

The Claremont City Council held a meeting on Wednesday, October 12, 2011, 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 (Late)
At-Large Councilor Thomas Burnham

Absent:

At-Large Councilor Kyle Messier

Also present were:

Guy Santagate, City Manager
Jane Taylor, City Solicitor

MAYOR'S NOTES

Mr. Bergeron thanked citizens for their comments about the New Community Center and the newspapers for their excellent coverage. Mayor Cutts echoed his comments.

Mayor Cutts announced the City Center Project Public Forum, October 21, 5 p.m. to 8 p.m., at Claremont Middle School. Mr. Bergeron is a member of the committee and he said this is very important and you don't have to be a resident to attend. The object is to get everyone's opinion. Major issues will be parking, fire and city enforcement, non conformities, what brings people to the city center and infrastructure.

Stevens High School Student Council Update

Mayor Cutts said the Student Council members were attending the statewide Waterville Valley Student Council meeting and she expects feedback in the future.

Mayor Cutts talked about the Volunteer Recognition event (there are 139 volunteers on City boards, commissions and committees). She thought it was an incredible success. She thanked

Hannafords, McDonalds, City Staff, Opera House Board and Dunkin Donuts for their contributions and support. She hopes to do it again in the future.

Mayor Cutts said a volunteer told her that the recognitions of volunteers done at the Council meetings are very much appreciated.

Mr. Koloski said a couple of citizens commented that they thought the Recognition event was private. He explained how City Staff and other contributors worked on this event and he thought it was great. Mayor Cutts echoed his comments.

REPORT OF THE SECRETARY

A motion was made by Mr. Koloski and seconded by Mr. Burke to accept the minutes of the September 14 and 27, 2011, City Council meetings.

Roll Call Vote: Motion carried 7-0.

APPOINTMENT TO BOARDS AND COMMITTEES

Fiske Free Library Board of Trustees

Mr. Burke nominated Cynthia Densmore to seat #8 of the Fiske Free Library Board of Trustees. Mr. Bergeron seconded.

Roll Call Vote: Motion carried 7-0.

CITIZEN'S FORUM

Dulcy Sunn gave a Claremont Dog Park update. It will be in Veterans Park, have two 2 play areas and they hope to complete it in 2012. They need to raise \$30,000 but only have \$2,300. There will be a fundraiser at the Common Man Restaurant, Monday, November 14, 5 p.m. to 9 p.m. Tickets are \$20 and \$10 of each ticket will go to the Dog Park. They need to sell at least 200 tickets to be beneficial to the Common Man. Tickets can be purchased from Dionne Chiropractic or Lake Sunapee Bank. Another fundraiser is bricks to be laid at the Dog Park entrance; cost is \$125. At the Chili Cook-off, there were a lot of questions raised. E-ticker News will have a question and answer column about the Park. Claremont Dog Park can be found on Facebook. They are looking for volunteers and contact can be made at clmtdogpark@gmail.com. She thanked the volunteers for helping at the dog wash and the Chili Cook-off and KUA (Kimball Union Academy) for the donated fencing to separate the large dog area from the small dog area.

At 6:44 p.m. Councilor Lewis arrived.

Brandon Stevens, Ward 2, an owner at 18 Maple Avenue, said he is concerned about the process for Drapers Corner. He said they have not been informed about the right-of-way acquisition for

the project. The bond for the project passed at the September 27th Council meeting, but they have not received information from Attorney Jane Taylor. Mayor Cutts said we will follow up.

Bernie Folta, Ward 3, talked about signing up for the City's e-mails and that during the floods he got a warning e-mail and within the last week he has gotten two e-mails. He is happy this process is being used.

NEW BUSINESS

Resolution 2011-25 Stop Sign Jacqueline Avenue – Public Hearing

Police Chief Alex Scott said this had been brought to the Traffic Advisory Committee's attention. Currently there is no Stop sign on Jacqueline Avenue as it enters Bible Hill. All the other streets in that area do, so for consistency it makes sense to put a Stop sign there.

