

The Claremont City Council held a meeting on Wednesday, September 11, 2013, 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:

At-Large Councilor Keith Raymond
Ward I Councilor Carolyn Towle
Ward III Councilor Nicholas Koloski
Mayor James Neilsen, IV
At-Large Councilor Christopher Irish (Late)
Ward II Councilor Roger Formidoni
At-Large Councilor Kyle Messier
At-Large Councilor John Simonds

Absent:

Assistant Mayor Victor Bergeron

Also present were:

Guy Santagate, City Manager
Jane Taylor, City Solicitor

MAYOR'S NOTES

Mayor Neilsen asked for a moment of silence to remember the victims of 9/11.

Claremont School Board Update

None

Mr. Raymond had an old newspaper and said in 1968 the tax rate for Claremont was \$53 per thousand; the school rate was \$31.14, the City was \$17.98 and the county was \$3.88.

Ms. Messier was happy to receive e-mail notifications from the City about the Mulberry Street railroad crossing detour and the quarterly tax payments. The Mill development building is now full; National Field Representatives is moving in and Red River Computer Company has expanded to the sixth floor. The Business NH Magazine, "10 Companies to Watch in 2013" lists Matrix Aerospace Corporation, a Claremont business.

REPORT OF THE SECRETARY

A motion was made by Mr. Koloski and seconded by Mr. Raymond to accept the minutes of the August 14 and 20, 2013, City Council meetings.

Voice vote: motion carried 7-0.

APPOINTMENT TO BOARDS AND COMMITTEES

Airport Advisory Board

A motion was made by Mr. Raymond and seconded by Ms. Towle to appoint Stephen Keen to seat #4 of the Airport Advisory Board.

Voice vote: motion carried 7-0.

OLD BUSINESS

New Community Center Update

Scott Hausler, Parks and Recreation Director, showed a PowerPoint presentation update for the Claremont Savings Bank Community Center (CSBCC).

Total members 4,188, units issued 1,947 (starting to slow down, but is above what was estimated); Expenditures January through August (July and August not closed out) \$603,974.52 and Revenues January through August (July and August not closed out) \$402,225.16. These figures are for the Recreational Division which includes the CSBCC; POS (point of sale) daily admissions as of August 31 7,560, net revenue POS \$33,420, 61,132 total entries to the building with 3,623 unique members (doesn't include basketball tournaments, swim meets, wedding/baby showers, birthday parties, Business After Hours (BAH) event, etc); Preventative Care Program – the building was closed August 24-26 and projects completed were: two-tone painting of high traffic areas, work on interior pool windows and gym divider curtain which required the use of a lift, installed TRX mounts in the gymnasium, completed internal 6-month tune-up on spin bikes and cardio equipment, installed bike rack donated by Claremont Cycle Depot, installed mirrors in exercise classroom donated by Leigh & Linda Kelk (American Plate Glass), removed carpet from locker rooms (tile installation nearly complete); he showed pictures of two-toned painting, TRX mounts, mirrors in exercise room, bike rack, BAH decorated tables to give ideas for potential uses of the community room.

Mr. Santagate noted we have not been through a busy season yet, so we think the numbers will grow. We will decide on adjustments to memberships, etc. after that season.

Ms. Messier noted in the Finance Report that the Claremont Savings Bank Community Center project's books are now closed and it finished with less than \$300 to spare. She gave many

thanks to Hutter Construction, and to Scott Hausler, Tim Herson, and Kurt Beek for keeping an eye on the details.

Amend Council Rule 22

At the August 14th Council meeting, Mayor Neilsen proposed a change to the order of Council Rule 22, Order of Business, to move Citizen's Forum to after Appointments to Boards and Committees.

Current Council Rule 22:

22. - Order of Business.

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

1. Pledge of Allegiance
2. Roll Call of Council Members
3. Mayor's Notes
4. Report of Secretary
5. Appointments to Boards and Committees
6. Old Business
7. Citizen's Forum—Non Agenda Items (Note: Citizens will be allowed to speak on agenda items when they are discussed by the City Council)
8. New Business
9. City Manager's Report
10. Future Agenda Items and Directives
11. Committee Reports
12. Adjournment

During the Citizen's Forum portion of the Council meeting, citizens in attendance may speak on non-agenda items for a five-minute period.

