

MINUTES
REGULAR COUNCIL MEETING
MARCH 11, 1998
DOVER CITY COUNCIL
COUNCIL CHAMBERS
7:00 P.M.

**NON-PUBLIC EXECUTIVE SESSION RE: LABOR 6:00 PM - CITY
MANAGER'S OFFICE**

1. MOMENT OF SILENCE

Mayor Boc asked for a moment of silence in remembrance of Charles Crocco.

2. PLEDGE OF ALLEGIANCE

Councilor Rawding led the Pledge of Allegiance.

3. ROLL CALL

Members Present: Councilor Rawding, Councilor Reese, Councilor Wilson, Councilor Berry, Councilor Jalbert, Councilor Johnson, Councilor Landry, Mayor Pro Tem Perry, Mayor Wil Boc

4. PUBLIC HEARING

- A. Resolution RE: Bond Authorization – School Kindergarten Construction. Sponsored by Mayor Wil Boc, by Request. (10C-1)

The Mayor opened the public hearing asking if anyone wished to speak.

Seeing no one wishing to speak the Mayor closed the public hearing on item 4A.

- B. Ordinance #03-02/11/98, Chapter 166, Vehicles and Traffic. Sponsored by Mayor Wil Boc, by Request. (10A-1)

The Mayor opened the public hearing on this item asking if anyone wished to speak.

Seeing no one wishing to speak the Mayor closed the public hearing on this item.

- C. Ordinance #02-01/28/98, Chapter 170, Zoning, Section 170-28.6, Telecommunication Facilities. Sponsored by Mayor Pro Tem Otis Perry. (10A-2)

The Mayor opened the public hearing on this item asking if anyone wished to speak.

Mr. Stancel stated that this ordinance is in response to emerging technology, specifically digital communications. He stated that this

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ordinance has been 9 months in the making and has had several public hearings. He stated that this ordinance specifically defines what a telecommunications facility is and outlines purpose, intent and need of a telecommunications facility. He presented a map which identifies 14 locations where a new communications facility may be based. He stated that 12 of the sites are new and 2 are already in place. He stated that the ordinance establishes application procedures which contain incentives from various telecommunication providers. He stated that the ordinance also prohibits new towers from being built on Garrison Hill.

Rawding stated that he has received only one concern regarding this. He stated that the concern was that most of these locations are in the north end of the city. Rawding asked Mr. Stancel why this is so?

Mr. Stancel stated that the north end has higher elevations. Secondly, he stated that they tried to identify city-owned parcels that were adjacent to turnpikes or highly traveled highways or roads. He stated that for the most part they follow along the Spaulding Turnpike.

Seeing no one else wishing to speak the Mayor closed the public hearing on this item.

- D. Resolution RE: Acceptance of the Action Plan/ Proposed Expenditure for the fiscal year 1998 entitlement funds of the community development block grant program. Sponsored by Mayor Wil Boc by Request.

The Mayor opened the public hearing on this item asking if anyone wished to speak.

Mr. Stancel stated that the City of Dover is designated as an Entitlement Community by the Department of Housing and Urban Development. He stated that on an annual basis we automatically receive a lump sum from the Community Development Block Grant Program. He stated that the money can be used for almost any project that benefits low income residents of the community. He stated that this year the budget included an Entitlement Grant of \$433,000. He stated that that had a small income from the School Street Parking lot of \$1755. He stated that they are receiving an income from the Dover Economic Loan Program of \$146,21 and an estimated income from the Housing Revolving Loan Program of \$113,730 for a total of \$694,702. He stated that the approval process of where this money can be spent is as follows. First, he stated that the Planning Department has developed a document entitled the Consolidated Plan. He stated that this document outlines the low income needs within the community. He stated that it is a 5 year plan which was approved by the City Council 3 years ago. He stated that on an annual basis the department request proposals from agencies and develops others on their own which are ranked based on priorities outlined in the Consolidated Plan. He stated that the Planning Board review the proposals and conducts a public hearing. He stated that the Planning Board then votes on the proposals

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and sends the recommendations to the City Council. He stated that the Council holds a public hearing (which they are doing tonight). He stated that this public hearing starts the 30 day public comment process. He stated that the Planning Board had to make some tough decisions this year. He stated that there are many more requests than we had money for.

