



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Councilor DeDe led the Pledge of Allegiance.

3. ROLL CALL

Present: Mayor Myers, Deputy Mayor Trefethen, Councilors Callaghan, Carrier, Cheney, DeDe, McCusker, Scott and Weston.

Also Present: City Manager Joyal, City Attorney Krans and City Clerk Lavertu.

4. PROCLAMATIONS – None

5. APPROVAL OF AGENDA

Deputy Mayor Trefethen made a motion to approve the Agenda; seconded by Councilor Callaghan.

Vote: 9/0.

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.

Harvey J. Lynch, 26B Lincoln Street: He referred to the advertisement in the Foster's Daily Democrat for a Media Services Coordinator for \$30,000 to \$60,000 a year. He asked why there wasn't a freeze on hiring in the City during this recession. He said some people asked him about the bed bug problem in Dover, and asked if the situation is being taken care of. He said it is spreading in some of the buildings, and they're getting too close to his street. He felt the situation needed to be handled.

David Montenegro, 55 Union Street: He said he had a specific question for the Mayor, since he has filed to run for re-election. He asked the Mayor his position on the abuses of Police power in Dover, and what he planned to do about it. He referred to the August 28th article in The Foster's Daily Democrat about a 21-year-old woman named Katie Beaudette, who was mashed into the ground on her 21st birthday by Dover's finest. He asked how the Mayor will address this issue in his next term.

Mayor Myers said Citizen's Forum is a chance for the citizen's to speak to the Council, and the reason that he has no response.



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Richard Hebbard, 97 Spruce Lane: He referred to the brush cutter mounted on the loader that the City owns. He said he has noticed over the past few years that the workers keep creeping over the property line onto private property. He said if private property is blocking the right of way it was up to the City to notify that abutter and have them take care of it. He said he noticed this happening across the street from his property, and he went over to tell them to stop because they were on private property. He said he had also tried to contact the Community Services Director, Doug Steele, but told the woman who answered what he was planning to do. He said instead of calling him back, Mr. Steele had contacted the property owner to ask him if they could cut the brush. He said he later saw the property-owner, who was disturbed at how far onto his property the City had gone. He said the property-owner was concerned about erosion on the hill, and that the trees and bushes were used as a buffer. He said this work was also done on the end of Spruce Lane, near Mast Road. He suggested to the City Manager that he have someone who understands property rights and State laws explain to the workers what they can and can't do, because right now they are breaking the law and violating people's property rights. He said the buck stops with the City Manager and he is responsible. He said he hopes this stops, because he will file a lawsuit against the City again to make sure this doesn't happen.

Gary Green, 18 Footbridge Lane, Chairman of the Dover Utilities Commission: He said on Monday night the Dover Utilities Commission passed a \$4.5 million package to build a water tower in the North End. This amount is down \$2 million from what is in the CIP.

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

7. PUBLIC HEARINGS

**A. RESOLUTION: REPROGRAMMING OF UNEXPENDED BOND PROCEEDS FROM WOODMAN PARK TENNIS COURT TO "OTHER" TENNIS COURTS
SPONSORED BY MAYOR MYERS BY REQUEST**

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

**B. RESOLUTION: REPROGRAMMING OF UNEXPENDED BOND PROCEEDS AND REDUCE PRIOR UNISSUED BOND AUTHORIZATION
SPONSORED BY MAYOR MYERS**

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

**C. RESOLUTION: BUDGET AMENDMENT #3 - GENERAL FUND REDUCTION OF DEBT SERVICE CITY – INTEREST
SPONSORED BY MAYOR MYERS**

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



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D. RESOLUTIONS: BUDGET AMENDMENTS #4 THROUGH #24 (EXCLUDING #17, #18, AND #20)

Richard Hughes, 51 New Rochester Road: He said there were 24 Resolutions on the Agenda and he felt that nearly all will adversely affect the myriad of City functions and projects. He said the overall goal of these Resolutions is to eliminate any increase in the property tax because of the loss of \$600,000 in revenue from the State of New Hampshire. He asked why all these reductions were only coming from the City side of the budget. He said there were already cuts made during the regular budget procedure last spring. He said the City employees have agreed to a wage freeze on both salary and steps, and the department heads are taking salary cuts. He referred to the March 10th article in Foster's Daily Democrat, where it stated that all proposed School cuts were restored. He said the City Council approved the same amount for the School budget on June 3rd. He said not one dollar has been cut from the Dover School budget since it was approved by the School Board in March. He referred to a second article from a September 15th issue of Foster's where it states "Dover School Officials: second round of further cuts is not needed." He said that was very misleading, because it couldn't be further cuts when there haven't been any cuts to start with. He referred to a third article from a September 5th issue of Foster's regarding School labor contracts: "Under an existing administrative contract they are receiving a 3% increase and about 60% of the other two unions received a 3.2% step increase despite stalled negotiations on a new contract." He said it was also noted that the administrators are now contributing between 8% and 10% towards their health insurance for the first time. He said it also said that the School Board has invited the two unions without a contract back to the bargaining table, which he felt opened up the possibility of additional raises this year. He reminded the Council that City employees will have no salary or step increases this year, along with paying 20% of their health insurance premiums. He referred to an earlier City Council Workshop where the School Department's Business Administrator was asked if there were any one-time expense that the School Department could defer a year, and she would not identify a single item in a \$43 million budget. He said about five years ago the School Department was shortchanged by the State for \$600,000 and the City quickly made up the shortfall. He said he has not seen a single case where the School Department is willing to trim a single dollar from the budget to help offset the loss of the State's revenue to the City. He said it was time for the School Department to pay a share. He said most of the budget amendments on the Agenda are for cutting the City's operating accounts for electricity, natural gas, maintenance supplies, snow plowing, etc. He said if the City will be turning out lights, lowering thermostats, doing less cleaning of City buildings, and doing less snowplowing, then he suggested that the School Department be expected to do the same with a bottom line cut in their budget. He referred to the Resolution for a cut in outside legal services for the City, and said he felt the School Department should do the same, since they quickly hired outside legal services to challenge the actions of the City Council. He referred to Resolution #4, Budget Amendment #24, regarding changing the wording of the previous action of the Council to tap the Sand and Gravel Fund to offset the \$400,000 of State revenue. He said the original resolution apparently upset the School Department, and it is being proposed to change the wording to place any and all burden on the City, and showing that the School is unwilling to assist the City.



