

The Claremont City Council held a meeting on Wednesday, July 10, 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 Victor Bergeron  
Ward III Councilor Nicholas Koloski  
Mayor James Neilsen, IV  
At-Large Councilor Christopher Irish  
Ward II Councilor Roger Formidoni  
At-Large Councilor Kyle Messier  
At-Large Councilor Thomas Burnham (left early)

Absent:

Assistant Mayor Andrew Austin (resigned June 24, 2013)

Also present were:

Guy Santagate, City Manager  
Jane Taylor, City Solicitor

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

**A motion was made by Mr. Bergeron and seconded by Mr. Irish to enter Non-Public Session pursuant to RSA 91-A:3,II(a) – Personnel.**

**Roll call vote: motion carried 8-0.**

**Mayor Neilsen said the following individuals were invited into the non-public session: Mr. Santagate, Ms. Taylor, Council Clerk Dorée Russell and Police Chief Alex Scott.**

**A motion was made by Mr. Bergeron and seconded by Ms. Messier to seal the minutes until such time as the personnel matter is resolved.**

**Roll call vote: motion carried 7-0 with 1 abstain (Mr. Burnham).**

**A motion was made by Mr. Bergeron and seconded by Mr. Raymond to go back to public session.**

**Motion carried 7-0 with 1 abstain (Mr. Burnham).**

BREAK

After the break, Mayor Neilsen said Mr. Burnham was excused from the rest of the meeting.

### **APPOINTMENT OF ASSISTANT MAYOR**

On June 24, 2013, a letter was received by the City from Andrew Austin stating he was resigning his position as Assistant Mayor due to health issues.

Mayor Neilsen said Council needs to have five affirmative votes to appoint a new Assistant Mayor.

Mr. Raymond nominated Victor Bergeron for appointment to Assistant Mayor.

Mayor Neilsen nominated Mr. Irish for appointment to Assistant Mayor.

Roll call vote: Mr. Bergeron was unanimously appointed to Assistant Mayor for the remainder of the term which ends December 31, 2013.

Assistant City Clerk Dorée Russell swore in Victor Bergeron as Assistant Mayor.

**A motion was made by Mr. Formidoni and seconded Mr. Raymond to nominate Mr. Irish for Sergeant at Arms.**

**Voice vote: motion carried 7-0.**

Mayor Neilsen read the rules about selection of a new Council member. Vacancy must be filled no later than September 11, 2013, and once appointed will serve until December 31, 2013. Councilors agreed to use the previous process. Applications will be turned in no later than July 31. Advertisement will be placed in the newspaper as soon as possible and will run at least twice. Special meeting for selection will be Tuesday, August 20<sup>th</sup>. Applications are to be turned into the City Manager's office.

Bernie Folta, Ward 3, talked about folklore and suggested the process to fill vacancies should be included in Council Rules.

### **MAYOR'S NOTES**

#### Claremont School Board Update

None

Mr. Bergeron said the Business Corridor Committee will have a booth at the Farmers Market.

Mayor Neilsen said three Claremont businesses were highlighted in the Vermont Business Journal.

## **REPORT OF THE SECRETARY**

**A motion was made by Mr. Koloski and seconded by Mr. Bergeron to accept the minutes of the June 12, 2013, City Council meeting.**

Mr. Raymond abstained as he was not at that meeting.

**Voice vote: Motion carried 6-0 with 1 abstain (Mr. Raymond).**

## **APPOINTMENT TO BOARDS AND COMMITTEES**

### Frances J. Tolles Home Trustees

**A motion was made by Mr. Irish and seconded by Mr. Raymond to re-appoint Vicki L. Landry to seat #5 of Frances J. Tolles Home Trustees.**

**Voice vote: motion carried 7-0.**

### Historic District Commission

**A motion was made by Mr. Raymond and seconded by Ms. Messier to re-appoint Richard Wahrlich as the Planning Board Representative of the Historic District Commission.**

Mr. Irish noted there are three vacant seats on the Historic District Commission.

**Voice vote: motion carried 7-0.**

Mayor Neilsen talked about Planning Board seats and said Mr. Bergeron, as Assistant Mayor, will fill the ex-officio seat.

Mr. Irish said he has stepped down from the Claremont 250<sup>th</sup> Anniversary Committee, so it needs a Councilor.

Mr. Koloski noted they are having trouble getting a quorum for those meetings. They need more applicants to fill seats or they need to reduce the number of seats in order to make a quorum. Mayor Neilsen suggested the board chair review the situation and come to Council if a change is needed.

