

The Claremont City Council held a meeting on Wednesday, August 13, 2014, in the Council Chambers of City Hall.

The meeting was called to order by Mayor Neilsen at 6:31 p.m.

Members of the Council present were:

Ward I Councilor Carolyn Towle  
Ward III Councilor Nicholas Koloski  
Assistant Mayor Victor Bergeron  
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:

At-Large Councilor Keith Raymond

Also present were:

Guy Santagate, City Manager  
Jane Taylor, City Solicitor

Mayor Neilsen called for a moment of silence to remember the three Claremont teens that died Sunday in an automobile accident in Unity, NH.

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

**A motion was made by Mr. Simonds and seconded by Mr. Bergeron to go into Non-Public session pursuant to RSA 91-A:3,II(d) – Real Estate and to invite Planning and Development Director Nancy Merrill, Mr. Santagate, Ms. Taylor and Council Clerk Dorée Russell into the session.**

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

**A motion was made by Mr. Koloski and seconded by Ms. Towle to seal the minutes until the purpose for which the non-public session was held no longer exists.**

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

**A motion was made by Mr. Koloski and seconded by Ms. Lovett to exit the Non-Public session.**

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

## **MAYOR'S NOTES**

Mayor Neilsen read a press release regarding a guided tour of Moody Park to be led by Forester Dennis McKenney on August 23 at 8:30 a.m. with a rain date of August 24. This is open to the public.

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

Mr. Koloski said the Birthday in the Bricks will be September 20<sup>th</sup>, the same day as the beer festival. A letter will go out to merchants asking them to participate. Rides and entertainment will be free. Construction for the base of the sculpture will start tomorrow. The sun dial will not be done this season. After the 250<sup>th</sup> celebration concludes, they may want to establish a committee to complete the sculpture.

Mr. Bergeron said the Claremont Kiwanis Club is sponsoring the Brew Fest on September 20; there will be 20 beer vendors and 4 food vendors; this will take place at the Visitors Center Green; parking will be at River Valley Community College and shuttle buses will be used to move people to the event.

Ms. Towle recognized Ms. Lovett for the work that she's put into the Farmers Market.

## **REPORT OF THE SECRETARY**

**A motion was made by Ms. Lovett and seconded by Mr. Reed to accept the minutes of the July 9, 2014, City Council meeting.**

**Voice vote: 8-0.**

**A motion was made by Ms. Lovett and seconded by Ms. Towle to accept the minutes of the July 23 City Council meeting.**

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

## **APPOINTMENT TO BOARDS AND COMMITTEES**

### Airport Advisory Board

**A motion was made by Ms. Lovett and seconded by Ms. Messier to appoint Matt Whooley to seat #1 of the Airport Advisory Board.**

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

Claremont Community Television, Inc. (CCTV) Board of Directors

**A motion was made by Mr. Simonds and seconded by Mr. Reed to appoint Matt Whooley to seat #3 of the Claremont Community Television, Inc. (CCTV) Board of Directors.**

Ms. Lovett said it was commendable that Mr. Whooley just moved to the community and he is already applying to sit on boards.

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

Zoning Board of Adjustment

**A motion was made by Ms. Messier and seconded by Mr. Bergeron to appoint Carolyn Greenslet Towle to seat #A1 of the Zoning Board of Adjustment.**

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

Amtrak Ad Hoc Committee

**A motion was made by Ms. Lovett and seconded by Ms. Towle to appoint Raymond Gagnon to the Amtrak Ad Hoc Committee.**

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

Ms. Lovett pointed out the City Council Representative seat on the CCTV Board expired in 2011. Mayor Neilsen said if a Councilor wants to sit on the board, there is a seat available.

**CITIZEN'S FORUM**

Michael Charest, Ward 2, speaking for concerned residents and business people, wants to get on the agenda for the September 24<sup>th</sup> Council meeting to talk about working together to change Claremont's image and move the City forward. They are working with the Chamber, Claremont Business Alliance, Kiwanis, Rotary, Heart of Claremont and the Historic District Commission. Mayor Neilsen said he will suggest to the downtown merchant group to also come to the August 27<sup>th</sup> meeting.

Frank Sprague, Ward 2, talked about perceptions and property taxes in Claremont. He compared the tax bills between Hanover, NH, and Claremont. A \$100,000 home in Claremont would cost about \$269,000 in Hanover and the tax bill would be about \$4,000, but the tax bill in Claremont would be about \$3,000. He suggested doing a press release about what it costs to live in Claremont.

