



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, August 26, 2009**
Meeting Time: **7:00pm**

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Councilor McCusker led the Pledge of Allegiance.

3. ROLL CALL

Present: Mayor Myers, 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

Mayor Myers presented a Proclamation to Thomas Fargo for all of his years of service to the City of Dover.

Mr. Fargo said a few words of thanks.

5. APPROVAL OF AGENDA

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

Deputy Mayor Trefethen asked to add a Resolution to the Agenda as 12.B.3. Budget Amendment #1; seconded by Councilor DeDe.

Vote: 8/1; Passed. Councilor Scott was opposed.

Councilor Weston asked to add a Resolution to the Agenda as 12.B.4. Budget Amendment #2; seconded by Councilor Carrier.

Vote: 9/0.

Mayor Myers said he would like to add under Council Matters of Interest that the Council fills the vacant position on the Joint Fiscal Committee; seconded by Councilor DeDe.

Vote: 9/0.

Mayor Myers asked for a vote on the amended Agenda.

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.

John Scruton, 99 Sixth Street: He spoke regarding the \$600,000 shortfall. He said Rochester built around the shortfall, and asked why Dover was not aware that State funds were not coming. He said Strafford County had meetings in February about the shortfalls and positions being cut. He said the City should be having one or two annual independent audits to find out where the money is going. He said it's a known fact that new commercial and residential properties only raise taxes, and open space and farmland don't raise taxes. He said less is better. He felt the City was going to become wall to wall buildings.



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David Montenegro, 55 Union Street: He said he answered the Mayor's call and applied for a volunteer position on the Ethics Commission. He has not heard back from the Appointments Committee, and asked what was taking so long. He said he was dedicated to seeing that the integrity of Dover was maintained, and asked who would be more qualified than him.

Mayor Myers said he will respond to that during the Appointments Committee Report.

Unidentified Speaker: He asked about the definition of a business owner; if it was only for operating owners, or if it also included stockholders.

Mayor Myers said it has typically meant only operating owners.

Marilyn Follansbee, 25 Dover Point Road: She said it was an election year and it amuses her to see the paper bashing from the Council. She said there were a few things that have bothered her about the Council. She spoke about the infamous bench and said that as a citizen she doesn't want to sit on a broken bench, and as a taxpayer she didn't want to pay \$8000 for a new one. She said the possibility that it was moved for Café on the Corner is okay with her, because she felt it could be viewed as thanks for all the "Coffee with the Mayor" meetings they have hosted. She felt it was extremely immaterial, an election bash, and she hoped that they have heard the last of it. She said the long debate about emails bothered her, and she still doesn't know what it was about. She felt the Councilors only cared about doing it their way, and didn't care about their constituents. She said she has emailed almost everyone on the Council through the City email address, and has always received a reply. She said the one time she used a private email she did not receive a reply. She said the City's system is working, and the Councilors should let it work. She spoke on Resolutions being brought up and moved to a Workshop, and then to another meeting with changes. She said the citizens have a chance to speak about the resolutions and see the resolution on the website. She said she and her husband are retired and live on a fixed income in Councilor Scott's ward. She said they do not agree with Councilor Scott when it comes to taxes, which is probably why he didn't respond to her email. She said he has watched several Councilors work very hard to keep the taxes low, but she was from the old school and doesn't expect to get something for nothing. She said she wants the streets paved, lines painted, potholes fixed, and decent schools. She said she wants all of these things, but she is willing to pay. She said there were a few things this year that the City did not okay, and she did send money in to help fund them because she is able to do so. She said this is a horrible economy and the County and State put it to us. She said perhaps we needed more people going to the County and State meetings, because everything is blamed on the City and Mr. Joyal. She said she would propose the City having an "Adopt of Pothole" program whereby citizens can send money to the City to fill a pothole that might be on their street. She dispelled the rumor that she is running for Mayor.

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

7. PUBLIC HEARINGS – None



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8. CITY MANAGER'S REPORT

City Manager Joyal said the City Manager's Report for the second Council meeting of August consists of a summary of the City Attorney's office. He said he doesn't have a summary from the Economic Developer because he has been out on the road. He went over areas where paving and utility work are being done in the City. He said the wet spring and summer has affected the line painting, but they have been pressuring the contractor to come back to finish. Deputy Mayor Trefethen moved to accept the City Manager's Report; seconded by Councilor Weston.

Vote: 9/0.