A motion was made by Mr. Raymond and seconded by Mr. Burke to adopt Resolution 2011-25 Stop Sign Jacqueline Avenue.

Mr. Raymond read the resolution into the record.

Mayor Cutts opened the public hearing. No one spoke. She closed it.

Roll Call Vote: Motion carried 8-0.

Resolution 2011-26 to Accept and Expend \$218,940 COPS Grant from Dept of Justice – Public Hearing

Chief Scott thanked Senator Shaheen's office for assistance with this COPS (Community Oriented Policing Services) grant. It provides 100% funding for one police officer for three years. This adds a laid-off or frozen position. For us it fills a frozen position. The match requirement is that the City pays for the fourth year. Claremont was eligible for one officer. This grant equals three years of salary and benefits. This is required to be used for community policing; it will allow us to be proactive instead of reactive. This will help ensure that we maintain our School Resource Officer program, continue to interact positively with the Drug Task Force to counteract street-level drug dealing and this has a big impact on our downtown enforcement quality of life efforts. He urged the Council to approve this as it is a critical need.

Mr. Bergeron asked whether anyone can be laid off in the next four years. Chief Scott said you cannot accept this grant and then lay off someone else. Mr. Bergeron asked what if the City Manager is forced to lay off people in the Police Department. Chief Scott said if you can demonstrate that you are not using this money to fill that position then you are okay and you can do that. You cannot supplement or supplant an existing position.

Mr. Koloski asked for the current number of employees. Chief Scott said it was 23 full-time, 2 part-time (Grants and Accreditation Coordinator and IT who helps in Dispatch and does fingerprinting).

Mr. Lewis said during the budget process that Chief Scott had asked for additional staffing, but it couldn't get done, so this is a good way to fill that need. He commended the Police Department for doing the work to get this grant.

Mr. Raymond asked if there were only three communities in NH to get this grant. Chief Scott said correct. Mr. Raymond commended Chief Scott for the work to get this grant. Chief Scott pointed out this is a needs-based grant. This demonstrates our need. Chief Scott said Bill Wilmot deserves credit for applying for and managing these grants.

Mr. Austin asked about our crime rate compared to other communities. Chief Scott said it is consistent with the rest of the state and with national statistics. Chief Scott said the national standard is two full-time employees per every 1,000 citizens, so for Claremont that should be 27 full-time officers. He gave an example that Lebanon services the same population and they have more than 30 full-time officers.

Mr. Bergeron congratulated them for getting the grant. He asked how many patrol officers we have. Chief Scott said there are 23 sworn officers (3 are assigned to the criminal division, himself and the prosecutor, so 18 are on patrol). Mr. Bergeron said he supports the grant, but we need to remember that the fourth year will be a part of the tax rate.

Mr. Santagate commended the City employees for getting these grants and he said Senator Shaheen has been extremely active on Claremont's behalf (Main Street and other projects). He talked about some elected officials that are against Federal earmarks, which is okay if they are abolished around the country. For every dollar NH sends to Washington, we get 74 cents back and Massachusetts gets \$1.28. In per capita spending, NH is 49th out of 52 with 74%. Mr. Santagate said in the operating budget that there were 2 police officers and 1 dispatch, but Mr. Santagate had to freeze 1 police position which will be talked about at next month's budget meetings. He said he has talked with Representative LaCasse about having the Chairman of the House Finance Committee come to Claremont to identify costs to Claremont.

Chief Scott said he understands there may be a different Council in 4 years, but in the 8 years he has been coming before Council, he has seen a consistent theme to build the Police Department, but the only action has been through the acceptance of these grants and guaranteeing to fund the fourth year. In 1989, there were 27 police officers; one was funded through the NH Drug Task Force. That was before Walmart, K-Mart, the Mill Redevelopment, Home Depot, and Lowes. When he was with the County Attorney's office, Walmart generated more indictments for shoplifting cases than most other police agencies in the County and that is all picked up by the City. Instead of 27 officers, we strive to be at 24 and have operated with only 22 over the last 8 years. He will be back at budget time to ask for more people.

