

The Claremont City Council held a meeting on Wednesday, August 8, 2012, in the Council Chambers of City Hall.

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

Members of the Council present were:

Ward I Councilor Victor Bergeron
Ward III Councilor Nicholas Koloski
Assistant Mayor Andrew Austin
Mayor James Neilsen, IV
At-Large Councilor Christopher Irish
Ward II Councilor Roger Formidoni
At-Large Councilor Kyle Messier
At-Large Councilor Thomas Burnham

Absent:

At-Large Councilor Keith Raymond (excused)

Also present were:

Guy Santagate, City Manager
Jane Taylor, City Solicitor

MAYOR'S NOTES

Mayor Neilsen said Mr. Raymond was absent because his father-in-law had passed away.

Mr. Burnham asked to have the letter explaining the duties of the Mayor and the Assistant Mayor, in the absence of the Mayor, that was in the Council packet read into the record. Mayor Neilsen said there is a conflict with Council Rules and he asked to have it put on next month's agenda to determine what takes precedent. Ms. Taylor said the precedent is NH Constitution, state statute, City Charter, local Code then Council Rules. Mayor Neilsen wondered why a Council Rule would be made that is contradictory. He invited Councilors to draft a Council Rule change, if desired.

Mr. Koloski said Executive Councilor Ray Burton was recently in the City and that a film site visit was the highlight of his tour. He said the City Manager, Police Chief Alex Scott and Planning and Development Director Nancy Merrill were involved in the tour.

Stevens High School Student Council Update

None

REPORT OF THE SECRETARY

A motion was made by Mr. Austin and seconded by Mr. Koloski to accept the minutes of the July 11, 2012, City Council meeting.

Voice vote: motion carried 8-0.

A motion was made by Mr. Formidoni and seconded by Mr. Austin to accept the minutes of the July 25, 2012, City Council meeting.

Voice vote: motion carried 8-0.

APPOINTMENT TO BOARDS AND COMMITTEES

Frances J. Tolles Home Trustees

Mr. Formidoni nominated Rebecca Vinduska to seat #2 of the Frances J. Tolles Home Trustees. Mr. Burnham seconded.

Voice vote: motion carried 8-0.

Parks and Recreation Commission

Ms. Messier nominated Carolyn Towle to seat #1 – Ward I of the Parks and Recreation Commission. Mr. Koloski seconded.

Voice vote: motion carried 8-0.

OLD BUSINESS

New Community Center Update

Scott Hausler showed a PowerPoint presentation – Project Update.

- Project Update
 - Highlights through the month of July
 - Continued 3rd party inspections and testing
 - Roof trusses and roof structure near completion
 - South Shore Gunite completes small pool shell
 - Interior wall construction has begun
- Pictures: core sample by M&W of shotcrete used on pool, exterior view of building roof trusses, interior view, finishing roof trusses, roofing installation, pictures of roof trusses covered, fire retardant boards on roof, interior smaller pool, locker rooms & bathrooms, shaping the pool, bathroom/locker room area, 2 family changing room areas, male

changing room area, shower stalls, mechanical area, welcome counter area, framing on upper deck, install exterior insulation panels, roof ready for shingles

Mr. Burnham asked if the project is on schedule. Mr. Hausler said yes.

Mayor Neilsen asked at next month's update to have the overall project cost (the original and what we have into it to date).

Bernie Folta, Ward 3, asked when the opening date is and how much are the fees. Mr. Hausler said it is still on schedule for around the first of the year to open and the fee schedule that was presented in previous Council meetings is the same. They are available on the City's website. Mayor Neilsen asked for an approximate family membership annual fee. Mr. Hausler estimated around \$300 for a family of 4.

39 Central Street Update

Mr. Santagate said the status is the same as last month. The owner has been contacted and Police Chief Alex Scott had previously taken some steps in court. We'll keep this on the agenda.

Fiscal Year Change

Mary Walter, Finance Director, said the presentation is on the website.

Ms. Walter showed a PowerPoint presentation about Changing to a Fiscal Year (originally presented at the June 13, 2012, Council meeting).

- Changing to a Fiscal Year, RSA 31:94-a
- Objective Tonight
 - To have a discussion about changing the City's accounting period from a calendar year (January to December) to a fiscal year (July to June)
- Objective
 - Council has been requesting we change to a fiscal year for some time but funding was an issue and the ability to pay with a "5th" quarterly bill was only available since a change in state law
 - This funding option was approved in 2004
 - Even though approved, the municipality needed to ensure that it could fund the extra months with that "5th" quarterly bill
- Current Status: Calendar Year
 - Budget prepared and approved in Nov-Dec of prior year
 - Accounting and spending begins January 1st of current year
 - Tax bills to pay for current year sent out in June and December
 - Advantages
 - Everyone is used to it
 - Disadvantages