The Mayor or Assistant Mayor, in the absence of the Mayor, may invite citizens in attendance to speak on individual agenda items, with the exception of first reading of proposed ordinances. Each citizen so recognized may not speak more than once on any one subject and for no more than five (5) minutes without leave of Council. Questions and answers by both citizens and members of the Council shall be at the discretion of the Mayor or Assistant Mayor, in the absence of the Mayor, and shall follow proper procedure for order.

Proposed Council Rule 22:

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A motion was made by Mr. Raymond and seconded by Ms. Towle to accept the amended Council Rule 22 as presented.

Voice vote: motion carried 7-0.

CITIZEN'S FORUM

Bernie Folta, Ward 3, said yesterday was the third meeting of a citizen's group, Citizens for a Better Claremont, an initiative started by Brenda Hannah and Reggie Johnson because of the troubles on Pleasant Street and at the cemetery; they talked about a community watch group. Mr. Folta said Police Chief Alex Scott gave two presentations, "Community Watch Program" that he hopes will play on CCTV (Claremont Community Television), which he found to be informative, and the second was "Business and Residential Security Presentation." He said

Councilor Messier mentioned the e-mail updates from the City and he said they are wonderful. He said one week from today is the filing period for Council for the November election.

Roy Conant, Ward 2 resident and spokesperson for the Ridge Avenue neighborhood, thanked the Council for its reconsideration of the access route for the Arrowhead timber harvest. He asked if any progress has been made on the alternative routes. He said he offered to share with Dennis McKenney, Forester, his 20 years of experience “tromping” around up there. He talked about suggestions for restructuring the boundaries of the four harvests that are scheduled. He said Bruce Temple, Public Works Director, talked to Todd Osgood about an alternative access via Mr. Osgood’s recently logged property. Mr. Conant said in 2014, there are two harvests scheduled on the west side of the ski slopes that will utilize the base lodge access route, so they were wondering why not use the base lodge access route for this one.

At 6:59 p.m., Mr. Irish arrived.

Mr. Conant said he and Bill Dexter, Ridge Avenue residents, would be glad to give guided tours of the area. He said it doesn’t seem logical to incur high road repair costs with minimal returns from this harvest.

NEW BUSINESS

River Valley Community College President

Mr. Santagate introduced Dr. Alicia Harvey-Smith, River Valley Community College (RVCC) President, and welcomed her to Claremont. He was on the presidential search committee at RVCC. He said Claremont has a great need for job training. He talked about Dr. Harvey-Smith’s prior experience in that area.

Dr. Harvey-Smith assured everyone of her commitment to NH and Claremont. She and her husband now live in Claremont and they want to be part of the community. RVCC serves 1,000 students and there is plenty of room to grow. She talked about expanding partnerships with businesses, envisioning the future and designing a plan to get there. She believes in planning and professional development. RVCC is asking students what to do to keep them on campus after class hours. RVCC is asking the community how to be a greater institution. She asked the Council to envision the future with them.

Mayor Neilsen said RVCC’s success is Claremont’s success. He said his wife and son graduated from there.

Bernie Folta, Ward 3, said jobs are regional. He asked Dr. Harvey-Smith how many of the RVCC staff are Claremont residents and of what communities are the staff residents.

Sale of City-Owned Property

Mr. Irish recused himself as he is an abutter to the Armory property and he stepped down from the Council table.

Mr. Santagate said 4-5 years ago the National Guard abandoned the Armory and ownership reverted to the City. It has been for sale since that time and now a potential buyer has offered \$150,000 to purchase the property. This is the kind of company we like to see coming in. There will be 7-8 employees; they make small instruments used in doctor and dental offices; it is light manufacturing. He asked Council to allow the Administration to negotiate a purchase and sale agreement and then have the company follow through with a potential zoning change. We would come back to Council to approve the final sale. This is the best proposal we have received.

A motion was made by Mr. Raymond and seconded by Mr. Formidoni to authorize the City Manager or his designees to take all such actions as may be required to negotiate and enter into a purchase and sale and redevelopment agreement with True Tool Innovations LLC and/or True Tool Real Estate, LLC for redevelopment of City-owned land and improvements thereon, located at 75 Winter Street and identified as Tax Map 108-73, the former State Armory. Said Agreement to include provisions related to renovation of the existing building, the parking lot and other site improvements, as well as such additional provisions as may be appropriate.

Mr. Koloski thanked City staff for getting this property on the tax rolls.

Ms. Messier asked about a timeline for development. Mr. Santagate said that would be part of the agreement; there would be milestone in the agreement.

