3 with Messrs. Koloski, Burke and Lewis voting no. A second roll call vote revealed the same results.**

#### Downtown Kiosk

Mayor Cutts said Jason Farrell had brought this issue to Council last month about Community Reinvestment money that had been awarded in 2008.

Mr. Burke asked for design clarification. Mr. Raymond said the kiosk will be on the inside of the windows of the Brown Block where the former Boccia's market was.

Jason Farrell, Ward 1, said he approached the City about how to return the Community Reinvestment funds that had been awarded for a kiosk. Holder of the funds, Heart of Claremont, wants to redirect the funds to another style of public information posting. Originally the kiosk was freestanding. The proposed design is a bulletin board. The City Center Business Alliance (he was co-chair) was awarded \$6,500 for the kiosk which was only a part of the total amount needed for the project, but they were not a 501(c)3, so they needed a fiscal agent which was Main Street of Claremont (now known as Heart of Claremont). Main Street was paid 5%. They tried to raise additional funds, were unable to, the project has stalled and he is not comfortable holding the money. The fiscal agent doesn't want to release the funds, they want to redirect the funds.

**Motion re Downtown Kiosk Project (1)**

**A motion was made by Mr. Bergeron and seconded by Mr. Koloski to accept the return of \$6,175.00 from the City Center Business Alliance, being the unexpended amount awarded in 2008 to the City Center Business Alliance under the Council's Community Reinvestment Award Program for construction of a downtown informational kiosk.**

**Roll Call Vote: Motion carried 8-0.**

Gary Trottier, Ward 2, and Bob Weaver, Ward 3, appeared on behalf of the Heart of Claremont (formerly Main Street Claremont). Mr. Trottier said the Heart of Claremont adopted the project of a public information area because it is a good idea to have in the heart of Claremont. It would be used by the City, schools, downtown business, opera house, sports and recreation and others with an interest. This would be behind glass. Heart of Claremont has picked up the project. Mr. Weaver said the kiosk has been well accepted by those they have spoken to.

Mr. Lewis asked for clarification. Mr. Weaver said it would be facing Opera House Square, the former Boccia's Market. There is no tenant and the space is being used as storage, so it can be used as a kiosk. The lessee and owner of the building are in favor of this and it can be used for the term of the lease which is five years. Mr. Lewis asked for a completion timeframe. Mr. Weaver said it was up to Crown Point Cabinetry as they are building it.

Mr. Burke thinks it is a great idea and asked why the change in design from a kiosk. Mr. Trottier said it was originally to be a four-sided, outdoors, free-standing structure in the parking lot of the Brown Block. It would require maintenance (i.e. snow shoveled); it would slowly decay and require upkeep. It was unknown how the papers would be protected from the elements. New Socials has offered its back room windows and the Chamber of Commerce will maintain the information. Mr. Weaver said the original price for the outside kiosk was \$13,000.

Mr. Koloski asked what would happen to the money if it was not re-awarded. It would go back into Fund Balance.

Ms. Messier asked about Crown Point's involvement. Mr. Weaver said they designed it. Ms. Messier asked about the Chamber's involvement. Mr. Weaver said they would maintain it once a week. Ms. Messier asked if the panels are movable for when the lease is up or there is a change in the space. Mr. Weaver said the panels are movable.

Mr. Raymond said this is a good use for that site.

Mr. Burke asked if there would be lighting at night. Mr. Weaver said yes.

Council thanked Mr. Farrell for the effort.

Mr. Koloski asked if this affects the Social Services funds. Mayor Cutts said no, there were two separate accounts (Social Services and Community Reinvestment) in 2008. She supports the project.

Jason Farrell, thanked the Heart of Claremont for the follow-through on the project. He invited the public to walk by 65 Pleasant Street, across from Esersky's, to see what his group is doing (public information sharing) at no expense to the City.

Mr. Trottier said he is pleased at the positive response from the Council for this worthy project.

