

The Claremont City Council held a meeting on Wednesday, April 8, 2015, 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 James Reed  
Ward II Councilor Charlene Lovett  
At-Large Councilor Kyle Messier  
At-Large Councilor John Simonds

Absent:

Assistant Mayor Victor Bergeron (excused)

Also present were:

Guy Santagate, City Manager  
Jane Taylor, City Solicitor

## **MAYOR'S NOTES**

### School Update

Dr. Middleton McGoodwin, School Superintendent, said that the Stevens High School (SHS) renovation is almost complete. There will be a grand opening May 19 (more information to come). Patricia Barry, SHS Principal, is completing her first year as Principal. Next year students will be required to have four full years of math for graduation. In today's Eagle Times, Governor Hassan was in Unity and she recognized the SHS Key Club which is the largest in New England. Dr. McGoodwin's goal is to put students' accomplishments on the front page of the newspaper more. Full day kindergarten will be starting next fall. Kindergarten is the foundation of public education. 2011-2015 the budget increased an average 2.5%. Next year's budget will be \$14,000 less than this year and will include full-day kindergarten. He talked about the importance of the schools working with River Valley Community College (RVCC) and Valley Regional Hospital (VRH). His goal is to improve communication. Next year tuition for out-of-district students at SHS will be reduced from \$18,000 to \$14,000. He said that the Claremont School District and City of Claremont need to be partners to go forward.

Donate Life Proclamation

Mr. Santagate said he attended two Donate Life events today. The effect of organ donation goes beyond the recipient and includes the family and friends. He urged people to sign up to be organ donors.

Carolyn Towle said that in 1996 she had cardiac arrest. In the last two years, she has been living with advanced heart failure. Last January she received a mechanical heart and in November she received a heart transplant. An organ donation is a gift.

Sarah Pope read "Sarah's Story" which she had written three years ago when her mom, Tracy Pope, had stage 4 renal failure. Her mom's slogan is "Love Brings Miracles." Her father, Scott Pope, was a donor match. Donating is about giving someone a second chance.

Tracy Pope, said that in 2012, her husband, Scott, donated his kidney to her. She said it is important for every one of us to give the gift of life.

Mayor Neilsen presented a Donate Life Proclamation to Tracy Pope.

Tracy Pope said NH just surpassed 50% of licensed drivers signing up for organ donation.

Mr. Santagate showed pictures taken by Bill Binder (and purchased by the City) of a Color Run and the Visitors Center Green that will be put on display at City Hall, the Visitors Center and the Claremont Savings Bank Community Center.

Mayor Neilsen said Comcast Cares Day will be Saturday, April 25, 8:30 a.m.-1:30 p.m., in Monadnock Park and the Council has been invited to participate. He talked about Every Child Matters in NH, Walk a Month in My Shoes (poverty simulation), Friday, May 15, Grappone Conference Center, 8 a.m.-3 p.m. He read an excerpt from a letter from Governor Hassan's response to Claremont's request to change the way schools are funded in NH. He read from a letter from ISO Insurance Services Office that the City's fire insurance classification was changed from 3 to 6 for 1-2 family and from 3 to 5 for commercial and industrial properties.

Nancy Merrill, Planning and Development Director, said her department has responded to ISO and they are in the process of reviewing the notice. Of the items we lost points for, at least five are related to the state not adopting new codes within the last five years.

Ms. Messier said the triangular building in Opera House Square has been purchased to be used for website development and will employ about 50 people. Runnings had a soft opening and they are planning to employ 80 people. The Eagle Times had an article about the RVCC (River Valley Community College) entrepreneurship course. There were 25 participants in the course and one will be opening a business in Claremont.

Mr. Simonds said there was a Letter to the Editor in the Eagle Times (also in the e-Ticker News) from Gary Trottier, owner of the Union Block, praising City employees for the response to a fire at the Union Block. Mayor Neilsen said the night of that fire that the City Manager was prepared to open the shelter in the event residents needed a place to stay after the fire, but most of the residents were able to return to their homes and the rest had places to stay.

## **REPORT OF THE SECRETARY**

**A motion was made by Mr. Koloski and seconded by Ms. Lovett to accept the minutes of the March 11, 2015, City Council meeting.**

**Voice vote: motion carried 8-0.**

**A motion was made by Ms. Towle and seconded by Mr. Koloski to accept the minutes of the March 25, 2015, City Council meeting as amended.**

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

Ms. Lovett said she doesn't care where this is reflected in the March 25<sup>th</sup> minutes, but in reference to the \$160,000 deficit at the Transfer Station, that is not the case. She said if Public Works personnel expenses were moved over to the other part of Public Works' budget and the landfill monitoring expenses were excluded, the deficit would be about \$88,000. Mr. Santagate said he disagreed with that conclusion. Ms. Lovett said that was what was said during that conversation.