Mr. Koloski asked, given current economic conditions, how we fare nationwide. Chief Scott said the average is 2 officers per 1,000 people, so we are 2-3 officers short. He said Keene's staffing is twice our size, but do almost comparable in work.

A motion was made by Mr. Raymond and seconded by Mr. Koloski to adopt Resolution 2011-26 to Accept and Expend \$218,940 COPS Grant from Department of Justice.

Mr. Raymond read the resolution into the record.

Mayor Cutts opened the public hearing.

Bernie Folta, Ward 3, said the commitment is for 4 years and in 2015 there will be another Council. Laconia, Somersworth and Berlin are 3 communities that are comparable to Claremont.

Mayor Cutts closed the public hearing.

Roll Call Vote: Motion carried 8-0.

Mayor Cutts thanked Chief Scott for bringing on Mr. Wilmot as the grant writer.

Resolution 2011-27 Overspend Welfare Budget by up to \$100,000 – Public Hearing

Ms. Walter said the request for more money for Welfare usually comes in December. For the last few years, the requests have been for \$60,000 with a couple of exceptions. Welfare is tracking a lot of new cases; rents are at 113% of what was budgeted.

Mr. Koloski asked if this was only a formality as we are obligated by law to do this. Ms. Walter said yes.

Mr. Burke asked about the uptick. Suzanne Carr, Welfare Director, said the economy is not great. They are seeing a lot of new people because of being laid off, underemployed or just needing assistance. She is seeing a large increase of disabled clients. Number of new clients from January to today are 161 with a total assisted of 329. The total for last year was 350. Fuel assistance is likely to be cut. This doesn't include the hits from the state due to the changes in welfare eligibility.

Mr. Lewis asked for a clarification of new applicants. Ms. Carr said new applicants are those that have never applied for City assistance before; 61 have been here less than 1 year; of those, 29 came from out of state and 32 came from other communities; of the 61, 2 had been here a week before seeking assistance; and 5 others were within 30 days of being in Claremont.

Mr. Raymond asked about the residency requirement. Ms. Carr said there is none; there is instant residency under state law.

Mr. Austin asked about the requirement to increase the budget. Ms. Carr said we cannot deny someone because we are out of money. There is no ceiling as long as the client is compliant. It is a state law. NH is one of the last states with a local welfare program. The majority are funded through the state, county or regional. Mr. Austin asked that since we are a border community if that makes us a magnet for out-of-staters. Ms. Carr said she didn't see a lot of clients from Vermont.

Mr. Bergeron talked about an article in the NH Town & City magazine about recovering Welfare expenses. He talked about the lack of a residency requirement and he thinks it is wrong. He said the City of Claremont has become a social service center and the Council needs to look at where the City is headed. He is all for taking care of the poor, but it is not Claremont's responsibility to take care of everyone else's problem. Ms. Carr said we do the best we can until the legislators change the law. Mr. Santagate said that we haven't yet seen the downshift from the state TANF (Temporary Assistance for Needy Families) Program cuts; it will roll down to the local level. Welfare is the only budget required to be overspent by law. Ms. Walter said the state said there was an error in suspending this program and that error will cost the state \$2 million; if not changed, by January the state will have to find \$4 million.

Mr. Austin asked where the money will come from to pay for welfare. He asked if it will cause an increase in property taxes. Mr. Santagate said we are working on the budget now; the choice is to raise the tax rate or take other steps. We level-funded four years in a row and last year City taxes went up 3%. For every dollar brought in, the City keeps only 40 cents. The majority goes to the schools. When we go up 3%, the total new dollars to the City is about \$300,000. We paid over \$600,000 more toward retirement than prior to 2006. The state said they would set aside a pot of \$3.5 million and use part of that to make us whole; the City got \$10,000. Ms. Walter said last year we didn't budget the extra \$35,000 we will receive from highway block grant, nor did we budget the court rent which we will receive. The freezes that were made were to cover the loss of Shared Revenue. We will not overspend the bottom line. Mr. Austin said we don't object to taking care of our own, but the unfairness is hard to take.

