

**MINUTES  
DOVER CITY COUNCIL  
REGULAR COUNCIL MEETING  
DECEMBER 12, 2001**

**6:30 PM**

**NON-PUBLIC SESSION RE: Labor Negotiations**

**City Manager's Office**

**7:00**

**COUNCIL CHAMBERS**

Wil Boc asked Mayor Maclin from Somersworth to come to the front to present the traditional turkey for winning the Thanksgiving Day game.

**1. MOMENT OF SILENCE**

**2. PLEDGE OF ALLEGIANCE**

Councilor Mayberry led the Pledge of Allegiance.

**3. ROLL CALL**

Members present: Councilor Mayberry, Councilor Nossiff, Mayor Pro Tem Reese, Councilor Schmidt, Councilor Andrews Parker, Councilor Tweedie, Mayor Boc, Councilor Dunnington, and Councilor Hindle.

**4. MAYOR'S REPORT**

The Mayor recognized the three community services workers - janitors Joe Fenton, Ron Camire, and Ray Cote with certificates of recognition. He presented their certificates. He then recognized Gary Avery for televising these meetings. Four years ago he started the Mayors Award. He asked Reese to read this one, Reese read the proclamation. He presented the award to his wife, Carol Boc, as well as, the key to the City. On 12/7 he represented the City here at City Hall and presented commendations and keys to the City to George Estee, Al Rheäume, and Martin McManus survivors of the attack on Pearl Harbor. This event was organized by Phyllis Woods. Next, he asked Beth Thompson to come forward and tell about the train that will be coming to town on Friday, 12/14. Beth stated they had only had 4 or 5 weeks to prepare for this event. The station is almost complete and everyone is welcome. Cathy Fink of the Bell Center will perform music for us from 12:30 – 12:45 p.m. The Mayor will dedicate the building to Joe Sawtelle at 1:14 p.m. Mr. Sawtelle donated the land for the train where the train comes in. Former Massachusetts Governor Dukakis will be on board, as well as, Governor Jeanne Shaheen. They will disembark at Dover for a brief ceremony. About 20 people from Dover will get on board and move on to the next stop. Beth is selling raffle tickets in the City Clerk's office, as well as, the library and the Chamber of Commerce. She described the assorted prizes, a trip to Washington, D.C. and other trips and items. She stated they would be selling long sleeve t-shirts as well as pins, hats, etc. at the train station.

Next, the Mayor asked George Maglaras to step forward and tell us about the proposed jail. Maglaras says he brought Ray Bower, County Administrator, to show the maps of the new Strafford County House of Corrections. Maglaras explained the maps and charts that he brought. They want to change the criminal justice system in its entirety. They are looking to do groundbreaking on this project in the spring. He showed the existing jail and pointed out where the proposed expansion is. Currently, they have 200 plus inmates in the building. It was built to house 65. This is a \$20 million project and there are a lot of dynamics that go into changing this system. He asked Ray Bower to speak. Mr. Bower explained the new project on the plan, he showed the new access road that is being created to bring the prisoners in. Nossiff has had a complaint from residents in the area. We need to have a system to get the released offenders into public transportation so they are not walking around residential areas. Maglaras tries to answer. He stresses this is the most modern facility in the whole New England area. They are trying to

create a situation to help judges and attorneys. They will be monitoring various people outside the facility instead of housing them here in the facility.

Mayberry asked with \$20 million, what will that do to the tax rate? Maglaras says it will have a minimal effect on the tax rate. Mayberry asked where would the Cocheco Valley Humane Society be located. Maglaras stated, right there. They have not decided where they will be located but they will be on county land. Dunnington asked if there was going to be a tendency for us to receive the overflow inmates from other towns and jurisdictions? The theory is according to Mr. Bower, we will have control over who comes to this jail. This facility should last us for a long time. This has the potential to raise more revenue than they will spend or it will cost us. According to Maglaras the core facility will have the ability to handle 400 inmates. Mr. Bower says we did not size this facility to take in boarders. They built it big to meet our needs into the future. On the day it opens it will not be full with our own inmates. Andrews Parker asked about the federal inmates that will be housed there. Are they more violent? Maglaras says these will not be federal criminals, just people that have committed federal offenses. He gave an example of someone who committed mail fraud. Maglaras described the prisoners' path through the prison system, as it will work and finally, they will be out and will be monitored. Andrews Parker says, so she is paying for these inmates rehabilitation out of her county tax rate. Maglaras answered her questions stating that we do have to pay to a certain extent for these people that are re-housed here. Maglaras stated he is working on the budget for this year. The commissioners are very sensitive to raising taxes.

