

**MINUTES  
REGULAR COUNCIL MEETING  
JANUARY 10, 2001  
DOVER CITY COUNCIL  
COUNCIL CHAMBERS  
7:00 P.M.**

**1. MOMENT OF SILENCE**

**2. PLEDGE OF ALLEGIANCE**

The Mayor led the Pledge of Allegiance.

**3. ROLL CALL**

Mayor Boc, Councilors Dunnington, Hindle, Mayberry, Nossiff, Reese, Schmidt, and Andrews-Parker were all present. Mayor Pro-Tem Berry was absent.

**4. MAYOR'S REPORT**

On 1/4/01, he went to the Governor's inauguration, where she gave a moving speech; tonight he attended the Greater Dover Chamber of Commerce's annual dinner, where they named the 2001 Citizen of the Year, Tom Wells. The Mayor read a list of his accomplishments to us. He mentioned all the secret service and helicopters seen flying around the area recently and said they were because President Bill Clinton is coming to town tomorrow morning for a speech at DHS. Hindle moved, seconded by Mayberry, to accept. Passed by all.

**5. PUBLIC HEARING**

1. Ordinance #17-12/13/2000, Chapter 166, Vehicles and Traffic, Section 166-56, Schedule I, No Parking at Any Time, Arch Street. Sponsored by Councilor Elizabeth Andrews Parker. **(See Item 10A-1)**

Seeing no one, the Mayor closed the public hearing.

2. Resolution RE: NH Coastal Program Grant. Sponsored by Mayor Wil Boc, by Request. **(See Item 11B-1)**

Seeing no one, the Mayor closed the public hearing.

**6. CITIZEN'S FORUM**

Eric Sweetser of 2 Wallingford Street, stated that he recently had had a conversation with the City Attorney regarding the vacancy on the Planning Board that he had applied for. The City Attorney stated that he does not qualify for an appointment because he is involved in a lawsuit with the Paul Street neighborhood vs. the City. He referred to an RSA that pertains to this issue. He stated he cannot serve on Planning Board but would like to serve the City in another capacity in the future. He mentioned the Master Plan and he does not feel this is a good plan and is not addressing the current needs of the city as it was designed back in 1985. He showed us a landscape magazine on park design and urged the Council to read it.

Seeing no one else, the Mayor closed Citizen's Forum.

## **7. MINUTES**

## **8. REPORTS OF STANDING AND SPECIAL COMMITTEES**

### **A. Planning Board – Councilor Jerry Reese**

Reese stated the Planning Board met last night. The Board had an election of officers. Ron Cole was re-elected Chair of the Planning Board.

They considered and accepted (C/A) an application for a site plan of land for Virtuous Realty, LLC located at 5 Faraday Drive. C/A a request for a merger of land for Eileen C. Bardwell located on Sixth Street. C/A an application for a lot line adjustment of land for Eileen Bardwell and Robert McCrone located on Sixth Street. Tabled an application for a site plan of land for R. H. Bardwell, Sixth Street Station. There will be a site walk Saturday at 9: 00 a.m. People are welcome to attend.

They tabled a discussion and voted on a site plan for Motiva, located on Silver Street. They will discuss this in a workshop on February 6, 2001. Still on the table are discussion and vote on a site plan for Millstone Properties located at 8 and 10 Back River Road.

Finally, they approved an amendment to Article VII, Overriding Districts, by adding a new Chapter 170-28.4, Scenic Road Overlay District.

### **B. Public Works Building Committee – Councilor Peter Schmidt**

Schmidt stated they had met at the site yesterday and discussed the flooring plans. Work is progressing well. The pole barn parts have arrived on site and will be put up soon. Mr. Lassel had talked to them about the freezing and thawing around the footings but no harm has been done. They also discussed the drainage around the area as well. He went on to say it was a very effective meeting. The mayor wondered about the completion date. Schmidt said they do not have one as yet. He did point out that there would be ongoing sewer construction in the Mast Rd area.

### **C. Arena Building Committee – Councilor Matt Mayberry**

Mayberry reported the arena is moving along very well with an expected completion date of mid March and we are still on budget. Everyone is looking forward to some spring skating. The fund raising team is doing an outstanding job. They would like to come before the Council in a February or March workshop to brief the Council on how well they are doing in raising the needed funding.

### **D. COAST Bus – Councilor Peter Schmidt**

Schmidt explained the Executive Committee had met on Tuesday afternoon, discussed issues on the new buses. He hoped everyone has seen the new Jenny Thompson bus by now. The citizens seem to be pleased with the newer buses. The Saabs were excellent buses, but they are old and parts are extremely expensive to come by. A New York based organization will be doing a study and they are looking to combine service from the Newington Mall area serviced by the Route 2 bus into a trolley that will give them greater availability. They are also looking at incorporating the transfer capability with a small fare increase. At a recent vote the drivers accepted the Teamsters Union and will need a contract. There are a number of drivers and they are doing an excellent job and are very courteous as well. This is a very demanding occupation. Andrews Parker asked if the train would be coordinated with the current study.

