

The Claremont City Council held a meeting on Wednesday, December 9, 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  
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

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

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

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

**A motion was made by Mr. Koloski and seconded by Mr. Reed to seal the minutes of the Non-Public Session until the person that is involved determines to unseal them.**

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

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

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

Mr. Santagate said the Council has been working on a succession plan for some time, but it's not easy. He and the Council have come to an agreement on a plan allowing for transition. Under the agreement that is being worked on he will stay on as City Manager through December 31, 2016, when he will retire. He will work with the Council to get things done that are required by

law and by the Council. He is happy with this decision. He will do everything he can to help with the selection of the new City Manager.

Mayor Neilsen said he and Mr. Santagate are friends, but have professional lines and know their boundaries. A physical copy of the contract is not available because it is not yet signed. There is no golden parachute in the contract. It will be the same contract as he has worked under since 2008 except there will be an actual date of termination.

Mayor Neilsen thanked Mr. Santagate for being a straight-up guy.

Mr. Reed thanked Mr. Santagate for being very dedicated to the job and moving Claremont forward. Mr. Reed said it was a privilege to serve with Mr. Santagate and the Council.

Ms. Messier said she appreciated working with Mr. Santagate because he plans his work and works his plan with integrity. She appreciated Mr. Santagate bringing on the Capital Improvements Plan so people can see what the City is planning to do.

## **MAYOR'S NOTES**

### Councilor Plaques

Mayor Neilsen presented plaques to departing Councilors Ms. Messier (2007-2015) and Mr. Reed (2014-2015). Mr. Bergeron presented a plaque to Mayor Neilsen (2012-2014). Flowers and coffee mugs were also presented to the departing Councilors.

Mr. Koloski said a holiday meal will be served at Time-out Americana Grill for anyone in need on Monday December 21, 6 p.m.

Ms. Messier thanked Michelle Pierce and all of her volunteers for all of their work decorating the city center for the holidays. Ms. Messier said it was a pleasure to serve Claremont and she thanked everyone for their support. She said much work is planned and she wished the next Council success moving the City in a positive direction.

Mr. Reed thanked his supporters for the opportunity to serve this community. He said he will stay involved.

## **REPORT OF THE SECRETARY**

**A motion was made by Mr. Koloski and seconded by Ms. Lovett to accept the minutes of the November 5, 2015, City Council meeting.**

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

**A motion was made by Ms. Towle and seconded by Mr. Reed to accept the minutes of the November 12, 2015, City Council meeting as amended.**

Ms. Lovett said on page 1 the meeting day was Thursday instead of Wednesday.

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

## **APPOINTMENT TO BOARDS AND COMMITTEES**

None

## **CITIZEN'S FORUM**

Bernie Folta, Ward 3, commented on Mr. Santagate's announcement and that 2016 will be a year of transition. He said he has publicly, in the Eagle Times, called City Manager Santagate a savior. When Mr. Santagate came on board, he turned things around for the City with his solid content. In the same article, Mr. Folta also criticized Mr. Santagate. However, he has no doubt Mr. Santagate has moved Claremont forward. He believes the City needs to move forward with sophistication and he hopes Claremont moves forward with collaboration with citizens.

## **OLD BUSINESS**

### Exemptions Update Follow-up

Marlene Jordan, Assessing Technician, gave the Council information regarding property tax exemptions, credits and Social Security, and cost-of-living increases.

Ms. Jordan said the state sets the minimum amount for credits and exemptions, and it is up to the Council to change that, if desired. In Claremont, the Elderly Exemption was set in 1999 and Disabled Exemption in 2004. In 2013, the Council reviewed the Exemptions and Credits and decided against increases. It is unknown how many would be eligible if the limits were increased.

Ms. Towle noted the applications are complicated and asked if assistance is available. Ms. Jordan indicated that her office provides assistance when asked.

Ms. Taylor said in 2007 the Council amended the sections regarding the credit amount qualifications, credit for totally disabled veterans and brought some provisions in line with state law regarding applications and appeal. Two sections that impacted the credits were primarily in the veterans' area; additional wars were added for which veterans could qualify and the amount for totally disabled was increased to \$1,400.

Councilors suggested these be reviewed by the new Council before the April applications are due.