Roll call vote: motion carried 7-0 (Mr. Irish had recused himself).

Mr. Irish returned to the Council table.

Motion to Accept and Expend NH Attorney General's Drug Task Force Grant for \$30,000

Police Chief Alex Scott said the NH Attorney's Drug Task Force has been around since the 1980s and it has been invaluable in helping to combat illicit drug trade. We have participated through the Sullivan County Sheriff's Department. The grants used to help pay for our participation are now limited. We have wanted to be a direct participant and a benefit of that participation is more attention paid to our community. His department has been working on the staffing levels to allow participation in this program. For participating in this program, the City gets a reimbursement grant of \$30,000 to help cover the overtime and part-time expenses to fill in for that officer. The officer would be assigned to Team B which covers the western part of the state (lower Grafton County, Sullivan County and Cheshire County). Team B has been the most active team in the state. This would allow us to apply and if awarded, to accept the \$30,000 grant. The officer would participate for a minimum of one year.

A motion was made by Mr. Koloski and seconded by Mr. Simonds to authorize the City Manager, or his designees, to take such actions as may be necessary to apply for and, if awarded, accept a grant in the amount of \$30,000 administered through the New Hampshire Department of Justice for participation in the New Hampshire Attorney General's Drug Task Force.

Mayor Nielsen asked about the officer being there full time. Chief Scott said the individual is assigned full-time to that team. The \$30,000 does not cover all of our costs. We are committed for one year.

Mr. Koloski asked how long before we are notified of the grant. Chief Scott said that is unknown as it has to go to Governor and Council for approval.

Voice vote: motion carried 8-0.

Upper Valley Lake Sunapee Regional Planning Commission Household Hazardous Waste

Victoria Davis, Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) Planner, said they provide household hazardous waste collection for our region. Typically, they hold four collections a year. If the hazardous waste goes into the trash, it can harm waste workers and it can go into the ground water. She made a request that Claremont participate in this program on an annual basis. The City participates sporadically and last year hosted an event. Citizens call them asking to go to the collections, but if Claremont is not a participant, the citizen has to pay for the disposal. Last year Claremont hosted and 176 households, just from Claremont, participated. Claremont doesn't have to host every year, but budgeting to participate would help. They also take unwanted medications at these events.

Mayor Nielsen asked about the expense to host an event. Ms. Davis said there is a formula that is used to figure out the cost. She said they can apply for grants in the City's name to help reduce the cost.

Mr. Santagate said it cost \$9,000 to host last year. Ms. Davis said there is less participation when residents have to go somewhere other than Claremont. In 2008, the event was hosted in Newport and 99 households from Claremont participated; participation varies. The fee in 2008 was about \$5,000. It is generally \$45-\$65 per participating household. Mr. Santagate asked if Ms. Davis had a proposal for us to look at to bring it forward.

Mayor Nielsen said Council would be willing to look at proposals.

Ms. Davis said her proposal would be to offer it every year and to budget \$5,000 a year for household hazardous waste disposal.

Ms. Messier thanked Ms. Davis for this important topic. She said the Fire Department handles this. She would like this to go back to staff and staff let Council know the best way to handle it as we have already passed our budget for this year.

Mr. Santagate asked Ms. Davis to contact his office and then he can set up a meeting.

Mr. Irish asked if any grants were received last year. Ms. Davis said \$10,000 was received from NH DES (Department of Environmental Services) for all the cities and towns. Mr. Irish asked if the hosting town gets a bigger chunk of the money. Ms. Davis said it is split equally; the DES grant is divided by population. For each event, the UVLSRPC gives the hosting community \$500 for associated expenses.

Mr. Koloski asked if participating communities send people to help check in residents. Ms. Davis said sometimes it works that way. They have two household hazardous waste committees. They are volunteers and their purpose is to educate people about using less toxic products and properly disposing of household hazardous waste.

Mr. Raymond said we need to look at budgeting every year or every other year. Mr. Irish and Ms. Towle agreed.

Bernie Folta, Ward 3, asked when the next budget starts. Mr. Santagate said the process starts in March or April and will be effective July 1.

License for Underground Conduit in Right-of-Way on Sullivan Street for APC Paper

Nancy Merrill, Planning and Development Director, said this is a request from APC Paper; they have an office building on one side of Sullivan Street and their manufacturing plant is on the other side. They are requesting a license to place a 4-inch diameter conduit with a fiber optic sleeve under the road. They met with Public Works Director Bruce Temple and determined that it wouldn't interfere with anything Public Works has under the road, if placed appropriately.