Mr. Burke asked how we compare to other communities. Ms. Carr said Lebanon doesn't spend its entire welfare budget. She wasn't sure about Keene.

Mr. Raymond asked if it is just cities that have this requirement. Ms. Carr said it applies to all NH communities, but some are not available to citizens. Some people come to us because of our availability.

Mr. Bergeron asked to get this information in writing to be able to share it with citizens. Mayor Cutts asked to have that information brought to the first Council meeting in November (i.e. 113% of budget spent for rental assistance; what percent of the increase is for shelters, motels and landlords for the last two years; what is the total number we provide assistance to and how has that changed in last two years; same information for surrounding communities.

Mr. Koloski would like to know what other communities have spent. Mayor Cutts would like to know the percent increase over the budget for us as well as the other communities. She asked if

there are any ordinances that control short-term rental activity (i.e. night, week, month). Ms. Carr said we wouldn't pay for short-term. That is what the shelter is for.

Mr. Bergeron confirmed that recipients don't have to tell where they came from. Ms. Carr said that was correct.

Mayor Cutts agreed with Mr. Austin and about supporting those in need.

Mr. Koloski said Council's hands are tied, so if anyone takes issue with this, they need to contact their lawmakers.

A motion was made by Mr. Burke and seconded by Mr. Raymond to adopt Resolution 2011-27 Overspend Welfare Budget by up to \$100,000.

Mr. Burke read the resolution into the record.

Mayor Cutts opened the public hearing.

Richard Stevens, Ward 2, asked what the original budget was. He talked about the no residency requirement and that if the tax rate gets any higher, he'll be on welfare. He asked about guidelines and how much money someone can make and get benefits. Ms. Carr said it is based on available income and assets versus need (housing, food, gas to get to work, etc.).

Mr. Burke asked if rental prices have gone up. Ms. Carr said rents have gone up and a lot of landlords no longer include heat which will be a big issue this winter.

Steve Raymond, Ward 1, asked if these figures include homeless people. Ms. Carr said it takes into account homeless housed at the shelter. Ms. Carr said currently the shelter is full and stays that way for most of the winter, so we may have to put homeless people in hotels when needed.

Mr. Bergeron asked about other communities with no shelter sending people to Claremont at no cost to them. Ms. Carr said if they are sent to the shelter from another NH community, the shelter will bill them for sponsorship. However, the other communities don't have to pay if they don't want to.

Bernie Folta, Ward 3, said in reference to the homeless. He has heard the schools say there are about 200 homeless school kids. He talked about two categories: literally (sleeping under a bridge) and technically (sleeping on someone else's couch). He was wondering if there is an average of how many people served by one applicant, because the number served is probably more than the number of applicants. Ms. Carr said there are different income guidelines and benefits based upon the number in the family.

Mayor Cutts closed the public hearing.

Roll Call Vote: Motion carried 8-0.

Authorization to Apply for Grant Funding for the State Route 12/103 Main Street - East/West Corridor Upgrade Project

Withdrawn

Motion to Accept Donation of Land from Clarebank Inc. (Claremont Savings Bank) for New Community Center

Ms. Walter said this is part of the process for the New Community Center. This item and the next are to accept land from Clarebank and land and buildings from N3C.

A motion was made by Mr. Lewis and seconded by Mr. Raymond to accept the donation of approximately 1.6 acres of land, now owned by Clarebank, Inc., located at the intersection of Broad and South Streets, identified on the City's tax maps as Parcel 132-174 and assessed at \$26,000.00 for the purpose of constructing a new Community Center. The City Council hereby authorizes the City Manager or his designees to execute all documents and undertake all actions as may be required to effect the conveyance of said property from Clarebank, Inc. to the City of Claremont, said conveyance is to be recorded in the Sullivan County Registry of Deeds.

Roll Call Vote: Motion carried 8-0.

