



City of Dover, New Hampshire

288 Central Avenue, Dover, NH 03820

www.ci.dover.nh.us

You are cordially invited to attend three City Council Orientation sessions where you will be briefed on subjects pertaining to your role as a City Councilor.

City Council Orientation - Session I
December 5, 2005; 6:30 pm
City Council Chambers

1. Rules of Procedure
2. Meeting Agenda
3. Code of Conduct
4. Constituent Services
5. State Legislative Resources

MINUTES - City Council Orientation - Session II
December 12, 2005; 6:30 pm
McConnell Center Library

Those present: Councilor Elect Harvey Turner, Catherine Cheney, Dennis Ciotti, David Scott, Councilors Doug DeDe, Deputy Mayor Jason Hindle, Mayor Scott Myers. Also present City Manager Mike Joyal, City Clerk Judy Gaouette, City Attorney Allan Krans, City Finance Director Jeff Harrington. Councilor Bob Keays arrived at 7:00 pm, and Councilor Dean Trefethen arrived at 7:20 pm.

The Mayor opened the meeting stating he would like to have a goal setting session on Saturday, February 11th with a tour of facilities after including the WWTP, CS, Ice Arena, Recreation @ the McConnell Center, and Fire Stations. DeDe stated he has a conflict with a Rotary event that same day. The Mayor also mentioned car pooling for rides to the NHMA training event on January 28th.

The Mayor asked them to turn to Tab 21 and asked City Attorney Krans to explain. Krans reiterated what he said last week and urged them to come speak with him if they have any issues. He proceeded to explain RSA 91-A meeting aspect and the NH State Constitution. Government should be open, responsive accessible and accountable, all the power is with the people, openness is essential to our democratic government. Meetings must be open - non public meetings occur from time to time. He referred to the booklet "Knowing the Territory" on page 43 and 45 that has specific procedures and must have a reason. There will be a majority vote by roll call and the minutes become public unless voted on to be non public. DeDe thinks there is a conflict on page 42 as chance meetings happen and two or three members may need to confer and as a new councilor he felt a responsibility to discuss with fellow councilors. He thinks they were only trying to provide a public service but they were vilified. Krans thinks if only up to five people are at one of these meetings; then it should be OK. On the issue of email, Krans explained there will be legislation from the general Court this year in the form of a house bill to amend this. If a group can communicate contemporaneously this may be a problem. Hindle stated if sending communication to the as a whole with what a statement that says "what are your thoughts", this could be a problem. The Mayor noted if three of anybody get together and reach a consensus with no quorum this is a grey area.

Social situations are OK according to Krans as well as two way communications but serial emails are questionable. Joyal stated if asking or conveying information but if advocating a position it should be done in a public forum. He wants them to keep in mind the intent of open meeting law. He explained to them to be careful of three or four councilors meeting together. Lewis had suggested that we should have a public email policy and feels this may be the way to go. Hindle want to follow the State proposed legislation. The Mayor noted you may vote to suppress the minutes but

you can go back and release them later. The Mayor invited the new Councilors to the Wednesday night non-public meeting. Councilor Scott wonders why they are considering contracts now with a cost impact to the taxpayers. The Mayor says they have been involved with labor negotiations for about a year now and these are ongoing items.

Joyal says to follow-up onquestion on non public meeting, they will be invited to serve generally there is a presentation for the councilors to discuss and the city manager will keep them apprised if there is a question on contract negotiations but the city manager may ask that they suppress the minutes until the negotiations are complete. Also it is very unusual to open suppress minutes. Joyal continued there are two types of meetings not open tot the public one is an executive session and the other is a non meeting these are the exemption to the right to know law. The Mayor stated in answer to Councilor Scott sometimes there is a time limit for acting on contract negotiations. The Mayor stated in answer to Councilor Scott sometimes there is a time limit for acting on contract negotiations. Joyal mentioned the posting of notice of meetings and how they have to be done on time.

Tab 22 - NH public sector labor law. Krans explained the State municipal relationship found on page 19 of "Knowing the Territory". Local government comes by their authority from the state we need to find the authority in state law. Town RSA's apply to cities as well, he asked them to turn to page 19 and 20 of the booklet. The City Council-City Manager form of government the city council are the policy setting body, their main function is to set policy for the city. The difference is between setting and executing it. The City council hires only one employee, the city manager. Our charter says they set policy; we also have a non interference clause; it is informational it is allowed. On the subject of confidentiality, Krans stated when you are a city councilor you will be privy to confidential information and required to keep it secret and not reveal it to others, this is part of their responsibility. Communications with the city attorney are confidential a waiver would come from the body. Trefethen asked some items are marked and some are not marked confidential, is this our practice, Joyal confirmed items should be marked confidential if they are. Tab 22- Joyal explained the labor law RSA 273A-public employee labor act by Tom Flagier who was involved with the school board as the chief negotiator a few years ago. DeDe says it is an oddity that the school board is the designated entity to negotiate school contracts. Joyal stated the school board is the administrative⁴ body for the school department; the city is the opposite where as the city council is the legislative body. Joyal says in 273A the RSA establishes a public labor relations board that monitors the law and unfair labor practice with appropriate sanctions. Also 273A outlaws public strikes and they must maintain the status quo; so there is some equity at the table neither side can change a contract until there is any agreement. Joyal stated our work force is mature in Dover. DeDe stated on the status quo old raises would they still go through. Joyal says it depends on the type of raise being considered. Mayor Myers says about half of the employees have been at the top of the pay scale for their position. Joyal listed the assorted city concerns. Because of 273A's existence we have 7 contracts which all expired on June 30 2005; there is a strategy in negotiating all of them at once. Negotiations start 6 - 12 months before the expiration of a contract. The process starts with the administration approaching the council and providing background seeking guidance from the council insurance is a concern as well as wages. Joyal continued to explain the negotiation process all the way through fact finding and if the council rejects the fact finders report the negotiations start all over again. The Mayor cautioned if the contract is voted down it is still a confidential document. Joyal mentioned the 20 year health insurance benefit that is now grandfathered.

Submitted by
Judy Gaouette,
City Clerk

1. Local Government & NH Law
2. Finance Overview
3. Budgeting Processes

City Council Orientation - Session III
Date and Location to be Determined

1. Municipal Services/Facilities Overview
2. Project/Program Updates
3. Goal Setting

Scott Myers, Mayor

DOVER: First in New Hampshire, First with you