

**MINUTES
DOVER CITY COUNCIL
CITY COUNCIL CHAMBERS
REGULAR COUNCIL MEETING
August 10, 2005
7:00 P.M.**

6:30 P.M.

**NON-PUBLIC SESSION
CITY MANAGER'S OFFICE**

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

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

7:00 P.M.

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Councilor DeDe let the Pledge of Allegiance.

3. ROLL CALL

Members Present: Councilor Matt Mayberry, Mayor Scott Myers, Councilor Otis Perry, Councilor Dean Trefethen, Councilor Doug DeDe, Mayor Pro Tem Jason Hindle and Councilor Bob Keays. Those absent: Councilor Robert Lewis, and Councilor Colwell-Ellis arrived at 7:35 PM.

4. PROCLAMATIONS/AWARDS

- A. Dover High School Lacrosse Team

The Mayor asked DHS lacrosse team to come forward; he then read and resented the proclamation to the entire team.

5. CITIZEN'S FORUM

Peter Hamblett, president of Federal Savings Bank at 633 Central Avenue is here to speak on behalf of the exciting opportunity they all have with regards to the Children's Museum coming to Dover, he has spent 11 years involved with the community on various committees here in Dover. Each of the programs have worked towards the potential that Dover has. Clearly the Children's Museum would benefit the children of Dover, it will help Dover to become even more of a destination, it is such a great opportunity with the developing waterfront potential.

Roland Hofemann of 18 Wellington Avenue is a State Representative and former city councilor. He started with a definition from Webster's Dictionary of a resolution on item 12B-1. He continued this action would break a former resolution adopted by the city council, he read the resolution (see folder of 8-10-2005 for a copy) this reminds him of when he took a law class in college and the class was looking for a reason to overturn a law, the professor said the reason was right in front of them all the time and it was because it is just wrong. A yes vote will be disturbing a group of retirees and booting them out of their meeting place. This is a group of people that don't bother anybody. The seniors are being ordered out. Perry was correct that we cannot have two centers open at the same time; they have been there for many years and the overwhelming majority wants to remain there. He asked them to vote no and leave the seniors alone.

Phil Morrisette of Dover stated he is Treasurer of Senior Center and he is not in a very happy mood, he wants to thank them for the awful way they were notified of this item. This is a rotten shame and a slap in the face to the seniors. If they had not read it in Fosters they never would have known about it. There are a lot of questions to be answered, and he wants them to get things in order first as there are still a lot of questions and parking is also going to be big problem. He feels the McConnell Center unless perfectly done will be another white elephant to the city just like the arena is. This is costing the taxpayers dearly. He does not think the council has any regard for the seniors. He does not want to mix young people with old people like himself; he would like the council to table the resolution until the next meeting so his committee can discuss this. He went over to the library lot this

afternoon and does not see how it will work with the seniors; he concluded by wishing them great success on the McConnell Center.

David Bamford of 296 Gulf Road along with his wife Debbie are both in support of the Children's Museum coming to Dover. He has worked with the City Manager and Jack Buckley and they do a great job. Portsmouth is waking up and now they want to keep the museum. These people are coming here because of the town we have, he feels we have the best town there is. Every time he thinks of the time the City Councilors spend he is so proud of them and 20 years ago we didn't know it but we have the most superior high school in the State of NH. We also have the finest academic school in the state in St. Thomas Aquinas. Although we have this beautiful community we also have a community with a soul and with an unusual educational opportunity for the children. You want to make sure the cultural opportunities are here. Granted we won't make a lot of money with the museum coming here but this may mark the finest hour we have had in the last decade. He asked them to provide the opportunity to deem whatever necessary to make this come about. He concluded saying this is huge.

Joanne Dodge of 17 Harmony Lane is here in support of the motion to support the sale of the senior center to develop an all encompassing senior center at the McConnell Center. She has been to senior centers all over the state and they provide transportation, all day programs, affordable day trips and lunch to their seniors; she feels this new place will benefit the city. She quoted assorted senior statistics and mentioned several senior centers from around the state and what opportunities they offer.