Seeing no one else wishing to speak the Mayor closed the public hearing on this item.

5. **CITIZEN'S FORUM**

Arthur Corte, Glenhill Road, stated that last year in July (1997) the Council adopted a resolution to explore the feasibility of establishing a roller blading area on the site of the former recycling center in Henry Law Park. He stated that last year the Rotary Club of Dover pledged \$30,000 for the establishment of such a facility subject to the balance of the \$60,000 estimated cost being pledged from other sources by June of 1998 and the project completed within a year, with appropriate credit given to the club in naming the facility. He stated that a Skate Park Committee was formed, chaired by Park's Director Gary Bannon, several public meetings held, the abutters consulted, and plans approved by the Planning Board last night. He stated that the time has come to seek the matching \$30,000 if the project is to be completed in the time remaining. He stated he is here to seek the council's concurrence to go forward with fund raising.

The Mayor stated that during the Mayor's report tonight he will ask the Council to endorse and thank the Dover Rotary in their effort for committing the \$30,000 in funds, and to endorse their effort to try to raise an additional \$30,000 in matching funds.

Rawding commended Mr. Corte for the fabulous job his team did. He asked the Mayor if we will be committing tax payers dollar to this?

The Mayor stated no taxpayer dollars whatsoever will be used for this.

Sam Allen, 46 Watson Rd., stated that he is Chairman of the 375th Celebration. He stated that they have been meeting on an every two weeks basis. He stated that a Parade is scheduled for Sunday (4th of July weekend), and there will be a cultural/ethnic heritage festival at Henry Law Park. He stated that they are at a crossroads in terms of their ability to continue to move forward. He stated that they need some funding. He stated that they would like to begin doing advertising, selling souvenirs, etc. He stated that he would also urge everyone to support the teacher's contract that is before you this evening.

The Mayor stated that he is asking everyone to support the work being done by the 375th group and that we fund \$5,000 for them.

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Rawding asked if these funds will be taken out of this year's budget or will it be considered additional funding?

The Mayor stated that it will come out of the existing budget.

Landry asked if \$5,000 is enough?

The Mayor stated that they need \$5,000 to get the ball rolling, and then they will be doing some fundraisers on their own.

Kerri Forbes, Longhill Road, stated that he is here as a representative of the Dover Rotary Club. He stated that over the past few years that have made a commitment to community improvement, with an emphasis on the downtown area. He stated that the Rotary has committed \$60,000 for building a new bandshell in Henry Law Park. He stated that they are not here looking for City money, they are hoping to get matching funds. He stated that the estimated cost for a first class bandshell with seating is approximately \$120,000. He stated they are hoping to do fundraising for the remaining half. He stated he is here to get a commitment from the Council that this project will be allowed to go forward.

Wilson asked who they envision using this once it is completed?

Mr. Forbes stated that it will be used for small events, children's festival type things, small rock groups. He stated that it is not meant to compete with the Coheco Arts.

The Mayor stated that he is going to ask for the rules to be suspended to add this item on. He stated that he would like to thank the Rotary for the work they have done and their continued efforts.

Marcia Pelletier, 99 Back River Rd., stated that she is VP of the Teacher's Union. She stated that teachers have been two years without a contract, two years without raises and two years without steps and extended work hours. She stated that they have worked out a contract which the teachers have ratified and the School Board has unanimously passed it.

Tom Dunnington, 230 Washington St., stated that numerous groups will use the bandshell. He stated that there are only three places for performances in this community: the high school, city hall or one of the other schools in town. He stated that they are all difficult to get and extremely expensive. He stated that this facility will fill a gap. He stated that he sees this spaces being used by children's groups.

Lisa Stacy, 75 Longhill Rd., stated that regarding the Longhill Park land sale, they oppose selling the land. She stated that they support fixing up the park. She stated that the equipment there is in great shape. She proposed clearing

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an acre of land behind the tennis courts to develop a nature walk. She asked the council not to sell the land.