**Voice vote: motion carried 7-0, 1 abstain (Mr. Raymond abstained).**

## **APPOINTMENT TO BOARDS AND COMMITTEES**

### Fiske Free Library Board of Trustees

**A motion was made by Ms. Messier and seconded by Mr. Koloski to appoint George T. Caccavaro, Jr. to seat #1 of the Fiske Free Library Board of Trustees.**

**Voice vote: motion carried 8-0.**

### Parks and Recreation Commission

**A motion was made by Mr. Reed and seconded by Mr. Simonds to re-appoint Jeffrey Coburn to seat #7 – Ward III, of the Parks and Recreation Commission.**

**Voice vote: motion carried 8-0.**

**A motion was made by Mr. Reed and seconded by Ms. Towle to re-appoint Jim Feleen to seat #2 – Ward II, of the Parks and Recreation Commission.**

**Voice vote: motion carried 8-0.**

Zoning Board of Adjustment

**A motion was made by Mr. Reed and seconded by Mr. Raymond to re-appoint Richard Collins to seat #1 of the Zoning Board of Adjustment.**

**Voice vote: motion carried 8-0.**

Mr. Santagate said rosters for all the boards and commissions were placed in the Council packet. Those rosters show there are about 51 vacancies and that number stays pretty constant. He suggested putting notice of the vacancies on CCTV (Claremont Community Television).

In addition to sitting on the Council, Councilors sit on other boards. On some of the boards, there are alternate seats so citizens can start there before moving up to regular seats. Training sessions are available.

In reference to the mission statements for the boards and commissions, Ms. Taylor said she and deForest Bearse, Resource Coordinator, are working to update them.

Ms. Taylor said minutes should be taken at each board and commission meeting and the Planning and Development Department posts them on the website as soon as they are available.

Bernie Folta Ward 3, talked about the Traffic Advisory Committee (TAC) and Licensing Board being City Manager committees and they do not have citizens on those committees. He suggested each board or commission should have an orientation booklet for new members to read.

Ms. Taylor said the TAC is the City Manager's committee that was created according City Code 2-27. The Licensing Board, according to City Code 8-26 shall consist of the City Manager, Chief of Police and a third member appointed by the Council.

## **CITIZEN'S FORUM**

Bernie Folta, Ward 3, said that a citizens group held a budget orientation given by Finance Director Mary Walter. He asked if citizens can speak during each budget session. Mayor Neilsen said yes there will be four Thursday budget sessions in May in addition to the regular meeting (which will have some budgets) and citizens may give input.

Chuck Allen, Ward 3 resident and Arrowhead Recreation Club member, said volunteer statistics for April 2014 to March 2015 were: 6,600 total hours; operational 4,450 hours; nonoperational 2,200 hours; total of 100 people; 46 operational days which is higher than normal (36 days) 5,300 visits; people came from 23 different states and a couple foreign countries; Cardboard Sled Race had 40 entries from NH, VT, ME and NY. It was a good year.

## **OLD BUSINESS**

### Ordinance 542 Code Enforcement Actions – Second Reading – Public Hearing

The purpose of this proposal is to revise the various Code provisions relating to property maintenance, fire code, nuisance and zoning enforcement to allow code enforcement officials, or their designees, broader enforcement powers to issue citations and prosecute offenses under any municipal code, ordinance, bylaw or regulation, as permitted by state law. The proposal also establishes consistent penalties for code enforcement violations.

Enactment of this proposed Ordinance will strengthen the regulatory framework for the City's code enforcement, provide consistent penalties and update various provisions to reflect changes to state law.

Ms. Taylor said this is for improved enforcement capabilities. It expands those who can cite persons who violate various code provisions and makes penalties consistent. Building code officials and code enforcement officers in the Fire Department, in addition to Police, will be able to cite violators. This was reviewed by the Planning Board, but the Board did not vote to recommend or not recommend. According to City Code 22-5 if the Planning Board does not vote on this, then it is deemed as an approval.

### **A motion was made by Ms. Messier and seconded by Ms. Towle to adopt Ordinance 542 Code Enforcement Actions.**

Ms. Messier read the explanation of proposed action into the record.

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

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

### JSL Update

Mary Walter, Finance Director, said \$14,000 was put into the last budget for the JSL (Junior Sports League) budget and currently the expenses are \$17,800. She would like to “mothball” the building (turn off heat and electric, and drain pipes); it is currently on maintenance heat. She asked for Council guidance.