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Raymond Bardwell, 199 Spur Road: He reminded the Council that he favors the tax cap, but said he has told some of the Councilors that it wouldn't have been needed if previous Councilors had stepped up and addressed spending. He said he is bothered by the Council's wringing of their hands over next year's situation. He said he watched Portsmouth deliberate over their budget and only raise it 1%, and he felt Dover could have done the same. He said he felt the Sand and Gravel Fund was robbed for this year's shortfall. He referred to an article in Foster's Daily Democrat reporting salaries. He said it wasn't the citizen's job to tell the Council that they are being paid too much. He said it was the job of City Manager Joyal. He said he was rankled that Foster's published that before the lights are turned on at the Library it costs the City \$881,350. He said the Head Librarian makes \$135,000 gross with benefits, and he felt that was a lot of money. He said he worked for a national company and didn't make that kind of money. He said if he were on the Council he would ask the City Manager to do a study of all New England Towns of comparable size, because he felt the City's salaries were out of whack. He said it is the job of the citizens to challenge the Council to pass a budget that is reasonable. He said he is hearing from people that the well is going dry. He said he was concerned with the cutting of the snow removal budget, and then in February the Council needs to find more money so they don't go over the tax cap. He said he was on the Joint Building Committee (JBC) and they are doing deferred maintenance on the schools, because it is the first thing that is cut.

Kirt Schuman, 30 Cushing Street, Executive Director for the Greater Dover Chamber of Commerce: He urged the Council not to support Budget Amendment #15 that would potentially eliminate the previously approved grant for the Cochecho Arts Festival. He said the community appreciates the festival more and more with each passing year. He said sponsorship levels have dropped with the economy. He said without the grant they will be presenting a very different festival next year. He said there are also resolutions that will jeopardize the Fireworks and Dover Main Street programs, and urged the Council not to support them.

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

E. RESOLUTION: BUDGET AMENDMENT #17 – DELAY CERTAIN CIP PROJECTS AND REDUCE GENERAL FUND DEBT SERVICE CITY – INTEREST APPROPRIATION

SPONSORED BY COUNCILOR SCOTT

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



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F. RESOLUTION: BUDGET AMENDMENT #18 – GENERAL FUND – DELAY ENERGY EFFICIENCY FY2010 CIP PROJECT AND REDUCE DEBT SERVICE CITY – INTEREST
SPONSORED BY COUNCILOR SCOTT

Gary Green, 18 Footbridge Lane: He spoke against this Resolution. He thanked the Council on their hard work on the budget crises that the City is going through, and he understood their frustrations over the many things affecting the budget that the Council has no control over. He said he has heard a lot of reasons why the Council should not have voted for the energy contract. He used the analogy of Joe Friday, who played Jack Webb on Dragnet, and the line he is remembered for is "Get the facts. Nothing but the facts." He said the facts of the energy contract is that it is not a capital outlay that the City can put off for a couple of years. He said he works on the McConnell Center Advisory Committee, and it's a fact that there is outdated electrical equipment that is wasting City money every day. He spoke about the outdated equipment at the Arena. He said the contract will fix these problems and the savings will be guaranteed. He said the McConnell Center, Arena, and Wastewater Treatment Plant were the major components listed in the energy audit. He said if the Council puts it on hold tonight, the City will also lose the stimulus funding for the Wastewater Treatment Plant. He said the guaranteed savings will pay for the debt service. He said according to the spreadsheet that he and the Council have, the City will save \$1 million over the ten years of the contract. He said the Resolution only addresses the cost and doesn't address the immediate savings that the City will see. He said the City will be ahead by \$145,000 in the first year. He said he didn't have time to go over all the savings the City will enjoy with this contract, but those were the facts. He said he supported going forward with the contract, and said the contract said that if the City doesn't realize the savings, ESCO will write a check in the amount of the shortfall.

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

G. RESOLUTION: BUDGET AMENDMENT #20 – GENERAL FUND REDUCTION OF DEBT SERVICE CITY – INTEREST
SPONSORED BY COUNCILOR CALLAGHAN

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

8. CITY MANAGER'S REPORT

City Manager Joyal just wanted to point the Council's attention to the briefing they have on their desks regarding legal services and economic development.

Deputy Mayor Trefethen moved to accept the City Manager's Report; seconded by Councilor Carrier.

Vote: 9/0.



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9. MINUTES

- A. September 2, 2009 – Workshop Session
- B. September 9, 2009 – Regular Meeting
- C. September 14, 2009 – Special Meeting

Deputy Mayor Trefethen moved to approve the Minutes; seconded by Councilor Weston. Mayor Myers asked if the Council had any additions, deletions, corrections to the Minutes as presented.

Councilor DeDe referred to Page 9/16 of the September 9, 2009 meeting, and read the following: “City Manager Joyal said it was not the Finance Director that came up with these numbers.” He said the City Manager didn’t stop there. He said the City Manager added that it was the sponsors of the resolution.

Mayor Myers asked for a vote on adding that into the Minutes.

Vote: 9/0.

Councilor Cheney said she just wanted to clarify her statement on Page 11/16 of the September 9, 2009 Minutes: “Councilor Cheney said she supported the amendment, because she wasn’t comfortable giving education any of this, because the shortfall came on the City side.” She said she supported the amendment made by Councilor Callaghan that the shortfall at minimum be divided \$200,000/\$200,000. She said she did support the amendment, but the premise was that she didn’t think the Council should be doing anything to the education side of the budget. Mayor Myers asked if she wanted the Minutes changed.

Councilor Cheney said she didn’t want to change the Minutes, but she wanted to clarify her statement.

Mayor Myers asked for a vote on the three sets of Minutes with the one amendment.

Vote: 9/0.

10. MAYOR’S REPORT

Mayor Myers spoke about the Alzheimer’s Memory Walk that was hosted by Philbrick Sports. He said he attended a Flag Retirement Ceremony at the County Complex. He said he did three ribbon cuttings for new businesses that joined the Dover Chamber of Commerce. He also reminded people that there will be a dunking booth at the Apple Harvest Day to help raise money for the Girl’s Hockey Team. He said he will be volunteering his time in the dunking booth at high noon.

Deputy Mayor Trefethen moved to accept the Mayor’s Report; seconded by Councilor Weston.

Vote: 9/0.

11. UNFINISHED BUSINESS

- A. ORDINANCES IN THE 2ND READING - None



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B. RESOLUTIONS

1. RESOLUTION: REPROGRAMMING OF UNEXPENDED BOND PROCEEDS FROM WOODMAN PARK TENNIS COURT TO "OTHER" TENNIS COURTS SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor McCusker. Mayor Myers reminded the Council that all of the Budget amendments take a 2/3 vote to pass.