William Allen, 33 Longhill Rd., stated that he is in favor of selling a small portion of the land so long as the money is used to improve the park. He stated that Middleton Lumber would volunteer materials and equipment, at cost, if they bought the land.

Doris Grady, 42 Longhill Rd., stated that she is in favor of selling the land and improving the park. She stated that there was an oral agreement to keep the buffer of trees set up there. She further stated that she feels that the teacher's contract is fair.

Peter Forsyst, Dover Point Rd., stated that small venues will use the bandshell if it is built.

Ed McCabe, Chairman of the Dover Citizens for Responsible Government, stated that he is concerned that there has not been adequate time to seriously consider the contracts you will be voting on tonight. He stated that he is concerned about the economy and asked the council not to move too fast. He stated that at some point as a council you will have to say no. He stated that if you do a good job and can account for everything, you may be re-elected.

Seeing no one else wishing to speak the Mayor closed Citizens Forum.

6. MINUTES

A. Minutes of February 11, 1998 – Regular Meeting

Perry moved to accept as amended, seconded by Berry.
Motion passed on a 9-0 vote.

7. MAYOR'S REPORT

The Mayor stated that on 2/17 he sat in on the Dover Arena Information Night. He stated that they hope to build a new addition on to the Ice Arena, in order to create two rinks. He stated that on 2/20 he attended Chamber night for the City Council and School Board, and an open house at the Mill on 2/26. He also stated that he attended the retirement party for Jan Robinson on 2/27 for her 13 years of service to the City. He stated that he also attended the Volunteer of the Year Program for the Recreation Department on 2/26 in which Ernie Clark and Dave Cobban were named volunteers of the year.

The Mayor stated he would like to authorize \$5,000 for the 375th celebration and will support the endorsement of the in-line rink.

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Perry moved to accept the report as given and authorize the funding of \$5,000 for the 375th celebration, seconded by Jalbert.
Motion passed on a 9-0 vote.

8. REPORTS OF STANDING AND SPECIAL COMMITTEES

A. Solid Waste Advisory – Councilor David Landry

Landry stated that the Solid Waste Advisory met on 2/12. He stated that the minutes of the January meeting were accepted. He stated that the fund balance is in good condition. He also stated that their web page has received good comments. He stated that Mike Bobinsky has reported that that have obtained Federal Funding to cover 100% of the cost of the damage incurred from January's ice storm, including brush/debris pickup as well as sand and salt used between 1/7 and 1/25. He stated that Doug Kemp is chairing a committee to plan for recycling in the new Middle School, as well as all city school. He stated that the committee was established and met 3/3/98. He stated that their next meeting will be held on 4/2 at 3:00 PM.

The Mayor asked Landry at his next meeting to address the issue of keeping the brush pile open later than 2:00 PM to accommodate the storm.

B. Planning Board – Councilor Jerry Reese

Reese stated that the Planning Board has had 3 meetings. He stated that on 2/17 a workshop was held on the CDBG, on 2/24 a regular scheduled meeting at which the CDBG money was voted on, and 3/10 a regular scheduled meeting. He stated that on the 3/10 meeting they considered and accepted an application for a minor lot line adjustment on Map 37 Lot 32 on Central Avenue, considered and accepted an application for a minor lot line adjustment for Joseph Haley on Central Avenue and Page, considered and accepted an application for a minor lot line adjustment for Smithfield Construction on Middle Road, considered and accepted an application for a minor subdivision of land for the Dover School Department to subdivided the 26 acre parcel purchased by the City in December where the new middle school will be built. Further, he stated that they considered and accepted an application for a minor subdivision of land for the City of Dover on a parcel across from the Garrison School. He also stated that they considered an accepted an application for a site review of land for the City on River Street. Finally, he stated that they had a discussion with the School Board regarding the Capital Improvements Program.

C. Joint Building Committee – Councilor W. Scott Rawding

Rawding stated that the JBC met on 3/3. He stated that they interviewed 4 construction management companies. He stated that they met in executive session after the interview process and decided on Echman Construction

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Company. He stated that the vote on this was 5 and 1 abstention. He stated that all the companies had high standing with the Board.