Tweedie asked about the new facility and the breaking point where revenue will pay off the facility. Mr. Bower will provide financial documents to Mr. Beecher who will provide them to the council. The county budget is quite simple. The Mayor thanked Mr. Maglaras and Mr. Bower.

Reese moved to accept, seconded by Mayberry. All in favor.

## 5. PUBLIC HEARING

1. Resolution RE: Discontinuance of a Portion of Mill Street. Sponsored by Mayor Wil Boc, by Request. **(See Item 10C-1)**

Dana Lynch from Civilworks says the project is located down at the end of Mill Street, see folder of 12/12/01 handout. The existing project has 40 – 50 thousand square feet. Mr. Lynch continued explaining the project. He referred to the second sheet in packet and the proposed portion they want to discontinue.

Seeing no one else, the Mayor closed the Public Hearing.

2. Ordinance # 28-11/15/2001 – Chapter 166, Vehicles and Traffic. Section 48. Schedule A: One-Way Roadways. Mill Street. **(See Item 10A-1)**

Dana Lynch from Civilworks. Mr. Lynch showed the one-way portion on his plan. He stated this is a housekeeping ordinance and they want to allow two-way traffic on Mill Street.

Seeing no one else, the Mayor closed the Public Hearing.

## 6. CITIZEN'S FORUM

**Philip Morrisette - 3 Columbus Avenue.** Mr. Morrisette is here regarding the taxpayers of the City of Dover. He was here two months ago asking for a moratorium in the city and they have done nothing. They are still spending money and building new houses. He has been told that many businesses have had their taxes decreased at the expense of the homeowners. Other items the council should not be considering are the aquarium; under the CIP no additional items should be added. We must slow the debt limit down. We must stop bonding. One item that he wants stopped is items by request. The

council should be signing these resolutions, but not all of them. Tonight the council is going to vote on the CIP wish list. Mr. Morrissette wants it passed on to the next council. Also, they will be voting on union contracts. He will leave now for himself but he feels the members on the council will not be back as they are the weakest link.

**Steve Telo - 6 Country Club Estates.** Mr. Telo is the newly elected president of the Cal Ripken baseball league. This is a non-profit organization. He was asked by the mayor for anything he could do and they would like the water bill retracted. He asks tonight to have the bill forgiven and for the watering of their field.

**Mrs. Beverly Stancel – 63 Horne Street.** Mrs. Stancel is the newly elected vice-president of Dover North Little League. She is also asking to have the bill forgiven.

**John Scruton - 99 Sixth Street.** Mr. Scruton brought up growth; he had heard the percentage 60/40 for residential/ commercial. He stated commercial is not going to do it. He is in favor of open space though, this is not too clear to some people. If we did not buy more land for the industrial park, they could use this for open space. He handed out a brochure. See folder of 12/12/01. We need to give thought to open space.

**Richard Hughes - 51 New Rochester Road.** Mr. Hughes addressed three items on the agenda this evening. First, the CIP. He mentioned the numbers and he is concerned with long-term bonding. He urged the council to follow the planning board's lead to reduce this by several million dollars. His next concern is contracts; the agreements should have a great deal of study on the impact of the budget. Did the non-public session include a dollar amount on the budget and tax rate? Mr. Hughes urged the council to defer action on the contracts to the new council.

**Bob Struble - 4 Foxtail Ridge.** Mr. Struble is here about the water and sewer improvements on Sixth Street. He is here for his neighbors and he stated that 36 households are involved and they will need to be each paying \$16,000, but they do not have this kind of money and will need the City Council's help in paying for it.

