

**MINUTES
WORKSHOP/SPECIAL MEETING
AUGUST 14, 2000
DOVER CITY COUNCIL
COUNCIL CHAMBERS**

SPECIAL COUNCIL MEETING

1. ROLL CALL

Councilors Present: Hindle, Mayberry, Nossif, Reese, Schmidt, Andrews Parker, Berry and Boc.
Councilors Absent: Dunnington

2. PUBLIC HEARING:

- A. Resolution RE: Fiscal Year 2001 Budget Amendment #2. Sponsored by Mayor William E. Boc, by Request.

Mayor Boc opened the public hearing asking if anyone wished to speak:

Ron Huml, 199 Mast Road – discussed the amount of days that teachers get off in addition to only working 180 days a year. He stated that they receive full benefits for medical and dental as well as a percentage of other types of benefits. He asked the Council to think about the next two years as well as this first year when voting.

Martha Haley, 406 Sixth Street – began by thanking the Council for rebuilding upper Sixth Street as it is a major infrastructure and feels that the children of Dover are also the infrastructure. She stated that she was educated in the Dover school system and went on to attend UNH and her 2 children attend school in Dover and that, as a taxpayer, she wants her money to go towards their education.

Dom Domingo, Tanglewood Drive, State Representative in District 12 – stated he has lived in Dover for 35 years and has seen it grow. He feels that the school teacher contract should be funded as there has been a lot of work done to reach this agreement through arbitration.

Seeing no one else wishing to speak, the Mayor closed the Public Hearing.

3. RESOLUTIONS:

- A. Resolution RE: Fiscal Year 2001 Budget Amendment #1. Sponsored by Mayor William E. Boc, by Request

Berry moved to defer to later in the meeting, seconded by Mayberry. Motion passed on an 8-0 vote.

- B. Resolution RE: Additional Appropriations for FY01 Capital Improvements Program and Authorization for Bonding – Public Works Facility. Sponsored by Mayor Wil Boc, by Request.

Berry moved to table until after the workshop, seconded by Mayberry. Motion passed on an 8-0 vote.

- C.** Resolution RE: Fiscal Year 2001 Budget Amendment #2. Sponsored by Mayor William E. Boc, by Request.

Berry moved to adopt, seconded by Mayberry.

Reese asked what is the current unanticipated revenue from the school department.

Beecher stated that he has a total figure for the city and school combined.

Reese stated he won't take any money from the City side to fund this contract.

Beecher stated the school has more unanticipated revenue than the city side.

Superintendent of Schools, Armand LaSalva stated the last report submitted to Jeff Harrington was for \$453,729 two weeks ago.

Nossiff stated this is a fluid figure which changes frequently. He discussed the 6% fund balance stating that he feels the taxpayers should be getting back the money as it is really an overpayment by them.

Boc stated that the auditors recommend keeping 6% in the Fund Balance and feels that because the City has been able to achieve that goal in the last few years, we should not lower that amount.

Discussion ensued regarding introducing an amendment to give back the unanticipated revenue to the taxpayers.

Mayberry stated that he spent 1½ hours with the President of the Teacher's Union in order to become educated on the issue and feels that the teachers want to work with the City to reach an agreement. He stated that he does agree that we shouldn't use money from the city side of the budget to fund the contract, but should use the amount of the school's unanticipated revenue and then let them fund the balance of the contract.

Mayberry moved to amend by decreasing the appropriation of \$459,008 by \$5,500 to \$453,508, seconded by Reese. Motion passed on an 8-0 vote.

Boc urged the Council to support the resolution as amended as it will not put the increase on the taxpayers.

Reese stated he will support this resolution because it is using unanticipated revenue, but he is unhappy that this figure came in now instead of during the budget process and feels that the process needs to be changed.

Berry agrees with Reese and stated he will not support any increase in the school budget next year. He stated that he feels that there will be a serious overcrowding issue coming very soon at the new Middle School as well.