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- School, county and state are on a July to June fiscal year. Any downshifting from the state budget leaves us less than 6 months to react since we are already halfway through our budget
- We often borrow money short-term to pay bills or delay payment of bills until receipt of tax money in June and December
- Often have large outstanding property taxes that are still open as of the end of the “60-day” rule increasing GASB liabilities
- Taxpayers get 2 large bills each year and many end up overwhelmed and in tax lien
- In Summary:
 - We are spending for 6 months before we receive tax payments
- Proposed Change to a Fiscal Year (If Approved)
 - Annual budget prepared in January-March of current year. Council would receive it 60 days prior to July 1 (early May)
 - Budget approved by end of May of the current year or City Manager proposal goes into effect
 - Fiscal year spending begins July 1st
 - Timing and amount of tax bills would change
- Proposed transition to a fiscal year
 - Advantages:
 - City on same accounting year as school, state and county
 - Lessens need for potential borrowing costs
 - Improved efficiency in finance department
 - No longer in arrears on our spending requirements
 - Money on hand before spending begins. (No living off reserves)
 - Disadvantages:
 - Method of budgeting and billing of taxes must be changed.
 - Changes what we know and understand; may cause confusion in the short term
 - In summary
 - We recommend changing to a Fiscal accounting year for the long term advantages as outlined. This will ensure continued sound financial management benefits.
- 4 Options to Convert to a Fiscal Year
 - *The Just Do It Method:* This method funds the entire 18-month transition budget through taxation. It will result in a one-time increase of approximately 50 percent in the municipal portion of the tax rate.
 - *The Save Ahead Method:* RSA 35:1-a authorizes the establishment of a capital reserve fund to set aside money in anticipation of the change to the optional fiscal year. Utilizing this funding method, a municipality would appropriate money into the reserve fund for use at a future date when the 18-month transition budget is adopted. For example, if a municipality typically raises \$15,000,000 to fund annual town operations, then the anticipated 18-month transition budget would be approximately \$22,500,000 (\$7,500,000 to fund the additional 6-month period). A municipality could plan to appropriate \$2,000,000 each year for four years into a

capital reserve fund. At the end of the four-year period, there would be \$8,000,000 plus any interest in the reserve fund to offset the transition year budget and take into effect some inflation. The result would lessen the impact on the tax rate during the transition year since the tax rate impact was spread over the previous four years when the reserve was funded. (But that's still over \$2.50 per \$1,000 on the tax rate for the next 4 years!)

- *The Bonding Method*: RSA 31:94-d authorizes the issuance of bonds to fund the transition budget. Such bonds are limited to one-third of all taxes assessed and must be repaid within 20 years.
- *The Quarterly Billing Method*: Started by the City of Concord, this method entails issuing five quarterly bills during the 18-month transition period. There is a 12-month budget, funded by four quarterly bills, and then a separate 6-month budget funded by the fifth quarterly bill. The formula for this method relies on the fact that one-quarter of all taxes assessed (municipal, school and county) provides an amount sufficient to fund 6-months of the municipal budget. After implementation, the city continues with quarterly billing, still issuing bills twice a year: two bills in June, which are due July 1 and October 1, and two bills in December, which are due January 2 and March 31.
- Options to convert to a fiscal year
 - For many people, the quarterly billing method seems to defy logic. How can five quarterly bills issued in one year not result in double taxation? It doesn't, but that's not necessarily the easiest thing to explain to taxpayers, or to a judge in Concord's case.
 - But the quarterly billing method did in fact withstand court scrutiny, and in 2004, the provisions of Concord's special legislation were placed into general law under RSA 76:15-aa, available for implementation by any municipality.
- Summary of Funding Options for Conversion
 - Bonding
 - Advantage: Can spread out expense up to 20 years
 - Disadvantage: Creates an additional payment on the tax rate for the next 20 years.
 - Fund Balance (if you have enough in there)
 - Advantage: Stabilizes tax rate first year
 - Disadvantage: DRA must approve minimum balance of reserve funds, must replenish reserve in subsequent years. It will require another source of funding along with the use of the fund balance.
 - Taxes
 - Two Options
 - 1. Added onto the Tax Rate
 - 2. Quarterly Billing
- Funding Options for Conversion
 - Taxes – Option 1 – move to a fiscal year but continue with semi-annual billing
 - Fiscal year with continued semi-annual billing in June and December would require a “one-time” increase of \$1,350 on a property assessed at \$150,000 dollars.

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- Advantages are continuation of a system we know and are comfortable with. There are no incremental increases in operating costs for this option.
- Disadvantages are that one-time increase and the perception it will be a permanent increase. Plus it still doesn't help with the huge bills homeowners receive twice a year.
- Taxes – Option 2 – move to a fiscal year and quarterly billing using the 5th quarter
 - 6 month budget paid with 1-time “5th Quarter” payment. Quarterly taxes due date thereafter in January, April, July, and October of each year.
 - Advantages are no one-time tax increase in the rate. Bills are not so overwhelming when received.
 - Disadvantages are the change to quarterly tax bills which may cause confusion for taxpayers, banks, realtors etc. in the short term.
 - One time increased operating costs for required software changes to our computer system. Estimated at \$2,000.
- Annual Tax Payments – Option 1

	Apr. 1	July. 1	Oct. 1	Dec. 31	Total
2013 Fiscal Year - semi annual					
<i>(Based upon a home assessed \$150,000</i>		2489		3575	6064
<i>a one time tax increase of \$1086 would occur.</i>					
<i>\$90.00 per month.)</i>					
2014 Fiscal Year - semi annual		2489		2489	4978
2015 Fiscal Year - semi annual		2489		2489	4978
<i>Above Amounts in Subsequent Year Assume No Increase In Tax Rate</i>					
<i>Still send and collect twice a year</i>					

- Annual Tax Payments – Option 2

Due Dates	Apr 1	July 1	Oct 1	Jan 2	Mar 31	Total
2013 with 5 th Quarter	1086	1086	1086	1086	1086	5430
<i>(with no tax rate increase)</i>						
2014 Fiscal Year - Quarterly Payments		1086	1086	1086	1,088	4346
2015 Fiscal Year - Quarterly Payments		1086	1086	1086	1,088	4346
Above Amounts Assume No Increase In Tax Rate on Home Assessed at \$150,000.						
<i>Calendar Year Calculations</i>	<i>Apr 1</i>	<i>July 1</i>	<i>Oct 1</i>	<i>Jan 2</i>	<i>Mar 31</i>	<i>Total</i>
<i>Payments made during 2013</i>	<i>1086</i>	<i>1086</i>	<i>1086</i>	<i>1086</i>		<i>4346</i>
<i>Payments made during 2014</i>		<i>1086</i>	<i>1086</i>	<i>1086</i>	<i>1086</i>	<i>4346</i>

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- Other benefits
 - Billing quarterly seen as more manageable by citizens
 - Improved financial cash flow
 - Work distributed more evenly throughout the year
- In summary
 - We recommend proceeding with a change to quarterly billing and conversion to a fiscal year with the 2013 budget. We will need an ordinance to proceed with the change and will need to update the code at the same time.

