

The Claremont City Council held a meeting on Wednesday, October 22, 2014, 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  
Assistant Mayor Victor Bergeron  
Mayor James Neilsen, IV  
At-Large Councilor James Reed (late)  
Ward II Councilor Charlene Lovett  
At-Large Councilor Kyle Messier  
At-Large Councilor John Simonds

Also present were:

Guy Santagate, City Manager

Mayor Neilsen noted that two requests for social services funding have been received and that Council Clerk Dorée Russell has sent them a letter that if funding is put into next year's budget, their requests will be considered.

### **CITIZEN'S FORUM**

At 6:31 p.m. Mr. Reed arrived.

Bernie Folta, Ward 3, talked about his posting commentary of the meetings on the internet and suggested others should do the same.

Chuck Allen, Ward 3, said he is opposed to the proposed Charter change. He talked about an elected mayor may not be vetted properly; veto authority of the mayor; and the finalization of the proposed Charter seemed to be rushed and he was not sure that it has all the necessary information. He urged everyone to vote no. On another note, he said Arrowhead bought a \$100,000 groomer and this Saturday there will be a benefit concert with Smoke and Mirrors at the Opera House to help pay for it.

Debora Matteau, Ward 1, opposed the proposed Charter. She talked about continuity in local government. Someone from DRED (Department of Resources and Economic Development) recently spoke in the City and said that it takes years to see the efforts of economic development. With the proposed Charter, the City could see a new mayor every two years. Economic development is critical for the City to succeed. The proposed Charter will hurt that effort.

Norman Lessard, Ward 3, said the City needs to save our infrastructure that took years to build. The new Charter will not save our City. Save our City by voting no on the Charter change.

Chris Irish, Ward 3, said he is opposed to the Charter change. He believes the motive for the Charter change is to get rid of the current City Manager and that's not a good reason to change the Charter. He talked about some of the good things that have happened in the City over the last few years such as Red River Computer, the Mill Project, etc., and the Charter change will try to undo that.

Keith Raymond, Ward 2, stepped down from the Council table. He thanked the Charter Commission for volunteering. The City needs more people to fill vacancies. The City needs to review the Charter every 10 years. We don't need to change Claremont; it is going in the right direction. He returned to the Council table.

Mike Satzow, Ward 2, said he appreciated the work of the Charter Commission. He said it lost its focus; the City cannot afford to lose a professional City Manager. If that happens, he feels taxes will go up, we'll lose jobs and people will not invest in the community. He feels we should continue in the same direction as was proposed in 1947.

David Messier, Ward 1, said he is opposed to the Charter change. He talked about vacancies on boards and commissions and that the Historic District Commission cannot hold meetings because they cannot always get a quorum. According to the proposed Charter, members of boards and commissions cannot all be from the same political party. Adding this restriction will further limit volunteers for the boards, which will delay developers trying to get projects approved. He urged people to vote no.

Nicholas Koloski, Ward 3, stepped down from the Council table. He said he heard that if Councilors spoke out against the Charter change, they would be seen as self serving. He has lived here all his life. He has been a business owner for 20 years. He was on the Charter Commission, but he cannot support the Charter change. He urged all citizens to vote against it. He said a low voter turnout could allow it to pass. He returned to the Council table.

Victor Bergeron, Ward 1, stepped down from the Council table. He said he has lived here all his life. He worked for the City for almost 30 years as a firefighter and call firefighter. He thanked all who served on the Charter Commission, but he doesn't agree with them. If citizens don't like what Councilors are doing, they should vote for other people. He questioned the \$3,000 pay for aldermen and involving politics in the boards. He urged voters to go out and vote no. He returned to the Council table.

Kyle Messier, Ward 1, stepped down from the Council table. She said she is a longtime resident of Claremont and has served this community for many years. She wants to see the community prosper and she strongly opposes the radical change to our form of government. Public administration requires specialized knowledge, skills and expertise. She encouraged all to vote no. She returned to the Council table.

Jim Neilsen, Ward 1, stepped down from the Council table. He said voting for the Charter change will not make taxes go down. Sitting Councilors go through the budget and save where they can. The challenge is to raise salaries, have road improvements, grow the community and cut taxes at the same time; it is impossible. We need economic growth and for that we need professional people. Voting for the Charter change will not bring in professionals. He asked people to vote no on the Charter change. He returned to the Council table.

## **OLD BUSINESS**

### Community Garden Renewal

Mark Brislin, Parks and Recreation Director, asked Council to approve use of the Community Garden space for another five years and to increase the space by an additional 100 feet by 60 feet.