**Eric Sweetser - 2 Wallingford Street.** Mr. Sweetser is a member of the Save Dover Organization. He is here with an honorary membership in Save Dover for the Mayor. He has two other issues to speak about tonight. One is the contracts; he urged them to take the issues into discussion and vote on them tonight. Also, he stated he wanted the voter fraud, election irregularities continued and finished. Mr. Sweetser read the statement that he had presented to the City Clerk before the meeting. He feels he is entitled have a completed hearing in this matter.

**Norm Champagne - 13 Church Street.** Mr. Champagne is here once again to ask them to stop spending his money. The money they will vote on here tonight is not necessary to be spent by this council. He feels that a lot of Christmas club money that was received by Dover residents was spent on the huge taxes here in Dover. He asked that the council leave the CIP alone and let the new council handle it. Mr. Champagne mentioned the police shooting range and how we really need one; it is regrettable that we can not use the old one. Mr. Champagne stated he wants the money from the sand and gravel to be put towards the shooting range. He talked to Nick Skaltsis today and he agrees with what Nick wants to accomplish with the schools, but he feels this should be left to the next council. If they don't have to spend it tonight, please don't.

**Nick Skaltsis** feels he must speak after getting Mr. Champagne's support. He thanked the council for all their support.

Seeing no one else, the Mayor closed Citizens Forum.

**7. MINUTES**

- A. Regular Meeting – November 15, 2001
- B. Special Meeting – November 29, 2001

Reese moved to accept, seconded by Mayberry. Schmidt has presented his corrections to the City Clerk. All in favor. Hindle out of room.

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

- A. Planning Board – Councilor Jerry Reese

Reese stated the meeting was held 12/11/2001. They considered and accepted (C/A) an application for a minor subdivision of land for William and Lisa Huml located on Durham Road. C/A an application for a minor lot line adjustment for Deerfield Pilgrim Construction Co., LLC located on Watson Road. Public Hearing, discussion and vote on Motiva Enterprises, located at 169 Silver Street. This item was defeated on a vote of 5-3. Schmidt had questions about the vote on Motiva. He was delighted and he wondered if we will see any legal ramifications on this issue. It was not stated publicly.

- B. Public Works Building Committee – Councilor Peter Schmidt

Schmidt reported as indicated at the last meeting, the Public Works Building Committee has completed its charge. They are dealing with the uncompleted portion that is in the CIP, that is the recycling center.

- C. COAST Bus – Councilor Peter Schmidt

Schmidt reported that the major development is they have now begun to conduct operations through COAST's management with the same driver and same routes. This will be a hands-on operation. The only other matter is that Quigley has been nominated as the COAST representative on the new council and this may have some ramifications because he has been elected Chair of the COAST.

- D. Solid Waste Advisory Commission – Councilor Thomas Dunnington

No meeting.

- E. Elementary Facilities Committee – Councilor Jason Hindle

No report.

- F. Alternative School Joint Building Committee – Councilor Jason Hindle

Hindle reported that the Alternative School Joint Building Committee met last week. He stated the project will be complete three weeks ahead of schedule. He put on their desks an update on fiscal expenditures. (see council folder for 12/12/2001.) He hopes to present the next council with a few dollars in change for the next council. They plan to have an opening ceremony with the kids after the Christmas break and then will be having a formal dedication with both councils invited to the ceremony. After that, an open house for everyone. Hindle appreciates the support the council has given him and Nossiff on this committee. Nossiff extended his thanks to Nick Skaltsis, Tom Forbes, Marjorie Fisher and Hindle. He stated people should be aware we are always trying to do things better. He is happy it is coming in on time with no change orders.

- G. Transportation Advisory Commission – Councilor Jason Hindle

Hindle reported they met 11/19 in this room for a listening session for the citizens of Bellamy Road and tried to take notes to make some improvements for this street for these people and their problems. This has been a resounding success. Hindle thanked Andrews Parker as previous Chair of the committee. The next meeting is next Wednesday in this room.