At this point, we would need a special meeting to be able to do this for the coming year. She said New London has converted and she has the slides that were used for their presentation and Ms. Walter would share those slides, if anyone is interested.

Mr. Austin said it looks like everyone will be short about \$1,000. Ms. Walter said she talked to Jessie Levine, New London, and was told that really wasn't the case. This hurts those that don't escrow. The payment that is usually due in July would change to April. It would be the same amount, but it would have to be paid two months earlier. Smaller quarterly payments help taxpayers as well as the City.

Mr. Formidoni is in favor of this. He asked if there is something that can be done to ease the pain of the first payment (i.e. give more time to pay). Ms. Walter said she was not sure what is allowed by law. Education is the bigger part of this.

Mr. Bergeron talked about the last few years being a struggle to make the City budget work with the state budget cuts and agreed this ought to be done.

Mr. Koloski asked about being in a financial position to do this. Ms. Walter said you have to take the gross appropriation which was about \$27.5 million, take out one-quarter of the county bill which is due December 17 at the latest and then she can have one-quarter of what remains which equals about \$5.5 million. This was the year to do it because of the layoffs from last year. The process usually starts in late August when she sends the budget paperwork to directors and then gets it back by the end of September. She spends October working on the budget and then it goes to Council by November 2. If Council wants this done, it would have to be decided quickly. Mr. Koloski asked if there is sufficient staffing to be able to generate four quarterly billings. Ms. Walter said other communities send out two tax bills with two quarterly bills in them. In the beginning, a lot of communities sent out postcard reminders. She estimated that 3,200 out of 5,500 are paid by escrow and those that are not escrowed will increase the amount of traffic in the building. Mr. Koloski said he would like to see this come before Council and he encouraged citizens to come in and discuss it. Ms. Walter said there is not enough time to do this if we wait until October.

Mr. Burnham said he would like to make a motion to do this. Ms. Walter said we would need a special meeting for the first reading and then it would have to be approved in September. Departments have to plan a budget for 18 months.

Ms. Messier said if this goes forward, we need to notify the public (i.e. on CCTV).

Mayor Neilsen asked why this couldn't be done next year. Ms. Walter said in the past one-quarter gross appropriation has not been enough to cover a six-month budget. Last year we had layoffs and the schools went up \$1.40, so that gave us enough to fund this. Mayor Neilsen clarified that taking one-quarter from last year's larger budget versus taking one-quarter from this year's smaller budget is what allows us to do it.

There was a discussion about the timeframe needed for public notice.

A motion was made by Mr. Bergeron and seconded by Mr. Burnham to begin the process to change the budget from January 1 to June and to have an informational meeting followed by the first reading of the ordinance on August 22.

Mr. Irish asked if this would require a Charter change. Ms. Walter said it can be done by ordinance.

There was a discussion about getting the information out to the public.

Mr. Burnham said he has asked people about quarterly billing and he has not heard any negative comments.

Joe Osgood, Ward 2, said he likes the idea of changing to a fiscal year and having a quarterly payment. He likes doing it this year because county taxes are level this year. He asked for the quarterly billing, at what point a person becomes late with the payment. Ms. Walter said they would pay interest on the quarterly amount when they miss the quarterly payment.

Mayor Neilsen asked when the 12% interest changes to 18% interest. Ms. Walter said the 12% is for a full year.

Steve Picano, Ward 1, said that most people without escrow accounts are on a fixed income. The first year will be 20% higher and the first payment will come during heating season. He said you have to get creative to help these people.

Ms. Walter said the first year (people on a fixed income will probably have no mortgage) they will only get three bills and will save approximately \$1,100.

Bernie Folta, Ward 3, said that procedurally you can't have a hearing on the first reading of an ordinance is a Council Rule, so he suggested Council could suspend the rule for a public hearing. He doesn't understand that if it is not in the Constitution that payments have to be made twice a year why anyone didn't go to the legislature to change it to quarterly. He said a good reason is so when Councilors vote on a budget, it is something they will be working with unlike now where they vote on a budget in November/December and then some are off the Council at the end of December. He said a huge unknown is the cost of operating the New Community Center.

There was discussion about the importance of having public input at the August 22nd meeting.

Ms. Messier said this vote is to begin the process and that citizens can contact Councilors with questions.

Roll call vote: motion carried 8-0.

CITIZEN'S FORUM

Bernie Folta, Ward 3, said in reference to Council minutes that he is concerned that, generally, draft minutes are not available to the public. He suggested putting the draft minutes on the website or to post them.

Congressman Hodes Grant to Parks and Recreation Update

Scott Hausler, Parks and Recreation Director, showed a PowerPoint presentation for the Access 4 All Program.