Roll Call Vote: 9/0.

2. RESOLUTION: REPROGRAMMING OF UNEXPENDED BOND PROCEEDS AND REDUCE PRIOR UNISSUED BOND AUTHORIZATION SPONSORED BY MAYOR MYERS

Mayor Myers moved for its adoption; seconded by Councilor McCusker.

Mayor Myers said this Resolution dealt with leftover funds from street projects, and it also dealt with two signalization projects that were approved in a prior CIP as part of the Rizzo traffic report, but the City has not started on them yet. He said the Resolution would stop the action on those signalization projects, in addition to stopping the action in Year 1 on Piscataqua Road design work, in the amount of \$100,000, and the Silver Street center lane, of almost \$100,000. He said those dollars would be reprogrammed into General Street Repairs. He said the next Resolution deals with making a reduction in a debt finance line for that same dollar amount. He said in essence this lets the City issue a lesser bond and lesser dollar amount to cover the same number of projects. He said the Resolution also dealt with the savings that the City didn't have to bond, they authorized \$950,000 for a fire apparatus, but were able to buy it for \$835,000, thus rescinding the bond authorization for an additional \$115,000.

Councilor Cheney asked for clarification that the \$867,000, being reprogrammed into General Streets and Improvement, was still a bonded amount.

Mayor Myers said it was reprogramming a few specific street repairs and putting it into General Streets and Improvement.

Councilor Cheney asked if this amount was how much they were under budget.

Mayor Myers referred to Page 3/3 of the Resolution, and said two are complete and came in under budget, and three projects will be deferred.

Councilor Cheney asked how the City will be saving \$41,000 with this Resolution.

Mayor Myers said if this Resolution and the next Resolution are passed by the Council then \$890,000 will not be bonded, thus saving \$41,000 in interest.

Councilor Callaghan asked, if the Council moves the \$867,000 over into General Streets and Sidewalk Improvements as debt financed money, if that will increase the total amount in General Streets and Sidewalk Improvements.

Mayor Myers said this Resolution was tied into 11.B.3. on the Agenda, which then said to reduce it the same amount and go for a lesser bond. He said General Streets and Sidewalk Improvements would end up being the same.

Councilor Callaghan asked if they were moving the cash.



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Mayor Myers said it was bonded money that was already approved by the Council that he is asking to have reprogrammed from streets projects that they aren't going to do, and put into General Streets and Sidewalk Improvements. He said the money has to be used for streets because that was the way it was advertised.

Deputy Mayor Trefethen said when the Council approved the CIP they approved \$3.8 million in bonding. He said these two resolutions mean the City will only be bonding \$3 million and saving \$41,000 in interest.

Roll Call Vote: 9/0.

3. RESOLUTION: BUDGET AMENDMENT #3 SPONSORED BY MAYOR MYERS

Mayor Myers moved for its adoption; seconded by Councilor DeDe.

Roll Call Vote: 9/0.

4. RESOLUTION: BUDGET AMENDMENT #24 – AMEND USE OF SAND AND GRAVEL REVENUES SPONSORED BY COUNCILOR WESTON

Councilor Weston moved for its adoption; seconded by Councilor McCusker. Councilor Weston referred to Budget Amendment #2 that was passed by the Council two weeks ago. She said Budget Amendment #2 had language in it that was inserted without her authorization. She said this Budget Amendment is reflective of the original intent. She said the City side of the budget realized a shortfall of \$600,000 after the State budget was approved. She said this Budget Amendment covers \$400,000 of the revenue shortfall with another form of revenue, the Sand and Gravel Fund. This action does not raise any money from property taxes. She said this would amend Budget Amendment #2. She asked for full support on this Resolution from the Council. She said a no vote would effectively cut the School Budget \$350,000 next year.

Councilor DeDe said with respect to the Councilor feeling that something had been changed without her knowledge, it was specifically stated that night during the course of the deliberations the breakdown of the expenses were submitted by the sponsors. He said Ron Huml stated that it would have a negative impact on the School Department. He said the Mayor also articulated it very clearly, and he felt it would have been impossible for the Council not to know what they were voting on. He said the vote that night was 7/2, with Mayor Myers and Councilor McCusker dissenting. He said he would not vote to change it now.

Councilor Carrier said the Resolution has him as a co-sponsor. He said he was on medical leave and was unable to look into this too deeply to understand it. He asked the City Manager if this new amendment would directly impact the City's side of the budget next year.

City Manager Joyal said that was correct.

Councilor Carrier said the City will start next year's budget negative \$400,000, and the School would have no impact.



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City Manager Joyal said that was correct. He said the City had \$50,000 in the budget for a management study to deal with storm water regulations that just went into effect July 1st. He said he didn't expect those funds to be needed next year. He said it wouldn't set the City back next year. He said if we're talking about the full \$400,000, then \$350,000 is a gap that would be created in the City budget.

Deputy Mayor Trefethen said he understood why the School Board and School Administration would be upset by the vote on Budget Amendment #2. He said it was very clear before the vote was taken what the impact would be to the School Department. He said this Resolution just shifts the problem, but the problem is the same no matter where you park it. He said he felt it should be left alone and the Council should move on.

Councilor Weston referred to the original budget amendment that she received, which did not include that language. She asked the City Manager to explain how the Resolution, if left the same, would impact the School side of the budget and how it gives the City side extra money to spend next year. She said she has seen estimates where it gives the City side around \$500,000.

City Manager Joyal said he wasn't sure where she got that estimate. He said if the budget stays as it is currently amended, then he suspects that someone took the \$350,000 that is in the tax levy, because that is the basis of the tax cap calculation, and said the City had that left to use next year.

Councilor Weston referred to the Citizen's Forum comment that the School Board did not cut their budget, and said this action cut it by \$350,000.

Mayor Myers said Budget Amendment #2 did not cut the School's budget this year. He said he explained two weeks ago that it was dangerous to put this into the operating budget. He said he was surprised that someone is saying that they did not know what they were voting on. He said he is not willing to put this to the City side, as he didn't want to do this to the School side. He said he agreed with Mr. Hughes' comments during Citizen's Forum. He said the School received an additional \$800,000 in adequacy money from the State this year. He said he was surprised the Council passed the original amendment two weeks ago, but he didn't think they should burden the City with it.