**Motion re Downtown Kiosk Project (2)**

**A motion was made by Mr. Raymond and seconded by Ms. Messier to award the Heart of Claremont Association, Inc. the sum of \$6,175.00 for construction of a downtown informational kiosk, being the unexpended amount awarded in 2008 to the City Center Business Alliance under the Council's Community Reinvestment Award Program for construction of an informational kiosk. Said informational kiosk is to be completed on or before November 10, 2011. Upon completion, the Heart of Claremont Association, Inc. shall submit a written report to Council detailing all expenditures as well as construction and operational information related to the Project.**

**Roll Call Vote: Motion carried 8-0.**

**CITIZEN'S FORUM**

John Cloutier, Ward 1, State Representative, said the new Representatives will be sworn in on December 1. The five Representatives will be himself, Joe Osgood, Ray Gagnon, Paul LaCasse and Charlene Lovett. The House filing period for new legislation will be open November 15 to December 3 if the City wants something considered in the 2011 session. He suggested meeting in early January with the Representatives and Senator Odell. The full House of Representatives meets on Wednesdays, which makes their ability to get to Council meetings early a challenge. He looked forward to working with the City.

Francis Gauthier, Ward 1, said the dog ordinance has gone over well. The biggest dog problem appears to be from people living in apartment houses. He thinks educating people by giving them a copy of the pamphlet and having new tenants sign that they have received it would cut down on the need for enforcement.

Levi Sanders said that the Concord Monitor has reported that 10 % of kids (200 kids) in Claremont schools are homeless. He asked how the Council can alleviate this. He talked about the heating oil contract; the Code of Conduct in reference to a business transaction; and an agenda item about appropriate conduct.

Business of the Year Proclamation

Mayor Cutts read a Business of the Year proclamation for North Country Smokehouse.

Mike Satzow, North Country Smokehouse, said some words of thanks.

Non-Profit of the Year Proclamation

Mayor Cutts read a Non-Profit of the Year proclamation for the Claremont Kiwanis club.

Kiwanis members thanked the community for its contributions.

Mr. Lewis said Kiwanis Cares provides Christmas gifts to children and that his family and the company he works for participates.

Susan Schroeder, representing Kiwanis, said that Kiwanis Cares has almost 1,000 names. They look for donations from individuals and companies. They will need 300-400 donors. Mr. Bergeron is a co-chair of the Cares program this year. Donations can be dropped off at the Claremont Savings Bank and the Chamber of Commerce. For people who want to sponsor a family, contact Mr. Bergeron or send a request to P.O. Box 615. Distribution will be December 10 and 11. Ms. Messier said the Kiwanis donated a significant amount of money to help with dental equipment at the dental clinic.

Ordinance 519 Outdoor Wood-Fired Hydronic Heaters – Second Reading – Public Hearing

This proposed change amends Article IX of Chapter 5 of the Claremont City Code to add definitions of commercial and residential units, limit operation of residential heaters during summer months and require properly functioning spark arresters on all units.

Enactment of this Ordinance will clarify the existing ordinance and address concerns regarding air quality during those months when air dispersion of smoke emitted from these heaters is problematic.

Fire Chief Peter Chase said this is an amendment to an existing ordinance and is to restrict the summertime use of outdoor wood-fired heaters from May 15 to September 15. It is a result of a petition that came to the Council.

**A motion was made by Mr. Burke and seconded by Ms. Messier to adopt Ordinance 519 Outdoor Wood-Fired Hydronic Heaters.**

Mr. Burke read the Explanation of Proposed Action into the record.

Mayor Cutts opened the public hearing.

Francis Gauthier, Ward 2, asked the Council to pass this ordinance. However, he suggested amending it to exempt those boilers that accept the retro fit kit. He talked about nuisance under RSA 147:16-b in reference to smoke created by low temperature burning. He suggested the City deal with each problem individually as there are only a few “rogue” operators. He suggested not putting a chimney cap on the stack as it gives a better burn.

