



WORKSHOP SESSION:
6:00 P.M.

Those present: Councilor's Cheney, Ciotti, DeDe, Deputy Mayor Hindle, Councilor Keays, Mayor Myers, Councilors Trefethen, Turner. Also present City Manager Joyal and City Attorney Krans. Councilor Scott is absent.

A. Discussion of Issues with State Legislators

The Mayor welcomed all of the State Representatives here this evening and started the presentation with State Senator **Iris Estabrook** as she explained the committees that she is serving on currently in the state senate. She reviewed the house bills on a handout that are currently being addressed, one is the Spaulding Turnpike and Little Bay Bridges, she added she had a call from a constituent re: the EZ Pass and how slow it seemed to be working on the Spaulding Turnpike; that has been corrected. The right to know issue is also a hot issue as well as eminent domain. And another item was the voting issues and how a person must have a photo ID in order to obtain a ballot; it also gave discretion to workers at the polling place to give a ballot without an ID if they are known.. She thinks this will be a nightmare for voters.

She joined Senator Hassen where someone that had a life taken by Triple EEE in her district. This is about mosquito control; lastly she mentioned the bill on pooled risk management data reporting. She then mentioned bills she is sponsoring coming out of the senate (see handout presented).

DeDe asked about SB305 and what is a recreational therapist; she referred to Senator Hassen again and her son that is affected by this bill; there is a program call Northwest Passage and they work as a community outreach program. It is rehabilitation thru recreation. Trefethen asked about the Little Bay Bridges and the desperate need for sidewalks as this is the only way the two neighborhoods can be connected. He also asked about the severe increases in retiring employees and the burden that will be on Dover tax payers; he does not feel this is fair to the citizens. She mentioned Senate Bill 385 and the medical benefits issue tied into these bills they will be discussing in the next few weeks. DeDe commented on how the NH retirement system is probably headed the way of the airlines as well as GM. The Mayor echoed DeDe's issues with the retirement system problems. This is something we can do the best of planning and in one case the benefit went from 8 to 24%; this is a huge impact and most communities are not prepared for it. Senator Estabrook added this is a state system so we deal with it on a state level.

Peter Schmidt appreciate the ability to speak to them this evening as there are many issues that impact the council as well as the state delegation. He would like them to sit down on a regular basis to discuss issues. He really urged the council to voice their opinion on bills that affect the municipality so they will have support for items that affect both the city and the state. He used the pole tax licensing issue for an example. He mentioned a bill he has brought in this term which involves healthcare costs. And the bill will remedy folks that do not have healthcare insurance currently. He serves on environmental and agriculture committee and they are concerned with the triple E committee.

Earle Goodwin on ways and means committee he handed out the flow chart with a summary of bills being voting on or have just been voted on. He stated he has added



his business card in case any of them want to contact him. He sponsored a house bill and he thinks it should have gone to election law and would have had a better chance of passing. He is also working on poles and licensing. He asked for questions, the Mayor wants questions at the end after all the representatives speak.

Roland Hofemann wants them to know that everything they do up there in Concord they are keeping an eye on the effects it will have on the city. He has a house bill right now that would give a \$100 bonus for those troops returning from Iraq that is HB1135. He thinks this will affect some veterans in Dover and it shows respect. You can only put in for this award one time. In the future he will be submitting a bill to relieve the 80 year old property tax payers. This will be an enabling bill, not a directive.

Jennifer Brown mentioned the Spaulding turnpike from the noise of the highway she has had constituents that have called her. She is now gathering signatures to back up the complaints. She had another constituent calling with regards to her health insurance issues. She is happy to support any bill that affects the city, she is on the transportation committee and is aware of grant money that is coming thru. They have the real ID bill that has failed. She mentioned the train situation as well even though it did not pass.

William Knowles appreciated the opportunity to speak before them. He serves on the criminal and justice committee. One of their biggest bills is the sexual predator bill; they are coming up with a proposal that he thinks people will be satisfied with. He has sponsored 7 different bills this year. He proceeded to explain the details; he also tries to sponsor youth to youth bills; he had met with Kaitlyn Riley. He thinks they would be proud of Kaitlyn as she presented wonderful testimony in Concord on the house bill. He is hoping it will pass so they will have some grant money to inform the students of the problems with smoking. He enjoys serving in the house.

Baldwin Domingo stated it gives him great pleasure to come before them. He and Elsie have lived at the same address for the last 40 years but he is still not a native. He serves on the state veterans affairs committee. He was voted off the legislature for four years after having served but was then elected to serve again. Yesterday he spoke on CACR 4; he is also involved with urging congress to promote a review of restrictions of World War Two, but they had ITL it. He reviewed some of Roland's bills. He mentioned the homeland security bill and border issues as well as dam problems such as the one that broke recently. HJR 26 is a bill going through congress currently to allow women the same resources as men so they can compete. He urges his daughter to wear the mouth piece when she plays hockey at her school which is MIT. He then stated he is sponsoring a gold star highway; he continued to explain the gold star mother's day. He stated the check should be made out to the State of NH-DOT for his gold star mother's highway program which will be at Henniker and Hillsborough. Iris Estabrook clarified that this is not yet law; it has passed the senate but not the house as yet. The Mayor asked for questions from the council.