Rawding stated that their next meeting was 3/10. He stated that they approved to introduce a Citizens Forum where the citizens can voice their concerns, ideas and suggestions. He stated that they received conservation approval and went over the Geotech services. He stated that a lot of clay was found at the site. He stated that this is not suitable for a heavy building to be set on. He stated that there are no major delays or cost factors at this time. He stated that the next meeting will be on 3/17 at 6:30 PM.

D. Ad Hoc Electrical Partnership Committee – Mayor Pro Tem Otis Perry

Perry stated that the committee has met twice, on 2/19 and 3/5, both times to interview respondents to their RFP. He stated that they have met with 3 and have 2 more to go next week. He stated that the responses so far have been interesting and varying.

E. Appointments Committee-Councilor James Jalbert

Jalbert stated that the committee met on 2/17 and 3/3 to interview applicants for the various boards and commissions. He announced the following appointments and reappointments to be approved by the council later on this evening:

Planning Board: Frank Torr and Ronald Cole

Arena Commission: Lesa Oliver

Conservation Commission: Alice Briggs and Thomas Fargo

Dover Utilities Commission: John Dillusa and Charles Claseman

Zoning Board: Bill Cobath, Robert Mullan, David Ruoff, and Dean Trefethen

Solid Waste Advisory: Gary Gilmore, Earl Goodwin and Dan Potaschnick

Economic Loan Commission: James O'Neill Jr. and Richard Wallis

Perry moved to accept the reports as given, seconded by Berry. Motion passed on a 9-0 vote.

9. CITY MANAGER'S REPORT

Mr. Beecher stated that the end of February marks 75% of our fiscal year. He stated that 81% of non-property tax revenue has been collected. He stated that expenditures are at 71%. He stated that under economic development for the month of February we issued 23 building permits with a total value of \$564,155 and collected \$3,475 in fees, 2 single family dwellings. He stated that \$122,348 has been forwarded from the State for the storm damage.

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Reese moved to accept the report as given, seconded by Jalbert.
Motion passed on a 9-0 vote.

10. UNFINISHED BUSINESS:

A. ORDINANCES IN 2ND READING

1. Ordinance #03-02/11/98, Chapter 166, Vehicles and Traffic.
Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Johnson.
Motion passed on an 8-0 roll call vote.

2. Ordinance #02-01/28/98, Chapter 170, Zoning, Section 170-28.6,
Telecommunication Facilities. Sponsored by Mayor Pro Tem Otis
Perry.

Perry moved to adopt, seconded by Jalbert.
Reese stated that he wishes to abstain.
Motion passed on a 7-0 roll call vote (Reese abstained).

B. ORDINANCES IN 3RD READING

C. RESOLUTIONS

1. Resolution RE: Bond Authorization – School Kindergarten
Construction. Sponsored by Mayor Wil Boc, by.

Perry moved to adopt, seconded by Jalbert.

Wilson asked the councilors to vote no on this issue. He stated that if the \$125,000 is bonded, it will cost \$50,000 more over the next 5 years and secondly, by doing this we will be creating a whole new \$125,000. He stated that we voted yes a month ago on the basis of the plan presented. He stated that we do not need to waste another \$50,000 in financing.

Berry stated that he also supports using the in hand money and does not support the bonding.

Jalbert asked Mr. Beecher what is the cost on the tax rate to bond this money?

Mr. Beecher stated that it is around 1.5 cents.

Jalbert then asked Mr. Beecher what is the affect of the \$125,000 on the budget?

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Mr. Beecher stated that it was around 10 cents.

Jalbert stated that everyone knows that we are faced with a tax increase in excess of \$2.00 before we start hammering at the budget. He stated that to coin Councilor Rawding, we want to do the best we can and provide the lowest possible tax rate to the community.

Rawding stated that it is not his position to accept the fact that we are going to have a \$2.00 tax increase. He stated that this is called a "bait and switch". He stated that this is not right. He stated that he feels we should pay the money, not put it on the credit card.

Johnson stated that bonding this money and having a minimal impact on the tax rate, and allowing the \$121,000 to be spent on needs within the school system, that then would be reduced from their budget request for next year. He stated that he is torn on this issue, but is he inclined to support the resolution.