9. MINUTES

- A. **August 5, 2009**
- B. **August 12, 2009**

Deputy Mayor Trefethen moved to approve the Minutes as presented; seconded by Councilor DeDe.

Vote: 9/0.

10. MAYOR'S REPORT

Mayor Myers said it had been quiet the last few weeks. He attended the Chamber of Commerce's Business After Hours event. He did a few ribbon cuttings for new businesses in Dover.

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

Vote: 9/0.

11. UNFINISHED BUSINESS

- A. **ORDINANCES IN THE 2ND READING - None**
- B. **RESOLUTIONS - None**

12. NEW BUSINESS

A. **CONSENT CALENDAR**

1. **RAFFLE – Dover High School Boosters**
2. **RAFFLE – Dover High School Football Boosters**
3. **TAG – Dover Little Green Cheerleading**
4. **PARADE – Dover Knights of Columbus**
5. **BLOCK PARTY – Schmidt Family**
6. **ROAD TOLL – Muscular Dystrophy Association**



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7. RESOLUTION: B10003 McCONNELL CENTER DOORS
 SPONSORED BY MAYOR MYERS BY REQUEST

8. RESOLUTION: BOOK AND MEDIA PURCHASES
 SPONSORED BY MAYOR MYERS BY REQUEST

COMMITTEE REPORTS

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

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

Mayor Myers asked if there were any items that the Council would like pulled for discussion. Councilor Scott asked to pulled Items 12.A.7. and 12.A.8.

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

Vote: 9/0.

Deputy Mayor Trefethen moved for the approval of Item 12.A.7.; seconded by Councilor Scott. Councilor Scott said he pulled this Resolution for two reasons. He said it was over \$25,000 and shouldn't be on the Consent Calendar. He said he has talked with several of his constituents in Ward 3 and they do not want their taxes raised. He said the City and School need to tighten their belts. He said California is selling their assets. Rhode Island is shutting down the government for 10 days. Concord is considering layoffs. He said the City needs to look where the City can stop or reduce the spending, and not put it onto the taxpayer.

Councilor Cheney asked if the doors were required for ADA accessibility, and if would they lower the insurance rate.

City Manager Joyal said it will improve ADA accessibility. He said the funding for the doors is coming from the Community Development Block Grant program, which requires the funds be used for projects that benefit low or moderate income organization or individuals. He said this was Federal Funds being used to improve handicap accessibility to a public facility.

Councilor Callaghan asked if this had anything to do with the energy compliance audit.

City Manager Joyal said no, it didn't.

Councilor DeDe said the Children's Center is through those doors, and no child has been able to open the heavy old steel doors. He said the City is also anticipating that there will be a Senior Day Care Center in the building as well. He said the doors were also used to access Human Services.

Councilor Scott said the Council can justify any kind of spending, but unless the Council pulls the brakes on spending we're going to be adding to the taxes. He said this project could be delayed six months, other doors can be used, and he didn't see this as an urgent matter.



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Councilor McCusker asked the City Manager if he just told the Council that it was Community Block Grant money paying for the doors.

City Manager Joyal said these funds were grant funds and not property tax dollars.

Councilor McCusker asked Councilor DeDe if there currently was a handicap access to these doors, which went to the lobby and elevators of the McConnell Center, and allowed access to the whole building.

Councilor DeDe said no.

Councilor McCusker said there is no justification required here, but the fact was it was a definitive need. He said we're not adding to the taxpayers, regardless of what 12 people in Ward 3 say.

Roll Call Vote: 8/1; Passed. Councilor Scott was opposed.

Deputy Mayor Trefethen moved for the approval of Item 12.A.8.; seconded by Councilor DeDe.

Councilor Scott said he had the same issues with this Resolution. He said it was an \$85,000 expenditure, and he asked that it be put off for six months to a year. He said he also saw that the Library was advertising for two new people and didn't think it was appropriate at this time. He said the City should be limiting new hiring and trying to work on the turnover to reduce expenses. He said each person costs between \$60,000 and \$70,000 in salary and benefits. He said 10 people not hired would make up the \$600,000 shortfall.

Councilor Cheney asked if the amount listed in the Resolution is the amount that will be spent. She also asked if the prices were competitive, since we're co-opting with the State and not going out to bid.

City Manager Joyal said the whole amount may not be spent. He said the State went through the bidding process, and the City is benefitting by piggy-backing and co-opting with the State. Councilor Cheney asked for the amount.

