



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, May 28, 2008**
Meeting Time: **7:00pm**

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Councilor McCusker led the Pledge of Allegiance.

3. ROLL CALL

Present: Mayor Myers, Councilors Callaghan, Cheney, Dede, McCusker, Scott, Trefethen, Weston. Also Present: City Manager Joyal, City Attorney Krans, and City Clerk Lavertu. Councilor Cheney filled in as Deputy Mayor.

4. PROCLAMATIONS – AWARDS

5. APPROVAL OF AGENDA

Councilor Weston moved to accept agenda; seconded by Councilor Dede.
Vote: 8/0.

6. CITIZEN'S FORUM

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

Marilyn Follansbee, 25 Dover Point Road: She wanted to commend the Council on their work on the budget. She also commended the Department Heads for their presentations. She asked the Council to reconsider money for the rugs for the Library, and make sure it made it back into the budget. She asked; if it had to be cut this year, that the Council makes it a top priority for next year. She said a senior citizen with a cane might get hurt tripping on the existing rugs. She also discussed the road sweeper. She said she believes the City Manager when he says we need a street sweeper to follow EPA specifications. She said that she doesn't want her money as a taxpayer put into a 15-year-old street sweeper, which will probably break down again. She does commend City Maintenance for keeping the City's equipment in shape, but feels that in the long run it will save money if the City bites the bullet and buys the street sweeper. She said she was happy that the Council couldn't see the markings in the street either. She said she will be so happy when they are painted. She said that every year people are unhappy with the budget cuts, and this year will be no different, and she knows it is very hard for the Council. She said she felt that a charter change should have to wait at least nine months before any vote can take place, and that would let people have a way to adjust to the change. She said she felt that this spending limitation came too soon. She said the Council gets all the blame for taxes going up, and not the County or State. She congratulated the Council on not giving themselves a raise. She does think they are doing a great job.

Sharon Reynolds, 34B Court Street, Member of Friends of Dover Public Library: She spoke of the wonderful services offered by the Dover Public Library. She spoke of Cathy



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Bowdoin's presentation on the FY2009 Library Budget. She said if the budget is approved, Dover Library will be open fewer hours than any other New Hampshire public library of similar size, and with a substantially smaller materials budget. She said if the fine and fee structure is approved by the Council, it will be the only library in New Hampshire that will charge for meeting room usage. She said that since FY2004, that expenditure for the Library has raised \$66,844. She said that a budget of \$1,062,743 is proposed for this year. She said that was an increase of 6.7% over five years, or 1.3% per year, which is lower than inflation. She said staff hours have been reduced by 115 hours per week in the past two years. She said that even though book prices have increased, the Library's book budget has remained level funded since 2003. She said that 87% of Dover's populations are resident card holders. The circulation is 11 checkouts per capita; the national average is 7.3. Material expenditures is \$3.25 per capital; the national average is \$4.00. Cost per circulation is \$3.78; the national average is \$4.30. The website is getting 1.925 million hits. She wanted to reiterate this to the Council, because the citizens are using the Library in a number of ways. She spoke to the \$55,000 reduction in hourly part-time staff, eliminating 75 part-time hours each week. She said that the Library newsletter will no longer be funded, and the automatic holds will stop. She said that Dover Public Library is the seventh largest library in the State, 6th in circulation, 12th in full-time equivalents, third in population served, and first in circulation per full-time equivalent. She said that the City ranks well, and she hopes it continues to rank well. She said it ranks 15th for hours opened. She said she hopes the Council will consider helping the Library, because it is serving everybody in the community. She said it is one of the few City services that people seek out and benefit from.

Bart Jordan, 303 Central Towers: He spoke of the Library and said that it is the core of any community. He spoke of the crosswalk that is in front of Central Towers that goes to City Hall Market. He said he was 70 years old, and most of the residents in Central Towers are older. He said they move slowly. He said the crosswalk is a nightmare. He also talked of the bus stop and how it doesn't have any side panels on the shelter. He said he understood from Coast Bus Lines that the side panels are waiting to be installed by the City. He said there is a parking spot in front of the bus shelter and he said it was an accident waiting to happen. He said the bus driver, because of his elevated position, can see someone in the crosswalk, but someone in a car cannot see anyone. He suggested that the City get rid of that parking spot.

Mark Visciano, 185 Locust Street: He said he wanted to address the safety of the roads, because there is little or no paint on them. He said it is hard to tell which lane to be in when there are no marked lanes.

Harvey J. Lynch, 26 B Lincoln Street: He said he was displeased when the speech of the State Representative was cut short. He felt a little more courtesy was due toward him.

Raymond Bardwell, 199 Spur Road: He said crosswalks are an issue. He said people step into the crosswalk and feel it is their domain. They don't look, but just step and go. He felt that should also be addressed.



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Donald Medbery, 3 Covered Bridge Lane: He spoke regarding the Library. He said he knew many people who tried to volunteer, and were told that people get paid to work at the Library. He said he admired Mr. Bleiler for apologizing for his mistake regarding teachers' salaries. He said the citizens of Dover are overdue an apology for misguidance and mismanagement of the City's finances, for projects that were needs, but classified as wants. He said the City Manager and City Council spent taxpayers' money voraciously on wants with no regard to debt service incurred by poorly managed engineering projects, plus sweetheart deals for big developers. He said Dover salaries and benefits far exceed the private sector in the area. He said the City deserves an apology for the inept negotiating skills by the City Government in regards to the contracts for buildings, road repairs, waterfront projects, and Children's museum. He asked again: where are the apologies?

Edward Bleiler, 28 Isaac Lucas Circle: He spoke of the crosswalk issue. He met with the ex-Police Chief about this issue four years ago. He felt that the pedestrians think they can just walk out into the crosswalk because the City has signs that say the cars have to stop for pedestrians. He remembers growing up and seeing the signs that said: Stop, Look and Listen. He said we have to get it back to the pedestrian that they have at least 50% of the duty to save their own skin, and that it is not just the responsibility of the automobile owners. He said the police chief told him it was a Community Service issue. He never went to Community Services at that time. He asked the Council to go to Community Services to have them make some signs that remind people to Stop, Look and Listen.

Mayor Myers, seeing no one else wishing to speak, closed Citizen's Forum.

7. PUBLIC HEARINGS

**RESOLUTION RE: FY09 BUDGET APPROPRIATIONS, FEES AND CAPITAL IMPROVEMENT PROJECTS
- CITY PORTION ONLY**
SPONSORED BY MAYOR MYERS BY REQUEST

Aaron Wensley, 2 Hartswood Road, Representing Dover Main Street: He said he realized that Dover Main Street was just one of many programs and positions that are facing funding cuts from the City Budget this year. He told the Council what set Dover Main Street apart from the other issues. He explained how the program works. He said that one of the requirements is that 1/3 of the funding must come from the municipality. He said they would lose their accreditation if they didn't get it. He discussed what Dover Main Street has done for the City, including the Reveal Productions, Banner Program, and Spring Clean-Up Day. He said if Dover Main Street remains, they will be adding a Fall Clean-Up Day. He said they were also looking to take over the Adopt-a-Spot Program at the City's request. He said the most important issue is that Dover Main Street qualifies as a 501C non-profit organization. This means they have obtained a lot of government grants. They received a \$35,000 grant for wireless access in the downtown area, a \$50,000 grant to improve the façade of Harvey's, a \$6,000 grant for the tourism brochure. He brought this up because some have said that what Dover Main Street does can be turned over to the Chamber of Commerce, but since the Chamber of Commerce is not a non-profit organization, they don't qualify for these grants. In past years Dover Main Street has received \$22,500 from the City, but this year with the budget restraints, they are



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asking for \$15,000. He asked the Council to look at the items that give the most return, and felt that Dover Main Street was one item that would give a return on their investment.

Gregory Goodwin, 54 Watson Road, Member of Friends of Dover Public Library: He said he uses the Library often, and sees that it is a well-used resource by the community. He asked the Council to consider some funds for a partial restoration, for safety issues. He said he felt it was a deep cut to the periodicals, down to \$2,000. He said libraries should have periodicals. He asked the Council to consider restoring some of the money, because he felt it would be a great service to the community.

Jack Story, President, Greater Dover Chamber of Commerce: He asked the Council for continued funding for the Cochecho Arts Festival. He told the Council the history of the Cochecho Arts Festival. It began in 1987, when the Chamber accepted a challenge from an anonymous donor to match a gift to create a summer music festival. He said that with the City's grants they were able to produce an arts festival. He said that in 1989, the third year of the festival, the City substantially reduced its support. He said that put them in financial difficulty and created doubt that the concerts would continue. Fortunately, with the increase of sponsorship they were able to continue. He said for 21 years the Cochecho Arts Festival has brought national and local talent to the City of Dover. He said this year would consist of an eight-week children series on Tuesday mornings, a seven-week luncheon series on Thursday produced of Radio WSHK, and the signature eight-week Friday night concert series. He said that the Cochecho Arts Festival will continue next year without funding, but he could not predict what the \$15,000 cut in the budget will do to the festival. He asked the Council to continue the support for the Cochecho Arts Festival. He referred the Council and City residents to the website for further information regarding the Cochecho Arts Festival:
www.cochechoartsfestival.org.

