

The Claremont City Council held a meeting on Wednesday, October 14, 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  
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  
Jane Taylor, City Solicitor

### **MAYOR'S NOTES**

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

Mr. Koloski said there will be a Coffee with Candidates event on Saturday, 4 p.m. – 6 p.m. at Time Out Americana Grill.

Mr. Koloski said the NH Film Festival kicks off Thursday night in Portsmouth. He is a panel presenter.

Ms. Messier said there will be ribbon cuttings this Friday at noon at Thyme to Cook and Claremont Spice & Dry Goods. Zach Williams was nominated as a Young Professional and Red River was named Coolest Company at the Stay Play Work awards. The Planning Board is moving forward with the MakerSpaces in the Sawtooth building. Jewell Trucking had a ground breaking for its new facility.

Mayor Neilsen said Nationwide Insurance and Saymore Trophy will have a ribbon cutting on October 28 at 4 p.m.

Ms. Lovett expressed gratitude from Amtrak Ad Hoc Committee for support of the Tire Tracks event. Funds raised were estimated at over \$2,200 gross. Proceeds estimated at \$750 each will

be split between the Committee for train stop enhancements and the Parks and Recreation Department for Moody Park bike trails. She said a spring event is being planned.

### School Update

Dr. Middleton McGoodwin, School Superintendent, gave an overview. Enrollment has remained fairly stable over the past few years. He hopes over time it will increase with the increase of the schools' reputation. Elementary and middle schools – new curriculum in reading, writing and mathematics; full-day kindergarten is the foundation of public school education; healthy vibrant kids-year long wellness; new staff - 80 new employees, having difficulty competing with compensation; remarkable students (3 As-athletics, fine arts, academics (work in progress)); renovations (September 16,778 lunches served, 3,775 breakfasts served); school pride; security enhancements; Stevens High School (SHS) profile; 2009-2014 SHS graduation hope to see increase in college pathway; 2015-2016 SHS schedule change; FY16 school district budget is \$15,000 less, cannot continue flat budget, special education is expensive process, looking at ways to reduce costs, develop program in house; iceberg effect.

There are many partnering opportunities: River Valley Community College, Valley Regional Hospital, Fire Police, Public Works and City Manager are working together. He is delighted to have these partnerships. He hopes the Council and School Board will get together on budgets and partner with limited resources.

Mr. Santagate clarified that the 80 employees are new and not additional. Dr. McGoodwin said yes.

Mr. Santagate talked about companies like Canam needing welders. Dr. McGoodwin said the principals of SHS and Newport High School are working on that.

Mr. Koloski asked to avoid scheduling Council and School Board meetings on the same nights. Dr. McGoodwin said he has noted when Council meetings are scheduled in order to avoid scheduling School Board meetings at the same time.

### **REPORT OF THE SECRETARY**

**A motion was made by Ms. Towle and seconded by Mr. Koloski to accept the minutes of the September 9, 2015, City Council meeting as corrected.**

Ms. Messier said on the top of page 6, she and several Councilors questioned the proportion of the sculpture and the potential to block the view of historic structures.

Ms. Lovett said on page 1, Amtrak Ad Hoc Commission should be Amtrak Ad Hoc Committee.

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

**A motion was made by Mr. Simonds and seconded by Mr. Koloski to accept the minutes of the September 23, 2015, City Council meeting.**

Ms. Towle and Mr. Bergeron abstained as they were not at that meeting.

**Voice vote: motion carried 7-0, 2 abstain (Ms. Towle and Mr. Bergeron).**

## **APPOINTMENT TO BOARDS AND COMMITTEES**

Mayor Neilsen said he appointed two people to the Master Plan Steering Committee: Jim Feleen and David Putnam. He also re-appointed Marilyn Harris to the Trustees of Trust Funds.

## **CITIZEN'S FORUM**

AJ Maranville, Ward 2, said he was informed by the federal DOT that they hadn't received anything regarding the waiver for the Rail Trail. He asked for an update.

Bernie Folta, Ward 3, asked what authority the Mayor has for appointing someone to the Master Plan Steering committee. He said he was pleased to receive a Claremont News and Events e-mail.

## **OLD BUSINESS**

### Ordinance 545 Maple Avenue School Parking Changes – Second Reading – Public Hearing

The purpose of this proposal is to prohibit vehicle parking on portions of Beacon, Kenyon and Spaulding Streets in the vicinity of the Maple Avenue School. The proposal is the result of safety concerns raised by area residents and the School Administration. The Traffic Advisory Committee has approved the suggested changes.

Enactment of this proposed Ordinance will improve public safety on certain streets in the vicinity of Maple Avenue School.

