



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: Wednesday, August 13, 2008
Meeting Time: 7:00pm

1. MOMENT OF SILENCE

2. 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.

Vacancy: Ward 1 Councilor

Councilor McCusker filled in as Deputy Mayor.

4. PROCLAMATIONS – AWARDS

5. APPROVAL OF AGENDA

Mayor Myers asked the Council if they had any changes to the Agenda.

Councilor Scott requested item 11.A.3. be moved to after the Public Hearings.

Councilor DeDe asked that 12.A.7., 12.A.8., 12.A.12. be substituted in whole.

Mayor Myers said the Council should have copies of these substitutions on their desks.

Councilor McCusker asked to substitute Pages 31 and 32 to the City Manager's Report.

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.

Edward Bleiler, 28 Isaac Lucas Circle: He said eight weeks ago he asked the City Manager for the total cost to the taxpayers for the renovations to the Butterfield Gym, and felt that was enough time for the City Manager to come up with a definitive figure. He said if the City Manager didn't have the figures this evening, then he should be instructed by the Council to have them for the next meeting in two weeks. He said he was criticized at the last City Council meeting when he brought up the \$1.8 million surplus in the budget. He said at Babson College he learned that numbers do not lie. He said he hasn't received an answer to his questions. He spoke about the McConnell Center having problems with flooding 50 years ago that is still a problem today, after the taxpayers have spent \$6 to \$8 million to renovate the building. He said there was an item in the original proposal of the renovation that included a plan for a remedial action drain to alleviate this problem. He said it was eliminated to lower costs. He said the same situation happened with the roof, where money was cut to fool the public, suggesting that the project was only going to cost \$2.5 million. He said the public would never have approved the renovation if they knew the true costs.

Donald Medbery, 3 Covered Bridge Lane: He said it was a shame what the City witnessed here this past week with the election. He said Foster's Daily Democrat committed an act of discrimination against five of the six Ward 1 contestants. He said the results were unnerving.



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He said when the Council gives scores of 9's and 10's for the City Manager's review on accomplishments, any person would realize that the scoring was conspicuous by the majority of the Council's scores. He said the residents expected fairness in its only newspaper. He said the paper's influence, without granting a rebuttal by the other candidates, is outright discrimination. He said it was an abuse of power. He said he doesn't have a problem with the gentleman elected, but that the paper had two pages the weekend before the election covering this one person, having people believe that none of the other candidates were qualified. He said the others were qualified. He said he also wanted to talk about how the Council has put the cart before the horse. He told the Council that they should never ever build a building without parking. He said the City should build parking lots off Sixth Street or Dover Point, and run shuttle buses back and forth to keep the cars out of downtown. He said he felt it will be very difficult to build a parking lot downtown. He said the people of this City should boycott the newspaper.

Robert Carrier, 31 Hough Street: He said he is excited to have been elected Ward 1 Councilor, and he is ready to go to work. He thanked all his supporters.

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

7. PUBLIC HEARINGS

A. RESOLUTIONS

1. RESOLUTION RE: REPROGRAMMING OF CIP APPROPRIATION FROM HORNE STREET SCHOOL PROJECT TO HIGH SCHOOL ROOF REPLACEMENT PROJECT
SPONSORED BY MAYOR MYERS BY REQUEST

Dr. John O'Connor, Superintendent of Dover Schools: He spoke on the July 14, 2008 Resolution for reprogramming existing appropriations, was unanimously supported by the Dover School Board. He said he was here to seek the Council's support or endorsement for this plan to appropriate approximately \$450,000 from the 2009 CIP that is designated for Horne Street School to the 2008 CIP appropriation of \$1 million. He went over a brief chronology as to why the Board passed the resolution. He said the bids came in at \$1,450,000, which is \$450,000 over the original estimate. He again asked for the support of the Council.