Wes Tader, 12 Landing Way: He works for Grubb & Ellis Real Estate Advisors, the firm that DBIDA has contracted to help the City with the sale of property at Enterprise Park. He wanted to speak regarding his support of the position for an Economic Developer, with full funding of \$135,000. He says communities that have Economic Developers find them invaluable. They serve as an interface between companies that are looking at coming to a community and the community itself. They are aware of what is going on in a community, what the issues are, what the conversations are, so they can serve as economic ambassadors to prospective companies. They are also in touch with the business community. He said that the City has felt the absence of an Economic Developer in Dover in the last 15 to 18 months. He would like to see that position reinstated. He said he was impressed with the presentation done by Tim Dargin and Brian Gotlob in support of this position, in early April. He said the question of how to measure the accountability of the position still needs to be worked out, but he would like to see the Council step up and fund the position.

Cynthia Copeland, Executive Director, Strafford Regional Planning Commission: She said that the annual dues request for the City of Dover for FY2009 is \$18,387. She said it was the Commission's understanding that this request was included in the Planning Department's Budget, but was removed from the City Manager's Proposed Budget to meet current fiscal



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constraints under the tax cap. She said the Strafford Regional Planning Commission Executive Committee met on May 15, 2008, to discuss their budget plan for FY2009. She said the Executive Committee asks the Council to give due thought to the City's continuing membership to Strafford Regional Planning Commission. She went over the reasons why it was important for the City to continue their membership. She said that the Strafford Regional Planning Commission is here in Dover to ensure that State and Federal agencies accurately understand Dover's perspective, and the ensure that needs and projects are completed to everyone's satisfaction. Secondly, she said the Executive Committee appreciates the leadership function provided by Dover over the last 39 years of their existence as a political subdivision of the State. Thirdly, she said the offices of Strafford Regional Planning Commission are in Dover, their staff lives in Dover and they contribute to the tax base of the City. Finally, she said that Strafford Regional Planning Commission acts as a metropolitan planning organization, a federally required entity for transportation, planning and project implementation. She said that through the NPO functions, federal funds are authorized by New Hampshire Department of Transportation for every single transportation project in the region. She talked of what lies ahead in FY2009 for the continuing partnership between Dover and Strafford Regional Planning Commission. First, Strafford Regional Planning Commission is proposed to work with Dover and Somersworth citizens and DES staff on the Willand Pond outreach plan, and education contained in the 319 grant. Second, Strafford Regional Planning Commission is a member of the Natural Resources Outreach Coalition Team working in Dover on storm water regulations and outreach activities with the citizens of Dover. Third, Strafford Regional Planning Commission is working with New Hampshire Homeland Security and Emergency Management Staff, proposing to work with Dover staff and citizens on the updated local hazard mitigation plan, incorporating data from the 2006 and 2007 flood events. The Dover Park and Ride will be opening this summer, and will be a full build-out of 415 spaces. There will be expanded C&J Trailways and Coast Bus Services. A bi-state summit on Downeaster's Services, on April 30, 2008 was held to spur state-wide interest in securing future funding for the continuation of the Downeaster. The Dover Community Trail will begin construction in the coming months. In conclusion, the Executive Committee asks the Council for their full support for the Strafford Regional Planning Commission request from the City of Dover. However, they would ask that they consider two other options if payment is not possible: 1. The payment of the local match for the update to the hazard mitigation plan and the local match for the NPO contract with New Hampshire Department of Transportation. 2. Establishing a nominal placeholder in the Planning Budget for Strafford Regional Planning Commission for unknown projects in future budget year discussions, because the door is open and we want to be a partner.

Edward Bleiler, 28 Isaac Lucas Circle: He said if they took his suggestion the Council could finance everything that everybody asked for and still have a lot of money left. As he said last week, if you make a mistake, take a licking and move on to bigger and better things. He said he had some major concerns. It is his belief that the City needs a wage and salary freeze to help alleviate the burden on the taxpayers of Dover. He said the City shouldn't hire a City Engineer, and should instead allow the second in command to take over the duties of the engineer. He said the City should eliminate the mounted patrol, because it should not be considered a necessity. He said that the Resolution on the Economic Developer has many unanswered questions. He said it appears that the City taxpayers are going to be responsible for worker's



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compensation, health insurance, life insurance, retirement, office space, and the list goes on and on. He said that the Economic Developer will not be hired and sign an employment agreement. He wanted to know who this person would work for. DBIDA forms a committee and the taxpayers hold the liability. He said the Council should get a commercial real estate company to market the City. He said it would cost the City nothing. He said if they market the property the City would pay 6%, and if they don't market the property the City could get rid of them. He said the City would be stuck with an Economic Developer. He also questioned the Resolution for the transfer of funds. He doesn't see where the funds would be taken from. He wanted to make the citizens aware that the list is in the amount of \$770,000. He asked all of the Councilors to put the Teen Center on the top of their list of concerns. He hopes the grant will fund this group for three years. He said saving a teenager means the money will be returned many times over. He referred to the Foster's Daily Democrat article stating that a home assess at \$259,688 will have a tax bill of approximately \$5,257. He asked if that meant a home valued at \$500,000 or more will be paying a tax bill of over \$10,000. He reminded the Council that Massachusetts has lived under Proposition 2½ for twenty years and is doing well. He said Dover had a 2.8% tax cap, and he is sure that with the excess fat in this year's budget that Dover can move under it.

Sharon Reynolds, 34B Court Street: She spoke of the love affair with the Massachusetts 2½ tax cap. She said she grew up in Massachusetts and was there when it first passed. She said her school used to win art awards, but didn't after the students didn't have the guidance of a great teacher. She told the Council that she was in school at the time and the high school lost some fantastic teachers. She said it definitely had an effect on the success of students. She also said that a lot of communities have made attempts to override Proposition 2½. She asked if it was so wonderful, then why do so many communities want to obliterate it? She said she just wanted the Council to consider that in future considerations.

Harvey J. Lynch, 26 B Lincoln Street: He reminded the Council that they had a lot of problems with the previous Economic Development program and decided not to fund it. He mentioned the MACO Deal and a few others where the City lost hundreds of thousands of dollars. He doesn't think it is a good idea to do it again.

Donald Medbery, 3 Covered Bridge Lane: He wanted to speak on Proposition 2½. He said schools shouldn't expect to win art awards every year, and that really isn't the issue. He said Proposition 2½ has been there a long time, a lot communities have attempted to override, where some communities have had overrides and other communities decided not to override it. He wanted to respond to the remark made about Mr. Brian Gotlob when he spoke earlier in the year. He said that Mr. Gotlob wanted to attract higher-educated people to Dover, and he felt like Mr. Gotlob was saying they were a bunch of goofballs and dummies that should be displaced by higher paid smarter people, who couldn't carry our bags across the street. He said that he didn't want to be in the Council's shoes in trying to figure out this budget, because he felt it was difficult to work with a system where all of a sudden the brakes are put on, and they have to stay within a certain number. He said we are now in a serious recession and the City is not prepared to face it head on, with declining real estate values, tremendous increases in energy cost, food and travel costs. He said they need to take a closer look at contract negotiations and



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take away some benefits. He said the City needs to take away car allowances, because he doesn't think it is really needed or justified. He said the City needs to get to the bone, but that doesn't mean setting up a school budget where the children don't learn. He told the Council that this is the most difficult year they were going to have with the spending cap, but that it is not the end, because we're looking at 18 to 24 months of real hard economic times. He said the Council needs to work together as a unit, or the City will be in one hell of a fix by the end of it. He said by working together the City should listen to volunteers who want to work in the library, instead of being told to go home, then paying people to do that job. He said there are plenty of retired people in the City that could work in the Library.

