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

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

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

The Mayor stated the manager will be presenting his FY07 budget this evening also there is the merit plan amendment also the fire and rescue strategic plan

DeDe moved seconded by Ciotti to suspend the rules to bring up council matters of interest. Motion passed on a roll call vote of 8-0. The Mayor stated as of concern to him is the confidential information that was published in the newspaper recently of Fenniman's contract with the detailed analysis of the cost of the Chief's health, dental and life insurance information and he knows this was confidential information released to the council and was clearly marked confidential in line with their rules and the charter. He needs to ask Scott if the quote in the paper is accurate or not and if he did provide Foster's that information. Scott does not think this is the proper forum to respond to that. The Mayor will be asking the city attorney under his report how they can proceed on this issue as this puts us in a very awkward position and it undermines the council. DeDe says to Scott that this would be an opportune time to refute this information. Scott does not find Foster's to be a reliable source of information. Keays says if we are bringing up Mr. Scott he wants to bring up the meeting we held in the manager's office which the councilors refused to attend. They violated their oath of office and we did nothing about them. DeDe says point of order, Keays says he has a right to speak; there were 3 councilors in violation of their oath. The Mayor explained this was confidential information at that workshop that was exposed to the press. Keays says he would like a ruling from the city attorney on this and now they are ready to prosecute David Scott. Turner says he could be suspect as he could be the one that turned over the information; who will be next. The Mayor says Scott has every opportunity to refute this. Turner says this is why each and every document should be marked confidential and that has not been done.

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.

The Mayor opened citizen's forum asking if anyone wished to speak.

Glen Jerry of Wallace Dr in Dover wants to ask the Mayor to be allowed to complete his statement as it will be longer than 5 minutes. He will finish as quick as possible. He thanked the council for their hard work and read a prepared statement. We have a beautiful city and it has a lot of things going for it. He commented on the workshop on the merit plan, he hopes the changes are approved and we can move back to the original spirit of the charter. He commented on the contracts that are being litigated. He then spoke on the Comcast negotiations and his displeasure with the negotiations. He wants them to keep in mind the hard earned money of the taxpayers. He commented on the city website that has increased tremendously. He is concerned about the liability insurance on the rail platform; he also



commented on the Town of Madbury's use of Dover's recycling center in hauling their recyclables. He is doing a comparison with the Comcast negotiation with several other items. He urged them to get started with the remediation of the landfill. He thanked them.

Karen Weston of 42 French Cross Road wanted to thank them for their thankless job; she too is a business person in town. But her issue right now is the landfill; it was her understanding that money was to be appropriated. Now we have a white knight that came into our vision which was Cassella but the question is will the results be satisfactory. Many people do not realize the cost of remediation. She believes strongly that the clean air and the water quality of the city should not be jeopardized. She has met with the DES in Concord herself and they cannot guarantee her that this project will not pollute the waters. They have many signatures on a petition they have started and this is ongoing she guarantees them (the audience all held up copies of petitions that have been signed). She has spoke with prior councilors and they confirmed it should be closed permanently and cleaned up. This is getting to a point where they can no longer wait. Finally if the proposed landfill on Tolend Road keeps going we will reach new heights in trash and there are several businesses in Dover that will be impacted. She quoted Bob Steele "we all know the dump is located on a bog or a swamp and I cannot see how you can reopen the dump without a remediation plan in hand and with total removal of material and cleanup completed before one could even consider putting in a new dump the cleanup should never be in conjunction with the dumping of trash and should never have been there in the first place because of its proximity to the reservoir". She left us with the Bob Steele's concept if you put a cap on it or put trash on it you put; the toxins will be out into our environment.