The Mayor mentioned the MTBE issue that is something Dover is impacted by and we need to ensure that any funds delegated to this need to stay focused with this. He also mentioned the HB653 and the broadband issue and on HB 360 as we need balanced representation. Peter says the bill was heard 2 years ago; it passed the



house and is going before the senate to open up the option for broadband in the smaller communities throughout the state.

The Mayor thanked them all for participating. Hindle moved seconded by Ciotti to adjourn the workshop with all in favor.

REGULAR MEETING:

7:00 P.M.

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**

Those present: Councilor's Cheney, Ciotti, DeDe, Deputy Mayor Hindle, Councilor Keays, Mayor Myers, Councilor Scott, Trefethen, Turner. Also present City Manager Joyal and City Attorney Krans.

- 4. PROCLAMATIONS - AWARDS**
- 5. SUMMARY OF AGENDA**

The Mayor gave a summary of the agenda.

- 6. CITIZEN'S FORUM**

Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

Marilyn Follensbee of 25 Dover Point Road is here to speak about a zoning ordinance on the commercial overlay district. She explained the proposal. She asked David Scott to look into this proposal. And to the citizens she wants them to take a more active interest in what is going on in their individual neighborhoods. She feels we are turning our city over to developers. She mentioned the city manger and how she appreciated the elected city council, many of the problems are a result of things that have occurred in the past. She trusts Mr. Joyal to keep a watchful eye on contract negotiations. The city has changed quite a bit in all the years she has lived here. She listed the positive construction that has occurred in the city. She feels the manager wants what is good for Dover. She knows they are all going to try hard to not have property taxes go up; she thanked them all for serving and hopes they soon will formulate their own goals.'

Parks Christenbury of 98 Cocheco Street has served on planning board with Ciotti and on the city council; he is here to address the important issue on email here in Dover. This came to light when Scott and Cheney requested to use their private email addresses. He explained about the entire issue of 91A and when it applies. 91A applies when you have quorum. He read from the proposed email agreement HB on right to know if it passes will be law and we cannot circumvent the law. He thinks it would be incorrect to have a policy to cover only the



council and not the school board. He quoted from the Fosters and what the city manager has said and how Fosters has requested to see every email since November 1st; there is a lot of work to do here still.

Phyllis Woods of 1 Barry Street thanked them all for their service; she read HB 626 on the house right to know law. The law is expected to go into effect 7/1 of this year. The purpose is to close the loophole in the law which was when a group of constituents could conceivably have a quorum. Where there is no quorum there is no meeting and no violation of the law. We are all in support of transparency of government she hopes. She does not want us to go further than what is needed or required. This law does not apply to private individuals and their representative. This does not affect communications between a private citizen and their elected official are privileged communication and must be considered confidential unless permission is granted by that person. Article 8 and part 1 of our state constitution says that our government agents must be open, accessible, accountable and responsive to their constituents. Also the constitution guarantees that people have a right to give instructions to their representatives and that representatives should be made available and accessible in all possible ways. She continued to read from the state of NH constitution and cautioned them to not open this up to lawsuits if individuals who feel strongly that this is a violation of the policy and we have this growing population of silent majority where people do not have the courage to make their views known; it is important that they have the ability to communicate with them privately so that they have the benefit of their advice

Lee Skinner of 25 Mathes Hill Drive and has lived here 30 years. He wishes he was a better speaker and that he had prepared notes. Two points, the first on Ross Perow who is a very smart man that made a lot of money and how he did not understand the team idea of board of directors of GM that he had served on later in life, he did not do well. He thinks some of the councilors need to know they are a team; please remember they are part of the council. Secondly regardless of who the city manager is now or in the past, this is a person they have picked to make decisions for the city and there are periodic reviews. These pot shots that have been taken at the city manager; he does not want to ignore what he does but there are places more appropriate for thrashing him out and they should use a little more discretion when dealing with city manager and city employees.

Don Medbury of 3 Covered Bridge Lane stated we should not make another Dover law or Trefethen law we need to spend our time working for the good of the community; he continued to explain his thoughts on the TIF that will be voted on tonight. (See handout.) He also wanted to caution property owners to review their property owner ship cards in the assessor's office for errors and urged them to make their own judgment for how the property has been assessed.

Don Andolina of 59 Littleworth Road is here to talk about TIF and they may recall at a prior meeting he had expressed some concerns about it. He reported some snippets on Pittsburg PA; the basic premise applies here the developers petition and the additional value created by the TIF that would otherwise have been paid for by the TIF. Each TIF deal must be considered separately. This would be a prescription for fraud; he is not suggesting that this would apply to Dover. Pittsburg concludes taxpayers must pay more to establish a TIF, what is the rush, why do we need a new layer of government. Who are the administrators of this autonomous group; this would be a disservice to all of Dover citizens.