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

2. RESOLUTION RE: CREATION OF ENERGY ADVISORY COMMITTEE
SPONSORED BY MAYOR MYERS BY REQUEST

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

B. ORDINANCES



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1. ORDINANCE RE: CHAPTER 166 VEHICLES AND TRAFFIC
SPONSORED BY MAYOR MYERS BY REQUEST

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

2. ORDINANCE RE: CHAPTER 166 VEHICLES AND TRAFFIC PARKING
SPONSORED BY COUNCILOR TREFETHEN

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

3. ORDINANCE RE: ORDINANCE REZONING K-6 FROM ETP TO R-40
SPONSORED BY COUNCILOR TREFETHEN AND COUNCILOR SCOTT

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

4. ORDINANCE RE; RESTRICTING RESIDENTIAL USES IN THE B-3, O AND UMUD DISTRICTS
SPONSORED BY COUNCILOR TREFETHEN

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

11.A.3. ORDINANCE RE: ORDINANCE REZONING K-6 FROM ETP TO R-40
SPONSORED BY COUNCILOR TREFETHEN AND COUNCILOR SCOTT

Councilor Trefethen moved for its adoption; seconded by Councilor Scott.
Councilor Trefethen said in the process of rezoning several different parcels in the area a while ago, this particular parcel was overlooked and remained ETP. He said the history of this parcel originally was residential, and it is the desire of the property owner to have it revert back to residential, in keeping with the surrounding area.
Mayor Myers asked if there was an issue with the Planning Board.
Councilor Trefethen said there wasn't an issue.
Roll Call Vote: 8/0.

8. CITY MANAGER'S REPORT

City Manager Joyal first wished to explain the substitution of the final two pages in his City Manager's Report. He said the July 31, 2008 Revenue of Major Funds report was originally run incorrectly because the wrong date range was entered. He said the new report provided to the Council has the correct date range, and it shows that the City has collected 10% of its non-tax revenues at this point. He mentioned the water issues at the McConnell Center. He said the heavy rains of Friday, August 8, 2008 caused water to seep through the walls at the McConnell Center. He explained the investigation by City crews of the drainage issues in the area. He said the volume of water is overwhelming these drainage systems and causing a backup in the McConnell Center. He mentioned that the variable-frequency drive pumps were damaged by lightning at a few of the well stations. He said he authorized the purchasing agent to solicit quotes from companies and to issue a purchase order. He said only one company provided



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pricing, Verizon Solutions Corporation, \$29,269.64 for four VFD units. He referred to the Citizen's Forum comments about the renovations costs to the Butterfield Gym, and he said he doesn't have a final number because the City has not settled with the contractor. He said that through the last payment that was made, the City has paid \$582,282 to the contractor that did the repairs, and the contractor has submitted additional costs to be considered of upwards of \$150,000, which the City is disputing at this time. He referred to the Citizen's Forum comment of setting up a shuttle service from the outskirts of the City into downtown, and said the gentlemen should be pleased to know that the Planning Department is looking into this issue. He said the Council has had a few presentations on this as part of a workshop. He said the federal government, through their CMAC money, has provided the City with a grant for three years of funding to provide a fast transit bus loop within the City. He said he will come to the Council when negotiations are finished.

Councilor DeDe referred to the flooding at the McConnell Center and said there are underground springs under the parking lot, but they are not the source of the water in the McConnell Center.

Councilor Scott referred to Page 25; the purchase order issued to Melanson for \$39,000, and asked if that was for the audit they are working on now, Fiscal Year 2008, or if that pertains to 2009.

City Manager Joyal said it was for the audit of this fiscal year.

Councilor Weston referred to Page 4; Seacoast Swim hosted two meets and brought in thousands of people, which helped the economic livelihood of the City of Dover. She thanked everyone who helped to keep the pool open.

Councilor Callaghan referred to Page 20; Berry Brook Watershed Management Plan. He said he could see that the language had changed substantially, but he didn't see it addressing the issues from the Maple Street Industrial site. He also referred to Page 27; a purchase order report for Dover Landfill Remediation, and asked for an explanation for what the 18th call for payment meant.