Ray Bardwell of Spur Road, stated the pool is not open yet; the water is too cold. He commended the council for their work. He also commended them on their work on the merit plan action. He commented on the Tolend landfill; he used to work for the engineering office in the early 60's, when he was first taken there he was appalled because it is so near the Dover/Portsmouth water supply. We now have the good and the bad; the bad is the Cassella Waste Company. He was also appalled that the city had entered into a letter of intent and should not have had to find out about it at the end of the plan; why were there not hearings on this. Why haven't we put a potable treatment plant up there and been treating the stuff that is there; if we dump more waste on top of it; it will squeeze more toxics out, it is going to be a municipal and commercial landfill; who will administer it. This is a very emotional thing; we should not have another major landfill for 10 years to get us out of our responsibility of cleaning it up. We have Turnkey to the north, we may pollute the Bellamy Reservoir and the surrounding area. If you have knowledge you have power. He thinks the city engineer and the city attorney, and Dean Peschel should have done an investigation on the company Cassella has over 45 landfills with 10 of them with problems. We have known about this a long, long time; it is time to resolve it. We have got to inform our citizens. He takes umbrage with the Mayor that says there is a vocal majority and he is part of it.

Sherrie Towle of 379 Tolend Road is back to say how much she does not want the Tolend landfill open. She knows there is an issue in cleaning up the landfill. She wants them to reach out to the public for their ideas. She does not have an issue if the city wants to use it for another use to make money for the town. The roads will be destroyed; they already fought that issue once on the Tolend Road.

John O'Connor of 48 Horne Street is here asking the council approve the Berry Brook Watershed Management Plan resolution tonight as this is behind his house and during heavy rainfall, his house is flooded.

Janet Christopherson of 9 Covered Bridge Lane, on March 1st, 2006 it felt like the City of Dover had stabbed her in the heart. She is very concerned about the superfund site. She read a prepared statement regarding the number of households in the 1 – 2 mile area. She is a newcomer and the property values are going down. She wants to know how safe our air quality is right now. She wants to know if she is breathing carcinogenic right now. She commented on the arsenic that is constantly being emitting into the air. What guarantees do we have; how do we access the proposed dump, rumor has it



that a new bridge that is proposed to be constructed that will link the County Farm Road to Glenhill and the Tolend Road area will be effected. Lastly is the city supporting the lobbyists on the State level with Cassella taking the charge. She would like a committee of city officials to consider it. The EPA wanted it closed, the city wanted it closed, and the State

Sue Medbery of 3 Covered Bridge Lane is compelled to speak because of the city manager's report. She saw the manager's report included Tolend. She read a letter that was forwarded to her by Councilor Scott as they live in the area of the Tolend landfill. She read a letter that was sent to Councilor Scott by a resident of Barrington asking him to campaign against the reuse of the Dover landfill. The gentleman is a pharmacist.

Tyler Foss of 24 Rochester Neck Road has heard the possibility of a bridge across the Cochecho from the Rochester Neck Road to the area. There was a bridge there originally and it was burned down. He does not know who would pay for this bridge. This would be perfect for Cassella to travel past the Spaulding Turnpike to Liberty Mutual out Sixth Street, down County Farm Road to the Glen Hill neighborhood to this new bridge to the Dover landfill. HB1495 has amended language that will allow such an opening of the superfund site. He wants to know if they support this house bill.

Karen Drapaniotis is representing Dover Main Street clean up day that will be held on Saturday, May 6th starting at 9 AM. They will be doing their Dover Pride Clean up in about a dozen sites in downtown Dover. They get about 200 people. She explained the day that goes on until noon. This is a great event for families.

Don Medbery of 3 Covered Bridge Lane is also alarmed about the legislative action on Cassella Waste; he is concerned about SB122 that was knocked down in 2005 that is being resurrected in the house with the provisions that will strip the municipalities of their rights where the state can come in and will actually take over the landfill. The landfill is scheduled to be about 32 feet in height and the bridge over the Cochecho is fairly accurate information that he has received from people who know what Cassella has in mind.

He then has something positive to say from Automotive News which has an article in the 4/10/2006 issue on Collins and Aikman and how they are being bought out by suitors. It seems to him they will pull it out of bankruptcy and we will get our money.

He has a contract from the city and it is not Mike's and not the police chief's but one of the sections says at his option this person will receive the balance of his leave and will be paid at the person's current rate and then matched by 100% by the city; he continued reading the section. He thinks the city council really needs to address these contracts again. These are over the top wages and benefits, he wants them to take them seriously and address it.

Seeing no one else wishing to speak the Mayor closed citizen's forum.