Raymond Bardwell, 199 Spur Road: He told the Council that they have a very painstaking job to do this year. He asked the Council to focus on and get Community Services to reevaluate the City's road rebuilding program. The City did Sixth St, Fourth St, Willand Avenue, Henry Law Park, and Tolend Road. He said maybe we don't need the Cadillac Road, but a Chevy Road instead. He said he saw his own road paved six or eight years ago, and he spoke with Community Services, because the drainage ditches were not cleaned out. He was told they needed a wetlands permit. This was supposed to be done four or five years ago and it still hasn't been done. After this winter, the road is starting to deteriorate on the shoulders, even though it is considered a newly paved road. He said if the City is paving roads for a 20 year payback without maintaining the roads, then the road will be junk again after 20-years. He said the City needed to put out major contracts to do the street maintenance throughout the City. He said the City would be bankrupt trying to rebuild every street, and he recommended the City use infrared heating of joints, mixing new hardtop, and fixing irregularities. He felt that the City needed to re-address the utilization of the funds and not just do a major reconstruction, because the City is not maintaining the streets we have. He also said that the sand pits should have scales. It should be by ton and not by surveying, because that is the true value. He said he thought the Council had a tremendous job to do, and should reconsider some of the programs the Council has.

Bart Jordan, 303 Central Towers: He spoke on the Library and Education. He said the Budget has to reflect virtually as much as can be brought to bear on the retention of all services that motivate the young, and those who are in the act of framing their lives. He said that they are the community. He said it troubles him that the Library hours have been cut. He said the people at the Library are very good at their jobs, very helpful, and cutting the hours means permitting less access to these people. He said to keep cutting the budget the Council is taking the life and blood out of the minds that are here tomorrow and the day after. He asked the Council to reconsider.

Mayor Myers referred the Council to a submission from Tim Dargin, 5 Hawthorn Road, and Chairman of the Dover Business Industrial Development Authority. Mayor Myers read it into the record.

Mayor Myers, seeing no one else wishing to speak, closed the Public Hearing.



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8. CITY MANAGER'S REPORT

City Manager Joyal first addressed issues mentioned in the Citizen's Forum. He said he will have the staff follow up on the crosswalk issues in front of Central Towers and Cumberland Farms, and discuss it with the Transportation Advisory Commission. He said the bus stops actually belong to the Coast organization, and he will have staff look into it with them. He mentioned that the Council did approve a vendor contract for the line painting, and he expects that to begin next week. He said there are a few reasons why the roads are so bad. First, the severe winter we had, and all the sand and salt, has scoured the roads like sandpaper. Second, the City only has one street sweeper, and the streets need cleaning before they can be painted. Third, the specific paint being used needs consistently warmer weather for it to adhere to the roads. He said most of the crosswalks are completed, because they use a different type of paint that isn't affected by the weather. He spoke about volunteers being turned away at the Library. He asked that anyone interested in volunteering at the Library please contact the Library Director. He said that to his knowledge, no one has been turned away who had the capability or capacity to volunteer. He said there is one thing that might not be understood by most folks, and that is that the City cannot put a volunteer in a full-time position. He said there are Department of Labor issues, and they won't like the City putting volunteers in positions where they shouldn't. He said volunteers are welcome in any City department. He said that the City has been awarded the grant for the Willand Pond project, and has solicited bids for a consulting firm to do a study of the water quality remediation efforts. He said there is an outreach component, which Strafford County Planning Commission will be performing as part of the grant that the City received, so a piece of the grant funds will be paid directly to them. He said this Friday will be the final meeting with staff to negotiate with the consulting people. He expects to get approval by the Willand Pond Committee. He said it will then come to the Council for final approval. He mentioned that EPA has agreed to a consent decree, which allows the City to proceed with pump and treat methodology at the Tolend Landfill. Councilor Cheney asked about the EPA decree, and what was involved in the 30 day public period.

City Manager Joyal said that when EPA enters a consent decree, there is a 30 day period of time where anyone has access to it and can provide comments to the EPA. He said that barring anything coming out of that comment period, the consent decree is formally implemented by a court order.

Councilor Cheney asked if they are consenting to the remedy that was presented to the Council. City Manager Joyal said that was his understanding.

Councilor Cheney asked if this was going to be available on the EPA's website.

City Manager Joyal said there is a specific website for the Dover Landfill. He said you can get to it through the City's Website and look for Tolend Landfill, where there is a link, or go to EPA's website and look for Super Funds site.

Councilor Cheney asked if Dean Peschel, Engineering Projects Manager, needed to give the Council an update on this.

City Manager Joyal said that could definitely happen if the Council wanted it. He said he doesn't feel there were any significant changes from what was discussed a few months back. He was planning on a workshop session on it sometime this summer, to discuss what would happen after the consent decree was finalized.



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Councilor Callaghan referred to the mention of outside counselors being hired in the report, and the pending claims with the Local Government Center. He asked if the Council could have a monthly meeting to receive more detailed explanations of what all these activities are, and if it would have to be an Executive Session.

City Manager Joyal said he would be happy to discuss these issues with any councilor in his office. He said they could talk with the City's Attorney about these issues. He said it could also be discussed, at the Council's discretion, in an Executive Session with the City's Attorney. He said that the issue with the Local Government Center, which is not a non-public issue, deals with an insurance agreement. The City Attorney is simply reviewing the provisions of that insurance agreement to make sure we understand what our coverage is. In this particular case it has to do with the flooding, and making sure the City received all the funds that were properly due from the Local Government Center.

Councilor Callaghan asked about the status of forwarding emails.

City Manager Joyal said the Council had to set up two rules. One to have mail go to whatever private address you want it to go to, and the other address would be to send it to a subaccount of your City account, and you can then access it that way.

Councilor Cheney asked if they were going to set this up, or if the Council would just request that the City Manager do this for us.

City Manager Joyal said there were two issues that have to happen. First, the Council has to change the policy, because currently the city doesn't allow the conducting of City business in any outside email. Second, it would be better if the Council set it up themselves, because otherwise the City has to have access to their accounts.

Councilor Cheney said they had set up the rules, but that the process was stopped because of security. She asked if the Council needed a resolution.

City Manager Joyal said he needs some direction from the Council, and suggested a resolution to make it lasting and specific, particularly with the Right to Know issues.

Councilor Callaghan asked about the policy for private emails to be used.

City Manager Joyal said it was just for City business.

Councilor Callaghan said it was a standard practice with many committees and boards. He said he believed that the entire School Board has private emails.

City Manager Joyal said he had no control over the School Board. He said he has made email accounts available to all Boards and Commissions, but administratively he has no control over them, and if they want to use private emails they can. He said if it is the Council's decision to allow private emails for City business, then they should make it a City-wide policy for all Boards and Commissions.

Councilor Callaghan said that would be exclusive of employees.

City Manager Joyal agreed. He said that he controls what the employees can do with the account.

Councilor Cheney said she still has to use her City account.

City Manager Joyal said they would basically have two accounts. One account would be, in the example of Councilor Cheney, c.cheney@ci.dover.nh.us. You go into that account and create two roles. The first rule will say to resend it to personal address. The second rule would be to send it to a subaccount, which could be c.cheney1@ci.dover.nh.us. The account you would log in to for City business is c.cheney1. When you reply to someone it will just show c.cheney, and they will not know the difference.



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Councilor Callaghan asked if the Council could have a listing of all overdue property taxes for the meeting on June 10, 2008; which includes how overdue the taxes are, the property involved, the property location, the amount due and the assessed value.

City Manager Joyal said this has been requested before, and the issue was that it could not be compiled that quickly, because it takes time for the accounts to be reconciled. He said he still would ask the Council to wait, because it is year end, and he has to close the books, and prepared for the auditors who are coming.

Councilor Callaghan asked if the Council could get some type of report for July.

City Manager Joyal said it might not be accurate, because the City hasn't had a chance to reconcile with our bank statements, which the City would get in July.

Councilor Callaghan said he understood that, but he wanted an idea of what revenue hasn't been taken in yet.

City Manager Joyal said it wouldn't provide that information. He said it would be misleading because there are transactions that are not reconciled.

Councilor Callaghan asked if it was reasonable to have it in August.

City Manager Joyal said he felt that could be done.

Councilor Callaghan requested it for August.

City Manager Joyal asked the Council if that was something they would like.

Mayor Myers asked if there was support for that from the Council.

Councilor Trefethen said he understood what Councilor Callaghan was asking for, but he didn't have a clue of what could be done with that information.

Councilor Callaghan said most of the revenues of the City come through property taxes, and he wants to make sure the revenue is there. He said it was a double check to see what delinquencies the City has, and if there are any major issues that the City needs to be concerned about, as far as having enough cash to pay bills.

Councilor Trefethen asked if Councilor Callaghan felt the City Manager and his staff would not alert the Council of this. He said something like this happened in the early 90's, and it was fully discussed at the time.

Councilor Callaghan said the Council could give the City Manager direction on collecting the money. He said he didn't see why the Council shouldn't have this information, and he felt that until they have it, they don't know what they are looking for. He doesn't think the Council should wait for it to come up as a problem.