Mary Hebbard of 97 Spruce Lane is here for the TIF as well and stated this is not the approval of the actual TIF this is only enabling legislation but feels the resolution is in conflict with itself. First of all she is not in agreement with this proposal any way. She explained what she has learned on it from a website about a TIF; she thinks this puts security with the developers and the burden would be on the citizens. We have other options available; and once it is in place then they will want to go ahead and use it. It is not a good idea for Dover.

Norm Champagne 13 Church Street has spoken to several of the councilors about the TIF; he does not see the need to have this. He watches the city manager on TV when he cannot come to the meetings and with our bond rating in the city we can borrow just about any amount of money that is needed. He mentioned his personal property taxes and how the total value of property in Dover has doubled over the last five years. If the TIF was in place all of this money would have gone to the TIF. We have a place up the street called Enterprise Park; it is his understanding back here when things were not really good the taxpayers picked up two million dollars in bonds instead of being paid off by the developers. If someone wants a parking garage let them build it. We will be looking for parking for the Children's Museum that will be coming into town; let them build their own garage. If he could pass this along to his customers his bond rating could look good too; he does not think that is a great idea. Dover is hemorrhaging money don't give it a transfusion of money.

Seeing no one else the Mayor closed citizen's forum is closed.

7. PUBLIC HEARINGS

A. **Ordinance #01-01/11/2006, Chapter 166, Vehicles and Traffic, Section 166-56, Schedule I, No Parking at Any Time, Ivan's Lane. Sponsored by Jason Hindle, Deputy Mayor.**

The Mayor opened the public hearing asking if anyone wished to speak; seeing no one he closed the public hearing.

B. **Ordinance #02-01/11/2006, Chapter 166, Vehicles and Traffic, Section 166-51 and Section 166-50 Changing Yield intersections to Stop Intersections (Adelle, Sylvan, Newport, Applevale, County Farm Cross Road). Sponsored by Jason Hindle, Deputy Mayor.**

The Mayor opened the public hearing asking if anyone wished to speak; seeing no one he closed the public hearing.

C. **Resolution RE: Revocation of Certain Pole Licenses of Verizon. Sponsored by Mayor Scott Myers, by Request.**

Paul Vlasich, City Engineer has some slides of poles that need to be removed. The reason that we are here is poles are not being removed in a timely manner. He explained the pole input process and how an application is processed in the City. However the companies are not required to let us know when they are relocating a pole. Also there are poles for construction projects that are installed and there are old ones that need to be removed. It is in the public good to remove the poles in a timely fashion. Also it creates unsafe conditions and



puts another obstacle in the roadway for people to maneuver around. With that said they are petitioning to remove the poles installed by Verizon.

Rick Hebbard 97 Spruce Lane stated his assistant (Mary Hebbard) is handing out photos with none for the clerk. He was appalled at the last meeting listening to Mr. Joyal's sermon on a safety issue regarding the poles. He proceeded to explain the law to them. These poles do not create any more of a safety issue than the 100s of trees near the roadway; this is misleading by Mr. Joyal. He continued to explain the pictures. He does not think Mr. Joyal's heavy handedness is fair to Verizon when Comcast has not removed their wires. He asks for them all to vote no on this tonight and he has nothing to gain by this.

Lisa Gordon vice president of public affairs for Verizon and Marty Wilkinson she wants to give them an update on what is Verizon is doing. She stated this started with the letter sent to their right of way agent in October. They had their own engineer come out and do a survey on the situation; this engineer found about 130 poles that needed to be removed. About this time Alstead occurred and their focus was not on removing poles. They have done about 61 wire transfers and have moved 26 or so poles and have been in the process of reconciling the remainder of the poles. They cannot get off the poles until the cable TV's wires are off the poles; there are discrepancies here and they plan to get together next week to discuss them. Her suggestion is that PSNH, the cable company, Verizon and the city come together to discuss and decide what needs to be done.

8. CITY MANAGER'S REPORT

The City Manager stated he had provided the written report and it is also available on the website. A couple of items that were included is the city staff has been working on looking at the public transit situation and the states development proposal for a park and ride out on Indian Brook Drive. He mentioned the proposed HB that would have the state pick up the cost for the railroad station currently the city pays for a ticket machine and the cost of the platform at the train station; this is a regional transportation facility but as they heard from the state reps the HB went nowhere. Another item is the Waterfront Development Committee has held a couple of meetings and those are due back on March 17th at which time Cochecho Waterfront Development Committee will begin their development review process. Revenue exceeded expenditures for the Arena for the first time. Two other items are an emergency purchase order in the amount of \$36,000 for emergency technical services. This purchase order is the result of MTBE being higher than the allowable levels. We have had a spike in the monitoring of the wells but there is no threat to public health; they needed to take action and have engaged Aries Engineering to find out what is causing the spike in MTBE in the wells. Also we have been in touch with the State Environmental Service and they will be reimbursing us for the cost of the engineering services. Also we have had 15 snow events since 11/24/2005. The total cost is nearly \$150,000; to date we have expended \$63,000 for cost of salt as we have exceeded the over all budget for salt. Overtime for staff is the balance of the overruns.