Mike Tetu, Ward 1, asked if Community Garden Guidelines had been adopted. He said he had questions and he asked about meeting with the gardeners. He talked about the fence being moved out toward the river and about there being a riparian buffer in that area.

It was recommended that Mr. Tetu work with Mr. Brislin and the gardeners and then come back to Council, if needed.

Mr. Brislin said the Community Garden is under the Parks and Recreation Department. Marty Davis is the coordinator. There are guidelines in effect. He would like to advertise the additional plots in January.

Mr. Koloski noted at the last meeting that he pushed to delay making a decision. It has now been on the agenda twice and Mr. Tetu is the only person to show up. Mr. Koloski is satisfied there was enough notification for people to speak.

**A motion was made by Mr. Reed and seconded by Ms. Towle to approve the Community Garden location (72 Sugar River Drive) for five (5) more years for a community garden and approve the expansion of the garden by 100 feet by 60 feet and within the next five (5) years, the city reserves the right to relocate the garden.**

Chris Irish, Ward 3, strongly urged going forward with this. There is only one opponent to the garden.

Bernie Folta, Ward 3, said in reference to Mr. Tetu that there are problems with communication and he talked about newsletters from Laconia, Lebanon, Somersworth and Berlin.

**Roll call vote: motion carried 9-0.**

## **NEW BUSINESS**

### Budget Close Out

Mr. Santagate said Mary Walter, Finance Director, was out sick, so this would be moved to November.

### Sanitation – Solid Waste Disposal

Mayor Neilsen met with Bob Picard and another person who is a consultant. Mr. Picard is the only applicant for the Transfer Station Ad Hoc Committee. The current solid waste disposal contract expires in December and it has a one year option.

Bernie Folta, Ward 3, asked if the consultant expects to be paid. Mayor Neilsen said yes.

There was a discussion about receiving information from a Newport resident. Information would be accepted wherever it comes from, however, members of the committee have to be Claremont residents.

Mr. Santagate said the City did advertise separately to fill this committee.

Mayor Neilsen asked citizens to apply for the Transfer Station Ad Hoc Committee; it is a waste disposal issue.

There was a discussion about the transfer station losing money every year. Currently, people pay \$3 per bag for disposal regardless of weight or size. Councilors requested the Public Works Director come up with pricing recommendations.

Mr. Santagate said the financial part can be put on the agenda soon.

Bob Picard, Ward 1, said he wasn't aware a certain number of people were required for the committee. He talked about raising fees, putting a scale in and getting rid of recycling. As a taxpayer of Claremont, he was offended by the idea of bringing someone in from Newport to tell us how to do it. He said he talked to other haulers who agreed that if the facility were opened to communities outside of Sullivan County, it would make money.

Mayor Neilsen said he is trying to get three people on the committee. There was a discussion about having someone from Public Works serve on the committee.

Mr. Koloski said the ad for committee members was not clear what the City was looking for.

Mr. Santagate would be glad to have Public Works provide expertise, but there are a number of issues: financial, disposal, and there is an active permit that is still negotiable at Wheelabrator; they can sell or use it and if that happens, we don't know what that does for us. He wants that to be in the minds of the members serving on that committee.

Mr. Santagate said a designee from Public Works would make the second person for the committee. If we extend the agreement for a year, we won't make any moves for a year.

Councilors asked for volunteers to step forward and they asked to hear from the Committee its suggestions to solve some of the monetary issues.

Bernie Folta, Ward 3, said if the consultant agreed to serve on the committee without pay, he will also apply to be on the committee.

Mr. Koloski suggested posting a sign requesting applicants for the committee at the Transfer Station. Mr. Santagate said that can be done.

Mayor Nielsen suggested someone from the Transfer Station could be on the committee.

Ms. Lovett asked to request a timeframe for when the fee schedule can be addressed.

Mr. Picard said that Wheelabrator closed because it was too small. He said he heard it was sold to a German company and the generators were stripped out of it, so it will never reopen.

Mayor Nielsen said until a group is formed, this item will continue to be on the agenda.

Joe Osgood, Ward 2, volunteered for the committee.

Mayor Nielsen said the committee will be made up of Mr. Picard, Mr. Osgood and someone from Public Works. He'll check with the consultant and Mr. Folta to see if they want to be on the committee.

Ms. Lovett said if the committee can go forward with Mr. Picard, Mr. Osgood and a representative from Public Works, she will step in for a short period of time to get the ball rolling. It is not her intention to be on this committee for an extended period of time.