Motion to Accept Donation of Land & Buildings from N3C Inc. for New Community Center

A motion was made by Mr. Bergeron and seconded by Mr. Lewis to accept the donation of two parcels of land, and any improvements thereon, now owned by New Community Center for Claremont, Inc. (N3C, Inc.), consisting of one parcel of approximately .26 acres, located at 152 South Street, identified on the City's tax maps as Parcel 132-173 and assessed at \$129,800.00, and a second parcel of approximately 1.26 acres, located on South Street, identified on the City's tax maps as Parcel 132-171 and assessed at \$25,300.00, for purposes of construction of a new Community Center. The City Council hereby authorizes the City Manager or his designees to execute all documents and undertake all actions as may be required to effect the conveyance of said property from N3C, Inc. to the City of Claremont, said conveyance to be recorded in the Sullivan County Registry of Deeds.

Mr. Koloski asked if there are any tenants in the buildings. Ms. Walter said no.

Roll Call Vote: Motion carried 8-0.

Motion to Maintain and Repair Water Fountain – Heart of Claremont

Bob Weaver, Ward 3, and Gary Trottier, Ward 2, and are members of Heart of Claremont, showed a picture of the brick walk around the water fountain that Heart of Claremont worked on.

They noticed the water fountain needs repair and since it is a focal point of the brick walk, they would like to have it repaired. They will also have a cover built to protect the fountain during the winter.

Mr. Koloski asked if a lot of the pavers need to be replaced in that immediate area. Mr. Weaver said he hadn't seen any. The pavers that are being replaced with the inscribed ones are being stored under the old Pleasant Restaurant for future use.

Mr. Burke thanked them for all the work around the square.

Mr. Austin thanked them as well and asked about the history of the water fountain. Mr. Weaver didn't have the information.

Mr. Burnham asked how the base is secured. Mr. Weaver said it is bolted. The City will remove the fountain and then it will be taken to Stone House Forge for repairs.

Mr. Raymond said he thinks the pavers look great. He suggested asking the public for a design for the cover to the fountain.

Ms. Taylor said she had done some research and found there has been a fountain in that location since the 1700s and it was for the "benefit of man and beast." The current fountain was built in 1914 as a memorial to Stephen F. Rossiter and Marshal S. Rossiter, both former Selectmen. It was needed because the old one was destroyed by an automobile accident.

Mayor Cutts said she supports the Heart of Claremont. She is on the Historic District Commission (HDC) and she asked if there is any need for the HDC to be involved. Ms. Taylor said since it is not being changed, just repaired, she doubts it needs any regulatory action. She suggested briefing the HDC on the plans. Mayor Cutts asked Heart of Claremont to talk to the HDC.

Mr. Austin said it would be nice to erect a plaque with the history of the fountain.

Mr. Bergeron thanked the Heart of Claremont and said it will look nice when done.

Mr. Koloski offered thanks and clarified that they want to improve the City center without using tax dollars. Mr. Weaver said yes.

A motion was made by Mr. Lewis and seconded by Mr. Raymond to authorize and accept with sincere appreciation restoration and future maintenance of the Opera House Square Water Fountain by Heart of Claremont, Inc., and further authorizes the City Manager or his designees to coordinate with Heart of Claremont, Inc. as may be required to complete the fountain restoration and coordinate future maintenance.

Roll Call Vote: Motion carried 8-0.

CITY MANAGER'S REPORT

Mr. Santagate said the annual audit report had been received. The nature of the audit is to look for deficiencies. A material weakness should be corrected immediately. He commended Finance Director Mary Walter and Treasurer Lisa Richmond for their work. The audit did not identify any deficiencies considered to be a material weakness. There was no instance of non-compliance of government auditing standards. This is an unqualified audit (made without restrictions). Financial statement findings – none; financial awards findings and questions costs – none; schedule prior year findings – none. We have had no findings for two years and that is very unusual.

Council extended thanks to Ms. Walter.

FUTURE AGENDA ITEMS AND DIRECTIVES

Mr. Bergeron asked for an update on the house on Central Street. The door gets fixed and then gets broken again. Kids are going into the building and it is unsafe. Mr. Santagate said he will have to get back to Council on this.