City Manager Joyal explained the Berry Brook Watershed Management Plan. He said once the Council has a final report they can make a recommendation to strengthen enforcement. He referred to Councilor Callaghan's second question, the Tolend Landfill; and said the City is one of several potentially responsible parties (PRP), and they have established an entity that is responsible for the cleanup of Tolend Landfill. He said in proportioning the costs, there is a Tolend Road Remediation Fund. As the funds are depleted they make a call to the PRPs for payment. He said the report is referring to the 18th call for funds.

Councilor Callaghan referred to substituted Page 31; McConnell Center Revenues. He asked how much of that money was city department rentals.

City Manager Joyal said this report was just a summary. He said Miscellaneous Revenue is tenant payments. He said the net revenue that is expected to be received over the course of the year is 45% from city tenants, with the rest coming from other non-profit tenants.

Councilor Callaghan asked if the Council could have an updated report for Fiscal Year 2008 until actual figures are solidified.

City Manager Joyal said he would see what he could do.

Councilor Cheney said she went over to the McConnell Center and saw fans and dehumidifiers, and asked how many days of service the Children Center lost. She referred to the Citizen's Forum comment about a plan for remedial drainage and asked what became of that.



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City Manager Joyal said he wasn't aware of a remedial drainage plan in the budget. He said the water in the building is because of rain events and not the underground springs. He said the Children Center lost four days total.

Councilor Cheney said this isn't the first she has heard about the remedial drainage system and the roof being cut from the renovations.

City Manager Joyal asked if she had any documents that referred to that.

Councilor Cheney said no, but she kept hearing about it.

City Manager Joyal said he didn't know anything about it.

Councilor DeDe said he wasn't sure it was that area being discussed, but the courtyard where there is a big slope. He said that area was regraded so the water would run out of there. He said he would do the research with Chris Parker and get back to the Council.

City Manager Joyal said he recalled the courtyard area and said the work was done as part of the project.

Councilor Callaghan referred to the Citizen's Forum comment regarding the Butterfield Gym, and asked when that might be done.

City Manager Joyal said the problem was that the City lost the Engineer on the project, and he was the primary contact with the contractor. He said the new City Engineer is in the process of working with some other projects that are taking priority. He said the City Engineer is trying to hook up with the prior engineer to review information that is being submitted by the contractor. He said that once they have settled on their discussion he will have a definitive answer for the Council.

Mayor Myers referred to the lightning strikes on the wells, and asked if there were any potential insurance money reimbursements.

City Manager Joyal said yes, the City has had reimbursement for lightning strikes before, and the City would be submitting for these as well.

Mayor Myers asked if there were any further comments on the City Manager's Report.

City Manager Joyal referred to the evaluation comments. He said he was having a FEMA reimbursement summary completed for the Council and it will be coming soon.

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

Vote: 8/0.

9. MINUTES

A. MINUTES FROM - JULY 16, 2008

B. MINUTES FROM - JULY 23, 2008

Councilor McCusker moved to accept the minutes; seconded by Councilor Callaghan.

Mayor Myers asked if the Council had any changes to the minutes.

Mayor Myers referred to the July 23, 2008 minutes, Page 11, bottom paragraph. He said where it talks about a motion to table; it should read Councilors Weston, DeDe and McCusker voted in favor, replacing Myers with Weston.

Councilor Weston voted to accept the minutes with the one change; seconded by Councilor Callaghan.

Vote: 8/0.



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10. MAYOR'S REPORT

Mayor Myers thanked Councilor McCusker for filling in as Deputy Mayor. He thanked the City Clerk and her staff for putting on the special election. He thanked all of the candidates for putting themselves out there and giving the voters choices. He congratulated Councilor-Elect Carrier and said he was looking forward to working with him on the Council. He said Mr. Carrier will be sworn in by the City Clerk seven days after the election, after the request for a recount period has passed, and will have a formal swearing in before the Council meeting on August 27, 2008. He said he went to a great opening at the Children's Museum, where he and 50 kids used small scissors to cut the ribbon. He said he went to a tour of the former Senior Center and the building has officially changed hands. He said he did a few ribbon cuttings for the Dover Chamber of Commerce.