- Access 4 All Program Review
- Prior to February 2007 – Filled out a facility project application through Congressman Paul Hodes' office for 2008 Fiscal Year Appropriations. Lisa Levine was our point of contact
 - Project that was submitted was a \$3.5 million dollar request for funds to support the construction of a new community center
- Hodes Grant
 - In December 2007 - Department heard that appropriation from Congressman Paul Hodes for the community center project was for \$100,000

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- Later, we understand that the appropriation is part of Omnibus Appropriations Bill for end of year legislation. Funding is through Edward Byrne Memorial Justice Assistance Grant
- Press release was distributed on December 19, 2007
 - Congressman Hodes Announces \$211,500 Grant for the Claremont Community Center
- News Article/Eagle Times
 - City gets \$211k for rec center
- Between January and June 2008
 - Department identifies that the funding source, through the U.S. Department of Justice is for at-risk-youth programs and understands that funds cannot be used for construction purposes.
 - Department begins the development of a program for the funding source. The concept “Access 4 All” would be a scholarship program where the funding would be put into an interest bearing account. Revenues generated pays for current and future programming and would fund program scholarships and scholarships for memberships.
 - Our intention was to create a scholarship endowment fund using the grant award. With a good return rate we would be providing an estimated \$10,000 a year for activity and membership scholarships for those in need.
 - Community agencies that offer programs for youth in the Claremont community were brought together (Family School Connections, River Valley Community College Leisure and Recreation Program, Stevens High School, Claremont Middle School, Communities United for Substance Abuse Prevention).
 - June 2008 – Due date for Edward Byrne Memorial Discretionary Grants Program FY 2008 Congressionally Mandated Awards. Department submits on-line the Access 4 All project through the Grant Management System (GMS)
 - Department completes the GMS application process for the Access 4 All program. Due date was June 11, 2008.
- August 11, 2008 – Congressman Paul Hodes Ceremonial Contribution at a City Council meeting. Members of Council, City Staff and Senator Bob Odell accept the award with the Congressman. August 13th Council meeting - department discusses the Access 4 All program plan.
- In September 2008, Department receives official notification that our application has been approved. Notice comes from the Assistant Attorney General identifying that the grant is a Congressional Mandated Award through the U.S. Department of Justice, Office of Justice Programs (OJP).
 - Funding is reduced to \$201,228 due to Federal Budget Cuts.
- 9/17/2008 Fax Transmission From NH Governor’s Office
 - They will implement the Access 4 All project plan to help ensure that at-risk youth benefit fully from existing Claremont Parks & Recreation facilities and programs.
- Notification clearly identifies that funding cannot be used for construction or renovation. Access 4 All becomes a buzz and department prepares for sustainable scholarship funding for current programs and programs for the planned new facility use.

- Program Planning Continues
 - Department continues planning for the Access 4 All scholarship program.
 - In September 2008, the Department of Justice tells us that a revenue-generating trust fund set up for scholarships is not allowed.
 - Funds cannot be used as a trust account where interest/income from the funds is used for the purpose of funding the scholarship program. It is an unallowable use.
 - As soon as we submit a revised program narrative excluding this narrative then they would remove the withholding special condition for the grant funds.
- Through further conversations with OJP, it is identified that the program funds must be expended. Project and budget period must end December 31, 2010.
- Access 4 All Revision
 - The Department doesn't deviate from the original concept of a scholarship program and continues planning for the program. We meet with program stakeholders and revise the narrative as advised by our State Policy Advisor with the U.S. OJP in Washington, DC.
 - This is our 3rd Department revision of the proposal.
 - New Narrative Includes:
 - Program Scholarships for youth through 2010
 - Outdoor Adventure Equipment for Access 4 All Programs that will be sustainable. Kayaks, Snowshoes and Open Air System are a large part of the purchase.
 - Youth Adventure Program will be large focus.
 - Open Air Cinema for Movies and Competitions
 - Adventure Program Expenses
- Access 4 All
 - What did we do with Access 4 All
 - Provided nearly \$43,000 in Individual Scholarships for Youth Recreation & Camp Programs offered by the Department
 - Baseball / Softball
 - Summer Soccer
 - Winter Basketball
 - Mini Cardinal Football
 - Sport and Art Camps
 - Over \$121,000 used for recreation equipment and collaborative program offerings as part of the Access 4 All grant program.
 - Developed Access 4 All Adventure Series, SOAR Adventure Program, Collaborated with 21C and River Valley Community College to create Adventure Days. Trail Maintenance and Training Programs, Implemented "No Child Left Inside" curriculum.
 - Items purchased such as Kayaks & Trailer, Program Event Trailer, Snowshoes, Open Air Cinema x 2, Computer Software, Activity Games, Additional Skate Park Equipment and new Sports Equipment.
- Cost Breakdown

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- Program & equipment expenses \$121,296.51
- Staff/City reimbursed wage/benefits \$32,558.00
- Supplies/maintenance \$4,000.00
- Utilities \$398.49
- Access 4 All scholarships \$42,975.00
- Examples of Program Fliers
 - Access for All Adventure Series
- Open Air Cinema
- Adventure Camp
- Sample Itinerary of the Still River Outfitters Program Offered
- Event Games
- Scholarships
- Adventure Camp in Collaboration with Family School Connections and Joe Perrin from River Valley Community College. This concept continues today with the Department's SOAR Program.
- Skate Park - purchased picnic table & launch ramps
- Kayak Trips
- Snowshoes
- In Summary
 - We asked for a grant to help pay for a building.
 - We were given a Department of Justice grant through the Edward Byrne Memorial Discretionary Grants Program.
 - Can't use that for a building.
 - We developed a program (Access 4 All) designed to establish an endowed scholarship program giving out scholarships for programs and facilities forever.
 - Can't do that.
 - We re-designed the program (Access 4 All) meeting the requirements of the Department of Justice to complete the funding of the program by 12/31/2010. Adventure based programs and equipment purchased are still in use continuing the benefit of the funding provided by the Edward Byrne Memorial Discretionary Grants Program.
 - We did that.