Ms. Lovett asked about when the Public Works Director will be prepared. Mr. Santagate will talk to the Public Works Director. In the future he would like to talk about City employees interacting with committees.

Bernie Folta, Ward 3, asked where the committee gets its authority from. Since he didn't hear a Council motion to for it, he assumed it was a mayoral committee.

At 8:26 p.m. Ms. Towle left Council chambers and returned at 8:29 p.m.

There was discussion about the application process and it was agreed that committee members would fill out applications and they would be submitted to Council for approval. Councilors agreed a staff person would serve on the committee in an advisory capacity and not as a voting member.

Mr. Santagate said that he has some concerns and in the future would like to revisit how committees are established.

#### Legislators to Discuss Legislative Service Requests

There was some initial confusion about the purpose of this item. Representative Raymond Gagnon said the Representatives had been invited to discuss Legislative Service Requests (LSRs). After some discussion, Mr. Bergeron asked if the Representatives can help people who want to open a business selling wine who are required to have a certain amount of food in the wine shop. Other states do not have that requirement. Representative Raymond Gagnon suggested and strongly urged talking to other communities at the NH Municipal Association Conference in November to get their support. He is willing to submit the legislation.

Representative John Cloutier said that issue was debated on the House floor and it was defeated. It could be filed again. He's willing to revisit it. He said he was invited to hear what LSRs the Council would like filed. Legislation can be filed around November 10.

Representative Joe Osgood said filing legislation costs a lot of money. If there is a suggestion, they will look to see if it already exists, and if not, put it in. He said to let them know what Council wants to file.

Representative Gagnon said there are two open times for LSRs. The first has passed, but the second period will be after the election. The best way to do this is to look for existing LSRs and team up with them.

Mr. Raymond talked about economic development and Representative Gagnon talked about Nashua Delegation methods to stimulate economic development and to keep the dollars in that downtown area. Those are things they would support. He said when the Councilors, Mayor or Assistant Mayor speak to the committee, the issue takes on more importance.

Ms. Lovett agreed. She talked about bus transportation for Route 120 needing funding; looking at legislation for property in trailer parks. Mr. Santagate said the questions are who owns the trailer and who owns the land. Ms. Lovett asked if the Council should provide a list to the Representatives to be used as a marker. Representative Gagnon said they start by submitting a shell of an idea so that it can be researched. Representative John Cloutier said it goes to the Office of Legislative Services where it is investigated to see if a law covers the subject, or if someone is working on the same LSR. He can take an idea to Legislative Services. He mentioned Senator David Pierce and said the Senate's filing period may start later than the House filing period.

Mr. Santagate suggested the Council voting to file an LSR would be more effective. Representative Cloutier agreed that would be helpful.

Mr. Koloski said he would like to see more incentives for film makers. In his opinion art will play a major role in this community going forward. Anything supporting the Arts would be helpful. He would be opposed to the liquor request from Mr. Bergeron as the food helps prevent irresponsible establishments from just pushing liquor and then sending people out the door.

Representative Osgood said even if the Council doesn't fully agree, individuals can still call them. The public can call them.

Bernie Folta, Ward, 3, said he was hoping the Reps had looked at the list of LSRs and would tell the Council what might affect Claremont. He talked about problems the Council would like to have addressed such as restoring money (Shared Revenues) that had been taken away.

Mr. Santagate said there are two items he's hoping will come back: Shared Revenue (\$500,000) and the 35% the state paid for police and fire retirements which is now 0%. We've had an increase in property taxes due to those items. He asked if there is a chance those two items will be addressed in the Legislature to be restored in the next biennium.

Representative Gagnon said the retirement issue is in the Courts. He said the Legislature will not move forward until the Court decides. He supports increasing Shared Revenues. He said the whole retirement system was mismanaged in the 1990s and early 2000s. He said they are trying to shore up the retirement system. It's a 35 year process. Representative Gagnon agreed with Mr. Cloutier that it is a good idea to submit requests to the House and Senate at the same time.

Ms. Messier asked if there is any hope of getting Shared Revenues back.

Representative Osgood said Revenue Sharing went away because of excess spending in the state. Part of the Rooms & Meals came back but not Revenue Sharing. They are trying to get state spending under control to try to get Revenue Sharing back. He noted it took legislation to take retirement money to pay benefits.