## **OLD BUSINESS**

### New Community Center Update

Scott Hausler, Parks and Recreation Director, gave a Claremont Savings Bank (CSB) Community Center update.

- Total Members 3,832
- Units Issued 1,771
- Expenditures January through June (not closed out) \$441,255.95
- Revenues January through June (not closed out) \$301,451.90
- POS
  - Daily Admissions as of June 30<sup>th</sup> 5,763
  - Net Revenue POS \$24,154.00
  - Total Net Revenue Pkg \$370,439.90

Mayor Neilsen said revenues were about \$70,000 short of covering the total expenses. Mr. Hausler said the annual passes are for a 12-month period. We are in an 18-month budget which has been broken up into 6 months and 12 months. The 12 months started July 1<sup>st</sup>. Some of the revenues will go toward the first 6 months and the rest will go toward the next 12 months. Mayor Neilsen said we need to look at the total revenues and expenses at the end of the 18 months.

Ordinance 533 Alcohol at Arrowhead – Second Reading – Public Hearing

The purpose of this proposal is to authorize sale or service by the drink of beer and wine at programs or events held at the Arrowhead Recreational Area lodge building, subject to approval by the Director of Parks & Recreation and issuance of a license by the City's Licensing Board.

Enactment of this Ordinance will allow an exception to the Claremont City Code that prohibits sale or consumption of alcoholic beverages in any City park.

Police Chief Alex Scott said that he and Mr. Hausler were available to answer questions. Nothing had changed from the last meeting.

**A motion was made by Mr. Bergeron and seconded by Ms. Messier to adopt Ordinance 533 Alcohol at Arrowhead.**

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

Mayor Neilsen opened the public hearing.

Chuck Allen, Ward 3 resident and Arrowhead Recreation Club (ARC) member, said Arrowhead rents out the facility for private functions. Most of the rentals are for non-alcoholic functions. They are purchasing tables and chairs to be able to host more formal events. This ordinance will limit alcohol to beer and wine only. He said it seems restrictive. He talked about the “policy” changes for alcohol consumption for other City locations versus ordinance changes. He suggested replacing “beer and wine” with “alcoholic beverages.” He talked about two different definitions of alcoholic beverages appearing in the City Code in two different places and the need to clean up the language. He would like the option of having approval for alcohol on the grounds and parking area within a secured structure. He feels this ordinance is micromanaging. He compared Claremont with Lebanon and Newport.

Mayor Neilsen asked about the process ARC went through working with the City. Mr. Allen said they worked on this for months. Mayor Neilsen said the City wants to go forward on this using baby steps.

Mr. Irish noted that the Chief of Police can enforce an ordinance, but not a policy. Mr. Allen said if alcohol was permitted, it would go through the Licensing Board which is made up of the Police Chief and City Manager and it could add restrictions.

Mr. Allen said they would like to have the option of having a full bar.

Mayor Neilsen closed the public hearing.

Mr. Koloski said he likes the fact that it is limited, but would like to look at changing this later for ARC and the Claremont Savings Bank (CSB) Community Center. He said he spoke to someone in liquor enforcement that covers Sullivan County and she felt it was a good idea for the City to take baby steps.

**Roll call vote: motion carried 7-0.**

Veterans Credit

Mr. Irish recused himself as he is a veteran.

Ms. Messier said she was glad Mr. Woods brought this concept forward. It is important to talk about veterans and to acknowledge them. This is a small token of appreciation for veterans. Mr. Woods highlighted those vets that are not qualified for the exemption (i.e. non-combat vets). The City must commit to a balanced budget and should be wary of passing the burden to others. She is in favor of expanding the tax credit to all vets. She suggested giving other vets \$50 and keeping the current amount for combat vets. We should also see what events we can do to honor vets; she suggested contacting the VFW (Veterans of Foreign Wars) and the American Legion.

Mr. Raymond agreed with Ms. Messier. He said he thinks most people would be in favor of the \$50.

Mayor Neilsen asked about the process. Ms. Taylor said we are constrained by statute. We can't create our own class of veterans. The only recourse is to go to the Legislature to expand the classification.

Ms. Messier asked how other communities are doing that.

Mr. Santagate said we can check into how they do that.

Mary Walter, Finance Director, said the state law identifies who is qualified.

Ms. Taylor said if there are specific communities that offer this, to let us know.

Mayor Neilsen asked for public input

Chris Irish, Ward 3, thanked Ms. Messier because the \$50 is recognition of the vets.