City Manager Joyal said the City puts out a monthly financial statement for that purpose. He said the City does produce a delinquent tax list for mortgage companies. He said the annual comprehensive financial report provides an accounting and history of uncollected taxes, because it is a reflection of the economy. He said it was also a precursor to cash flow problems that the City may have, which is why the City wants a healthy fund balance. He said he was fine with generating reports for the purpose of generating reports, but felt there were other reports already available that would address the question of how all revenues are tracked, and how uncollected revenues look at the end of the year, as part of the annual audit.

Councilor Callaghan said the report generated for mortgage companies might be able to answer his questions.

City Manager Joyal said he would get him a copy of it. He said he believed it only showed the current year, and does not show if the taxpayer owes for more than one year.



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Councilor Trefethen asked if the intention of this report is to be a public document. He was concerned that no matter what the cutoff date is, there will be people on the list that paid after the cutoff point and now their names are on this list indicating that they didn't pay their taxes. He said for the few that are a problem, to subject the average taxpayer to that level of scrutiny and embarrassment is not something he wants to be a part of.

Councilor Callaghan said if they don't pay their taxes on time then that is their problem.

Councilor Scott said he would like to have a copy of the report.

Councilor Cheney asked if this is a special report that the City Manager was going to produce.

City Manager Joyal said it was one of the items listed on the sheet sent out to the Council.

Mayor Myers said he had no interest in seeing that report. He said the monthly report shows us trends, revenues, and expenses. He mentioned the Arena report, which looked like it had extra money, but it was for the huge bond payment. He said being so close to payment-due time, he was not willing to subject individuals to it, especially in a slow economy. He told the Council to request the report that was requested by 91.A from the City Manager, but he would not support a new report be generated.

Councilor Dede referred to the email situation. He believes that there is no reason why the Council should not be using the City email. He does believe it should be a resolution, and he will introduce it. He felt there was no reason for the Council to go outside of the City email, and he felt it was crazy. He said they were waiting on this because they were waiting to find out what the State Statute is going to be, because it is his understanding that something is happening in Concord on this. He said it would be foolish to do anything with regard to policy prior to having that information.

Mayor Myers reminded the Council that this was the City Manager's Report section of the meeting, and that the email issue could be discussed later in Council Matters of Interest.

Councilor Cheney said it was a function that was always available until the City changed servers.

Councilor Weston asked the City Manager if it was possible to get a report on how much open space is available that is zoned for business, manufacturing, or office space.

City Manager Joyal said he could easily get the Council information from the Master Planning process, and a breakout of property type. He said there was also a map that showed what is available for undeveloped property. He said to give the Council a list would be something that an Economic Developer would be on top of, and something that the City doesn't have a handle on. He said the City relies on the real estate agents to keep us informed. He said that a complete inventory or list is something that the Economic Developer maintained. He listed a few properties and open land areas that he knew of because he has been showing them to potential businesses.

Councilor Weston said the map is what she is looking for, because she is trying to justify the need for the Economic Developer to people.

City Manager Joyal said that is a great question, because it is not just vacant land we're talking about marketing, but also the redeveloping of properties. He said he doesn't have a list of that, but will get her the map.

Councilor Cheney asked about the statistics on the indoor pool, on how it was utilized when it was opened in the summer.

City Manager Joyal said it was provided last week in an email.



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Councilor Cheney referred to the list of streets and when they were going to be done. She said she had asked for a new list of streets that would be done with the proposed budget cuts.

City Manager Joyal said that also was sent last week.

Councilor Weston said she was concerned about the liability with the rug at the Library. She asked if it was possible to do a section of the Library, because she doesn't want to see another lawsuit against the City.

City Manager Joyal said this is an issue in all City facilities. He said the proposed budget has funding to address specific areas that have created tripping hazards.

Councilor Trefethen made a motion to accept the City Manager's Report; seconded by Councilor McCusker.

Vote 8/0.

9. MINUTES

A. MINUTES FROM – MAY 7, 2008

B. MINUTES FROM-- MAY 14, 2008

Councilor Cheney made a motion to accept the Minutes; seconded by Councilor Dede. Councilor Callaghan referred to the May 14, 2008 minutes, Page 19 of 21. The third paragraph, last sentence, and the third paragraph on the bottom begins with: "Mayor Myers mentioned to Councilor Callaghan", and he believed that should have referred to Councilor Scott.

Councilor Cheney said she remembers that.

Mayor Myers asked him what he would like it to say.

Councilor Callaghan said he would like to make a motion to make those two changes in the minutes. Replace Callaghan with Scott after "Mayor Myers mentioned to Councilor...".

Replace Callaghan with Scott after "Councilor Weston made a motion to Councilor..."

Mayor Myers asked to make an additional amendment. He wanted it changed to "had spoken to it twice", because he wouldn't have cut him off for speaking to it twice, but had spoken to it twice.

Mayor Myers asked for a second on the changes to the minutes.

Councilor Scott seconded the motion to amend the minutes.

Mayor Myers asked the Council for a vote on the change.

Vote 8/0.

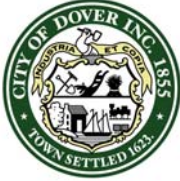
Mayor Myers asked the Council if they had further changes to the minutes.

Councilor Scott complimented the City Clerk for being very prompt in getting the Council the minutes.

Vote 8/0.

10. MAYOR'S REPORT

Mayor Myers spoke of ribbon cuttings he did for the Chamber of Commerce. He said it was great that there were a lot of new businesses in Dover. He said some of the issues he is working on with the Municipal Association on the Government Affairs Committee are coming up on the final wrap for legislative policy sessions. He invited the Council and the



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community to the Memorial Day ceremony on May 30, 2008 at the Pine Hill Cemetery. He noted that he had met with the new Commissioner of New Hampshire Fish & Game. Councilor Callaghan made a motion to accept the Mayor's Report; seconded by Councilor Dede.
 Vote 8/0.

11. UNFINISHED BUSINESS

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

12. NEW BUSINESS

A. CONSENT CALENDAR

- 1) RAFFLE-DOVER HIGH SCHOOL FOOTBALL BOOSTERS - CLASS CALENDAR FUNDRAISER
- 2) RAFFLE-DOVER HIGH SCHOOL FOOTBALL BOOSTERS - 50/50 RAFFLE
- 3) PARADE-DOVER YOUTH TO YOUTH
- 4) RESOLUTION RE: PURCHASE OF ROOT CONTROL SERVICES**
SPONSORED BY MAYOR MYERS BY REQUEST
- 5) RESOLUTION RE: CRACK SEALING SERVICES B08077**
SPONSORED BY MAYOR MYERS BY REQUEST
- 6) RESOLUTION RE: INFILTRATION AND INFLOW CONSTRUCTION PROJECT BELLAMY ROAD**
SPONSORED BY MAYOR MYERS BY REQUEST
- 7) RESOLUTION RE: SHORELINE STABILIZATION AT MAGLARAS PARK ENGINEERING OVERSIGHT BY GEOSIGHT INC.**
SPONSORED BY MAYOR MYERS BY REQUEST
- 8) RESOLUTION RE: SENIOR TRIP TO TAJ MAHAL ATLANTIC CITY, NJ**
SPONSORED BY MAYOR MYERS BY REQUEST
- 9) RESOLUTION RE: INFRASTRUCTURE AND WORK ORDER MANAGEMENT B08085**
SPONSORED BY MAYOR MYERS BY REQUEST
- 10) RESOLUTION RE: PUBLIC WIRELESS INTERNET ACCESS B08080**
SPONSORED BY MAYOR MYERS BY REQUEST

COMMITTEE REPORTS

- | | |
|--|--|
| 1. Appointments Committee | 8. City / School Joint Service Committee |
| 2. Arena Committee | 9. Solid Waste Advisory Committee |
| 3. Arts Commission | 10. Transportation Advisory Committee |
| 4. McConnell Center Committee | 11. Joint Building Committee |
| 5. Planning Board – Councilor D. Trefethen | 12. Recreation Advisory Board |
| 6. Cable Franchise Negotiations Committee | 13. COAST Bus |
| 7. School Board Liaison | |

Mayor Myers mentioned an additional Committee Report on the Council's desk from the Joint Building Committee.

Councilor Weston made a motion to adopt the Consent Calendar; seconded by Councilor Weston.



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Mayor Myers asked the Council if they had items they would like removed for further discussion.

Councilor Scott asked for Item 12.A.6., 12.A.7., 12.A.9., and 12.A.10.

Councilor Callaghan asked for Item 12.A.5.

Mayor Myers said the resolution for the Trip to Taj Mahal was for the Senior Center, not for seniors at the High School.

Mayor Myers asked for a vote on the remaining items of the Consent Calendar.

Roll Call Vote: 8/0.

Councilor Cheney made a motion to adopt 12.A.5.; seconded by Councilor Callaghan.

Councilor Callaghan asked if this was Operating Budget funds or Debt Finance funds.