She asked if Council wanted to sell the building.

There was a discussion about nonprofit use and Ms. Merrill said that if a nonprofit were chosen, they would have to come up with a PILOT (Payment in Lieu of Taxes) plan.

**A motion was made by Mr. Reed and seconded by Ms. Towle to put the JSL (Junior Sports League) building up for bid for potential sale.**

Ms. Taylor said items from the JSL group have been cleared out. One of the biggest problems with the building is that ADA (Americans with Disabilities Act) compliance will be expensive. Mr. Brislin said the City is storing a nativity scene, kayaks and a kayak trailer in the building. Ms. Walter said it would be cheaper to rent a storage unit for those items than continuing to heat the building.

Mayor Neilsen asked about available CDBG (Community Development Block Grant) monies and Ms. Merrill said it would depend on the proposal.

Mr. Koloski asked about the status of the Zotto Gym. Ms. Taylor said currently the Attorney General's office is reviewing the appraisal.

At 8:15 p.m. Council had a break. Ms. Towle was excused and did not return from break.

## **NEW BUSINESS**

### Water and Sewer Ordinance Discussion

Scott Sweet, Assistant Public Works Director, showed a PowerPoint presentation about the Public City Sewer Department.

- Responsibilities;
- Sewer Department Staff has 88 years of combined service;
- Responsibilities include 9 sewer pump stations, 1,150 sewer manholes, 70 miles of sewer collection mains;
- 2014 completed work orders 53% manholes and sewer mains, 40% pump stations and 7% equipment; equipment for inspections and plugs;
- rodder, sewer line camera and harben jetter; typical sewer connection, property owner responsible from the building to the main;
- service line clogs are typically the result of neglecting maintenance and not keeping the line free of debris; roots are huge problems;
- list of possible issues if the Sewer Department became liable from the sewer main to the property line;
- PRIMEX (NH Public Risk Management Exchange) recommended that the property owner should be responsible for having their line cleaned and PRIMEX would not want City employees to go into people's basements (too much liability).

Mayor Neilsen had a discussion with his brother-in-law who works for the Sewer Department and Mayor Neilsen understands and agrees with the presentation, but he is concerned about ultimate failure of the line from the property line to the main because the property owner has no control over traffic driving over that area. If the pipe collapses under the road, he thinks it should be the City's responsibility. He has shifted his position some to think that as long as the pipe is not collapsed, the service line should be the property owner's responsibility.

Tom Woodley, Public Works Director, said that with additional burdens, he will need additional employees. PRIMEX is concerned about City employees having to go into basements. The City may have to have a survey done to determine where the property line is. He thinks it is a mistake to get involved with service lines. He recommended not changing what is being done now.

There was a discussion about the flat fee for infrastructure. Mr. Woodley explained that is to maintain the main lines and the connections to the sewer plant.

There was a discussion about cleanouts and that many properties do not have them.

There was a discussion about repairs having to be made under the City roads. Public Works tries to help out (locate lines, etc.), but it's done on a case-by-case basis.

Bernie Folta, Ward 3, said as a resident of North Street that he is concerned about the heavy trucks on that road that vibrate the road and agitate the sewer pipes under the road.

There was discussion about reviewing the ordinance. Ms. Taylor read the provision regarding service line responsibilities and said it was adopted in 2000 and is still in compliance with state law.

Mayor Neilsen thanked Public Works for the information and if further review is needed, Council has the information that was presented.

License Agreement for Agricultural Use – Map 152-7

Nancy Merrill, Planning and Development Director, said this is an annual renewal of the license agreement with Gary LeClair who plants corn on approximately 10 acres of City-owned land. He pays taxes on that land.

**A motion was made by Mr. Raymond and seconded by Mr. Simonds to authorize the City Manager or his designees to negotiate and enter into a License Agreement with Gary LeClair to use a portion of Parcel 152-7 for agricultural use for one (1) year, renewable annually upon approval by the City Council.**

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

Ordinance 543 No Parking on Charles Street - Pleasant to Highland - First Reading

The purpose of this proposal is to prohibit vehicle parking on both sides of Charles Street between Pleasant Street and Highland Avenue. Parking on the south side of Charles Street is already prohibited. The Traffic Advisory Committee has requested this change after it determined that allowing parking on either side of Charles Street in this area creates a safety hazard because this portion of Charles Street is much narrower than the section of the street between Pleasant and West Pleasant.

Enactment of this proposed Ordinance will improve public safety on Charles Street.