Mr. Santagate said when you talk about the tax bill instead of the tax rate, Claremont is in the middle of the state. Mr. Sprague asked to have assessors come in to explain how they value properties. Mr. Santagate said in November we will get new assessed values. He would love to work with Mr. Sprague on this.

Bernie Folta, Ward 3, said in reference to taxes that there is another way to measure and that is the tax burden. The tax burden includes people's income. He said Claremont's is almost the lowest in the regional territory and people are complaining about the burden.

Bob Picard, Ward 2, asked, in reference to the transfer station discussion last month, if the City is serious about going forward with it. He said it would benefit every citizen in Claremont. There was discussion about whether or not to wait until a new Public Works Director is hired, but Council agreed it should start now. Mayor Neilsen asked to post on CCTV (Claremont Community Television) and the City's website that the City is looking for three or four interested citizens to sit on a committee to determine the feasibility of developing a new transfer station. He said maybe one Councilor could sit on the committee to monitor the discussion.

Steve Raymond, Ward 1, asked why no one is looking for the financial records for the JSL (Junior Sports League). He said taxpayers deserve an answer.

Lisa Portelli, Ward 3, said she has lived here for 1 ½ years. She is unable to work so she volunteers with What's Up Claremont. She wants to help strengthen Claremont and is encouraged by the level of cooperation she sees. She is concerned about disadvantaged and at-risk people as well as culture and the arts. She's looking forward to working with the Council.

Marty Davis, Ward 2, asked about the timetable for a report of the investigation to be given to the Council about the Hunter issue. Mayor Neilsen said the information will be shared with the Council and then the Council will determine what information will be shared with the public. Mr. Davis questioned 91-A use for this.

Ms. Taylor said the decision to seal minutes from non-public sessions is done individually by vote of the Council. To unseal is by vote of the Council. She hasn't seen personnel issues unsealed.

Mr. Simonds stepped down from the Council table. He introduced himself and said he was from Ward 3. He announced his candidacy for Sullivan County Sheriff and then gave a summary of his 24 years in law enforcement as well as some of his volunteer activities. He said he has been endorsed by Sheriff Prozzo and other local law enforcement officials. September 9<sup>th</sup> is the primary election.

## **OLD BUSINESS**

### New Community Center Update

Mark Brislin, Parks and Recreation Director, showed a PowerPoint presentation Community Center Report: programming highlights, statistics for July – 8,945 guests used the facility in July. 186,730 total patrons, \$0.26 cost recovery prior to opening, \$0.64 cost recovery of new facility. Ivy Desilets has been hired as the Center Coordinator.

Ms. Lovett asked to track the monthly expenses and revenues using the current year as well as the previous (one year over the other) for easy reference. Mr. Koloski asked if it was time to just have this report as part of the Council packet and to use this time to rotate through all the other departments. Mayor Neilsen asked to have a different department head make a report to the Council and to include not just dollars, but how things are going. Ms. Lovett said in reference to department reports that she would like to ask questions of the department heads.

Mayor Neilsen asked to add Directors Questions and Answers under Mayor's Notes on the Council agenda so Councilors can ask questions on the Directors' reports to be answered immediately or to be researched.

Ms. Lovett asked about the starting blocks for the pool. Mr. Brislin said they are on order and should be here in the next couple of weeks.

Bernie Folta, Ward 3, talked about the revenue that is received from parties and meetings and that money is not being spent at private businesses.

#### Ordinance 537 Purchasing Policy – Second Reading – Public Hearing

The purpose of this proposed change is to update the methods by which the City may dispose of surplus personal property to include live or Internet auction and participation in the New Hampshire surplus property auction. The proposal also permits the City Manager to set a minimum bid or sale price for any surplus item with a residual value of \$5,000.00 or more.

Enactment of this proposed Ordinance will provide additional methods for disposal of surplus property and allow for greater opportunity to maximize the value recovered upon the disposal of such surplus property.

Ms. Taylor said disposal of City-owned personal property was put into the Code before internet auctions were around. This is so we can dispose of excess property by auction, either live or internet, or at the state surplus property auction. If something is valuable, this allows a minimum bid to be placed on the item. Ms. Lovett asked how to determine a minimum bid. Ms. Taylor said almost everything we have has a value on the City's books.

Ms. Walter said right now we do trade-ins because we don't have the authority to set minimum bids. This will give us another option to dispose of property.

#### **A motion was made by Ms. Messier and seconded by Ms. Towle to adopt Ordinance 537 Purchasing Policy.**

Ms. Messier read the explanation of proposed action.

Mr. Koloski said before you send items to the state surplus auction, you can look at past auction prices for estimated values.