Charlene Lovett, Ward 2, said that she served 22 years in the Army, her husband served 26 years and their son went to Afghanistan. She said she appreciates people wanting to honor veterans' service, but those good intentions put veterans in a position of discomfort. A tax credit for vets means that others may pay more taxes. She hopes that before a decision is made, veterans will have an opportunity to offer input. She welcomed the recognition of service, but said that money may not be the best way to do it.

Steve Raymond, Ward 1, said that vets deserve a tax break, but we also need to consider how it will affect others (i.e. senior citizens).

Cynthia Howard, Ward 2, said the City has spent millions on other things, so can we afford to give a few dollars to vets such as those from World Wars I and II.

Ms. Messier asked to confirm that to get this credit, veterans have to apply, it is not automatically given. The answer was yes. Mayor Neilsen said even if we increase the parameters, it may not increase the tax burden that much.

Mr. Koloski was glad the discussion had started. He agreed with Ms. Messier about having to opt in.

Mary Walter, Finance Director, showed the impact of changing exemption amounts. Currently it is \$0.49 per thousand on the tax rate. There are 583 vets. If expanded, we don't know how many vets that will include. To increase the credit to \$300 would equal 62 cents per thousand on the tax rate. 3% on the tax rate = 38 cents.

Bernie Folta, Ward 3, said the City gives tax exemption to some non-profits. Some give back in Payment in Lieu of Taxes (PILOT). He asked how much the non-profits get versus veterans.

Joe Osgood, Ward 2, said the City should give the benefit to vets, but there is a big hole in the process. He said a lot of vets can't afford to own a house, so they don't qualify for this. We need to have another procedure to reward vets. Mr. Santagate said that State Representatives make the laws and he doesn't mind talking to them. Mr. Osgood suggested giving vets a break when they register their car. Mr. Santagate said we need a State Rep. to file that Bill. [Note: Mr. Osgood is a NH State Representative.]

Mayor Neilsen agreed with Mr. Osgood that maybe it's worth investigating at the City and State level. He suggested Council work with the City Manager between now and the year end to find a different way to recognize veterans.

At 8:28 p.m. Mr. Irish returned to the Council table.

Resolution 2013-13 Expend Up to \$40,000 from Fire Apparatus Escrow – Public Hearing

Rick Bergeron, Fire Chief, said the Apparatus Replacement Plan originally scheduled an engine replacement for 2013 and a ladder replacement for 2015, but we need to swap them because the ladder is costing more than the engine for repairs. The ladder truck is more expensive, so it makes sense to purchase this one now before the interest rates go up.

**A motion was made by Mr. Raymond and seconded by Ms. Messier to adopt Resolution 2013-13 Expend Up to \$40,000 from Fire Apparatus Escrow.**

Mr. Raymond read the resolution into the record.

Mayor Neilsen opened the public hearing.

Cynthia Howard, Ward 2, asked how much money is in the reserve. Chief Bergeron said approximately \$39,600. Ms. Howard suggested the City should have put the funds aside for the last 15 years to pay for this. Mayor Neilsen said that fund was the fire hydrant fund and had about \$96,000. It could take about 4-5 years to get the money needed for the vehicle. In the Capital Improvement Plan, there is a plan to purchase a vehicle about every 4<sup>th</sup> or 5<sup>th</sup> year. The only money going into that account was the \$96,000 a year which would take about 10 years to be able to afford this vehicle.

Mr. Santagate said this is a pay-as-you-go method. We are not borrowing capital to purchase vehicles. It's built into the annual operating budget.

Ms. Howard asked what the tax impact will be next year. Mr. Santagate said it is already in the base.

Mayor Neilsen closed the public hearing.

**Roll call vote: motion carried 7-0.**

Amend Council Rule 2 to Allow Notice by Certified Mail instead of Registered Mail

Proposed amended Council Rule 2:

**2. Special Meetings.**

Special meetings may be called by five (5) or more members of the Council, by the Mayor, or by the City Manager. The City Clerk, Deputy City Clerk or Assistant City Clerk shall prepare a notice of the special session stating time, place, and object, and this notice shall be mailed by certified mail, fax, e-mail or such other form of written communication where receipt can be verified to each member of the Council and the City Manager at least forty eight (48) hours before the time of the meeting. It shall also be the duty of the City Clerk, Deputy City Clerk or Assistant City Clerk immediately upon receipt of a request so to do,

to make a diligent effort to notify each member of the Council by telephone or otherwise, of such special session.

Ms. Taylor said City Staff had requested this change because to send a notice by registered mail costs almost \$12 and it doesn't always get to Councilors before the meeting. This change will allow us to send notification by certified mail or other method where you can get a receipt confirmation.