Kathleen Dixon stated she has been the tour director of the senior center since 1988, almost 17 years. She told them they have the wrong outlook on what the seniors do at the center, they have progressive card games and there is always an overflow of people into the kitchen. She would like to ask what it costs to educate a child here in this city. If you have a family of four to educate, you would be paying a heck of a lot more for them than what you pay for the seniors. She says they are all young and she is very, very old and one day they will arrive at this stage; the President could not get his bill through Congress on social security because of the younger people don't want to save and look to the future, they are the future.

Michael Provost is here as executive director of Dover Main Street Program and to congratulate and commend them on their leadership. The Children's Museum could serve as an anchor tenant for the waterfront development and downtown; it will strengthen the arts and cultural alliances with the Woodman Institute, the Bell Center, the Garrison Players and the Arts Center and makes Dover that much more of an attractive destination and he urged them to keep up the good work to make this a reality.

Bill Shaheen stated next year his family will celebrate 100 years of living in Dover, and although he does not still live in Dover he considers himself a Dover boy, growing up he remembers all the wonderful, helpful people. Dover always came to the aid of the children and aid of Dover families, he urged them to support the museum coming to Dover. This makes a statement to the whole state that we care and support the children.

Ed Murphy chair of recreation advisory board is here to speak on item 12B-2 the relocation of the recreation department to the McConnell Center. The perception is that we are going to leave the Butterfield Gym and move to the McConnell Center, he wants the people to know tonight that we have been using it for the last 5 years on a year round basis. He gave the stats on the gym usage, the resolution on the agenda does not take into account the current McConnell Center activities, it also does not take into account the additional Butterfield Gym schedule. The Dover Recreation Advisory Board agrees with the new location of the recreation department but they request that the City Council add wording to this resolution to indicate that the other city resources and future construction of facilities will be considered to be potentially available to make up the recreation needs due to a loss of space in the Butterfield gym to cover all the of these important recreation programs.

Sam Allen of 46 Watson Road and former chair of the school board is here in opposition to the paraprofessional contract and asks that they not approve this contract and that they send it back to the school board for more negotiation. These are not full time jobs and this has been an ongoing subject since the "para's" formed. The Dover "para's" union is a relatively young union and this is the most mature contract that you could possibly find. The Dover teachers have tried to negotiate this type of contract and have not been successful. This contract would extend 75% of their health care benefits; where are we going to get that money. This contract will be a model and this is a group of people that work only 20 hours a week. Who will supervise this group. Have we not learned our lesson about who is representing them in this process. This is not good business for the City of Dover and if you pass this contract you are opening a Pandora's box and there is no return.

Nick Skaltsis of 6 Erik Drive is here representing the McConnell Center Oversight Committee as Chairman Gary Gilmore is out of town. There is a timeline with regards to the reason why they are here because over the next 30 days they are looking to use the CIP funds. Their committee has met with both boards; the senior center and recreation center but the oversight committee is limited with regards to the use of the building and some of these items are beyond the committee, they believe they can accommodate both groups and hope they both will go there. He believes the senior center has a one year notice so the move won't take place until the fall of 2006.

Phyllis Woods is here as vice chair of the Charter Commission to speak on behalf of the Charter Commission. They only have a total of 16 changes some of these clarify language and others bring the charter in line with state law, just about everything in the charter received a very strong vote. Also they decided to not file any type of minority report. She thinks within the next 2 years a few things will come before the Council to be voted on individually. They will begin an educational campaign and will make available a report to the public at the City Clerk's Office and through the regular means.

Don Medbury a Dover resident stated that he is before them tonight to talk about the annual program of people that file for appeal on their property taxes, for those that filed before 3-1-2005 for the 2004 taxes if they have not heard from the assessor by July 1st, 2005 they should file by September 1st, 2005 with the board of land and tax appeals; they have had great success on filing appeals with the board of land and tax appeals. He encouraged everyone who feels their taxes are out of whack to appeal.

Secondly we have two engineers working for the city; they are on the payroll why are we paying consultants when we have two paid engineers on the payroll he would like some consideration given to this. Also why do we have so many lawsuits; and how can the number of these lawsuits be reduced.

