

The Claremont City Council held a meeting on Wednesday, January 22, 2020, in the Council Chambers of City Hall.

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

Members of the Council present were:

Ward I Councilor Andrew O’Hearne
At-Large Councilor Abigail Kier
At-Large Councilor Erica Sweetser
Assistant Mayor Allen Damren
Mayor Charlene Lovett
At-Large Councilor Debora Matteau
At-Large Councilor Nicholas Koloski
Ward II Councilor James Contois
Ward III Councilor Jonathan Stone

Also present:

Edward Morris, City Manager

AGENDA CHANGES

None

MAYOR’S NOTES

Retiree Certificates: Daniel Benware, Daniel Miller and Peter Fennessy

The Council presented proclamations to Daniel Benware (20 years), Daniel Miller (22 years) and Peter Fennessy (28 years) honoring them as they retire from the City of Claremont on January 31, 2020.

Mayor Lovett’s notes:

- Hepatitis A – last August, she talked about an outbreak and encouraged people to get vaccinated. Last August there were 174 cases in NH. Normally, there are 7 cases a year. As of January 14, the number is up to 312. There are 3 cases in Sullivan County. There will be a free vaccination clinic January 29, 3:45 p.m.-5:15 p.m. at the Claremont Soup Kitchen, 53 Central Street. Go to dhhs.nh.gov for more information.
- Attended January 13 Mayoral Roundtable with Planning and Development Director Nancy Merrill; topics discussed: economic development, housing, workforce development, and community development strategies. BEA is doing a marketing campaign, “Live Free.” Housing vacancy rate statewide is .75%; a healthy rate is 3-5%

Ms. Matteau and Mr. Koloski asked about City Manager Goals, expecting they would be on tonight's agenda.

Mayor Lovett said it was an oversight and there would be a correction.

CITY MANAGER'S REPORT

- Draper Corner Signal – waiting for processor to come back; expecting it within the next week or two
- Goddard Block – expect people to move in, in early March; they are working with Dartmouth for workforce housing
- Topstone – monitoring wells around Topstone; one well on Sweet Fire BBQ property tested high for chlorinated solvent; continuing to look to find the source of the solvent; appears to be coming from offsite
- Credit Cards – all departments that take credit card payments, take all “major” credit cards and they also do ACH payments
- Fire at Bourden Center last week – thank you to the Fire and Police Departments, and to the safety services that responded. Residents were able to return to their apartments that evening.

Mr. Contois said he is the Ward 2 Councilor and he thanked the Fire Chief and firefighters who responded to the Bourden Center.

Councilors expressed appreciation for the end of the year department reports that were in the packet. They show the amount of work done with limited resources. Ms. Matteau asked if they could be consolidated and put onto the website. Mr. Morris said that may be hard right now. There is limited capacity with this website. We are working on the new website.

CITIZEN'S FORUM

No one spoke.

OLD BUSINESS

Tax Deeded Properties Update

Mr. Morris said regarding the Twin State properties, that the City is still waiting for the demolition of 139 Main Street in order to put a lien on these properties. Assessing is looking to see what value the City might be able to get for these properties. Some properties have IRS liens and municipal liens go in front of those. One property has an RSA 155-B lien and the City is checking to see if a municipal lien goes first. He asked to wait to make a recommendation until we get more information.

Mr. Morris said the following properties will go up for auction. The tentative auction date is March 21, 2020.

- 297 Chestnut Street
- 157 Pleasant Street
- 37 Winter Street
- 28 Spofford Street
- 10 Fitch Reservoir Road
- 22 High Street (Land Only)
- Foisy Hill Road – Map 86 Lot 21 (Land Only)
- 730 Hanover Street

3 Angela Place will be sold by sealed bid as it is in a mobile home park.

Following properties will be sold once pending issues are complete.

- Winter Street – Map 73 Lot – Requested soil test be conducted
- 39 Central Street – Remediate oil spill with state funding
- 263 North Street – Awaiting final design of North and Main Street Project
- 150 Chestnut Street – Demolish (cost added to the price of the property)
- 60 Central Street – Review for structural deficiencies

There was a question about using an auctioneer that has a large mailing list. Mr. Morris will look into that.