Mr. Raymond suggested doing notification by e-mail with confirmation.

**A motion was made by Mr. Formidoni and seconded by Mr. Raymond to amend Council Rule 2 to allow notice of special meetings to be by Certified Mail or any other method that may be receipted instead of Registered Mail.**

**Voice vote: motion carried 7-0.**

#### Discussion of Outdoor Pool

Mayor Neilsen said this was back on the agenda because previously there was a question of whether there had been a motion to demolish the outdoor pool. There were discussions about the demolition and money was placed in the budget for the demolition. Council will allow the public to speak about this.

Scott Hausler, Parks and Recreation Director, showed the PowerPoint presentation from the April 11, 2012, Council meeting. Some of the highlights were: increased chemical usage; water losses – 5,226,682 gallons; Public Works assisted by using sewer cameras to view the pipes; experts were called in to help assess the situation; the pool typically serves about 30 families.

Mr. Hausler showed the PowerPoint presentation from the May 9, 2012, Council meeting. Some of the highlights were: expenses; aging gutter system; one-inch hole in one section of the gutter; unfunded capital repairs on outdoor pool \$864,988; Aquatic Development Group, Inc. proposal \$600,000; closing the outdoor pool and planning for a future outdoor spray pad is a logical and cost effective option.

Ms. Walter showed how much water can be wasted with a water leak.

Mr. Koloski asked to see, and Mr. Hausler showed, a video recording of the drainage system. Mr. Hausler described the problems with 35 year old gutters and that they were beyond their life expectancy.

Mayor Neilsen asked if the public wished to speak.

Steve Raymond, Ward 1, said he thought this was taken care of. It was previously presented that the pool would be demolished. If a taxpayer wants to put their own money into the repairs, let him. We need to give the new community center 2-3 years to prove itself.

Jeff Barrette, Ward 1, presented a petition with 325 signatures on it stating that this property deserves a second look. He thinks there is a need to have this facility and that it serves a different population than the new community center. He believes there could be more use and a potential funding stream if it was to re-open as part of the CSB Community Center. Outdoor recreation benefits us greatly. The data doesn't seem real to him: 5 million gallons of water lost in a 10-week period equals 74,000 gallons of water a day or 3,100 gallons an hour which is a 1-inch drop per hour. It would stop losing water once it got below the level of the gutters. He wants to go out there with an expert. He would need to have electricity and water hooked up. He wants to open the pool "on his own dime." Other communities operate their pool for the same amount of time for \$40,000. He doesn't know what the repair costs are; the renovation information seems slightly inflated to him.

Mr. Irish asked if the petition included information that if the outdoor pool were to be re-opened that the signer would be willing to pay for it. Mr. Barrette said no, that it was all relative. He said he isn't an expert, but he thinks the costs are overestimated.

Mr. Formidoni asked if Mr. Barrette had put together a financial model of how much he thinks it would cost to operate the pool. Mr. Barrette said without looking at it he had no idea. Mr. Formidoni said it would take major dollars to repair the pool. Mr. Barrette said he didn't see anything on the video that looked like hole to him. He talked about the cost of water and building maintenance that was presented and that the amount could be cut in half.

Mr. Koloski said he saw the petition was posted on Facebook and he thought it was great. What caught his attention was the list of businesses that had the petition for people to sign. Some of those business owners sponsor youth events. It made a difference to him that these business owners have a vested interest.

Bernie Folta, Ward 3, asked what the rush is. Once the pool is filled in, it won't be undug. He doesn't see the funding efforts for a splash pad. He talked about the school bond and that people don't have confidence about information that is given. He suggested putting a fence around the pool and let it sit until a study could be done.

Joe Osgood, Ward 2, spoke as a character reference for Mr. Barrette. He said he worked with Mr. Barrette in Mr. Barrette's capacity as a County Commissioner. He does things very thoughtfully. He said "we" are making the pool look as bad as we can. He used Arrowhead as an example; it was in bad shape and now people want to use it. He thinks the pool can be fixed over time. He suggested letting Mr. Barrette come back with the answers. Mr. Osgood said he put the petition in his business. He is put out that every signer has to be a registered voter.

Mr. Santagate asked Mr. Osgood, who is a State Representative, about passing down pension costs to the City and about dramatic cuts to Shared Revenues (\$500,000 to the City) and whether Mr. Osgood thought that it would be restored. Mr. Osgood said at the time, he came to Council asking for help getting Revenue Sharing back. He will do what he can to get it back. Mr. Santagate said that would help us a lot for some of these projects that can't be done unless state cuts are restored.