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

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

Synergy

Ms. Taylor said she didn't have any more information, but when she does, it will be put on the agenda.

Sale of City-Owned Real Estate

Postponed.

**NEW BUSINESS**

Motion to Accept \$5,000 Donation for Claremont 250th Anniversary Each from Mascoma Savings Bank and Connecticut River Bank

**A motion was made by Ms. Lovett and seconded by Mr. Reed to accept with sincere appreciation the donation of a gift of \$5,000 from Mascoma Savings Bank and \$5,000 from Connecticut River Bank for the Claremont 250<sup>th</sup> Anniversary celebration.**

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

Ms. Walter said a donation report will be ready soon. We have received almost \$150,000 in the past 18 months.

Arrowhead Discussion

Chuck Allen, Arrowhead Recreation Club (ARC), introduced himself and Spencer Allen. Chuck showed a PowerPoint presentation covering 14 years of events. In 2000 Arrowhead Recreation Club was formed; the Club has done a lot of updates to the Arrowhead Lodge; Claremont 250<sup>th</sup> Barbara Ann Cochran event; winter activities: tubing, ice rink, sledding, skiing, snowboarding, cardboard sled race; snowmaking; Arrowhead parking lot needs to be expanded; bought a used groomer from Sunapee for \$95,000; usage numbers: 5 year average days of operation – 37 and total visits 4,543; volunteer hours for 2012/2013 were 5,000 and 2013/2014 were 6,600; Projects Total Value Added (at zero cost to the City) \$224,400; What's Ahead – tubing lane enhancements & adding functional space (removal of trees for tubing), expand parking, replacing slope side deck, add or relocate lift, expand snow making, lodge improvements, replace single pane windows and doors, replace furnaces, add air conditioning to main floor, roof shingles are at end of service life, add hiking, biking and running trails, planned forestry project, keep current working relationship with the City. He talked about the new groomer and said they are looking for donations and fundraising ideas; upcoming events are a music festival on September 13, and Fuel the Groomer Concert on October 25; volunteers are needed.

Ms. Messier hopes this presentation will let more people know what the Arrowhead Recreation Club does. She asked if the \$224,000 facility updates were from donations. Chuck Allen said some were. He noted they are planning to put in a second well to use less city water.

Mr. Bergeron asked if the City Manager could get people together to solve the tree cutting issue.

Mr. Santagate said prior to 2003 there was no activity at Arrowhead. They have proven it is doable with just volunteers. It is a City-owned property and we don't cut trees without an overall plan. A comprehensive study will be launched to look at the parking and the runoff. A study is expensive and we will look at the whole area. If it makes sense to fund a parking lot, that would solve a lot of problems, but we need to know the effect on the property and surrounding properties. ARC has done a magnificent job.

Mayor Neilsen said ARC has a volunteer who will take the trees down to widen the tubing lane. Mr. Santagate said that area will be incorporated into the study.

There was discussion about the trees. Ms. Taylor asked if Council authorizes someone to come in to take the trees and keep the value of the trees, who will pay the timber tax.

Spencer said there should be less than 10 trees for this year (20-30 feet). Mr. Brislin is concerned about the property line and the buffer zone between the City's property and abutters. Spencer said that area has been surveyed.

Spencer said the trees are approaching the end of their life and we need to start planning future plantings.

Mr. Santagate asked about the forestry management plan and Spencer said this area is not part of it.

Mr. Koloski would not feel comfortable about this without more information and actually walking the area. This would probably go before the Conservation Commission.

Mayor Neilsen said someone with more understanding needs to look at this and get back to the Council.

Mr. Brislin said we have received a contract from Pathways Consulting for the parking study. Mr. Santagate said we have questions and will try to get the answers as soon as possible.

Mr. Koloski said the City belongs to NH Association of Conservation Commissions and he would like to use that resource.

Mr. Bergeron said he will coordinate with Chuck for a walk through.

Mr. Bergeron asked to put this on the September 10 Council agenda. Mayor Neilsen said to put this under Old Business for an update at the September 10<sup>th</sup> meeting.

Bernie Folta, Ward 3, asked about using the services of the Sullivan County Cooperative Extension forester.

Mr. Santagate reminded everyone that the City owns that property and is ultimately responsible for it.

Mayor Neilsen said ARC has done a tremendous job and he agreed that communication is key.

Ordinance 538 Establish Parks and Recreation Commission Under the Administrative Code – First Reading

The purpose of this proposed change is to implement a requirement of the May 16, 2014 Probate Court Order regarding the E. Charles Goodwin Recreational and Community Center to "merge the E. Charles Goodwin Community Center Commission into the City's Parks and Recreation Commission" through the City's Administrative Code to provide for a unified advisory board to the City's Parks & Recreation Department.

