



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting **9-C**
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: Wednesday, April 25, 2007
Meeting Time: **7:00 pm**

1. **MOMENT OF SILENCE**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**

Those present: Councilors Cheney, Ciotti, DeDe, Keays, Mayor Myers, Deputy Mayor Hindle, Councilors Scott, Trefethen and Turner. Also present: City Manager Joyal and City Attorney Krans.

4. **PROCLAMATIONS – AWARDS**
5. **SUMMARY OF AGENDA**
6. **CITIZEN’S FORUM**

Citizens are invited to speak to items that pertain to the business and/or interests of Dover, NH. Statements shall be limited to five minutes.

Don Coffey of 28 Hawthorne Road was here two weeks ago, he is here again with additional information on his concern of the paving on Hawthorne Road and how it is divided into two sections and one of them was paved 27 years ago, and another portion was done 17 years ago; he compared it to Governor Sawyer Lane and compared the points of deterioration on the two roads. Hawthorne has all of the points that make the list for having a road on the paving list as he read the list. Governor Sawyer is a cul de sac, Hawthorne is not and they both are identified as a class E. There needs to be a closer definition because these are not able to be put in the same category. He continued with his concerns about the paving concluding that the City of Dover looked liked scrooges at Christmas time, he added don't forget this.

Ron Huml of 99 Mast Road would like them to limit both budgets to 3.6% because that is what social security gave and the military gave for an increase. Secondly on the 2% he noticed the lay off of police men and fire men so either they want people to feel sorry for the city or they may have excess personal but he thinks there are other people that can be laid off before fire or police men.

Matt Greenwood 38 Maple Street in Dover stated this is the first time speaking at a council meeting and he is concerned with Berry Brook that runs behind his house. He called the city a couple of years ago and the city told him they would be down to take care of it but he has never seen them. The city has a Berry Brook project going on and they the residents attended a meeting last June and they were told the issue would be addressed but it still has not been taken care of as he would like the trash cleaned up behind it.



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Edward Bleiler of 28 Isaac Lucas circle is here to address Mr. Joyal's remarks that he caused the city to spend \$35,000 on lawyers; what does he think it cost him. As city manager he should be pro-active, why did he not alert the city council on health insurance, vacation, and sick days when this came up; the answer is the city manager was a part of it. The Dover treasurer has dispersed these payments over the years illegally. He willingly spent his own money on this lawsuit for the taxpayers and he thinks the city manager should stop spending the taxpayer's money by trying to defend the indefensible. He can fight city hall and win. The next step should be to instruct the city manager to get a new good lawyer on the case. This is taxpayer money that has gone into three of the highest paid employees of the city. He urged the council to please stop this nonsense and stop illegal healthcare payments to Mr. Wattendorf. All new hires should not receive these benefits. He hopes the taxpayers vote these 5 big spenders out of office.

Sam Allen of 46 Watson Road is here as chair of the North End Fire Station building committee that is working on the selection of the architectural services for the new building. They have met a couple of times and have merged the planning process, he thanked the Fire Department for their tremendous work on this thus far and have brought them to a point with an architectural firm that has a lot of experience, he listed the fire departments they have built. Everyday that they wait it will cost us more money; he has done the reference checks himself. He urged the council to move forward and vote for this architect.

Jerry Lynch of Lincoln Street wants everyone to know there is a Dover taxpayers website that provides letters to the newspaper www.dovertaxpayers.org, he urged people to read this as it has letters that Fosters won't print. The 2nd point is the audit of 10 or 15 employees that have walked away with large payouts; he wonders when this will be completed.

Karen Drapaniotis, the representative of Dover Main Street wants to invite everyone to participate in the Dover Clean Up day on Saturday, May 5th at 8 am. Kiwanis will provide a pancake breakfast for everyone. Also pizza will be served at lunch. They have planted lots of bulbs in Dover that will be blooming soon; she urged people to volunteer for the clean up.

Glen Grasso of 1 Pebble Hill Drive is pleased to follow Karen as her commentary is so positive. He wants to say there are places to go and things to do. He moved to Dover because it looks like it is on its way up. He wants to speak on the waterfront project. The city is lucky to have a developer that wants to do this. Where he came from in CT the waterfront is closed and locked off from the public. The city will receive cash from the developer. Right now the city is not earning any money from



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the tax rolls. Some say the city is giving away valuable property and on the other hand they say it is a hazardous waste dump.