Council Meeting

July 10, 2013

Page 142

John O'Connor, Ward 3, said if the City can spend millions on a parking garage, it can spend the money to fix the pool. He is willing to pay more for taxes to fix the pool because there are few places in the City where you can see your tax dollars at work. He said Parks and Recreation is one of those places where you can see your tax money at work; he gave a "shout out" to Bobby Melcher and his crew for doing a great job mowing the grass and landscaping.

Elaine Osgood, Ward 2, said she signed the petition. She would like Mr. Barrette to do the independent study. She said the pool is a big part of the City.

Jeff Barrette, Ward 1, clarified that there will be a cost to the City for water and electricity to do the assessment. Mr. Irish asked what that cost would be. Mr. Barrette said that is unknown. He estimated the pool would need to be open for a week or two.

Paul LaCasse, Ward 3, asked why the electric meter was taken off the pool and why the stainless steel was rusting. Stainless steel doesn't rust.

Carolyn Towle, Ward 1, said she was concerned about the cost for this test. We need to know the numbers before going further. She was concerned about the liability of Mr. Barrette doing the test. She is not for or against the demolition of the pool. She has seen beautiful splash parks in Florida. She would be worried about the liability.

Gordon Dansereau, Ward 1, said he was the pool manager in 1988 and it was leaking then. He said the question is why we would keep it open when we are spending \$1,000 a day for chemicals. His answer is that he is in favor of keeping the pool because of the history.

Cynthia Howard, Ward 2, said the reason we had to spend thousands of dollars is because we don't have a maintenance plan in place.

Paul LaCasse, Ward 3, said he doesn't see a liability for someone to do the test; he doesn't see any reason to not let Mr. Barrette do the test. He suggested doing a pressure test.

Steve Raymond, Ward 1, said this has been going on for three years or better. He said he was confused because Council had already made its decision and now petitioners are coming forward.

Joe Osgood, Ward 2, said it would not be a big problem to fill the pool with water. Hooking up the electricity to run the pump is another factor to consider.

Jeff Barrette, Ward 1, said the budget for demolition was \$50,000; the bid for demolition was \$23,000 which leaves \$27,000 to pay for the water and electricity.

Mayor Neilsen closed the public hearing.

Mr. Koloski asked if the electricity is still connected. Tim Herson, Superintendent of Facilities and Maintenance, said no. Mr. Koloski asked if the pool was filled with water and can it be fired

Council Meeting

July 10, 2013

Page 143

up. Mr. Hernon said certain things have already been removed in preparation for demolition. PSNH (Public Service of NH) has disconnected the electric and removed the meter. Two septic tanks have been cleaned of hazardous materials and the porcelain has been removed. He said it may be possible to do an air pressure test.

Mayor Neilsen asked about running the pumps and Mr. Hernon said the controls are “shot.” He said water is maintained in the pool, at a lower level, in order to maintain the pool cover in the winter.

Mr. Koloski asked if the \$18,000 in water loss was passed on to rate payers. Mayor Neilsen said “lost water” is considered part of the operational cost and is written off. Ms. Walter said the cost was not passed on to rate payers; water users shouldn’t be subsidizing the water that was lost.

Mr. Koloski said there would be no liability because Mr. Barrette would sign the City’s waiver form. Ms. Taylor was not sure if the volunteer waiver form would cover this situation, so she will check.

Mr. Irish talked about people complaining about spending money and now some people want us to spend money on the pool. It will cost money to repair and to continue to run it. In reference to liability, he said he supported Mr. Barrette’s quest to bring this issue to the table, but his issue is trust. He asked if citizens don’t trust our experts, why should we trust their experts. He asked how we are going to pay to keep it open. That pool is not worth going forward with.

Ms. Walter suggested Council could do a Request for Proposal (RFP) to bring someone in, but no matter what it costs, we would still have a 1970s vintage pool. A splash pad can accommodate more people and can be open longer.

Mr. Koloski asked if Council had gotten a decision on whether or not it had voted to demolish the pool.

Mayor Neilsen said Council made a motion to close the pool and it has been closed.

Mr. Irish asked about making a motion for expenditure of funds. Mayor Neilsen said it would require determining where the funds would come from.

Ms. Messier said she is surprised no one came to speak about this a year and a half ago and now Council has received a petition with 325 signatures. She is in agreement with slowing down to get more answers. She would like to see the administration answer the questions. We need to figure out the condition of the pool. She said she has not felt misled by any of the department heads.