Enactment of this proposed Ordinance will result in compliance with one of the Probate Court Order's requirements.

Ms. Taylor said this arises out of the Probate Court Order on the Cy Pres filing on the Goodwin Community Center. History: The Parks and Recreation Commission was developed from Council resolutions. The ordinance carried forward what was in prior Council resolutions going back to 1992. The proposed membership provision is for seven members and up to seven alternate members. There are currently seven members of the board and that would assure that all currently serving will have a seat. The board never had alternates, so that change will help with quorums. If adopted, the commission may adopt by-laws.

Ms. Lovett asked about the change in purpose from the website (i.e. Provide advice and recommendations to the City Council in matters regarding acquisition, development, improvement, equipment and maintenance of all City parks, playgrounds and facilities.) Ms. Taylor said she didn't know where that came from, but it was not the authority given by the City Council.

Ms. Lovett asked about input from the Commission. Ms. Towle sits on the board and said that they have discussed this.

**A motion was made by Mr. Bergeron and seconded by Mr. Koloski to adopt Ordinance 538 Establish Parks and Recreation Commission Under the Administrative Code on first reading.**

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

Mr. Reed asked to look into the purpose statement on the website to see why it is different from the ordinance. Ms. Taylor said she will do that. Mr. Reed said in reference to codes that we also need to start looking at what is updated and what is not.

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

Resolution 2015-8 Accept and Expend \$31,000 FAA Grant for Airport Historical Review  
– Public Hearing

Ms. Taylor said the final grant amount came in after the agenda was posted.

Ms. Taylor said this is the second step in the hangar replacement process at the airport. This is required by the State Historic Preservation Office to see if the current hangar has historic significance. The third step will be construction of the hangar.

**A motion was made by Mr. Reed and seconded by Mr. Simonds to adopt Resolution 2015-8 Accept and Expend \$31,000 FAA Grant for Airport Historical Review.**

Mr. Reed read the resolution into the record.

Mayor Neilsen opened the public hearing.

Bernie Folta, Ward 3, questioned the airport reserve account and other reserve accounts. Mr. Santagate said they are in the budget.

Mayor Neilsen closed the public hearing.

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

Approval of Amtrak Signage

Ms. Lovett said the Amtrak Ad Hoc Committee identified a lack of Amtrak signage in Claremont. Amtrak provides free signage. They want to post Amtrak community signs at the entrances of the City (Charlestown Road, Washington Street, Route 120, Chestnut Street Extension going out to Unity, Route 12A from Cornish, Charlestown Road, River Road and Main Street). The only cost is for installation and posts.

Ms. Taylor asked if the Committee has identified what is inside/outside the Compact Zone. If it is outside we will need to have permission from the state. Ms. Lovett asked for those boundary lines. Ms. Taylor will get the information.

Ms. Lovett talked about the Amtrak trailblazer signs and the recommendation was to get the kits (#5) that have the international train sign. Those signs will be placed at intersections and could be used to divert traffic into the downtown area to help with developing tourism.

Mr. Bergeron said the signs should show the shortest route to the train station.

Mr. Koloski asked if the location of current signs has been identified. Ms. Lovett will check.

**A motion was made by Mr. Koloski and seconded by Mr. Simonds to approve the sign packages as presented.**

Mayor Neilsen asked the Ad Hoc Committee to let the Council know how many signs there are and where they will be posted. Mr. Santagate asked them to bring this to the Traffic Advisory Committee. Ms. Lovett will work with the City Manager.

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

### **CITY MANAGER'S REPORT**

Mr. Santagate said that Steve Picano had come before the Council with the issue that property owners pay for water/sewer pipe repair/replacement from the property line to the center of the street. Mr. Picano thinks that should be the City's responsibility. This will go on the September or October agenda. Mr. Santagate would like to get input from the new Public Works Director. Mayor Neilsen would like to see the number of service failures.

Mr. Santagate said the Comcast contract expires sometime in the near future. He talked about putting together a committee to be made up of a Councilor, CCTV Board member, and City staff member, for negotiation. Mayor Neilsen said he would be happy to sit in.

Ms. Walter explained the process. The contract runs out in January 2017. Comcast sent a letter requesting to start negotiations and we have six months (deadline is December 24<sup>th</sup>) to hold ascertainment hearings to get public input to identify our future cable needs and to review Comcast's performance. It is imperative that we get going. She said some options to look at would be density and the kind of service we want.