Seeing no one else the Mayor closed Citizen's Forum.

6. PUBLIC HEARINGS

- A. Approval of Bonds for McConnell Center Project. Sponsored by Mayor Scott Myers, by Request. **(See Item 11C-1)**

The Mayor opened the public hearing seeing no one he closed it.

7. MINUTES

- A. Regular Council Meeting – May 11, 2005
- B. Council Workshop – July 6, 2005

Hindle moved seconded by Mayberry to accept. On item 7B DeDe had corrections to page 1 and 3. Motion to accept as amended passed with all in favor.

8. REPORTS OF SPECIAL AND STANDING COMMITTEES

- A. Appointments Committee – Councilor Otis Perry **no report**
- B. Arena Commission – Councilor Darlene Colwell-Ellis **no report**
- C. Arts Commission – Councilor Matt Mayberry

Mayberry reported the next meeting will be on Sept 7th at 5:30 in the City Hall Auditorium.

- D. McConnell Center Committee – Councilor Otis Perry/Councilor Doug DeDe

DeDe reported the committee has been meeting regularly, it was stated that the dialogue that came across this evening was strongly against but there was a significant group in favor of the project. He mentioned the committee has been actively working toward developing the cost potential for the tenants of what the true costs are for the city. We do have a timeline and unless the McConnell Center can show that the city council will support both the young and old in the same location will start to unravel. The reuse committee must come up with the number so the tenants will know what the cost of the center will be. They feel very comfortable that the tenants are almost 100%, the city has moved its percentage utilization down to 41% which means there is a much larger percentage of space available for tenants.

- E. Planning Board– Councilor Otis Perry **Report Submitted**

Mayberry asked Trefethen if there will be a formal public hearing on Fords Landing and Davis Farm scheduled for last night's meeting, Trefethen says the public hearing was continued and the public will get a chance to be able to speak.

F. Cable Franchise Negotiations Committee – Councilor Doug DeDe

The Cable Committee has conducted a series of public hearings for public input. Based on those findings Comcast has decided to do its own survey so the citizens need to know this.

The Mayor confirmed this. Keays says with regards to senior citizens he wonders if the cable company is giving them a discount. DeDe says this has not come up in our requests. DeDe continued there are still portions of Dover that do not have cable such as on Gulf Road. Keays says cable came in 1973 or 1975 and he can remember his mother's first bill of \$3..85, he wonders if the committee has shown them the increases through the years that we have paid in this community over the years and all we have is a Spanish channel and French programs why is that. DeDe explained Comcast has an approach for the city while complying with federal regulations. Keays does not feel we are getting the services we pay for.

G. School Board Liaison – Councilor Doug DeDe Report Submitted

H. Solid Waste Advisory Commission – Councilor Otis Perry

Perry reported their last meeting was held on 7/21 where then discussed changes at the recycling center revolving around the new company, also it is no longer necessary to separate cardboard and paper, also painted wood has to now go to the construction debris pile. Discussions with the new hauler are much more efficient than with the old one. He continued the new company requires that people must have their trash out by 7 AM on the morning of collection. In the area of Summer Street the hauler was going from side to side of the street; they are looking into this practice. There was further discussion on more modern techniques to keep the driver in the cab and have the use of larger containers and there would be some savings involved with these.

I. Transportation Advisory Commission – Councilor Jason Hindle no report

J. Joint Building Committee – Councilor Jason Hindle no report

K. Recreation Advisory Board – Councilor Bob Keays no report

L. COAST Bus – Mayor Scott Myers no report

M. City/School Joint Service Committee - Councilor DeDe

DeDe stated the group met at 7:30 AM on Tuesday and at the first meeting they talked about the scope of what they were looking at and the City Manager Joyal prepared for them a list of the areas where the city is already using it's energy to try to effect economies. The first meeting Dr. O'Connor could not be there because of a conflict but he was at the second meeting; one of the impressions the committee has found is the excellent spirit of cooperation between the school Superintendent and the City Manager and they are working on a list of priorities of where we can discuss and have significant savings for the City. Also they are looking at the possibility of putting A/C at the Garrison School that is having renovations done and he feels this is do-able and would make the building much more usable on a year round basis. .Hindle moved seconded by Perry with all in favor.

