



**6:00 P.M.
CITY MANAGER’S OFFICE
EXECUTIVE SESSION**

The City Council will meet in Executive session to discuss Legal Matters – Bleiler

NOTE: **This meeting is not open to the public per RSA 91-A:2-I(c)**

**6:30 P.M.
CITY MANAGER’S OFFICE
EXECUTIVE SESSION**

The City Council will meet in Executive session to discuss Labor Negotiations.

NOTE: **This meeting is not open to the public per RSA 91-A:2 (b).**

**7:00 P.M.
COUNCIL CHAMBERS
REGULAR MEETING**

1. MOMENT OF SILENCE

The Mayor asked them to remember Norman Gagnon a retired Dover police sergeant that passed away recently.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

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

4. PROCLAMATIONS – AWARDS

5. SUMMARY OF AGENDA

The Mayor stated there are two tentative contract agreements also the property tax exemption levels resolution; also the goals and objectives they adopted and a resolution to hire an outside auditing firm.

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.



Bob Fredette of 109 Back River Road is here to talk about the elderly tax exemption he asked to remember it should be based on need and not on age. He explained his idea of eligibility. He really hopes they base it on need. He gave an example of homes on Dover Point Road and brick yard estates including Mr. Scott's assessment of over \$630,000; why should somebody with 3 kids pay for people like this. He mentioned people that may compare figures.

Norm Champagne of 13 Church Street has a prepared speech on what city employees are being paid. We have a lot of long term employees and we see these wages compared with city manager that are just starting in other cities you really cannot compare these salaries. He mentioned the Police Chief and his \$112,000 salary and he compared that and added on all his extras; it is about a 63% increase in his pay. He does not want them to just look at the top 20 people that Mr. Scott wants them too; but look at all of them there are many people in the city that with all the amenities make over \$300,000; this is a large problem. His solution would be to hire a union negotiator and it will cost \$150,000 or so and this would be a person not involved with the city. Why would you want someone negotiating that will give away the farm. These contracts should come back to the council for approval. Whoever they hire should come back to the council to decide if this is what we want to spend or not. We must get a handle on this. 20 people is just the tip of the iceberg 20 years from now. He wants them to run the numbers for the next 10 years they will be shocked.

Mark Moeller of 80 Cottonwood Drive and has a law office here in Dover he loves living here as we have an outstanding fire police and public works department and school dept. He is appalled about the recent actions of some citizens in the city. There is a distortion of facts on city contracts that have been negotiated. This is a well organized group of people and they are looking to oust Mike Joyal. There seems to be a conspiracy. He can tell the citizens the employees are not overpaid; he gave examples in Rochester such as the new city manager. We have wonderful depts.; he is concerned about the future. He cannot stand by and see the events that have transpired in recent weeks. He is disturbed that Mr. Bleiler brought a hand gun to the city attorney's office; he listed all the events of the recent week regarding lawsuits. He knows there is a resolution before them tonight on a city audit from Mr. Scott. The city departments have an audit every year and you cannot do an audit of only the top 20 people this will cost closer to \$50,000. He is also concerned about what he has heard about a full page add that Mr. Scott has paid for.

Malcolm McNeill operates a business at 180 Locust Street is here to speak on the mixed use overlay district and the Elliott Rose property he hopes this will come back to them shortly. He hopes they will know the truth about the property as it is currently in receivership. Contrary to misinformation that has come forward this is not a rush project. The present ETP zoning is entirely inappropriate. There has been misinformation that mixed used is entirely appropriate. It has been alleged there will be 100s of low cost houses; this is not true; the process will be highly regulated. It has been a suggestion that the city will be caught holding the bag; they have an amendment that no more than 50% of the residential will be developed until 50 % of the commercial will be developed. Open transparency with regards to the following. They have on meeting on April 10th at 6 pm at the library conference room to give residents the full story and will supply them with the truth.