Councilor Cheney said she did bring it to the sponsors' attention, but she did support it because she did not want to pass on \$400,000 to the taxpayers.

Councilor McCusker said he didn't vote for the original amendment, because he didn't feel it was fair to have the School Department start with a negative \$350,000 next year, nor did he feel it was fair for the City to start with a negative \$350,000 next year. He said he would not support this Resolution.

Councilor Callaghan said he voted for the original amendment as an alternative to raising property taxes. He made a friendly amendment to split the \$400,000 in half, \$200,000 for the School and \$200,000 for the City; seconded by Councilor Weston.

Mayor Myers asked for a vote on the amendment.

Vote: 3/6; Failed. Councilors Callaghan, Scott, and Weston voted in favor.

Mayor Myers asked for a Roll Call Vote on the Resolution.

Vote: 4/5; Failed. Councilors Callaghan, Cheney, Scott, and Weston voted in favor.



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5. RESOLUTION: BUDGET AMENDMENT #4 – REDUCTION OF GENERAL FUND CAPITAL OUTLAY GENERAL STREET IMPROVEMENTS APPROPRIATION SPONSORED BY DEPUTY MAYOR TREFETHEN

Deputy Mayor Trefethen moved for its approval; seconded by Councilor McCusker. Deputy Mayor Trefethen said this was one area that can wait one year. Councilor DeDe said he wouldn't support this Resolution. He said lowering the budget \$160,000 will put the City that much lower next year, and possibly more than that in the following year if the Council is working with a negative CPIU. He said these roads need to be done. He agreed with Councilor Carrier's observation a few weeks ago when he said the burden should be shared across the board: the School Department, City, and the taxpayers. He said this was not the fault of the Council, but it is the Council that gets blamed.

Councilor McCusker agreed with Councilor DeDe. He said the Council has already cut so much out of it already, but they have to find the money somewhere.

Councilor Callaghan said he will support this Resolution. He referred to the Resolution and asked Deputy Mayor Trefethen if he meant taking the \$160,000 from the total for Land Improvements, or just from General Streets and Sidewalk Improvements.

Deputy Mayor Trefethen said he was taking it from General Streets and Sidewalk Improvements.

Councilor Weston said she had heard presentations on delaying road repairs, and that time is of the essence on completing these streets. She said she would not support this Resolution, because putting it off one year may be the difference of saving or not saving a street.

Councilor Cheney said she would support this Resolution.

Councilor Carrier said he would support this Resolution. He said no one wanted to cut a dime from General Streets and Sidewalk Improvements, because some of the roads are in deplorable condition. He said Mr. Steele and his crew can help the City survive another year with patching.

Mayor Myers said this Resolution was his biggest challenge, but he would support it. He said he felt it was a true cut and some of the other amendments were not.

Roll Call Vote: 7/2; Passed. Councilors DeDe and Weston were opposed.

6. RESOLUTION: BUDGET AMENDMENT #5 – REDUCTION OF GENERAL FUND RENTAL OF EQUIPMENT APPROPRIATION SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Callaghan.

Councilor Scott said this was one of 14 budget amendments that he has put forth. He said they were based on conversations he has had at the post office, supermarkets, and other places in town. He said he is hearing that the taxpayers will not accept a further increase in their taxes. He said the economic situation is bleak. He said Governor Lynch is talking about laying off 700 people, or 5% of the State's workforce. He said the Governor is also talking about a 20-day non-paid furlough as a way to lower expenses to meet their budget. He said he felt there wasn't going to be much improvement in the



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next two years. He said they had to go through the City's budget with a fine-tooth comb to make sure they haven't left money there that may be excess. He said this Resolution addresses the rental of equipment. He said in FY2009 \$60,000 was budgeted for, and in FY2010 it has been increased to \$116,000. He said he wants to lower it by \$40,000, leaving \$76,000, which is 24% more than what was appropriated in 2009.

Councilor Cheney asked for clarification on the actual amounts.

Mayor Myers said the increase is due to the catch basins needing to be cleaned out every two years, instead of every four years, due to an unfunded mandate from the EPA. Councilor DeDe said he will vote no on this Resolution and all the Resolutions to Budget Amendment #19 that Councilor Scott has offered. He said he didn't want to waste the public's time.

Deputy Mayor Trefethen said cutting this and not doing the catch basin will cost the City more in fines. He said when the City told EPA that the City had accidentally released some effluent into the river; the City was still fined a lot of money.

Councilor Callaghan said the Council has the obligation to not raise taxes. He said they can revisit this if the City doesn't win the non-funded mandate argument.

Roll Call Vote: 3/6; Failed. Councilors Callaghan, Cheney, and Scott voted in favor.

7. RESOLUTION: BUDGET AMENDMENT #6 – REDUCTION OF GENERAL FUND MAINTENANCE CHARGES BUILDING APPROPRIATIONS SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Carrier.

Councilor Scott said this account has going up substantially. He said in 2008 it was \$38,000 and this year it has more than doubled. He recommended that that line item be reduced by \$40,000.

Councilor Cheney corrected the amounts. It was \$87,000 in FY2008 and \$91,000 in FY2009, and it is jumping up to \$160,000 in FY2010.

Mayor Myers said that was due to the Arena being rolled into the General Fund. He said he will not support this Resolution.

Deputy Mayor Trefethen said the Arena was in the black this year, so the General Fund received more in revenues to cover the expenses.

Roll Call Vote: 3/6; Failed. Councilors Callaghan, Cheney, and Scott voted in favor.

8. RESOLUTION: BUDGET AMENDMENT #7 – REDUCTION OF GENERAL FUND WASTE DISPOSAL SERVICES APPROPRIATION SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Callaghan.

Councilor Scott said this was the same situation. He said expenses are going up much faster than inflation. He said in 2008 it was \$38,000 and this year it has more than doubled. He recommended that that line item be reduced by \$40,000.

Councilor Callaghan asked why this went up so much.



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Mayor Myers said this went up because the City took construction debris out of the Bag & Tag program. He said there was corresponding revenue for this as well when the City takes in construction debris.

Roll Call Vote: 1/7; Failed. Councilor Scott voted in favor. Councilor McCusker was absent from the Council Chambers.

9. RESOLUTION: BUDGET AMENDMENT #8 – REDUCTION OF GENERAL FUND LEGAL SERVICES APPROPRIATION
SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Cheney. Councilor Scott recommended that legal services be reduced by \$10,000 to match what was appropriated in FY2008.