Schmidt said a resident had spoken to him today with an issue in her life and a scary experience she had near Westgate Apartments and the hill there at the entrance to Westgate and how this turn is not visible until the last minute. Schmidt continued if this needs State action, we need to make them aware of the problem. He would like Hindle to carry the ball forward on that matter.

H. Ball Fields Committee – Mayor Wil Boc

No report.

I. North End Fire Station Committee – Councilor Betsey Andrews Parker

Andrews Parker says the work has been done on the plan and she hopes it will go forward.

Reese moved to accept, seconded by Tweedie. All in favor.

**9. CITY MANAGER'S REPORT**

Tonight's report will consist of Scott McIntire from the auditors firm; he asked them to follow along with the two handouts that were presented (see folder of 12/12/01). Mr. McIntire feels objectives have been achieved with the balance sheet in the brochure. He continued to explain the numbers and give a quick overview. The smaller document is some recommendations that the auditors have come up with; he would like the deficit in the arena fund funded. The fund really needs to borrow dollars from the general fund. The second is to formalize some reconciliation procedures with the school department. He continued to explain that the reconciliation is not really happening between the city and the school department so that these expenditures can be signed off by the finance department. On page 4, he wants more controls on ambulance bills, due to Medicaid payments. The city must write off what is not paid and they want some oversight procedures here. He has issues with the Building Inspector's Office and their lack of use of numbered receipts (i.e., building permits).

The Mayor says he wanted to meet Mr. Melanson of this auditor's firm. He asked about the bond rating and how do we stand now with the bond rating. Mr. McIntire says auditors like to speak about past tense not the future. He talked about some of the deficits; overall we are in good financial shape. Schmidt commented on the arena fund situation. Mr. McIntire does not have an answer for Schmidt. His question was not in the overall projections. Schmidt has another question on how we have greatly expanded the City's bond indebtedness. This might seem like a very negative situation. Mr. McIntire tried to bring their attention to page 24 and the debt limits that Schmidt is talking about. Nossiff asks about his worst fears and the deficit. He explained the history of the arena and how he missed the vote on the bonding of the arena. Nossiff stated he feels they did not understand that they were going to be paying for this. Mr. McIntire says there are only three ways to cut the deficit. It is to increase fees, cut the budget or increase the subsidy from the general fund. That would subsidize the arena fund with a \$100,000.

Reese moved to accept, seconded by everyone. Tweedie moved to take a five-minute recess, seconded by everyone. All in favor. They took a five-minute recess.

**10. UNFINISHED BUSINESS:**

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

1. Ordinance # 28-11/15/2001 – Chapter 166, Vehicles and Traffic. Section 48. Schedule A: One-Way Roadways. Mill Street.

Reese moved to adopt, seconded by Hindle. Andrews Parker asked what is this going to do with traffic coming in and out of there? Hindle explains the school and City are working on the issue. It is a housekeeping issue. Motion passed on roll call vote of 9-0.

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

**C. RESOLUTIONS**

1. Resolution RE: Discontinuance of a Portion of Mill Street. Sponsored by Mayor Wil Boc, by Request.

Reese moved to adopt, seconded by Mayberry. Nossiff asks if this is only a right of way and that we do not have ownership in this. Nossiff asks if we are giving up any rights on this property by giving this up. Stancel answers stating he is correct we would not be giving up any rights or accesses. The project has been approved by the Planning Board and the traffic situation has been looked at. Nossiff asked about the one way situation and about the history of it. Nossiff says since we are accommodating this developer, will there be any other improvements made by them. Stancel gave the amount of what the fair share that the developer would be paying. Also, a 66-unit project on Back River Road is contributing approximately \$21,000 to the project. Andrews Parker asked about the Planning Board's vote on this issue. Stancel says it was unanimous. Motion passed on roll call vote of 8-1. Nossiff opposed.

2. Resolution RE: Appropriation for FY03 Capital Improvements Program and Authorization for Bonding. Sponsored by Mayor Wil Boc, by Request.