Police Chief Alex Scott said a resident had a problem with parked vehicles blocking their access on Charles Street. It was brought to the TAC (Traffic Advisory Committee). The issue has been reviewed by the Public Works Department, the Planning and Development Department and the Fire Department. It is a very narrow section of roadway. The road is on a steep grade. The recommendation from the TAC is that there should be no parking on both sides of Charles Street in that area.

Ms. Lovett brought forth a request from an elderly resident to have a handicap parking spot for the summer months. Chief Scott said the layout of roadway would not be conducive. He said there is a large parking lot on the property. He said he notified the tenant and the property owner of this meeting and that the next meeting would have a public hearing.

**A motion was made by Mr. Raymond and seconded by Mr. Simonds to adopt Ordinance 543 No Parking on Charles Street - Pleasant to Highland on first reading.**

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

Ms. Taylor said the TAC had requested and Ms. Russell did notify residents of the affected area of Charles Street of this meeting and that the next meeting would have a public hearing.

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

Resolution 2015-25 to Raise and Appropriate from Fund Balance for 39 Central Street –  
Public Hearing

The City Council has determined the structure located at 39 Central Street, Map 119, Lot 354, is a hazardous building and a threat to public health and safety, and has ordered the owner of said property to correct the hazardous condition of the building or to raze or remove said building. The owner has failed to correct the hazardous condition of the building or to raze or remove the same. After receiving approval from the Court, the City seeks to remediate certain hazardous materials and to partially raze the building located on the property. This is a request to raise and appropriate the sum of up to \$40,000 to be taken from fund balance (to have no impact on the tax rate) for the purpose of remediation of hazardous materials and to partially raze the building located at 39 Central Street.

Kurt Beek, Project Manager, said this funding will allow the City to continue dealing with 39 Central Street. The next task is to remove the oil tank and the concern is there may have been a spill that would need to be taken care of. After removal of the tank, we'll move on to the demolition. There has been discussion of doing a partial demolition, but to do a full demolition, we would need additional funds beyond what is being requested now.

Ms. Taylor said the City does not currently own the property.

Ms. Walter said the homeowner owes the City almost \$40,000 in taxes. The City is going to write off a lot of money with this property.

Mr. Beek said that almost \$20,000 has been spent on this property so far.

Ms. Walter said that \$50,000 is in this budget for demolition of properties. Demolition of 157 Pleasant Street has been bid at \$51,000. To go forward we need to take some money from Fund Balance. As of the end of last year Fund Balance was \$2.9 million, less \$248,000 that the Council has appropriated this year.

Mr. Santagate said some issues with the Pleasant Street property are that it has a common wall; it is over a culvert; and the bottom of the building is open to the culvert.

Ms. Messier asked if \$40,000 would take care of remediation and taking down the wooden part of building. Mr. Beek said that \$40,000 would take care of remediation and razing the wooden part of the building. Ms. Walter said after that's done we would review it to see if it made sense to demolish the rest.

**A motion was made by Ms. Lovett and seconded by Mr. Raymond to adopt Resolution 2015-25 to Raise and Appropriate from Fund Balance for 39 Central Street.**

Ms. Lovett read the resolution into the record.

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

Mr. Koloski and Ms. Messier did not want this to lead to the complete razing of the building, so they asked to have the words "or completely" removed from the resolution.

**A motion was made by Ms. Lovett and seconded by Mr. Raymond to amend the resolution to remove the phrase "or completely" in two places of the resolution.**

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

**Roll call vote to adopt the amended resolution: motion carried 7-0.**

Resolution 2015-26 to Accept and Expend EMPG Grant Funds for School Emergency Notification System – Public Hearing

The City of Claremont and the Claremont School District have jointly been awarded an Emergency Management Performance Grant for a School Emergency Notification System from the New Hampshire Department of Safety, Division of Homeland Security and Emergency Management in the total amount of \$9,960.00. The City's portion of the Grant is in the amount of \$480.00, with a local match from the City of \$480.00, which matching amount can be met by already budgeted funds (to have no impact on the tax rate). Approval is contingent on the school also approving matching funds.

Police Chief Scott said this would help fund Cop Sync 9-1-1 which is an emergency notification system to be used in the Claremont schools that would sync with Police Dispatch and the Police cruisers. It bypasses telephone and 9-1-1 systems. The first year cost to the City is \$480 and then the yearly maintenance fee will be \$960 a year.

**A motion was made by Mr. Simonds and seconded by Mr. Koloski to adopt Resolution 2015-26 to Accept and Expend EMPG Grant Funds for School Emergency Notification System.**

Mr. Simonds 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.**

Corrective Motion to Accept Property from AmeriGas

Ms. Taylor said that AmeriGas had given us the wrong conveying company name (AmeriGas Partners to AmeriGas Propane) on the original motion. This motion will correct that.