Police Chief Alex Scott said this has been an ongoing issue around Maple Avenue School. This will limit parking on portions of Kenyon Street and will limit parking to one side of the road for Beacon and Spaulding Streets. He said a public hearing was held, as it was related to Maple Avenue School adding parking at the back of the school property, before the Planning Board.

**A motion was made by Mr. Koloski and seconded by Mr. Simonds to adopt Ordinance 545 Maple Avenue School Parking Changes on second reading.**

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

Mayor Neilsen opened the public hearing.

Jean Howe, Ward 2, thanked the school and police. She lives on Kenyon Street and can finally get out of her driveway without complications.

Mr. Reed asked if this public hearing was noticed to abutters. Ms. Taylor said yes.

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

## **NEW BUSINESS**

### Relay for Life

None

### Ordinance 546 No Parking on a Portion of Charles Street – First Reading

The purpose of this proposal is to prohibit vehicle parking on a portion of the north side of Charles Street west of Highland Avenue and to add a handicapped parking space. Parking on the south side of Charles Street is already prohibited. This proposal is a revision of a parking limitation for the north side of Charles Street adopted by the City Council in August 2015. The Traffic Advisory Committee requested the change in the parking regulation adopted in August after it determined that allowing parking on the north side of Charles Street near its intersection with Highland Avenue has created a safety hazard because of the narrowness of the public right-of-way on this portion of Charles Street. The Traffic Advisory Committee (TAC) has not reviewed this proposal.

Enactment of this proposed Ordinance will further revise the parking limitation on the north side of Charles Street west of Highland Avenue.

Police Chief Alex Scott said the property owner at 21 Highland Avenue had requested the change outlined in Ordinance 546 to accommodate his tenants. Chief Scott said the proposal would allow clearance of 30 feet on each side from the center of the driveway at issue. It will allow for one handicap parking space between 25 and 45 feet from Highland Avenue in a westerly direction.

**A motion was made by Mr. Raymond and seconded by Ms. Towle to adopt Ordinance 546 No Parking on a Portion of Charles Street on first reading.**

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

Ms. Lovett asked since there is No Parking along Charles Street, can people stop to offload groceries. Chief Scott said yes.

Mr. Reed asked why this did not go to the TAC. Chief Scott said it was a timing issue. He and Public Works Director Scott Sweet reviewed it.

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

Pleasant Valley Estates Water Distribution Improvement Project – CDBG Progress  
Public Hearing

Kurt Beek, Project Manager, said the City applied for a \$300,000 grant in 2014 to upgrade the water distribution system at Pleasant Valley Estates (PVE). Total cost of the project was \$440,000. It is pretty much completed. Approximately 65 individual hookups had to be made to the new water line. Overall the project went well. There is increased pressure and a reliable water source for everyone in the park as a result of this project.

Mayor Neilsen opened the public hearing.

Vic St. Pierre, 5 Eagles Design, said his company worked on the design of the project. Fire hydrants were added to increase safety to the residents. There have been no complaints or leaks. Local contractors were hired for the project.

Mayor Neilsen closed the public hearing.

Mr. Santagate congratulated Mr. Beek. This is the second CDBG (Community Development Block Grant) for PVE. The first was for \$1.8 million for a failed septic system at PVE to link the Park to City sewer.

Mr. Santagate said last week the Borden Centre celebrated the closing of the CDBG grant for its parking lot.

Opera House Square Complex Power Supply & Distribution

Kurt showed a PowerPoint regarding the Opera House Square Complex Power Supply and Distribution. He said this is informational only and he will come back, possibly this winter, for a motion. The electric utilities for the entire Farwell Building are in the basement of the wooden structure and it is old and unsafe.

- Opera House Square Complex Power Supply and Distribution
  - City Hall is fed by an underground transformer
  - CDA (Claremont Development Authority) is fed differently
  - CDA contracted to have a small wood structure behind the Farwell Block demolished
  - Farwell Block and old bank building will need to reconfigure power and will need to put a transformer in one of spaces of the Police Department parking lot
  - Transformer for City Hall may need to be replaced in the near future and the new one will be able to handle the power for the entire City Hall
- The wooden structure may not make it through another winter

- He has met with the CDA and the Police Chief to get their comments. There is a cost to the CDA and to Eversource. There is no cost to the City at this time. He will do research on easements for underground conduit.

Mr. Raymond said he is a member of the CDA. The CDA is spending the money to demolish the building and they will put the meters inside the Farwell Building. He said this has been approved by the CDA.

Mr. Beek said the Police are okay with losing a parking space, but are hoping for a space in another location.

