

The Claremont City Council held a meeting on Wednesday, July 13, 2016, in the Council Chambers of City Hall.

The meeting was called to order by Assistant Mayor Victor Bergeron at 6:30 pm.

Members of the Council present were:

Ward I Councilor Carolyn Towle  
At-Large Councilor Keith Raymond  
Assistant Mayor Victor Bergeron  
At-Large Councilor Allen Damren  
At-Large Councilor Bruce Temple  
Ward III Councilor Nicholas Koloski  
At-Large Councilor John Simonds

Absent:

Mayor Charlene Lovett  
Ward II Councilor Scott Pope

Also present were:

Guy Santagate, City Manager  
Jane Taylor, City Solicitor

#### **AGENDA (CHANGES)**

None

#### **REPORT OF SECRETARY**

**A motion was made by Mr. Koloski and seconded by Mr. Simonds to accept the minutes of the June 2, 2016, City Council meeting.**

**Voice vote: motion carried 6-0, 1 abstain (Ms. Towle abstained as she was not at that meeting).**

**A motion was made by Mr. Koloski and seconded by Mr. Damren to accept the minutes of the June 8, 2016, City Council meeting.**

**Voice vote: motion carried 7-0.**

**A motion was made by Mr. Koloski and seconded by Ms. Towle to accept the minutes of the June 16, 2016, City Council meeting as amended.**

Mr. Damren said page 6, 1<sup>st</sup> motion, “A motion was made by Mr. Damren and seconded by Mr. Temple for discussion to approve a 1% reduction on the entire budget amount (\$169,493, or 24 cent reduction per thousand). Voice vote failed 0-8 with all Councilors voting no.” It should say “Voice vote failed 1-7 – Mr. Damren voted yes.”

**Voice vote: motion carried 6-0, 1 abstain (Mr. Bergeron abstained as he was not at that meeting).**

**A motion was made by Mr. Damren and seconded by Mr. Simonds to accept the minutes of the June 22, 2016, City Council meeting.**

**Voice vote: motion carried 6-0, 1 abstain (Mr. Bergeron abstained as he was not at that meeting).**

## **MAYOR’S NOTES**

Mr. Koloski mentioned the groundbreaking ceremony of North Country Smokehouse and wanted to congratulate the Satzow family and welcome the Breton family.

Ms. Towle reminded everyone that the Pleasant St. sidewalk sale is this Friday and the shops will be open until 8:00 pm.

Ms. Towle stated she has gotten a lot of calls regarding the old GCC building and would like the city to send a letter regarding the grass needing to be mowed. Ms. Taylor said that the Planning & Development Department has spoken to the owner and she understands he said he would take care of it next week.

Mr. Bergeron also commented on the North Country Smokehouse ground breaking.

Mr. Santagate gave a brief history of the North Country Smokehouse and how the family business had grown through Mr. Satzow’s efforts. The business has now been purchased by another family business – the Breton Family – which has resulted in the construction of a new, 65,000 square foot, state-of-the-art facility in Syd Clarke Industrial Park.

Mr. Bergeron was glad to see that council added the money back in the new budget for fireworks. The crowd at this year’s fireworks was amazing.

Mr. Bergeron wanted everyone to know he did not skip the last meetings; he was on vacation at his granddaughter’s graduation.

Mr. Bergeron mentioned the letter received from state regarding denial of a waiver. It will not be discussed at this meeting but there are some citizens here that will speak during Citizen’s Forum.

## **CITY MANAGER'S REPORT**

Mr. Santagate spoke about success of the River Road TIF and the Ashley's Landing and Syd Clarke Industrial Parks. He noted that the River Road TIF had doubled the assessed value in the District with the building of such new businesses as Mikros, Crown Point Cabinetry, Canam Steel and New Hampshire Industries. He noted that the increased assessed value did not yet include the new Jewell facility or North Country Smokehouse.

Mr. Santagate noted that there is some misunderstanding about the sale of the Brown Block – that it sold for \$250,000. It sold for \$500,000. The seller was a non-taxable entity that does not pay the transfer tax, so what was reported was the price based only on the transfer tax that was paid by the purchaser.

Mr. Santagate reported on the widening of the Grissom Lane-River Road intersection, as well as road paving or chip sealing of several roads, including Edwin, Pearl, Walnut, Central, Pleasant, South and North Streets.