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Schmidt stated this study won't be addressing the train coordination just yet, but that will be addressed in the future.

E. Parking and Traffic Committee

Andrews Parker reported the Parking and Traffic Committee will meet on the 17<sup>th</sup> with two items on the agenda, a review of the transportation part of the Master Plan as well as parking in front of St. Mary's School. It is open to the public as well as the City Council. Schmidt asked about Preble Street and Central Avenue at the First Savings of NH Bank and the need to get across the street in that area. Schmidt stated this is a daunting area for the best of us but very intimidating for the elderly. He would like to see a ban on parking in front of that building.

F. Solid Waste Advisory Commission – Councilor Thomas Dunnington

No report.

G. Elementary Facilities Committee – Councilor Jason Hindle

No report.

Hindle moved, seconded by Mayberry to accept reports. All in favor.

**9. CITY MANAGER'S REPORT**

The City Manager reported we are six months through this fiscal year's revenues and have collected 65% of non-property tax general fund revenue for a total of \$4.3 million. On the expenditure side, we have spent \$8 million or roughly 50%. Under economic development, last month we issued 36 building permits for a construction value of \$7 million and collected fees of \$18,395.

He congratulated Pete Lavoie on the good job his department has done on plowing the streets in the recent snowstorms. The Mayor reiterated this also. Nossiff mentioned the revenue reports that he would like to receive early in the year this year along with the surpluses as the economy is now slowing up a lot. The City Manager agreed and said he would ask Jeff Harrington to begin doing this and they will have it at the next meeting. He also said the information was in their quarterly report as well. Hindle moved, seconded by Reese, to accept. All in favor.

**10. UNFINISHED BUSINESS:**

**A. ORDINANCES IN 2<sup>ND</sup> READING**

1. Ordinance #17-12/13/2000, Chapter 166, Vehicles and Traffic, Section 166-56, Schedule I, No Parking at Any Time, Arch Street. Sponsored by Councilor Elizabeth Andrews Parker.

Andrews Parker moved, seconded Mayberry, to adopt. Passed on a roll call vote of 8-0.

**B. ORDINANCES IN 3<sup>RD</sup> READING**

**C. RESOLUTIONS**

**11. NEW BUSINESS:**

**A. CONSENT CALENDAR**

1. Tag Permit – Dover Girl Scout Brownie Troop 21612
2. Raffle Permit – Saint Mary Academy
3. Tag Permit – Dover South Side Little League

Hindle moved, seconded by Reese, to grant. All in favor.

**B. RESOLUTIONS:**

1. Resolution RE: NH Coastal Program Grant. Sponsored by Mayor Wil Boc by Request.

Hindle moved, seconded by Reese, to adopt. Schmidt asked about the maintenance or upgrading of the storm drains, with all the heavy rainfall, there was danger of an inadequacy of the system. He asked Dean Peschel for an overview of the system. Dean explained about the pollution as well as the quantity of the water at certain times. In the 70s and 80s, the culverts used to be undersize and some still are. Dean says the EPA has discovered this is a huge problem. The City has 2100 catch basins in Dover and they (Community Services) only clean out about 150 each year but they will be increasing this effort in the future. Nossiff mentioned he was working across the river and could see sand coming out of the retaining wall of the banks of the river and silting into it in torrential rainstorms. Passed on a roll call vote of 8-0.

2. Resolution RE: Collective Bargaining Agreement Between the City of Dover and the Dover Municipal Advisory Employee Association. Sponsored by Mayor Wil Boc, by Request.

Hindle moved, seconded by Mayberry, to adopt. Passed on a roll call vote of 8-0.

3. Resolution RE: Award of Purchase Order for New Sidewalk Tractor with Accessories. Sponsored by Mayor Wil Boc, by Request.

Hindle moved, seconded by Reese, to adopt. Andrews Parker asked if we would keep both of the tractors. The City Manager stated yes, we definitely need two of them and this will be a third one if Sam Crowley can keep all of them running. He went on, we get a lot of complaints on sidewalks. Motion passed on a roll call vote of 8-0.

4. Resolution RE: Award of Blanket Purchase Order for Continued Professional Consulting Legal Assistance. Sponsored by Mayor Wil Boc, by Request.