A motion was made by Mr. Raymond and seconded by Ms. Towle to authorize the City Manager, or his designees, to negotiate and enter into a License Agreement with APC Paper Company, Inc. (hereinafter APC) for non-exclusive use of a designated portion of the City's public right-of-way across and beneath sidewalks and paved and unpaved portions of roadway on Allen Street and Sullivan Street for the laying of conduit and installation of fiber optic cabling, wiring and electronic infrastructure for APC's private use. This license shall be effective only upon receipt by APC of all permits and approvals as may be required, including approval as to location by the City's Director of Public Works, and in compliance with all applicable codes and regulations. This license shall also be personal to APC, with any subsequent owner being required to request a new license from the Council, with such approval to not unreasonably be withheld. APC shall be responsible for all costs incurred by the City related to construction and maintenance of the facilities placed in and under City-owned property, including but not limited to restoring City-owned property to its preconstruction condition. The City Council further

authorizes the City Manager, or his designees, to undertake all actions and to execute all documents as may be required to implement this motion.

Mayor Neilsen asked if this can be combined with anything HotZero is doing. Ms. Merrill said it is a separate request. HotZero will come in with its own license. They are looking to go under the sidewalks.

Ms. Taylor said they have buildings on both sides of the road and they want to have better communication between the buildings. Because they will be in the public right-of-way, they will need a license from the City.

Voice vote: motion carried 8-0.

BREAK

CITY MANAGER'S REPORT

Mr. Santagate said we had received a Charter Commission Petitioners' Committee Affidavit from Cynthia Howard with the required five signatures needed to vote to establish a charter commission to revise the City's Charter. A letter was sent from City Clerk Gwen Melcher to Mrs. Howard explaining the process and including the petitions that would be needed. At least 230 petition signatures of registered voters are required to place this on the ballot.

Ms. Taylor said one way to create a Charter Commission is to submit a Petitioners' Affidavit which Mrs. Howard did or the second way is if the Council votes to order the question be placed on the ballot. Either way voters will vote whether or not to establish a Charter Commission. If Council does it, petitions are not needed and we don't have to deal with the 120-day window to collect signatures. Within 30 days of the Council ordering the question be on the ballot, then you have to set the date for the election. One question before the Council is if it is important enough for this November's election, Council has the option to order the question be on the ballot.

Mayor Neilsen said if Council votes to have a Charter Commission, we won't be able to avoid a special election to select Charter Commission members, but we would avoid a special election solely for the question of whether to establish a Charter Commission because it could be placed on this November's ballot.

Mr. Irish said to have all nine Councilors up for election at the same time is a bad idea. He asked about an amendment to the Charter versus a Charter Commission. Ms. Taylor said if you want to do one change, you can do a Charter amendment and that has to be on the ballot in order to be adopted. She questioned whether there was adequate lead time for the public hearings, publication, etc., for this municipal election for an amendment. When you request a Charter Commission, you would vote on only one question which is "do you want to establish a Charter Commission" and no public hearing is required on the question. If it passes, there would be a subsequent election for a nine-member Charter Commission.

Mayor Neilsen said once the Charter Commission is established, everything in the Charter is open to review. Then the changes go on the ballot and the vote is for all or nothing.

Mr. Irish asked the Council to look at the one or two things they have wanted changed and then let the Charter Petition go forward.

Ms. Messier said the one thing she has heard people say they want to change is to stagger the election of Councilors.

Ms. Messier asked if it is possible to know the process for one item (i.e. staggered election). Ms. Taylor said she could get the information to the City Manager. If this is to go on the November ballot, it has to go by October 1 or 2, so that ballots can be printed in time to allow for absentee balloting.

Bernie Folta, Ward 3, said he has a list of Charter changes he would like to see. He said Ms. Messier is preempting the citizen effort initiative by having the Council initiate the one-item amendment. He said the Council could have staggered elections, but then the Charter Commission could undo that. He prefers to have people “clean house” in an election. He would like to see the Claremont School Board get rid of its staggered terms. He said a Charter Commission has deadlines in state law, and that people should start making lists now.

Mr. Koloski asked when the last Charter Commission was. Ms. Taylor said in 2002.

