

The Claremont City Council held a meeting on Tuesday, September 9, 2014, in the Council Chambers of City Hall.

The meeting was called to order by Assistant Mayor Bergeron at 6:30 p.m.

Members of the Council present were:

Ward I Councilor Carolyn Towle  
Ward III Councilor Nicholas Koloski  
Assistant Mayor Victor Bergeron  
At-Large Councilor James Reed  
Ward II Councilor Charlene Lovett  
At-Large Councilor Kyle Messier

Absent:

At-Large Councilor Keith Raymond  
Mayor James Neilsen, IV  
At-Large Councilor John Simonds

Also present:

Jane Taylor, City Solicitor

## **CITIZEN'S FORUM**

No one spoke.

## **NEW BUSINESS**

### Proposed Charter Change

At 6:31 p.m. Councilor Nicholas Koloski moved to a seat with the audience as he is also an elected member of the Charter Commission.

George Caccavaro, Chair of the Charter Commission, introduced the Charter Commission members: Bob Porter, Vice Chair; Rusty Fowler; Ron Gilbert; Ray Gagnon; Joe Osgood; Paul LaCasse; Nick Koloski and Cynthia Howard. He thanked Tracy Pope for all her work doing the minutes. He announced City Manager Guy Santagate was "hands off" during this process and he appreciated the City Manager remaining neutral as well as the City's financial support. The Attorney General's office and City Solicitor Jane Taylor have issued written legal opinion that the proposed revised City Charter is not in conflict with the State Constitution or general laws. Mr. Caccavaro said this proposed Charter replaces the current Charter in its entirety. The intent is to increase active citizen participation in running the City. This does not eliminate any

departments or City employees. It replaces the City Manager with a mayor and the Councilors with aldermen. He reviewed the proposed charter and highlighted the major changes. Meetings to allow public input have been scheduled for Friday, September 19 and Friday, September 26, 6:30 p.m. in Council Chambers.

Mr. Caccavaro read the Preamble and then pointed out some of the changes from the current Charter including: Article II changes the City's current form of government to a strong mayor and board of aldermen. The assistant mayor will be eliminated; Section 2.10 establishes standing committees; Article IV. Elections – there will be two aldermen from each Ward and two At-large aldermen; Section 7.05 sets the mayor's salary at \$90,000 with benefits and the aldermen will be paid \$3,000 annually; Section 8.04 Personnel and Conduct Board as well as a Personnel Advisory Board; Article IX. Transition Provisions – if approved in November, the effective date will be the following January 1<sup>st</sup> with an election the following November. Currently elected officials would complete their terms before the transition.

Mr. Caccavaro commended the committee for its work and thanked the citizens for their participation. Public information meetings will be held September 19 and 26, 6:30 p.m. in Council Chambers.

Ms. Lovett pointed out that Personnel Advisory Board was still listed under the Merit Plan. Mr. Caccavaro said they don't have the authority to change the Merit Plan and that would have to be done by the aldermen. Ms. Lovett suggested making that distinction apparent in future meetings. Ms. Lovett said she had never heard of an "Enterprise Fund" as a department. She also said she thought it was odd that the Mayor would not have the sole authority to hire and fire department heads.

At 7:02 p.m. Mr. Koloski returned to the Council table.

Ms. Messier asked about allowing public comment. Assistant Mayor Bergeron said Council is here to accept this from the Charter Commission and to pass it through to the ballot.

Mr. Koloski said he would like to hear public comment.

Mr. Bergeron said this was not advertised as a public hearing.

Ms. Messier said during typical meetings the public is allowed to make comments whether or not the item has a public hearing listed.

Mr. Bergeron said people would have the opportunity to speak for or against this at the two public hearings, but that is not what we are here for tonight.

**After some discussion, Ms. Messier made a motion to appeal the decision of the Assistant Mayor to not allow comment from the public or the Council on this issue at this meeting. Seconded by Mr. Reed.**

**Roll call vote: motion carried 5-1 with Assistant Mayor Bergeron voting no.**

Bernie Folta, Ward 3, said in reference to Ms. Lovett's comment about the mayor not being able to fire a department head, that limitation is a NH tradition (i.e. Governor and Executive Council).

**A motion was made by Mr. Koloski and seconded by Ms. Towle that the Claremont City Council, having received the Charter Commission's final report, and, pursuant to RSA 49-B:4, VI, orders that the proposed charter revisions be submitted to the voters of the City of Claremont at the next regular state biennial election to be held November 4, 2014.**

Ms. Messier said she would reluctantly vote yes to put this on the ballot because it is required by law. She is a lifelong resident and she strongly opposes this Charter change. She will work tirelessly to defeat the drastic changes to our City government. She asked people to just vote no.

Assistant Mayor Bergeron said just because Council is voting to pass this through to the ballot does not mean that it supports or opposes this change.

Mr. Koloski said he attended all but one of the Charter Commission meetings. This is the first time he will vote yes on something he doesn't believe in (here, not at the polls).

**Roll call vote: motion carried 6-0.**

#### **CONSULTATION WITH LEGAL COUNSEL**

None

#### **ADJOURNMENT**

**At 7:20 p.m., a motion was made by Ms. Messier and seconded by Ms. Towle to adjourn.**

**Voice vote: motion carried 6-0.**

Respectfully Submitted,

Dorée M. Russell  
Clerk to the Council