There was a question about putting in a reverter clause in order to stop properties from sitting idle after the auction. Mr. Morris said the Certificates of Occupancy have been pulled from those properties and they will have to come up to code before new ones are issued. He is not sure if this will stop the properties from sitting idle. He will look into it. This is an open auction.

Approval/Denial of Fire Union Contract

Mr. Morris highlighted some items in the Fire Union Agreement: Shifting health insurance up to 10% for some; working with all unions re: health care and looking for cost savings while maintaining a good insurance benefit; dental changes; vacation, personal and sick leave time has been changed from days to hours; compensation raises: 2% this January, 1% in July; 1% the next January, and 2% the next July; moving from current schedule to 24-hour shift schedule.

A motion was made by Mr. O’Hearne and seconded by Ms. Kier to approve a Collective Bargaining Agreement between the City of Claremont and IAFF 1571 (Fire Union), which calls for the following increases in salary and benefits:

<u>Year</u>	<u>Estimated Increase</u>
FY 2020	\$23,355
FY 2021	\$17,125
FY 2022	\$21,351

Said sums represent the additional costs attributable to the increase in salaries and benefits over those of the appropriation at current staffing levels. The increase for FY 2020 shall be covered in the 2020 budget, but will need to be transferred from other departments.

The City Council further authorizes the city manager, or his designees, to take such actions as may be necessary to implement this motion.

Mr. Damren clarified this is a two-year agreement spread over three fiscal years.

Roll call vote:

O’Hearne - yes

Kier - yes

Sweetser - yes

Damren - yes

Matteau - yes

Koloski - yes

Contois - yes

Stone - yes

Lovett - yes

Motion carried 9-0.

NEW BUSINESS

Mr. Contois requested to change the order of the agenda to move Discussion of Citizen Proposed Task Force on Climate to the beginning of New Business as there were people in the audience waiting to discuss this. Mayor Lovett explained that Agenda Changes are normally made at the beginning of the meeting.

A motion was made by Ms. Kier and seconded by Ms. Matteau to suspend Council Rules.

Roll call vote:

O’Hearne - no

Kier - yes

Sweetser - yes

Damren - yes

Matteau - yes

Koloski - no

Contois - yes

Stone - no

Lovett - yes

Motion carried 6-3.

A motion was made by Ms. Matteau and seconded by Mr. Damren to move Discussion of Citizen Proposed Task Force on Climate to the top of New Business.

Voice vote: motion carried 7-2, with Messrs. O’Hearne and Stone voting no.

Discussion of Citizen Proposed Task Force on Climate

Mr. O’Hearne said that any documents that had not been included in the packet should not be referred to, unless Council Rules are suspended. He was referring to an email that had been received over the weekend and a document, “City Counsel [*sic*] Presentation on Climate Resilience Task Group,” that was given to Councilors this evening. Mr. Koloski sees this as similar to a PowerPoint presentation. Mayor Lovett said other presenters give information during the Council meeting.

Mr. Stone asked who requested to put this item on the agenda. Rebecca MacKenzie said she did. Mayor Lovett said it was on the December agenda, but Ms. MacKenzie had a scheduling conflict so the Council agreed to put it on tonight’s agenda.

Rebecca MacKenzie, Ward 2, said the information she passed out was for Councilors to follow along during her presentation. She asked the City Council to endorse the creation of a special task force to research and develop best practices for responding to the physical and psychological effects of the climate crisis. She thanked the City for upgrading street lights to LEDs, for creating the solar array at the wastewater treatment plant, and the development of a solar ordinance that is in progress.

Ms. MacKenzie said she is a member of the Energy Advisory Committee and that the proposed task force would be a way to look at the overall picture of how things are coming together to create resilience. She noted some things that are being done by our neighboring communities, such as installing electric vehicle charging stations; replacing municipal vehicles with hybrid and electric vehicles; and encouraging walking and biking. She asked the Council to consider how a Climate Resilience Task Group could augment the good work already being done in the City. Included in the packet of information she handed out was a resolution from the Lebanon City Council In Support of the Paris Climate Agreement.

There was a discussion of Ms. MacKenzie’s request. Some Councilors were concerned about creating another City board when there are already over 40 vacancies on the boards the City currently has.