Andrews Parker explained that she had voted against it before because she is looking out for the taxpayer. She stated that she does, however, want to set the record straight that she feels teachers work very hard and are responsible for our most valuable resource, the children of Dover. She stated people have called her and bad mouthed teachers, but she feels that the contract has been negotiated in good faith.

Nossiff stated he will also support the resolution because it doesn't raise the tax rate. He then stated that the fund balance belongs to the taxpayer and is merely money that they were over billed in the first place.

Hindle stated he is also in favor of the resolution as amended and feels that both the Council and School Board should be working together more during the budget process.

Motion to adopt as amended passed on an 8-0 roll call vote.

- A. Resolution RE: Fiscal Year 2001 Budget Amendment #1. Sponsored by Mayor William E. Boc, by Request.

Berry moved to adopt, seconded by Reese.

Berry stated that there was a resolution proposed back in June to transfer the unreserved fund balance to the school for facilities maintenance, but the Council was unable to deal with it at that point. He stated he feels funding this is important to fiscal policy.

Discussion ensued regarding giving the fund balance back to the taxpayers instead.

Reese asked about the alternative school renovations to the old middle school.

Superintendent of Schools Armand LaSelva explained that originally the school was to go in the back part of the building and required major renovations to bring it up to code, but now that the court is not going into the front of the building, he is unsure what the cost will be or where it will be going. He stated the lockers at Horne Street school desperately need to be replaced.

Boc stated we cannot fund everything in one year, but agreed that the locker room at Horne Street School has needed to be redone for years.

Berry stated that the vote should not be delayed as some of the projects are already underway.

Motion to adopt FAILED on a 2-6 roll call vote, Schmidt and Berry in favor.

- D. Block Party Application – Center for Assessment

Berry moved to grant, seconded by Schmidt.

Motion passed on a 7-0 vote, (Mayberry out of room).

- E. Resolution RE: Amendment to City Charter Sections C3-4 and C4-4 Entitled “Qualifications of Council Members” and “Qualifications of Members” to Repeal Term Limits. Sponsored by Councilor Matt Mayberry and Councilor Peter Schmidt.

Berry moved to refer to a public hearing on August 24, 2000, seconded by Mayberry.

Motion passed on an 8-0 vote.

- F. Resolution RE: Amendment to City Charter Adding Section C4-7“Election of School Board Chair”. Sponsored by Councilor Matt Mayberry.

Berry moved to refer to a public hearing on August 24, 2000, seconded by Mayberry.

Mayberry stated he has proposed this charter amendment at the request of a constituent who feels that the School Board Chairman should be elected popularly like the Mayor.

Motion to refer to a public hearing passed on an 8-0 vote.

- G. Resolution RE: Amendment to City Charter Section C3-6 Entitled “Salaries and Compensation” and Section C4-6 Entitled “Compensation”. Sponsored by Councilor Jason Hindle.

ITEM WITHDRAWN BY SPONSOR.

Mayberry moved to go to into Workshop Session, seconded by Schmidt.
Motion passed on an 8-0 roll call vote.

RECESS/RECONVENED

WORKSHOP SESSION

DISCUSSION RE: PUBLIC WORKS FACILITY

Mr. Beecher reviewed the background of the project so far. He stated that the original bids submitted by 2 firms came in at 4 million and 4.8 million, but the bond resolution was only for 3.7 million, and therefore, the project was downsized accordingly. He stated there was then a change of sites and along with the rising cost of supplies, the original figures are still accurate.

Community Services Director, Pete Lavoie, then introduced the various members of the design/build team. He stated that although having a public works facility 2,000 feet from a well is not the best scenario, the State public works facility is 30 feet from a well, and there has never been a problem in 30 years. He stated the problems that did occur with that particular well were actually from gas stations along the Miracle Mile. He stated that the City public works facility will have only minimum fuel storage to service tractors that can't go back and forth to the State facility. He then reviewed some of the increased cost items: fueling bay - \$32,000; line drainage swale - \$15,000; sand/salt shed, 70X140 enclosed structure - \$311,000; winter conditions pouring concrete; finishing of inside - \$14,000; security system - \$125,000; etc. He stated the recycling center is a separate issue still being reviewed by the Solid Waste Advisory commission to reduce the costs. He concluded by stating that Severino is set to begin the preparation work of clearing and leveling the site.