9. MAYOR'S REPORT

Mayor Myers stated it has been a busy month; they had a dedication ceremony at the Cassily property. This project was spear headed by the Open Space Committee and will eventually be part of community trail, also two weeks ago tomorrow the National Night Out was held sponsored by the coalition for youth, fire, police, community services, recreation and the armed forces, they had 1000 to 1200 people down there at Henry Law Park.

He then thanked a whole bunch of people for their efforts for their work and talking and making phone calls on hosting the Children's Museum. This has truly been a community effort and is strongly encouraged as we move forward on this project; he commended the city manager on the issue also.

Hindle moved to accept seconded by Mayberry with all in favor.

10. CITY MANAGER'S REPORT

City Manager Joyal stated he is still working on the format of the city manager's report, he sent it out yesterday. He wants to highlight more issues that have an effect on the city including additional financial information also

major purchase orders as well as a list of bid solicitations. He commented on the Cocheco River dredging that he has sent an update out to them saying Senator Gregg has secured 2 million dollars of additional funding and once the bill is passed this will be the final amount of funding the city will receive for the dredge project. The Army Corp is changing the scope of the dredge so it will be a 6 foot depth instead of the original 7 foot depth; also we have an opportunity to introduce some materials into the dredge spoils cell in the winter months to make it more stable and they are working with the Army Corp to replace those dredge spoils with gravel materials and the benefit will be more developable land on the waterfront. Also good news with regards to waterfront development there has been four responses to the city's request for qualifications. The waterfront advisory committee expects to narrow the list down and will ask them to submit detailed proposals. He continued that he was remiss in not including the update on the results of the additional fire staffing with the hiring of 4 additional firefighters for the month of July they have spent about half or \$25,000 this is about half of what was spent last year.

Lastly he brought to council's attention a change he would like the council to endorse in his contract on his retirement clause that will allow him to set up a 401 plan and make contributions as apparently there is a conflict with that plan; he would now like to utilize the 457 program in its place. The cost is the same to the city just a different tax program.

Hindle asked if the RFQ's on the waterfront have been made public; Joyal said they were already public and on the website, etc.

Perry asked if there had been any discussions on the users and what effect the shallower dredge area would do and should we just do a smaller area instead of a shallower one. He suggests we check into this. Joyal says the Army Corp controls the project.

Mayberry wants updates on the dredge and on the public launch area. Joyal says he had discussions with staff on this and he recommends they hold off until the waterfront advisory commission makes progress with a developer and if and where a marina is going to be located. Mayberry respectfully disagrees because a long time ago we mandated that there was a public boat launch before any design. He has been adamant for the last two years that there is a public boat launch. Joyal says we don't want to parade something we may need to move. Mayberry says if we are looking to expand the potential area of the 34 acres from the spoil cell, wouldn't that be a charge for a developer that is looking to develop the site. Joyal agreed, this will add more value to the negotiations. Mayberry asked if there was a budget for advertising the charter changes. Joyal says the budget had dedicated \$20,000 and that budget has now closed as of June 30th. Mayberry then asked where we sit with Waste Management on Tolend Road negotiations and the smell.

Joyal says there has been a group that is meeting to monitor the improvements that Turnkey is making to the site. Joyal says it appears the number of frequencies are going down with regards to the gas extractions which suggests there have been some improvements. Mayberry asked about the RFQ's on the waterfront proposals and could they be broadcast on channel 22. Joyal says they won't be broadcasting any design charrettes, and we have a limited amount of time for video playbacks. Mayberry feels there would be an interest in this. Joyal would like to see all the meetings televised. The Mayor says these are more the nuts and bolts on who will do the project and the upcoming phase will be of more interest to the viewers. Trefethen asked about the qualifications of the waterfront, at this point in time even though we have released the packages to the "board", our meetings are public except when we talk about the negotiations. Also concerning the 34 acres only about half of them are developable, the rest are wetlands slopes or spoil cells so this would only increase the acreage by an acre or two that could be developed.