Bernie Folta, Ward 3, talked about the 2008 Council minutes and wondered if the changes to the grant were communicated to the Council.

Discussion on How Requests for Information from the Public to City Councilors Should be Handled

Council asked to move this to a future agenda.

NEW BUSINESS

Acceptance of Fundraising Project for Pavilion at Skate Park and Naming it the Jason W. Hagerman Pavilion

Mr. Hausler said when the skate park (Sarah H. Smith Riverside Park) was designed, a pavilion was included in the site plan. Tracey Hagerman said she has been working with local businesses to get a pavilion built to honor her son, Jason W. Hagerman. She would like to have it done by next summer. Local businesses are working on a 3D drawing of it and they have been working with the Planning and Development Department for all the permits. Her son was very active with the fundraising for the skate park. He was chosen to cut the ribbon on opening day, but was unable to do so as he was in a coma. She asked Council to accept this gift so she could go forward with the fundraising.

Mr. Austin asked the size. Mrs. Hagerman said it is 20 feet x 20 feet on a cement platform with picnic tables. Mr. Austin said it would be a nice thing to give parents a place to sit while the kids skate. Mrs. Hagerman said it could be used for parties, barbecues, etc.

Ms. Messier asked what the financial goal is. Mrs. Hagerman said \$10,000-\$15,000; it depends on how much is donated. They don't need to pay for labor as they have volunteers to do the work. They would like to incorporate plaques with donor names on them.

Councilors liked the idea and thought it was needed.

Ms. Taylor said they will have to come back when they know the actual dollar amount for acceptance. Ms. Walter said if it is a cash donation over \$5,000, they have to come back to the Council.

A motion was made by Ms. Messier and seconded by Mr. Irish to authorize the fundraising project for a pavilion at Skate Park and Naming it the Jason W. Hagerman Memorial Pavilion with the expectation that the project manager will come back to the Council with a list of items and the value of the project for final acceptance upon completion.

There was discussion about naming a City-owned property even though Council has not set criteria to do so. It was determined that this would be naming a structure that volunteers are building and not the property itself, so that would be acceptable.

Mr. Koloski said he would like to expedite creating a policy for naming city-owned property. Mayor Neilsen agreed.

Mr. Irish suggested using a "buy-a-board" concept to raise some money. He and Mr. Koloski said they would like to participate.

Roll call vote: motion carried 8-0.

Road Paving, Phase I

Bruce Temple, Public Works Director, showed a road paving PowerPoint presentation.

- 2012 Projects, Phase I
- Piper Hill Road
- Bonmark Drive
- Foisy Hill Road
- Mt. View Cemetery
 - This was not in the road bond money. Through the CIP process we put up cemetery money for roadway improvements in the cemetery.
- Wolcott Street
 - Widened the road, put in drainage, repaired & replaced water line
- Pine & Denison Avenue
- Stringer Lane
 - Couldn't plow
 - Did the work with City staff
 - Added drainage
- Spencer Avenue
- Myrtle Street
 - Top coat of paving
- Mulberry Street
- Belmont Street
 - Part of \$1.1 million bond
- Drapers corner
 - Widening & reconstruction of .34 miles of road
 - Drainage, granite curbing, sidewalks, culverts, 850 ft. of water main, 480 ft. of sewer line
 - Sargent Corp., Stillwater, Maine, got the contract for \$2,332,699.80. It will be signed next week. Start just before Labor Day. Substantial completion fall 2013
- Coy Bridge
 - Remove asphalt
 - Remove membrane
 - Remove spalled deck
 - Install new surface fall 2012
 - Contract \$149,800
 - We need to get on the state bridge and culvert program to help with major funding in 10-20 years
- Dole Reservoir Spillway NHDES
 - Remove training wall
 - Remove 2' from concrete spillway
 - Construct new spillway cap & abutment
 - Rip rap slope & berm
 - Contract \$38,400

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- Repair fall 2012
- Bog Sewer Bourdon Center – McKenzie Drive
 - Construct 2,200 lf of 12” sewer gravity sewer line
 - Construct 800 lf of in-place pipe sewer lining
 - Bid date: 8/28/12
 - Completion date: 7/2013
 - Construction estimate \$800,000
- Sewer Pump Stations
 - Washington Street and Elm Street
 - Have major issues; components are old
 - On sanitary sewer CIP
- Material – 2012 (purchased to date)
 - Salt 2,200 tons \$146,000
 - Sand 3,700 tons \$21,600
 - Winter Operations
- Summary of Work – 2012
 - Piper Hill Road – paving complete
 - Wolcott Street – paving & water line complete
 - Spencer Avenue – paving & water line complete
 - Camden Avenue – paving (September), water line complete
 - Bonmark Drive – paving complete
 - Myrtle Street – paving complete
 - Mulberry Street – paving complete
 - Pine Avenue – paving complete
 - Denison Avenue – paving complete
 - Stringer Lane – re-construction underway
 - Dustin Heights – August start/fall completion
 - Pamsha Drive – August start/fall completion
 - Grannis Street – August start/fall completion
 - Belmont Street – August start/fall completion
 - Hanover street – bidding fall of 2012
 - Bog Sewer Upgrade – bidding late summer
 - Coy Bridge Deck – under contract
 - Will be closed 3-4 weeks
 - Dole Reservoir – under contract
- 2012 Roadway Bond - Roadway Bond Value \$1,100,000
 - Paving contractor \$602,086
 - Belmont Street \$106,300
 - Gravel crushing \$31,500
 - Ferguson \$16,605
 - L.E. Weed \$690
 - Committed contracts \$757,181

Mr. Temple said every ward has projects going on in them. He will come back with a recap of the season in November/December and will talk in February/March about streets that he will be

able to do with the available funds. Some streets will get chip seal (i.e. Foisy Hill). They may do 4-5 miles of chip seal next year.