Mr. Santagate noted that there would be Downtown Sidewalk Sales July 15 & August 12, all day, with stores remaining open until 8 pm. This is being sponsored by the City, to make permitting easier.

Mr. Santagate complimented Norma Limoges for her efforts to get the cemetery gates restored. He noted that he and Ms. Limoges attended an award ceremony at Claremont Savings Bank, when the City received a grant of \$1,000 towards the restoration project.

Mr. Santagate noted the tablets were ready for the Councilors. Ms. Taylor stated the Computer and E-mail Policy was on the Council table for everyone to review. The Policy must be signed by all of the councilors before they can take possession of the computers. The Council could move to approve the Policy tonight or put it on the agenda for the next meeting. She also mentioned that Chris Burgess and Scott Cargill are setting up training for everyone to attend and that can go forward without approval of the Policy.

Mr. Koloski stated he has a few issues with the policy and has spoken to the Mayor and knows she does as well so he would prefer to discuss it at the next July meeting. Ms. Taylor asked that these concerns be given to the City Manager so she can review prior to the next meeting in order to expedite the discussion.

## **APPOINTMENT TO BOARDS AND COMMITTEES**

None

## **CITIZEN'S FORUM**

Diane Harlow, Ward 3, said Mark Carrier, head of the Sullivan County ATV Club, is unable to be here tonight. She invited everyone to attend a meeting July 18<sup>th</sup>, at 7:00 p.m., at the Claremont Savings Bank Community Center to review the Denial of the Rail Trail Waiver letter and look at options to see what can be done. They are looking for input for planning and suggestions.

Dr. Alex Herzog, the new Vice President of Student and Community Affairs at River Valley Community College, introduced himself to the community. He said he is new to the area, most recently from upstate New York, and is settling here with his wife and 2 kids and is looking forward to becoming part of the community.

Bernie Folta, Ward 3, noted a letter from State Rep. Paul Henle from Concord, who sits on the Ways and Means Committee, who is encouraging a tax shift plan that will include a state income tax. Rep. Henle would like to come and address the city council about his plan. Mr. Folta said he is not against Mr. Henle coming and hopes to have a good debate about this. He said he doesn't think we need an income tax or sales tax.

Tracy Johnson, North St., said she is here in support of Four Aces Taxi. They are here 24 hours and are very helpful, when no other transportation is available and are needed in this town.

Edward Johnson, North St., said he is also here to speak about the cab – they are very good and we need to keep them in town.

Allison Zito, Ward 1, said she is running for State Rep. from Ward 1. She said she is an artist and is running some camps this summer at Arrowhead. She gave the Council a poster painted by one of her students and also handed out brochures.

Chuck Cramer, Ward 3, said he had submitted paperwork for 2 new drivers and it has gone nowhere. He said he talked to Chief Scott, who said the background checks have been approved. Ms. Taylor said it will be looked into when Ms. Russell gets back.

## **OLD BUSINESS**

### RFQ Update/Selection Committee

Mr. Bergeron indicated that bids for a search firm will be opened on Friday at 2:00 p.m. There needs to be a committee to review the responses and Scott Pope said he would like to serve. Mr. Bergeron said the Mayor has asked him to sit on it and he will honor that. Ms. Towle said she would also like to sit on the committee.

Mr. Damren said he hopes that this moves quickly, the qualifications can be reviewed and the price negotiated. He does not want to sit on the committee as he may have a conflict with one of the companies he thinks will be responding.

### 25 Chestnut St. Update

Chief Scott said he wanted to start by saying thank you to the public. Being a police officer can be challenging and the public support - we have had people bring us notes and treats to thank the men and women of the Claremont Police Department – has had a great impact on the staff.

Chief Scott indicated that 25 Chestnut has been cleaned up in the last couple of days. He said he has just finished the paperwork to submit to Circuit Court to get approval to attach a lien. Everyone agrees it looks much better. Owners took care of the trailer themselves; the contractor took care of the rest.

## **NEW BUSINESS**

### Police Facebook Progress Report

Chief Scott stated it has not been as easy as we thought to control what can go be posted on a Facebook page by the public. He said it would probably be late September or early October before there is a further update. Right now if we put something Facebook, people can post anything and we don't have time to monitor. We need to figure out how to balance the benefits of posting with the ability to control posting by the public.