7. PUBLIC HEARINGS

8. CITY MANAGER'S REPORT

Joyal addressed the train platform issue of the train station liability; the contract is only for the operation.

The city does pay for the insurance on the platform; he then pointed out the increase in the Madbury recycling agreement is now \$6.50 per resident. The comment on the dredge cell has been delayed he also pointed out the cost of maintaining the dredge cell are all part of our agreement with the Army Corp of Engineers.

He says there is a study the city is undertaking on air quality to see if there is any gas in the air they breathe. This area of the State does have an air quality issue anyway and is under the gun to get it cleaned up. The city's water is fine; with regards to the Tolend landfill in proximity there is a considerable amount of study that has been done in that area with regards to the aquifer.



There is a clay barrier and unless punctured there is no way for the contaminants to get into the city water supply. He mentioned the newsletter that comes quarterly with this information.

The Mayor asked him to mention the concept of a reuse of the landfill. We are in the process of doing a preliminary design for the ROD (record of decision); there has been no further action with regards to the city reuse of the landfill

Joyal stated in addition to the budget there is a memo attachment that details what is needed for a 3% or a 0% budget. He proceeded to tell them the budget itself is a policy document. It is a basis for accountability or a benchmark. (see power point presentation in council folder of 4/12/2006), then the city manager read it is a financial plan and an operations guide to guide what services will be offered in the coming year and lastly it is a communication tool for the residents and council to know what is coming in the next year. He continued pointing out the 3 basic structures of the budget that they need to concern themselves with. The first is the Fund, then there are Functions broken down into major groups with individual cost centers and the different Functions are broken down by individual departments. Broken down even further are Objects; he then explained the budget document before them is a comprehensive volume; he continued explaining the organizational structure of the budget, the budget issues are that he had the requests for the 3 percent and the 0% they have all been acknowledged and taken into account in his budget. He continued he has no control over the county budget. Under collective bargaining we have settled with 4 of the city unions. The others are stalemated at this time. The school side does not include any funding for any proposed settlements with their unions. He noted PSNH is coming out with a major rate reduction. He also has made some major organizational adjustments. He noted every single person has a specific role and responsibility and has a function in this organization. He is proposing to eliminate several positions. He then listed the 9 full time positions; he is proposing to eliminate. He continued with his staff proposals and lastly there is one utility supervisor and he would like that position to be demoted to a pump station operator; there are also 4 ½ positions with deductions. He says on page 44 there is a summary of the changed positions. Scott wants to know if we should be asking questions. The city manager would like permission to continue the presentation before he gets into the numbers. The city manager continued the power point presentation. Scott kept interrupting the city manager with assorted comments. He reviewed how the budget has changed; spending has grown but so has our community with 1.3 per capita growth in a 20 year time period. Municipal government supports the quality of life; he had broken it down by proprieties in assorted slides with percentages and dollars. He noted the 155.9% increase in capital outlay and reserve that is a significant increase.

He continued explaining the rest of the slides. He clarified when the city went out to bid for trash removal Pinard was significantly less but Pinard and the costs of disposal went up regardless but Pinard was cheaper in the end than Waste Management.

He continued to explain the revenue in addition to property tax revenue; there is added new growth also appreciation in property values throughout the city. He is preparing a plan to reduce Overtime in the Police department. He is working on an analysis. He has asked the departments to look at doing more of our own contracting on annual items. He will be coming to the council in May to do an audit and implement additional energy savings measures. We have an opportunity for a \$100,000 grant and Keene has already been successful in this area.

Scott goes to page 38; he has a concern with the numbers; he does not think people can afford this tax increase. Turner wants to know what type of increase we should have asked for to keep the budget at 3%. The city manager explained they are seeing an increase in tax levy of 3.7%. In order to get to the 0% there is the elimination of 15 part time positions. The city manager says if you are trying to have an impact on the bottom line of the tax bill; they need to look at the school impact as well as the city tax levy. DeDe says he must be dreaming because this is the first time where supervisory people are actually being reduced and we are looking at specific objective with regards to reducing overtime; he is encouraged and pleased. Keays asked on the school budget are they going to present a full budget or are we going to get the teachers



budget in this budget. The city manager says he understands there is no money programmed for contracts settlements. The cm thinks the school will be asking for more funds after the budget is passed. The city manager is interested in having a well rounded package for the residents of this community. All he has control over is the city portion or 37.4% not the 51.7% for the school and the 10.9% county levy.