Mayor Neilsen said when seen in a summary, it makes an impact of what has been accomplished.

Mr. Burnham asked about doing work on Main Street this year. Mr. Temple said from “Eusersky Bridge” up to Opera House Square (diner). We have received some money from Senator Shaheen’s office. We are working with NH DOT to enter into a municipal agreement to spend federal highway money on that. He hopes to do the work in 2013. We can’t use the money for water and sewer.

Bernie Folta, Ward 3, wondered, in reference to the Main Street project, if the big goal (water & sewer) was about \$4-5 million. He asked how far we have needed to scale back.

Mr. Temple said the construction costs for Main Street project, 4-5 years ago, was estimated at \$2.7 million; add engineering and inspection for a \$3.5 – \$4 million project. Through Senator Shaheen we applied for American Recovery Act money (we made 9 applications) and got nothing. The money has dried up. Mr. Santagate said we were shelf-ready which was a requirement, but other projects that were not received the money.

Ordinance 528 No Thru Trucking on Pearl St. Between Sullivan & Central Streets – First Reading

The purpose of this proposed change is to enact a weight limitation for commercial vehicles on the portion of Pearl Street between Central and Sullivan Streets to less than 10,001 pounds. This proposal has been requested by Pearl Street residents and the Traffic Advisory Committee as a result of safety concerns arising from increased heavy truck traffic on this portion of Pearl Street as they cut through from Central to Sullivan Street.

Enactment of this Ordinance will result in increased safety for both motor vehicles and residents along Pearl Street and will permit posting of the weight limitation.

Mr. Temple said we have a lot of concern of heavy trucks on Pearl Street between Central and Sullivan Streets. The out-of-state drivers are operating on GPS systems which take them down those streets. The Traffic Advisory Committee investigated and recommended posting No Thru Trucks Over 10,000 lbs. This will allow the Police Department enforcement. Public Works will put up the signs.

Mr. Bergeron asked if this is passed, who would enforce it. Mayor Neilsen said to send citizen complaints about this to the Police Department.

A motion was made by Mr. Koloski and seconded by Ms. Messier to adopt Ordinance 528 No Thru Trucking on Pearl St. Between Sullivan & Central Streets on first reading.

Mr. Koloski read the explanation of proposed action into the record.

Mr. Burnham suggested doing the paperwork so that this will show up on GPS as a limited/restricted street.

Roll call vote: motion carried 8-0.

Acceptance of Donations for Materials and In-Kind Labor for Maintenance and Repairs to Barnes Park Grandstand

Mr. Hausler said he has been working with a local contractor and service club to help with maintenance and restoring the flooring of the grandstand. He had to close the grandstand this spring because of spongy floors and it was a safety hazard. They have a building permit and a contractor is willing to work with the City to get the job done. He would like to have a preliminary acceptance of items and labor. He will come back to the Council when finished with a list of supplies and the value of in-kind labor. They may recognize the service organization with a plaque.

A motion was made by Mr. Koloski and seconded by Mr. Bergeron to authorize the donations for materials and in-kind labor for maintenance and repairs to Barnes Park Grandstand with the expectation that the project manager will come back to the Council with a list of the items and the value of the project for final acceptance upon completion.

Roll call vote: motion carried 8-0.

Discussion of Arrowhead Property

Mr. Hausler said the City has been using the Arrowhead facility for Kinderfest and summer programs. There has been a program change and we no longer have Kinderfest. The last academic year the enrollment was down. Other agencies are offering those services. Arrowhead Recreation Club would like to use the building for other activities.

Mr. Santagate said we have worked closely with Arrowhead; they are one of the most successful organizations in the City. We will come back with an Arrowhead proposal, but this is just information for the Council.

Mr. Burnham said he is involved with Arrowhead and he offered to step down if Council requested. No votes were requested, so Council did not ask him to step down.

Chuck Allen, Ward 3 and member of Arrowhead Recreation Club (ARC), said with the removal of the daycare, ARC plans to do upgrades to the building. There is already an agreement in place that anything they do to a fixed asset automatically becomes City property. They will do a future presentation of over \$100,000 improvements they have done. They plan to put in a full commercial kitchen; have already installed a new fire alarm panel; plan to install new appliances; asked for people to look out for energy grants to replace the single pane windows and doors. They would like to make it a rental facility; they think it would be a popular venue. They will

talk about shared responsibilities and shared revenue. Last year they broke even. They will continue with the upgrades using the reserves. A new deck has been installed. The biggest challenge is getting people to join them. They will meet on Tuesdays. Contact can be made at arrowheadnh.com, phone: 542-7016 or stop by Saturdays to help out.

Bernie Folta, Ward 3, said Arrowhead is a treasure. He wondered if there is a quantified value of what ARC has contributed in capital improvements and annual operating expenses. He talked about ARC being a non-profit which leads to a right-to-know problem. He asked if there is an agreement or Memorandum of Understanding with the City of Claremont to define parameters. He hoped they get new volunteers that are needed. If volunteers get burned out and it can't be operated in that mode (he said he has a strategic planning background), either the facility would close or the City would have to take it over and run it. He said he heard ARC would come to Council to ask for money and he is anxious to hear what is coming up.