Gary LeClair, Ward 2, said he owns a large dairy farm. He owns two wood boilers: one at the farm and one at the labor house. He thinks the one at the farm may be exempt because it is a commercial size. Those boilers heat the water for farm sanitation (700-800 gallons per day) and for the house. They have \$20,000 invested in the two units. They have no close neighbors and no one has complained. He talked to the farm bureau and was told that a restriction cannot be placed if it causes an undue burden. Without the ability to use the furnace from May 15 to September 15, he would have to purchase equipment to heat his water which would be unreasonable. He said he burns dry wood and there is virtually no smoke. This ordinance would be a heavy burden for him. He suggested handling nuisances on a case-by-case basis.

Leon Collins, Ward 2, said his is the boiler that is under attack. He said there was an issue with the smoke from his boiler, but the complainants did not talk to him, instead they went to the state and the City. He has worked with the state to move the boiler to an approved location. He has spent \$2,000 on parts to make it acceptable to the new state law even though he doesn't have to because his is grandfathered. He said if this issue was about the smoke, this would have made them happy, but it didn't. He said he has been threatened and that has shut down the move. He is still willing to move it and put on the extra chimney, but won't do it until they feel safe to do so. He said this is a blanket law. If there was a case, the complainants would take him to court under the nuisance laws. He has no problem complying with the law, but will not abide by the tyrant's demands. He said the attacks against the boiler started after the complainants found out Mr. Collins had farm animals. His long-range plan is to make the property a small farm.

Frank Sprague, Ward 2, talked about the information from Central Boiler in regard to phase 2 boilers (e-classic). He said Mr. Collins' boiler is non-rated. Non-rated OWHH (outdoor wood-fired hydronic heaters) emit four times the particulates of wood stoves. He had proposed earlier that non-phase 2 boilers not operate between May 15 and September 15. He said NESCAUM (Northeast States for Coordinated Air Use Management) recommends a 500-foot set back. He said we don't have an enforceable nuisance ordinance. He is 350 feet from the boiler and cannot go into his yard when the boiler is operating. He said he had to buy two air conditioners this summer and his electric bill went up because of the boiler.

Gary LeClair, Ward 2, said an indoor wood furnace will put out the same amount of smoke, but is not included in the ordinance.

Francis Gauthier said Mr. Collins could solve the problem if he accepted the clean stack information.

Mr. Austin said that because of Mr. LeClair's remarks, Council needs to amend or table the ordinance until more information is received. Mr. Koloski agreed. This ordinance would put

Mr. LeClair's farm into a financial situation. We are into the heating season now. This still needs some tweaking. He is not comfortable acting upon it. Mr. Burke agreed. Mr. Raymond also agreed and said that maybe something can be done with the nuisance ordinance.

Ms. Taylor said that the nuisance in our Code is based on what the state statute defines as being a nuisance. When the state adopted the law, it put in a provision prohibiting local communities from doing any type of air quality testing. DES (Department of Environmental Services) said they would not test for air quality on residential issues. The City cannot redefine nuisance nor do the testing. Mr. Bergeron talked about state law title 10, chapter 147. Ms. Taylor said you have to be able to prove the nuisance.

Mr. Koloski said Representative Cloutier was in the audience and hoped he would take this information back to the state.

Mr. Lewis thinks there is an issue, but there has to be a way to enforce the rules within the city and to work with residents whose heaters affect neighbors.

Ms. Messier agreed with the comment on the timing and she thinks it needs to be changed so as not to affect someone's business.

**Mr. Burke withdrew his motion and Ms. Messier withdrew her second.**

Mr. Bergeron said this needs to specifically ban burning rubbish or trash in the boiler. He agreed with Mr. Lewis about putting an ordinance on the books, but not enforcing it. He doesn't want to punish someone that uses the heater for his business.

Ms. Taylor said according to RSA 125-R:7, a municipality is not allowed to establish quantifiable limits or specify fuel used, so we are limited to what we can do.

## **NEW BUSINESS**

### CDBG Main Street Reconstruction Project Application

The City proposes to submit an application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant (CDBG) funds for the replacement of approximately 2000 linear feet of old, failing sewer main that runs parallel to the Sugar River and Lower Main Street.