Mr. Koloski asked if we have a Personnel Advisory Board. Mr. Santagate said yes. Mr. Koloski asked who the members of the Personnel Advisory Board (PAB) are. Mr. Santagate said Don Limoges, a Granite State College employee, and there is one vacancy. Mr. Koloski noted one member is to be appointed by the Council. Mr. Santagate said the only meetings the PAB has had were to approve changes to the pay scales and job descriptions, for newly created jobs. The last meeting was quite a while ago.

Mr. Irish said the Council needs to look at the Charter and suggested putting it on the next Council agenda.

Mr. Santagate said the Drapers Corner Project is on target. 85% of the money for that has come from the federal government. The biggest part is the culverts and that is almost completed. They will button it down in the winter and finish in the spring. At times, we will have to reroute traffic. City line striping is complete. We’ve seen a fairly good spike in development. Small development equals diversity. The Wainshal building is filled and National Field Representatives will move into the third floor while maintaining its building on Maple Avenue and Red River Computer has also expanded into the sixth floor. He talked about the opening of the yogurt shop and a Mexican restaurant will be opening soon in Opera House Square. He talked about a merchants’ group and the police chief is involved in that. There has been interest in the Lowes building, but nothing has panned out; we’ll continue to help market it.

FUTURE AGENDA ITEMS AND DIRECTIVES

Ms. Messier asked for an update on the logging at Ridge Avenue. She said she had received an e-mail from a constituent requesting a dog water fountain in Broad Street Park.

Mr. Formidoni said, in reference to the closing of Wheelabrator, he would like to discuss alternate methods of waste disposal and recycling. Mayor Neilsen said there has been a lot of talk about setting a date to hear from citizens about what they want to do.

Mr. Santagate said he, Mayor Neilsen, Bruce Temple and others looked at a more modern transfer station in another community. He is wondering when Wheelabrator leaves, does the license leave or is it transferable; he's waiting for an answer from DES. He talked about meeting with residents to see what their opinions are. He mentioned a regional center and that any public hearing should be with Claremont residents to see what they want. Mr. Formidoni said he would like to have a discussion to talk about the options. Historically, people from other communities have been involved because the smoke plume from Wheelabrator affects their towns.

Mr. Formidoni would like to talk about the Meals on Wheels shortfall. If there is anything we can do to help them, it is in the City's interest to do it.

Mr. Irish said the contractors at Drapers Corner are doing a bang up job with traffic control. The skate board park pavilion looks beautiful. He would like an update on the dog park at Veterans Park. He doesn't want to lose sight of what will happen to the Zotto Gym and the indoor pool, so he would like to have them back on the radar. He asked if Mr. Hausler would look at the signage in reference to smoking at the parks; people are leaving cigarette butts everywhere.

Mr. Koloski would like an update on property inspections as related to the Welfare Department. He would like the City to look into open real estate listings to sell City-owned property. He received a complaint about smoking at the parks as well. He asked about a timeline for the logging. Mr. Santagate said as of yesterday, they have not found an alternative site. He will have an update at the next meeting. Mr. Koloski asked about the fence at the end of Bond Street. Mr. Santagate said he met with Mr. Temple and Mr. Goggins at that area. It will go to the Conservation Commission for better input. There is no easy solution. Mr. Koloski echoed Mr. Irish's request about the Zotto Gym.

Ms. Towle agreed with Mr. Irish about the Zotto Gym and pool; No Smoking signs are up in the park, but it is a matter of policing. She asked about a review of smoking at City facilities.

Mr. Raymond would like an update on the logging at Ridge Avenue and an update on the outdoor pool.

Mayor Neilsen said he and Mr. Santagate will try to get together to get as much response as they can for these items.

COMMITTEE REPORTS

Claremont 250th Anniversary Committee

Mr. Koloski said they have a calendar in pre-production with Claremont's historical dates that will be available for sale. They are working on a full calendar of events for next year. Pins and magnets are still available for sale. They have been working with private/public partnerships to pull this off. They have been in discussions with the Eagle Times on this and the Eagle Times has been a big supporter of this. He said the George Hale family (responsible for the photos in Council Chambers) is working with the committee to release previously unreleased photos. Mr. Koloski said they have been granted access to the Eagle Times "morgue" to pull information.

Business Corridor – Steering Committee

None

CONSULTATION WITH LEGAL COUNSEL

None

ADJOURNMENT

At 8:49 p.m., a motion was made by Mr. Koloski and seconded by Ms. Towle to adjourn.

Voice vote: motion carried 8-0.

Respectfully Submitted,

Dorée M. Russell
Clerk to the Council