Keays says if we don't have enough room where they are dredging what will we do if run out of space, Joyal does not expect that we will; the cell was designed for and has additional capacity and they sold some space to PSNH for their spoil cells as well. Keays is also concerned about Exeter's dredging project but it was not a significant amount. Joyal stated they paid their fair share. The Mayor commented on the city manager's report and will be giving more feedback. By accepting the report we are accepting the change to the city manager's contract to allow him to contribute to a 457 program with an equal amount to be paid by the City. Hindle moved seconded by Mayberry with all in favor.

11. UNFINISHED BUSINESS

- A. ORDINANCES IN 2ND READING - NONE**
- B. ORDINANCES IN 3RD READING - NONE**
- C. RESOLUTIONS**

- 1. Approval of Bonds for McConnell Center Project. Sponsored by Mayor Scott Myers, by Request.**

Hindle moved seconded by Mayberry to adopt. Trefethen realizes he is in the minority on this project and he will be voting no but this is related to a later resolution and he wants to know the answer to the following question. If we sell the senior center will we use some of the money to pay for rehabilitation of the McConnell Center. And will the leftover money be used to reduce the amount of money that will be bonded. DeDe says the intent of the committee to the extent it is necessary is that each of the tenants will be being delivered a hazard free space that

is heated and the core reconstruction and rehabilitation of the center is a broad brush approaching all of the areas. This amount of money will be used to fit out a space and after the senior center has been fitted out, looming in the background is an additional amount of money needed to complete the project. Trefethen says so for the other city departments that are there and that are moving is the cost of doing the painting; flooring included in the 2.5 million. Joyal says no it is not included it is for the building shell, and any improvements that we will need money for also the improvements of the recreation portion and renovations for the human services section. The 2.5 million dollar funds are for the building systems itself. Keays wants a monthly financial report on what has been done at the McConnell Center to see how much money has been spent. Keays also wonders if the roof is still leaking over at the McConnell Center as he has heard. Mr. Skaltsis says if they recall the last time Gilmore was here he was talking about using the attic for storage and the architect went over and discovered that they could see out thru the roof, its life has ended. A new roof has been added to the number of items needed. Keays asked if this is an extra expense, Nick says it will be recognized as one of the costs in the budgeting over the next 30 days; as they will be doing cost estimates in that building with Lassell Architects. Joyal assured Keays there would be a monthly report on the center. DeDe says he thinks the city manager has set up an expenditure account; the Mayor agrees. DeDe added the re use committees adamant in making the council aware of the true costs before we go forward. Motion passed on a roll call vote of 6-2 with Keays and Trefethen opposed.

12. NEW BUSINESS

A. CONSENT CALENDAR

1. Tag Permit – Knight of Columbus
2. Tag Permit – The Sharper Edge Synchronized Skating Team
3. Raffle Permit – Dover High School Football Boosters
4. Block Party – 7th Annual Gagnon Family Halloween Block Party
5. Road Toll – Dover Professional Firefighters Assoc.
6. Block Party – Riverdale Avenue Block Party

Hindle moved seconded by Perry to grant. Colwell Ellis asked who determines what percentage will be staying in Dover from the Knights of Columbus tagging and who will be eligible for the funds. DeDe says non profits have to file a report with the AGs office so that will say who will get the money raised. Motion passed with all in favor.

B. RESOLUTIONS

1. **Resolution RE: Authorizing the City Manager to Sell the City's Property Located at 35 Grove Street. Sponsored by Councilors Douglas DeDe and Otis Perry, by Request.**