**Corrective Motion to Accept Conveyance of Land from AmeriGas Propane, L.P. (former Synergy/Claremont Gas Site)**

**A motion was made by Mr. Raymond and seconded by Mr. Reed to authorize acceptance of a Quitclaim Deed for approximately 1.6 acres of land, now or formerly owned by SG Propane of N.H., Inc., located on Lower Cul de Sac Place and identified on the City's tax maps as Parcel 120-110, contingent on completion of certain removal and remediation actions on the Parcel pursuant to the final Administrative Settlement Agreement and Order between AmeriGas Partners, L.P. (AmeriGas) and the United States Environmental Protection Agency and signature of an Agreement between AmeriGas and the City. The City Council hereby authorizes the City Manager or his designees to execute all documents and undertake all actions as may be required to accept said property from AmeriGas, said Quitclaim Deed to be recorded at the Sullivan County Registry of Deeds.**

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

**CITY MANAGER'S REPORT**

Mr. Santagate said he saw "Annie" at the Opera House with his grandsons. The show was put on by Claremont Middle School. He congratulated them on putting on a good show.

Mr. Santagate said that the Cumberland Farms stores are coming along; jewelry store and food store are moving in downtown. It's good to see a big crowd at Runnings. He continues to meet with the Superintendent of Schools and he believes they have turned the corner in the schools.

All day kindergarten is good thing. Street sweeper will be out early (lot of sand and salt to pick up this year).

### **FUTURE AGENDA ITEMS AND DIRECTIVES**

Mr. Raymond asked to have Code Enforcement look at a dumpster that is setting on the sidewalk and street on Prospect Street.

Mr. Reed asked about plans for the trophies and photos in the GCC (Goodwin Community Center) building. Ms. Taylor said some photos may have been removed for safe keeping. Mr. Santagate said we can check on that. Mayor Neilsen suggested having a specific section in the pool area for the pictures.

Ms. Lovett asked about the status of the ATV waiver. Ms. Taylor said she has a meeting scheduled with the state and she hoped to have a report at the next meeting.

Ms. Lovett asked about having a tutorial on the TIFDs (Tax Increment Finance District). Mayor Neilsen will check the agenda for the second meeting in April.

Ms. Lovett said some people who sit on committees do not feel their work is being considered, so it would be nice to see committee members' input on budget items. Ms. Messier suggested boards and commissions could come to Council to make presentations of their activities or they could give something to the Council in writing. Ms. Lovett suggested those members could attend the budget meetings. Ms. Messier said anyone from the public may attend the budget meetings.

Ms. Messier talked about a basketball player that is on the Arizona team that has gone to the Final 4, who was a SHS player. She asked if Council would want to make a statement or proclamation to honor him.

Ms. Messier said she received a request from United Methodist Army Community Youth Group asking for names of 40-50 homeowners for the group to do construction, painting, etc. There will be an informational meeting and Mayor Neilsen said he will attend.

Ms. Messier said in reference to the reduction in our ISO rating that the state hadn't updated some things, so she asked to make a list of those items and to present the list to the State Representatives. Mr. Santagate said he can take care of that.

Mr. Koloski asked about the suggestion to put a drop box on the island in front of City Hall. Mr. Santagate said the Traffic Advisory Committee discussed it and we have to find a safe place to put it.

Mr. Koloski had previously asked for an economic plan from the Airport Advisory Committee and he would like to know the status.

Mayor Neilsen asked about the sign outside City Hall. Ms. Taylor said we have signed the contract and are waiting for it to be fabricated.

Mayor Neilsen talked about the public information officer (PIO) job description that the citizens group gave to the Council. He strongly feels it is getting critical to have a person to direct information to for things like updating the website. He thinks a PIO would be invaluable. Mr. Raymond agreed with Mayor Neilsen.

Ms. Messier said a resident at the corner of Prospect and Pleasant Streets is driving over the curb to use the front yard for a parking lot.

Ms. Lovett asked about the process to clean up road trash. Mr. Santagate said Public Works coordinates with volunteer groups to do that. Ms. Lovett asked if there are any plans for the City to do anything for Earth Day. Mr. Santagate will check on that.

Mayor Neilsen talked about the City picking up leaves on Broad Street.

## **COMMITTEE REPORTS**

### Business Corridor – Steering Committee

None

## **CONSULTATION WITH LEGAL COUNSEL**

None

## **ADJOURNMENT**

**At 10:26 p.m., a motion was made by Ms. Messier and seconded by Mr. Simonds to adjourn.**

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

Respectfully Submitted,

Dorée M. Russell  
Clerk to the Council