Landry stated that he doesn't think it's smart to bond this. He stated that he is concerned about spending \$50,000 over a period of time for 4 rooms.

Jalbert stated that \$125,000 unto itself doesn't seem like a lot, but you will see how quickly these will add up on the tax rate. He stated that every nickel is going to count in June.

Motion failed on a 3-5 roll call vote (Jalbert, Johnson and Perry in favor).

11. NEW BUSINESS:

A. CONSENT CALENDAR

1. Resolution RE: New Hampshire Municipal Association Health Insurance Trust, Inc. Sponsored by Mayor Wil Boc, by Request.
2. Resolution RE: Award of Purchase Order for Miscellaneous Purchases Via the State of NH Surplus Distribution. Sponsored by Mayor Wil Boc, by Request.
3. Resolution RE: Appointments and Reappointments to Various City Boards & Commissions. Sponsored by Councilor Jalbert, Appointments Committee Chair.
4. Tag – Strafford County Stars Girls AAU Basketball

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5. Fireworks – Community Services Department Recreation Division
6. Tag – Dover Pee Wee Football
7. Resolution RE: Street Closing of Central Avenue – Soap Box Derby.
Sponsored by Mayor Wil Boc, by Request.
8. Parade – Dover Knights of Columbus Council #807
9. Raffle – Leukemia Society of America

Perry moved to adopt 11A 1, 2, 3 and 7 and to grant 11A 4, 5, 6, 8 and 9, seconded by Reese.

Jalbert stated that he would like to remove 11A 3 from the consent calendar and move it to the end of the agenda to become 11B 15.

Motion, with the amended to remove 11A 3, passed on an 8-0 roll call vote.

B. RESOLUTIONS

Berry motioned to suspend the rules to move 11B-10 to be 11B-0, seconded by Rawding.

Motion passed on a 8-0 roll call vote.

0. Resolution RE: Collective Bargaining Agreement Between the Dover School Board & Dover Teachers Union. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Berry.

Perry moved to amend the resolution to read 4 years instead of 2 years, seconded by Reese.

Motion to amend passed on an 8-0 vote.

Main motion as amended passed on an 8-0 roll call vote.

1. Resolution RE: Agreement with State of NH relating to bridge construction on Whittier St and authorization to expend budgeted funds for City's share of cost. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Berry.

Reese asked Mr. Beecher if Addison Place has paid?

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Motion passed on an 8-0 roll call vote.

2. Resolution RE: Authorization to Sell Surplus Real Estate Property – Long Hill Park. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Jalbert.

Mr. Beecher asked the Council to waive the bid process and advertising in the paper, and allow the City to sell the land to Middleton Lumber at \$75,000.

Wilson stated he was concerned regarding the recreation phase. He stated that part of the sales agreement should be that the buyer provide the facilities that we want. He stated that this would ensure that the park will be as the public expects it to be. He stated that we could include labor, equipment and at-cost lumber in the Purchase and Sales agreement.

Mr. Beecher stated that as a part of the Purchase & Sales agreement we could include the stuff that Middleton Lumber has committed to us in their letter to us.

Perry moved to amend the resolution to include the provision that the proceeds will be used in the park, seconded by Berry.
Motion to amend passed on a 7-1 vote (Landry opposed).

Landry stated that he is concerned with selling public property at this time. He stated that he is in favor of business growth but he is concerned about taking a piece of this park. He stated that he would like to see the funds of the sale placed in a trust for the future of the park, with a small amount drawn each year for maintenance.

The Mayor stated that the park doesn't need maintenance, it needs to be refurbished. He stated that this is a win/win situation. He stated that no one is using this one acre of land. He stated that losing this is not a real loss. He stated that the \$75,000 is good.

Perry stated that he is in favor of Landry's idea. He stated that there is a difference of opinion in what this area could be used as. He stated that we haven't heard from the Rec Department and we don't know what their plans are. He stated he has concerns about selling City property that is set aside for the future.

Landry stated that he concurs with Perry.

Landry moved to table this issue to discuss it in a workshop, seconded by Wilson.

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Motion to table passed on a 5-3 vote (Berry, Jalbert and Reese opposed).

3. Resolution RE: Authorization to Sell Surplus Real Estate Property. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Berry.