Hindle moved seconded by Perry to adopt. Perry is in favor of this and feels it is the right thing to do for the McConnell Center and right thing to do for the seniors but this is not going to happen quickly. This will give the senior center a year to decide if they can come to the McConnell Center, it will cost us as this is not a money saving technique. He thinks the seniors will see many new opportunities at the new site and thinks it will meet the needs of the seniors. DeDe added they are not going to confine the seniors to residents of Dover only as there are a great many that are simply area seniors. This new center will be far better than they had before. Hindle read a prepared statement saying in his campaign of 1999 he had made a comment on moving the seniors to the McConnell Center or the old junior high building; he commended and thanked Phil Morrissette on all the work he has done at the senior center over the years. He shares Phil's passion. Keays stated he was one that voted no back when this came up back along. You people need the cash, he will vote no on this and it won't be long before you're a senior too he said to DeDe, the seniors have spent their own money to fix that place. The seniors have built this city, you didn't do this. This is an underhanded play. Colwell Ellis stated she does support the resolution on moving to the McConnell Center. She wants to know the process on disposing of the property at Grove Street. Joyal says we will place an ad in the local media and notify the local real estate agents. Colwell Ellis asked if an appraisal will be done prior to putting it for sale. Mayberry says he is a realtor and 85% of all property sold involves a real estate agent; let's not sell ourselves a couple hundred thousand short on this. It is his opinion we are not breaking a promise but keeping a promise to provide the best service and opportunity for those seniors. We have demonstrated with benefits from the city with expanded elderly exemptions and Veteran's exemptions. This new senior center will be all inclusive and active and provide more opportunities and more expanded programs and availability in Dover. Trefethen will disclose this resolution is notice of the sale of city property. He does not see this as a cost saving measure; we will be spending more on them. The Mayor wants to know where the proceeds will be going. Joyal says to create a binding effect they would have to create it. If another council comes in, they could change it. The Mayor echoes most of the comments here tonight his focus is to offer more programs to more people and more services. His folks are in their senior years and he can envision his folks using this center. Motion passes on a roll call vote of 7-1 with Keays opposed.

2. Resolution RE: Authorizing the City Manager to Relocate Existing Recreation Functions within the Butterfield Gym to the McConnell Center. Sponsored by Councilors Douglas DeDe and Otis Perry, by Request.

Trefethen moved seconded by Perry to adopt. Perry commented that future councils will make the opportunity for the recreation programs in response to Mr. Murphy's concerns.

Mayberry says this was brought forward around the time that the Children's Museum opportunity came along with both at the same time, a friend told him to separate the two, for him he thinks the recreation will be better served in the McConnell Center. Keays grew up here in Dover and he remembers growing up and that building was given for recreation purposes. We are giving them a lease for 60 years for 1.00 we might as well make a clean sweep, what about parking if you are going to are going to have 85,000 kids here during the summer; this is just another railroading even though he has feelings for the children's museum. The Mayor stated he is in favor and Mayberry is right we should separate the issues, also there is a natural connection between the waterfront and downtown and Ed Murphy who was here earlier did have a couple of good points. The Butterfield name should remain in the name and secondly it is not his intent to see recreation go backwards in the new spot. He would like a friendly amendment in writing that it is not our intent to leave recreation the same if not better. DeDe says further resolved that the gym name remain Butterfield and that recreation will be the same, Hindle clarifies not just the same but the Butterfield name will remain associated with the building. Joyal clarified it should be recognized to memorialize the Butterfield name and have it remain with the building and have recreation remain the same if not better. Keays was talking to Mrs. Butterfield and she has a resolution saying that the name would stay on this building. Motion was seconded by Mayberry. Joyal wants to let them know his recommendation is that we do this regardless of the Children's Museum coming to Dover. It makes sense to move the recreation department to the McConnell Center. He sees tremendous synergy to help sustain and improve the recreation program. For example there will be a dedicated aerobics area and a dedicated work out room, the building will be sprinklered, the locker rooms will be updated for folks with mobility issues. He wants to see this occur but there will be an expense to do this the council needs to be aware. He will advocate to the recreation department that they will get some other spaces in the city for public recreation programs. There are a lot of things contributing to make this move successful and the recreation will not lose out in this opportunity. All were in favor of the amendment for keeping the name. Motion passed on a roll call vote of 8-0.

