

Council Meeting

June 9, 2010

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The Claremont City Council held a meeting on Wednesday, June 9, 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 Jeffrey Goff

Absent:

At-Large Councilor Christopher Lewis  
At-Large Councilor Kyle Messier

Also present were:

Guy Santagate, City Manager  
Jane Taylor, City Solicitor

**MAYOR'S NOTES**

Stevens High School Student Council Update

None

Mayor Cutts said the Stevens High School Alumni Parade would be held on Saturday. She congratulated the 2010 Senior High School and Claremont Middle School graduates. She also congratulated the folks at NeW Socials restaurant who had their ribbon cutting today.

Mr. Burke said there would be a Stevens Alumni baseball game at Barnes Park on Friday.

Mr. Bergeron said on Saturday, the On-Duty event would take place in Monadnock Park for service member families from 1 p.m. to 4 p.m. Eagle Publications is sponsoring this event.

Mr. Goff asked to be excused before the end of the meeting in order to attend a family event.

**REPORT OF THE SECRETARY**

Mr. Burke abstained from the vote because he was absent from the last meeting.

**A motion was made by Mr. Bergeron and seconded by Mr. Raymond to accept the minutes of the May 12, 2010, City Council meeting.**

**Roll Call Vote: Motion carried 6-0 with Mr. Burke abstaining.**

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

##### Airport Advisory Board

**Mr. Goff nominated David Eno to Seat #2, Philip (Joe) Osgood, Sr., to Seat #3 and Daniel Truesdell to Seat #4 on the Airport Advisory Board. Seconded by Mr. Raymond**

**Roll Call Vote: Motion Carried 7-0.**

##### Tax Increment Finance District Advisory Board – Downtown

**Mr. Burke nominated Matthew Nelson to Seat #3 and Robert Porter to Seat #4 on the Tax Increment Finance District Advisory Board – Downtown. Seconded by Mr. Koloski.**

**Roll Call Vote: Motion Carried 7-0.**

#### **CITIZEN'S FORUM**

Mayor Cutts opened Citizen's Forum early, but said if someone came in later, she would reopen it. No one spoke at this time.

#### **NEW BUSINESS**

##### Ordinance 515 Historic District – First Reading

The purpose of this proposal is to update the Claremont Code provisions establishing and regulating the actions of the City's Historic District Commission, including bringing it into compliance with state law. Included in these changes is a reduction in the number of members of the Commission from 7 to 5 and a change in the quorum requirements to permit action by a simple majority vote of the membership. The current provisions prohibit any action by less than a two-thirds vote of the membership. The proposed ordinance has been submitted for review by the Planning Board, as required by Section 22-5 of the Claremont Code. The Planning Board had requested several clarifications, which have been incorporated into the proposal. If the Council votes to adopt the proposed ordinance on first reading, the Planning Board will forward its recommendation to the Council for consideration at the second reading and public hearing.

Enactment of this Ordinance will improve the ability of the Historic District Commission to act in a timely and efficient manner and will bring the Claremont Code provisions relating to the Historic District Commission into compliance with state law.

Nancy Merrill, Planning and Development Director, said the initial incentive for this update to the ordinance is because the Historic District Commission (HDC) has had problems establishing a quorum at its meetings. Without a quorum, applicants have to wait for approvals which is not acceptable. This also brings the ordinance up to date with state laws.

Ms. Taylor said Mr. Messier, Chair of the HDC, asked why Claremont requires a super majority to act when it is not required by state law. Also, this ordinance has not been updated since the 1970s except for a couple of "tweaks." The state law was updated in 1984 and 1992 and certain parts of the Claremont Code no longer follow in the state statute. This ordinance changes the membership number from 7 to 5 and a quorum will be a simple majority.

Ms. Merrill said the current quorum is five and the HDC has four members and one alternate. If someone is on vacation or is sick, the HDC can't vote.

**A motion was made by Mr. Goff and seconded by Mr. Raymond to adopt Ordinance 515 Historic District Commission on first reading.**

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

**Roll Call Vote: Motion Carried 7-0.**

Acceptance of \$16,000 Homeland Security/Federal Emergency Management Agency  
"Fire Act" Grant for Washer/Extractor & Drying Cabinet

Fire Chief Peter Chase said that turn-out gear gets contaminated with hazardous materials, blood borne pathogens, etc., when they respond to fires. The current washer they have shortens the life expectancy of the equipment. This grant is for up to \$16,000 and the granter will award us the cost of the machines.