Mr. Beecher stated that the property is an old stump dump on Garrison Road.

Reese showed a map of the property.

Rawding asked what our future liability is once we sell this parcel of land? He also asked what the size of the parcel is?

Reese stated that it is .974 acres (42,446 sq. ft.).

Mr. Beecher stated that he cannot answer Rawding's question about liability this evening but it will come back before the council for sale. He stated that he will have an answer by that time. He stated that this resolution allows us to go out to bid only.

Motion passed on an 8-0 roll call vote.

4. Resolution RE: Renewal of Lease Agreement with State of New Hampshire for the District Court. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Berry.

Mr. Beecher stated that this is a 2 year lease agreement for the Dover District Court beginning 7/1/98 at a monthly rate of \$1,769.90.

Motion passed on an 8-0 roll call vote.

5. Resolution RE: Collective Bargaining Agreement Between the City of Dover and the IAFF (Fire Fighters) Local #1312. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Jalbert.

Mr. Beecher stated that all of the following are 3 year contract, retroactive 7/1/96 through 6/30/99. He stated that all contracts allow for a signing bonus equivalent to 3% of actual wages paid in year one, and 3% of actual base wages paid in year two to date at signing, an equivalent adjustment to employee base for the following year, and a 2.5 – 4% in year three, cost of living adjustment based on the CPI.

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Rawding asked the City Manager where the City Attorney is?

Mr. Beecher stated that he was here earlier.

Karen Larson, the City Clerk, stated that Mr. Rawding had left her a message to inform the City Manager that you would like the City Attorney at the meeting. She stated that it was passed on.

Rawding asked why the City Attorney is not present, when he requested it a week ago?

The Mayor asked why we need him here?

Rawding stated that normally he wouldn't request the City Attorney to attend any of the City Council meetings unless he thought it necessary. He stated that the reason he thought it necessary was because at the last contract negotiation there were comments made by city officials that suggested he should be at this meeting.

The Mayor stated that he believes that there was a misunderstanding. He stated that the City Attorney was present in the Executive Session.

Rawding said he could appreciate the misunderstanding but cannot understand why when he asked the City Attorney to attend the regularly scheduled session that he is not here. He stated that he is going to have to defer to Mr. Beecher for any legal expertise.

Berry motioned to suspend the rules to move the non-contract items up until the City Attorney arrives, seconded by Jalbert.

Motion passed on an 8-0 roll call vote.

13. Resolution RE: Award of Purchase Order for construction engineering /administration services Related to the Griffin well water system improvements projects. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Berry.

Mr. Bobinsky stated that the Griffen Well Improvement project is related to our well contaminated by Madbury Metals. He stated that the design work to fix this problem is now complete and we are in the process of soliciting construction bids and anticipate getting proposals back on March 30th. He stated that these services are needed to ensure that the project is installed and built correctly. He stated that the funds for this project will only be expended to the extent that they are used.

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Reese asked who is going to do the testing?

Mr. Bobinsky stated that it is going to be done by the Community Services Dept.

Landry asked what the phrase "not addressed" means under the weekly project meetings section?

Mr. Bobinsky stated that it was not addressed in the original proposal.

Landry asked if this is to deal with the VOC's problem?

Mr. Bobinsky stated we are solely addressing VOC's.

Rawding asked if the timetable is moving at a good pace, or if it is getting bogged down because of all the parties involved?

Mr. Bobinsky stated no, it's not being delayed. He stated they are hoping to see a settlement by spring.

Rawding asked if everything goes according to schedule, when do you expect to be able to use the water?

Mr. Bobinsky stated probably next fall.

Rawding asked if this will drain our water capacity for the next year or two?

Mr. Bobinsky stated no because we intend to correct it. He stated that none of our wells are in a state of disrepair. He stated that they are at various degrees of production.

Motion passed on an 8-0 roll call vote.

14. Resolution RE: Appointments and Reappointments to Various City Boards and Commissions. Sponsored by Councilor Jalbert.

Jalbert moved to adopt, seconded by Berry.

Jalbert stated that the final applicant for the Cemetery Board has not yet been interviewed.