## NEW BUSINESS

### Independent Services Network

Sarah Pope, one of the two residential managers for ISN (Independent Services Network) in Claremont, reviewed the agency and its services. ISN is a private human services company serving children and adults in the New Hampshire area. The people they serve have developmental disabilities, acquired brain injury, and/or emotional handicaps. Community involvement is key. They work under the Pathways umbrella.

### First Night Celebration

Mark Brislin, Parks and Recreation Director, said they are partnering with the Claremont-Sugar River Rotary (CSRR) for a First Night Celebration December 31<sup>st</sup>. Events will be held at the CSB Community Center (CSBCC), Arrowhead and Meyer's Maple Lanes.

Brandy Blackinton, Claremont-Sugar River Rotary Secretary, said that sponsorships from Claremont Savings Bank (CSB), Mascoma Savings Bank and Lake Sunapee Bank are funding the events at the CSBCC; Canam and Crown Point Cabinetry are funding the Arrowhead events.

Ms. Blackinton talked about the First Night buttons that are being sold for \$1 and they will get people into the events for free. Buttons can be purchased at Claremont Glassworks, Bouteille, CSBCC, CSB, Golden Cross Ambulance, LaValley's Building Supply and Meyer's Maple Lanes. She said CSRR meets Tuesday mornings, 8:15 a.m., at Valley Regional Hospital.

### Resolution 2016-21 Expend Money for Bill Baril Memorial Field – Public Hearing

The City, on behalf of the Parks and Recreation Department, has received various donations that have been deposited into the Bill Baril Memorial Field Infield Renovations Fund. The Parks and Recreation Department has undertaken and continues to undertake infield renovations and improvements to the Bill Baril Memorial Field @ Veterans Memorial Park utilizing monies currently held in the Bill Baril Memorial Field Infield Renovations Fund. This is a request to raise and appropriate an additional sum of \$3,000.00, for the purpose of funding renovations and improvements to the infield of the Bill Baril Memorial Field @ 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).

Mr. Brislin said that renovations started this fall for the Bill Baril Memorial Field. Funding from Newport Chevrolet has been received. There is about a half day's work left to do in the spring.

**A motion was made by Ms. Lovett and seconded by Mr. Koloski to adopt Resolution 2016-21 Expend Money for Bill Baril Memorial Field.**

Ms. Lovett 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.**

Resolution 2016-23 Authorize Funds for Arrowhead Maintenance & Improvements from City Forest Management Fund – Public Hearing

By Resolution 2007-14, the City Council established a City Forest Management Fund for the maintenance, operation and management of city-owned undeveloped land, to be funded by the proceeds from the sale of timber harvested according to the City's Forest Management Plan. There is a need for maintenance and improvements to the grounds of Arrowhead Recreation Area. This is a request to raise and appropriate the sum of up to \$5,000.00 for maintenance and improvements to Arrowhead to be taken from the City Forest Management Fund.

**A motion was made by Ms. Messier and seconded by Ms. Towle to adopt Resolution 2016-23 Authorize Funds for Arrowhead Maintenance & Improvements from City Forest Management Fund.**

Ms. Messier read the resolution into the record.

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

Mr. Brislin said hazardous trees were removed. This is to clean up the debris and fix the ruts on a section of the tubing hill and old chairlift hill. To date, we have received \$5,000 from the timber harvest and there is potential to receive more.

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

Shugah Valley Snow Riders Trail Permission

Police Chief Alex Scott said this is the yearly permission to use the snowmobile trail network in the City. This allows the City to be eligible for the state liability insurance coverage.

Ms. Taylor said this will allow the City to benefit from the state's liability insurance. She said there are no changes from last year.

**A motion was made by Mr. Raymond and seconded by Mr. Reed to authorize the city manager, or his designees, to take such actions as may be necessary to issue a written Snowmobile Trail Permission, pursuant to RSA 215-C:8, to Shugah Valley Snow Riders, Inc. for a period of one year. This Permission is for use of designated City-owned land and class VI highways, which list is to be included with the Use Permission Form and is subject to all City and state rules and regulations pertaining to use of snowmobiles on public property. This Permission is granted subject to the following condition:**

- 1. The City may close one or more trails on either City-owned land or class VI highways to snowmobile use as may be required for reasons including but not limited to trail conditions, maintenance and public safety.**

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

Acceptance of OHRV Enforcement Grant

Chief Scott said Claremont has been participating in this since 2004. This grant amount gives 35 hours of patrol on the trails in Claremont. They have done over 1,100 hours and 6,000 miles of trails.