DeDe noted one of the goals for the year was the amount of police overtime; this has been an issue for the police. He would like to see this included in the city manager's monthly report. The city manager says he has not had much time to focus on the amount of overtime in the police budget; but he has asked for it and expects the analyses to be on his desk soon. Hindle noted the percentage of the long term debt that is dedicated to the Tolend Road



budget. Joyal will get the information to him. David Scott is always concerned when we go out to bid without bidding and this was the case with Aries. The city manager says this company would have preexisting knowledge to resolve this issue. Scott knows of other companies that would be qualified to handle this problem. The city manager reiterated Aries is the one company familiar with the area. Scott says he knows someone from the State Environmental Services. Again the city manager explained there was not time to go out to bid and he and Mr. Scott have never had a discussion face to face on this issue. The Mayor says we expended \$150,000 so far this year out of a total budget of \$250,000 and we are approximately 60% through our budget this year. Scott asked the value of the unused vacation and sick leave of employees and is it funded or a portion of it funded. The city manager will research the answer and they will come back with an answer later on in the meeting. Hindle moved seconded by Cheney to accept with all in favor with Keays out of the room.

9. MINUTES

- A. Special Meeting/Workshop – November 16, 2005
- B. Regular Council Meeting – December 14, 2005
- C. Council Workshop – January 4, 2006
- D. Regular Council Meeting – January 11, 2006
- E. Regular Council Meeting – January 25, 2006

Hindle moved seconded by Ciotti to accept. Turner stated on 9E on Matters of Interest and that February was a good time he never said that. He will not be introducing it in February; he never said this month. All were in favor of accepting.

10. MAYOR'S REPORT

The Mayor stated with the acceptance of the Mayor's report he was appointing Jack Buckley to a subcommittee on the McConnell Center Committee. He attended an open house at Measured Progress of their second building on Upper Sixth Street. This is a true national leader and is good for Dover and a feather in our cap. He thanked the staff for a facilities tour this past weekend. Something he brought up two weeks ago is the coffee with the Mayor it will be this Saturday and he was looking for a downtown location. The folks at Café on the Corner have invited them to use their room starting at 9 am. He says if anyone has a detailed question please email it ahead of time. And no he is not buying the coffee. He thanked all for attending the JFC meeting that was held last night. He still has two committee assignments from the organizational meeting, COAST and solid waste; he is seeking two people to step up to the plate. If no one does he will be assigning them to someone at the next meeting. DeDe moved seconded by Hindle with all in favor.

11. UNFINISHED BUSINESS

A. ORDINANCES IN 2ND READING

- 1. Ordinance #01-01/11/2006, Chapter 166, Vehicles and Traffic, Section 166-56, Schedule I, No Parking at Any Time, Ivan's Lane. Sponsored by Jason Hindle, Deputy Mayor.**



Hindle moved seconded by Ciotti to adopt. Motion passed on a roll call vote of 9-0.

2. **Ordinance #02-01/11/2006, Chapter 166, Vehicles and Traffic, Section 166-51 and Section 166-50 Changing Yield intersections to Stop Intersections (Adelle, Sylvan, Newport, Applevale, County Farm Cross Road). Sponsored by Jason Hindle, Deputy Mayor.**

Hindle moved seconded by Ciotti to adopt. Trefethen says so these have been yield intersections for years he would like an additional sign warning people there is a stop sign coming right up. Hindle will look into this. DeDe says going around and putting up a bunch of signs like that is not effective; he would like a black and white police car in the area to issue warnings at the beginning for enforcement. He sympathizes with Trefethen; he thinks a couple of warnings would be the way to go. Turner asked if there will be a white line installed also; the city manager confirmed this and Hindle will pass this request on to the TAC. Motion passed on a roll call vote of 9-0.

Hindle moved seconded by Ciotti to suspend the rules to find the value of the compensated value of unused time. The city manager pointed out in the budget stated it is \$3,087,000 also there is in the business type activities you have compensated absences as of 6/30/2005 of \$161,000. Under that amount there is a current portion that is funded in the operating budget every year. Also there is a long term liability of which a trust fund that has been established with currently a little over \$452,000 that has been set aside for the long term liability. The school has about \$44,000 for their short term liability. Joyal stated just as a courtesy if these types of questions are going to come up to let him know ahead of time.