City Manager Joyal said it was operating budget funds.

Councilor Callaghan asked if it was part of the Capital Improvements Program.

City Manager Joyal said no, it was a maintenance item in the Operating Budget.

Roll Call Vote: 8/0.

Councilor Cheney made a motion to adopt 12.A.6.; seconded by Councilor McCusker.

Councilor Scott asked if this was a Capital Program, and if it was for Budget 2008 or 2009.

City Manager Joyal said it was a Capital Project. He said it was funds that are programmed for various years for INI remediation, which is an ongoing need that has to be addressed with the sewer system. He said the City is under direction of the EPA to get this addressed or be subject to potential fines.

Councilor Scott asked if this was in the 2009 Capital Budget.

City Manager Joyal said it was in 2001, 2003, 2008 and 2009.

Mayor Myers asked if it was out of the Sewer Fund.

City Manager Joyal said yes.

Roll Call Vote: 8/0.

Councilor Cheney made a motion to adopt 12.A.7.; seconded by Councilor Trefethen.

Councilor Scott asked if this was a Capital Project.

City Manager Joyal said it was a Capital Project.

Councilor Scott asked if this was in the 2008 or 2009 Budget.

City Manager Joyal said this was just approved in the 2009 Budget.

Councilor Scott asked what would happen if this was delayed a year.

City Manager Joyal said the City is trying to be proactive with an issue where solid waste from an old municipal landfill has been exposed along the Cochecho River. He said the City is trying to avoid any enforcement action from DES. He said the City has approached DES, letting them know the City is aware of this issue, and that the City's intention is to proceed with stabilizing the riverbank, containing solid waste where it has been exposed, most likely from the flooding.

Roll Call Vote: 8/0.

Councilor Cheney made a motion to adopt 12.A.9.; seconded by Councilor Trefethen.

Councilor Scott asked if this was a Capital Project, and in which year it is budgeted.



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City Manager Joyal said it was primarily Grant Funds, Emergency Management monies, with the contribution from the Utility Funds. He said the Utility Funds portion was just shy of \$12,000.

Councilor Scott asked if the grant money had arrived.

City Manager Joyal said the City has been awarded the grand funds. He referred the Council to the first page of the Resolution. He said the funding source was Emergency Management for computers, \$25,000. He said a year ago the Council authorized the implementation of a reverse 911 system. He said Verizon prevented the City from completing that project. He said that the State is actually looking into a statewide reverse 911 system. He said it eliminated the need for the City to use the \$25,000 grant funds on that local project, and in turn the Council can reallocate those funds for this Resolution. He said that the City also received \$32,000 through the Emergency Management Fund, leaving a balance of \$12,000, which we're charging against the Utility Account, which will benefit from this project.

Councilor Scott asked how much Dover taxpayer money will be spent on this project.

City Manager Joyal said it was all grant funded.

Councilor Scott asked if it was entirely funded by grants.

City Manager Joyal said \$12,000 was coming from water user fees.

Councilor Scott asked if there was no Dover tax money.

City Manager Joyal said there was no property tax money.

Mayor Myers said there was \$12,000 coming from the Water Fund.

Councilor Scott asked what would happen if this was delayed a year.

City Manager Joyal said the City would lose the grant funds, which is financing 80% of this project. He said that this software application was an audit recommendation to improve the City's Fixed Asset accounting software. He said that one part of the new package will allow the City to capture capital project costs, be able to capitalize them, be able to report on them, and be able to depreciate them.

Councilor Callaghan said this program will be utilized by different departments. He asked how they would benefit.

City Manager Joyal said it was a citywide application, and all departments will have access to it. He said that all departments will in some way feed data into this program, which relates to the physical aspects of the City, but also the City's work order system for maintaining those assets. City Manager Joyal asked Annie Dove, Director of Information Technology, to address the Council on this new software.

Ms. Dove said she would explain the software package to the Council. First, she started with Community Services, and said they currently use multiple work order systems, and none of them are doing exactly what they need. The first step will be to consolidate into a single work order system. She said it will also integrate with SCATA, which manages water/sewer throughout the City, and has the ability to pick out a work order and bring it into a single system. She said the moment the work order is put in, it is tied to a GIS map, so that anyone within the municipality can take a look at it. She said having a single work order system that the IT staff knows will make their lives easier. Second, she said the Fire Department would benefit from this program, because the City has had a hard time sharing GIS information throughout the City. She said that the program is web based, and allows anybody with access to a web browser to have access to this



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database. She said the Fire Department can look at parcels and can place work orders for parcels. She said Assessing can input information into this program to show owners of parcels. She said there is also an inventory management system that water/sewer can utilize. She said the Building Inspection division has always used an access database for their work orders, and this will help them as well. She said that citizens can look up work orders for their properties to check the status.

Councilor Callaghan asked how it would tie in with Finance and Assessing.

Ms. Dove said Assessing would have the property owner information. They would also be able to run queries.

City Manager Joyal said the Finance application is in compliance with GASB 34, which is a fixed access requirement.

Councilor Callaghan asked what the obligations were in accepting this grant money, and what it is going to cost to maintain this system.

City Manager Joyal said the obligation is that the City install the system and use it for the functions outlined. He asked Ms. Dove for the maintenance cost.

Ms. Dove said it will be about \$6,500 a year for annual maintenance.

Councilor Callaghan asked if that included repairs.

Ms. Dove agreed and said it would include upgrades.

Councilor Callaghan asked why Emergency Management Services is providing the City with these funds.

City Manager Joyal said it was because this would be a key piece of software when Dover activates the Emergency Operations Center, because it will allow the City to document requests for emergency services.

Councilor Callaghan asked if it would tie into the Police Department.

City Manager Joyal said yes. He said it ties into all of the departments because they will all have access to this information, but there are certain key departments that actually manipulate the information.

Councilor Callaghan asked if the City needed to buy any additional equipment to make this work, or hire any staff to keep it going.

City Manager Joyal said no additional staff is needed, because this program will actually consolidate a number of diverse applications that don't share information. He said there would be better efficiency with the existing staff supporting this new application.

Ms. Dove said the City just bought a new server dedicated to GIS, so it will run on that same server. She wanted to clarify that the \$6,500 is for maintenance and support.

Councilor Callaghan asked if the City had to pay for any more telecommunications.

Ms. Dove said no.

Councilor Scott asked if the assessing portion would be available to the public.

Ms. Dove said she would be coming back to the Council when they get to that point, to see what type of policy the Council wants to put in place for such a thing.

Councilor Scott said a large number of communities' websites have the ability to look at properties online.

Ms. Dove said the City is getting to the point where we can offer that.

Councilor Scott said that this wasn't being offered in this package.

Ms. Dove agreed.



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Councilor Cheney said she talked with her mother, who is a Selectman for Goffstown, and when they were adopting this there was a concern for the privacy of citizens. She said she felt this was a policy issue that should be discussed.

City Manager Joyal said the information that is going to be generated through this system is public information. The Council will need to decide how much information should be available. He spoke on the situation in Merrimack, where they included pictures and sketches of homes on their website, which was a concern to residents, that people knew where their bedrooms were. He said the Council can deal with that when the time comes.

Mayor Myers thanked Ms. Dove for her help on this.

Roll Call Vote: 8/0.

Councilor Cheney made a motion to adopt 12.A.10.; seconded by Councilor Scott.

Councilor Scott asked what would happen if this was delayed for another year.

City Manager Joyal said the City would have to give up the grant.

Councilor Scott asked who the grant was from.

City Manager Joyal said it was partially funded by the Department of Economic Development, which is a Division of DRED.

Councilor Scott asked how much the grant was for.

City Manager Joyal said it was \$10,000.

Councilor Scott asked what the total was.

City Manager Joyal said the total was \$29,000. He said \$25,000 was coming from Technology Grant Funds that were allocated as part of the franchise deal for internet access.

Councilor Scott said he would call that a tax on the people who have Comcast, because he doesn't consider that free money, but a tax on everybody.

City Manager Joyal said he wouldn't disagree with Councilor Scott, however, that money is not part of the franchise fee. He said that this was money that Comcast is paying to the City, and they are obviously getting this money from their subscribers, but it is not a specific line item on a cable bill. He said this was a grant that Comcast provided to the City, and it was in recognition to the fact that the City allowed them to have a rather nice franchise agreement from 1970 to 2006.

Mayor Myers said the application for this grant was applied for by the Greater Dover Chamber of Commerce and Dover Main Street. He thanked them for that.

Councilor Callaghan asked for further clarification on the funds. He asked if the City is paying \$29,368.

City Manager Joyal said yes.

Councilor Callaghan asked if \$25,294 was a grant from Comcast.

City Manager Joyal said \$25,000 was revenue that the City will receive from Comcast as a technology grant. He said the City is making up the additional \$294.91 from the DoverNet Fund.