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

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

11. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2ND READING

1. ORDINANCE RE: CHAPTER 166 VEHICLES AND TRAFFIC

SPONSORED BY MAYOR MYERS BY REQUEST

Councilor McCusker moved for its adoption; seconded by Councilor Weston.

Councilor Cheney asked about the change to the definition of public highway, 166-1, and what it implies.

City Attorney Krans said the change was to mimic the state statute, and brings the City in line with the state's definition.

Councilor Cheney asked how it affected the Council to declare a public highway after the Planning Board has approved it.

City Attorney Krans said it wouldn't affect it at all. He said that was a separate process.

Councilor Scott asked for the State RSA number.

City Attorney Krans said it was RSA 259:125, but said he wanted to double check that and would get back to the Council.

Councilor Callaghan referred to 166-5, Section B; he asked why it was removed.

Police Chief Colarusso said that was eliminated because of Section D, and he felt it was redundant.

Councilor Callaghan referred to 166-15; Violations and Penalties. He said it stated up to \$1,000 for each offense, and asked how that was determined.

City Attorney Krans said the judge would do that.

Councilor Cheney referred to 166-18; and asked about the change there.

Police Chief Colarusso said the police control a parking lot and parking permits, and it is just a wording change to add municipally owned parking area.

Councilor Scott referred to 166-15; he asked if the fine had been raised to \$1,000.

City Attorney Krans said no, it had been around forever. He said it was 651 and he would email the RSA to Councilor Scott.



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Audio failed.

2. ORDINANCE RE: CHAPTER 166 VEHICLES AND TRAFFIC PARKING
SPONSORED BY COUNCILOR TREFETHEN

3. ORDINANCE RE: ORDINANCE REZONING K-6 FROM ETP TO R-40
SPONSORED BY COUNCILOR TREFETHEN AND COUNCILOR SCOTT

Moved to Page 3, after the Public Hearings, before the City Manager's Report.

4. ORDINANCE RE: RESTRICTING RESIDENTIAL USES IN THE B-3, O, AND UMUD DISTRICTS
SPONSORED BY COUNCILOR TREFETHEN

B. ORDINANCES IN THE 3RD READING

1. ORDINANCE RE: DOVER ENERGY ADVISORY COMMITTEE (TO BE REMOVED FROM TABLE)
SPONSORED BY MAYOR MYERS BY REQUEST

C. RESOLUTIONS

1. RESOLUTION RE: REPROGRAMMING OF CIP APPROPRIATION FROM HORNE STREET SCHOOL PROJECT TO HIGH SCHOOL ROOF REPLACEMENT PROJECT
SPONSORED BY MAYOR MYERS BY REQUEST

2. RESOLUTION RE: CREATION OF ENERGY ADVISORY COMMITTEE
SPONSORED BY MAYOR MYERS BY REQUEST

12. NEW BUSINESS

A. CONSENT CALENDAR

1. RAFFLE - GREATER DOVER CHAMBER OF COMMERCE

2. BLOCK PARTY - HANCOCK PARK NEIGHBORHOOD

3. RESOLUTION RE: CLOSING A PORTION OF CENTRAL AVENUE FOR APPLE HARVEST DAY
SPONSORED BY MAYOR MYERS BY REQUEST

4. RESOLUTION RE: SETTING VOTING HOURS FOR STATE PRIMARY ELECTION
SPONSORED BY MAYOR MYERS BY REQUEST

5. RESOLUTION RE: SETTING VOTING HOURS FOR PRESIDENTIAL ELECTION
SPONSORED BY MAYOR MYERS BY REQUEST

6. RESOLUTION RE: LEASE AGREEMENT BARADOES POND
SPONSORED BY MAYOR MYERS BY REQUEST

7. RESOLUTION RE: #2 HEATING FUEL B09003-REBID
SPONSORED BY MAYOR MYERS BY REQUEST

Passed 7/1 with Scott opposed

2. ORDINANCE RE: CHAPTER 166 VEHICLES AND TRAFFIC PARKING

SPONSORED BY COUNCILOR TREFETHEN

Moved for adoption by Trefethen seconded by DeDe. Trefethen explained that this is primarily a problem around the High School. The parking fine is established by the School Board and they establish the criteria for the permit as well. We had initially restricted parking in surrounding areas and now they are parking further out. It is also a safety issue, litter and noise problem. This is the end result of a comprehensive review by TAC. Changes are in bold- every street within distance of High School will have 2 hour parking 8a-6p September to June. This allows for use by residents. Also hope they get permits as space is available. McCusker agreed that if he lived there he would not want overflow. Spaces are available and it is difficult to get a permit. He would hope that school makes adjustments. Myers stated that he appreciated the comprehensive approach. Passed 8/0