B. ORDINANCES IN 3RD READING - NONE

C. RESOLUTIONS

1. Adoption of RSA 162-K Allowing Establishment of Tax Increment Financing Districts. Sponsored by Mayor Scott Myers, by Request. (***THIS ITEM WAS REFERRED TO FEBURARY MEETING on 12/14/05 AND IS TO BE REMOVED FROM TABLE***)

Hindle moved seconded by Ciotti to remove from the table. Motion passed with all in favor. Hindle moved seconded by Ciotti to adopt. The Mayor says this is only enabling legislation. DeDe has heard several conversations about TIF. He requests that we take a meeting to allow people to speak on the TIF; as there are other alternatives to this. This would give the public a chance to learn about what a TIF really is; it would be beneficial to schedule an open forum where the public is allowed to ask questions and get answers. He will not vote for this tonight. He thinks it should have a pro and con status; .this is too much and is moving too fast. Hindle has seen TIF's in numerous communities in the State including Keene and in Concord and they have been somewhat successful there. He concurs with DeDe in that we need to continue the dialogue of not only the TIF but other opportunities for the water district or what ever district we propose. The office of state planning has come out with a document on TIF's; it says they require thought, time and caution. Also the document states a check list of ten items on how to put together a TIF. And the last item is the adoption of 162A on the



governing legislation. He feels we are putting the cart before the horse; therefore he too will be voting against the resolution. Trefethen agrees that DeDe has an excellent idea about holding a forum on TIF. The basic concepts are misleading and there is misinformation. He does not think we should proceed any further. Cheney has also spoke strongly against the TIF. This is not a good idea for Dover and look how Dover has thrived with out it. She has fresh information and she appreciates everyone coming forward to speak on this issue including Don Andolina. She mentioned Newmarket's school under the TIF. In blighted areas the TIF may help to revitalize the community as it did in Chicago. She will vote against the TIF. Scott will vote against this for several reasons. He also likes DeDe's idea to slow this down. He comes from Chicago and he also agrees with Trefethen that the TIF does help some areas. He thinks Chicago has close to 20% of the Chicago taxes are now diverted to TIF. The Mayor agrees with DeDe that we should not force the issue. He thinks it makes sense to delay the vote and take our time. This could be a good tool for Dover but we need to study this further. Hindle clarified too that there may be other avenues the city could take for the same project. The Mayor says this is not specifically a TIF for the waterfront; it could be for other projects. Motion failed with no one in favor on a vote of 0-9.

2. Revocation of Certain Pole Licenses of Verizon. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Ciotti to adopt. Trefethen moved seconded by Ciotti to suspend the rules to allow Verizon to answer questions. Motion passed on a roll call vote of 9-0. The Mayor asked Lisa what would be her time frame for getting the poles moved. Lisa stated it will take about 4 months. Keays asked why when you set a new pole you don't remove the old pole even though he knows there are three outfits on that pole. In the old days it was done in about 3 days. Lisa stated in general it is PSNH's area and what we did is create the list; they have several exchanges of notices that must occur before a pole is removed.

Keays asked how many poles are replaced in the city each year. Keays says suppose if you replace 10 is it that much of a problem to contact the other companies; what is the problem. Verizon stated you have to know what is driving the replacement of the poles; there are a lot of factors involved. Keays thinks they are very lax in removing their poles. The PSNH spokesperson stated they do not leave poles out there intentionally; there are circumstances for each one.

Joyal explained he did not know about the Comcast wires that are above the Verizon wires on the poles until tonight. Lisa thinks it is really not the city's problem and they will be making a plan to take care of this. Trefethen appreciates the fact they are between a rock and a hard place he wants to know their time line. Trefethen continued he wants to know what the time frame is for one given pole. She thinks the amount of time that the facilities take depends on the amount of cable on the poles like in the downtown where it is congested and it is feeding multiple facilities. You may not see the truck where some of this splicing is going on; it could take several months to fix; we realize we have a problem and want to get back on track. Out on Back Road there are poles in the way and they are adding costs to the price of the project. He is happy he has their attention. Hindle follows up on their attention asking would it be feasible to have the city manager meet with their staff to put together a letter of understanding on the type of work that needs to be done. Lisa wants to see what the best approach will be after next week when they all meet. She thinks the attorneys will be able to work it out. The city manager wants to address the process involved and they will be addressing this in the future.



Ciotti has two questions does PSNH or Verizon have a public policy in place for removing poles. The PSNH spokesman says yes but it is 20 or 30 years old. Ciotti continues secondly he knows the city manager is working on the leasing agreements as we want to prevent this from happening in the future. He wants to prohibit this from happening. The Mayor reiterated that we do have two problems here but we want to ensure the fact that it does not happen again in the future. And what is an acceptable time frame for removing the poles. He wants a motion to table this resolution to a meeting in June so that hopefully these poles could all be removed by then. DeDe moved seconded by Ciotti to table until the June meeting with all in favor..

12. NEW BUSINESS

A. CONSENT CALENDAR

1. Tag Permit – Xtreme Softball
2. Tag Permit –Girl Scout Troop #866
3. Raffle Permit – Kathleen Allen for Susan G. Komen Breast Cancer Foundation

Hindle moved seconded by Cheney to accept. Hindle wants to remove item 12A-1 committee report. Motion to accept passed with all in favor of accepting except 12 A – 1. Ciotti read his appointments committee report noting we have 22 vacancies he read them off and there has been no response from the article that was in Fosters. Keays asked if there is any one on the recreation advisory committee as yet. Ciotti says no one has volunteered. The Mayor asked him to repeat the vacancies. Ciotti moved seconded by DeDe to accept the appointments with all in favor.