Roll Call Vote: 4/4; Failed. Councilors Callaghan, Cheney, Scott and Weston voted in favor. Councilor McCusker was absent from the Council Chambers.

10. RESOLUTION: BUDGET AMENDMENT #9 – REDUCTION OF GENERAL FUND MANAGEMENT SERVICES APPROPRIATION
SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Callaghan.

Councilor Scott recommended to reduce \$20,000 from this account.

Councilor Cheney said this account has gone up quite a bit in the last few years, and asked what it was for.

Mayor Myers said the most recent increase dealt with the contractual obligations for the assessing function. He said the rates have also increased due to bond counsel.

Roll Call Vote: 3/6; Failed. Councilors Callaghan, Cheney and Scott voted in favor.

11. RESOLUTION: BUDGET AMENDMENT #10 – REDUCTION OF GENERAL FUND CONTRACT SNOW PLOWING APPROPRIATION
SPONSORED BY COUNCILOR SCOTT

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

Councilor Scott said contract snow plowing was \$38,000 in FY2008 and has been increased to \$85,000 in FY2010. He recommended that \$40,000 be reduced from this account. He recommended if there is a heavy snow to have the people in Community Services do the work. He said the Governor has asked that it be non-paid work.

City Manager Joyal said it wasn't legal.

Deputy Mayor Trefethen said a major portion of this increase was due to the price of diesel.

Mayor Myers said there are fewer people working in Community Services due to staff reductions, and by default the City needs to contract more.

City Manager Joyal said there were also more streets.



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Councilor Callaghan said he would not support this Resolution. He felt the City should be paying more money on private snowplowing and less money on overtime with our employees.

Councilor Cheney said she would not support this Resolution.

Roll Call Vote: 1/8; Failed. Councilor Scott voted in favor.

12. RESOLUTION: BUDGET AMENDMENT #11 – REDUCTION OF GENERAL FUND NATURAL GAS APPROPRIATION SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Callaghan.

Councilor Scott said in FY2008 the amount spent in this account was \$134,000, the amount appropriated in FY2010 is \$354,000. He recommended that it be reduced \$70,000, and to look at why it is going up so rapidly.

Mayor Myers said it was because the Arena came into the General Fund. He said the Arena does have the revenue to offset it. He said he wasn't in agreement with reducing it \$70,000, but he reminded the Council of the information provided by the City Manager on August 5th regarding areas where there were possible reductions. He said the locked in rate per therm for natural gas is less than anticipated. He said the City Manager was planning to use this savings to offset other unanticipated expenses, but he would be interested in a friendly amendment to change the amount from \$70,000 to \$20,000.

Councilor Callaghan made a motion to amend the Resolution to reduce the amount to \$20,000; seconded by Deputy Mayor Trefethen.

Deputy Mayor Trefethen said he agreed with the Mayor. He said the \$20,000 is a realistic estimate of what could be saved in the General Fund.

Councilor McCusker said he can't support just taking a random number.

Councilor DeDe said he wasn't willing to take this money away from the City Manager to cover the unexpected expenses.

Councilor Cheney wanted to say that she would support the amendment.

Mayor Myers asked for a vote on the amendment to change the amount from \$70,000 to \$20,000.

Vote: 7/2; Passed. Councilors DeDe and McCusker were opposed.

Mayor Myers asked for a Roll Call Vote on the amended Resolution.

Roll Call Vote: 7/2; Passed. Councilors DeDe and McCusker were opposed.

13. RESOLUTION: BUDGET AMENDMENT #12 – REDUCTION OF GENERAL FUND ELECTRICITY APPROPRIATION SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Carrier.

Councilor Scott said in FY2008 the City spent \$473,000 and it has jumped up by 45% to \$686,000 this year. He said that jump required some attention. He recommended that it be reduced by \$100,000.

Mayor Myers said the Arena uses several hundred thousand dollars in electricity.

Roll Call Vote: 1/8; Failed. Councilor Scott voted in favor.



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14. RESOLUTION: BUDGET AMENDMENT #13 – REDUCTION OF GENERAL FUND MAINTENANCE SUPPLIES – BUILDINGS APPROPRIATION SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Weston. Councilor Scott said in FY2008 \$33,000 was spent in this account, and it was increased to \$53,000 in FY2010. He recommended that it be reduced by \$10,000 to force the City to live within its means. Mayor Myers again said this increase was due to the Arena being included in the General Fund. Roll Call Vote: 3/6; Failed. Councilors Callaghan, Cheney, and Scott voted in favor.

15. RESOLUTION: BUDGET AMENDMENT #14 – REDUCTION OF GENERAL FUND MAINTENANCE SUPPLIES – IMPROVEMENTS OTHER THAN BUILDINGS APPROPRIATION SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Cheney. Councilor Scott said in FY2008 \$82,000 was spent in this account, and it was increased to \$132,000. He recommended that it be reduced by \$40,000, and to learn to live within this number. City Manager Joyal wanted to remind the Council that this account is used to purchase supplies and materials for small street repairs. Councilor Cheney said she felt this account has gone up too much, and she is going to support this amendment. Councilor Callaghan wanted clarification on why it was going up so much this year. Mayor Myers asked Mr. Steele to speak to the Council on this issue. Mr. Steele said during his budget presentation he had requested an additional \$30,000. He said they have never budgeted enough for this account. He said it was to pay for the maintenance of the unfunded drainage system utility. Councilor Callaghan asked if the sewer fund could be used to pay for the drainage. Mr. Steele said Sewer is strictly an Enterprise Fund for wastewater, and this is part of the General Fund under the Community Services Department. He felt it was justifiable and needed. Councilor Callaghan made a motion to amend the reduction to \$20,000; seconded by Councilor Weston. Deputy Mayor Trefethen said the Council has reached \$221,000 in cuts, and asked Councilor Callaghan the number he was trying to reach. Councilor Callaghan said as much as possible, because he wanted to reduce the amount of money that they're taking away from the School's budget next year. He said he would like to reduce that as much as possible. He felt that every dollar reduced is worth the effort to look for. Deputy Mayor Trefethen asked how reducing line items on the municipal side of the budget affects the School's budget.



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Councilor Callaghan said they are reducing spending, and they won't have to have the reduction in spending out of the School's budget next year.

Mayor Myers asked Councilor Callaghan if he planned to reduce the amount taken out of the Sand and Gravel Fund by the amount the Council approves to reduce the budget, and then reduce the School levy.

Councilor Callaghan said that was correct.