City Manager Joyal asked Library Director, Cathy Beaudoin, how much was spent last year.

Ms. Beaudoin said they spent about 90% of their appropriation with this vendor. She said they get 45% off each book, and 28% off each DVD. She said she doesn't know of any library in the State that doesn't belong to this book purchasing co-op.

Councilor Cheney asked if it was about \$160,000 for the year.

Ms. Beaudoin referred to the Resolution and said the second figure was fines money. She said they have about \$57,000 in the account as of July 31st. which they don't try to spend but to carry over year to year. She said State law requires that fine money go towards library materials.

She said it wouldn't be the total of the two numbers that was spent. She said the book budget was \$93,000, and it is the seventh year that the City has spent that amount. She said with increased costs of books, it actually means they are buying fewer books, and dipping into the fines money more. She said they might spend around \$25,000 to \$30,000 of the fines money, making the total for new materials around \$125,000 from various sources.

Councilor McCusker asked if this was the same line item that the Council appropriated in the budget that was unanimously voted on.

Ms. Beaudoin said that was correct.

Councilor Scott asked Ms. Beaudoin what the damage would be if she spent half the amount.

Ms. Beaudoin said she would have a lot of very unhappy customers.

Councilor Scott asked how many.



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Ms. Beaudoin said that money was used to buy every new book, new reference book, new DVD, new music CD. She said citizens expect the library to be like a book store and have all the new items. She referred to Dan Brown's new book, and said she has 37 people waiting for it, requiring her to buy several copies of it. She said \$93,000 doesn't really go that far. Roll Call Vote: 8/1; Passed. Councilor Scott was opposed.

Deputy Mayor Trefethen said he neglected to mention the Appointments Committee Report, and said it was next on the Agenda.

Mayor Myers referred to the Citizen's Forum comments, and went over the procedures for the Appointments Committee. He said they interview candidates and put forth recommendations. He said trying to keep it in a positive tone, they don't put names out that were not recommended. He said a Councilor alone can put forth a name, without going through the Appointments Committee, and the Council can vote on it. Therefore, if someone didn't get the response they wanted from the Appointments Committee they can go to a Councilor to be put forward to vote. He said all applications are on file for 12 months, and no rejections are given. He said the Appointments Committee met on August 19, 2009 and have the following recommendations for appointment:

- Carrie Keech to the Parking Commission
- Lee Skinner to the Planning Board as an Alternate
- Michael Murphy as a Trustee of the Trust Fund

Councilor Callaghan said he has received several phone calls regarding the Appointments Committee and their concerns. He said he felt the Council should know all the applicants and have an opportunity to review their applications before a vote is taken. He said it was the responsibility of the Council as a whole to determine who serves on these very important committees. He made a motion to postpone these appointments until the Council has an opportunity to review all the applications so they can be more knowledgeable about what they are voting on; seconded by Councilor Cheney.

Councilor Cheney said she agreed that this should be tabled. She felt the Council should be aware of the pool of candidates.

Mayor Myers said he would not support tabling this issue. He said three Councilors work specifically to filter and make recommendations to the Council. He said the meetings are open to the public and recorded. He said the lists of people interviewed and people pending are available.

Councilor DeDe said he would not support tabling this issue. He said it was open to the public and information is freely available. He said it was time to move on.

Councilor Cheney said she has heard about debates on the Appointments Committee, and felt the Council should know more about the process, who applied, and what the votes were.

Councilor McCusker said he wouldn't support this right now. He asked why now. He said the Council has been elected and served 20 months. He said the Appointments Committee, consisting of the Mayor, Councilors Callaghan and DeDe, and the Council has voted on their recommendations. He said questioning the Appointments Committee opens the door to questioning what all the committees do. He asked where this would end. He said there has been nothing wrong with the process until tonight. He said he knew Carrie Keech and Michael Murphy and felt they were wonderful choices. He said he didn't know Lee Skinner and felt he didn't need to, because he trusted the Appointments Committee to make the right choice.



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Councilor Scott said he was disappointed and a mistake was made when the Appointments Committee took Rick Hebbard off the Dover Utilities Commission.

Councilor Callaghan said the Council had the ultimate responsibility with what takes place, and to turn your back on that responsibility boggles his mind. He said it was also unfortunate when the Council is unable to understand when something may need a little bit of fixing. He said it wasn't the first time he has heard these comments. He said the most recent were today, and he wanted to satisfy those people by bringing it forward to the Council tonight. He felt it was even more evident that this should be tabled.