COMMITTEE REPORTS

1. Appointments Committee

Councilor Ciotti presented the appointments committee recommendations:

- Arena Commission: Joe Nicolella
- Cemetery Board: Otis Perry
- Conservation Comm. Aimee Colbath, Britt Schuman
- Dover Utilities Comm. Don Andolina
- Open Lands Committee Amy Perry
- Planning Board: Marcia Colbath, Ron Stock, Kirt Schuman
- Solid Waste: Joe Nicolella
- Transportation Advisory Glen Grasso
- Zoning board: Otis Perry
- Arts Commission: Roland Hofeman(reappointed)
- Economic Loan: Rick Wallis (reappointed)

2. Arena Commission
3. Arts Commission
4. McConnell Center Committee
5. Planning Board – **Report submitted**
6. Cable Franchise Negotiations Committee
7. School Board Liaison



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8. City/School Joint Services Study Committee
 9. Solid Waste Advisory Commission
 10. Transportation Advisory Commission
 11. Joint Building Committee – **Report submitted**
 12. Recreation Advisory Board
 13. COAST Bus

B. RESOLUTIONS

1. **City Council FY2007 Budget Guidance.** Sponsored by Mayor Scott Myers.

Hindle moved seconded by Ciotti to adopt. Trefethen says this is very similar to a resolution from last year and it ear marked a goal for a budget increase and when the budget comes in the bottom line marked more than 3%. It needs to be clear that this is not the total budget. We are only looking at operating expenditures to be 3% people need to understand the difference. Scott says it seems to him a 3% translates into about \$200 more in taxes for the average citizen. He read from the newspaper today where GM and Ford Motor both cut pay and benefits; they also both are cutting people. He has difficulty going along with 3%. Dover generates very little money of its own. He proposes a 0% cap and asked the city manager on what he would propose to do to have a 0% cap. He wants to put in a second proposal. DeDe says point of order he thinks Scott would like to amend the resolution. The Mayor wants other discussion before we amend. Keays wants to go along with Scott saying we are going into a recession in another year or year and a half and we are going to be hurting. And we cannot afford a lot of luxuries. Keays wants to go along with Scott on this. He has been going over different figures at his house and we are in for a real surprise. Hindle offered an amendment to clean up the language that the city manager be requested to provide a 3% as well as a 0% budget so to have all our cards on the table DeDe seconded the motion. DeDe recognizes the economy is in a shifting mode right now and every individual who owns a home and everyone who operates a business is going to be hurt. So preparing a 0% along with a 3% is appropriate. He thinks we need to get rid of people at the top. This is an exercise born of necessity. DeDe wants the general fund to be exclusive of debt services and capital; he asked the city manager to address this. The city manager says debt service refers to interest. Capital is roads, furniture, etc, Ciotti asked if the city manager could extract heating oil, and utilities to see what we are paying as 0% may be unattainable; he would like a comparison done, the city manager says it would not necessarily reflect if they had been through a project to replace traffic light in a given area. We would not have a true comparison at the end of the day. Ciotti only wants basic information. Scott amplifies what DeDe says and some of executives are taking a 30 % decrease. Cheney asked when will we be expected to receive these budgets. The city manager will provide his recommended budget but will try to stay within these guidelines. He will present his recommended budget on or before April 15th at which time there will be a review process with public hearings as in the past. Turner is looking at 3.3% and the 0% he wants to take last years budget and tighten things up a little. Vote on amendment to add 0% along with the 3% passed with all in favor. Resolution as amended passed with all in favor.

2. **Internet Policy of the Dover City Council.** Sponsored by Councilor Dean Trefethen.



Trefethen moved seconded by Hindle to adopt. Trefethen clarified if they will read the resolution and accompanying policy not once does it mention a city councilor and a private citizen. This is between the city administration and the city council. He addressed the issue of waiting for the state to vote on the proposed law. There is no conflict with the state measure as it is proposed; there is nothing to say that we cannot go beyond state law. It codifies what we are already doing as we all know what we should not be doing. To contend that people need their private emails is not necessarily true. The city web site has published a pamphlet with their email addresses on them; these could be out of date immediately with any changes in personal email addresses. Trefethen stated it was interesting to note that 3 new members wanted to make government transparent and now the first thing they want to make their own emails private. DeDe commented on the two councilors Cheney and Scott have both requested that their private email addresses will be published on their city business cards and the city web site.