Mr. Koloski stated there is a new feature that once you post something you can choose not to have comments. Chief Scott said he will look into that.

### Motion to Accept OHRV Enforcement Grant

Chief Scott said this is a \$2,700 grant that needs Council approval in order to accept the funds.

**A motion was made Mr. Raymond and seconded by Mr. Damren to authorize the City Manager, or his designees, to accept a grant in the amount of two thousand, seven hundred dollars (\$2,700.00) and to enter into an agreement with the State of New Hampshire Fish and Game Department for the purpose of Off Highway Recreational Vehicle enforcement by the Claremont Police Department.**

Mr. Simonds stated this is a great grant and the County has just applied for this type of grant. Feedback from the public is that they like to see enforcement on the trails.

Mr. Raymond asked Chief Scott if they patrol just the trail on Washington St. to the Newport line or do they do the Arrowhead area as well. Chief Scott stated they try to patrol all trails but mostly end up doing high traffic areas.

**Roll call vote: motion carried 7-0.**

Ordinance #548 Franklin St. Parking Lot – First Reading

Chief Scott said this came before the Traffic Advisory Committee from the Off Pleasant Street Barbershop, because of a lack of striping and a request for a handicapped spot and 2-hour parking signs.

Explanation of Proposed Action:

The purpose of this proposal is to enact a two-hour limit for certain parking spaces in the Municipal Parking Lot on Franklin Street to provide better parking access to clients of Franklin and Pleasant Street businesses and to clarify that parking generally in municipal parking lots is from 7 a.m. until 12:00 p.m. midnight unless otherwise indicated. Designation of a handicapped parking space in the Franklin St. Municipal Parking Lot will be accomplished administratively, as authorized by Section 19-89 of the Code. Winter night parking availability in the Franklin St. Municipal Parking Lot is not changed.

Enactment of this Ordinance will regulate public parking availability for the downtown area.

**A motion was made by Mr. Simonds and seconded by Ms. Towle to adopt Ordinance #548 – Franklin St. Municipal Parking Lot on first reading.**

**Roll call vote: motion carried 7-0**

New Legislation Related to Veterans Tax Credits

Mr. Santagate stated he is not looking for action, but wanted to bring HB 430 to the Council's attention. This allows a local option to extend the veterans' tax to all honorably discharged

veterans. Previously the veterans' tax credit was linked to service in a particular theater. A preliminary estimate by Assessing indicates that if Claremont adopts this, it could add an additional 246 veterans at a cost of as much as \$95,000 annually.

Mr. Bergeron suggested this be pushed off to the August meeting. Ms. Towle suggested they consider it with the other exemptions and credits. Mr. Damren suggested it be considered just before the others.

Motion to Accept Bench at Library

**A motion was made Mr. Damren and seconded by Mr. Simonds to accept with sincere appreciation, the donation of a bench for the Fiske Free Library valued at \$1,000.00, from Barbara Berry.**

**Voice vote: motion carried 7-0.**

Resolution 2017-6 To Accept and Expend Grant from NH Department of Transportation Bureau of Aeronautics to Construct Hanger – Public Hearing

Fire Chief Rick Bergeron stated the construction of the new hangar will hopefully start in September. He said this is the culmination of 2 years of planning and review.

Mr. Temple asked if the old hangar is coming down. Chief Bergeron explained that the current hangar has a pilots' room, hangar, maintenance area, etc. The new hangar will be solely for airplanes. Once the new hangar is built, we hope to demolish the old building next year and construct a new terminal in the location of the old hangar.

Mr. Temple asked about the reserve fund and if the City's financial exposure would be limited to 5%. Chief Bergeron explained that the reserve fund came from fuel sales and from lease income from privately owned hangars on City property. He said federal money is 90% and the state pays 5%, leaving a local match of 5%. He hopes, once this is built, to be back next year with a different grant for another building.

Mr. Damren asked if we would see a rise in maintenance costs at budget time because of the new building. Chief Bergeron stated that should not be the case and he would hope for less costs with a new building.

**A motion was made by Mr. Damren and seconded by Mr. Raymond to adopt Resolution 2017-6, Airport Hangar Construction Grant.**

Mr. Damren read the resolution into the record.