Glen Jerry of 33 Wallace Drive has a prepared statement and a different slant; he has been watching what is going on here in Dover for 5 years. He listed several projects that have cost the city including selling the train station to a private concern for a dollar, the ice arena, the Back Road project, and now the Tolend Road project; nothing has been done on this for years. The stall tactics worked for Mr. Beecher for this manager to cut and run with a big check from the taxpayers and now the contract with Fenniman in excess of 3 million dollars; he then mentioned the city prosecutor's deal and then the idea to open the Tolend Landfill superfund site to pour some money in someone's pocket. He encourages everyone to come to city hall and refuse to hear any such plans. He knows many of these deals were done while Joyal was the assistant City Manager but he thinks he must have been aware of many of the deals. Taxpayers should not have to lift rocks to see what lurks under them and to see if they will hurt us. He listed the resolutions in front of them tonight to see if the audit is legitimate, also the union contracts that are on the agenda. He hopes the council is well aware of what they will cost us over the next 10 years. And finally he wants them to put the remediation as well as not



allowing Collins and Aikman to escape; there are 100's of landfills that have been closed in the US. It will cost us millions of dollars and opening the landfill is not the answer.

Don Medbery of 3 Covered Bridge Lane had Suzanne pass out a few DVD's on Erin Brockovitch. Also his heart bleeds for Attorney Moeller but unfortunately he has not talked to the 100s of people that have signed their petition. He was in the courtroom the day David Scott won his case. He is here to talk about an agreement with Cassella and signed by Dean Peschel and it says the city entered into a letter of intent; this has been done behind our backs in secrecy in the back room without any of us in the city that will be effected by it and two weeks ago they were told nothing like this existed. He has put in a 91A (right to know request) for all of the documents on NEWS (New England Waste Services). Would you believe of all the emails presented under RSA 91A.lucky for us we have this one document. He then read item number 7 on the agreement; the city and the defendants group will not directly or indirectly engage in any negotiations with another person or entity or solicit offers to purchase, lease operate or closure subject to the offer of this intent; he continued to read from the contract. This document bound the city and excluded all the other competition. Was this authorized?

John Scruton of 99 Sixth Street from Ward 6 has seen his taxes double in the past 4 years. He is now using his savings to pay his taxes. If these contracts were done in a normal fashion they should be going down. Other communities look to their natural resources not economic dev. He looked in the dictionary this year; he read from notes. The key is open space; he says the Tolend Landfill can easily become a forest. Let's keep after the natural resources.

Suzanne Medbery of 3 Covered Bridge Lane has invited a lady here tonight from Farmington who upon hearing the trials and tribulations of Dover has been through the same thing. She would like the rules to be suspended as she drove down from Farmington to tell her story. Scott moved seconded by Cheney to suspend the rules to allow the woman to speak. DeDe wants to allow only 5 minutes; there will be many hearings on this subject, he objects to having people come from out of town.; motion failed on a roll call vote of 3-6 to allow the women to speak. She tried to talk as she yelled her way out of the room while the Mayor told her she was violating council rules and was out of order as she talked out of turn

Jennifer Krans of 99 Portland Avenue is here to advocate for the school budget has been on the website and looking at the price per pupil. She is shocked as what goes on is not below average. She works with a lot of great teachers; she has been watching a lot of school board meetings and sees them trying to balance the school budget with taxes. She asks them to approve their budget when it comes before them. The school board is comprised of elected officials. She feels like they have tried their hardest in this budget.

Ken Perry of 70 Constitution Way sees an item about hiring an independent audit firm on the agenda. At one time he was an internal auditing manager. He knows certified accountants can get too close to their clients it is good to change accounting firms. That is not what he came to talk about. He mentioned the overlay district that he is concerned with. He urged his neighbors to go the Planning Board meeting to hear about it. He mentioned the speaker that spoke eloquently about it. He explained the Dover Point Overlay District. What he really wanted to talk about is Constitution Way that is a private road and all the property is taxed as fair market value. He is speaking for all the residents on private roads. Our tax dollars are being paid to plow and sand, and removing trash in addition we will be paying for trash removal. This is nothing more than double taxation. He asked Mr. Scott if he would speak with the city attorney to see if there is any case law and if not he suggests they file a civil suit be brought against the City.