Mr. Reed questioned whether or not this had gone through the Historic District Commission (HDC). Mr. Beek said it went to HDC a few years ago and was approved. Mr. Santagate said that building would have been gone a long time ago, but there has been lot of work done to clear the title. It is currently in the Court. Mayor Neilsen asked, because of the timeline, if this has to go back to the HDC. Ms. Taylor said no; there is no historic significance. Mr. Reed asked for that information.

Mr. Beek said they will put a temporary roof over the area for protection after demolition. The earliest they can do the work on the site is this spring, pending work being done by Eversource. Once the utility relocations are done, they will fill the cellar hole and then grade it to the level of the other surroundings and pave it.

Mr. Beek said Eversource will pay for the sidewalk work abutting the area. There are no other plans for the area at this time.

#### Motion for Annual Approval of Identity Theft Prevention Program

Mary Walter said this wasn't done last year. Nothing has changed except for a few typos.

After discussion it was decided to do this each year at the same time the fee schedule is discussed, which is in January.

Ms. Taylor noted this also meets the federal requirement for credit cards.

**A motion was made by Ms. Messier and seconded by Ms. Lovett that the Claremont City Council, pursuant to the "Fair and Accurate Credit Transactions Act of 2003," the "Red Flag Clarification Act of 2010" and Federal Regulation Title 16 Part 681, hereby approves the City of Claremont Identity Theft Prevention Program and authorizes the City Manager or his designees to take such actions as may be necessary to implement said Identity Theft Prevention Program in accordance with applicable federal and state law and regulation.**

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

Change November Meeting to Thursday, November 12, 2015 Due to Holiday

The regular November Council meeting falls on a holiday, so in accordance with Council Rule 1, the meeting will be held Thursday, November 12, 2015. Mayor Nielsen announced this change.

Resolution 2016-19 Expend Funds for Veterans Park Bill Baril Memorial Infield Project  
– Public Hearing

The Parks and Recreation Department has received various donations that have been deposited into the Bill Baril Memorial Field Infield Renovations Fund and would like to undertake infield renovations and improvements to the Bill Baril Memorial Field at Veterans Memorial Park utilizing monies currently held in the Bill Baril Memorial Field Infield Renovations Fund. This resolution is to raise and appropriate the sum of \$12,000, for the purpose of funding renovations and improvements to the infield of the Bill Baril Memorial Field at Veterans Memorial Park, said sum to be taken from the Bill Baril Memorial Field Infield Renovations Fund (to have no impact on the tax rate).

Mark Brislin, Parks and Recreation Director, said Richard Stevens, Jim Judd and their families have been doing the fundraising. Fundraising will continue. A letter of commitment has been received from Newport Chevrolet for \$3,000, which should be received within the next week or so.

**A motion was made by Mr. Simonds and seconded by Ms. Towle to adopt Resolution 2016-19 Expend Funds for Veterans Park Bill Baril Memorial Infield Project.**

Mr. Simonds read the resolution into the record

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

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

Accept \$25,000 Donation from NC3 for E. Charles Goodwin Recreation and Community Fund

Ms. Taylor said that NC3 (New Community Center for Claremont, Inc.) has voted to dissolve. It has been holding a \$25,000 endowment fund raised as an endowment for the GCC (Goodwin Community Center) by the Friends of the Goodwin Community Center many years ago. She reviewed the transfer with the Attorney General's office.

Mayor Nielsen said this has to move from one trust to another trust.

**A motion was made by Ms. Lovett and seconded by Mr. Reed to accept with sincere appreciation a gift in the amount of \$25,000 from the New Community Center for Claremont, Inc. (NC3) to be deposited into the E. Charles Goodwin Recreation & Community Fund for the purpose of maintaining and improving the City's recreational**

**facilities and programs of community activities to benefit the citizens of Claremont, with the intent that the earnings only can be used for this benefit, and that this gift will be protected and kept whole in accordance with the intent of creation of these funds by the Friends of the Goodwin Community Center.**

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

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

Mr. Santagate announced the roads that have been paved using the road bond. Public Works has been addressing the drainage issues at Foisy Hill and they deserve kudos for doing a great job. The new street sweeper is in and we are using it already. Public Works will give an update at the October 28<sup>th</sup> Council meeting. At the recent Stay Work Play event, there were 500-600 people and Zach Williams, Business Development Coordinator, and Red River were recognized. He said it is important for Claremont to keep young people here.