Hindle moved, seconded by Reese, to adopt. Nossiff has a concern with the number of hours in attorney time, 600 hours is being spent on Tolend Land Fill and \$60,000 is way too much. The City Manager and Dean monitor Mr. Peltonen's time to be sure we are getting our money's worth. This \$60,000 will get us partially through this year. Reese spoke against reducing these appropriations; he feels Peltonen gives the city a break quite often. Mayberry commented on John Peltonen saying he is a recognized attorney in this area and the city is getting an

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outstanding expert in this field. He went on, he is a great person to have on our team. Dunnington agrees with the above. Motion passed on a roll call vote of 8-0.

5. Resolution RE: Creation of a Joint Special Building Committee. Sponsored by Mayor Wil Boc.

Hindle moved, seconded by Mayberry, to adopt. The Mayor explained the resolution, saying he is naming Nossiff and Hindle to this committee. Hindle asked to abstain from the vote, along with Nossiff. Andrews Parker asked Nossiff about his views on the Alternative School being at the courthouse. Nossiff corrected the record; he did not advocate that the Alternative School stay at the old middle school. He has learned a lot in this process. He didn't want to create the impression that he wanted it kept at the middle school; he just does not want that building torn down. Motion passed on a 6-0 vote. Nossiff and Hindle abstained.

6. Resolution RE: Award of Purchase Order for Contaminated Soil Excavation and Disposal River Street Public Works Facility. Sponsored by Mayor Wil Boc, by Request.

Hindle moved, seconded by Mayberry, to adopt. The City Manager asked Dean Peschel to give the background on this resolution. Mayberry asked, when the work is completed would we need an estimate. Dean says the removal of soil is 95 %. They will monitor the wells and they expect to see a dramatic drop in contamination down there. Mayberry asked about the soils sifting directly into the river that are coming thru the wall. Dunnington asked if this process would take care of it. Dean feels it will. Andrews Parker asked if in this contract it is going to remove the parcel, and will we need to fund this again if we miss something. Dean says there is no guarantee and there is no control over how the project goes. Dean understands the issues going on at the site but they are trying to make a good effort at cleaning up the site. Andrews Parker would like a summary upon completion of the project. Reese asked if it is part of the Brownfield site. Dean says no. Schmidt asked where the contaminated soil was removed to. Dean explained it originally was taken to BMSI and cooked to remove the contamination. Schmidt asked if testing was done to see exactly what the soils contained. Dean says they do field testing while they are actually digging. The City Manager interrupted, saying they will have this item on their February Work Shop. They will have a map that shows the Brownfield area, as well as this area. This is one small part of the 30 acres. The Mayor also wants an update on the dredging of the river. Mayberry thanked Mr. Beecher for explaining that this is just a little piece of the pie. He reminded people at home we are paying for past evils. When will be the start of this project? Dean says it has been completed already. Motion passed on a roll call vote of 8-0.

7. Resolution RE: Award of Change Order for Thompson Pool: Filter System and Building Design. Sponsored by Mayor Wil Boc, by Request.

Hindle moved, seconded by Mayberry, to adopt. Motion passed on a roll call vote of 8-0.

Hindle moved, seconded by Mayberry, to suspend the rules to introduce items 11B-8.&9. Motion passed on a roll call vote of 8-0.

8. Resolution RE: FY02 Capital Improvements Program – Non Debt. Sponsored by Mayor Wil Boc, by Request.

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Hindle moved, seconded by Mayberry, to adopt. The City Manager needs approval on item #26 (SCADA). Mayberry asked if we are authorizing this to be placed in next year's budget. The City Manager says these first 25 are all in the next operating budget. Number 26 would be acted on immediately. All the other 25 will be in next year's budget and will be talked about later. This does not approve the funding on them; this is a continuing project. Andrews Parker asked, if you only need 100,000 then why don't we give you only this amount? Motion passed on a roll call vote of 8-0.

9. Resolution RE: Appointments Committee Recommendations To Various City Boards and Commissions. Sponsored by Councilors Reese, Berry and Mayberry.

Reese moved, seconded by Andrews Parker, to adopt. Motion passed on a vote of 8-0.

**C. ORDINANCES IN THEIR 1<sup>ST</sup> READING:**

**D. COUNCIL CORRESPONDENCE:**

1. Wetlands Application – Norman and Christine Grammatic
2. Price and Programming Notice – AT&T Broadband

Hindle moved, seconded by Reese, to accept and place on file. All in favor.

**12. COUNCIL MATTERS OF INTEREST**

Mayberry asked the City Manager to have a briefing on AT&T Broadband. Mr. Beecher stated Mike Joyal would be giving a report at the workshop on January 25.

Reese concurs with Mayor Boc on the good job of snow plowing in the City, and Chief Bibber did not call but he urged people that live near a hydrant to shovel them out. Mayberry took a moment to thank the Firefighters for all their work on the toys for tots program.

**13. ADJOURNMENT**

Reese moved, seconded by all, to adjourn. All in favor.

JUDY GAQUETTE  
CITY CLERK