Glenn Grasso of 1 Pebble Hill Drive would like to talk about private roads but this is not what he came to talk about; he recently returned from a business trip and notice the new signs on parking; he applauds the Police Department for trying to resolve the downtown parking issue. He is also concerned about the piece meal approach to this problem there seems to be no comprehensive plan in the City. He suggests the TAC develop a plan. The second thing is the property tax exemption on the agenda; he urges them to keep the current levels as it puts an unfair burden on people in the city. Taxes are higher and property values are



higher as well. There is no city that guarantees people a place to live if they cannot afford to live there; he would like to live on Nantucket but cannot afford it; he cannot see passing this measure.

Tom Hardiman of 5 Locke Street here in Dover thanked them for doing their job. He agrees with many things said here this week. His mailbox got knocked over this past winter. He listed all the old City Managers that have come before. When he comes home at night it takes him a couple of tries to get through the downtown traffic and there is no parking in the downtown for the evening. He is tired with what some of the people are doing to his city. Let's honor the union contracts. He left them with a quote; there is only one letter differ from run to ruin.

Mary Hebbard of 97 Spruce Lane has 2 issues. First is the hiring of an independent audit firm and she does not see this as a witch hunt; what Councilor Scott is requesting is hiring an auditing firm to look at a different layer and how info is recorded. She thinks there will be one of two outcomes or they may come in and realize that we are not recording something accordingly. She feels this may put some of these items to rest. She does not know if the \$15,000 is reasonable or it is not. Secondly when we vote for people that represent us we expect that the people will represent us honestly. She mentioned the dirty dirt and other projects that have gone awry. Then she mentioned the workshops on the Tolend Landfill she has researched what Peltonen and Gilbert have said about the NEWS. She is floored by the document that Mr. Medbery brought up today. She has so many questions. The Mayor asked her to please wrap it up. She wants to trust them and right now she does not.

Chad Kageileiry of 100 Dover Neck Road is here about the overlay district on Dover Point Road. Several years ago industrial growth was at a standstill in Dover; zoning ordinances were changed to allow a new industrial park to be built. He listed past ordinances and projects that were completed and how these can be added to the tax base and how many jobs were created in the process. He explained the overlay district and the process that it must go through. He urged them to approve it when it comes up for a vote.

Sherrie Towle of 379 Tolend Road is here about the reopening of Tolend Landfill; she is a lifer she is here to let them know there are other lifers, she name several names. They do not want this dump reopened, this needs to stop she loves Dover; she does not want to pass down this contaminated dump she will be the pebble in their shoe that will drive them crazy.

George Mahoney of 3 Revolution drive at Dover Brook is here to speak on the Elliott Rose property and the overlay district. He is also more concerned about the pollution in that area; he hears they will start to build then address the pollution. He is concerned as it backs up to his development. He thanked them.

Lew Abladian of 59 Willow Street is against the landfill; so far from the land fill issue everyone has been against it; what else are we waiting for; he would like the council to address this soon.

John Scruton again is for a forensic audit; the last time he counted there were 8,600 tax bills sent out; this would average about \$12.per tax payer for an audit.

Norm Champagne again says the city should stop plowing these private roads right after they stop plowing his driveways and parking lots.

Rick Hebbard of 97 Spruce Lane says there are a number of people that do not want the dump open they passed out a resolution they had drafted to kill the dump idea. He stated he has added all of the councilor's names to the resolution in hopes they will support it.

Seeing no one else at 8:20 PM the Mayor closed Citizen's Forum and gave everyone one minute to clear the room.



7. PUBLIC HEARINGS

8. CITY MANAGER'S REPORT

The city manager brought their attention to the fact they had 11 seasonal separations during the month of February most of them dealing with recreation. He has an update on the city attorney on the legal work done in house and if it had been contracted out it would cost just shy of \$19,000. It was pointed out to him today when he is reporting the savings his budget he had already anticipated that we would have these savings. He reviewed the City Manager written report. The last item is there was a letter of intent that Mr. Medbery had read from; he read that this document is not intended to be a binding agreement; it is merely an expression of intention. There have been no negotiations; the sole purpose of this agreement was to be able to explore in preliminary stages the potential of reusing the landfill. It is something the city needed to look at because of the financial implications. There have been no negotiations and this was done with the full knowledge of the council. Hindle has a comment and suggestion and thanked the city manager for putting the report together and appreciated seeing the businesses that he had put together. Secondly regarding Attorney MacNeill and the development of the Elliot Rose site there was discussion of having a public hearing at the library on April 10th he would like the city to find a larger venue and invite the residents affected in the area to appease Mr. Scott's constituents of Ward 3 as well as appease some of their emails. Joyal will look into this.