Mr. Bergeron said people have asked where the money came from to tear down Joey's on the River Restaurant and why it wasn't put out to bid. Ms. Taylor said the money was in the City Manager's budget under Property Maintenance. The City did not use the same process as was used for 39 Central because it was determined there was an imminent danger due to the open utilities and the possibility of the building falling into the river. It was an emergency situation and under policy, the City is allowed to waive going out for bid. We did get several prices. The City will attempt to recover the costs from the property owner, but if they don't pay, we will put a lien on the property. Councilors would like to be notified when the City has to take these kinds of actions.

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

Mr. Simonds said he would like to discuss tax exemptions which came up in discussion two months ago. Mr. Santagate said that will be on the November agenda.

Ms. Messier would like to put together a list of things that would be good for a new Council to know (capital improvements, RSA 91-A, Charter, Council Rules, policies, role as Council, etc.)

Ms. Messier asked about the Rails to Trails waiver status. Ms. Taylor will check on that.

Ms. Lovett asked for an update to the City's health insurance options. Mary Walter, Finance Director, said there were three proposals. Two were noncompliant and the third gave rates through the first three months that are the same as the current provider. We will stay with the current provider. Union contracts expire: Fire-March 31, 2016; and Clerical, Police and Public Works-December 31, 2016.

Ms. Lovett asked about the proposed communication tower for City Hall. Ms. Walter said the IT Director is waiting for information from the County provider.

Ms. Lovett asked about the curfew status. Ms. Walter said the whistle doesn't work. Councilors would like to discuss, so Mayor Neilsen asked put it on the second meeting in October.

Ms. Lovett asked about the missing light shields in Veterans Park. Mayor Neilsen said he believes Mr. Brislin is working on it.

Ms. Lovett said in September she asked if contact information for the Parks and Recreation Director could be sent out in regard to problems that were happening in the parks. Mayor Neilsen asked to put that out in a Community Center e-mail.

Ms. Lovett asked about a response to the state regarding highway funding. Mr. Santagate said this may include an endorsement of the gas tax, so he wanted to discuss it with the Mayor. Ms. Lovett said the deadline is October 29. Mayor Neilsen said if he gets the information, he'll decide if it should be put on the October 28<sup>th</sup> Council agenda.

Ms. Lovett asked about the status of the shrubs that were obstructing the sign at the Planning and Development office.

Ms. Lovett asked about the status of the ordinance for standing/stopping/loitering. Ms. Taylor said you cannot control loitering as the U.S. Supreme Court has determined that to be an unconstitutional law.

Ms. Lovett said the train station waiting pavilion is complete and will need a motion from the Council to accept. Ms. Taylor asked Ms. Lovett to give a list of donors and the dollar amounts to Ms. Walter and we will do a motion to accept the donations and accept the pavilion. Ms. Lovett asked for 5 minutes at the next meeting to do a wrap-up of the project.

Ms. Lovett asked about a list of tax deeded properties. Mayor Neilsen said that is being worked on.

Mr. Reed reiterated the need to discuss the tax exemptions.

Mr. Reed asked to follow up on the federal DOT.

Mr. Reed said we need a plan of action to follow up on ordinances.

Mr. Koloski said the Council had asked for a list of projects that were dead-ended (i.e. dog park, cannon). Ms. Walter said she would like to wait until after the auditors are done. Mayor Neilsen asked to put this on the first meeting in December.

Mr. Koloski asked about the deteriorated Opera House sign in front of City Hall. Mr. Simonds said he had heard from Jason Farrell that the sign had been removed and they are working on a new one.

Mr. Koloski said it was not right that when organizations ask for permission to do a boot drive they are denied, but people with signs stand out by the road and ask for money.

Mr. Koloski asked when the bid for the contents of the Goodwin Community Center goes out. Ms. Walter said an RFP including video of the contents will be out by the end of the week.

Mr. Koloski asked about other ideas for disposing of City properties. Ms. Taylor said that a meeting that had been scheduled to discuss it has been rescheduled.

Ms. Towle asked about the status of the farm animal ordinance. Ms. Taylor said she is putting it all together with agriculture. State statute is very restrictive. One issue of concern is that state law does not allow you to prohibit agriculture in any zone. Because this involves zoning, it will need to go to the Planning Board before it comes to Council.

## **COMMITTEE REPORTS**

### Transfer Station Ad Hoc Committee Update

Mayor Neilsen asked to move this to the October 28<sup>th</sup> Council meeting.

## **CONSULTATION WITH LEGAL COUNSEL**

None

## **ADJOURNMENT**

**At 8:42 p.m., a motion was made by Ms. Messier and seconded by Mr. Raymond to adjourn.**

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

Respectfully Submitted,

Dorée M. Russell  
Clerk to the Council