The Mayor says the school people will be here with their presentation next week and we only have bottom line dollar authority.

In early May the Mayor would like to take a straw vote for the school to know if they can go ahead with their teacher contracts.

The Mayor says he knows all the councilors received the budget schedule so if they will focus their questions on those particular topics. He urged the council to submit complicated questions ahead of time to the manager so he can prepare an informative answer. We are here to gain information.

Cheney has a question on the transfer of special revenues, what does that represent. The city manager says these are grants and the rent for the McConnell payments; Cheney asked if this year's budget is based on last years school budget. The city manager says no they have already gone through and presented their budget on 3/15. The city manager added tomorrow morning the budget will be posted on the website along with his presentation. Plus a limited number of summary copies once they are gone they will be charging for additional copies. Also the 3% and 0% memo will be posted. The Mayor thanked the manager for the 0% budget also as this will allow them to see the specific impacts.

DeDe moved seconded by Ciotti to accept with all in favor.

9. MINUTES

- A. Regular Meeting – March 8, 2006
- B. Regular Meeting – March 22, 2006
- C. Workshop – March 29, 2006

Trefethen moved seconded by Ciotti to accept with all in favor.

10. MAYOR'S REPORT

The Mayor reported he attended the Greek Independence Day ceremony where they raised the flag on the front steps of city hall. He also attended a town meeting format put on by Youth to Youth Y2Y with Trefethen on underage drinking; we have a fantastic group of young folks in that group.

A week ago today he and the city manager presented the State of the City address where there were 150 to 200 people in attendance and the DVD is now showing on Channel 22. He noted last week was the week of the Young Child where he attended a ceremony at the Dover Children's Center. He also attended an Economic Development meeting working with businesses to move or grow within Dover. Ciotti moved seconded by DeDe with all in favor.

11. UNFINISHED BUSINESS

A. ORDINANCES IN 2ND READING

B. ORDINANCES IN 3RD READING – NONE

C. RESOLUTIONS

1. Approval of McConnell Center Bonds for the Purpose of Internal



Revenue Code Section 147(f). Sponsored by Mayor Scott Myers, by Request.
(TO BE REFERRED TO A PUBLIC HEARING ON May 3, 2006)

Trefethen moved seconded by Ciotti to refer to a public hearing on May 3, 2006. The Mayor explained it was not properly advertised so we are simply reposting it and it will be part of the Special Meeting on 5/3/2006.

12. NEW BUSINESS

A. CONSENT CALENDAR

1. Tag Permit – Somersworth High School Girls Lacrosse
2. Tag Permit – Dover Little Green Football
3. Raffle Permit – Seymour Osman Community Center
4. Raffle Permit – Chamber of Commerce (Apple Harvest Day)
5. Raffle Permit – Chamber of Commerce)Cochecho Arts Festival)
6. Parade Permit – Options for Women
7. Parade Permit – St. John’s Methodist Hannah’s Circle
8. Assembly Permit – Chamber of Commerce @ Rotary Arts Pavilion – Cochecho Arts Festival
9. Assembly Permit – Dover Main Street, Inc. – Dover Pride Cleanup Day
10. Assembly Permit - Dover Main Street – Factory on Fire Reveal

11. **Street Closure for 63rd Annual New Hampshire Soap Box Derby.**
Sponsored by Mayor Scott Myers by Request.

12. **Street Closure for 2006 Apple Harvest Day.** Sponsored by Mayor Scott Myers by Request.

13. **Award of Bid #B06034 for Engineering Services – Berry Brook Watershed Management Plan.** Sponsored by Mayor Scott Myers, by Request.

14. **Award of Bid #B06054 for Asphalt Trench Patching Services.** Sponsored by Mayor Scott Myers, by Request.