Ms. Messier said this is one part of the four funding sources that will bring us enough money to work on Main Street.

Kurt Beek, Project Manager in the Planning and Development Department, requested approval to submit this application for the Main Street reconstruction project. This is a roadway reconstruction project that goes from Opera House Square to Union Street which will include

reconstructing the pavement, sidewalk, curbing and underground utilities. City will fund 25% and 75% will come from outside sources.

Donna Lane, consultant and grant writer, said she will submit the application on behalf of the City. She read the following into the record: Community Development Block Grant funds are available to municipalities for economic development, public facility and housing rehabilitation projects and feasibility studies that primarily benefit low and moderate income persons. Claremont is eligible for up to \$500,000 a year for public facility/housing rehabilitation, up to \$500,000 a year for economic development projects, as well as up to \$500,000 a year in emergency funds. Feasibility Study funds are available for up to \$12,000 per year.

This is a proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant funds for the replacement of approximately 2000 linear feet of old, failing sewer main that runs parallel to the Sugar River and Lower Main Street. This is part of a Main Street infrastructure improvement project estimated to cost approximately \$3 million. The majority of the households in the area are of low or moderate income.

This project conforms with Claremont's Housing and Community Development Plan's Goal to Develop a plan and program for the improvement and upgrade of the City's infrastructure.

Resolution 2010-25 Apply for, Accept and Expend CDBG Grant for Public Facilities – Public Hearing

**A motion was made by Mr. Raymond and seconded by Mr. Burke to adopt Resolution 2010-25 Apply for, Accept and Expend CDBG Grant for Public Facilities.**

Mr. Raymond read Resolution 2010-25 into the record.

Mayor Cutts opened the public hearing and asked if anyone from the public wished to comment on Resolution 2010-25.

Bernie Folta, Ward 3, said Main Street is an entryway into the City he was in favor of the plan to upgrade it. He noted the City gets a lot of CDBG grants.

Mayor Cutts closed the public hearing.

**Roll Call Vote: Motion carried 8-0.**

Review and Adopt or Re-adopt City's Residential Anti-Displacement and Relocation Assistance Plan – Public Hearing

Ms. Lane said this is project specific and has to be adopted each time a CDBG is applied for. This project replaces sewer line and does not displace anyone.

**A motion was made by Mr. Burke and seconded by Ms. Messier to approve the City's Residential Anti-Displacement and Relocation Assistance Plan and further authorizes the City Manager to sign and execute all documents related to the Plan.**

Mayor Cutts opened the public hearing and asked if anyone from the public wished to comment on this motion. No one spoke. She closed the public hearing.

**Roll Call Vote: Motion carried 8-0.**

Approval of Multi-Year Lease Agreement for Planning and Development Copier

Mary Walter, Finance Director, said the Planning and Development Department's copier needs to be replaced. It was last replaced in 2007 and that lease is up. The machine needs to go back. The department did a \$1 lease buyout for the new machine. Conway Office Supply won the bid. It is a four-year lease.

Mr. Burke asked why it was a lease versus a purchase. Ms. Walter said we can't front load the \$10,000. Mr. Burke asked if there was a warranty. Ms. Walter said yes and there is also a non-appropriation clause in the agreement.

Mr. Bergeron asked if this is a specialized machine. Ms. Walter said it is "beefier" and it copies in color which is needed because they do a lot of brochures.

Mr. Austin asked if there were other quotes. Ms. Walter said yes and this was the best responsible price.