3. ORDINANCE RE: ORDINANCE REZONING K-6 FROM ETP TO R-40

SPONSORED BY COUNCILOR TREFETHEN AND COUNCILOR SCOTT

Moved up on agenda

4. ORDINANCE RE: RESTRICTING RESIDENTIAL USES IN THE B-3, O, AND UMUD DISTRICTS

SPONSORED BY COUNCILOR TREFETHEN

Motion to adopt by Trefethen seconded by McCusker. They asked Planning Department Head Chris Parker to address issue. Chris explained that it mandates how nonresidential zones are used. They want to promote nonresidential growth in this area. Residential growth needs to be on the second floor or above in these areas. This is for new developments or knockdowns-not current buildings. Scott wanted to know who benefits and how. Parker replied that the residents benefit because this preserves tax base and allows for diversity. It stresses using nonresidential zones as nonresidential. Trefethen explained that this is the beginning of an attempt to address issues vocalized at other meetings RE: growth of Dover. The way to fight is to change the regulations. There will be more changes coming. Developers are taking advantage of our regulations. Weston wanted to know what the zoning for waterfront is and it was explained that is separate.

Cheney requested information on what happened at the public hearing. Parker explained there was only 1 speaker in O zone. Myers explained that it passed the Planning Board so it needs 2/3 vote to kill it. McCusker asked if a map with more specific areas is available and Parker explained the zoning map is more detailed. Passed 8/0

B. ORDINANCES IN THE 3RD READING

1. ORDINANCE RE: DOVER ENERGY ADVISORY COMMITTEE (TO BE REMOVED FROM TABLE)

SPONSORED BY MAYOR MYERS BY REQUEST

Motion by McCusker seconded by DeDe to remove from table passed 7/0 with Callaghan out of the room. Failed 0/7 with Callaghan out of the room.

C. RESOLUTIONS

1. RESOLUTION RE: REPROGRAMMING OF CIP APPROPRIATION FROM HORNE STREET SCHOOL PROJECT TO HIGH SCHOOL ROOF REPLACEMENT PROJECT

SPONSORED BY MAYOR MYERS BY REQUEST

Motion to adopt by McCusker seconded Cheney passed 7/0 with Callaghan out of the room.

2. RESOLUTION RE: CREATION OF ENERGY ADVISORY COMMITTEE

SPONSORED BY MAYOR MYERS BY REQUEST

Motion by McCusker seconded by DeDe passed 7/0 with Callaghan out of the room.