Mr. Goff asked what happens if the cost goes over the grant amount. Chief Chase said he used quotes that were on the high end.

Mr. Bergeron agreed these machines were needed.

Mr. Koloski asked what the life expectancy of the gear is. Chief Chase said about five years and it is recommended they be cleaned twice a year.

**A motion was made by Mr. Koloski and seconded by Mr. Bergeron to accept the \$16,000 Homeland Security/Federal Emergency Management Agency "Fire Act" Grant for Washer/Extractor & Drying Cabinet.**

**Roll Call Vote: Motion Carried 7-0.**

Citizen of the Year

Mayor Cutts presented a proclamation to the 2010 Citizen of the Year, John Bennett.

John Bennett thanked the Council for the acknowledgement. He said a sense of community and working for the community is very important and Claremont is his love. He deeply appreciated this honor.

Naming City-Owned Property

Kevin McNamara, President of the Opera House Board of Directors, said, on behalf of the Claremont Opera House and the Board of Directors, that John Bennett has been an outstanding citizen and has worked to make the Claremont Opera House a cornerstone for our community. Because of that, current and past members of the Claremont Opera House Board requested that the Claremont Opera House Atrium be named the John D. Bennett Opera House Atrium.

**A motion was made by Mr. Goff and seconded by Mr. Raymond that in honor of his dedicated service to the City of Claremont and, especially to the Claremont Opera House, the Claremont City Council hereby designates the Opera House Atrium, located on the second floor of the City Hall Opera House, as the John D. Bennett Atrium, and hereby authorizes the City Manager to work with the Opera House Board of Directors and its administrative staff to place a suitable plaque therein commemorating the naming this day of the Opera House Atrium as the John D. Bennett Atrium.**

**Roll Call Vote: Motion Carried 7-0.**

John Bennett said he was surprised and overwhelmed at the honor and he hoped the facility will continue to be used to display student art work. He was glad to accept the honor.

Ordinance 516 Dogs – First Reading

Mr. Santagate requested this to be withdrawn and that it will be presented to the Council for first reading in July.

**CITIZEN'S FORUM (Continued)**

[Note: Sullivan ATV Club had turned in a Wheeled Vehicle Trail Permission request form for annual renewal, but due to an error, the request was not placed on the Council agenda.]

Bill Cote, President of Sullivan County ATV Club (SCATV), said this is the annual request to for recreational use of City-owned trails. With the approval of this permission form, the state issues a \$2 million liability policy for use of the trails to the City. The list of trails had not changed from last year. SCATV does a lot of work cleaning up the trail system including some trash that was lit on fire on the trail. He believes the Club's presence on the trails helps keep order. On Mother's Day, members of the Club spent time on the Rail Trail putting down calcium chloride to help keep down the dust.

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There was a discussion about the expiration date of the current permission form. It was approved at the June 10, 2009, Council meeting and is good for one year. Mr. Cote explained that if the permission form was not signed, they would have to close the trails.

Ms. Taylor pointed out this item was not noticed on the Council agenda, so Council would not be able to hear from abutters which is typically the process. Mr. Santagate asked if the current permission form could be extended a month. Ms. Taylor said no.

There was discussion about when the Council could meet to vote on this and the liability for the City if the permission were to lapse. Ms. Taylor said if the permission lapsed, there would be no liability coverage. Mr. Goff asked about publicizing and closing the trails. Mr. Cote said they could do that, but it would not stop people from using them. Mr. Santagate said that the notice would count.

Mr. Koloski said he was not comfortable not acting on it tonight. Ms. Taylor said Council could suspend its rules and take it up tonight, if desired. As part of the agreement, a 30-day notice can be given to terminate, if needed. Mr. Bergeron had an issue with not giving notification so people could speak about this.

Mr. Goff said in the past that this has been a formality and no comments are typically received. Mayor Cutts only remembered one suggestion, but the vote was affirmative.

Walter Elhardt, SCATV, suggested that if anyone had issues, they would have spoken up before now. The Club tries to keep the trails in good shape and they take pride in the trails. This is an annual event.

Steve Raymond, Ward 1, asked if ATVers are required to carry insurance and wouldn't it cover any problems.

Mayor Cutts closed Citizen's Forum.

At 7:30 p.m. Mr. Goff left Council Chambers.

