



CITY OF DOVER

## CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, March 23, 2011**  
Meeting Time: **7:00pm**

### 1. CALL TO ORDER

### 2. MOMENT OF SILENCE

### 3. PLEDGE OF ALLEGIANCE

Councilor Cruikshank led the Pledge of Allegiance.

### 4. ROLL CALL ATTENDANCE

**Present:** Mayor Myers, Deputy Mayor Trefethen, Councilor Carrier, Councilor Cheney, Councilor Cruikshank, Councilor Garrison, Councilor Hooper, Councilor Nedelka and Councilor Weston.

**Also present:** City Manager Joyal, General Legal Counsel, and City Clerk Lavertu.

### 5. PROCLAMATIONS/AWARDS – None

### 6. APPROVAL OF AGENDA

Councilor Garrison moved to add the Legislative Report; seconded by Councilor Cruikshank.

Vote: 9/0.

Councilor Hooper moved to add the School Board Report; seconded by Councilor Carrier.

Vote: 9/0.

Councilor Nedelka moved to approve the amended Agenda; seconded by Deputy Mayor Trefethen.

Vote: 9/0.

### 7. PUBLIC HEARINGS – None

### 8. 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.*

**Marsha Pelletier, 94 Back River Road:** She asked the Council to honor the Dover Teachers' Contract.

**Suzanne Medbery, 3 Covered Bridge Lane:** She spoke against the pedestrian covered bridge possibly being given away to Sunapee. She said she would like to see the bridge remain in Dover. She said Mr. Bleiler would pay \$1,000 to keep the bridge in Dover.

**Ronald Huml, 199 Mast Road:** He spoke in opposition of the Dover Teachers' Contract. He said he hasn't received a raise in his Social Security for the past three years, and he didn't want to fund the people at the schools.



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**Deborah Hackett, President of the Dover Teachers' Union:** She gave the Top Ten Reasons to approve the Dover Teachers' Contract.

**Donald Medbery, 3 Covered Bridge Lane:** He spoke about the Dover Teachers' Contract. He read RSA 671:18 to the Council. He said School Board members cannot be an employee of a school district. He asked the General Legal Counsel to investigate this RSA. He said the teachers deserve raises. He said the paraprofessional contract should have come after the teachers' contract.

Mayor Myers said the paraprofessional contract had time constraints where the Council had to act upon it.

**Denise Copley, 29 Samuel Hanson Avenue:** She spoke in favor of the teachers' contract. She asked the Council to pass the contract.

**Beth Setear, 29 Horne Street, School Board Secretary:** She urged the Council to pass the contract.

**Harvey Turner, 4 Auburn Street, Ad-Hoc Willand Pond Committee Member:** He spoke about the Willand Pond presentation at the next Council Workshop.

**Maybeth Anderson, 16 Monroe Street, Dover Teachers' Union Member:** She spoke in favor of the teachers' contract. She hoped the Council valued the City's teachers.

**Richard Callaghan, 32 Horne Street, Ad-Hoc Willand Pond Committee Member:** He spoke about the Willand Pond presentation at the next Council Workshop. He asked the presenters to attend the Ad-Hoc Willand Pond Committee immediately following the Workshop to answer questions from the citizens who live in the Willand Pond area.

**Frances Meffen, 16 Benjamin Way:** She spoke in favor of the teachers' contract. She said 4,000 children were counting on the Council.

**Carolyn Mebert, School Board Chairperson:** She asked the Council to please support the contract.

**Jennifer Krans, 99 Portland Avenue:** She asked the Council to support the contract.

**Patricia Brown, 9 Shady Lane:** She asked the Council to support the contract.

**David Martin, 10 Linda Avenue:** He thanked all teachers. He said this wasn't about teaching. He spoke about the School budget. He said he couldn't support the wish list for the School budget, and they needed to see a more detailed budget.



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**Audra Lurvey, 9½ Sixth Street, School Board Vice-Chairperson:** She asked the Council to support the contract.

**Gregory Brown, 6 Arbor Drive:** He spoke in support of the teachers' contract and teachers' commitment. He asked the Council not to take the State's problem out on them.

**Domenick Cama, 119 Cottonwood Drive:** He spoke in support of the teachers' contract. He said the City needs to invest and grow.

**Patricia Sorensen, 3 Westwood Circle:** She spoke to sway the Council to support the contract.

**Christine Sieks, 7 Florence Street:** She said she was willing to pay more taxes for a great education. She asked the Council to support the contract.

**Meaghan Odell, 16 Second Street:** She said she was a product of the Dover School System. She said the teachers are hardworking and dedicated.

**Kristen Murphy, 17 Rutland Street:** She referred to Mayor Myers email to her, and understands that this is a very difficult time. She said the teachers are a priority and urged the Council to support the contract.

**Lisa Spurling, 10 Isaac Lucas Circle:** She said she wasn't a fan of unions, but she supported the contract.

**Joseph Tenuta, 262 Long Hill Road:** He spoke in favor of the teachers' contract. He spoke about losing his job and his start as a substitute teacher. He said it was all about the kids, who are the future.