Councilor Callaghan asked if the money has to be used for this issue, or if the \$25,000 grant from Comcast can be used for some other form of telecommunications.

City Manager Joyal said it could be used for some other form of internet access or telecommunications. The \$10,000 has to be specific to this project.



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Councilor Callaghan asked if we could use the \$25,000 for some other form of DoverNet abilities, as long as it stays within that telecommunications category.

City Manager Joyal said his understanding of the intent was that it was directed to purchasing internet access circuits.

Roll Call Vote: 6/2. Councilors Scott and Callaghan opposed.

B. RESOLUTIONS

1. RESOLUTION RE: FY08 TRANSFER OF APPROPRIATION GENERAL FUND

SPONSORED BY MAYOR MYERS BY REQUEST

Councilor Cheney made a motion to adopt; seconded by Councilor Weston.

Councilor Trefethen said this is something that the Council does every year, and should not come as a surprise. He said there are always line items in a budget where the City spends more than expected, and there were always line items where the City doesn't spend as much as expected. He said that all the Resolution does is give authorization to the City Manager at the end of the fiscal year to go into the accounts that have money left over and transfer them into the accounts that need extra money. He said there is no additional money being spent.

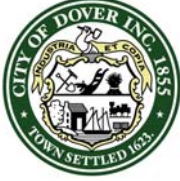
Councilor Callaghan said he understood where Councilor Trefethen was coming from, but this was a large amount of money, and he wanted to know where the money was coming from. He wanted to see it before the Council completes the current budget, to see where the City was able to get enough money to pay this, because maybe those items need to be revisited in the current proposed budget. He said he wasn't willing to transfer it until he knew where the money was coming from. He said he understood that bills need to be paid, so this will have to be done quickly.

Councilor Dede said that was an example of micromanagement. He said he agreed with Councilor Trefethen that this is housekeeping that takes place at the end of every year. He said that the City Manager knows where there are some monies that weren't spent, and he knows what monies still need to be paid. He said that after this gets approved and the City Manager works out those details, the Council gets a report of what came from where. He said the Council needs to bless the City Manager to continue to do the things that a City Manager does in every city. He said he would support this.

Councilor Cheney said she would not support this resolution. She said it doesn't deserve her or the Council's support for several reasons. She wants to know where the money is coming from. She wanted the account listings. She said the Resolution was an authorizing document that will become part of a permanent record, and it doesn't even have an amount on it. She said it is the Council's fiduciary responsibility to know where the money is coming from and where it goes. She said the only thing she would support is that it be tabled and redone.

Councilor Weston said she was not familiar with the transferring of funds at the end of the year. She said she could not support this Resolution until the Council knows where it is coming from. She does support tabling the Resolution.

Councilor McCusker referred to Page 3 of the Resolution, where it talks about the projected shortfalls for the past fiscal year, primarily from the Fire Department and Community Services Department. He said these department heads came before the



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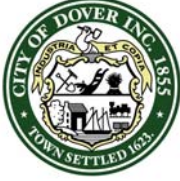
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Council and talked about their minimal staffing, their inability to provide services, and that is the case when there are no disasters, no fires, no hellacious winter. He said the overtime accounts represent things that were out of the control of the department heads. He said Doug Steele could not come before the Council, and said he knew what was going to happen this winter and was sure he was going to need \$275,000 more in operating and overtime. He said that the department heads are told to meet a number and they meet it. He said he was sure Chief Perry Plummer did not come here and ask for \$100,000 more than what he asked for. Now they are going to go to other departments and ask for their money. He said everybody else is going to pitch in to fill in this number. We shouldn't have to question their ability to do that, because they do it every year. He said he worked for the Fire Department for seventeen years, and it happened every year. We don't chastise the department heads for coming in over budget, because it was due to something that was out of their control. He told the Council that if they didn't want to see this next year, then money has to be added to these departments' budget right now. He asked the City Manager to correct him if he is wrong, that we rob Peter to pay Paul at this time of year, because he has never seen it done differently. He didn't understand why the Council was questioning it.

Councilor Scott said the issue is where the amounts are coming from that would cover these excesses. He said the Council knows that it is difficult to budget, and the City will run over in some accounts and under in some accounts. He said he felt it was a logical question raised by Councilors Callaghan, Weston and Cheney. He said he was fine with the overages, but he wanted to know where the money was coming from. He asked for a list of the places the Council over budgeted. He said that was a good indication for the Council for future years. He said he would not support this until he can see a list of where this \$770,000 is coming from. He asked for that list.

City Manager Joyal said it was a fair question to ask. He said if the Council didn't want the budget numbers to balance out, and we go to audit showing we're overextended in certain areas, and unexpended in others, that's fine. He said it doesn't reflect very well on the Council's or the Manager's ability to manage the finances of the City. He said this was a housekeeping resolution that allows the City to put their books in order before the books on June 30th, when auditors come in and look at the numbers and do a comparison that show that the City had the funds to cover the expenses, and that the City took the measures to cover those expenses. As far as actually identifying the accounts, he said he cannot tell the Council exactly where those funds are going to come from. He said he doesn't call this robbing Peter to pay Paul, but calls it prudently managing the City's finances. He said he has been coming to the Council every month with a Manager's Report, telling them the City was going to be over in snow removal and overtime issues with the Fire Department, and he was going to have to transfer some funds at the end of the year, and he was doing some things to manage that. He can tell the Council where the savings will come from, and he doesn't believe the Council should interpret it as places to cut out of the proposed budget. We did delay things and put things off that will need to be addressed in the next budget. He put a hiring freeze on in January. He said all position hires had to be approved by him and he only hired for certain positions. Other positions had significant delays on hiring, so the City was able to save in that way. He said the Council will see wages and benefits when he provides



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the final report showing the Council where the money has been transferred from. He said that the work wasn't being done while they were waiting for the new hire. He said he told all departments six months ago to curtail any spending they could, so there is going to be savings in supplies and purchased services across the board. He said even though the economy has turned, he expects there might be some savings in General Assistance. He said he alerted the Council about the Debt Service issue in September or October. He started then to look for initiatives to generate savings in the existing budget. He said that was his job as City Manager, to manage the budget. He said he understood that the Council wanted to know where all the savings are coming from, but he can't tell them where it is all coming from, because he hasn't finished off the year. He said he won't know that information until June 30th. He said he does need to know that he has the authority to transfer the funds between the accounts, so he can cover the overages that are in the different departments in time to close the books. He said when this housekeeping measure is complete; he generates a complete report that shows line by line every account money was taken from and where the money went to. He spoke of another savings, the \$93,000 for DBIDA that was not paid to DBIDA. He said it was held back. He said he spent money on advertising, and there is still a little over \$80,000. He wanted to clarify that the \$314,000 principal payment is to be split between the City and School. This Resolution does not, nor does the Charter, give him the ability to transfer money to the School. He said if the School Department is not able to cover the overage, then he will be coming back to the Council to ask them to make an appropriation, and the Council will have to do a budget amendment for unexpected revenues. He expected the City to have unexpected revenues from an investment income that exceeds their initial investments. He said the City will be able to cover these overages.

Councilor Cheney made a motion to table this Resolution until June 11th or the meeting subsequent to that; seconded by Councilor Callaghan.

Vote: 4/4. Failed. Mayor Myers, Councilors Dede, McCusker and Trefethen opposed.

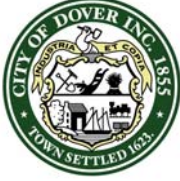
Councilor Trefethen made a motion to defer this Resolution to June 11th and have the Resolution updated to include estimated and projected non-binding areas where the funds could possibly come from; seconded by Councilor Cheney.

Mayor Myers asked the Council if they had any discussion.

Councilor Callaghan said he didn't understand why the Council cannot have more concrete information. He said the Council has the responsibility of making sure that money is transferred according to the Council's wishes. He said a non-binding, non-committal description of where the money is coming from put the Council in the "maybe" field, but it doesn't tell the Council what we're approving. He said he still won't support this. He wants to know exactly where the money is coming from.

Councilor Cheney said she agreed with Councilor Callaghan. She said there has to be more definites to allow for good policy making.