12. NEW BUSINESS

A. CONSENT CALENDAR

1. RAFFLE - GREATER DOVER CHAMBER OF COMMERCE

2. BLOCK PARTY - HANCOCK PARK NEIGHBORHOOD

3. RESOLUTION RE: CLOSING A PORTION OF CENTRAL AVENUE FOR APPLE HARVEST DAY

SPONSORED BY MAYOR MYERS BY REQUEST

4. RESOLUTION RE: SETTING VOTING HOURS FOR STATE PRIMARY ELECTION

SPONSORED BY MAYOR MYERS BY REQUEST

5. RESOLUTION RE: SETTING VOTING HOURS FOR PRESIDENTIAL ELECTION

SPONSORED BY MAYOR MYERS BY REQUEST

6. RESOLUTION RE: LEASE AGREEMENT BARADOES POND

SPONSORED BY MAYOR MYERS BY REQUEST

7. RESOLUTION RE: #2 HEATING FUEL B09003-REBID

SPONSORED BY MAYOR MYERS BY REQUEST

8. RESOLUTION RE: DIESEL FUEL B09004-REBID

SPONSORED BY MAYOR MYERS BY REQUEST

9. RESOLUTION RE: MUNICIPAL LABOR AND EMPLOYMENT LEGAL SERVICES B0810

SPONSORED BY MAYOR MYERS BY REQUEST

10. RESOLUTION RE: ATLANTIC AVENUE WATER MAIN REPLACEMENT B09002

SPONSORED BY MAYOR MYERS BY REQUEST

11. RESOLUTION RE: HOUSEHOLD HAZARDOUS WASTE B08107

SPONSORED BY MAYOR MYERS BY REQUEST

12. RESOLUTION RE: LIQUID PROPANE B09007

SPONSORED BY MAYOR MYERS BY REQUEST

13. RESOLUTION RE: ACCEPTANCE OF TAYLOR ROAD AND GINA WAY

SPONSORED BY MAYOR MYERS BY REQUEST

COMMITTEE REPORTS

1. Appointments Committee

2. Arena Committee

3. Arts Commission

4. McConnell Center Committee

5. Planning Board – Councilor D. Trefethen

6. Cable Franchise Negotiations Committee

7. School Board Liaison

8. City / School Joint Service Committee

9. Solid Waste Advisory Committee

10. Transportation Advisory Committee

11. Joint Building Committee

12. Recreation Advisory Board

13. COAST Bus

Motion by McCusker to adopt consent calendar seconded by DeDe. #4, 5,6,7,8,9,10 and 12 pulled from calendar. Remaining items passed 8/0.

12a-5 Motion by McCusker seconded by DeDe. It was requested by DeDe that the time be changed to 7 am- 7 pm –amendment passed 7/1 with Trefethen opposed. Resolution passed 8/0

12a-6- motion to adopt by McCusker seconded by Callaghan. Callaghan had issue with page 1 vs. page 14- wording differences on who signs. Joyal replied this is clearly a typo. Motion by Callaghan to change wording on page 14 to read City Manager seconded by DeDe passed 8/0. Callaghan requested legal review by City Attorney. Joyal responded that the resolution shows approval as to legal form and this included content of document. As City Manager he explained that he ensures all contracts are legally approved. Callaghan stated that he wants confirmation that City Attorney has agreed content of contract. McCusker wanted to know why the issue was coming up now- it is the same format. Callaghan replied that he was okay with City Manager stating City Attorney saw documents. Passed 8/0 as amended

12a-7 Motion to adopt by McCusker seconded by Trefethen. Scott pulled this resolution and numbers 8 and 12 for the same reason. These types of contract should be month to month not yearly as the market price changes drastically. Joyal explained that 2 directions can be taken. Had the bid for only City and can be fixed or based on market price. 3 vendors provided fixed 5 provided over rack. McCusker stated that he felt fixed price was the way to go this year. Myers stated that homeowners make these types of decisions and with so much anticipated volatility leaning towards locking in price. Passed 7/1 with Scott opposed.

12-8. Motion to adopt by McCusker seconded by Trefethen .Scott stated that same comments apply. Passed 7/1 with Scott opposed.

12a-9 Motion to adopt by McCusker seconded by Callaghan. Pulled by Callaghan. Did not have a problem with amount-leads to liability. When we spend money out of those accounts I would like the Council advised when it is done to whom how much. Myers explained it is mostly set for labor negotiations or lawsuits. Passed 8/0.

12a-10 Motion to adopt by McCusker seconded by Callaghan. Same City Attorney issue that City Manager has explained and I am all set. Myers looked at page 3/5-more ledge may need to be removed and who is responsible? Joyal responded that certain contingency built in above that they will charge. This is a new contract after looking at samples- balanced contract and has potential for lower bids. Lump sum contract with clear procedure for change orders. No waiver of segregation clause. Also allows for dispute resolution by arbitration. These features may save us money. Callaghan stated he was impressed with contract. Passed 8/

12a-12 Motion by McCusker seconded by Trefethen. Pulled by Scott. Same comments as prior. Passed 7/1 with Scott opposed