15. **Award of Bid #B06055 for Traffic Control/Flagging Services.**
Sponsored by Mayor Scott Myers, by Request.

16. **Award of Purchase Order for the Rental of Water Treatment Equipment for the Dredge Disposal Cell.** Sponsored by Mayor Scott Myers, by Request.

17. **Recycle Center Agreement with Town of Madbury.** Sponsored by Mayor Scott Myers, by Request.

Trefethen moved seconded by Ciotti to grant and to adopt. The Mayor wants #17 removed; Keays wants #14 removed and Turner wants #16 removed. Ciotti wants the appointments committee report to be pulled. Motion to grant and adopt the rest was passed by all on a roll call vote of 8-0.

#14 Keays asked is this for contracting hot topping. Keays wants to know what the public works guys are doing. What do we need for equipment; we already got a truck, boy life has changed since he was there. Motion to adopt passed on a roll call vote of 7-1 with Keays opposed.



#16 Turner is wondering is this the tip of the iceberg; this was not forecast what else is coming. The city manager says we must treat the leachate. The city manager says this is because some of the materials that come out of the river and there is an inordinate amount of water from the rain. Turner would like a guided tour of the area. The Mayor clarified this is because of the delay in the federal funding. DeDe added the Katrina disaster sucked up the funds that were to be used for this.

#17 Trefethen moved to amend the amount to \$6.50 from \$6.00 seconded by Ciotti. This amount is based on a per person basis. Vote to change to \$6.50 passed with all in favor. All were in favor of main motion.

Ciotti stated the appointments committee met for interviews this evening and to make the following appointments:

REAPPOINTMENTS: Please reappoint these people to their respective boards

David Goodwin	Arena Commission
Grover Tasker	Cemetery Board
Roland Belhumeur	DUC
Art Hoffman	DUC
Jay Stephens	DUC
Dan Ayer	DUC (<i>Wants to be the alternate, and have Don Andolina be regular</i>)
Art Corte	Library Board of Trustees
Tony McManus	Planning Board
Joe Tenuta	Recreation Advisory Board
Earle Goodwin	Trustee of the Trust Fund
Richard Callahan	ZBA

Applications for APPOINTMENTS: (Pending)

Robert Marggraf	Cemetery Board – Alternate
Royce Stegman	Recreation Board – Regular
“Pete” McKenney	Recreation Board – Regular
Jonathan Towle	Recreation Board – Regular
Don Andolina	DUC – current alternate to fill regular position – Dan Ayer become alternate

Ciotti moved seconded by Keays to accept with all in favor.

COMMITTEE REPORTS

1. Appointments Committee
2. Arena Commission
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 (**Report submitted**)



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12. Recreation Advisory Board
 13. COAST Bus
 14. Joint Fiscal Committee
 15. Dover Main Street Committee (*Report submitted*)

B. RESOLUTIONS

1. Merit Plan Amendment Pursuant to City Charter C7-2. Sponsored by Mayor Scott Myers, by Request.

Trefethen moved seconded by Ciotti to adopt. DeDe says the merit plan is something that the council has been looking to change for a long time; he thinks this deserves support. DeDe thinks Hindle should be present to vote on this. Cheney is pleased with what she sees but has some concerns and she did suggest that we keep this until after the budget but she respects the fact all councilors should be present. She thinks putting all the classification plans and pay plans etc. together is right; we need to take some time to review and discuss this. She would like this put off until after the budget season. In the table of contents it does not indicate pay scales and on number 3.8 she has concerns. She thinks it is in conflict with the charter in places. She asked where the city manager states the portion that is labeled the pay plan, this pay plan and class plan and now that it is connected we have to look at; there are positions that don't exist in the charter.

Scott agrees we should wait for Hindle also we all know the problems that existed after the 1999 plan was approved. He mentioned how the taxpayer has been basically fleeced; he likes some of the language as it will be so important and will set the stage for the future.

Keays would like the department heads to have a starting and ending salary figure. He was running through the budget and he noticed some of the increases to some of these department heads. We must put a stop to these department heads. When they get to a certain level they will need to come to the council for approval. Trefethen stated so when we implement this merit plan most of these pay plans will change every year with the salary increases. Joyal says the just the non union employees will have to be approved by the council. Turner likes what he sees but he wants to honor Hindle by having him present.