The Mayor asked people to take conversations out in the hallway

Bill Garrison of 4 West Concord Street is following up the previous speaker on the waterfront. The Dickinson team is working in unison with the community to meet our goals. For this to be a viable project for the developer they have to consider a return on their investment while taking all the risks. A mixed use plan can serve that very well for it to be a viable plan for the city it should spur economic growth, vitality and contribute to the tax base, all of which many believe to be true. He was involved in the design subcommittee and there were not many residents there, he urged residents to become involved.

Mandy Chalou of 67 Oak Street is here in support of the waterfront. She listed the improvements that have occurred recently in the park such as the theater, etc. saying the proposed mixed use unit layouts will provide the added bonus of having public access space. The people of Dover will benefit greatly from this.

Anna Boudreau of 9 Northam Drive is here to speak in favor of the waterfront proposal. She has lived here since the 80s and this has been a long project. Another item this parcel did not meet the Open Lands Committee's criteria for purchasing it; the proposal we have we are in a lucky position to be able to have public access to this development.

Aviva Meyer of 1 Pebble Hill Drive stated she is also on board with the waterfront and echoes a lot of the previous speakers. She wants to thank publicly the people involved. She was pleased to see the entire plan in the paper last week. She has some fears of her own that people will judge this project. She wants to be able to trust that the city will continue to push it forward and hopes to share this place with a lot of other visitors from out of town.

Don Medbery of 3 Covered Bridge Lane listed the ten reasons why he thinks the waterfront is a rip-off for the city. He questioned the people on the waterfront committee such as Peter Hamblett who does not live in Dover. He thinks Mr. Dickinson has been overpaid for his services here in Dover. He has seen the unbelievable where the city leaders choose to give away the land on the river, why all the negotiating before the appraisal. The city can do the work build a park, etc, why isn't the Charrette being built? We the citizens deserve better. This whole debacle deserves a more responsible approach for the citizen taxpayers of Dover. Now for the other nine city rip offs, (council folder of 4/25/2007) for the prepared statement. He listed the other 9 projects that he thinks are taxpayer rip-offs. He has



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done his homework; he believes they need to read the settlement sheet and find out we are getting nothing for the property. He continued listing the problem areas.

John Scruton of 99 Sixth Street stated probably a little over 10 years ago this city started with its Master Plan and they were supposed to slow down residential building and build more industrial parks. This has gotten us more traffic congestion and higher taxes. He wants to keep Dover's rural character. As far as the waterfront development now it is a postage stamp of what it was previously. The only green space is the waterfront; it is too valuable to the residents to be putting condos on it. To be fair let the residents vote on what they want down there and not be told what they are getting.

Seeing no one else he closed Citizen's Forum.

7. PUBLIC HEARINGS

SCHOOL PORTION ONLY:

A. Resolution RE: FISCAL YEAR 2008 BUDGET APPROPRIATIONS, FEES AND CAPITAL IMPROVEMENTS PROGRAM. Sponsored by: Mayor Scott Myers, by Request.

Dot Hooper of 84 Katie Lane stated just having been a part of the school board budget discussion on how to keep the city tax bills down is not an easy job. She is here tonight to ask them to vote favorably on the school budget. If they watched their budget meetings they will know they thought long and hard over the school board budget. She does not know how to convince some long time residents that public schools are very different from when she or they went to school years ago. She spoke of the way schools used to be run. The government both Federal and State were not mandating standards and testing programs. We are expected to institute various programs that come to them without their funding them. This budget represents well thought out priorities. She continued on how the administrators are a model for communities around the state. She also urged them to reconsider their cut of the children's librarian. No city services are free; all city services come at a price, what better investment do we have than in our children.

Elizabeth Meffen of 16 Benjamin Way commented she is looking for their support on their school budget saying Judd Gregg and now Carol Shea Porter certainly have the needs of the students in mind. Also at the state level what an adequate education might cost and how we might define this was proposed right here in Dover. At the same time locally our School Board and superintendent make cuts that will have the least direct impact on our students. She remarked on different items the teachers have undertaken to keep costs down. She mentioned her parents that are senior citizen's and also live here in Dover. She urged the city councilors to visit our schools



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and talk to the 4000 citizens who reside there each and every day along with staff working with them making sure they are receiving the education required to be successful citizens. She also asks that the council reconsider cuts they are making, one being the children's librarian also the office of the Director of Economic Development as it makes no sense to her to not have this position.