Ciotti asked if there is any update on the private road trash pickup situation. The city manager stated he had met with SWAC last week and a letter will be going out to residents asking them to sign a waiver of indemnification and at sometime they will review the ordinance to make sure the roads are wide enough. The trash will be picked up providing the indemnification has been signed. Ciotti asked if it will be included in the planning board process. Trefethen follows up we need to be clear that the trash pickup is funded by the cost of the bags. We pay a lot of money to get rid of trash also there is the issue of the recyclables. The trash pickup would be self funding. So are we addressing this issue as well. The city manager says yes the additional cost will be \$22,000 for recycling and Pinard is far less expensive than Waste Management. Councilor Scott stated before people turnoff their TV's he reminded people of the wonderful program that Chief Perry has that sends Troy Brown to your house to point out all safety issues free of charge for citizens over 65. Scott then asked if Joyal could tell us when he first became aware of the 3.2 million contract that was made with Mr. Beecher and the Police Chief. The city manager stated he became aware of it in December and on January 18th they had an elaborate discussion with the council and the consensus of the council to proceed with this. It was at this time that he noticed the date on the contract; he then proceeded to negotiate the amendment. That was discussed with the council on the 22nd of February. There was a consensus by the council that he was not going to enter into the agreement unless he had the support of the council and Councilor Turner was on vacation. Scott says so you did not become aware of it until the end of 2005. The city manager says the prior city manager put it into effect in 2004. There would have been no reason for him to go back and check it until the evaluation date came due. Hindle moved seconded by Cheney with all in favor.

9. MINUTES

A. Workshop – March 1, 2006

Hindle moved seconded by Trefethen to accept. Turner is concerned with a statement he made on page 4 of the minutes about where the Mayor wanted to give giving the city manager some direction and took a consensus vote and all were in favor except Keays. The Mayor repeated the motion twice



and the only person that raised their hand was Keays who was opposed. Turner thinks Hindle and the others are mistaken on the consensus vote of the 3/1 workshop. Turner recalls it was a 5-4 vote with Cheney, Keays, Scott and Turner opposed. Hindle says he is mistaking the 3-1-06 meeting for the 3-8-06 meeting. In listening to the tapes again this statement is in error. Hindle moved seconded by Ciotti to accept with all in favor of no changes.

10. MAYOR'S REPORT

The Mayor reported he had attended several ribbon cuttings for new businesses. Attended the Economic Development board meeting where they are continuing to work with several prospective tenants. He also met with the new president of McIntosh College, Peter Cook who had met previously with the Fire Chief, Police Chief and City Manager and talked about promoting a positive presence in the city. He attended two waterfront meetings, the committee met again yesterday and started discussing this and there is a direct link on the website to see the proposals in their entirety. He went to Concord and attended the governor's summit to discuss goals and strategies to figure out what we need to do to keep kids in school longer. This past Monday he had lunch with Senator Sununu and Councilor Ciotti and Marjorie Fisher, the School Board Chair to discuss assorted City issues. Scott asked the Mayor when he first became aware of the police contract that is worth the 3.2 million dollars. The Mayor says this was not mentioned in his report so he has no answer. Hindle moved seconded by Ciotti with all in favor except Keays is out of the room.

11. UNFINISHED BUSINESS

A. ORDINANCES IN 2ND READING

B. ORDINANCES IN 3RD READING – NONE

C. RESOLUTIONS

1. **Setting the Property Tax Exemption Levels and Qualifying Criteria and Tax Credits for Fiscal Year 2007.** Sponsored by Mayor Scott Myers, by Request.
(TO BE REMOVED FROM TABLE – Tabled 01/25/06)