Mayor Myers said he saw the reductions over \$200,000 as reducing property taxes this year for the citizens.

Councilor Callaghan said he would be more than happy to reduce the property taxes, but he didn't know how to do that.

Deputy Mayor Trefethen said that was what they were doing.

Mayor Myers asked for a vote on the amendment to the resolution.

Vote: 4/5; Failed. Councilors Callaghan, Cheney, Scott and Weston voted in favor.

Deputy Mayor Trefethen made a motion to amend the reduction by \$10,000, making the appropriation \$122,000; seconded by Councilor Weston.

Councilor DeDe said he wasn't voting for this amendment. He said \$10,000 doesn't really affect the property taxes, and Mr. Steele just said he didn't budget enough for it.

Councilor McCusker said as an avid runner and biker he sees the deplorable condition of these catch basins and drains. He felt if the Council really thought it should have been reduced, it should have been done in June.

Councilor Scott said \$10,000 here and \$10,000 there can become big money.

Mayor Myers asked for a vote on the amendment.

Vote: 5/4; Passed. Mayor Myers, Councilors Carrier, DeDe and McCusker were opposed.

Roll Call Vote: 6/3; Passed. Mayor Myers, Councilors DeDe and McCusker were opposed.

16. RESOLUTION: BUDGET AMENDMENT #15 – REDUCTION OF GENERAL FUND GRANTS/SUBSIDY APPROPRIATIONS SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Callaghan.

Councilor Scott said in FY2008 \$182,000 was spent in this account, and in FY2010 it has more than doubled to \$395,000. He said he believed charity starts at home, and should not require the taxpayers of Dover to contribute to these grants and subsidies. He said the Chamber of Commerce is pushing hard for their share of it, and he felt they should be benefitting by all the business being brought in by the Children's Museum. He recommended that this be reduced by \$150,000, and that will still be 35% higher than FY2008.

Councilor Cheney asked for clarification on the matching funds and why this increased so much.

Mayor Myers said the major components include Economic Development funding, the McConnell Center funding, and Coast Bus. He said the funding for Chamber of Commerce, Dover Main Street, and the fireworks are the nickels and dimes of this line item. He said he would not vote to reduce it.



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Roll Call Vote: 1/8; Failed. Councilor Scott voted in favor.

17. RESOLUTION: BUDGET AMENDMENT #16 – REDUCTION OF GENERAL FUND MAINTENANCE CHARGES EQUIPMENT APPROPRIATION AND REDUCTION OF DOVERNET BUDGET
SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Callaghan. Councilor Scott said in FY2008 \$345,000 was spent in this account, and in FY2010 it has increased to \$546,000. He recommended that it be reduced by \$50,000.

Councilor Cheney asked for an explanation.

Mayor Myers said when the cable franchise fee was voted on that it was talked about hiring a full-time person to be doing web content, and hopefully updating Channel 22 and offering meeting videos On Demand. He said camera operators will now come out of the Franchise Fee instead of the General Fund. He said it does zero out at the end of the year as an internal service fund.

Roll Call Vote: 2/7; Failed. Councilors Callaghan and Scott voted in favor.

18. RESOLUTION: BUDGET AMENDMENT #17 – DELAY CERTAIN CIP PROJECTS AND REDUCE GENERAL FUND DEBT SERVICE CITY- INTEREST APPROPRIATION
SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Cheney.

Councilor Scott said he was proposing that the City delay for one year the Henry Law Avenue addition and Applevale Avenue improvements to save interest.

Deputy Mayor Trefethen asked how much would be saved in interest if they only delayed the Applevale Avenue improvement project.

Mayor Myers said it would save around \$9,500 for Applevale Avenue and \$41,000 for Henry Law Avenue.

Deputy Mayor Trefethen made a motion that they only delay the Applevale Avenue portion, saving \$9,500 in interest; seconded by Councilor Scott.

Deputy Mayor Trefethen said Community Services has improved the road and it can wait another year.

Mayor Myers said he did think it was important to finish the Henry Law Avenue portion. He said he would support the amendment.

Councilor Scott said he felt Henry Law Avenue could wait.

Mayor Myers asked for a vote on the amendment.

Vote: 4/5; Failed. Mayor Myers, Deputy Mayor Trefethen, Councilors Callaghan and Weston voted in favor.

City Manager Joyal said that Henry Law Avenue was expected to be done in conjunction with utility work on Paul Street and Wallingford Street. He said he had heard from Applevale Avenue residents, and he just wanted the Council to know that they may feel that they were misled.

Roll Call Vote: 2/7; Failed. Councilors Callaghan and Scott voted in favor.



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19. RESOLUTION: BUDGET AMENDMENT #18 – GENERAL FUND – DELAY ENERGY EFFICIENCY FY2010 CIP PROJECT AND REDUCE DEBT SERVICE CITY – INTEREST
SPONSORED BY COUNCILOR SCOTT

Councilor Scott moved for its adoption; seconded by Councilor Callaghan.
Councilor Scott said the taxpayers will not accept any increase in taxes, and the Council must find places where the City can delay or reduce the spending.
Mayor Myers said he agreed with Mr. Green's comments during Citizen's Forum that this is positive cash flow, a win/win situation, and the City is receiving stimulus dollars. He said he would not be voting to delay this and lose the stimulus dollars.
Roll Call Vote: 3/6; Failed. Councilors Callaghan, Cheney, and Scott voted in favor.

20. RESOLUTION: BUDGET AMENDMENT #20 – GENERAL FUND REDUCTION OF DEBT SERVICE CITY – INTEREST
SPONSORED BY COUNCILOR CALLAGHAN

Councilor Callaghan moved for its adoption; seconded by Councilor Scott.
Councilor Callaghan said this Resolution reverses some of the spending of the healthcare savings, \$181,000, which was done by the Council on June 3rd.
Mayor Myers said they have addressed the \$600,000 revenue shortfall. He said he is not in favor of this Resolution.
Roll Call Vote: 2/7; Failed. Councilors Callaghan and Scott voted in favor.

21. RESOLUTION: BUDGET AMENDMENT #21 – GENERAL FUND REDUCTION OF SNOW REMOVAL OVERTIME
SPONSORED BY COUNCILOR CALLAGHAN

Councilor Callaghan moved for its adoption; seconded by Councilor Cheney.
Councilor Callaghan said this Resolution also reverses some of the spending of the healthcare savings, \$181,000, which was done by the Council on June 3rd.
Roll Call Vote: 3/6; Failed. Councilors Callaghan, Cheney, and Scott voted in favor.