Don Medbery 3 Covered Bridge Lane stated he also supports public education and as far as the Library there are many citizens that would love to volunteer to work for free in the library and are willing to step up to work there. He knows a few things about the school system. He understands that we have a class that teaches full time Latin for an advanced class. This is not the place to do this; this could be done in a junior college. Some of these items need to be looked at closely. He always hears about how they want to cut the ROTC program. He thinks this is a good program and should not be cut as it promotes discipline, respect etc in the students. It also motivates students.

Seeing no one else, the Mayor closed the public hearing.

8. CITY MANAGER'S REPORT

The city manager reported that on the storm cleanup information for residents there is a city wide clean up for storm debris. Residents are urged to come to the recycling center at no charge but to stop and see the attendant first before they dump. Residents will have through this weekend to use the construction debris container at no charge. Other non-metal items can be put out on their regular day with a tag. All flood related items can be picked up starting Monday; he listed items that will be picked up. Household trash will need to be in the normal trash bags. As for brush and tree waste that can be picked up on the normal trash pick up day. He explained how the brush should be stacked. This info is posted on the city website. Cost estimates are around \$50,000 or \$60,000 for this. He urged them to please make sure these items are dried out as they must pay by weight.

Another item is the gravel pit owner permits; they have received 4 requests from gravel pit owners for permits this year. He pointed out on May 10th at 6:30 pm the Community Services Facility will be having a meeting for inflow. A sewer inflow meeting will be for people with issues on this item. Lastly he encouraged all the council and residents to participate in the Dover Main Street Cleanup, he cannot thank them enough as they do a great service to the city.

DeDe asked about the commentary on retirement that was made earlier. The city manager says state law requires the city to participate in the NHRS if an employee falls into a certain criteria and the city is required to contribute a certain percentage of which is established by the State Legislature.

Cheney wants to bring up a couple of storm related things. The dam boards did give way under pressure as they were supposed to. She understood that the level is kept high in



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order to maintain and to run the generators at the dam. She stated last year on the Mother's Day flood and on Snow's Court the water subsided quickly when the boards were not adjusted but she could not get to her home until they broke away. The city manager explained how the boards work and how they are designed to break away with a lot of force. This flood the Cocheco dam did let go but the Watson road boards did not. There were other factors that contributed to this water flow. As far as the flash boards go he has followed up with the dam operator; Cheney is still concerned this did not happen as it was supposed to.

Cheney wanted to announce that SERVE is going to have another mud out on Friday night from 6-8 PM at the Washington Street Baptist Church. They are also handing out clean up kits. And people can call: 1866 GET INFO or call the Red Cross.

Scott stated a meeting ago there was a request for the last five years for Severino. The city manager hopes to have it for the next meeting.

Turner thanked the city manager for spending time with him on the Willand Pond issue. He asked for the city manager to comment. The city manager says Turner and he took some time and toured Willand Pond and along with Somersworth have been comparing the data on the high amount of development around the area of the pond and it seems to be keeping the level of the pond much higher. Staff and he will be working with Somersworth along with SRPC to look at hydrology, etc to understand why the water is not subsiding out there. He hopes to schedule a meeting in the middle of May sometime with the residents to understand the impact the high water is having on people homes.

Keays asked about when there will be the audit that was approved a couple of months ago. The city manager stated he was waiting until after April 15th; he is now in the process of drafting a scope of services proposal and then the council will be able to choose the auditor. He will be bringing them a proposal. Hindle moved seconded to accept the manager's report by Turner with all in favor.

9. MINUTES - NONE

10. MAYOR'S REPORT

The Mayor thanked everyone involved that has assisted in the recent storm cleanup. Last Friday he attended an Earth Day Celebration at Garrison School where Timberland Corp. sponsored and volunteered a number of materials at the Garrison School with a new nature trail. This past Sunday he ran the annual Reds Road Race 5 mile in its 26th year sponsored by the Reds Shoe Barn. He thanked Gary Bannon and Doug Steele and crew for his work on this. He echoed the thoughts on Dover Main Street Clean-Up Day; it is a family friendly day. He urged everyone to volunteer. The Deputy Mayor informed him the TAC will be in the auditorium where there will be a public meeting to discuss resident's issues on May 14th at 6 PM and notices will be put out that it is happening. Yesterday the big orange bus which is also the Prescription Partnership for America was parked in front of City Hall for folks to get reduced prescriptions. The web site is:

WWW.PPARX.ORG and the telephone number is: 1-888-4PPA-NOW; they have had 350 Dover residents that have participated in the pharmaceutical program. About 95% of the people



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qualified for something. On Friday he will be attending a session HB653 on the retirement system. This is a major issue. Finally he appointed the final two people to the Energy Advisory Commission: Eric Kelsey and Brett Pasinella. For the McConnell Center Advisory Commission appointments with staggered terms are one from the Recreation Advisory Board, one from the City Council and a Planning Board member. Otis Perry, and Gary Greene will have 3 year terms. Gary Gilmore and Stephen Blakney with 2 year terms, and Marvin Brown Jr. with a one year term, Doug DeDe will be the council rep and Don Andolina is from Planning Board and Bob Carrier from Rec Advisory with the acceptance of this report. Hindle moved seconded by Ciotti to accept and make these appointments with all in favor.

11.

12. UNFINISHED BUSINESS

- A. ORDINANCES IN THE 2ND READING - NONE
- B. ORDINANCES IN THE 3RD READING – NONE

C. RESOLUTIONS

- A. Resolution RE: FISCAL YEAR 2008 BUDGET APPROPRIATIONS, FEES AND CAPITAL IMPROVEMENTS PROGRAM. Sponsored by: Mayor Scott Myers, by Request. ***(To be referred to a Public Hearing (City Portion) on May 9, 2007)***

Hindle moved to refer to a public hearing seconded by DeDe with all in favor.

13. New Business

A. CONSENT CALENDAR

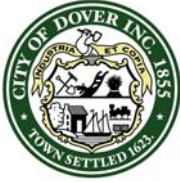
1. TAG PERMIT - GREAT BAY FIGURE SKATING CLUB
2. PARADE PERMIT – DOVER MAIN STREET PROGRAM – “DOVER RACE DAY”
3. PARADE PERMIT – DOVER MAIN STREET PROGRAM – “ARTS WALKS” SERIES
4. ASSEMBLY PERMIT – GREATER DOVER CHAMBER OF COMMERCE – COCHECO ARTS FESTIVAL
5. RAFFLE PERMIT - GREATER DOVER CHAMBER OF COMMERCE – COCHECO ARTS FESTIVAL

Hindle moved seconded by DeDe to grant items 12A 1 - 5 and adopt items 12A 8 and 9. Motion passed on a roll call vote of 9-0.

Scott wants to remove item 12A 7.

Cheney wants item 12A 6 removed.

6. RESOLUTION RE: WATER DRAIN SUPPLIES. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.



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Hindle moved seconded by Trefethen to adopt. Cheney does not understand why we have a blanket purchase order on these items. The city manager explained this is a normal annual purchase, he explained the procedure. This is for items that we may need on an as needed basis. For water supplies through the beginning of March we have spent \$70,000. DeDe clarified this is in lieu of carrying a huge inventory that we may not use and may become outdated. Motion passed roll call vote of 9-0.

7. RESOLUTION RE: SEWER DRAIN SUPPLIES. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

Hindle moved seconded by Trefethen to adopt. Scott questioned why this is coming to the council. He thinks this is a waste of time to have to come to the council. The city manager says the amount may exceed \$25,000 at any given time. Scott wondered how a councilor would know if we needed any one of these parts on the list. Motion passed on a roll call vote of 9-0.

8. RESOLUTION RE: CHANGE ORDER TO B07002 FOR SERVICES TO PUBLIC WATER SUPPLY/WELL STUDY. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

Hindle moved seconded by DeDe to grant items 12A 1 - 5 and adopt items 12A 8 and 9. Motion passed on a roll call vote of 9-0.

9. RESOLUTION RE: AWARD OF BID #B07011 FOR NORTH END FIRE STATION ARCHITECTURAL DESIGN SERVICES. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

Hindle moved seconded by DeDe to grant items 12A 1 - 5 and adopt items 12A 8 and 9. Motion passed on a roll call vote of 9-0.