**A motion was made by Mr. Reed and seconded by Mr. Simonds to authorize the City Manager, or his designees, to apply for, enter into an agreement with and accept a grant in the amount of two thousand, one hundred and sixty dollars (\$2,160.00) from the State of New Hampshire Fish and Game Department for the purpose of Off Highway Recreational Vehicle enforcement by the Claremont Police Department.**

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

Resolution 2016-22 Health Trust Agreement – Public Hearing

In order to participate in the HealthTrust programs, the City must enter into a new Application and Membership Agreement. The City of Claremont shall participate as a Member in the HealthTrust pooled risk management program for the provision of group medical and/or other benefit plans in accordance with the HealthTrust Application and Membership Agreement and RSA Chapter 5-B, Pooled Risk Management Programs.

Mary Walter, Finance Director, said HealthTrust has gone through some legal changes and a new agreement is needed.

**A motion was made by Mr. Simonds and seconded by Mr. Reed to adopt Resolution 2016-22 Health Trust Agreement.**

Mr. Simonds read the resolution into the record.

Mayor Neilsen opened the public hearing.

Bernie Folta, Ward 3, asked if this will trigger the “Cadillac tax.”

Mayor Neilsen closed the public hearing.

Ms. Walter said this agreement does not have to do with Cadillac tax. The Cadillac tax starts in 2018. If we stay on the current course, we will have a Cadillac tax, but we are watching that and it will be a part of upcoming negotiations.

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

Comcast – Live Origination Fee at CSB Community Center

Ms. Walter responded to Mr. Koloski's previous questions about cable access and fees. She said City departments that receive free basic cable are the Library, Public Works, Fire, Community Center, City Hall, Police, Visitors Center, Superintendent of Schools, Middle School, Bluff School, Maple Avenue School, Disnard School, Stevens High School, 21<sup>st</sup> Century School, Teen Center, Sugar River Valley Regional Technical Center, Claremont Kindergarten, Arrowhead Recreation Area, Water Treatment Plant, and the Wastewater Treatment Plant. The \$1 fee for Regional Sports applies to those with the Digital Starter package and above. People are not getting cable in the outlying areas because of lack of density. Live origination drop line at the CSBCC would cost about \$4,200, or 3 cents per subscriber per month.

Mr. Koloski would like to see it happen. He has attended a lot of meetings there and a lot of people at home would benefit from it.

Ms. Walter said the \$4,200 would be paid through the end of the current contract and then it will stop.

Mayor Neilsen said with the drop, events can be viewed live and if CCTV (Claremont Community Television) records those events, they can be streamed online.

Mr. Bergeron said residents feel the cable costs are already high enough.

Ms. Walter said \$120,000 of the money that is received from Comcast is given to CCTV to support channels 8 and 10. She said it is up to the Council to determine if the City takes the \$4,200 from that fee.

**A motion was made by Ms. Messier and seconded by Ms. Towle that we move forward with the drop at the Claremont Savings Bank Community Center (CSBCC) and have it be funded through an increased passed through to the subscriber at an estimated cost of 36 cents per year for the remainder of the contract.**

**A motion was made by Ms. Messier to move the question.**

**Motion failed 5-4 with Mr. Bergeron, Mr. Reed, Ms. Lovett and Mayor Neilsen voting no.**

There was discussion about whether or not the \$4,200 should be paid out of Fund Balance or if only the cable subscribers should pay it.

Ms. Taylor said this is not a budgeted item, so it would have to come back the Council next month as a resolution to raise and appropriate funds.

Bernie Folta, Ward 3, said a live drop would make things available for broadcast live over cable. If CCTV records it, then it can be streamed over the web, so internet users can view it. He said meetings are being held at the Visitors Center including the Master Plan Committee and the Police Commission and he feels the Visitors Center should have a drop as well.

Ms. Walter said she can get a cost estimate for both areas and have it on the next agenda.

**Ms. Messier said with that in mind, she would withdraw her motion and Ms. Towle withdrew her second.**

It was the consensus of the Council for Ms. Walter to get information from Comcast on the cost for the CSBCC and the Visitors Center.

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 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. The Committee re-affirmed its position at its December 3, 2015 meeting.

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

Chief Scott said this is back to the original proposal. He said he will meet with residents on the street to get their opinion.