Proposed New Council Rule 50 (Listed on Agenda as Proposed Change to Council Rule 34)

Proposed Item 50. (Council Rules):

Conflict of Interest:

Conflict of Interest – If a potential for Conflict of Interest is identified, it should be brought to the attention of the entire Council as soon as possible. Any member of the Council who might be shown to have clearly prejudged an issue or have a conflict of interest on an issue before the Council, places that issue in doubt and the City at great legal risk, therefore he or she should not take part in discussion or voting on the issue. He or she may, however, participate in the public hearing as a private citizen.

If anyone, on or off the Council, raises the question of prejudgment or conflict of interest on the part of any member and that member is unwilling to voluntarily step down, the remaining members of the Council shall hear any evidence the challenger and the challenged may have; subsequently, the Council, by two-thirds vote, shall decide whether the challenged member may sit. If there is substantial evidence of prejudgment or direct financial interest, the vote should be to require the challenged member to step down. Any two (2) members of the Council may request that the chair or the city manager secure a written opinion as to the potential conflict of interest of any Council member.

Recusal:

If a member recuses himself on an issue, he or she becomes a member of the public for purposes of that matter. A recused Councilor shall always step away from the Council table.

When the Council is in a public session, the recused member should either sit with the public or leave the room, as they choose. Of course, if the recused member is a party in the matter, he or

she may also have specific rights or particular role to play in the matter, and should do so as appropriate.

When the Council is in a non-public session, the situation is different. The only people with a right to attend a non-public session are the Councilors themselves and other invited attendees. A recused member is not acting as a Councilor for that matter and thus does not have any more right to attend a non-public session than any other member of the public. Therefore, when a Councilor recuses himself or herself from a matter in a non-public session, he or she should leave the meeting room immediately and return when the discussion and/or action on that matter have ended.

[Councilors Bergeron and Irish drafted this rule.]

Mr. Irish said this should be a new Council Rule 50.

Mayor Neilsen asked if Council wanted to change this to Council Rule 50 and to make this the first presentation and then it would come into effect after the next meeting.

Mr. Koloski said he didn't agree with some of the language, "If a potential for Conflict of Interest is identified, it should be brought to the attention of the entire Council as soon as possible." He would like to see it say, "...brought to the attention of the entire Council immediately prior to the item before the Council being heard."

Mayor Neilsen suggested "...brought to the attention of the entire Council at the time of discovery." Messrs. Koloski, Irish and Bergeron all agreed with that wording.

Mayor Neilsen said this should be titled "Proposed New Rule Item 50."

A motion was made by Mr. Koloski and seconded by Mr. Bergeron to accept the proposed New Council Rule 50 with changes noted ["If a potential for Conflict of Interest is identified, it should be brought to the attention of the entire Council at the time of discovery" and "Proposed New Rule Item 50"].

Roll call vote: motion carried 8-0.

Motion to Accept \$69,375 from NH Dept. of Transportation, Bureau of Aeronautics for Proposed Hangar Reconstruction

Fire Chief Rick Bergeron said this is to allow the City to enter into a grant agreement with NH Department of Transportation, Bureau of Aeronautics for a hangar reconstruction study. This is a structural and historical engineering study of the large hangar at the airport which was originally built in 1926. This is the first phase of the project; construction is expected in 2013/2014 and 2014/2015. The grant is \$69,375 for the 2012/2013 portion of the project.

Mayor Neilsen asked if it would be on the same footprint. Chief Bergeron said hopefully. It is unclear if it will be a new hangar or a renovation of the existing one.

Mr. Formidoni said that Councilor Raymond had asked him to convey his gratitude to former Fire Chief Peter Chase for his work in obtaining these grants and to Chief Bergeron for continuing to get these grants. Chief Bergeron noted Councilor Raymond is on the Airport Advisory Board.

A motion was made by Ms. Messier and seconded by Mr. Formidoni to accept \$69,375 from NH Dept. of Transportation, Bureau of Aeronautics, for Proposed Hangar Reconstruction study.

Chief Bergeron said that the \$69,375 includes the federal portion of 90% which is \$67,500, the state portion of 2.5% which is \$1,875 and the City's portion of 7.5% which is \$5,625. The City's share will come from the Airport Capital Reserve.

Chief Bergeron said once we enter into the grant agreement, the City is bound to pay its portion.

Roll call vote: motion carried 8-0.

Pellet Boiler Grant Update

Chief Bergeron said we are still waiting for final approval from Governor and Council. At the initial meeting, he didn't give a break down of the funding. The grant from PUC is \$52,000. The City's match is \$13,000. In the plan, we have encumbered \$10,000 from last year's budget for a grant that were unsuccessful in getting, so we will use the money for this grant. The remaining \$3,000 will come from the Fire Department's budget (Building Maintenance or Equipment Maintenance).

Motion to Apply for SAFER Grant

Chief Bergeron said we have applied for Staffing for Adequate Fire and Emergency Response (SAFER) grants since 2007 without success, but we keep trying. This grant will fund 100% of the firefighters salaries and benefits for 2 years with no obligation by the City to maintain the positions after the two years. This is for three positions. They currently have three shifts that are short one firefighter each. The total amount of the grant is \$552,264. If approved, it would take effect for 2013 and 2014. This amount would cover potential increases in benefit and salary costs.

Bernie Folta, Ward 3, asked what happens when the grant ends. Councilors said there is no obligation.

A motion was made by Mr. Irish and seconded by Ms. Messier to authorize the City Manager, or his designees, to apply for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant for three positions for two years in the amount of \$552,264.

Mr. Bergeron confirmed that this does not restrict them from being laid off. Chief Bergeron said he hopes we can keep them at the end of the two years, but we don't have to.

Roll call vote: motion carried 8-0.