Mr. Morris agreed this task force was a good idea and that bringing in information from around the area is a good idea. He wondered if this group could work on its own and then share their information with the Energy Advisory Committee and the Conservation Commission. Mayor Lovett and Mr. Damren agreed because some people would rather work outside of a governmental board, and this type of board would be “more nimble.”

Ms. MacKenzie asked for an endorsement from the Council.

Mayor Lovett suggest the Council can look at the resolution presented and decide whether or not to encourage members of community to engage in these activities to address climate change. Council agreed.

Assessing Division Discussion

Mr. Morris said previously Councilors had discussed making Assessing its own department. For the most part, the Assessor reports to the City Manager. He talked with Interim Assessor Stephan Hamilton, and Planning and Development Director Nancy Merrill, and he thinks it's the right direction to go in. He would like to look at the overall operation of the City after the compensation study is complete. He would look at other communities to see how they are working. He wanted to bring this forward for discussion.

Mr. Stone is in support of making Assessing its own department. The City has been without a full-time Assessor for close to two years.

Mr. Contois is against creating another department; against creating another Merit Plan position that pays in the \$90,000 range.

Mr. O'Hearne asked if this went before the Personnel Advisory Board for its recommendation. Mr. Morris said not yet. This is for discussion; the City is not looking to make the change at this time.

Mayor Lovett said in the Charter, Council has the authority to create, abolish, or consolidate departments. This is a discussion Mr. Stone wanted to have and the idea was to have a discussion to see if the Council wanted to do this.

Mr. Morris said that making Assessing its own department does not necessarily raise the Assessor's salary. Right now, the Assessing office is at a good place. Mr. Hamilton, and his company are doing a good job. Kim Burkhamer is getting training in order to move up the Assessor ladder. The Assessor position has been open for quite some time. Claremont is not paying anywhere near what the market is paying. Hanover pays over \$100,000. It is hard to get the training unless you are in an Assessing office.

Mary Walter, Finance Director, said making Assessing its own Department does not mean adding more money to the budget. Not all the Department Heads are grade 12, for example, the Welfare Director is grade 10. The positions have to be scored to determine the salary range.

Ms. Merrill said in the Charter that Assessing is in her department. She has been with the City for 15 years and in all that time, Assessing has acted, and been treated, as its own department. When the compensation study is done, it would be a good time to look at the Planning and Development part of the City Code.

There was consensus to have the City Manager move forward with the compensation study and then Council can address this when the study is complete.

Request to Accept and Expend Healthy Homes Lead Poisoning Prevention Grant

Ms. Merrill said there was a change to the memo in the packet. The amount of the grant is \$17,438, not \$21,645. The plan is to use the grant to test water at the licensed children's center in the City and to have funds for remediation, if necessary, and to do two certification trainings, one at Sugar River Valley Regional Technical Center for students in that program and the other will be for general contractors.

Mayor Lovett said Claremont is one of seven municipalities that has a lead action team. This came out of the work of that effort.

A motion was made by Ms. Kier and seconded by Ms. Matteau to authorize the City Manager, or his designees, to take such actions and execute all documents as may be necessary to accept and expend a Healthy Homes Lead Poisoning Prevention sub-grant from Dartmouth Hitchcock in the amount of \$17,438 to support lead testing and mitigation planning with Claremont licensed child care facilities, and to support two RRP (Renovate, Repair, and Paint) trainings to provide learners with EPA/HUD lead paint safety certification.

There was a discussion about using the grant for private citizens; it is a benefit to our community to have trained individuals doing the work.

Voice vote: motion carried 9-0.

Planning Board Membership Discussion

673:2 Planning Board. –

- I. (a) In cities, the planning board shall consist of 9 members:
- (1) The mayor of the city, or with the approval of the local legislative body the mayor's designee, who shall be an ex officio member;
 - (2) An administrative official of the city selected by the mayor, who shall be an ex officio member;
 - (3) A member of the city council selected by the council, who shall be an ex officio member; and
 - (4) Six persons appointed by the mayor, if the mayor is an elected official, or such other method of appointment or election as shall be provided for by the local legislative body or municipal charter.
- (b) Alternatively, the local legislative body in a city with a city council-city manager form of government may establish a planning board with membership as provided in paragraph I-a.
- I-a. In cities with a city council-city manager form of government, the planning board may consist of the following 9 members:
- (a) The city manager, or with the approval of the local legislative body the city manager's designee, who shall be an ex officio member;

(b) A member of the city council selected by the council, who shall be an ex officio member; and

(c) Seven persons appointed by the mayor, if the mayor is an elected official, or such other method of appointment or election as shall be provided for by the local legislative body or municipal charter.