Councilor Scott said the purpose of this is not to blame or punish anybody. In fact, he complimented the City Manager for finding areas to under spend, because he knew the City was going to over spend. He said it is the Council's responsibility to know where



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the money is coming from and where it is going. He requested that the list be made available to the Council within two or three weeks, and that the Council works on this. Councilor Trefethen said the City Manager has been working on this all year and he won't know until he gets through June and gets those statements if he has succeeded. He said that the City Manager has a time limit. He said that at midnight on June 30th the City Manager wants every number to match, and so would the auditors. He said he thought that would be something the Council would want as well. If it isn't what the Council wants, then they better remember it when the auditors are here in November or December telling the Council that the City has some problems. He said he agreed with the notion that the Council should have an idea where the money is going to come from. Councilor Dede said the Council is suffering from paralysis through paranoia. It is possible that when the City Manager sits down to the final analysis and makes the determination as to whether or not we have enough savings in other areas – he said he would call it squeezing – that there won't be enough. He said if that happens, the City Manager will come to the Council and ask for money from the General Fund so that everything matches at the end of the year. He said that if it doesn't match at the end of the year, he believes it can affect the bond rating for the City. The distrust that is evident by not supporting this Resolution in the name of fiscal responsibility – there is nobody more fiscally responsible in this room than the City Manager. He said the financial report at the end of the year is a judgment not only of the City Manager, but of this Council. He said right now there is a movement to try to stop the City Manager from doing the things that have been done in this and every other City, because the Council is afraid. He told the Council to put aside their paranoia and support the City Manager. The reality is that the City Manager has been doing this for a long time and knows what he is doing. He told the Council to change their votes and support the Resolution. Mayor Myers said the Council had a motion to refer this to the June 11th meeting with additional information, and it has been seconded. He asked if there was further discussion on that.

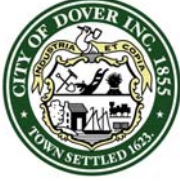
Councilor Weston said this is the second time she has asked for information, and this is the second time that Councilor McCusker has alluded to her chastising department heads. She said the request was for a projection on excess in other areas. She said she agreed with Councilor Trefethen to have some form of list. She said she wanted the department heads to know that she was not criticizing them.

Vote: 5/3. Mayor Myers, Councilors Callaghan and Dede opposed.

2. RESOLUTION RE: FULL TIME TEEN CENTER OPERATION

SPONSORED BY COUNCILOR CALLAGHAN

Councilor Callaghan moved to adopt; seconded by Councilor Cheney. Councilor Callaghan said he appreciated the City Manager's help with this Resolution. He said he passed out some background information to the Council. He said Councilor Cheney and himself put this Resolution together to make sure the Teen Center Director position was created, and that the money received from the grant would be used to finance that position for three full years. He said that the City Attorney had some issues with the language, that there was a specific directive to hire a specific position. He said



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he received an email from Police Chief Colarusso indicating that the grant cannot be used for anything else, and has to be used for the Teen Center Director position. He said that Police Chief Colarusso said none of the drafted resolutions would mess up the grant, and that was a big concern. He said the Resolution locks in the Teen Center Director position for three years. He said if the grant comes through, the Teen Center will be opening again. He asked for the Council's support.

Mayor Myers said he would have to make a motion to submit the 3 pages of background information.

Councilor Callaghan said there were 4 pages. Councilor Callaghan made a motion to amend the Resolution; seconded by Councilor Cheney.

Vote: 6/2. Mayor Myers and Councilor Dede opposed.

Councilor Callaghan said the first page is the first draft of the resolution before the Council. The only significant change is that it indicates that the Teen Center Director will be hired for three years. It also indicates that it is sponsored by Councilors Callaghan and Cheney. The second page is an email from Police Chief Colarusso basically stating the grant must be used for the Teen Center Director. The third page is an email from City Manager Joyal indicating the City Attorney's concern with the wording for a specific position. The fourth page is another email from Police Chief Colarusso indicating that he doesn't have a problem with any version of the Resolution.

Councilor Cheney would like to add a friendly amendment that her name be added as a sponsor for this Resolution; seconded by Councilor Scott.

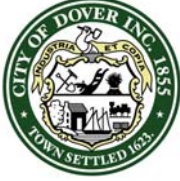
Vote: 7/0. Councilor Trefethen was out of the room.

Councilor Cheney said she was happy that the City will be getting this grant, and is glad to have it go toward the Teen Center.

Mayor Myers wanted some clarification from the City Attorney as to why his signature is missing on the Resolution.

City Attorney Krans said there were two reasons. He said he reviews all the resolutions. He said his role is to determine whether or not the resolution is lawful, whether it complies with federal and state laws, and whether it complies with the City's Charter and Local Ordinances. He said he doesn't review it on whether he thought it was a good idea or in favor of something. The two concerns were: First, when accepting a grant, the City is prohibited from supplanting normal operating expenditures with grant money. He said the position for the Teen Center Director was in the budget, and it would look like the City was supplanting that with the grant. He felt that the City would be violating federal regulations and be less likely to get the grant. He knew that wasn't the goal of the sponsors. He said the language of the last "Further be it resolved", said that the City was going to immediately hire the Teen Center Director, which he took to mean the City had to hire him now, during this fiscal year. He said he was also concerned with the language "immediately upon passing this Resolution." He said he was worried about supplanting. He said the second reason is that it gives the City Manager a directive for three years, which is beyond the control of this Council. He said this Council term expires at the end of 18 months.

Mayor Myers said he had some concerns about the background information. First, he was concerned that they didn't get whole information, and are missing pages. Second, he said during the Workshop the Council came to an agreement that if this grant did



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materialize that it would be used for the Teen Center position. He also recalled that Councilor Scott and he had a discussion about wanting to know the details of the grant first, so that the Council would know if there were strings attached or not. He asked the City Manager if he had any more information on if there were any conditions for using this grant.

City Manager Joyal said he doesn't have any more information on it.

Mayor Myers said he is hoping the City gets this grant, because it would be a perfect match. He spoke of cop grants, and not being able to supplant the positions. He said the Council has to make sure there are no conditions on this grant for either supplanting this position, having to maintain something, or not being able to reduce any other type of resource. He said that was his reason, along with missing pages of the emails, for not supporting this or any Resolution now.

City Manager Joyal said it is their belief that there are no strings attached, but he wants to make sure with the grant administrator.

Mayor Myers said he is not against the grant, but he is concerned about it.

Councilor Dede said they had a consensus on it during the Workshop, and was surprised by the Resolution. He also had concerns about the background information. He also agreed with the City Attorney that to do something right now would hurt the City's qualifications for the grant. He said he wouldn't support this. He said that the whole Council wants to do this, but this motion at this time is inappropriate.

Councilor Weston asked, if this Resolution is passed and the City doesn't get the grant, what would happen to the Teen Center?

Mayor Myers asked the City Manager if this Resolution was binding the Council 100% to the Teen Center, or is the City only doing this if the grant goes through?

City Manager Joyal said it would only bind the City if the grant went through, because the source of funds is specific to the grant. He said if the grant doesn't come through, then the Council will have to revisit the Teen Center issue.

Councilor Weston asked, if the City doesn't get the grant, then will the Teen Center Director position will go away, unless the Council can find some other form of financing?

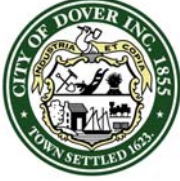
City Manager Joyal said the current proposed budget has no source of funding for full-time operation of the Teen Center.

Councilor Weston asked if this Resolution was passed, and we hire the Director, would the Council have to find funding in FY2008 budget to pay for the Director's position, or would we have to wait until July 1st to hire? She said she was concerned about the supplanting.

City Manager Joyal said the focus of the grant is to fund a full-time Director position. He wants to be very careful about jeopardizing that. He said if the Council wanted to direct him to operate the Teen Center full-time, they can, but the Council can't direct him to hire a full-time person. He said a level of service is a policy decision. He said he felt that it would get into the supplanting problem that we have to be careful about.

Councilor Weston asked the City Attorney what he would change in the wording of the Resolution so that the City wouldn't be in trouble with supplanting.

City Attorney Krans said he would redraft it to say that the Council, if offered, will accept the grant with the intention to have a full-time Director pursuant to the terms of the grant.



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He felt that change accomplishes what the Sponsoring Councilors want to do, but it sends a strong message to the federal authorities that the City is waiting for them to act. He said the alternative is to stick with Councilor Dede's suggestion that the Council already has unanimous consensus, from the Workshop Session.

Councilor Cheney said that Councilor Callaghan and herself announced at the last meeting that they were going to come forward with this Resolution. They suspended the rules and tried to pass it at the Workshop. She said they met with the City Manager and Police Chief Colarusso, and that this is a safe Resolution. She said there is no Director in the budget, so there is no question about supplanting. She said it also says "if the Department of Justice approves." She said the City has this grant, we've described how we're going to use it, and then they say yes, you can use it like that. She said the Resolution does not jeopardize the City getting the grant.

Councilor McCusker made a motion to suspend the rule to complete the agenda; seconded by Councilor Trefethen.

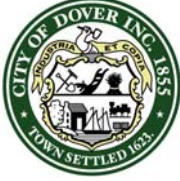
Roll Call Vote: 8/0.