There was a consensus of the Council to set up a committee. Mayor Neilsen and Mr. Bergeron volunteered to be on the committee.

Bernie Folta, Ward 3, talked about establishing a committee by motion. He talked about the Upper Valley Lake Sunapee Regional Planning Commission Broadband Committee. He has mapped out where Comcast cable is located in the City. The question will be where they can expand. He volunteered to be on the committee. He said Comcast is a monopoly.

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

Ms. Lovett asked about the status of appointing someone to the Personnel Advisory Board. Mr. Santagate said when we find someone, we will appoint them. Ms. Lovett asked about the preliminary engineering report on the drainage in the Ledgewood area. Ms. Taylor said the contract has been signed, but they have not started yet. Mr. Santagate said when that comes back, it will include Ledgewood and Bible Hill, but it won't include Charlestown Road which is about a \$5 million project. That information will be useful when we have the funding for the Charlestown Road project. Mayor Neilsen said he saw the water flowing from Ledgewood, but Charlestown Road couldn't handle it and it was bubbling up. Ms. Lovett would like to see if the workorders have been completed in that area to clean out the drains.

Ms. Lovett asked if the smoking ban ordinance will be on the August 27<sup>th</sup> agenda. Mr. Santagate said yes. Ms. Lovett asked for an update on the JSL. Mayor Neilsen said we need to get any of the financial records the JSL may have had. Ms. Lovett said in reference to the 2011 energy audit that she would like an update on what recommendations have been met. Mr. Santagate said we can make that an agenda item.

Mr. Reed asked for an update of the church roof repair that was talked about at the July 23<sup>rd</sup> Council meeting. Ms. Walter will check with the company that is doing the work.

Mr. Simonds asked Mr. Santagate to update the Council on the Arrowhead study. He would like to know the status of the signage in front of City Hall. Ms. Walter said it went out to bid, but no bids were received. Zach Williams, Business Development Coordinator, is looking around for companies to do it.

Ms. Towle talked about discussing nuisance ordinances. She has been inundated with emails referencing feral cats. Ms. Taylor suggested that if there are specific ordinances of concern that come up to bring them to the Council.

Ms. Lovett talked about the Nuisance section and Parks & Recreation. From her experiences at the Farmers Market, she knows which ordinances should be reviewed immediately. She can send them to the City Manager. She suggested the Parks and Recreation Committee do a review. Ms. Taylor said our Nuisance ordinance follows state statute. Behavioral issues and loitering can be looked at. Ms. Lovett talked about children doing unsafe things such as standing on the lip of the bulkhead opening and standing on the canons.

Ms. Towle would like to visit the JSL books issue. Mayor Neilsen said we need to find out who was on that board and send a certified letter requesting the financial records.

Mr. Koloski said Mr. Yurek, 18 Providence Avenue, is concerned about the runoff/overflow onto his property. He asked that this be followed up. Mr. Koloski would like to know the status of the security cameras on Pleasant Street and at the Visitors Center. The 250<sup>th</sup> Anniversary Committee wants a camera to monitor the sculpture. If a camera doesn't exist in that area, they want to know so they can raise money to get one. In reference to the Curfew, he would like to see uniformity (some new officers don't know the curfew rule). He would like to see enforcement. He talked about loitering and people sitting on the hoods of cars in the municipal parking lot. In reference to bids and people not responding to them, we need to have a conversation because most people are not seeing the ads in the newspapers. Mr. Santagate said we also post them on the website. September 24<sup>th</sup> will be the film office presentation; he wants to make sure surrounding communities are notified.

Mr. Bergeron asked for an update on the building at 157 Pleasant Street.

Mr. Reed suggested informational pamphlets (under plexiglass) could be added to the back of the new sign for City Hall.

**COMMITTEE REPORTS**

Business Corridor – Steering Committee

None

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

**A motion was made by Mr. Simonds and seconded by Ms. Towle to go into Non-Public session pursuant to RSA 91-A:3, II(a) & (c) – Personnel and to invite Mr. Santagate and Ms. Russell into the session.**

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

**A motion was made by Mr. Reed and seconded by Mr. Simonds to seal the minutes until the purpose for which the non-public session was held no longer exists.**

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

**A motion was made by Ms. Towle and seconded by Mr. Reed to exit the non-public session**

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

**CONSULTATION WITH LEGAL COUNSEL**

None

**ADJOURNMENT**

**At 11:56 p.m., a motion was made by Mr. Koloski and seconded by Ms. Messier to adjourn.**

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

Respectfully Submitted,

Dorée M. Russell  
Clerk to the Council