Discussion ensued; DeDe asked is this a legitimate concern or paranoia. He continued the question is about the city web site and that state representatives have set precedent there so perhaps it should be granted. Also the new law will supersede anything the city does. Until the state law is acted on; this whole motion is premature and he will not vote for it. Hindle commends Trefethen for bringing this up and he reiterates the policy is a little premature as the state has not become a home rule state. This is about private correspondence. One of the biggest problems the state is trying to answer is if a one on one conversation between a councilor and a constituent are private. We have a city server that is open for public view. However whenever a resident or city councilor decides to respond to the nine of them as a whole even though none of them requested it; that is public information. The Attorney General has on their website a PDF of the right to know law. He referred to Parks Christenbury's reference to all the other boards and commissions within the city. The right to know is being revamped to close some loopholes so this policy is premature until that happens. Cheney thanked everybody that has emailed to help and support her. She asked to have her private email put on the website and on her business cards. And she knows you can look at emails; Comcast does not have a vested interest in looking at her emails. She went to the NHMA for a seminar for new councilors; she collected every business card there and she thinks a simple request has been blown out of proportion. Keays thinks we should table this until Concord decides on this issue; there was no second. Scott thanked Phyllis Woods for coming to explain the proposed law; he also thanked Don Andolina as well as Parks Christenbury; he will vote against this. The Mayor says along with signing an oath of office they have already signed an internet usage policy. He noted this is pretty simple; this is really about when more than 5 of them get together and exchange information. There is nothing here about discussions with constituents. He thinks it is a good step for the city to take. Everyone has already signed this document. Hindle wants some clarification on the right to know law; where does this end. Trefethen understands what Hindle is saying but no where in the policy does it say that. He now withdraws the motion as his point has been made.

3. Acquisition of Actuarial Services to Determine Post Employment Benefits Other than Pension and Early Implementation of GASB Statement 45.

Sponsored by Councilor Catherine Cheney.

Cheney moved seconded by Ciotti to adopt. Cheney stated this will give the city manager permission to acquire the services of an actuarial; this is being proactive. Scott will vote against this because it won't be until 2009 and there will be changes to this and also he could



prepare an Excell spreadsheet in very little time and there is no need for this. The Mayor agrees with Cheney. Motion passed on a roll call vote of 8-1 with Scott opposed.

4. **Establishing a File on the McConnell Center Project.** Sponsored by Councilor Catherine Cheney.

Cheney moved seconded by Hindle to adopt. DeDe says that he thinks the city manager has already set up something like this and will be reporting to them on it each month. He thinks this will only select a central location designating where it would be physically available. Trefethen asked is it her intention that this file be established in the planning office do they need to be original documents; the city manager says if she is only referring to a copy of the items; that can be done. Turner received a telephone call from a constituent that asked about the McConnell Center and this sounds like a good idea to him. The Mayor says this is only putting all information into a single file. DeDe says the planning office already does this. The Mayor agrees and thinks this could be communicated in a simpler way. Turner says so this already exists? Is this kind of information also available on the waterfront project as well. The city manager makes the point there is a tremendous amount of information that goes into making this a project; typically there is a project manager and he could put his fingers on information. We are talking plans, documents; these are complex projects and very involved; the information is available and we do have a very knowledgeable staff person that is up to date on the project and the questions can readily be answered. Cheney withdrew the motion.

5. **North End Water Pressure Study.** Sponsored by Mayor Scott Myers.

Hindle moved seconded by Ciotti to adopt. The Mayor noted we need a common sense approach to this issue and not start discussing a moratorium. Let's put a price on it and make a decision and correct it. Keays pointed out the problem has been out there 30 years and nothing was ever done and if we keep going it will be another 10 years before anything happens. The Mayor says there have been several studies done in that area and this issue has never come up before; he can't imagine why we have never studied this before. Keays wants to know about those people that have lived up there but we don't want to put a moratorium in that area. DeDe stated point of order there is no mention of a moratorium in this resolution. The Mayor says a moratorium is not going to solve the water pressure problem that may exist there. Turner says there is more to this than a water pressure study; there is also an infrastructure problem. And to Keays he says people that live here do indeed live with this problem. Ciotti wants to reflect on 10 years on planning board saying you bite the hand that feeds you by not allowing the "m" word to come into play so be cautious in this matter. Keays brings up a point and that is our restaurants have put in a pressure pump and do you know what that does to the residents; they have no water pressure. Motion was passed by all.

6. **Sale of City Owned Land.** Sponsored by Mayor Scott Myers by Request.

Hindle moved seconded by Ciotti to adopt. The Mayor says this is for a small parcel on Glenwood Avenue that abuts a proposed park and ride and only affects the owner that abuts it. Keays thinks we are selling this land real cheap; he thinks we should be getting more for it as we seem to be giving land away. DeDe says in the resolution he would like to amend the



final part that there be a "deed restriction on any further subdivision or building on the lot other than what is there now". The city manager says one of the stated intentions is to put a garage. DeDe understands but other than the garage. Turner seconds the motion. DeDe noted by the size of the lot there could be an opportunity to do a small subdivision so by adding "with no further development after the building of the garage". Scott supports Keays thought that this is much to low and we don't have a 2006 appraisal. Trefethen has a couple of points to share about not being able to subdivide as it would go beyond any adjacent neighbor. He wants them to keep in mind it is part of a sliver of land that is going to become part of the park and ride. This is not a question of us stealing money away from anything. He does not understand why we are going to get top dollar from a constituent. Turner wants to expand on the idea of a person putting an apartment over the garage and selling it down the road; he also wonders if the other landowner has been denied. The city manager says the city has not notified either abutter on either side. And no they cannot subdivide the parcel and they have zero frontage on the street. Also the individual is aware the park and ride is going in behind their home. Scott says a piece of property that has a garage has a substantial increase in its value. He wants an appropriate price. DeDe disagrees with Scott the property has no road frontage and as far as the value goes the lot has no access. Also the value and price will go up when that individual puts in for a permit on a garage as there will be an increase in taxes. This parcel gives the individual a little buffer for the homeowner who will abut the park and ride. Keays still has a problem with land being "given" away. Keays wants a list of all of city owned land we have in Dover. The City Manager will agree to provide that information. Keays stated he hates to hurt the homeowner. The Mayor asked for a clarification of the amendment. DeDe moved seconded by Ciotti to amend to show "no further subdivision". Motion to amend passed on a vote of 8-1 with Keays opposed. Main motion passed on a roll call vote of 7-2 with Scott and Turner opposed.