Representative Cloutier said the Revenue Sharing was taken away following the Great Recession. There is a Constitutional requirement to balance the state budget. Earlier this year a Bill to restore Revenue Sharing failed by one vote. Because we are too reliant on property taxes, he is in favor of casino gambling. Overall, as a state, we are very frugal with our money. Reliance on property taxes is antiquated. Next session, if he gets re-elected, he will keep fighting to get property tax relief.

Review City Code Chap 4, Article III, Cats; Chap 11, Article III, Nuisances on Private Property; Chap 14, Article II, Transfer Station and Article III Hazardous Waste

Ms. Lovett had previously talked about reviewing ordinances and Council asked her to bring forward three that were out of compliance. They are: City Code Chap 4, Article III, Cats; Chap 11, Article III, Nuisances on Private Property; Chap 14, Article II, Transfer Station and Article III Hazardous Waste. Ms. Lovett said the Cats ordinance was put in place in 1994. The RSA has been updated since then and the ordinance does not compare to the RSA.

Mayor Neilsen opened the floor to the public.

Cheryl Bromley, Ward 1 resident and volunteer director at the Sullivan County Humane Society, said they support trapping, fixing (spaying/neutering) and then returning feral cats to the areas where people are caring for them. They offer spay and neuter clinics. She gave an example where trap, neuter and return (TNR) reduced the number of feral cats (by natural attrition). They are trying to come up with humane solutions for the cats. They have taken in about 476 cats, half are strays and half are owned; they have adopted out 426. In the Bible Hill area one owner has 40 cats. They are working to trap the cats. There is no law that helps them. She noted in Hawaii, outside cats that are 6 months old, or older, are required to be fixed.

Ms. Towle had received several e-mails about feral cats. When people call for help, they don't know who to call. Vets say call animal control, but most shelters are full with cats already and the Humane Society is full. This has become a City issue with no line of communication on how to deal with feral cats humanely.

Ms. Bromley said they are trying to educate the public on TNR. Feral cats are not adoptable. People can trap the feral cats and take them to the monthly spay/neuter clinics and then the cats are returned.

Ms. Lovett said the process is to review this, get public input and compare it with the RSA. This is out of compliance. According to the Charter, ordinances are to be reviewed every five years. The question is what to do with the feral cats.

Ms. Bromley said TNR cats are given rabies shots.

Ms. Towle said even indoor cats need rabies shots. When rewritten, this should include registration of cats. With feral cats there is the concern of rabies.

Mayor Neilsen asked if feral cats are a nuisance, why they aren't put down. Ms. Bromley said studies show that doesn't work to reduce the feral cat population.

Mr. Raymond asked how many communities require registration of cats. Ms. Messier said cats are considered free roaming, dogs are not.

Susan Fleming, not a Claremont resident, but works with the Humane Society, said it has been tried all over the country to license cats, but it has not been successful. There is a state law that all animals have to have rabies shots. TNR works very well. People on state assistance can spay/neuter three pets a year for a low price. She talked about changing the ordinance will need to have a budget item, because it is not cheap. You have to pay someone to trap the cats and you have pay a facility to hold the cats for 7-10 days for observation. Mr. Santagate said we spend \$250 a month for animal control.

Ms. Lovett asked how information is sent out. There is a newsletter and a Facebook page. Ms. Lovett suggested putting something on CCTV. Ms. Fleming said all the volunteers make tremendous personal contributions.

Ms. Bromley said she is willing to help out with the new ordinance.

Joannie Hoffman, Director of Animal Rescue, lives in Goshen and owns property in Claremont, said they have problems with people who rent, move out and leave the animals behind. The shelter has more than it can handle. When a cat is TNR'd, they clip an ear, so they don't trap that cat again.

Ms. Messier asked how long the organization has been on Tremont Street. Ms. Bromley said two years in August. Ms. Messier said they do a great service for the community. There will be a fundraising dinner November 4<sup>th</sup> at the Common Man.

Mayor Neilsen asked to move this to the November 19<sup>th</sup> meeting and to have the following people at the meeting: City Solicitor, Code Enforcement officer, Health Inspector and the Fire Chief.

Mr. Bergeron said the Claremont Cable Advisory Committee held its first meeting and only two people showed up. The next meeting is November 6<sup>th</sup> and they are looking for public input.