Regular Meeting held 11/15/2001. Reese moved to refer to a public hearing on 11/29/2001, seconded by Mayberry and Tweedie. All in favor. Special meeting public hearing held 11/29/2001.

Regular Meeting held 12/12/2001, see below actions.

Reese moved to adopt, seconded by Mayberry. Boc says we can go line by line or however they want. Hindle wants to use what the Planning Board proposed. Hindle moved to approve the Planning Board recommendations as a whole. Andrews Parker seconded the motion, and speaks to this saying she supports the Planning Board recommendation. Schmidt is opposed to the amendment. His concerns are #17 and #23, the water and sewer mains. It is clear these residents are in dire straights with regards to their septic systems and that they will not be able to afford to repair these systems. Mayberry will vote against this as the Planning Board was not voted into office and a Planning Board is not going to determine bond ratings, etc. He appreciates the recommendations but will vote no. Dunnington echoes what Schmidt says as Sixth Street is now a congested thoroughfare throughout Dover; this is a necessity and there is a smell out there. This will soon be a health hazard. He is against taking this out of the CIP, ten years down the road we will be playing catch-up. Tweedie also will be voting against this amendment. Boc asked Harrington to explain what and how much we will be retiring this year. Jeff explained, the general fund in total is \$3,996,000. This will not impact the tax rate if we spend more than this. The City Manager recommends leaving #5,6,7,9, and 12 for a total of \$2,850,000, plus the school amounts. Nick Skaltsis, School Board states their retired debt is \$1,667,000 from the school; he continued none of building aid is included. Tweedie asks, if we pass the amendment how much would we be spending. Jeff says the city side is \$5,398,000 and \$ 2,248,000 on the school side. Reese will vote against it. He proceeded to give the background of when we approved Alden Woods, it was with the idea of having a sewer line. The city knew we had a problem 3, 4, and 5 years ago. Motion failed on a vote of 7-2, Andrews Parker and Hindle in favor. Boc wants to start at the top of the list and go through all the items.

CIP Item:

- #1 Reese moved, seconded by Mayberry to delete.

Tweedie wondered about the police study, the City Manager wants the study out of the operating fund. Schmidt is opposed to the amendment, motion passed on a vote of 8-1.

- #2 Reese moved, seconded by Hindle to delete. Mayberry wants to use Norm Champagne's suggestion. Andrews Parker wants to work with Somersworth to build a firing range and have both cities pay half, that way both of our departments' needs will be met.

Boc agrees, as well as, Dunnington who added this is also a safety issue, motion passes on a 6-3 vote. Boc, Tweedie and Schmidt opposed.

- #3 and 4 Reese moved to delete item, Andrews Parker seconds the motion and thanked the Council for having the plans done. Motion passes on a vote of 7-2, Dunnington and Mayberry opposed.