Mr. Morris said according to RSA 673:2, there are two different structures for Planning Board membership. In 2008, the City Council adopted option I. Last year, there was a change to RSA 673:7 that no more than one appointed or elected member of the planning board shall serve on the local governing body. Talking with Attorney Jane Taylor, per the RSA, the Mayor sits on the Claremont Planning Board as a statutory appointment, and that leaves one seat for a City Councilor. Currently, there is one Council Alternate seat, and he said there was a discussion about whether or not there could be another alternate seat.

There was discussion about the make-up of the Claremont Planning Board, referring to legal opinions from NHMA. It was pointed out that regarding the Planning Board in the City Code, parts date back to 1961 and that this should be referred to the Policy Committee.

A motion was made by Mr. O’Hearne and seconded by Ms. Matteau to rescind the 2008 Council decision and to follow RSA 673:2 I-a, as written currently.

A motion was made by Mr. Damren and seconded by Ms. Kier to table this resolution until the next meeting.

Roll call vote:

O’Hearne - no

Kier - yes

Sweetser - yes

Damren - yes

Matteau - no

Koloski - no

Contois - no

Stone - no

Lovett - yes

Motion failed 4-5.

A motion was made by Ms. Matteau to move the question on the table. Seconded by Mr. Stone.

After some discussion, **Mr. Stone withdrew his second.**

Mr. Morris said that if Council approves a change to the Claremont Planning Board, the City Code would also need to be revised.

The question came up about what making this change would do to the status of the present Planning Board members.

A motion was made by Ms. Matteau and seconded by Mr. O’Hearne to move the question.

Roll call vote:

O’Hearne - yes

Kier - no

Sweetser - yes

Damren - no

Matteau - yes

Koloski - no

Contois - yes

Stone - no

Lovett - no

Motion failed 4-5.

Discussion continued.

Roll call vote on the motion to rescind the 2008 Council decision and to follow RSA 673:2 I-a, as written currently:

O’Hearne - yes

Kier - no

Sweetser - yes

Damren - no

Matteau - yes

Koloski - yes

Contois - yes

Stone - yes

Lovett - no

Motion carried 6-3.

A motion was made by Mr. Koloski and seconded by Ms. Matteau that Claremont Planning Board appointments be made by the City Council.

Councilors had a discussion about Claremont Planning Board appointments. Ms. Merrill asked if Council would reaffirm all current seats. Councilors agreed.

Roll call vote:

O’Hearne - yes

Kier - yes

Sweetser - yes

Damren - no

Matteau - yes

Koloski - yes
Contois - yes
Stone - yes
Lovett - no
Motion carried 7-2.

A motion was made by Mr. Koloski and seconded by Ms. Matteau to reaffirm the current seated Claremont Planning Board members: Seat 1 – Dale Girard, Seat 2 – Marlene Boisclair, Seat 3 – David Putnam, Seat 4 – Richard Wahrlich, Seat 5 – Bruce Kolenda, Seat 6 – David Pacetti, Seat 9 – Allen Damren, Seat A2 – William Greenrose, and Seat A5 Nicholas Koloski.

Mr. Damren said he would step down from his seat because Mr. Contois wanted to sit on the Board. It was agreed he would wait and step down at the next meeting.

Voice vote: motion carried 9-0.

Mr. Morris said he probably will sit on the Claremont Planning Board, however, if he changes his mind, he will come back to the Council.