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

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

Ms. Lovett asked about moving the ban to the opposite side of street. Chief Scott said the narrowness coupled with the pitch of the road toward Pleasant Street would not change the Traffic Advisory Committee's opinion.

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

Projects that were Deadended

Ms. Walter gave a list of projects that the City has on its books where funds have been raised and/or donated, but the project has not been completed. Projects that are "current" are held in special revenue accounts. If they are older, they have been moved to capital accounts held by the Trustees of Trust Funds.

List of Projects as of 11-1-15

Cemetery Lights (Tina Rock)	Active	\$1,821.00
Fountain Project (Ernest Montenegro)	Active	\$5,000.00
Amtrak Waiting Pavilion (Charlene Lovett)	Active	\$25.00
Cemetery Gate	Non-Active	\$1,500.00
Hagerman Skateboard Pavilion	Non-Active	\$5,452.70
Pak40 Anti-Tank Gun	Non-Active	\$1,250.00
Dog Park	Non-Active	\$4,886.12

Ms. Taylor said she thought the Skateboard Pavilion was accepted by the Council; the project is complete. Ms. Walter said they haven't finished landscaping and benches.

Mr. Koloski asked about reaching out to the people who started the Dog Park Project. Ms. Taylor said the City authorized the project to move forward on the condition that City money was not be used. Ms. Walter said the goal was to raise \$30,000.

Ms. Lovett suggested this be moved to another meeting for further discussion.

There was a discussion about having a process for these types of projects to include acceptance, time limits for completion and what to do when the project is stalled and the donors are unknown.

Transfer Station Policy

Withdrawn – Ms. Lovett said the NH Municipal Association (NHMA) has offered to do some presentations regarding waste management for the Transfer Station Ad Hoc Committee. She asked the City Manager to have a joint meeting with the Committee and Public Works to discuss the Committee's recommendations, information from the NHMA and then finalize recommendations to be discussed with the Council.

Modify Line Item for Amtrak Donations

Ms. Lovett said when the motion was approved, it was confined to the Waiting Pavilion at the train stop. She hoped for a broader definition because the Amtrak Ad Hoc Committee has done improvements such as landscaping; the Tire Tracks event raised \$2,200 and expenses have to be reimbursed. Ms. Walter said the scope isn't broad enough to be able to pay the expenses that have been turned in.

Ms. Walter said Council authorized the Committee to do construction for the pavilion.

Ms. Taylor said there is no problem reimbursing the expenses for the fundraiser. The City doesn't own the land there. The City has the shelter by license. Any money that is put into the beautification is using public money for private benefit on private property which is prohibited. Ms. Lovett said this isn't public money. Ms. Taylor said the money raised from the Tire Tracks event, bake sales, etc. gets deposited into a City account and is public money. The authorizations

are broad enough to reimburse the people who were involved in the Tire Tracks event because it was a joint license with the Parks & Recreation Department. She thinks any expenses incurred from that fundraising are covered.

Ms. Lovett referenced the Broad Street Park War Memorial illumination. Ms. Taylor said it is public land; the parking lot at the Train Stop belongs to Mr. Lambert's Trust.

Ms. Lovett mentioned beautifying the platform and Ms. Taylor said that would be up to Amtrak and that if the Committee raises money, it has to be for a public purpose on public property.

#### Training for Councilors Discussion

Ms. Messier suggested the incoming Council receive information about the Capital Improvements Plan; the budget (first 24 pages of the budget book give a great overview of the budget); charts of bond payments; tax dollars spent on roads.

Ms. Walter said City staff is very concerned that Councilors have not been out to see all of the City facilities. Mr. Santagate said that has been tried, but it's hard to get Council participation.

Mr. Koloski highly recommended requesting a ride-along with Police.

Mayor Neilsen suggested Councilors sit in on some board meetings before they are asked to fill the seats.

Mr. Reed suggested going through ordinances to clean them up. Ms. Lovett said Council will look at establishing a policy committee.

Ms. Messier said regarding training, she hoped training would be done here so all nine Councilors hear the same information. Ms. Towle suggested participating by webinars.

Mr. Bergeron suggested updating rules and regulations that govern the Council (i.e. Facebook dangers for Councilors)

Ms. Taylor said at the January 6<sup>th</sup> meeting, she will make sure all Councilors have current copies of the Charter, RSA 91-A, Council Rules and Regulations. If there are any other documents Council would her to include, she asked Councilors to be to let the City Manager know.