3. Resolution RE: Collective Bargaining Agreement Between the Dover School Board and the Dover Paraprofessional Association. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Mayberry to adopt. Mayor Myers stated he needed to recuse himself as he has a conflict, his wife is a paraprofessional. Colwell Ellis stated she has a family member that works for the school department. Colwell Ellis recused herself and the Mayor is recused. The Mayor turned the resolution over to Hindle. Mayberry will be voting against this measure for several reasons, this contract, there were 150 and only 50 negotiated for it, we need to find ways to lower our taxes, he feels it gives part time employees tenure. For these reasons combined and it came out of school board with a 4-3 vote he will vote against this. Trefethen has a question about how many votes do we need; Perry stated he is struggling with this but will vote in favor of it because of the City of Dover who were elected to ensure excellence in education, he is not sure of Sam Allen's concern, he is also concerned with the financial aspect, he will support it because the system could not function w/o qualified paraprofessionals, they are providing us with much service at a reduced cost. He is concerned but will support it as the value is there. Keays has been reading the sick leave clause and it says they can accumulate 100 sick days. DeDe says this is not consistent with the direction of where we want to go, he can't support this contract as it is not consistent. Hindle agrees with the majority that the outline of this contract is too great for the community. He wants them to go back to the table and re-negotiate the contract. Mayberry wants Dr. O'Connor to go over the contract but Joyal says it would have to be limited to cost details. Dr. O'Connor, stated the school board chair and Doug Conway, president of Paraprofessional's association are here and there were two people on the school board that did vote in the opposition. He feels there is a lot of misinformation out there. In terms of 100 sick days there were always 100 days sick of time. In the health care the contract identifies about 85%, 18 of the Paraprofessionals currently participate in the healthcare plan. They only have eligibility for a single health care plan. We have employees of that 18 whose entire paycheck goes to the healthcare plan. Dr. O'Connor explained some of the negotiated items in the contract. He does not see a mass sign up for health insurance for the 158 employees. He continued Miss Hooper was actively involved in the negotiations and he wishes she could have been here. Mayberry asked Dr. O'Connor about the 158 people and 85% of them could be eligible. Motion to adopt failed on a roll call 1-5 vote with Perry the only one in favor.

Hindle declared a 5 minute break.

4. **Resolution RE: Establishment of Ad Hoc Financial Planning committee to Review City Financial Policies. Sponsored by Councilor Robert Lewis.**

The Mayor called the meeting back to order and stated item 12B-4 pulled.

5. **Resolution RE: Award of Purchase Order for Continued Citywide Mosquito Control Spraying Services. Sponsored by Mayor Scott Myers, by Request.**

Hindle declared items 12B5- 12B11 will become consent items DeDe seconded the motion with all in favor. On item 12B- 5 there is a typo and one of the r's is missing, it should be spraying, Keays noticed on some of these purchase orders that there is only one bid; Joyal says for example on the library books we get far better pricing than individually priced contracts. Hindle stated point of order we will need to pull this out if there are individual questions. Hindle moved to pull item 12B-6, Colwell Ellis asked for item 12B- 8 to be pulled, Perry seconded the motion. Motion to adopt items 12B-5, 7, 9, 10 and 11 passed on a roll call vote of 8-0

6. **Resolution RE: Award of Change Order for Whittier Street Bridge Interim Repairs. Sponsored by Mayor Scott Myers, by Request.**

Hindle moved seconded by Mayberry to adopt. Joyal explained the change order. Keays had several more questions. Motion passed on a roll call vote of 8-0.

7. **Resolution RE: Award of Purchase Order for Motorola Radios Annual Maintenance Agreement. Sponsored by Mayor Scott Myers, by Request.**

Hindle moved seconded by DeDe to combine the following resolutions on a consent calendar with all in favor. Hindle moved seconded by DeDe to adopt. Motion to adopt items 12B-5, 7, 9, 10 and 11 passed on a roll call vote of 8-0.

8. **Resolution RE: Award of Purchase Order for Continued Purchase of Liquid Propane Gas. Sponsored by Mayor Scott Myers, by Request.**

Hindle moved seconded by Mayberry to adopt. Colwell Ellis asked why they have not gone out to bid because there are so many companies of this nature around. Why didn't it go out again, the vendor offered to reduce the price by 5 cents to 1.24 per gallon and for this favorable rate and we would not do better if we went out to bid for example last month we did go out to bid, Joyal says we will have some savings by going with this bid Motion passed on a roll call vote of 8-0.