- #'s 5,6,7 Nossiff moved to go along with the City Manager on these items. Reese moves to delete #7, Andrews Parker seconds the motion. Reese believes it should be done but it should have been done with the public works facility money. Nossiff also agrees with them on this item. Dunnington disagrees, stating we are more than  $\frac{3}{4}$  of the way thru this project and this is a small investment to make the waterfront project happen. Nossiff wishes these two projects were not married, the public works and recycling center. He wants to amend the amendment by reducing this item from \$500,000 to \$50-60,000 as Pete says that is the cost of the demolition of the old facility, and the recycling center is the rest of the amount or \$440,000, Reese seconds the motion. Dunnington says you can't separate the two items. Nossiff's amendment fails, Reese and Nossiff in favor. Reese's amendment fails on a vote of 2-7, Andrews Parker and Reese in favor.
- #8 Boc moved, seconded by Reese to reduce item to \$0. Nossiff will abstain. Stancel says the additional \$100,000 will be used to make the turning lane as it comes off Silver Street. Amendment fails, Tweedie, Boc, Mayberry and Hindle in favor on a vote of 4-4.
- #9 No amendment.
- #10 Boc moved, seconded by Reese and Andrews Parker to delete. Reese feels this amount should be put in the next operating budget. Mayberry says Reese brings up a good point, and will this show up in the next operating budget. Motion passes on a vote of 8-1, Tweedie opposed.
- #11 Andrews Parker motioned, seconded by Tweedie to remove item, Tweedie seconds this for discussion. He feels we need to pass this and pay for it through the CIP. Mayberry disagrees, Andrews Parker feels someone who wants to move there will pay for it. Hindle says depending on what happens to the waterfront, the traffic situation is a dilemma. Motion fails on a vote of 1-8. Andrews Parker in favor.
- #12 Hindle moved to delete, there is no second.
- #13, 14 and 15 No amendment.
- #16 Mayberry moved, seconded by Nossiff to delete. Mayberry says this can wait a year. Tweedie wants to know if this will effect our ability to complete this project. Pete feels the payback is down the road a ways where the monthly reading or quarterly reading from your home, will be able to be done with the new equipment. Pete stated, we need to increase the efficiency of the whole department by completing this. Mayberry wants this item to have this wait one year. Dunnington agrees with Mayberry on this issue. Pete needs at least \$75,000 so he can keep the project moving. Mayberry moved to amend to \$75,000, seconded by Dunnington. All in favor.
- #17 Andrews Parker moved, seconded by Hindle to amend by deleting this amount. She has heard the residents want it, but they do not want to pay for it. Hindle agrees, we worked with the Spur Road people but we had federal funding to help us with that project. Hindle says we need a process here. He feels they need to make some cuts here. Tweedie agrees with Hindle, we need to look at this in a little more depth. Dunnington disagrees, stating the people need this. Schmidt says again he is correcting Andrews Parker, stating the people are not saying we will NOT pay. They need this and they are willing to pay \$16,000 each. Tweedie wants this put aside temporarily until next year. He needs more information. Boc says item #17 is tied into #23 also. Nossiff says we are speculating, Spur Road was organized and we must be consistent with what was done on Spur Road. It is inappropriate and imprudent to try and do it this way. Mayberry says you are authorizing bonding not spending the money, it is for the next council to have the final say. Tweedie asks everyone here to approve these expenditures tonight. Motion to delete fails on a 2-7 vote, Hindle and Nossiff in favor.
- #18 Boc moved, but there was no second.
- #19 No amendment.
- #20 Mayberry moved, seconded by Nossiff to delete. Motion fails on a vote of 4-5, Mayberry, Hindle, Dunnington and Nossiff in favor.
- #21 Mayberry moved, seconded by Nossiff to delete. After discussion Mayberry withdraws the motion and Nossiff withdraws the second.
- #22 Hindle moved to delete, seconded by Nossiff. Motion passed on a vote of 6-3, Boc, Mayberry, Hindle, Andrews Parker, Nossiff and Reese in favor.

**Hindle moved to suspend the rules to complete the agenda tonight, Tweedie seconds the motion. Motion passed on a roll call vote of 7-2. Nossiff and Hindle opposed.**

#23 Same as #17.

#24 Pete clarified we are getting 20% matching money from the State. Mayberry moved seconded by Nossiff to delete. Pete stated he has \$300,000 or \$400,000 in the bank to get this project done. The City Manager clarified the line itself is deteriorating. Nossiff asks if the lack of this is going to block the apartments. Pete says no, this is an environmental issue. Motion to delete fails on a vote of 2-7. Mayberry and Nossiff in favor.

#25 No amendment.

#26 No amendment.

#27 Nossiff asks what is this. Pete says the equipment is deteriorating and this is a second building. Pete says this one is in litigation and if this fails the whole system goes down. No amendment.

#28 Pete says this is part of the consent decree, these are ultraviolet lights. No amendment.

#29 No amendment.

Jeff stated \$10,298,000 is the total and the breakdown is \$3,050,000 for the City, and \$2,248,000 for the school the remainder is the water/sewer fund. The rates are FY03 a 3-cent impact and FY04, a 2-cent impact. Nossiff says this is far more than what we are retiring. On the total we are retiring \$5,440,551 for a difference of \$4,857,000. Nossiff says we are way over the retiring amount. Boc will support this with the approved amendments. Boc makes motion to accept, Tweedie and Schmidt seconded. Motion passed on a roll call vote of 6-3. Nossiff, Reese and Hindle opposed.