C. ORDINANCES IN 1ST READING - NONE

D. COUNCIL CORRESPONDENCE - NONE

Letter from Comcast – Bryan Christensen

Hindle moved seconded by Ciotti to accept and place on file with all in favor.

13. COUNCIL MATTERS OF INTEREST

DeDe says recently Fosters had an editorial with a description that said this is a council adrift; he takes exception to this. The paper also commented they had a lack of knowledge on city contracts; he thinks this is also ill founded.

Keays also read in the paper that the police department hired two new police officers, he wonders about the resolution they passed about the hiring freeze and does the Chief know that we passed that resolution. The Mayor says we did not enact a hiring freeze we asked the manager to look at the different options to reduce expenditures including the option of a hiring freeze. Keays continue to clarify they had passed a hiring freeze resolution. The city manager says the council passed a directive to have him go back and look for cost savings. It would not be possible to have a freeze as he is solely responsible for the hiring of staff; there was no provision to get approval for hiring. Also there were two police officers hired as a result of several vacancies and there are training issues involved. Keays also read that Captain Decolfmacker retired; he asked does the Chief have the authority to make another captain. The city manager explained that is within the discretion of the Police Chief; he can



make several captains as long as he stays within the budgeted resources that the council has authorized. Keays asked about the city equipment at the McConnell Center and is that work we are doing ourselves. The city manager says we are not being paid for work completed on a city building. Keays concern is the equipment involved is paid by the ratepayers. The city manager says the equipment over there is paid by the utility rate payers of which the city is a customer.

Hindle moved seconded by Ciotti to go beyond 10:30 PM. Motion to suspend passes on roll call vote of 8-1 with DeDe opposed. The city manager continued to explain we own the building so we are doing our own work. Keays still want to know if the McConnell Center construction is being paid by the taxpayers. Discussion ensued. Then DeDe states point of order there are rules to prohibit a councilor talking in that tone of voice to the city manager. Keays continued he is only making a point.

Scott supports Keays on this point and asked are they filling in timecards so he knows how much is being cost by the project. Scott wants to know what we are putting out and he wants a time card allotted to McConnell Center. The city manager says this is work that we must do to that facility just as we would if we repaired city hall. DeDe says there was a great deal of care taken to ensure that we could do the work ourselves.

Hindle stated the city manager needs to know if the email policy has been voted up or down; he motioned that if the council is OK with personal email then his motion is: Any and all means of personal communication that a city councilor sees fit to disclose on the public domain shall be put on all city documents including the web site. DeDe seconds the motion adding they can put a cell phone number or any other email address on the brochure. DeDe wants to amend that there is a window of opportunity established for the manager to manage with a reasonable amount of time.

Trefethen stated point of order, we suspended the rules to finish council matters of interest. The Mayor says we need to address this and they all will need to respond to the clerk by tomorrow at noon with any email addresses. The city manager adds we are sitting on business cards, the council brochure and for those that are going to be using personal email addresses please be conscious if we receive a right to know request coming on their personal emails we will be requesting their personal emails. Secondly if you are made aware of something on the private email about an issue to respond to and there is a liability involved you must report it immediately. The Mayor changed his mind and said let the clerk know NLT tonight if you want a private email address printed on city documents. Trefethen stated he has no changes. All were in favor of the motion.

Ciotti asks with regards to the McConnell Center if the sewer and water pipes were looked at over at the library so we don't have to go back two years from now and tear the driveway up again. Cheney commented she had told the city manager she would do this when they attended the public officials training session at the Local Government Center in Concord; she reviewed what they learned on that Saturday saying Councilor DeDe, the city manager, Krans and Councilors Scott and Cheney had attended.

Turner says we started talking about 12B on the budget resolution and didn't they approve a hiring freeze; he wants to clarify what was passed in the resolution. He then read the minutes from the meeting of the January 25th meeting. The Mayor clarified that he thought it meant control spending; he added that he didn't agree with the hiring freeze language. Scott stated



he too understood also that there was a freeze; he wants to address the problem saying Turner was correct that the spirit of the resolution was to have a hiring freeze.

14. ADJOURN

DeDe motioned with all in favor of adjourning at 11 PM.

Judy Gaouette, City Clerk