Resolution 2020-15 Proceeds from First Night Button Sales – Public Hearing

WHEREAS on December 31, 2019, the Claremont Parks & Recreation Department (the "Department"), in conjunction with the Claremont-Sugar River Rotary Club (the "Rotary Club"), co-sponsored First Night activities (the "Event") as a community celebration of the New Year; and

WHEREAS the Department collected \$236.00 from sale of First Night buttons, which was part of the Rotary Club's fundraising activities; and

WHEREAS the Department would like to now distribute these funds to the Rotary Club;

NOW THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City Manager or his designees to undertake all actions and execute all documents as may be required to withdraw the total amount of \$236.00 from the Parks & Recreation Revenue Account and to distribute the sum of \$236.00 to the Rotary Club; and

BE IT FURTHER RESOLVED that the City Manager or his designees are hereby authorized to execute all documents and undertake all actions as may be required to implement this resolution. *(2/3 Vote Required)*

A motion was made by Ms. Kier and seconded by Mr. O’Hearne to adopt Resolution 2020-15 Proceeds from First Night Button Sales.

Ms. Kier read the resolution into the record.

Mayor Lovett opened the public hearing. No one spoke. She closed it.

Roll call vote:

O’Hearne - yes

Kier - yes

Sweetser - yes

Damren - yes

Matteau - yes

Koloski - yes

Contois - yes

Stone - yes

Lovett - yes

Motion carried 9-0.

Resolution 2020-14 Compensation Study Funding – Public Hearing

WHEREAS, the City of Claremont received unanticipated revenue in the amount of \$19,651.57 from Primex as a premium holiday return; and

WHEREAS, the City would like to complete a Compensation & Classification Study of all city positions and use \$19,650 of those funds toward the total cost with the remainder being transferred between departments;

NOW THEREFORE BE IT RESOLVED by the City Council to raise, appropriate and expend the sum of \$19,650 to Account #01-411-202-0010 said sum to come from unanticipated revenue (with no impact on the tax rate) and to transfer \$33,342 from the accounts listed below to #01-411-202-0010; and

Council Meeting
January 22, 2020
Page 37

01-411-101-0000	\$ 8,582.00	Wages - Policy		
01-411-138-0000	\$ 7,560.00	Health Insurance - Policy		
01-411-135-0000	\$ 48	Workers Comp - 2020 - Policy		
01-412-135-0000	\$ 77	Workers Comp - 2020 - Finance		
01-414-135-0000	\$ 436	Workers Comp - 2020 - Assessing		
01-415-135-0000	\$ 242	Workers Comp - 2020 - Maintenance		
01-416-135-0000	\$ 849	Workers Comp - 2020 - Planning & Dev		
01-420-135-0000	\$ 53	Workers Comp - 2020 - Dispatch		
01-421-135-0000	\$ 2,748	Workers Comp - 2020 - Police		
01-422-135-0000	\$ 7,144	Workers Comp - 2020 - Fire		
01-432-135-0000	\$ 17	Workers Comp - 2020 - Welfare		
01-434-135-0000	\$ 154	Workers Comp - 2020 - Sanitation		
01-441-135-0000	\$ 2,599	Workers Comp - 2020 - Streets & Roads		
01-450-135-0000	\$ 75	Workers Comp - 2020 - Library		
01-471-135-0000	\$ 332	Workers Comp - 2020 - Cemetery		
01-481-135-0000	\$ 259	Workers Comp - 2020 - Parks		
01-482-135-0000	\$ 1,202	Workers Comp - 2020 - CSBCC		
90-490-135-0000	\$ 394	Workers Comp - 2020 - Water		
92-492-135-0000	\$ 571	Workers Comp - 2020 - Sewer		
Totals:	\$ 33,342.00			

BE IT FURTHER RESOLVED that the Council hereby authorizes the City Manager or his designees to undertake all actions and execute all documents as may be required to implement this resolution. *(2/3 vote required)*

A motion was made by Ms. Kier and seconded by Ms. Matteau to adopt Resolution 2020-14 Compensation Study Funding.

Ms. Kier read the resolution into the record.

Mayor Lovett opened the public hearing. No one spoke. She closed it.

Roll call vote:

O’Hearne - yes

Kier - yes

Sweetser - yes

Damren - yes

Matteau - yes

Koloski - yes

Contois - yes

Stone - yes

Lovett - yes

Motion carried 9-0.

Ms. Kier asked, since it was late, to move Policy Committee Alternate Member, and Council Rule Change, to the next meeting.