9. **Resolution RE: Award of Purchase Order for Various Automotive Parts and Supplies. Sponsored by Mayor Scott Myers, by Request.**

Hindle moved seconded by DeDe to combine the following resolutions on a consent calendar with all in favor. Hindle moved seconded by DeDe to adopt. Motion to adopt items 12B-5, 7, 9, 10 and 11 passed on a roll call vote of 8-0.

10. **Resolution RE: Award of Blanket Purchase Order for Both Children's and Adult Books. Sponsored by Mayor Scott Myers, by Request.**

Hindle moved seconded by DeDe to combine the following resolutions on a consent calendar with all in favor. Hindle moved seconded by DeDe to adopt. Motion to adopt items 12B-5, 7, 9, 10 and 11 passed on a roll call vote of 8-0.

11. **Resolution RE: Award of Bid #B06002 for #2 Heating Fuel Oil and Diesel Fuel. Sponsored by Mayor Scott Myers, by Request.**

Hindle moved seconded by DeDe to combine the following resolutions on a consent calendar with all in favor. Hindle moved seconded by DeDe to adopt. Motion to adopt items 12B-5, 7, 9, 10 and 11 passed on a roll call vote of 8-0.

12. **Resolution RE: Renewal of License Agreement with TYRA Inc. Successor to S&H Enterprises, Inc. (and Sara Davis and Henry Sanborn). Sponsored by Mayor Scott Myers, by Request.**

Hindle moved seconded by Mayberry to adopt. Perry has concerns about this TYRA was not a licensed gravel pit but he does not know if it is now licensed, the reason was the method of operation and the lack of a response to the cities request for operation. He notices a clause about the storage of materials and the Planning Board is considering added language because this is in the aquifer recharge area; he is not in favor and does not think this recognizes the real situation; he does not want to sign this agreement in the form that it is currently in.

Mayberry wants to know what we get out of this, and do private sand pits have to have monitoring wells. Trefethen confirms they have to have monitoring pits and this is one of the issues with regards to this and they are still under suspension by the Planning Board for their operation. Trefethen says we made separation of a prior issue, we have a landowner's issue of getting to his pit and issue number two is the stored materials. Mayberry wants to clarify and have the language tightened up and get Dean Peschel involved, DeDe wants to add the element of a performance bond. Hindle made a motion to table and motion was seconded unanimously and all voted to table this item.

13. **Resolution RE: Approval of Lease for the Children's Museum Use of the Butterfield Memorial Building. Sponsored by Mayor Scott Myers, by Request. (to be referred to a public hearing and vote at Special Meeting to be held on August 17, 2005)**

Hindle moved seconded by all with all in favor of referring.

C. ORDINANCES IN 1ST READING

1. Ordinance #17-08/10/2005, Chapter 166, Vehicles and Traffic, Section 166-57, Schedule J, Limited Time Parking, 30 minutes, Central/Hale and Central/Second. Sponsored by Mayor Pro Tem Jason Hindle, TAC Chair. **(To be referred to a public hearing on September 14, 2005)**

Hindle moved seconded by Mayberry to refer to a public hearing on 9/14/2005 with all in favor.

D. COUNCIL CORRESPONDENCE

1. 2005 Charter Commission – Final Report
2. Wetlands Application – City of Dover (83 Spur Road)
3. Wetlands Application – City of Dover (Sullivan Drive)

Hindle moved seconded by Mayberry to accept the final charter commission report and to place on file items 2 and 3 with all in favor of the motion.

13. COUNCIL MATTERS OF INTEREST

Perry asked about the process to get the Charter Commission's report on the ballot. Joyal says by accepting the report it will go to the voters in November.

Perry then asked about the abatement process that Don Medbury was talking about. Joyal says Mr. Medbury raised a good point for folks if they have any questions to get answers about the process. Also there are other avenues that are available to taxpayers besides the board of appeals. Hindle stated on that note would it be possible to get an outline on the website on how residents can go through the process.

Keays asked why no work is being done on Hancock Park because we have appropriated the \$140,000 for this purpose last year.

14. ADJOURN

Hindle moved seconded by all with all in favor at 10:15 pm.

Judy Gaouette, City Clerk