**A motion was made by Mr. Raymond and seconded by Mr. Burke to authorize the City Manager or his designee to enter into a four year agreement with Conway Office Products for the lease of a copy machine for the Planning & Development Department at an annual lease cost of \$2,729 (total lease cost \$10,916). The proposed lease agreement contains a termination clause in the event of non-appropriation of sufficient funds for the future years of the agreement; such funds for the first year of the lease (\$2,729) having been raised and appropriated in the 2010 City Budget.**

**Roll Call Vote: Motion carried 8-0.**

Mr. Lewis said, in reference to conflict over the heating fuel contract talked about earlier, he is employed by Irving Oil which was awarded the heating oil contract by the City. Irving Oil sells many things including, oil, propane, paper and potatoes. He said he manages the local office. He is not involved in any heating oil bids. The government accounts are handled out of Canada. He doesn't feel there is a conflict of interest as he was not a part of the heating oil contract negotiation. Mr. Santagate asked Ms. Walter to explain the process. Ms. Walter said that Mr. Lewis let the Council know, when he first became a Councilor, that he works for Irving Oil. It is the City Manager's job to know if there is a conflict. The purchasing policy requires the City to go out to bid or to use a state bid list. Irving Oil is on the state bid list. A lot of the time she can

get lower bids than what is on the state list, so she solicited bids. The school, CDA (Claremont Development Authority), Tolles Home, Housing Authority and welfare recipients are a part of this contract. Dead River was involved, Eastern Propane did not respond to us and Irving was involved. Irving had the lower price. She said Mr. Lewis is not involved in any part of this process. Mr. Santagate read from the Code the City Manager's authority. The proper process was followed. However, if Mr. Levi Sanders is suspicious of the process, Mr. Santagate invited him to contact the Attorney General's office and Mr. Santagate would supply him with the address if needed. He praised Ms. Walter for saving hundreds of thousands of dollars on oil over the years.

## **BUDGET**

### Overview

Mr. Santagate mentioned the ruling about the Manchester's tax cap. The New Hampshire Supreme Court said the tax cap violates Charter law. Under the Claremont Charter, the City Manager is responsible for submitting a budget that meets the City's needs to the City Council.

Mr. Santagate read the budget letter he sent to the Council. The goals are to invest in our infrastructure, build Fund Balance, pay off debt and keep the City taxes reasonable. 2011 will be the first property tax increase in the City's portion of the tax rate since 2006. This budget meets the goal of no more than a 3% increase not including capital items. General Fund budget is \$14,597,516. This is a decrease in expenses of \$777,645 which is a result of accounting changes to the Public Works budgets. The net effect of the changes is \$218,828. The department requests were up over \$4 million. The City will be required to absorb the following increases: \$318,000 for health insurance, 24.7% increase; retirement costs \$132,000; unemployment costs \$20,800; hydrant fees to the Water Enterprise Fund \$35,000; for a total of \$505,800. These increases plus the Capital Improvement Plan items (before offsetting revenues) would have added \$1.09 per thousand to the tax rate or \$163.50 per year to the average home of \$150,000. However due to cuts in department requests, the proposed tax increase is \$.42 per thousand or \$63.00 per year increase for an average \$150,000 house. He thanked the departments for their invaluable input. We met the goal of keeping the tax rate at or below a 3% increase even with the increase of \$505,800 we were required to pick up by reducing other areas. Capital items of \$386,500 have been included in this budget and with offsetting revenues, adds 8 cents. When Shared Revenues were suspended by the state two years ago, we were told restoration would happen in July 2011, so we've put \$160,000 into the budget which will be a major challenge if it is not restored. Another concern is how much more downshifting from the state there will be.

Mr. Santagate showed a PowerPoint presentation explaining the budget.

- Where did your property tax dollars go in 2010. For every \$1 collected
  - 53 cents is spent by the schools
  - 38 cents is spent on City services
  - 9 cents is spent by the county
- How are my City Tax Dollars going to be spent in 2011 (\$1853.83 for average \$150,000 home)

- Fire/Police/Public Works \$1,365.55, 74%
- Culture & Recreation, \$251.38, 14%
- Planning & Development \$99.28, 5%
- Welfare & Social Services \$71.16, 4%
- Admin/Elections/Assessing/Gen Svcs/Maint/Debt \$66.46, 4%

Mr. Bergeron is concerned about relying on something the Governor said two years ago. Mr. Santagate said we will have to handle it if we do not get the money. Ms. Walter said that Shared Revenue is in the state law.