Deputy Mayor Trefethen said the Council received the Agenda packet on Friday, and the audio for the Appointments Committee is available on the web for anyone to listen to. He said the onus is on the individual Councilor to do their job. He said he has listened to the audio and he knows who else was considered. He said the whole Council had five days to do this, and asked what another week is going to do.

Councilor Weston said she knew the Council wanted to review the makeup of the committee and have workshops on it, and suggested to Councilor Callaghan that he bring forward a review on the Appointments Committee. She said right now they have people ready to volunteer and she wouldn't support tabling.

Mayor Myers said the Appointments Committee has talked about reviewing the process at their next administrative meeting. He said he always tried to keep it positive by not mentioning the people that they didn't recommend.

Councilor Scott asked what criteria were used for accepting or rejecting a volunteer.

Mayor Myers said the motion was to table. He said that question pertains to the criteria of the Appointments Committee, and could be different for all three members.

Mayor Myers asked for a vote on the motion to table.

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

Mayor Myers asked for a vote on the Appointments Committee recommendations.

Vote: 6/3; Passed. Councilors Callaghan, Cheney and Scott were opposed.

B. RESOLUTIONS

1. B09090 RIVER STREET PUMP STATION UPGRADE SPONSORED BY MAYOR MYERS BY REQUEST

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

Mayor Myers asked the City Manager about the issue with the numbers, and noted that it needed to be amended to include a 10% contingency.

Councilor DeDe made a motion to add the 10% contingency; seconded by Councilor McCusker.

Mayor Myers asked for a vote on the amendment.

Vote: 8/1; Passed. Councilor Scott was opposed.

Councilor Scott asked who would be harmed by putting this Resolution off for one year. City Manager Joyal said the River Street Pump Station is coming upon 20 years old and is one of the key facilities in the City's wastewater treatment facilities that run 24/7. He said there are different technologies that the City is looking to implement that are more efficient. He said there will also be less manual labor, which is better for safety. He said



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the funding for this project is provided through a 50% grant applied to the loan that is being afforded to the City by the stimulus funds, AARRA program.

Councilor Scott said if the City doesn't start tightening its belt there will be people losing their houses.

Councilor Cheney said she remembered the history on this, and how there will be less manual labor and less contact with the material that is in the sewer. She asked if less manual labor also meant less manpower.

City Manager Joyal said it will not result in less staff, but will result in freeing up employees to work on other backlogged maintenance needs in the City.

Councilor McCusker asked for the new number.

City Manager Joyal said it was \$1,606,421.

Roll Call Vote: 8/1; Passed. Councilor Scott was opposed.

2. RIVER STREET PUMP STATION CONSTRUCTION OVERSIGHT

SPONSORED BY MAYOR MYERS BY REQUEST

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

Roll Call Vote: 8/1; Passed. Councilor Scott was opposed.

3. BUDGET AMENDMENT #1

SPONSORED BY MAYOR MYERS, DEPUTY MAYOR TREFETHEN, COUNCILOR MCCUSKER

Deputy Mayor Trefethen moved for its approval and to refer to a Public Hearing on September 9, 2009; seconded by Councilor McCusker.

Deputy Mayor Trefethen said the budget amendment restores the \$200,000 in estimated revenues to the School Department, thereby reducing the amount of money that needs to be raised by taxes in the next fiscal year.

Councilor Callaghan said he was going to support this going to public hearing. He said there was nothing in the Resolution by which the City Council acknowledges that they didn't have the authority to remove the money. He said the School Board was looking for something in writing.

Mayor Myers said he felt it was done intentionally to keep the two issues separate, to encourage unanimous support and have this completed by the October 1st deadline when the DRA sets the tax rate.

Councilor Scott said he would support this Resolution, but agreed with Councilor Callaghan that there should be a sentence stating that the Council overstepped its authority.

Vote: 9/0.

4. BUDGET AMENDMENT #2

SPONSORED BY COUNCILORS CARRIER AND WESTON

Deputy Mayor Trefethen moved for its approval and to refer to a Public Hearing on September 9, 2009; seconded by Councilor Weston.



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Councilor Weston said this budget amendment was a comprehensive plan that will take care of the \$600,000 shortfall. She said it takes the \$200,000 from reversing the revenue from the School Department, and then it is also taking \$400,000 from the Sand and Gravel Fund. She said instead of having the debate tonight she would rather go to public hearing. She said it was a comprehensive plan to take care of the shortfall, and the result would mean no additional layoffs, no additional cuts in services, and no additional tax to the taxpayers.