Councilor Callaghan said the information that Councilor Cheney provided is correct. The grant has been awarded to us, but the question is how it can be used. The question placed before the grant administrator was that the City had eliminated a position in the proposed budget, and the City wanted to use the grant funds to restart the Teen Center. He said the informal response to that was that it sounded like a good idea. He said waiting for the reaffirmation of that to come forward, this Resolution does not obligate the City to run the Teen Center. He said the Resolution specifically says only if the City gets the grant will the Council direct the City Manager to restart the Teen Center on a full-time basis. He said the part that is confusing to him is, that he emailed back and forth several times with the City Manager trying to get a handle on which document was actually going to be in the packet. He assumed the packet had the right draft of the Resolution. He asked to withdraw the motion to make the attachments, and asked to substitute as a whole the new draft, which has the language that the City Attorney just talked about. He said he would amend it to say the City Council accepts grant funds from the Department of Justice in the amount of \$223,000 for the purpose of providing full-time operation of the Teen Center, to meet the needs of teens in the City of Dover. The City Manager shall take steps to assure a timely and smooth transition from the current operation to a full-time position as soon as possible.

Mayor Myers said before he can withdraw, the second has to withdraw. He asked Councilor Callaghan if he was the only one with the copy of the new resolution, and if no one else had it.

Councilor Callaghan said apparently. He thought his copy was the one in the packet because it was the only resolution the City Attorney agreed to.

Mayor Myers asked Councilor Callaghan, instead of trying to do a major amendment on the fly, needing the City Attorney to look at it, if he would look back to last week, where there was unanimous support at the Workshop that if the grant came through it was a perfect match to be used for the Teen Center. He said to Councilor Callaghan that he



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should consider withdrawing this Resolution, or tabling it. He said he doesn't think anyone on the Council is fighting the concept he was going for.

Councilor Callaghan said he would like a five minute break to copy the resolution and show it to the City Attorney.

Mayor Myers said he wanted to go on the record that he is in full support of the Teen Center and hopes the City gets the grant. He is not going to support anything tonight that the Council is doing on the fly.

Council Cheney wanted to know if they can bring forth a resolution next week.

Mayor Myers said it was part of the amendments for the budget, which will be discussed and voted on next week.

Councilor Callaghan said he didn't know if the Resolution everybody is looking at was the one in the packet or the one in the email.

Mayor Myers said his was in the packet. He said if it is not in the packet, it is not an official substitution until a motion to substitute has been made.

City Manager Joyal explained the process for submitting a resolution. He received the resolution from Councilor Callaghan Wednesday morning, Thursday he emailed Councilor Callaghan with suggested changes from the City Attorney, and asked him if he wanted to use that version. He said he did not hear back from Councilor Callaghan in time to make the change. In the meantime the City Clerk sent out the revised version.

He said he contacted the City Clerk within ten minutes to resend the original resolution, even though it wasn't approved by the City Attorney. He said the City Clerk resent the original resolution within twenty minutes of the original agenda packet. He said the Resolution on the Agenda was the version that the City Attorney did not approve.

Councilor Callaghan said he would withdraw the whole thing. He said he would be mad if the Teen Center doesn't get put together at the end of this.

Councilor Cheney said she was okay with it.

Mayor Myers acknowledged that Councilor Callaghan withdrew his Resolution.

3. RESOLUTION RE: ECONOMIC DEVELOPMENT SERVICES AGREEMENT (TO BE REFERRED TO PUBLIC HEARING ON JUNE 11, 2008)

SPONSORED BY MAYOR MYERS

Councilor Cheney made a motion to move it to a Public Hearing; seconded by Councilor Trefethen.

Vote: 8/0.

C. ORDINANCES IN 1ST READING

1) ORDINANCE RE: CHAPTER 147 SEWER (TO BE REFERRED TO PUBLIC HEARING ON JUNE 11, 2008)

SPONSORED BY MAYOR MYERS BY REQUEST

Councilor Cheney made a motion to move it to a Public Hearing; seconded by Councilor Trefethen.

Vote: 8/0.



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D. COUNCIL CORRESPONDENCE

13. COUNCIL MATTERS OF INTEREST

Councilor Cheney referred to the transfer of appropriation. She spoke of the Fire Department budget getting three supervisors, one captain and two lieutenants, who are being absorbed into regular fire services. She then spoke on a projected shortfall of \$160,000 for fire suppression. She wanted to know how that would affect overtime and retirement; if it would stay the same, because these gentlemen will be working for fire suppression.

City Manager Joyal said the only thing that will change is the City will only be hiring one new firefighter. The same overtime issues are going to exist.

Councilor Cheney said the overtime will probably be more.

City Manager Joyal said it would be substantially more, because the Fire Department is going to have four-person coverage.

Councilor Cheney asked if that was projected.

Mayor Myers said they built that into the budget.

Councilor Cheney asked for clarification about the list of where funds are coming from, and specifically asked about the position being held for Economic Developer and the \$95,000 budgeted, of which the City Manager spent \$18,000 on advertising. She asked to see those accounts and the accounts used for Purchase Services, 4312, Management Services to cover for Data Collector, which was left out of the budget this year.

City Manager Joyal said it was under the Contingency Fund.

Councilor Cheney said that when she talked to the City Manager he said Data Collection was not budgeted this year, and that the DBIDA Funds might have been used for snow removal and this Contingency Fund.

City Manager Joyal said that while managing the budget he realized that we were going to have issues, that there were a number of decisions and changes that were made and implemented. He said that one of them was to not transfer the money from DBIDA to hire an Economic Developer, because they weren't ready to take that on, and the City needed the money anyway.

Councilor Cheney asked the Council to see if there could be a few more Workshops, because she would like to have another workshop on the budget before the vote on June 11th.

Mayor Myers said the final budget vote is for June 4th.

Councilor Cheney said it could be put off until June 11th.

Mayor Myers said his schedule is pretty full for nights and weekends.

Councilor Dede said he didn't see any need for another meeting.

Councilor Callaghan said he would welcome more meetings.

Councilor Scott said he would welcome more Workshops.

Mayor Myers talked of the consensus made on the Teen Center, Jenny Thompson Pool, the scholarship program, accepting the \$12,000 technology grant, electricity, and money for the second painting of the crosswalks. He said there was some support for Dover Main Street, but that was not overwhelming, and was put in the revisit category. He asked the Council to leave it for next week's Workshop, and decide then if they need another workshop.



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Councilor Weston spoke of the list discussed at the May 21, 2008 meeting, and how Councilor Trefethen said he has a list and she has a list, but they don't know what is on each other's list.

Councilor Trefethen said he was willing to have another Workshop. He said he didn't want a meeting that was an extended philosophical discussion, where there is no give and take. Mayor Myers said if the Council had specific questions, they should not get into a quorum by email. He urged the Council to get them to the City Manager ahead of time, so he can get some sort of answer.

The Council discussed June 3, 2008 as a possible date for an additional Workshop.

Councilor Scott referred to two accounts that he wanted the Council to explore, and have the City Manager provide some information. He was looking at the difference between the spending for 2007 and plans for 2009, that two year period.

Councilor Scott said that on Page 98, Account 4312, Management Services, it indicates that the City has gone from \$133,000 actual in 2007 to \$184,000 proposed in 2009. He referred to Account 4441, Rental of Property, \$322,000 actual in 2007 and \$393,000 proposed in 2009. He felt those accounts should have the ability to be squeezed.

City Manager Joyal said he could explain both of those accounts. In Management Services, is was the Assessor, and the elimination of a full-time employee incorporating that end of the contract with the Assessor.

Councilor Scott asked why the cost went up.

City Manager Joyal said the City went out to bid for Assessing Services, and added to the scope of services of what was originally provided. He actually asked the Council if they wanted to go out to bid for Assessing services, because he feared that the City would run the risk of losing the pricing that we had locked in already, which was essentially less than a full-time employee. He said the City went out to bid and we had two vendors that responded.

Councilor Scott said it still went up 50%.

City Manager Joyal said the City added to the scope of services, which included taking on the responsibilities of what was done by a full-time employee. As a result, the City eliminated a full-time employee salary and benefits, and shifted that to Management Services. He said in Rental of Property the main difference is for welfare assistance. He said rental rates have not moderated and they have raised the budget for that, even though housing prices have gone down.

Mayor Myers wanted to clarify that it is three years; 2007, 2008 and proposed 2009.

Mayor Myers said the next meeting will be June 3, 2008 at 7:30 pm.

Councilor Callaghan asked the Council to bring their calendars, to possibly schedule another date.

Councilor Cheney wanted to give her sympathy to the Scruton Family and City Manager John Scruton in Rochester, for the loss of his brother.

14. ADJOURN

Councilor Dede made a motion to adjourn; seconded by Councilor Trefethen.
Vote 8/0.