Mr. Bergeron asked if gasoline price fixing is allowed. Mr. Santagate said in general horizontal price fixing is not allowed. Mr. Bergeron asked to have it looked into because City prices are higher than around state.

Mr. Santagate asked to bring Public Works Director Bruce Temple up to talk about roads. Mr. Temple thanked Council for passing the bond. In 2012 and 2013 we'll spend the \$1.1 million that was approved. Projects have been looked at in every ward. He has evaluated 18 projects spread equally in each ward. Things change over the winter and prices may go up. Right now we are looking to do 18-20 roads and 7 miles of road treatment (gravel, rebuild, in place recycling, chip seal, etc.). They will evaluate to see if small water lines need to be replaced. In the spring they will announce phase 1 of the project. Something will be done in every ward; they will be looking at maintenance, traffic counts, public use, etc.

Mr. Burnham asked for an update on Drapers Corner. Mr. Temple said he is working with Ms. Taylor. Mr. Santagate said taking property is a long process. We are waiting for engineering details and the attorneys have to look over language. There are no showstoppers, but the details have to be right. We are required to go through the process. The project will begin in the spring at the latest.

Mr. Burke talked about Drapers Corner emails starting from August 4 relating to negotiations for the Stevens property. He asked about the lack of communication from the City. He said this needs to be addressed immediately. Mr. Santagate said it depends on the phase of the negotiations. Mr. Burke said the Stevens' had been in touch with Ms. Taylor and they are not getting calls returned by her. Ms. Taylor said she had not been in the office to return the most recent call and she doesn't discuss things that may be matters of litigation in a public meeting. Mr. Burke asked for City staff to call them back.

Mr. Koloski said a citizen had come to him about near collisions at the intersection of Roberts Hill Road and Old Newport Road. He asked about putting in a Stop or Yield sign. Mr. Santagate thought this may have been discussed by the Traffic Advisory Committee. He will look into it.

Mr. Koloski asked about putting a Stop or Yield sign on Princeton Street at its intersection of Moody Avenue. Mr. Santagate said we will bring the request to the Traffic Advisory Committee.

Mr. Burnham talked about the Town & City magazine and law changes that are listed in there. One of the biggest was requiring sprinkler systems for single-family or two-family houses. He suggested Staff read it.

Mr. Bergeron asked, for the November or December meeting, to find out how many section 8 houses and how many shelters we have in the City.

Mr. Koloski said there was a large amount of trash along the road from the parking garage to St. Mary's. He asked if it could be addressed.

Mr. Koloski asked about the list of City-owned properties. Mr. Santagate said it was in his office and was ready for pick up.

There was a discussion about budget meeting dates.

Mr. Koloski requested all department heads be at the public hearing to answer questions. Mr. Santagate said last year questions were answered, although not by Department Heads. He will keep that in mind. Meetings will be Wednesday, November 9, 6:30 p.m. (regular meeting); Saturday, November 19, 9 a.m.; and Tuesday, November 22, 6:30 p.m., for the public hearing.

Mr. Bergeron asked Ms. Taylor for a clarification of what, specifically, the Council can vote on (line item versus gross amount).

Mr. Lewis clarified that there would be no public comment during budget talks. Mayor Cutts said citizens can speak at the public hearing to be held November 22, 6:30 p.m. However, public may call Councilors to ask questions. Mr. Koloski said that he can be reached at 543-7570.

Mayor Cutts asked that contact information for Councilors is current on the website.

COMMITTEE REPORTS

Claremont 250th Anniversary Committee

None

Claremont City Center Project – Steering Committee Report

Mr. Bergeron said October 25th will be the next meeting at 5:30 p.m. Before that, they will meet with the realtors to get input.

CONSULTATION WITH LEGAL COUNSEL

None

ADJOURNMENT

At 9:02 p.m., a motion was made by Mr. Lewis and seconded by Mr. Burnham to adjourn.

Voice Vote: Motion carried 8-0.

Respectfully Submitted,

Dorée M. Russell
Clerk to the Council