Mr. Bergeron said he respects Mr. Barrette for what he does for the county, but he doesn’t believe department heads are misleading us. He said he will go along with postponing the demolition if we hire a private expert to look at the pool and use some of the money left over from the \$50,000. He doesn’t want to encourage private citizens coming in questioning decisions made by department heads.

A motion was made by Mr. Bergeron and seconded by Mr. Koloski (for discussion) to put out a Request for Proposal (RFP) for someone who is an expert in developing pools. [Note: this was changed below.]

Mr. Formidoni said because of the number of signatures on the petition and the outpouring from the community, he would not be averse to delaying the demolition. He said he doesn't like citizens second guessing our City staff's decision.

Mr. Bergeron explained his motion was for the City Manager or his designee to take the money left over to hire an expert in pool construction to look over the pool to see what the figures are.

Mr. Irish said the writers of the RFP would be players in this issue. He suggested choosing a firm that is a certain number of miles away from the City.

Ms. Walter said we can put out an RFQ which is a Request for Qualifications; people can look at the qualifications (price is in separate envelope); after the firm is selected, we then look at the price. You cannot limit it to bidders outside a certain distance.

After discussion it was agreed to change the motion for an RFQ instead of RFP.

**A motion was made by Mr. Bergeron and seconded by Mr. Koloski (for discussion) to put out a Request for Qualifications (RFQ) for someone who is an expert in developing pools.**

Mayor Neilsen said he appreciates the process, but the Councilors that are serving are all honorable. He said he appreciated citizens being part of the process.

Mr. Koloski asked about the legality of not awarding the current demolition bid. Mr. Santagate said we have not signed the contract, yet. Mr. Koloski asked how much was left of the \$50,000. Ms. Walter said an asbestos check was done, so that leaves about \$40,000.

Ms. Walter said engineering services are not cheap, so the worst case scenario is to go out for an RFQ and the prices could be more than the amount we have left and we would not have anything left for demolition.

David Nichols, Ward 1, said he came to the meeting thinking this was viable, but after hearing the comments, he doesn't see this as being viable; it is 35 years old; any engineer would say it is too old. Power was 3-phase and was cut; it would cost \$3,000 to reconnect and you will have to sign an electric contract for a certain amount of time. He asked what the difference is in the two pools. He suggested dismantling the outdoor pool.

Jeff Barrette, Ward 1, said he is distrustful of the information. The point is to have someone take another look at this pool. He doesn't care who does it, but would like to be a part of the process. Since some demolition has been done, it might make it a little more difficult.

John O'Connor, Ward 3, agreed the pool needs to be fixed. He said we need to find the money to rebuild the outdoor pool, because once it is gotten rid of, it will be gone for good. He trusts Public Works Director Bruce Temple.

Joe Osgood, Ward 2, hopes that Mr. Barrette is notified in advance so when the expert is at the pool, he can be there also. He asked if some spot repairs could be made so that the pool can be opened and then make a plan to fix it.

Paul LaCasse finds it ironic that the pool was built in 1949 by volunteers for Claremont people to use at a minimal fee and now we're bickering about not letting volunteers help.

Steve Raymond, Ward 1, said if they want to do it out of their pocket, fine, but he doesn't think taxpayers should pay for it.

Mayor Neilsen closed the public hearing.

**Roll call vote: motion carried 6-1 with Mayor Neilsen voting no.**

**A motion was made by Mr. Bergeron and seconded by Mr. Koloski to continue the meeting until such time as is necessary to conclude business.**

**Voice vote: motion carried 6-1 with Mayor Neilsen voting no.**

## **CITIZEN'S FORUM**

Charlene Lovett, Ward 2, said in honor of Claremont's 250<sup>th</sup> Anniversary celebration, she would like to illuminate the Civil War Memorial in Broad Street Park. The initial estimate is \$3,000. She will get the funding from community members. This would be part of the 250<sup>th</sup> celebration. A Civil War graveyard walk could be part of it. She asked to be placed on the August Council agenda to give more details. It would all be done with donations, no taxpayer money. Mayor Neilsen said she can be placed on the agenda. Ms. Lovett talked about Citizen's Forum being so late [it was scheduled for 7:50 p.m. and it started around 10:50 p.m.] that it doesn't encourage people to participate. Mayor Neilsen said Council Rules dictate the order of the agenda.

Bernie Folta, Ward 3, handed out an election information sheet. He said hopefully there will be more participation during this election.

Nancy Miville, Ward 3, talked about the Civil War Living History Weekend, July 18-20, in Broad Street Park, Trinity Church and Monadnock Park.