**A motion was made by Mr. Raymond and seconded by Mr. Austin to suspend Council Rules.**

**Roll Call Vote: Motion Carried 6-0.**

**A motion was made by Mr. Raymond and seconded by Mr. Burke to approve the Wheeled Vehicle Trail Permission (with no trail changes from last year) for the Sullivan County ATV Club for one year. Discussion will continue at a publicly noticed meeting at the July Council meeting.**

Mr. Koloski noted that he was okay with this process in order to protect the City from potential liability.

Mayor Cutts thanked the Council for conducting business under very difficult circumstances.

**Roll call vote: Motion Carried 6-0.**

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

Per Mr. Burke's request, Mr. Santagate presented a report on the joint purchases and partnerships the City of Claremont makes to reduce costs. Some examples include:

- Mutual aid agreements with neighboring towns for police, fire and ambulance services
- Police Department participates in:
  - NH Attorney General's Drug Task Force
  - Sullivan County Alcohol Task Force
  - Sullivan County Shared Radar Trailer
  - Cornish Police Department Dispatching Agreement
  - Sullivan County Radio Tower Association and related grants
  - Sullivan County Mobile Command Post
  - Sullivan County Special Operations Unit Equipment
- Fire Department collaborates with Sullivan County to share resources such as mobile command trailer, communications equipment and other equipment
  - Partnered to bring health hazard planning and vaccines to Claremont
- Claremont participates in the Hazardous Waste Cleanup and Disposal events
- Participant in Upper Valley Lake Sunapee Advisory Council for regional response in the event of disasters
- Fire Chief is a member of the State's Emergency Management Team
- Fire Chief is member of the Granite State Airport Manager's Association
- Member of the Upper Valley Regional Planning Commission (UVLSRPC)
- Public Works Director works with the NH Public Works Standards & Training Council and NH T-Squared Program
- Public Works Director is a representative on the Transportation Advisory Committee for the UVLSRPC
- Public Works Director is on the NH Highway commissioner's Municipal Advisory Transportation Task Force
- The City collaborates with the School, Tolles Home, Claremont Development Authority and two other towns to purchase fuel and propane (297,000 gallons) at a reduced rate
- The City belongs to a risk pool with many other communities and school districts which reduces insurance rates
- Parks & Recreation participates in a number of collaborative efforts including:
  - Bulk purchasing with the School District
  - Non-Resident Program Shared Services
  - Program collaboration with many youth organizations
  - Corporate Sponsorships to help defray the cost of the programs as well as provide scholarships
  - Special Events done with the Chamber of Commerce (i.e. Fall Festival and Winterfest)

- Seasonal events (i.e. July 4<sup>th</sup> Celebration, Chili Cook-Off, Hallowesta, Claremont Farmers' Market)
- School Collaboration – the athletic programs utilize many of the City's recreational facilities
- Parks & Recreation on many occasions will use the school gyms and multi-purpose facilities especially during basketball season
- Non-profit agencies use the parks
- During the next few years, regional emergency dispatching should be studied

Mr. Santagate thanked the departments.

Mr. Burke said he appreciated the feedback and asked about purchasing sand. Mr. Santagate said the City was buying from the state, when appropriate, and that arrangement ended last year.

Mary Walter, Finance Director said in reference to the sand that different communities have different requirements (size and gravel) and shipment costs are affected. We typically get salt cheaper than the state bid because we have the railroad here. For electricity, we have gone into an agreement for a fixed price on one portion of our use and a sliding scale on everything else. Last month we saved \$1,500 on the electric bill. We share this type of information with the school. Because of the sliding scale, bills will be higher in some months such as August. Mr. Burke asked about plans to bring City buildings up to date for energy efficiency. Ms. Walter said we have a grant for an energy efficiency audit. Once the audit is done, we can plan future actions and we will be able to apply for more grants.

Ms. Walter said in 5 years, the City has saved about 50 cents a gallon on fuel oil and over a 10-year timeframe that will be \$1.5 million saved by the City and school.

Mr. Koloski asked about office supplies. Ms. Walter said we prequalify vendors. We order supplies online through Quill as they have given us the best rate. Staples is a local store and we can go there if something is needed right away. We typically spend \$10,000 a year in office consumables.

Mr. Burke asked to put the report on the City's website. Mr. Santagate said it can be put up.

Mr. Santagate pointed out that the Kearsage magazine had done a big spread on Claremont. He said over time these articles help the City. Also, on the front cover of Town & City magazine is a picture of Claremont's City Hall (photo taken by Dorée Russell). Inside is a story about the City receiving grants for the City Hall boiler and the energy audit.

## **COMMITTEE REPORTS**

### Master Plan Committee

None

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

Mr. Burke said they haven't met for a little while. They have a website, but it is not up yet. They are working to spread the word.