Hindle moved seconded by Trefethen to remove from table with all in favor with Keays out of the room. Hindle moved seconded by Trefethen to substitute as whole for discussion. Trefethen explained there are revised numbers. Motion passed to substitute on a vote of 8-1 with DeDe opposed. Hindle moved seconded by Trefethen to adopt. Trefethen explained his changes in the proposal; his reasoning is two fold to keep up with the raises in evaluation over the past couple of years and the property values. We need to do a little bit of catch up with this proposal. If you qualify half of your taxes would be exempted; he feels this is a proper balance. Between paying a full freight and basing it on need. DeDe says it is very close to what version two was. Scott thinks it is a well thought out plan. In his ward the average tax in Dover is about \$5,500. He thinks this is a good plan. Hindle commends Trefethen for bringing this forward. He asked to have the finance director advice on the tax rate impact. Jeff says on the 3rd page of the resolution there is a table that shows this. Ciotti thanked Trefethen for getting this done as this is the item he has received the most correspondence on. This is a much better alternative and is affordable; our exemptions in comparison to other communities and how much more we provide than our neighboring communities. And these are reduced numbers because he is looking at the old resolution. Their hands are tied and we did what we could with this. Ciotti quoted amounts of



exemption in various communities. He thinks we are doing as much as we can for the seniors. Keays informs them that the assessments in Rochester are lower; Ciotti says but the number of people are higher though. Cheney ran some numbers of her own (see council packet) and she also thanked Trefethen. She found we are really competitive in reality. We cannot do any more than what we can by state law. Trefethen added in several conversations with people in the community they are not taking advantage of this now and he hears there is a privacy issue in that they do not want the government to know what they are making but this is a necessary bit of information they need to make the determination. Help is there if you qualify and if you deserve it you should take advantage of it. The Mayor supports this also. He thinks this is a proper balance. Motion passed roll call 9-0.

2. Collective Bargaining Agreement Between the City of Dover and the DPFOA (Dover Professional Fire Officers Assoc.) Sponsored by Mayor Scott Myers, by Request. **(TO BE REMOVED FROM TABLE – Tabled 03/08/06)**

Hindle moved seconded by DeDe to remove from the table with all in favor. Hindle moved seconded by DeDe to adopt. DeDe says they support the direction the council has been seeking. The Mayor too appreciates it but does not entirely agree and he cannot accept this contract tonight. Motion to adopt passed on a roll call vote of 6-3 with Myers, Cheney and Scott opposed.

3. Collective Bargaining Agreement Between the City of Dover and the IAFF, Local #1312, AFL-CIO Sponsored by Mayor Scott Myers, by Request. **(TO BE REMOVED FROM TABLE – Tabled 03/08/06)**

Hindle moved seconded by Trefethen to remove item from the table withal in favor. Hindle moved seconded by Trefethen to adopt. DeDe explained the firefighters have taken the direction the council has requested. Scott appreciates the efforts made in negotiation but there are people in his ward that cannot afford these contracts. They cannot afford to go up any more than inflation. He quoted from the city of Rochester City budget. He stated Bob Steele managed to do this and he would only support 2% on the contracts. Motion to adopt passed on roll call vote of 6-3 with Myers, Scott and Cheney opposed.

12. NEW BUSINESS

A. CONSENT CALENDAR

1. Parade Permit – Portsmouth Christian Academy
2. Tag Permit – DHS Hockey Boosters, Inc

COMMITTEE REPORTS

1. Appointments Committee
2. Arena Commission **(Report Submitted)**
3. Arts Commission
4. McConnell Center Committee
5. Planning Board
6. Cable Franchise Negotiations Committee
7. School Board Liaison
8. City/School Joint Services Study Committee
9. Solid Waste Advisory Commission
10. Transportation Advisory Commission
11. Joint Building Committee



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12. Recreation Advisory Board
 13. COAST Bus
 14. Joint Fiscal Committee
 15. Dover Main Street Committee

Hindle moved seconded by Ciotti with all in favor.