3. Resolution RE: FY03 Capital Improvements Program – Reserve Fund Financed. Sponsored by Mayor Wil Boc, by Request.

Reese moved to adopt, seconded by Mayberry. Motion passed on a roll call vote 9-0.

## **11. NEW BUSINESS:**

### **A. CONSENT CALENDAR**

1. Tag Permit – Maine Stars Cheerleaders
2. Tag Permit – Dover Brownie Troop 251
3. Raffle Permit – Cocheco Chapter, American Diabetes Association
4. Raffle Permit – Riverside Rest Home

Reese moved to grant, seconded by Mayberry and Tweedie. All in favor.

### **B. RESOLUTIONS:**

1. Resolution RE: Award of Purchase Order for Professional Engineering Monitoring Services for River Street Pump Station Chemical Feed System Improvements. Sponsored by Mayor Wil Boc, by Request.

Reese moved to adopt, seconded by Hindle. Motion passed on a roll call vote of 9-0.

2. Resolution RE: Acceptance of Open Lands Committee By-laws and Membership. Sponsored by Mayor Wil Boc, by Request.

Reese moved to adopt, seconded by Tweedie. Motion passed on a vote of 9-0.

3. Resolution RE: Award of Blanket Purchase Order for Miscellaneous Work Boot/Shoes and Fitness Footwear. Sponsored by Mayor Wil Boc, by Request.

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

4. Resolution RE: Award of Bid #B02024 for Wastewater Treatment SCADA System Upgrade. Sponsored by Mayor Wil Boc, by Request.

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

5. Resolution RE: Award of Blanket Purchase Order for Continued Traffic Control Flagging Services. Sponsored by Mayor Wil Boc, by Request

Reese moved to adopt, seconded by Mayberry. Motion passed on roll call vote of 9-0.

6. Resolution RE: Appointments Committee Recommendations to Various City Boards and Commissions. Sponsored by Councilor Jerry Reese and Councilor Matt Mayberry.

Reese moved to adopt, seconded by Mayberry. Motion passed on a vote of 9-0.

7. Resolution RE: Collective Bargaining Agreement between the City of Dover and the AFSCME Local #572, AFL-CIO. Sponsored by Mayor Wil Boc, by Request.

Reese moved to adopt, seconded by Mayberry, Andrews Parker and Tweedie. Boc moved to suspend the rules to introduce 11.B.10., seconded by Tweedie. Motion to suspend the rules passed on a roll call vote of 8-1. Nossiff opposed. Reese moved to adopt all three (11.B.7., 8., and 10.), seconded by Mayberry.

Hindle motions to table to the next council, seconded by Tweedie and Nossiff. Motion fails to table on a roll call vote of 3-6. Nossiff, Dunnington, and Hindle in favor. Boc says we were elected for 24 months not 23 and ½ mos. He feels these contracts are good for the city. Andrews Parker agrees, as does Mayberry. This is a three-year contract and is good for the city and the council. Hindle's reason for wanting it continued to the next council is his constituents. Nossiff says this council should be held for dereliction of duty. He feels what Andrews Parker says is complete fiction, we only had a half-hour session, and there is not a single councilor in this room that can answer any questions in these contracts. Here we are in a last minute desperation attempt to push these on them; this is outrageous. Boc disagrees; he was there at all the meetings. He feels these are fair contracts and he feels this is an inappropriate statement. Boc's concerns are health insurance first and foremost. He stated, now we have that leverage with the union. Did we have to buy that; we did. He will vote for the contracts. Mayberry does not derelict his duty; that is when you don't do your homework. He stated it is easy to sit back and throw the stones. He sincerely doubts the next council could do any better. Schmidt also rejects Nossiff's suggestion of dereliction. The reality is we have the responsibility to provide for uninterrupted service by its employees. Schmidt says this is our obligation, they negotiated in good faith. Andrews Parker echoes all their comments. Nossiff says Schmidt's comments are false. It begs the question of how they got on the agenda this evening, if you take away the 10 minutes of explanation. Here we are in a rush to judgement; no one has been properly educated enough to vote on these contracts. The public is ill served.