Mr. Bergeron said in reference to the articles about the City, his wife's relative came for a visit from Missoula, Montana. He is involved in development in Montana and when he went to the Mill Project, he was very impressed.

**FUTURE AGENDA ITEMS AND DIRECTIVES**

Mr. Austin said he had received a citizen comment about the tall grass at the armory. Mr. Santagate said Scott Hausler from Parks and Recreation will take care of that.

Mr. Koloski said they are looking for people to work on the Natural Resources Chapter of the Master Plan. Interested people should contact Steve Wood, Conservation Commission Chair.

Mr. Austin said he was reading an article about the Berlin, NH, trails and that they bring people into the community. He was talking to someone in Newbury with ATVs on the back of his truck. That person was headed to Claremont because it is a good place to ride. So, the Rails to Trails are bringing people in to Claremont.

Mayor Cutts asked about the previous request by Marion Phillips residents for a park bench. Mr. Santagate said Public Works Director Bruce Temple is working with that. He will check the status.

Mayor Cutts said there are three key areas that people see when they come into the City (entrances from Charlestown, Newport and Main Street). She talked about the Welcome to Claremont signs. We don't own those signs. The areas around the signs are not very attractive. There is a probability of having flowers donated. She asked Council to consider it their own project to plant the flowers and to maintain them through the summer. Mr. Raymond said he was in the Rotary Club and they used to take care of the signs and plant flowers. He would be happy to volunteer his time. Mayor Cutts will give him the information. Mr. Burke said he would be happy to help.

Mr. Burke said a couple of months ago that he had asked about using electronic media to get information out to the public. He asked the status. Mr. Santagate said we continue to look at it. We are not ready to make a recommendation to the Council. We are looking to see how to effectively do that. There is a question of how to phase in new things without losing the present system. We have to be cautious of liabilities. Other communities are having trouble with postings. We are working to improve communications and we want to have a workshop on the laws and what has been seen in other areas.

Mr. Burke said he got an e-mail last week saying that the City of Lebanon is now doing a quarterly community newsletter. He asked if we can look into that. Mr. Santagate asked what the objective would be. Mr. Burke said it would be to spotlight Claremont/community news.

Mayor Cutts said she had spoken with Lebanon staff. It is not an easy task and there is the issue of cost. They have a 50% distribution; they are using paper; and it is very expensive. Mr. Burke said his idea would be to use e-mail. Mayor Cutts said another issue would be staff time to put it together. It costs nearly \$15,000 for Lebanon. Mr. Burke said he is not in favor of that high cost. Ms. Walter said Claremont staff tries to get information onto the City's website pages and that is a challenge. Mayor Cutts acknowledged the City is short staffed. Mr. Santagate said he would like to ask the new Lebanon City Manager, when they hire someone, about the newsletter as it was favored by Mr. Mandsager and he is no longer the Lebanon City Manager. Mr. Burke said his original intent was to get packet information out to the public. He mentioned Facebook. Mr. Santagate said Parks and Recreation and the Library have Facebook pages and only the departments have authority to post changes on those pages, not the public.

Mr. Austin said Mr. Bennett had mentioned the old Pleasant restaurant building; he asked about the grant that had been requested to repair the building. Mr. Santagate said we didn't get the grant. We are now looking at an elevator, but that is expensive, but maybe we could get a grant for it. We are also talking about demolishing the red building in the back, but that is expensive. We will include this building in the CIP (Capital Improvement Plan). There is the question of how to fund it. Generally speaking, the longer a building is left to deteriorate, the more difficult it becomes for someone to take it over. The private sector can't get grants for repairs, so we have to raise some funds to make enough improvements where it would make sense for a private person to purchase the building. We would need government funding to bring it to a point where a private person would be interested. He has talked to private people, but the cost to get it up to code is enormous.

Mr. Koloski asked about the availability of Council packets in electronic format and are laptop computers allowed to be used in Council Chambers. Ms. Taylor said that if a laptop is used in a meeting, anything in the "Council" file accessed during the meeting would be subject to a 91-A request. We have to be cautious and we need to research all the angles.

#### **CONSULTATION WITH LEGAL COUNSEL**

None

#### **ADJOURNMENT**

**At 8:21 p.m., a motion was made by Mr. Bergeron and seconded by Mr. Raymond to adjourn.**

**Roll Call Vote: Motion carried 6-0.**

Respectfully Submitted,

Dorée M. Russell  
Clerk to the Council