Change in Legal Office Assistant Position

The Legal Assistant position (currently in the Merit Plan) was designed to work with the City Manager's office to draft documents (such as resolutions), complete basic review of contracts, and complete research. The Legal Assistant was also supposed to help in the Human Resources office.

With the trouble the City has had recruiting an Assessor, the Office Assistant has been used to help fill the void in the Assessing office, splitting time between the HR Office, Assessing Office, and helping the City Manager. Because of this, most of the Legal Assistant's time is spent completing clerical type duties outside of the City Manager's office, and the Clerical Union has asked that this position be included in their bargaining unit.

Because this includes a job reclassification from non-union to union status with minimal changes to the job description, this change can be made by the City Manager:

This change was reviewed with the Personnel Advisory Board (PAB) on January 14, 2019. The PAB agreed and recommended making this change. The purpose of this agenda item is to advise the Council of this position modification and give an opportunity for discussion. Unless the Council objects to this change, the City plans to implement this change in 30 days.

A motion was made by Mr. O'Hearne to table this to the next meeting because the Personnel Advisory Board minutes were not in the Council packet.

Mr. Morris said this is not coming to the Council for a decision. This is advisory. The Council has 30 days to object. It did go the Personnel Advisory Board (PAB). Mr. O'Hearne said the PAB has to make its recommendation to the Council.

The motion was seconded by Ms. Matteau.

Roll call vote failed 4-5

Roll call vote:

O'Hearne - yes

Kier - no

Sweetser - no

Damren - no

Matteau - yes

Koloski - no

Contois - yes

Stone - yes

Lovett - no

Motion failed 4-5.

Mr. Morris said this is advisory for the Council and this can be discussed at the next meeting.

A motion was made by Ms. Kier and seconded by Mr. Damren to move Policy Committee Alternate Member, and Council Rule Change, to the next meeting.

Mr. Koloski had requested these items be on the agenda. He was okay with moving them.

Voice vote: 9-0

Policy Committee Alternate Member

Moved to the next meeting.

Council Rule Change

Mr. Koloski proposed a change to Council Rules. He presented his written proposal to the Council at the January 8, 2020, meeting.

“Upon placement of an item on the Council agenda, a notation must be added to each item to indicate who requested such item for background. Examples: City Manager, Councilor _____, Majority Council, Department Head, Mayor, Department.”

Moved to the next meeting.

LEGISLATIVE UPDATES

Mayor Lovett said HB1539 – relative to the relocation of children with elevated lead levels, is going to a subcommittee January 30th. She will attend and invited anyone else who wishes, to attend as well. She talked about the NHMA Legislative overview being a great webinar. She suggested Councilors read the Legislative Bulletin and if they have concerns, to let the rest of the Council know through Ms. Russell. There are quite a few bills on tax exemptions. Mayor Lovett said it would be beneficial to raise the Net Metering Cap and she will continue to advocate for that. Quite a few bills impact employer contributions. She listed some other bills: Planning Board bills – training mandatory; Hotel Occupancy; Right-to-Know bills.

Mr. Koloski talked about the 9% rooms and meals tax being proposed for skiing and asked if that applies to Arrowhead. Mayor Lovett will look into it.

Mayor Lovett talked about a letter regarding a Housing Appeals Board that is set to be established July 1st. She will make sure Councilors get a copy.

FUTURE AGENDA ITEMS AND DIRECTIVES

Mayor Lovett said Policy Committee Alternate Member, Council Rule Change, and City Manager Goals will be on the next agenda. Regarding Future Agenda Items, she explained that she works with the City Manager on the agendas and that sometimes they are full and items have to be moved further out, and for Councilors to not take it personally when that happens.

Ms. Matteau would like to discuss 91-A regarding minutes as well as the process for non-public sessions. She will send information to the Council.

Mr. Koloski brought up that the Council had asked that Airport Fees be included in the City Fee Schedule.

Mr. Koloski talked about some Amtrak construction and asked if the Ad Hoc Amtrak Platform Committee should be reactivated.

CONSULTATION WITH LEGAL COUNSEL

None

ADJOURNMENT

At 10:05 p.m., a motion was made by Ms. Matteau and seconded by Mr. O’Hearne to adjourn.

Voice vote: motion carried 9-0.

Respectfully Submitted,

Dorée M. Russell
Clerk to the Council