B. RESOLUTIONS

1. Adoption of 2006-2007 City Council Objectives and Goals. Sponsored by Mayor Scott Myers.

Hindle moved seconded by Ciotti to adopt. DeDe questioned the mission statement. DeDe then moved to add the word “high” back into the mission statement, Hindle seconded the motion. DeDe has learned that this has had a dramatic effect on the city hall employees. In a matter of appeasement we agreed to have “quality service”. This was taken badly and there has been a negative reaction to all of this and city employees now answer they are having an adequate day. Scott says he was the one that suggested we put in adequate. Adequate to him is a cost word and he did not want to diminish the work of most city hall employees. This is only a qualifier. He gave an example; the Mayor agrees with DeDe; he wants his life to be high quality; he stands by his remarks. Turner says we only talked about this briefly and we agreed to take out the word “high”. Motion to amend to add the word “high” back in to the mission statement is on the table. Ciotti echoes DeDe; this was not meant to be a joke for city employees; he apologizes for this. This puts the impetus on us to get high quality. The city manager says everything the council says and does sets the tone; we refer back to this and this has meaning, if this is what we are striving to do; he wants us to strive for high quality. Scott will vote for it if we can put in “affordable” with an underline. There was no second. All were in favor of the amendment adding the word “high”. Trefethen commented when we started the day the facilitator defined the goals and objectives to them and then there were strategies that were relegated to city staff and there was no objection to that statement. However in conversing with their constituents there have been comments on how we go about doing things. But yet we do it continuously. The Mayor says this is our document and we need to refer to this and come back and amend this as we go. As we have agreed to it. Hindle concurs and would like this on our city web page near council rules so folks at home are aware of this. All were in favor of adopting.

2. Hiring of Independent Auditing Firm for Targeted Audit of Top Twenty Earning Employees. Sponsored by Councilor David Scott.

Scott moved seconded by Hindle. Scott stated he has four reasons that he is presenting this: Open government; when he wanted to find out where all the money is going. He was surprised by a police contract worth 3.2 million made by a former city manager; this is not open government. Secondly, real estate taxes have gone up 3 times over the past five years. The wages of the top 15 or 20 employees have gone up faster than inflation and the iceberg effect and the impact of the pensions as they take them out. Fourth some of the salary data he has received in the past has been contradictory. He read the resolution. He has included himself in this as he worked in auditing in the private sector. He has been sent data that showed the former city manager had gross wages of \$162,000 who approved this number. There were no control procedures. His proposal is to send out specs to a number of good small regional accounting companies in New England. DeDe stated this campaign was kicked off with a full page ad in community news; it seemed to infer that something illegal was happening. He thought this was reprehensible. The department heads work under a MOU and in the current merit plan the city manager has authority to issue any wages deemed necessary. The problem is systemic that kind of unbridled power is totally inappropriate.



There are ongoing reviews of the charter, merit plan and code; in order to look at those areas where the city council has been disenfranchised from participating in the administration of compensation issues. That's for the department heads; as far as the rest of city employees their contracts are union contracts. Those are the guidelines from what those individuals are paid. The sources are found in the MOU's and the union contracts. Are there problems with it; yes; he cannot say the prior commitment with the prior city manager was illegal. He feels it was unethical. This motion did not deserve to see the light of day and in reality we must work to fix the problems that exist in the code, merit plan and charter; and he looks forward to the workshop. This council was soundly criticized some time ago. He asked them to read Article 3 section 8 of the merit plan; it will shock you. The forensic audit that this resolution replaces; this should go down 8-1, Trefethen says ditto. Keays read the whole thing and was upset that something like this would come before the council; he is from the old school and his accounting teacher says do you know what a forensic audit is something you do if you think there is something wrong; that was in 1951 and that stuck in his mind and it popped back into his head. He doesn't think there could be a more honest man in the finance office than that man; he feels an injustice has been done to these employees; this is what you do to get the people upset and he did a good job of that. He hopes the council will cast the right vote. He thinks this case we have against the city manager will bring out all the info that we want. He doesn't think we need a forensic audit. Hindle requests that Scott withdraw this resolution as in listening to DeDe we will be discussing our multi million dollar budget in the next 6-8 weeks and this should be our primary focus and then look at merit changes. He asks the councilor to withdraw it and bring it forward at another time. Turner did not get involved with the council to sit here and listen to citizen complaints; he listed several reasons he ran for council; we need to trust our city manager; he agrees with DeDe and Hindle who stated it quite clearly that this is slowing us down; it does need to be addressed but he wants to withdraw or table it for a later time. The Mayor too was disappointed to see this on the agenda. He explained we will have a workshop on next week's agenda to discuss the charter, code and city pay plan and so not to allow this to go forward and he thinks they should throw this out as he wants to give this the time it deserves. To put this out here is wrong; if we can't get past the trust issue this Council will not go anywhere.