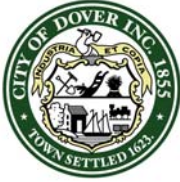
COMMITTEE REPORTS

- | | |
|---|---------------------------------------|
| 1. Appointments Committee | 6. McConnell Center |
| 2. Arena Committee | 7. Planning Board |
| 3. Cable Franchise Negotiations Committee | 8. Recreation Advisory Board |
| 4. COAST Bus | 9. School Board Liaison - submitted |
| 5. Joint Building Committee | 10. Transportation Advisory Committee |

B. RESOLUTIONS

1. RESOLUTION RE: MARTINEAU MEMORIAL SCHOLARSHIP. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

Hindle moved seconded by Ciotti to adopt. Motion passed by all.



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- 2. RESOLUTION RE: FISCAL YEAR 2007 – BUDGET AMENDMENT #2. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST. (TO BE REFERRED TO A PUBLIC HEARING AND SPECIAL MEETING MAY 2, 2007.)**

Hindle moved seconded by Ciotti to refer to a public hearing. The city manager wants to add \$4,000 for the school department damage to their grounds to also include fencing for a total of \$4,000. Motion passed by all.

Hindle moved seconded by Ciotti to suspend the rules to bring pavement markings. Motion passed on a roll call vote of 9-0.

- 3. RESOLUTION RE: PAVEMENT MARKINGS SHORT LINES. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.**

Hindle moved seconded by Ciotti to adopt. The city manager says this is an annual item. Trefethen asked if this was the same vendor as last spring; it seems to him that the lines have not held up as well as in the past but it might be his perception but he thought he would ask. Turner too has been paying more attention to this and he asked about why we only received two bids back. The city manager thinks we are going out to bid when there is a heavy demand for this service; he thinks it is a combination of two things. Motion passed on a roll call vote of 9-0.

C. ORDINANCES IN THEIR FIRST READING - NONE

D. COUNCIL CORRESPONDENCE:

1. WETLANDS APPLICATION – LOUIS MCINTOSH, RIVERSIDE DRIVE

Hindle moved seconded by Ciotti to accept and place on file with all in favor.

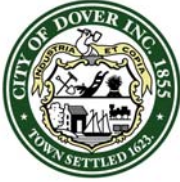
14. COUNCIL MATTERS OF INTEREST

Hindle wants to remind councilors of an email that at 5:45 PM there is a tour of storm related areas.

Trefethen has a few items and follow ups on citizen's forum, the 1st is the full time teacher of Latin and he noted that teacher also teaches 4 or 5 other subject matters everyday.

Another item in citizen forum on the notion of the water front and the price offer before we have an appraisal and it is being portrayed like something out of the ordinary. He then used the example of buying or selling a home and in almost every situation the seller will offer a price before there is an appraisal, this is exactly the same process the city is following.

His 3rd comment is on the sewer supplies and he was speechless when the councilor that has asked for reams and reams and reams of invoices seemed extremely contradictory. Scott



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responds that his disbursements refer to extraordinary vacation payouts to individuals not sewer supplies.

Keays commented on the teacher at the high school on advanced Latin; his theory was they should do away with the class. He was hoping that the teacher was teaching more than one class. Also he hopes the council will take into consideration we will be voting on the school board budget and do what they did last year. He hopes if we are cutting the city budget that we will cut the school board budget. For the last 5 years the school department budget has gone up every year; we cannot continue to afford this school budget. If we are going to force our city manager to come in with a 3.5% budget; he could cut from \$700,000 to a million dollars from the school board budget. He wants them to treat Mike Joyal as well as the school board budget. DeDe stated earlier in the evening there was a comment about an individual that is a member of the Dover Housing Authority and their rules say it is not required to be a citizen of Dover; he is a citizen of Rye and this person has been a paid board member that directs the affairs of a local institution that has been around for years and who has been a great contributor of time and effort to the City of Dover. This was an inappropriate criticism.

Scott wants to second what Keays has said. It is up to this council to protect the senior citizens and slow down our spending. He also wanted to mention the debt spending. He is very much concerned about our high level of debt. He compared us to other communities, Hudson for instance. Also he sees some numbers that don't quite add up on page 72 of the CIP.

The Mayor asked Scott to put that in writing. Scott agreed he would send an email on the pages in question.

The Mayor stated we have to compare apples to apples and not apples/oranges when comparing debt.

15. **ADJOURN**

Hindle moved seconded by Trefethen to adjourn at 8:52 PM with all in favor.

The city manager reminded them that tomorrow they will leave city hall at 6 pm for the flood tour.