## **NEW BUSINESS**

### Resolution 2013-15 Muni Transportation Fund – Public Hearing

Bruce Temple, Public Works Director, said this resolution will allow the City to get money from the Muni Transportation Fund for replacement of a failed storm water pipe along Broad Street

from Wall to Tremont Streets; replacement of a failed storm water pipe at the intersection of Central and Pearl Streets; design and replacement of a failed storm drainage along portions of Osgood Avenue; curb and sidewalk improvements at Hillstead Avenue and on Maple Avenue from Buena Vista to the Drapers Corner Project.

**A motion was made by Mr. Raymond and seconded by Mr. Bergeron to adopt Resolution 2013-15 Muni Transportation Fund.**

Mr. Raymond read the resolution into the record.

Mayor Neilsen opened the public hearing. No one spoke. He closed it.

**Roll call vote: motion carried 7-0.**

Resolution 2013-16 to Raise and Appropriate from Fund Balance 39 Central Street Environmental Hazard Review – Public Hearing

Alex Scott, Police Chief, said the owner of 39 Central Street has been ordered to correct the hazardous condition of the building. The Court has ordered that as of August 15 the City may enter the property. At that point, the City needs to do an environmental hazard review. The money is to be taken from fund balance with no impact on the tax rate.

**A motion was made by Mr. Formidoni and seconded by Mr. Bergeron to adopt Resolution 2013-16 to Raise and Appropriate from Fund Balance 39 Central Street Environmental Hazard Review.**

Mr. Formidoni read the resolution into the record.

Mr. Koloski asked if it is the City's intention to list the property for sale. Chief Scott said the City is not the owner of the property. This would allow the City to determine what are the costs associated with the clean up of the property. Mr. Koloski asked about the \$10,000 cost. Chief Scott said that Kurt Beek, Planning and Development Department Project Manager, came up with the figure; this should be sufficient.

Mayor Neilsen talked about the taxes that are due on this property which is probably more than the value of the property. Chief Scott said decisions about what to do with the property will be easier after this process is complete.

Ms. Taylor said the purpose of starting the 155-B process was because the Council determined the property was a threat to public health and safety. This is the first step toward mitigation of that public health threat.

Mr. Koloski asked if City Staff feels we will be able to recover the \$10,000. Chief Scott said not likely. Mr. Koloski asked what the current fund balance is. Ms. Walter said last year it was about \$757,000.

Mr. Bergeron said when buildings are abandoned, the City needs to make the owners (i.e. banks) make them safe.

Mayor Neilsen said we need to do an annual tax deeding process.

Mayor Neilsen opened the public hearing. No one spoke. He closed it.

**Roll call vote: motion carried 7-0.**

Motion to Enter into Multi-Year Lease Agreement for Public Works and Fire Vehicles

Ms. Walter said this is for a ladder truck and two F-550s for Public Works. The money has been raised and appropriated in the 2014 budget. The lease agreement contains a termination clause due to non-appropriation. This is a blended lease: 15 years for the ladder truck and 10 years for the two F-550s; the interest rate is 3.04%.

Bernie Folta made a point of order saying this was not posted for a public hearing.

Ms. Walter said this is a motion. Ms. Taylor said this is not raising and appropriating any additional funding; it doesn't involve borrowing; it doesn't involve moving funds between departments and it doesn't involve removing money from a capital reserve fund which would require a resolution with a public hearing. Lease agreements don't need a public hearing.

**A motion was made by Mr. Raymond and seconded by Ms. Messier to authorize the City Manager to enter into multi-year lease agreement for vehicles and equipment for the Public Works and Fire Departments, the expenditure for the first year of the lease being \$98,310.26 (Public Works, \$19,994.36 and Fire \$78,315.90), said costs having been raised and appropriated in the 2014 budget. The proposed lease agreement contains a termination clause in the event of non-appropriation of sufficient funds for any subsequent year of the lease.**

Bernie Folta, Ward 3, asked what the bottom line cost of this is. Ms. Walter said the lease payments are \$78,315.90 for 15 years and \$19,994.36 for 10 years.

**Roll call vote: motion carried 7-0.**

Resolution 2013-17 to Accept and Expend Grant from USDA for Fire Station Energy Improvements – Public Hearing

Fire Chief Rick Bergeron said we applied for the grant in February and now we have been approved. This is to engineer strengthening of the roof deck, add insulation to the attic and add domestic solar hot water

**A motion was made by Ms. Messier and seconded by Mr. Raymond to Resolution 2013-17 to Accept and Expend Grant from USDA for Fire Station Energy Improvements**

Ms. Messier read the resolution into the record.