The Mayor says it was not a 91-A request that got these documents released. DeDe moved seconded by Ciotti and the others to delay action on this until the 5/10/2006 meeting with all in favor. Scott wants to know when the 60 day waiting period starts. The Mayor says tonight. Cheney says if we do not accept it we have lost the window and would have to start the process over.

2. Evaluation and Implementation of Security Measures for City Hall and Other Municipal Buildings. Sponsored by Councilor Dennis Ciotti.

Ciotti moved seconded by DeDe to adopt. Ciotti read the resolution saying anything we can do to protect our people with security as a whole needs to be addressed. He wants to be proactive. Trefethen has thought how fortunate we are to have access to our municipal buildings all hours throughout the day up until now, it is very informal; he hates to see it come to this. He believes for the most part he does not see the need for this. DeDe says the motion only says the city manager will evaluate and "may include" so it is only a city manager directive. He has no problem with this.

Trefethen says we have several resolutions such as this and he would like to amend this to implement a date. The city manager says he thinks they should focus on the budget right now and address this issue later in the year. Trefethen moved seconded by DeDe to bring this back on October 1st. The city manager says for the council's benefit we are constantly looking for safety measures. We will be



having discussions now but will report back in Oct. Scott says so we will spend no money now. The city manager says as far as the overall vision he will wait for October before purchasing anything. Vote on the amended date passed with all in favor of the October 1st date to come back to us. The Mayor also supports this. Main motion passed 7-1 with Trefethen opposed.

3. Adoption of the City of Dover Fire & Rescue Strategic Plan. Sponsored by Mayor Scott Myers, by Request.

Trefethen moved seconded by DeDe to adopt. DeDe will vote for the adoption of the strategic plan but there are items as they come up he will disagree with. Ciotti congratulated Chief Plummer on the overall strategic plan. The Mayor asked about an item on page 59 about hiring a hazardous waste inspector; he wonders if we would share this with other communities. Chief Plummer says all those options the Mayor listed have been discussed; we have a regional fire team; we pay into this and may look into more regional opportunities not only with the fire but all departments. Scott reminded everyone over 65 years of age that the Chief has a program to help seniors so please call the Chief for information. Motion to adopt passed on 8-0 vote.

4. Extinguishing the Public's Right to Pass and Re-pass and Otherwise Discontinue Absolutely an Abandoned Portion of Old Rochester Road Known as Tax Map D, Lot 2A and Allowing the Right to Use and Possession to Return to Sole Abutter in Exchange for a Utilities Easement in Favor of the City of Dover. Sponsored by Mayor Scott Myers, by Request.

Trefethen moved seconded by Ciotti to adopt. The city manager says Attorney McNeill is here representing Prime Realty, he noted this will clear up the right to have a utility in the area and it clears up a few things. Ciotti wants to know when the State discontinued this road. Attorney Malcolm McNeill came forward to clarify that the State of NH technically gave a deed on 12/13/2005 for the ROW but from a practical perspective this roadway has not been used for decades. They also became aware there were utilities. Dover has not been good at discontinuing its unused roadways. The parties own to the center line; we and his client own to the center line on the other side. This clearly continues the city's utilities rights. This is a legal issue and he represents Prime LLC. Cheney says does right to pass mean walking on this land. McNeill says it is trying to say whatever rights that previously did exist are discontinued; this is not an area that people walk. Cheney says she walks there; will that still be allowed, McNeill was not aware anyone used this parcel. Turner asked if there is any intention for the client to pave the parking lot. McNeill says Mr. Kane is waiting to see if this transaction is completed; then he will address this issue. If you have been to Blockbuster you have parked on this area. Ciotti thanks McNeill saying this is a house keeping measure and just cleans it up. Krans says in an effort to make sure the city council is involved this is an effort to clean this up. Keays asked what utilities we have in the area. McNeill says there is a sewer line and a drain. Motion to adopt passed on a roll call vote of 8-0.