Deputy Mayor Trefethen asked if the Council was adding the \$200,000 back to the School Department twice with both Resolutions.

Councilor Weston said no, the Resolution had nothing to do with the previous Resolution.

Mayor Myers asked if in theory it is the same \$200,000 being discussed in Budget Amendments #1 and #2. He said he felt Budget Amendment #2 had some merits, but he wanted to be able to vote on the \$200,000 change of revenue for the School Department and using \$400,000 from Sand and Gravel separately. He did not want to package it together for one vote. He asked the two sponsoring Councilors if they wanted to keep Budget Amendment #1 and amend Budget Amendment #2 to focus on the \$400,000 in the Sand and Gravel Fund. He felt that addressed the \$600,000 and was a neater way to do it.

Councilor Weston said she anticipated that response. She felt it would be much more valuable to have one budget amendment to bring to the DRA. She said she had brought up the \$200,000 several times to the Council and it was always rejected. She referred to the August 5th Council Meeting Minutes and read them to the Council. She said Budget Amendment #2 is not a political measure, but addresses the revenue adjustments and taking care of the shortfall. She asked the Council to let it go to public hearing, to hear what the people have to say.

Councilor Cheney said she liked Budget Amendment #2, because it does address all the problems. She agreed that there was political posturing going on.

Councilor Callaghan said he disagreed with splitting up the Resolution. He said he would support this going to public hearing as is.

Councilor McCusker said he wanted to address the two separate issues. He referred to the implication that the three people that sponsored Budget Amendment #1 were posturing. He said he brought forth the amendment to the table on the night of the budget and 7 people voted for it. He said the Council knew the history on it, and they had a Joint Workshop with the School Board. He said he felt Budget Amendment #1 was showing the School Board that we listened to what they had to say, and understood it was probably in the best interest of everyone to reverse that decision. He said he was doing it in good faith and not political posturing. He said he didn't agree with Budget Amendment #2, because he remembered the money from the Sand and Gravel Fund being earmarked for a bathhouse. He said he knew the Sand and Gravel Fund would be stripped. He felt Budget Amendment #1 addressed the issue with the School Board. He said Budget Amendment #2 is a creative way to address the shortfall. He felt they shouldn't duplicate themselves.



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Councilor Weston said she was willing and asked Councilor Carrier if he was willing to add on Mayor Myers, Deputy Mayor Trefethen, and Councilor McCusker as co-sponsors to Budget Amendment #2, so they could go forward as a unified front.

Councilor Carrier said he had no problem with that.

Mayor Myers said his objection was in having one vote lock in the entire package. He said the Resolution was forcing one vote on two very different issues.

Councilor Cheney referred to the Fund Balance, and said it is over the Council's limit by about \$400,000. She did feel that both issues should be addressed at once.

Mayor Myers asked the City Manager if the Council policy says they should have just a 6% Fund Balance.

City Manager Joyal replied that it says the City will maintain a minimum 6% Fund Balance, but ideally it should be much higher.

Councilor Carrier said the Council is after the same thing. He did feel that if the \$200,000 isn't put back, then the Resolution is not going to work. He asked if separating them will help this move forward and achieve exactly what they're after.

Councilor Weston said this was déjà vu to her with the Charter amendments. She felt the Council was going to shoot down her Resolution before the public had a chance to speak. She said she was just asking for it to go to public hearing and didn't understand what was wrong with that.

Councilor DeDe asked to move the question; seconded by Councilor Weston.

Vote: 8/1; Passed. Mayor Myers was opposed.

Mayor Myers asked for a Roll Call Vote on referring the Resolution to a public hearing.

Roll Call Vote: 8/1; Passed. Mayor Myers was opposed.

C. ORDINANCES IN 1ST READING – None

D. COUNCIL CORRESPONDENCE – None

13. COUNCIL MATTERS OF INTEREST

A. JOINT FISCAL COMMITTEE APPOINTMENT

Mayor Myers reminded everyone that Deputy Mayor Trefethen resigned from the Joint Fiscal Committee. He said he is willing to fill the vacancy, but opened up the floor to see if there were others on the Council interested in filling the vacancy.

Councilor Scott said he would like to volunteer to be on the Committee. He felt this was a case where someone with experience should be placed on the Committee. He said his background is finance, general management, and making sure budgets come in appropriately. He said he felt he would be a very valuable member of that Committee.