Jalbert motioned to amend the resolution to delete the Cemetery Board appointment until the final applicant is interviewed, seconded by Reese.

Motion to amend passed on an 8-0 vote.

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Reese asked about appointing the alternates before before new people are interviewed and brought in.

Main motion as amended passed on an 8-0 vote.

Perry moved to suspend the rules to introduce item #11B-15, seconded by Jalbert.

Motion passed on an 8-0 roll call vote.

15. Resolution RE: To Endorse the Reconstruction of the Bandshell in Henry Law Park. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Jalbert.

The Mayor stated that we are endorsing the Rotary Club's effort to raise funds to refurbish the bandshell.

Landry moved to amend the "Now, therefore" section to include wording that states "in no event will any funding sources be pursued which result in any expenditure by the City", seconded by Rawding.

Motion to amend passed on an 6-2 vote (Perry and Berry opposed).

Main motion as amended passed on an 8-0 vote.

**MEETING RECESSED.
RECONVENED AT 9:30 P.M.**

5. Resolution RE: Collective Bargaining Agreement Between the City of Dover and the IAFF (Fire Fighters) Local #1312. Sponsored by Mayor Wil Boc, by Request.

Rawding asked Mr. Wattendorf (City Attorney) what can and cannot be said regarding these contracts?

Mr. Wattendorf stated that anything that was discussed in Executive Session in which the minutes were sealed cannot be discussed publicly. He stated that you can discuss the items openly but cannot make any references to a prior meeting in which you had an Executive Session and the minutes were sealed.

Rawding asked if there is anything improper about discussing past contracts in relationship to current contracts or future contracts?

Mr. Wattendorf stated that legally he doesn't see a problem with that. He stated that under RSA 31-104 that you as a legislator, a

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municipal official, have immunity for anything that you discuss during a session or for any action or votes you take on a matter.

Rawding stated that we should move forward with this process. He stated that he feels that there was a great deal of confusion as to what could and could not be said in past meetings. He stated that intimidation has no place in city government.

Rawding stated that the employees in this union, and across the City, are fine, hardworking people. He stated that he feels that the reason why the last council was unable to reach agreement..

Johnson interrupted Rawding to state that we need to discuss each contract one at a time.

The Mayor stated that each councilor will have two minutes, two times on each contract. He stated that the comments made should be on the resolution before us.

Rawding stated that we cannot have a blanket scheme to create a contract that will be good for all eight unions. He stated that he will support this contract. He stated that in relationship to our sister cities, our fire fighters are on a low scale. He stated that this contract will bring them more in line with fire fighters in other communities.

Wilson stated that he is going to support this contract. He stated that the fire fighters are under paid. He stated that they are EMTs and trained professionals. He stated that he will say yes on this one.

Landry stated that he believes in taking everything on a case by case basis also. He stated that these people are clearly under paid. He stated that he is going to support this contract.

Berry motioned to move the question, seconded by Jalbert. Motion to move the question passed on an 8-0 vote.

Main motion passed on an 8-0 roll call vote.

6. Resolution RE: Collective Bargaining Agreement Between the City of Dover and the Dover Fire Officers Local #2909 IAFF. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Berry.

Wilson stated he will be voting no on this and all of the rest. He stated that he is against the concept of this contract. He stated that this cost of this contract combined with all of the rest is \$1.1 million over and above the raises that were implemented each year while we've been working on this. He stated that employees have received

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regular merit increases each year which amounted to 12%, even if we do absolutely nothing. He stated that this raise we are talking about no is 22 or 23%. He stated that there is \$54,000 coming back in adjustments to insurance.

Landry stated that there is a lot of good things about this contract. He stated that he would like to continue discussion on this contract. He stated he is going to have to vote no.

Johnson stated that the 23% equals a 6.9% increase per year over three years. He stated that we did get some significant progress regarding the health insurance issues. He stated that he sees this as an incremental approach toward a contract that is more desirable. He stated that he is going to support it.

Rawding stated that the last council tried to set parameters that would bring more fairness into the contracts. He stated that the priority of this new council is to get these contracts settled. He stated he will not settle them with an open checkbook policy. He asked how many people get a 6.9% increase in their pay for three years? He stated that this is not fair, we need to go back to the bargaining table and work on it some more. He stated that some of the contracts are fair, but some are too rich. He stated he can't support this contract.