Mr. Bergeron asked about the requirement to use Roberts Rules. Ms. Taylor said it is in the Council Rules that Roberts Rules is a back-up for those issues not covered in Council Rules.

Mayor Neilsen said he was the Mayor in 1997 and he started Citizens Forum. The problem now is that it allows subjective participation on agenda items. Citizens have to be invited to speak. He thinks all citizen comments should be made under Citizens Forum unless the item is noticed as a public hearing.

Councilor Expenses for NHMA Convention Discussion

Mayor Neilsen said he approved those expenses and they will be paid. He thinks the Council needs to discuss a process for expense reimbursement.

Tax Deeded Properties Update

Ms. Taylor gave the Council a chart of the current status of the tax deeded properties from the 2014 list. Properties will be sold by auction: Skyline Terrace Map 86-5, 192 Chestnut Street, 248 Main Street, 42 Myrtle Street, 342 East Green Mountain Road, 36 Sugar River Drive, 74 Maple Avenue and 54 Windsor Road. Two properties (119 Main Street and 84 Case Hill Road) were authorized for tax deed, but were not taken due to more legal details need to be worked through. Four properties (Plains Road Map 105-4, White Water Brook Road Map 18-3, Albion Avenue Map 118-134 and Albion Avenue Map 118-133) were tax deeded and retained. She said if Council wanted to discuss information on specific properties, it would need to be done in a non-public session.

Ms. Taylor said the next round of tax deeding will start after April 1<sup>st</sup> when a series of notices will be sent out. So, we probably won't know what properties are involved until the end of May.

**DEPARTMENT REPORTS QUESTIONS AND ANSWERS**

Ms. Towle said a street light had been requested for the crosswalk at the community center, but until that could be done, she asked about putting up sawhorses with flashing lights on both ends of the crosswalk.

Ms. Towle asked about the price for salt this year. Mr. Santagate said he will get that.

Mayor Neilsen said he had gotten a call that children are sitting on the white marking line in the road on Mulberry Street while they wait for the bus. He said the Police Chief and the School Superintendent have been made aware of problem, but he wanted to make sure more people were made aware of the situation.

Mr. Simonds asked about moving this agenda item toward the beginning of the meeting. Ms. Lovett said she will ask the future Council to move this and the City Manager's Report up on the agenda.

There was a discussion about whether or not department heads would be required to attend each Council meeting; Mr. Koloski didn't think that would be fair. Ms. Taylor suggested that if Councilors have questions, they can ask the City Manager before the meeting and he could have the answer at the meeting.

Mr. Santagate said he has told department heads that if they have an item on the agenda, they will attend the Council meeting, but if not, they don't have to be there. He doesn't want to require them to be there if they are not needed.

Ms. Lovett will put out a list of agenda changes to the incoming councilors.

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

Mr. Santagate said of the First Night event to expect a big night at the community center and he suggested the Councilors stop in.

Mr. Santagate talked about a recent accident near the Bowen Street intersection. The City is working on that intersection which will create a four-way intersection including the access to Verizon and AutoZone. He said the newspaper article showed how dangerous that intersection is. The state will help with the funding.

Mr. Santagate said he met with the School Superintendent and showed him the Capital Improvements Plan for the City and they agreed the City and school should be coordinating on these things. He'll bring it up in January when to meet with the school.

Regarding the antenna for the County antenna, Ms. Taylor said she was not sure where the installation stands, but the agreement is in process. Mr. Santagate said he had questioned if it would interfere with the City's transmissions and it will not.

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

Mr. Raymond asked about the Rail Trail waiver which has been in the works for over a year. Ms. Taylor said it was submitted last June. She has been trying to get in touch with Mr. Watson and has had no response.

There was a consensus of the Council that the City Manager write a letter on behalf of the Council to the Commissioner of the Department of Transportation asking for an update.

Councilors expressed disappointment that this was not completed under this Council's term.

Mr. Simonds asked to add exemptions to the January agenda.

### **COMMITTEE REPORTS**

None

### **CONSULTATION WITH LEGAL COUNSEL**

None

### **NON-PUBLIC SESSION PURSUANT TO RSA 91-A:3 II(d) – REAL PROPERTY**

None

**ADJOURNMENT**

**At 10:00 p.m., a motion was made by Mr. Reed and seconded by Ms. Messier to adjourn.**

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

Respectfully Submitted,

Dorée M. Russell  
Clerk to the Council