Councilor Cheney said when Councilor Scott was first elected he wanted to be on the Joint Fiscal Committee. She said he does have a lot of background and she supported him.

Mayor Myers said Councilor Scott was on the Joint Fiscal Committee when he was first elected, but out of four meetings he may have attended two. He said the minutes for those meetings will reflect that. He said Councilor Scott did have the opportunity to be on the Committee, but he



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had at best 50% participation. He said it may have been the recommendation of the Council that he wasn't put back on the Committee, but that would be reflected in the minutes.

Councilor DeDe said he proposed to put the Mayor's name in nomination. He said there was no one on the Council that knows as much about what is going on with the budget and the relationship between various segments of the budget than the Mayor. He said the Mayor is the right person, particularly at this juncture in time, to be serving in that seat. He reminded the Council that it wasn't a decision-making group.

Councilor Callaghan said he has heard Councilor Scott get indirectly chastised several times for not serving on a board. He said now Councilor Scott is being chastised for stepping forward to be on a board. He said he has missed two of the four meetings scheduled; once because he was in the hospital and once because he was out of town. He said there was a meeting called for next Tuesday and felt it was short notice. He felt Councilor Scott should have the opportunity to do this. He said he was disappointed with Mayor Myers' email looking for votes and already stepping into the role without support from the Council. He said he was supportive of Councilor Scott's offer.

Mayor Myers said if what he said could be construed as ridicule and beating, for clarifying what he believed was a misstatement by Councilor Cheney that Councilor Scott never served on that Committee, then he would love to go back and see the tape. He told Councilor Callaghan that he should go read the language for the Joint Fiscal Committee and how meetings get called. He said a quorum of the Joint Fiscal Committee can call for a meeting. He said the School Board Chair and the Mayor, if they agree, may also call for a meeting. He asked Councilor Callaghan to go see how it works, and also asked him to please show him where he had ridiculed and beaten Councilor Scott, or already overstepped his bounds, because he takes these false accusations personally when they go against his character and the things he is doing here.

Councilor Weston asked Councilor Scott if he had justification for missing two out of four meetings.

Councilor Scott said his business takes him out of state.

Councilor Weston asked if Councilor Scott could make a 6:00 pm meeting.

Councilor Scott said he would have to get the notice well in advance, but yes, he could make the meeting.

Councilor Weston said she felt Councilor Scott would be a good person to represent the City Council on the Joint Fiscal Committee.

Councilor DeDe said he was at the first Joint Fiscal Committee meeting Councilor Scott attended, and he was very disruptive. He said the same type of harangue the Council hears night after night happened at the Joint Fiscal Committee meeting, and it upset the School Board. He said there was further evidence tonight with the 8/1 votes he exhibited during the meeting. He said to say that person is a representative of the Council is unrealistic. He reminded the Council that he put Mayor Myers' name in for nomination.

Councilor Scott said he felt Councilor DeDe was wrong that the Council must all vote the same way, because they weren't a group of Rockettes. He said it is good to have people with different backgrounds to bring other ideas to the table. He said people in Ward 3 want the Council to look for ways to cut spending so their taxes don't go up.

Councilor DeDe said they have done that.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, August 26, 2009**
Meeting Time: **7:00pm**

Mayor Myers asked for a vote for those in favor of Councilor Scott filling the vacancy on the Joint Fiscal Committee.

Vote: 4.

Mayor Myers asked for a vote for those in favor of himself filling the vacancy on the Joint Fiscal Committee.

Vote: 5.

Mayor Myers said he would be filling the vacancy. He reminded the Council that there will be a Joint Fiscal Committee meeting on Tuesday, September 1, 2009.

Councilor Callaghan said he did not intend for his comments to be taken personally, because he was actually directing his comments to other members of the Council.

Councilor Weston said it was suggested to her today that the School cut a one-time cost of \$350,000 for the purchase of books. She said the School has already ordered their school books for the year on July 1st and spent the \$350,000. She said her Resolution solves the \$600,000 shortfall and they don't need to ask the School to make any cuts.