Mr. Bergeron opened the public hearing.

Allison Zito, Ward 1, is hoping that any new construction in Claremont can be energy efficient and have a good carbon footprint. Chief Bergeron indicated that the new hangar will be unheated, but any component parts have to be Energy Star rated. He added that the new terminal will be where more energy efficiencies can be realized.

Mr. Bergeron closed the public hearing.

**Roll call vote: motion carried 7-0.**

Motion to Authorize Sale of Properties Acquired by Tax Deed

Ms. Taylor gave some background on which properties are to be acquired by the City by tax deed and which properties should be refused, including several that should be refused because of environmental hazards on the property. She indicated that if the Council wanted to discuss an individual property, it should be done in non-public session.

Ms. Towle noted that there are quite a few mobile homes on the list to refuse and several in the same area and we need to have a plan to deter this.

Ms. Taylor indicated that each needs to be addressed separately and that several had been resolved over the past year. She noted there are a few abandoned mobile homes under review to see if they need to be condemned.

**A motion was made by Mr. Damren and seconded by Mr. Raymond that the City Council, pursuant to RSA 80:80, hereby authorizes the Mayor to transfer title to any real estate acquired as the result of default of redemption of nonpayment of taxes, by public auction or by advertised sealed bid or to dispose of all tax deeded property, unless refused, in such manner as justice may require, such authority to be effective indefinitely until rescinded. The City Council authorizes the Tax Collector to record at the Sullivan County Registry of Deeds all transfers of such property as may occur. The City Council further authorizes the City Manager or his designees to undertake all such actions as may be required to implement this motion.**

**Voice vote: motion carried 7-0.**

Motion to Refuse Tax Deeds

**A motion was made by Mr. Raymond and seconded by Mr. Damren that the City Council, having reviewed the list of impending tax deed parcels as presented by the City's Tax Collector, hereby notifies the Tax Collector that she shall not execute a deed of the real**

**estate to the City for the following parcels because the Council has determined in its judgment that acceptance would subject the City to undesirable obligations or liability risks, including the potential liability as an owner of property under state and federal law which imposes strict liability on owners for environmental impairment of the real estate involved:**

|                   |                           |
|-------------------|---------------------------|
| <b>16-12</b>      | <b>730 Hanover Street</b> |
| <b>73-1</b>       | <b>Winter Street</b>      |
| <b>119-354</b>    | <b>39 Central Street</b>  |
| <b>58-5-70</b>    | <b>3 Angela Place</b>     |
| <b>57-21-29</b>   | <b>29 Madison Place</b>   |
| <b>57-21-32</b>   | <b>34 Madison Place</b>   |
| <b>129-141-12</b> | <b>5 Dennison Ave</b>     |
| <b>129-141-10</b> | <b>9 Dennison Ave</b>     |
| <b>159-56-17</b>  | <b>8 Upham Place</b>      |
| <b>159-56-18</b>  | <b>10 Upham Place</b>     |
| <b>159-56-20</b>  | <b>14 Upham Place</b>     |
| <b>159-56-11</b>  | <b>31 Upham Place</b>     |
| <b>159-56-12</b>  | <b>33 Upham Place</b>     |
| <b>159-56-13</b>  | <b>35 Upham Place</b>     |

**The City Council further authorizes the Tax Collector or other City official to enforce all such tax liens upon the above-listed properties, as provided by RSA 80:50 and through any other remedy provided by law.**

Mr. Bergeron asked if there are people living in any of these. Ms. Taylor indicated that some are occupied.

The Council expressed its general frustration with mobile home residents not paying their property taxes, which shifts the burden to those that do pay their taxes.

Mr. Bergeron suggested having a meeting with Park owners and state representatives to discuss a remedy.

**Voice vote: motion carried 6-1 with Mr. Bergeron voting no.**

Public Hearing for Charter Changes

Mr. Bergeron handed out suggested amendment language to Sections 32, 36 and 40 of the City Charter.

Ms. Taylor gave background on the meeting by the Council in April with David Scanlan, Deputy Secretary of State regarding the Charter amendment process and pending legislation. She said that under the old law, the City would have had to hold the public hearing by July 8<sup>th</sup> to get on the November general election ballot. The legislation did pass, which takes away the option of having a Charter vote at the general election, unless a special election is also called for that day. She indicated that based on an estimated 136 days to meet statutory requirements, the earliest a special election could be called would be either December 8<sup>th</sup> or 13<sup>th</sup>.