B. RESOLUTIONS

1. RESOLUTION RE: RELEASE OF NON-PUBLIC SESSION MINUTES

SPONSORED BY MAYOR MYERS

Motion by McCusker seconded by DeDe. Myers stated he was looking for support to release minutes. Trefethen said that he would vote no because some information could potentially tip our hand on negotiations. DeDe agreed with Trefethen stating that the issue surfaced during evaluation process and there is information about how we negotiate and it does not affect any other concern. Cheney questioned if these are considered draft minutes. Joyal responded they are sealed after a vote to do so and remain

that way until it is determined to unseal. Cheney then questioned if the City Manager if he felt that could cause a problem with land negotiations and Joyal responded that it does show how I will deal with this in the future. McCusker said expectation was to keep it nonpublic.. Trefethen stated that nonpublic minutes have been released before when issue was concluded but this reveals strategy employed. Resolution failed 4/4 with Trefethen, McCusker, Weston and DeDe opposed.

2. RESOLUTION RE: DESIGN AND FURNITURE FOR CITY HALL IMPROVEMENTS - B08105

SPONSORED BY MAYOR MYERS BY REQUEST

Motion by McCusker seconded by DeDe. DeDe stated that utilization of space is a critical problem. Problem. Office equipment bought before computers were in use are being used. This is important for the productivity of staff. Savings in productivity will outweigh initial cost. Scott replied that this is a time of recession. This is desirable but not essential. Suggest delaying for 6 months to a year. Weston stated that she hopes we can auction off furniture and then allow citizens a chance to buy it. Joyal responded that would be a council decision. Callaghan stated that it looked like a lot of furniture was being bought. How much are we replacing because we need to? Chris Parker from Planning explained that Goodwins came in to evaluate space and need. The Tax/Clerk counter needs to be redone because we can not reuse desks because they need to be smaller. This resolution passed 6/2 with Callaghan and Scott opposed.

3. RESOLUTION RE: RENAMING OF LONG HILL ROAD EXTENSION TO SANDY LANE TO BE

REFERRED TO PUBLIC HEARING ON SEPTEMBER 10, 2008)

SPONSORED BY COUNCILOR WESTON

Motion by McCusker seconded by Weston passed 8/0 without discussion

4. RESOLUTION RE: RENAMING OF VARNEY ROAD EXTENSION TO LAURA LANE (TO BE REFERRED TO PUBLIC HEARING ON SEPTEMBER 10, 2008)

SPONSORED BY COUNCILOR WESTON

Motion by McCusker seconded by Weston passed 8/0 without discussion

C. ORDINANCES IN 1ST READING

1. ORDINANCE RE: CHAPTER 166-53 SCHEDULE F VEHICLES AND TRAFFIC (TO BE REFERRED TO PUBLIC HEARING ON SEPTEMBER 10, 2008)

SPONSORED BY COUNCILOR WESTON

Motion by McCusker seconded by Weston passed 8/0 without discussion

2. ORDINANCE RE: HENRY LAW AVENUE ONE WAY (TO BE REFERRED TO PUBLIC HEARING ON SEPTEMBER 10, 2008)

SPONSORED BY COUNCILOR WESTON

Motion by McCusker seconded by Weston passed 8/0 without discussion

D. COUNCIL CORRESPONDENCE

13. COUNCIL MATTERS OF INTEREST

Callaghan remarked that he had received an email from patron of the pool unhappy with lack of parking. Joyal responded that Weston had also brought this concern forward. Police Department, museum staff and Recreation will look into this.

Callaghan also suggested that we discourage staff from using lot, Weston stated that the pool will be closed for 2 weeks and want to see what affect that change has. Scott still had issues with Ordinance 166-RSA has different language. Feels we voted on inadequaste language. Krans replied that language is consitenet with State law just not verbatim. Cheney wanted an opinion on this to ensure we did not lose authority. Consensus was reached to vote for Deputy Mayor at the beginning of the agenda.

14. ADJOURN Motion to adjourn by DeDe seconded by Weston passed 8/0