Deputy Mayor Trefethen said he presented his budget amendment to the Council and then shut up. He now wanted to do the math for the Council. He said in June when the Council approved the budget they had removed \$200,000 in revenue from the School. He said the result of that was that the taxpayers had to pay \$200,000 more in their tax bill. He said as the summer progressed the State finalized their budget and we were hoping that they would see the light, but they didn't, and that shortfall was \$600,000. He said that is revenue that the City won't see. He said his math sees it as \$800,000 that is being passed on to the taxpayers if the City doesn't do anything. He said there was broad consensus to restore the \$200,000 to the School budget, so that would leave \$600,000 that would get passed on to the taxpayers if the Council does nothing. He said the proposal is to alleviate that by \$400,000. He said his math shows that it is still \$200,000 being passed on to the taxpayers. He referred to Councilor Scott's editorials to two newspapers, and his proposal to cut \$325,000 from the School's budget and \$325,000 from the municipal budget. He asked Councilor Scott if that Resolution was going to appear anywhere to accomplish those things.

Councilor Scott said he did put forth a Resolution, but asked City Attorney Krans to hold it back until he fully understood the implication. He said he still may put it in.

Mayor Myers clarified the time frame for budget amendments, which have to be forward to public hearings, and completed by September 24, 2009.

Councilor Carrier said if the \$400,000 is used from the Sand and Gravel Fund, there was still residual money left and the bathhouse will be built.

Councilor Weston said she didn't understand Deputy Mayor Trefethen's math. She said in essence it does not equal \$800,000. She said she spoke with Finance Director Daniel Lynch to make sure she understood it correctly. She said if the Council reverses the \$200,000 and puts it back into the revenue of the School, the City has already estimated a tax increase. She said that would give the City \$200,000 leeway in offsetting the \$600,000 shortfall. She said taking the \$400,000 from the Sand and Gravel Fund, it ends up as a wash. She asked Finance Director Lynch if she was correct.

City Manager Joyal said she wasn't correct. He said Deputy Mayor Trefethen's math was correct. He said this is why the Council should be talking with the City Manager about budget



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amendment resolutions, so he can coordinate the collection of information. He said the Council approved reducing the School's revenue by \$200,000, creating it to be passed on to the tax levy. He referred to the \$600,000 shortfall from City revenues, and said if the Council did nothing the Department of Revenue Administration would force that onto the City's tax levy. He said the net effect of that is \$800,000 and if the Council did nothing that would be added to tax levy. He said reversing the \$200,000 revenue back to the School still leaves \$600,000 in revenue that needs to be addressed. He said taking \$400,000 from the Sand and Gravel Fund still leaves a gap of \$200,000 that will flow onto the tax levy.

Councilor Weston said she wasn't there to debate with the City Manager. She said when the Council passed the budget with an increase based on the removal of the revenue from the School budget, the citizens realized that their taxes were going to go up. She said the additional \$400,000, with the tax increase the Council already approved, would make it a wash. She asked Finance Director Lynch what she was saying wrong.

Mayor Myers said Councilor Weston was starting with the end result of what was adopted in June.

Councilor Weston asked where else they would start.

Mayor Myers said the City Manager is starting from the beginning of the budget process.

Councilor Scott asked if they could get the remaining \$200,000 from Fund Balance.

Mayor Myers said he would have to bring forth a budget amendment. He said next year is right around the corner. He referred to the CPI number for July, -2.1, making the average so far for the year -0.8, which is used in the tax cap formula. He said we are adding to that deficit financing by using \$200,000 of Fund Balance this year. He said that is their starting point next year.

Councilor Scott said this was the reason they have a high-priced City Manager, to address these problems and recognize that the taxpayers can't always be asked to pay more money. He asked if the Fund Balance was \$5.5 million. He asked if it was lowered \$200,000, who was going to complain if they start with \$5.3 million?

Mayor Myers asked Councilor Scott to bring it forth as a budget amendment, and if it gets a 2/3 majority the Council can take that action.

Councilor McCusker referred to the comments made about the two positions being advertised for the Library, and that they cost \$70,000 a piece. He asked the City Manager is there were two positions for the Library being advertised for \$70,000 a piece.

City Manager Joyal said absolutely not.

Councilor McCusker asked if the positions were full-time or part-time.

City Manager Joyal said they were part-time, one at 15 hours and one at 11 hours. He said there was a full-time position that is being eliminated by attrition and being replaced by two part-time positions.

Mayor Myers said that was in the City Manager's Report two weeks ago.

Councilor McCusker wanted this clarified for the citizens.

14. ADJOURN

Deputy Mayor Trefethen made a motion to adjourn; seconded by Councilor Weston.

Vote: 9/0.