**Michelle Holt-Shannon, 14 Florence Street:** He asked the Council to approve the contract.

**Jean Briggs-Badger, Superintendent of Schools:** She spoke in favor of the teachers' contract. She compared teacher salaries in Dover to the State. She asked the Council to support the contract.

**Richard Hebbard, 97 Spruce Lane:** He referred to the School bus contracts, which stated that the City would be getting new buses and video cameras on every bus, which the City did not get. He felt there was fraud somewhere, and should be looked into. He referred to the stormwater utility, and said he spoke with Congressman Guinta, who said it would be bad for Dover. He wrote a letter to him stating that.



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**Mary Hebbard, 97 Spruce Lane:** She read the letter from Congressman Frank Guinta to the Council. She spoke about the Executive Session spilling over into the Regular Meeting, and asked the Council to respect citizens and start the meeting at 7:00 pm. She spoke about the DoverNet schedule and asked the Council to stick to their replay schedule. She said the Council wouldn't be disrespecting the teachers if they voted the contract down. She said the citizens can't afford this contract and asked the Council to vote no.

**Kenneth Appel, 16 Isaac Lucas Circle, School Board Member:** He said it was a fair and reasonable contract.

**Tice Leonard, 64 Dover Point Road:** He spoke in favor of the teachers' contract.

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

### 9. CITY MANAGER'S REPORT

City Manager Joyal spoke to the Council about the Census Bureau statistics. He said Dover has grown close to 11% over the last decade. He spoke about the meeting on Thursday, March 31, with himself, City department heads, and the School Superintendent, which will be about the Dover Budget. He referred to comments regarding Channel 22, and said the City is in the process of transitioning to a completely new broadcasting system. He said it will take a few weeks to get it all sorted out, and asked the citizens to be patient.

Deputy Mayor Trefethen said after speaking with the Mayor and the City Manager they have agreed to include the Ad-Hoc Willand Pond Committee to join the Council Workshop on March 30, 2011, and give them an opportunity to participate.

City Manager Joyal said he will formally invite the Ad-Hoc Willand Pond Committee and Friends of Willand Pond to actively participate in the meeting.

Mayor Myers referred to the City Manager's Report and spoke about the Economic Development Report.

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

Vote: 9/0.

### 10. APPROVAL OF MINUTES

- A. March 2, 2011 – Workshop
- B. March 9, 2011 – Regular Session
- C. March 9, 2011 – Workshop

Deputy Mayor Trefethen moved to approve the Minutes; seconded by Councilor Hooper.

Vote: 9/0.



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### 11. MAYOR'S REPORT

Mayor Myers referred to the Financial Policy Presentation at the 3/16/2011 Council Workshop, and said the public input sessions will be held on April 9<sup>th</sup> at 9:00 am and April 12<sup>th</sup> at 6:30 pm, at the McConnell Center. He said he did several ribbon cuttings for new business members to the Greater Dover Chamber of Commerce. He took a tour of the Portsmouth Christian Academy at Dover campus. He attended Mrs. Shea's 1<sup>st</sup> grade class at Woodman Park School. He attended the Municipal Advisory Committee meeting. He participated in the Mayors for the Meals on Wheels program. He delivered several meals at Cochecho Park, Waldron Towers, and Central Towers. He spoke about the Dancing with the Dover Stars and said it was fun.

Deputy Mayor Trefethen moved to accept the Mayor's Report; seconded by Councilor Cruikshank.  
Vote: 9/0.

Deputy Mayor Trefethen moved to suspend the rules and move Item 13.B.1. on the Agenda to this point; seconded by Councilor Weston.  
Roll Call Vote: 9/0.

Deputy Mayor Trefethen move for the approval of Item 13.B.1.; seconded by Councilor Hooper. Councilor Hooper spoke about her teaching career. She said the deciding factor for her decision to support the teachers' contract was hearing from her constituents, who 10:1 were in favor of the contract.

Councilor Garrison said he would be supporting the contract.

Councilor Cruikshank said she was concerned with the downshifting from the State, and accepting this contract might end up "pink slipping" people. She was struggling with the costs, and it had nothing to do with a lack of respect for the teachers.

Councilor Nedelka said he would be supporting the contract. He did say it wasn't disrespectful to vote no on the contract. He said he was nervous about the budget and the effect on the tax rate.

Councilor Carrier said it was a big decision for the Council to make. He said the Council has no way of knowing what State/County are going to do to the City. He said he would support the contract.

Councilor Weston spoke about the news stating that schools and libraries in New Hampshire will be closing, laying off hundreds of paraprofessionals and teachers. She is petrified with what is coming down from the State. She said she wouldn't support the contract. She said it looks like the State will be cutting \$3 million from the City's budget, and felt some teachers were going to lose their jobs. She said her "no" vote was not a vote against the teachers, but simply economics.

Councilor Cheney said the raise applies to the top 2 rungs. She said the City doesn't have the money, and doesn't see where we will get it.

Deputy Mayor Trefethen said the vote is about the economy, and not about value and respect. He spoke about his own personal life with unemployment, and getting new jobs with drastic pay reductions. He said the whole Council empathizes with the teachers. He said he has gone back and forth on this issue, but he said he would support the contract.