Mr. Bergeron asked if a public hearing could be held on Charter amendments and not go through with the rest of the process.

Ms. Taylor said this was possible, but before a public hearing can be scheduled, the Council must decide on proposed language.

Mr. Damren said the proposed language regarding the fiscal year and budget procedure are corrections to what we are currently doing.

Mr. Temple asked if there are 3 suggested changes, would the citizens vote separately on each amendment. Ms. Taylor confirmed that amendments are voted on individually. She said that only with a complete revision is there an up or down vote on the entire proposal.

Ms. Taylor agreed to review the proposed language and report back to the Council at its July 27 meeting.

Mr. Bergeron asked for permission to open this item to the public; the Council agreed.

Bernie Folta, Ward 3, recommended that each councilor read the statue. He referred to the Charter Commission's recommendation a few years ago that was voted down. He suggested adding as amendments some of the issues on which the group had consensus.

#### Motion to Pay Amtrak Display Train Expenses

**A motion was made by Mr. Raymond and seconded by Mr. Damren that on August 12, 2015, the Claremont City Council authorized the Ad Hoc Committee – Claremont Amtrak Stop to raise funds for construction of a public shelter to be located on land adjacent to the Claremont Amtrak Station. Upon completion of the Waiting Pavilion, it was determined that \$707.01 in cash donations remained in the Pavilion account. Because the Committee's efforts to stimulate growth in the use of the Claremont Amtrak Stop continue, the Council hereby authorizes use of the remaining funds in the Pavilion account for the Committee's efforts on behalf of the City related to the Claremont Amtrak Stop, including payment of expenses related to the visit to Claremont on June 18 by the Amtrak Display Train.**

Ms. Taylor explained that the Committee had incurred expenses related to the June 18 event, but there was no authorization for the expenditure. There is a bill of just under \$200 and it needs to be paid. Mary Walter, Finance Director, suggested this as the best way to handle the issue.

Ms. Towle said it was about \$200.00 for port-a-potties.

Mr. Bergeron said he spoke for the Mayor and she is against the money coming out of this account – she feels it was for the city and the city should pay for it and the money in the account should be used for other Amtrak Stop activities.

Ms. Taylor indicated that public funds cannot be spent on private property, so the funds could be used for maintenance of the Pavilion.

Ms. Towle said the extra money in the account is from the bike race last year. The benches in the Pavilion are John Lambert's and they need to be replaced. The Committee thought they could use the money for new benches.

Mr. Koloski said he understands the Finance Director's view that this should not be taken from a department budget if it was not a department event.

**A motion was made by Mr. Temple to table the motion, which he withdrew.**

Ms. Taylor said that unless the expense is authorized, the bill cannot be paid.

Mr. Damren said he doesn't want to hold up a small business and suggested that the Council can change where the money is to come from at the next meeting if it chooses and can recommend a motion to transfer the money come before the Council.

**Roll call vote: motion carried 7-0**

## **COMMITTEE REPORTS**

Mr. Bergeron noted the Planning Board approved a parking lot on Maple Avenue as part of the NFR expansion. He said it also approved an outside cooler for the Tavern on the Green in the Brown Block.

Mr. Damren requested a non-public session at the 1<sup>st</sup> August meeting to discuss the City's computer systems security.

## **FUTURE AGENDA ITEMS**

Ms. Towle asked for follow-up on the “for sale” sign at the corner of North and Main. She also asked for follow-up on the Arrowhead forestry that is still pending and she asked when a tour would be scheduled. Mr. Bergeron said he would meet with the Mayor. There was consensus that 6:30 p.m. during the week is preferred.

Mr. Koloski said he would like to have the Claremont Boat Landing on the agenda for discussion at the 1<sup>st</sup> meeting in August.

## **CONSULTATION WITH LEGAL COUNSEL**

None

## **ADJOURNMENT**

**At 8:25 p.m., a motion was made by Mr. Damren and seconded by Mr. Raymond to adjourn.**

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

Respectfully submitted,

Gwendolyn R. Melcher  
Clerk to the Council