Ciotti says Mr. Scott dropped off some stuff last week for him to review and 5 minutes after Scott left he saw that what fails to be mentioned is this was depicted under Paul Beecher. He compared it to a runaway train. He asked Scott to view this not from the back of the train he asks them come to the front of the train with the rest of us. Turner feels this is a harsh statement and this should not have seen the light of day. Twice he feels like he has been misled; once with the Tolend Road reuse option and secondly with the second contract negotiations that were discussed while he was not even in New England; when he returned he read about it in Fosters. These contracts were pushed to a vote in a half hour closed session. So now it is March and the Ed Bleiler lawsuit (he continued to read a prepared statement not given to the clerk). This resolution is targeting to get rid of these issues. When Ed Bleiler is done who will be next; he does not think this lawsuit will do anything but beat a dead horse; he read a prepared statement. We certainly have to fix the code and merit plan; if this council decides on an outside audit but to say it should not have seen the light of day is harsh; he thinks it should be tabled or pulled. Scott corrected some misunderstandings; this is not a forensic audit; it is a procedural audit. And auditors do not usually report to the manager but to the board of directors. Secondly the ad did not say anything illegal. He quoted from the ad. After 15 days he gets the detail on the Police Chief's contract. He thinks this is a right to know issue. He continued to justify his proposed audit. Because as DeDe says these contracts are unethical; when a house has some problems it is wise to spend some money to fix them. There is no point in moving ahead; he asked what are they afraid of. He will withdraw the resolution and come back at a later date.



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- 3. Release of February 1, 2006 Non-Public Session Minutes.** Sponsored by Councilor Catherine Cheney.

Item withdrawn.

- 4. Award of Change Order #2 for Additional Work Associated with Lincoln Street Reconstruction Project.** Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by DeDe to adopt. Keays says the extra work is it an extra cost to the city. Joyal stated this is work that was completed last fall and it does require the council's approval. Keays says didn't the contractor takes the job by bid. The city manager explained the problems involved. And this is a change in scope. Keays cannot go along with it. The city manager says we changed the bid on the sidewalk from one side of the street to the other. Hindle explained the reason for the change order and how we have had numerous public hearings. Trefethen wants to be clear on the timeline; the city manager says the neighborhood wanted the sidewalk changed. Keays asked is it going to foul up the parking on this street. The City Manager says this is only the authorization to pay the final bill. Motion passed roll call vote of 9-0.

- 5. Award of Bid #06045 for a Replacement Energy Recovery Air Handling Unit – Dover Indoor Pool.** Sponsored by Mayor Scott Myers, by Request.

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

- 6. Award of Bid #B06044 for SCADA System Network Components – Electrician Installation Services.** Sponsored by Mayor Scott Myers, by Request.

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

C. ORDINANCES IN 1ST READING

D. COUNCIL CORRESPONDENCE

1. Letter from Comcast
2. Letter from Strafford County Commissioners
3. Wetlands Permit – Routine Roadway and Railway Maintenance Activities
4. Wetlands Permit – Alexander Nossiff
5. Wetlands Permit – State of NH, DOT
6. Email from Councilor DeDe

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

13. COUNCIL MATTERS OF INTEREST

Hindle wants the council to know he will be out of the city between 4/3 and 4/15 and he wants to inform the council of a couple of things. He looks forward to discussing the code and charter and merit plan next week. This is his 7th year on the council and starting the second week of April and continuing to the second week in June we will be focused on the multi million dollar city budget. He does not want a lot of items on the June meeting agenda and he wants the policies made at the goal setting session to be put in place ASAP; lastly we need to have a meeting on the Tolend Road issue to discuss the direction we want to take sooner than later to decide what, when and where we are going to proceed.



Cheney says she withdrew her resolution so as not to jeopardize any negotiations. In the spirit of openness she had approached the city manager regarding Attorney Peltonen and in one case he did represent a subsidiary of Cassella briefly and she feels confident that he will represent the city and she feels confident Attorney Peltonen will go in the direction that that council wants.

14. ADJOURN

Hindle moved seconded by Ciotti to adjourn at 10:07 pm with all in favor.

Judy Gaouette, City Clerk