Mayor Myers spoke about City employees versus School employees. He said he was not comfortable for supporting this contract.

Roll Call Vote: 5/4; Passed. Mayor Myers, Councilor Cheney, Councilor Cruikshank, and Councilor Weston were opposed.



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### 12. UNFINISHED BUSINESS

**A. ORDINANCES IN THE 2<sup>nd</sup> READING – None**

**B. ORDINANCES IN THE 3<sup>rd</sup> READING – None**

**C. RESOLUTIONS – None**

### 13. NEW BUSINESS

#### A. CONSENT CALENDAR

1. **PARADE – Avis Goodwin Community Health Center**
2. **PARADE – Portsmouth Christian Academy at Dover**
3. **RAFFLE – Strafford Rivers Conservancy**
  
4. **RESOLUTION: B05022 AWARD OF CONTRACT EXTENSION FOR COMSTAR AMBULANCE BILLING SERVICES**  
SPONSORED BY MAYOR MYERS BY REQUEST
  
5. **RESOLUTION: BID B11048 HAND PAVEMENT MARKINGS**  
SPONSORED BY MAYOR MYERS BY REQUEST
  
6. **RESOLUTION: BID B11049 PAVEMENT MARKINGS LONG LINE REFLECTORIZED**  
SPONSORED BY MAYOR MYERS BY REQUEST
  
7. **RESOLUTION: CASSILY COMMUNITY GARDEN LICENSE**  
SPONSORED BY MAYOR MYERS BY REQUEST
  
8. **RESOLUTION: GRUBB ELLIS MCCONNELL CENTER LISTING AGREEMENT**  
SPONSORED BY MAYOR MYERS BY REQUEST
  
9. **RESOLUTION: PSNH TOLEND ROAD EASEMENT**  
SPONSORED BY MAYOR MYERS BY REQUEST

### COMMITTEE REPORTS

- |  |   |
|--|---|
| 1. <b>School Board</b>                 | 8. Transportation Advisory Commission       |
| 2. Planning Board                      | 9. Joint Building Committee – Horne Street  |
| 3. Appointments Committee              | 10. Joint Building Committee – Media Access |
| 4. Recreation Advisory Board           | <b>11. Legislative Liaison</b>              |
| 5. McConnell Center Advisory Committee | 12. Pool Advisory Committee                 |
| 6. Arts Commission                     | 13. Parking Commission                      |
| 7. Solid Waste Advisory Commission     |   |



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Deputy Mayor Trefethen moved to the approval of the Consent Calendar; seconded by Councilor Garrison.

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

Councilor Nedelka asked to pull Item 13.A.4.

Councilor Garrison asked to pull the Legislative Liaison Report.

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

Roll Call Vote: 9/0.

Deputy Mayor Trefethen moved to adopt Item 13.A.4.; seconded by Councilor Nedelka.

Councilor Nedelka asked the City Manager if there was an informal price comparison.

City Manager Joyal said this was just a one year extension. He said the area Fire Departments are looking to bid out together.

Roll Call Vote: 9/0.

Councilor Garrison spoke to the Council regarding the Legislative Liaison Report.

Councilor Cruikshank moved to accept the Legislative Liaison Report; seconded by Councilor Carrier.

Vote: 9/0.

### B. RESOLUTIONS

#### 1. **DOVER TEACHER UNION CONTRACT** SPONSORED BY MAYOR MYERS BY REQUEST

Moved up on the Agenda to after the Mayor's Report.

#### 2. **RESOLUTION: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)** SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its adoption; seconded by Councilor Weston.

Councilor Weston moved to amend the Resolution to send a letter to the Senators and Representatives; seconded by Councilor Cruikshank.

Vote: 9/0.

Councilor Garrison referred to a typographical error with the third bullet, he asked to remove "the" before Dover.

Vote: 9/0.

#### 3. **DONATION OF LAND TO CITY IN AREA OF TOLEND LANDFILL** SPONSORED BY MAYOR MYERS BY REQUEST

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

City Manager Joyal gave an overview of the Resolution to the Council.

Roll Call Vote: 9/0.



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#### **4. TRANSFER OF CHAPEL STREET PARKING LOT TO THE DOVER HOUSING AUTHORITY SPONSORED BY MAYOR MYERS BY REQUEST**

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Cruikshank.  
City Manager Joyal gave an overview of the Resolution to the Council.  
Roll Call Vote: 9/0.

#### **C. ORDINANCES IN 1ST READING – None**

#### **14. COUNCIL CORRESPONDENCE – None**

#### **15. COUNCIL MATTERS OF INTEREST**

Deputy Mayor Trefethen started a discussion about the pedestrian bridge and the money needed to move the bridge.

Mayor Myers started a discussion about the Citizen's Forum comment regarding the School Bus contract. He said it wasn't a Council issue.

#### **16. ADJOURNMENT**

Deputy Mayor Trefethen moved to adjourn; seconded by Councilor Weston.  
Vote: 9/0.