#### Amtrak Update

Ms. Lovett handed out Ad Hoc Committee – Claremont Amtrak Stop Developmental Phase – Report One. The top three priorities are Passenger Safety and Comfort, Transportation, and Amtrak Signage. For Passenger Safety and Comfort, a Plexiglas shelter was recommended. The Committee has requested a price quote from an Amtrak vendor. They are looking for federal grant money to purchase it. For Transportation – CATS (Community Alliance Transportation Services) is willing to go to the train stop for the morning train Monday - Friday. CATS will absorb \$700 of the \$2,000 yearly cost. Transportation for the evening train would require more hours and the estimated cost would be \$15,600. They are looking for federal grant money and partnerships to cover the costs. The Committee recommends moving forward with the CATS proposal for the morning train. Providing this would demonstrate our commitment to the NNEIRI (Northern New England Intercity Rail Initiative) planners to make this a viable stop. The Committee requested a one-time appropriation of \$1,300 from Fund Balance to collect data needed to share with partners to show this is viable and necessary.

Ms. Lovett said Lambert Auto Sales has eight parking spaces, including two handicap spaces for train passengers. There is a perception that it might not be safe for long term parking. If there is an increase in ridership, we would need to have long term parking. There is a lack of ability to get from downtown to the train stop.

Mr. Koloski asked about the study for the bus route going up Route 120 and the proposed parking in the North Street lot. Mr. Santagate said he would have to check that out. Some spaces in that lot are leased out, but not all.

Mr. Koloski asked about riders paying a fee. Ms. Lovett said yes. The idea is to make it pay for itself and it would take 27 extra passengers a month to break even. The money from Fund Balance would be seed money to get started.

There was discussion about the bus route on Route 120 and Mr. Santagate said the bus company may come to the Council for funding.

Mr. Bergeron said if you use North Street parking lot for drop off and pick up, he suggested investigating how Bellows Falls does it for long term parking, i.e. contact Police Department with vehicle identification.

Ms. Lovett said the Committee will attend a public discussion with regard to NNEIRI on November 17<sup>th</sup> and they would like to have this in place.

Mr. Santagate said this will be placed on the November 12<sup>th</sup> agenda.

**A motion was made by Mr. Bergeron and seconded by Mr. Raymond to authorize \$1,300 be taken from Fund Balance to authorize the Amtrak Committee to institute public transportation service for the morning train Monday through Friday through CATS (Community Alliance Transportation Services).**

**Voice vote: motion carried 9-0.**

Ms. Lovett said the Amtrak signage is provided by Amtrak and includes the hardware. There is no cost for signage. The City will install the signage. The signs will arrive at Public Works within 10 days. The Committee requested permission to coordinate the installation of the signs with Public Works. Mr. Santagate said when ready, the Committee and he can go over it with Public Works Director Tom Woodley.

Mr. Raymond suggested that the timberframe company and glass companies may donate the materials and the school may build the shelter. Mr. Koloski suggested looking at the design of the Ascutney shelter.

## **FUTURE AGENDA ITEMS AND DIRECTIVES**

Mr. Koloski requested to add a citizen to the Traffic Advisory Committee. Mr. Santagate said that Committee hasn't had a citizen for many years. The Committee is made up of the Police Chief, Fire Chief and Public Works Director. The meetings are open to the public. When citizens have requests, they come to the meeting to explain them. The Committee has been working very well.

Mr. Koloski said the Boards and Commissions dinner is Tuesday, November 18, 5:30 p.m. The sculpture lighting is Sunday, 7 p.m. Jazz will be played at the Opera House at 4 p.m. Sunday. The Governor is expected to attend the Sunday events.

Ms. Lovett asked to have the Amtrak Update on the November 19 and to be closer to the beginning of the agenda.

Ms. Messier said this past week that the Department of Resources and Economic Development (DRED) met with a citizens group and commented that the citizens group should pick a few projects to complete. Members of the group cleaned up the Rail Trail and 11 people helped to clean out the flowers from the “bullpen” in Opera House Square. Two comments from the paper about the DRED meeting: they were applauded Claremont for the training programs at the community college which will help bring industry to the area and the City’s website is one of the best in the state. DRED suggested a few tweaks such as adding photos of City Councilors and a better contact page.

Mayor Nielsen said part of reducing negativity is to pick small projects and complete them so that people can see the successes. It’s similar to the steering committee; it took 18 months and the downtown zoning change has been a good thing.

Mr. Bergeron noted he saw people working at the former Lowes (Runnings).

**ADJOURNMENT**

**At 11:00 p.m., a motion was made by Ms. Messier and seconded by Mr. Simonds to adjourn.**

**Voice vote: motion carried 9-0.**

Respectfully Submitted,

Dorée M. Russell  
Clerk to the Council