Discussion of How Agenda is Formed and Councilor Input

Moved to next month

CITY MANAGER'S REPORT

Mr. Santagate said he is serving on the Business Finance Authority (BFA) and the Governor has reappointed him through 2015, an appointment which he has accepted. The charge of the BFA is to create and retain jobs. That is done through making financial opportunities available to businesses that sometimes won't qualify for conventional financing. He serves on the new market tax credit committee. Several projects throughout the state have been funded with new market tax credits. He will keep his eyes open for economic opportunities for our area of the state. He has served on the River Valley Community College (RVCC) board and has been reappointed through 2015. His main objective is that job training is critical to Claremont. They are contacting major businesses to see how they can improve job training efforts. RVCC worked with Structural Bridges and they want to see if they can expand that. He is starting to see slow recovery around the state. We are not doing great, but by comparison, we are doing better than other states. What we bring to the table for businesses is a willing workforce.

Mr. Santagate thanked Lisa Levine, worker for Congressman Hodes, as she was helpful to us getting the Hodes grant.

Mr. Irish said Red River Computer has not had a lot of success developing a program with RVCC. He said Red River is looking for another college to work with. Mr. Santagate said IT and engineering should be able to fly here. There are opportunities to restructure.

Bernie Folta, Ward 3, said RVCC has a medical reputation due to the proximity to Dartmouth Hitchcock Medical Center.

FUTURE AGENDA ITEMS AND DIRECTIVES

Mr. Irish asked to schedule a joint meeting with the school board in October. He would like to talk about technology. Also, he would like to schedule a meeting with the State Representatives.

Mr. Irish talked about kids smoking, knives and trash at the skateboard park. He would like to see a Police Department camera down there or a police presence.

Mr. Bergeron would like Council to set priorities/goals for next year. He talked about grass and bushes growing up around the telephone poles. Things are starting to slide. He talked about

finding the money to tear down four buildings. He would like to set the priorities/goals before the budget comes around.

Mr. Koloski said he would like all Councilors to come back to the next meeting with a list of four things they would like to have done (i.e. Pleasant Street is on his list).

Mr. Bergeron asked to find out who is responsible for poles. Ms. Taylor said it is not us. Mr. Burnham suggested that if a pole is in front of your house, trim around it.

Mayor Neilsen said that Bernie Folta had asked for copies of citizen complaints and that 50% were nuisance complaints. He asked for help from Councilors following up on items that may have been forgotten.

Mr. Burnham asked to appoint three Councilors to look into the outdoor pool problem. He wants to find out what is wrong over there. He said if the pool is junk, he wants to know it. He suggested getting a non-profit organization in to run it if it is to be opened again. He has heard complaints about the pool being closed this year. He talked about the neglect of City buildings being a shame and that there should be preventative maintenance done.

Mr. Bergeron disagreed with Mr. Burnham. Cameras showed the deterioration in the pipes and the building is deteriorating and is junk. Mr. Burnham said he wants to know what the issues are. Mr. Bergeron said the piping is rotted. Mr. Burnham disagreed.

Mr. Irish liked the idea of a three-person committee to look at the sites that are left after the New Community Center is opened. He would like to have a committee with a sunset date to make a report. However, he doesn't want to micromanage.

Mr. Koloski said the issue to close the pool has already been before the Council. We are waiting for a plan and the cost for closing those facilities. Maybe then would be the time to establish a committee.

Mayor Neilsen asked about any preliminary discussions between Mr. Santagate and Police Chief Scott about using the Armory building as a Police Station. He is aware that it needs a new roof; it has a firing range, etc. He wondered if the benefit would outweigh the cost. Mr. Santagate said he can talk to Chief Scott to see what he thinks about it. Mayor Neilsen said that maybe a bond could be used for repairs.

Mr. Koloski said he would like to see us utilize prison work crews for work downtown. Ms. Walter said money for that has been cut as a result of state budget cuts.

Mr. Koloski said he has gotten complaints from Moody Avenue residents that when some downed electrical lines were pulled down by a truck because they were too low; the lines were reset in the same place. Chief Bergeron said he can look into it. Mr. Burnham suggested there should be a sign put up that there are low lines.

Mr. Burnham asked about the historic museum going into the Goodwin Community Center. Mr. Santagate said he hadn't heard anything about it. Mayor Neilsen said that interested people should contact the Claremont Chamber of Commerce as the Chamber and the museum in the same building would be good. Mr. Koloski said the Sawtooth building shouldn't be overlooked for a joint location.

COMMITTEE REPORTS

Claremont 250th Anniversary Committee

None

Claremont City Center Project – Steering Committee Report

None

CONSULTATION WITH LEGAL COUNSEL

None

NON-PUBLIC SESSION PURSUANT TO RSA 91-A:3, II(d) – REAL ESTATE

At 11:23 p.m., a motion was made by Mr. Koloski and seconded by Mr. Bergeron to go into non-public session pursuant to RSA 91-A:3,II(d) – Real Estate and to invite Mr. Santagate, Ms. Walter and Dorée Russell, Clerk to the Council, into the session.

Roll call vote: motion carried 8-0.

A motion was made by Mr. Koloski and seconded by Mr. Irish to come out of non-public.

Roll call vote: motion carried 8-0.

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

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

Roll call vote: motion carried 8-0.

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

Roll call vote: motion carried 8-0.

A motion was made by Mr. Koloski and seconded by Mr. Burnham to seal both non-public minutes until such time that they no longer have to be sealed.

Roll call vote: motion carried 8-0.

ADJOURNMENT

At 12:37 a.m. a motion was made by Mr. Bergeron and seconded by Mr. Koloski to adjourn.

Voice vote: motion carried 8-0.

Respectfully Submitted,

Dorée M. Russell
Clerk to the Council