5. Award of Bid#B06047 Glenwood Avenue Reconstruction Project. Sponsored by Mayor Scott Myers, by Request.

Trefethen moved seconded by Ciotti to adopt. Trefethen says this dollar amount is a bid from a construction company that we will pay regardless. The city manager confirmed this. The city manager would like a contingency amount because this project does not have this built into it. If there is a particular issue not identified then it may cause a change order. Ciotti asked what we are getting for the 1.6 million dollars. The road, the city manager says in the final design and there were tradeoffs on curbing. The sidewalks are on the Whittier Street side. Keays asked are they going the whole length the city manager says yes but they are just not paving the bridge. He confirmed we did a design study. Motion passed on a roll call vote of 8-0.



6. Award of Bid #06050 For Durham Road Sewer Replacement. Sponsored by Mayor Scott Myers, by Request.

Trefethen moved seconded by Ciotti to adopt. Trefethen had a question on the timeline. Doug Steele, the new Community Services director says the original plan was to start while school was in session; now he wants it to start 6/1/2006 with a start time of 8 AM in the morning. He added we will be starting at the Back River Road end and going towards Durham. Motion passed on a roll call vote of 8-0.

Trefethen moved seconded by Ciotti to suspend the rules to introduce item 12B-7. Motion passed on a roll call vote of 8-0.

7. Extension of Cable Television Franchise Agreement. Sponsored by Mayor Scott Myers, by Request.

Trefethen moved seconded by DeDe to adopt. The Mayor says we did not want to let the agreement expire. This is to protect the city's interest. Trefethen says so it is an extension of the current contract. Joyal confirmed this. All were in favor of a one month extension.

C. ORDINANCES IN 1ST READING

NONE

D. COUNCIL CORRESPONDENCE

1. Wetlands Permit – University of New Hampshire – installation of Gas pipeline

Trefethen moved seconded by Cheney to accept and to place on file with all in favor.

13. COUNCIL MATTERS OF INTEREST

Turner stated after listening to 8 people talk about the Tolend Landfill and on 3/8/2006 listening to 29 people wanting to keep it closed. He wants to let everyone know there will be a resolution on the agenda in May to keep it closed.

Scott thinks it was unusual and inappropriate of the Mayor to rely on the paper in Dover to accuse him of improper action. The city manager used tax payer money to fight NH law and lost. Scott stated he ran for the position of city councilor because the people of Ward-3 want to know where our money is going and they cannot afford higher taxes. If there are 1, 3 or 5 individuals that want to bring a lawsuit against him for inappropriate action; that may be positive; he wants to confront his accuser in a court of law. The depositions that follow may bring out interesting information. He wants to put on record; "bring it on".....

He continued also what are we doing to try and amortize healthcare as a family of 4 will cost about \$20,000 currently and 5 years from now the healthcare will be \$35,000 per year and what homeowner is able to sustain this type of healthcare costs. He thinks it is urgent that the city manager take a look at health care costs.

Mayor Myers stated for the record he did not accuse Scott; he asked him.

Trefethen says there are two drainage easements that take care of the storm drains that cross the Hebbard's land and one required putting in crushed rock and sand After repeated efforts of requesting that the city fix it they did the work themselves; the cost incurred was \$1900. He asked to have the payment paid. Work has been done on both now; DeDe stated he too had mentioned this to the city manager that it should be taken care of. Turner says wasn't there a further loss of property that included a bull. Trefethen understands there was animal involved but they have submitted an invoice



that does not include that; he does not believe that is part of the bill. Krans stated he wants to package any further claims all into one bill before we pay it; and there should be a direction to resolve the whole thing. The city manager wants it clear we will pay just this invoice as we do not want to see this same issue keep coming back. Trefethen thinks maybe we want to do this by formal resolution but he wants to do this quickly though.

Cheney says so the private road developments can send in a letter of indemnification before July 1st along with proof of insurance and that will address concerns the City has in picking up the trash. The city manager will also be coming with an ordinance to clean up the trash and recycling issue next month.

14. ADJOURN

Keay's moved seconded by Ciotti to adjourn with all in favor.

**Judy Gaouette,
City Clerk**