22. RESOLUTION: BUDGET AMENDMENT #22 – GENERAL FUND REDUCTION OF COMMUNITY SERVICES OVERTIME
SPONSORED BY COUNCILOR CALLAGHAN

Councilor Callaghan moved for its adoption; seconded by Councilor Scott.
Councilor Callaghan said this Resolution is requesting a 10% reduction in overtime in Community Services.
Mayor Myers corrected Page 3/3 that the reduction is \$4,674.
Roll Call Vote: 4/5; Failed. Councilors Callaghan, Cheney, Scott, and Weston voted in favor.



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23. RESOLUTION: BUDGET AMENDMENT #23 – AMEND USE OF SAND AND GRAVEL REVENUES SPONSORED BY COUNCILOR CALLAGHAN

Councilor Callahan moved for its adoption; seconded by Councilor Scott.

Councilor Callaghan said he would like to amend the amount taken out of the Sand and Gravel Fund to \$385,000; \$335,000 to the School's side and \$50,000 to the City's side; seconded by Councilor Weston.

Deputy Mayor Trefethen said this is just satisfying the revenue issues that have occurred since the budget was passed. He said the Council did pass a budget that did raise taxes.

Mayor Myers asked for a vote on the amendment.

Vote: 4/5; Failed. Councilors Callaghan, Cheney, Scott, and Weston voted in favor.

Councilor Callaghan said he wasn't sure the Resolution did anything anymore.

Mayor Myers said he could withdraw the Resolution.

Councilor Callaghan made a motion to reduce the entire \$30,000 from the amount taken out of the Sand and Gravel Fund to be applied to the School's side of the budget; seconded by Councilor Weston.

Mayor Myers asked for a vote on the amendment.

Vote: 4/5; Failed. Councilors Callaghan, Cheney, Scott, and Weston voted in favor.

Councilor Callaghan withdrew the Resolution.

Mayor Myers, seeing no objections, withdrew the Resolution.

24. RESOLUTION: BUDGET AMENDMENT #19 – GENERAL FUND BUDGETARY USE OF UNRESERVED FUND BALANCE SPONSORED BY COUNCILOR CHENEY

Councilor Cheney moved for its adoption; seconded by Councilor Callaghan.

Councilor Cheney referred to the handout received from the City Manager on August 5th.

She said the Unreserved Fund Balance is at 6.5%, and the minimum is 6%. She said that would leave the City \$465,000 over the minimum. She said they received an email today that said that the City is a little bit above the 6%. She asked for clarification.

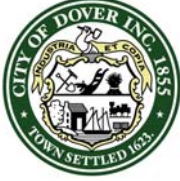
City Manager Joyal said the difference is primarily because of the adjustment of revenues and expenses for year-end. He said the School net of revenue/expenses was \$50,000, and the City net of revenue/expenses was \$550,000. He said there are three items driving the fund balance down: capital outlays that are carried forward into the next year and remain restricted; McConnell Center, which had a \$206,000 advance this year; and the change in deferred revenue in property taxes, an increase there for \$173,000, which is a result of outstanding tax bills that have yet to be paid.

Councilor Cheney asked if any of the changes the Council made impact the numbers at all.

City Manager Joyal said no.

Councilor Cheney asked how many parcels were liened.

City Manager Joyal said he didn't know how many were liened, but there was an increase of \$173,000 in deferred tax revenue resulting from 86 additional properties with



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outstanding taxes at year-end, which is just under 1% of the total taxable parcels in the City.

Councilor Cheney asked the City Manager what areas he expected to change when audited financials are completed.

City Manager Joyal asked Finance Director Daniel Lynch to answer that question.

Mr. Lynch said there might be a few areas in expenditures that will get recorded in looking at Accounts Payable at year-end. He said they try to get all invoices properly reflected in the proper fiscal year, which might equate to a few thousand dollars. He said he didn't foresee any other areas for changes.

Councilor Cheney said from August 5th to September 22nd the Fund Balance went down \$460,000.

Mr. Lynch said almost \$173,000 of that was the increase to deferred property tax revenues.

City Manager Joyal said that is not usually known until the end of August when the lien process is complete, which is the reason they were holding off on the year-end financials.

Councilor Cheney said the City is \$65,000 over the 6%. She said she researched past uses for using Unreserved Fund Balance, and reducing the tax levy is not unheard of. She made an amendment to the Resolution to take \$18,817 from the Unreserved Fund Balance. She said this will round it up to a total of \$250,000.

Councilor Scott said it was unfortunate that a majority of the Councilors don't understand that the taxpayers will not accept any increase in taxes, and have rejected most of the suggestions to reduce spending.

Deputy Mayor Trefethen said he wasn't going to support this Resolution, because using Unreserved Fund Balance to reduce the tax levy is just adding to next year's tax levy, and he felt the amount was insignificant even on very expensive house.

Councilor McCusker made a motion to suspend the rules to extend the meeting past 10:30 pm to complete the Agenda; seconded by Councilor Carrier.

Roll Call Vote: 9/0.

Mayor Myers asked for a vote on the amendment to the Resolution.

Vote: 3/6; Failed. Councilors Callaghan, Cheney and Scott voted in favor.

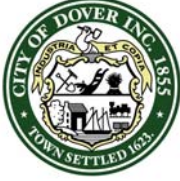
Councilor Cheney said she would like to withdraw the Resolution.

Mayor Myers, seeing no objections, withdrew the Resolution.

12. NEW BUSINESS

A. CONSENT CALENDAR

1. **RAFFLE – Dover High School Football Boosters**
2. **RAFFLE – Wentworth-Douglass Hospital and Health Foundation**
3. **RAFFLE – Wentworth Home**
4. **RUN/WALK – Moms on the Run**
5. **TAG – Seacoast Titans**



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COMMITTEE REPORTS

1. Appointments Committee
2. Arts Commission
3. McConnell Center Committee
4. Planning Board
5. Cable Franchise Negotiations Committee
6. School Board Liaison
7. City / School Joint Service Committee
8. Solid Waste Advisory Committee
9. Transportation Advisory Committee
10. Joint Building Committee
11. Legislative Liaison
12. Coast Bus

Deputy Mayor Trefethen moved for the approval of the Consent Calendar; seconded by Councilor Weston.

Mayor Myers asked the Council if they had any items they would like to pull for further discussion.

Councilor Callaghan asked to pull Item 12.A.4.

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

Vote: 9/0.