Reese stated that in the spirit of negotiations there are some things you like and some things you don't like. He stated that he intends to support this contract.

Motion passed on a 5-3 roll call vote (Rawding, Wilson and Landry opposed).

7. Resolution RE: Collective Bargaining Agreement Between the City of Dover and the DPA-IBPO (Dover Police Association) Local #466. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Berry.

Landry stated he has not been part of the negotiation process for these contracts and has to base his decisions based on just the merits as he sees it. He stated that he had a lot of trouble deciding on this one. He stated that he can't support this contract.

10:00 PM

Berry motion to suspend the rules to complete the agenda, seconded by Jalbert.

Motion passed on an 8-0 roll call vote.

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Motion passed on a 5-3 roll call vote (Rawding, Wilson and Landry opposed).

8. Resolution RE: Collective Bargaining Agreement Between the City of Dover and the Dover Police Administrators Association. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Jalbert.

Motion passed on a 5-3 roll call vote (Rawding, Wilson and Landry opposed).

9. Resolution RE: Collective Bargaining Agreement Between the City of Dover and the DMSEA (Dover Municipal Supervisory Employees Association). Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Reese.

Landry stated that he feels that this contract corrects a degree of unfairness with a step increase. He stated he will support this one.

Rawding stated that this contract came close with regards to fairness. He stated that it is however, still not close enough, and he intends to vote against it. He stated that with a little "tweaking" could be supported.

Motion passed on a 6-2 roll call vote (Rawding and Wilson opposed).

10. Resolution RE: Collective Bargaining Agreement Between the Dover School Board & Dover Teachers Union. Sponsored by Mayor Wil Boc, by Request.

Moved to Item 11B-0.

11. Resolution RE: Collective Bargaining Agreement Between the City of Dover and the DMEA (Dover Municipal Employees Association). Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Jalbert.

Wilson stated that the citizens and the city council have for a long time wanted more access to City Hall. He stated that they would like to have flex time that involves the ability to open City Hall on Saturday mornings and the Library on Sunday afternoons. He stated that this issue never makes it to the table.

Johnson stated that this contract does make some incremental movement towards that sort of flexible time.

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Rawding stated that this contract is too expensive. He stated that with regard to the issue of extended hours so that the taxpayers can come in and do their business, he feels that it has been a recognized problem for years. He stated that the fact that it is not addressed today in its entirety is shameful. He stated that the City employees work by the grace of the taxpayers giving them the opportunity for employment. He stated that the taxpayers have said we need greater accessibility. He stated that City Hall needs to be open after people get out of work.

Perry stated that he is also concerned about the issue of City Hall being open. He stated that the purpose of City Hall is to offer City services to residents. He stated that there are situations in which people have to take vacation time to come to City Hall to do their business.

Motion passed on a 5-4 roll call vote (Rawding, Wilson, Landry and Perry opposed, Mayor voted to break the tie).

12. Resolution RE: Collective Bargaining Agreement Between the City of Dover and the DPAA (Dover Public Administrators Association). Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Jalbert.

Motion passed on a 5-3 roll call vote (Rawding, Wilson and Landry opposed).

C. ORDINANCES IN THEIR 1ST READING

D. COUNCIL CORRESPONDENCE

1. Dover High School – Dunaway Field

Perry moved to accept and place on file, seconded by Berry.
Motion passed on an 8-0 vote.

12. COUNCIL MATTERS OF INTEREST

13. ADJOURNMENT

The Mayor stated that he would like to commend everyone for their work on these contracts. He stated that the debate tonight was on the issues and it was good and healthy.

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Rawding stated that as councilors we not only represent the tough decisions that we have to make on these contracts but we also have to represent our constituents. He stated we tried to bring a sense of fairness to the table and he commends the council for moving forward and granting these contracts. He stated that he equally commends the councilors who spoke against it to try to bring the fairness issue to a balance. In closing, he stated that employees who work for the City do a fine job and he is very proud of them.

Meeting adjourned.

KAREN L. LARSON
CITY CLERK