Hindle moves the question, seconded by Boc. Main motion passed on a roll call vote 7-2. Nossiff and Hindle opposed.

8. Resolution RE: Collective Bargaining Agreement between the City of Dover and the Dover Municipal Supervisory Employee Association. Sponsored by Mayor Wil Boc, by Request.

See item 11.B.7.

9. Resolution RE: Cap Ripken League Water Bill. Sponsored by Mayor Wil Boc, by Request.

Reese moved to adopt, seconded by Boc. Mayor Boc explained the resolution in full. Nossiff is not against sports, but isn't there a process to go through for this issue. Boc wants to relieve this debt. Dunnington says it does not cost us anything, as we are not collecting anything. If they don't have it, they don't have it. He feels it is a worthy item. The City Manager says this is the same league that owes us \$180,000 for inadvertently digging up hides. He agrees with the sentiments of the Mayor; it did go before the DUC, and they turned it down. There has been no law violated. From a staff standpoint, he recommends that we take no action on this. Andrews Parker disagrees. She will bring in every old lady that needs an abatement for boundary pins being moved by the city, etc. She feels the council should not relieve this debt. Tweedie says this is a horrible precedent we are setting. The league must pay the bill, the money is spent and he is sorry. Nossiff moves the question; the Mayor wants to help the kids. Motion fails on a roll call vote of 2-7. Boc and Dunnington in favor.

10. Resolution RE: Collective Bargaining Agreement Between the City of Dover and the IAFF Local #2909, AFL-CIO. Sponsored by Mayor Wil Boc, by Request.

See item 11.B.7.

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

1. Ordinance #29-12/12/2001 – Chapter 166, Vehicles and Traffic, Section 166-56, Schedule I, No Parking at Any Time, Henry Law Avenue, and Section 166-57, Schedule J, Limited Time Parking, Henry Law Avenue. Sponsored by Councilor Jason Hindle, Transportation Advisory Commission.

Hindle moves to refer to a Public Hearing on 1/9/2002, seconded by Reese. All in favor.

**D. COUNCIL CORRESPONDENCE:**

1. Wetlands Application – Dupere Corporation
2. Wetlands Application – Jean Arkwell

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

**12. COUNCIL MATTERS OF INTEREST**

The Mayor goes first and recognizes the council members who are leaving; stating it has been a pleasure serving with all of you. Boc first recognizes Andrews Parker. He stated; she was responsible for her constituents. She brought her ward together over traffic issues. She managed to have a baby and only missed one meeting. He presented the gift and gift certificate. Next is Schmidt, he served with integrity. Quigley has a tough act to follow. He credits Schmidt for building the Public Works Facility. He presented the gift and gift certificate and a public works hat. Next Mayberry, as councilor he was a quick study, he voted in the best interest of the city, he protected city employees zealously. The Mayor will always think of it as the arena that Mayberry built. Next is Reese, he hopes he has the respect of his peers. He was on the planning board, chairman of the appointments committee, as well as, serving as Mayor Pro Tem these last few months. He thanked Reese for 10 years of service to the city. Reese has enjoyed this 4 years as much as any 4 years. When they took office it was felt that no one got along and Mayor Boc brought back civility to the City of Dover.

Mayberry wishes 27 more city employees had voted for him. He continued, there is a secret coffee club on this council; he presented the Mayor with a "coffee" mug. Andrews Parker says she has had a great time. Tweedie looks forward to serving.

Schmidt says he ain't done yet. Hindle wishes all of them well who are leaving. It's been an honor to serve with Mayor Boc. Nossiff also thanked everyone and said Boc has served everyone well.

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Reese says it has been a fun 4 terms for him and an honor and a privilege. He wished everyone much success.

**13. ADJOURNMENT**

Reese moved to adjourn, seconded by everyone. All in favor to adjourn at 11:35 p.m.

**JUDY GAQUETTE - CITY CLERK**