Mr. Austin asked about the effect on the City of homes lost to foreclosure. Mr. Santagate said he is talking to local realtors and they feel Claremont is doing okay; housing prices are pretty stable. We are not seeing any dramatic decreases in values. We are level-funding projections on value in this budget. The bottom line is the budget for 2010 will not be overspent, however, we may have to transfer from one department to another. For this budget, we had to cut a lot of the road money. In 2011 we will do Draper's Corner. In 2012 we will do a \$3 million bond for the North and Main project, Main Street and roads with the first payment due in 2013. Mr. Austin said it is good to get that information out to constituents that the City is being conservative. Mr. Santagate said the bond won't add to the debt as we will retire another bond in 2013.

#### Welfare

Department Request \$416,291.00; Manager's Proposal \$394,791.00.

Mr. Santagate said 2011 Manager's Proposal is up 3% from the 2010 Approved, or \$11,000, which is due to increase in Regular Pay \$5,000, Retirement \$1,500 and Health Insurance \$6,000.

Ms. Walter said Director Suzanne Carr has been with the City for a number of years and is doing a great job with her department. Ms. Walter said that, by law, if you have to overspend the Welfare budget, it has to be done. In 2004, the budget was \$211,000 and Rent was \$165,000 which is what we have spent year-to-date even in this economy. That is a tribute to her work, working with outside agencies and trying to find solutions to problems. Mr. Santagate said that she does a good job recovering money when possible.

Mr. Lewis asked how this year's budget looks. Ms. Carr said it is unknown at this time. Ms. Walter estimated that at the December meeting Welfare will request to overspend its budget.

Mr. Austin asked about Health being less. Ms. Carr said request for medications has been down and she works with the clients to get free medications from the companies which takes a lot of time.

Ms. Walter said Finance cost-shares a Finance employee with Welfare for half days and that is what the \$10,000 in Part Time is for.

Councilors thanked Ms. Carr for the work that she does.

**A motion was made by Mr. Austin and seconded by Mr. Raymond to tentatively approve the Welfare budget for \$394,791.00.**

Mayor Cutts asked if the administrative support from Finance was enough. Ms. Carr said she has a good team. Mayor Cutts asked if clients can be identified as veterans and if there is a process for referral. Ms. Carr said that is part of the application process.

**Roll Call Vote: Motion carried 8-0.**

Library

Department Request \$495,688.00; Manager's Proposal \$489,540.00

Ms. Walter said 2010 Approved \$446,999.00, up \$41,000; \$16,500 CIP (windows and painting); Unemployment almost 300% increase (state giving 99 weeks of unemployment and we had claims); Retirement increased; Health Insurance increased 24.7%.

Mr. Burke asked about the air conditioner. Ms. Walter said there is a potential for a donation of an air conditioner, but there is a question about 3-phase power. She doesn't know where it stands, although it could still happen and if it does, a request to accept the donation will come to the Council.

Mr. Koloski asked if there is any income from overdue books. Library Director Michael Grace said yes, about \$6,000-\$8,000 per year.

Mr. Austin asked about revenue from copies. Mr. Grace said it goes into a separate revenue account. The fine money is separate by state law and is for library use.

Mr. Bergeron asked about the increase in Part Time. Ms. Walter said it is an increase in the number of hours. Mr. Grace said there is no increase in staff.

**A motion was made by Mr. Bergeron and seconded by Mr. Austin to tentatively approve the Library budget for \$489,540.00.**

**Roll Call Vote: Motion carried 8-0.**

Assessing

Department Request \$206,773.00; Manager's Proposal \$204,773.00

Ms. Walter said this budget is up 2%.

Mr. Austin asked why Consulting Services was less. Ms. Walter said last year people were hired for forestry, but they weren't used as much as they were going to. Cuts have been made throughout the budget.

Mr. Bergeron asked about no money for Part Time. Dan Langille, Assessor, said he and his assistant Marlene Jordan (with some help from other departments) are able to get the job done.