Deputy Mayor Trefethen moved for the approval of Item 12.A.4.; seconded by Councilor Weston.

Councilor Callaghan asked if there was a cost associated with this to the City, and if there was police escort.

City Manager Joyal said no.

Councilor McCusker said there isn't a need, because the route doesn't block any intersections.

Vote: 9/0.

B. RESOLUTIONS

1. RESOLUTION: B10014 REDDEN STREET AND ASH STREET SEWER REPLACEMENT

SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Cheney.

Roll Call Vote: 9/0.

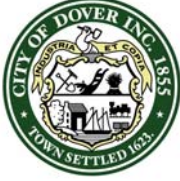
C. ORDINANCES IN 1ST READING

Mayor Myers asked the City Manager if all of the ordinances can be referred to a public hearing at the same time.

City Manager Joyal said he would have to suspend the rules and do them as a Consent Calendar.

Deputy Mayor Trefethen made a motion to suspend the rules and combine all of the Ordinances as a Consent Calendar; seconded by Councilor Cheney.

Roll Call Vote: 9/0.



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- 1. SPRING STREET PARKING
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY COUNCILOR WESTON**
- 2. BUILDING CONSTRUCTION – CHAPTER 68
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**
- 3. EATING AND DRINKING ESTABLISHMENT – CHAPTER 99
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**
- 4. ELECTRICAL STANDARDS – CHAPTER 102
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**
- 5. FIRE PREVENTION AND LIFE SAFETY – CHAPTER 109
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**
- 6. FLOODPLAIN DEVELOPMENT – CHAPTER 113
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**
- 7. OFFENSES – CHAPTER 131
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**
- 8. PLUMBING – CHAPTER 135
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**
- 9. STREETS AND SIDEWALKS – CHAPTER 152
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 14, 2009)
SPONSORED BY DEPUTY MAYOR TREFETHEN**

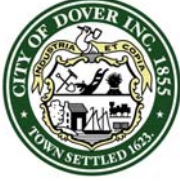
Deputy Mayor Trefethen moved to referred all of the above Ordinances to a Public Hearing on October 14, 2009; seconded by Councilor Weston.

Councilor Scott said he would like a legal opinion on 12.C.7. on whether or not it violates the 2nd Amendment, The Right to Bear and Carry Arms. He said he was concerned about Page 33 regarding securing your firearm with a trigger lock and that the firearm must be in a securely locked box.

Mayor Myers said there was a motion to refer these to a public hearing.

Councilor Scott said he felt it was too soon to move this to public hearing.

Mayor Myers asked for a vote on referring these to a public hearing.



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Vote: 6/2; Passed. Councilors Cheney and Scott were opposed. Councilor Callaghan was absent from the Council Chambers.

D. COUNCIL CORRESPONDENCE – None

13. COUNCIL MATTERS OF INTEREST

Councilor Scott referred to the advertisement for a new position which is not on the Merit Plan, and he wanted to know what authority the City Manager had to advertise for a new position. City Manager Joyal said it was a position that was on the Classification Plan; an IT Administrator, titled Media Access Coordinator. He said this position is funded by the Franchise Fee for Channel 22. He said with the determination that the School Board did not want to take over operations of Channel 22, the City will be coordinating that.

Councilor Scott said the Franchise Fee was an additional tax to the citizens of Dover and he didn't think it was appropriate at this time of financial crisis.

Mayor Myers said this position is tying into the technology of Dover's cable, Channel 22, and internet, which was the exact reason why the City enacted the franchise fee.

Councilor Scott said he felt the Council was acting irresponsibly.

Deputy Mayor Trefethen spoke to Councilor Scott and said he lost his job in July, he hasn't found any work yet, and he is probably going to put his house up for sale because he probably can't afford that much longer. He asked Councilor Scott not to tell him that he doesn't understand ---- Mayor Myers interrupted him and said it was getting too personal.

Deputy Mayor Trefethen said he felt Councilor Scott's comments were personal.

Councilor Callaghan said he received a call from a veteran who didn't leave his name or number, and he asked that they get in touch with him again so he can try to help him.

Councilor McCusker requested that the Councilors keep the pages for 12.C.1 through 12.C.9. so they don't have to be duplicated again for the October 14th meeting.

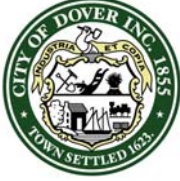
City Clerk Lavertu said historically there have been Councilors who don't bring it and she would have to copy it.

Mayor Myers said the entire Council agrees to hang on to their copies and bring it to the October 14th meeting. He said they will refer to them by their titles.

Councilor Weston said she also received a call from the veteran and was able to leave him a message by using caller ID. She said basically he was asking if the City is taking away a deduction for veterans.

City Manager Joyal said he has received an inquiry about this. He said part of the Assessing Office's responsibility is to make sure that we have the appropriate documentation to justify the exemptions and credits on properties. He said the Assessing Office is trying to communicate with all of the people who are currently eligible or have been eligible in the past for the credits or exemptions, asking them to provide the documentation that is required to make sure that we're compliant with State law. He said the person that is trying to get in touch with you just needs to get in contact with the Assessing Office and provide the documentation that is needed to continue to substantiate the credit and exemption.

Councilor Weston said the message she received said the City was taking it away.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, September 23, 2009**
Meeting Time: **7:00pm**

City Manager Joyal said the City cannot legally provide tax credits or exemptions unless appropriate documentation has been submitted and verified. He said the gentleman needs to talk with the Assessing Office to find out what they need for documentation.

Councilor DeDe said he didn't want to spend any additional money for a legal opinion when the City has a crackerjack attorney already.

Councilor Cheney said she received the same call from the veteran and she asked the City Manager for a copy of the letter. She said New Hampshire is requiring municipalities to review all credits and exemptions.

City Manager Joyal said when people apply for a veteran credit there are certain military documents that they have to provide. He said the City doesn't retain that copy for privacy reasons, because there are Social Security numbers and other private information on it. He said there is a periodic request that they produce that information.

Deputy Mayor Trefethen said he actually talked with this veteran. He said the State decides who qualifies and not the City. He said there are certain years that don't qualify, usually because there wasn't a war. He said some of these people who have been receiving the credit might find out they don't qualify.

City Manager Joyal wanted to thank Mr. Lynch for working with the Councilors on getting these entire budget amendments put together.

14. ADJOURN

Councilor McCusker made a motion to adjourn; seconded by Councilor Carrier.
Vote: 9/0.

DRAFT