Mayor Neilsen opened the public hearing. No one spoke. He closed it.

Mr. Bergeron thanked Chiefs Bergeron and Scott for the work they do to get these grants.

**Roll call vote: motion carried 7-0.**

Motion to Authorize Underground Utilities for Stephen Keen at Claremont Airport

Ms. Taylor and Fire Chief Bergeron said Stephen Keen owns a hangar at the Claremont Airport, and runs Ascutney Air LLC. He is an aircraft mechanic and the building is on leased City property. Ms. Taylor said Mr. Keen wants to upgrade his utilities and to put them underground he needs to go across public land. We need Council permission to enter into the licensing agreement.

**A motion was made by Mr. Koloski and seconded by Mr. Raymond to authorize the City Manager or his designees to negotiate and enter into a multi-year license agreement with a Stephen Keen, owner of a certain hangar at the Claremont Airport, identified on the City's tax maps as Parcel 117-16-4, to place certain conduits and wires in and under the surface of City-owned property for the purpose of upgrading utility service to Mr. Keen's hangar. This license shall be effective only upon receipt by Mr. Keen of all regulatory permits and approvals as may be required and in compliance with all applicable codes and regulations. This license shall also be personal to Mr. Keen, with any subsequent owner being required to request a new license from the Council, with such approval to not unreasonably be withheld. Mr. Keen 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.**

**Voice vote: motion carried 7-0.**

Efficiency Audit

Mr. Bergeron would like to ask the City Manager to ask Ms. Walter how much it would cost to hire a company for an efficiency audit. Ms. Walter said she had done a little research and found the companies that do this typically evaluate fire, police and public works. She sent requests to two companies, but did not receive a response. She found one company that had done just fire and police at a cost of \$287,000. The population was about 60,000 so extrapolating that down for Claremont's size, the cost is still pretty high.

**CITY MANAGER'S REPORT**

Mr. Santagate talked about the damage in the Cat Hole Road area caused by the rain storm. Staff responded quickly and life safety issue were handled right away. The City has been in touch with Senator Shaheen's office and Governor Hassan toured the effected area. There is enough damage for the Governor to declare a state of emergency. The staff is tracking the expenses at

about \$500,000. We hope to recover most or all of the cost through FEMA (Federal Emergency Management Agency). He thanked the staff for doing a great job.

## **FUTURE AGENDA ITEMS AND DIRECTIVES**

Ms. Messier asked about taking care of the weeds that are in the downtown area. Mr. Santagate said he will find out the timing of the spraying. Ms. Messier asked about what will happen at the end of Bond Street. Mr. Santagate will meet with Mr. Goggin and Mr. Temple to review the area.

Mr. Irish asked about painting the dug outs in Veterans Park and the grandstand at Barnes Park red and black. Mr. Santagate will check the status.

Mayor Neilsen asked to put Charlene Lovett on next month's agenda for illuminating the Civil War statue.

Mr. Bergeron asked what can be done to get property owners (i.e. banks) of vacant properties to mow the grass and take care of those properties.

Mr. Koloski asked for an update on the tax deeded properties. Also, he has received a complaint for the second time that there is a vehicle up on blocks at the former Ben's Market on Sullivan Street. It has been like that for over 90 days. There is concern about children playing in that area.

Mr. Raymond commented about the discussion regarding the outdoor pool going on for two hours and his concern that people are allowed to come in and second-guess department heads. We need to watch out for that. Mayor Neilsen said what made this more difficult was we didn't have a clear motion. He agreed about not second-guessing staff. Mr. Bergeron said one problem was after the motion was made for a compromise, citizens talked again and repeated the same thing.

Mr. Irish said we need to be more realistic with the times on the agenda and if a second meeting is needed, so be it. He said Citizen's Forum needs to be moved up on the agenda.

Mr. Koloski asked if there are funds left over at the end of the year, if some money could be used to help eliminate the stack of paperwork Council receives by purchasing and using electronic tablets or flashdrives for Council packet information.

Ms. Messier asked to have an amendment to Council Rule 22 on next month's agenda.

## **COMMITTEE REPORTS**

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

Mr. Koloski said work is continuing.

Business Corridor – Steering Committee

None

**CONSULTATION WITH LEGAL COUNSEL**

To be held after adjournment.

**ADJOURNMENT**

**At 11:43 p.m., a motion was made by Mr. Bergeron and seconded by Ms. Messier to adjourn.**

**Voice vote: motion carried 7-0.**

Respectfully Submitted,

Dorée M. Russell  
Clerk to the Council