**A motion was made by Mr. Austin and seconded by Mr. Burke to tentatively approve the Assessing budget for \$204,773.00.**

**Roll Call Vote: Motion carried 8-0.**

### Elections

Department Request \$10,000.00; Manager's Proposal \$10,000.00

Ms. Walter said there will be fewer elections than last year. Mr. Santagate said it is down \$2,500.

Mr. Burke asked about the school re-vote on the bond. Ms. Walter said the City does the set up and the school reimburses us.

**A motion was made by Mr. Burke and seconded by Mr. Raymond to tentatively approve the Elections budget for \$10,000.00.**

**Roll Call Vote: Motion carried 8-0.**

Mayor Cutts announced the next budget meeting will be on Saturday, November 20, 9 a.m. and the public hearing for the budget will be on Monday, November 29, 7 p.m., both in Council Chambers.

### **CITY MANAGER'S REPORT**

None

Mr. Burke mentioned printing the packet on both sides. Mr. Santagate said documents from Policy were done, but we will catch up with other departments to get that done if they have the capability.

### **FUTURE AGENDA ITEMS AND DIRECTIVES**

Mayor Cutts asked about individuals being able to move away from the podium and still be heard on the microphones. She said that CCTV had said there are microphones in the ceiling that should work and there is also a portable microphone, but they are less sure about it.

Mayor Cutts said Mr. Koloski had asked about Chamber of Commerce updates. Mayor Cutts said the Chamber was not inclined to be put on the schedule, however they appreciate the open door policy to be able to share information when it comes up.

Mr. Lewis said Captain Tom Belaire from the Fire Department had completed the Fire Academy Fire Officer Certification course and finished in the top 10% of his class. Congratulations. He said there was good discussion about the outdoor wood boilers. He asked about a timeframe for resolution.

Mr. Burke asked about placing the Council packet on the City's website and a copy be given to the Library.

Mr. Bergeron said a citizen had told him that CVS was on hold. Mr. Santagate said they haven't come back to the City on that. Ms. Taylor said they are doing their final drawings to submit to the City. Mr. Bergeron said he was told the sale had been pushed back three months. Ms. Taylor said the City doesn't have information on private properties. Mr. Santagate said we'll ask.

Mr. Koloski would like an update from the Planning Department (after the budget process) on marketing the City and to discuss the Visitors Center. He asked about utilizing space on the water, sewer and tax bills to post vacancies for boards and commissions or upcoming events. Ms. Taylor said state law limits what can go on those bills, however, Council can approve adding flyers in the bills.

Mr. Burke asked about something popping up on the website about vacant board positions. Ms. Walter said there is a scrolling area where information can be placed.

Mr. Koloski mentioned parking on Sullivan Street from Laconia Savings Bank to Ben's Market. The area is congested and sometimes the street becomes wide enough for only one car to pass even though it is a two-way street.

## **COMMITTEE REPORTS**

### Master Plan Committee

None

### Claremont 250<sup>th</sup> Anniversary Committee

Mr. Burke said they will meet on Monday night at the Library at 7 p.m. for brainstorming; it is open to anyone.

## **CONSULTATION WITH LEGAL COUNSEL**

None

**NON-PUBLIC SESSION – UNDER RSA 91-A:3,II(a) PERSONNEL AND UNION CONTRACT**

**A motion was made by Mr. Bergeron and seconded by Mr. Raymond to go into non-public session under RSA 91-A:3,II(a) Personnel and Union Contract and to invite Mr. Santagate, Ms. Walter and Police Chief Alex Scott into the meeting.**

**Roll Call Vote: Motion carried 8-0.**

**ADJOURNMENT**

**At 12:30 a.m., November 11, 2010, a motion was made by Mr. Bergeron and seconded by Mr. Raymond to adjourn.**

**Roll Call Vote: Motion carried 8-0.**

Respectfully Submitted,

Dorée M. Russell  
Clerk to the Council