Mayberry suggested that the Council ask any questions of the staff and advisors rather than have them do another formal presentation.

Boc feels that the vote should be put off until 08/24/2000 meeting.

Schmidt stated that the cost increases everyday that it is delayed.

Nossiff stated he feels the entire Council should be present for the vote as Councilor Dunnington is absent.

Andrews Parker stated that the Council was aware that Councilor Dunnington would be absent tonight.

Berry asked for a further explanation of the environmental concerns and also asked if the recycling center could be relocated later.

Mr. Duvall explained that the proposed design complies above and beyond the US EPA, State DES and local regulations. He stated that features such as enclosing the salt shed and fuel storage areas are part of Best Management Practices as well as utilization of vegetative treatment for storm water runoff. He further explained this process stating that the swales enclose the entire site and by the time it reaches the detention pond, it is clean runoff water. He stated that there is constant monitoring of the wells and any trace of contamination is detected thousands of feet before the well site.

Boc asked for Mr. Duvall's qualifications. Mr. Duvall listed his experience and education.

Andrews Parker asked what other facilities in New Hampshire have these protection practices in place. Duvall stated all recently designed facilities such as Concord and Pembroke. Discussion ensued regarding these practices.

Tom Kelsey of Hydrosorce of New Hampshire, stated he was hired by the City as a pair of extra eyes and feels that there is no solitary solution, but the combination of safeguards has made this design a safe one. He stated that the worst case scenario that he feels could happen would be a fire that could possibly detonate the fuel storage tank. He stated that the fuel tank is only 6,000 gallons and as long as the fire department is aware of the location, it shouldn't pose too much of a threat. He stated that his feeling is that there are other activities going on in the city that need closer monitoring and that because this facility is being managed well from the beginning, it will work out much better than what is happening at the current DPW facility on River Street.

Mike Lassel of Lassel Architects, explained the types of materials being used to ensure that the building itself is not a pollutant. He stated the building is able to accommodate command center type of activities if necessary and can still fit 38 trucks in warm storage, although other areas have been downsized.

Andrews Parker asked how many vehicles are currently stored in heated storage.

Pete Lavoie replied almost 38 vehicles including dump trucks, loaders, backhoes, etc. He stated the main focus is to keep salt/sanders ready to use during storms.

Andrews Parker asked if we can build something for 3.7 million now and then add on later.

Lavoie stated that there will continue to be inflation.

Berry stated that the cost goes up approximately 1% each month. He then asked Fleet Services Manager, Sam Crowley, to explain why it is more cost effective to store vehicles inside.

Mayberry stated he is working with Senator John Sununu 's office to apply for environmental concerns funding.

Boc stated that the current recycling center cost about \$35,000 to build and feels it works well for its purpose. He asked why the proposed recycling center is going to cost \$488,000.

Lavoie stated he agrees that this is a high price, but there is a lot of pavement and concrete required as well as more containment areas, office area and a small first aid station.

Solid Waste Advisory Commission member, Earl Goodwin, stated he feels the new recycling center is a good investment and reminded the Council that the recycling program has saved the city ½ million a year in curbside collection costs. He stated that the future of Waste Management is tenuous and feels that we need to be ready for the future.

Mr. Beecher stated he agrees with Goodwin that things have changed regarding Waste Management since the recycling program began. He stated that Waste Management is projected to close within 10 years, and if this happens, we need to have a large transfer station in place.

Andrews Parker then asked who is legally responsible for the water supply.

Mr. Beecher stated the city is and then cited the Madbury Metals case and how it was remedied.

Councilor Mayberry excused from meeting at 9:30 p.m.

Andrews Parker then stated that she does not recall when then Council approved the Mast Road site.

Nossiff stated that we are now down 2 Councilors and therefore, no vote should be taken tonight. He then stated he doesn't feel that the public has had enough time to absorb this whole thing and understand what exactly is going on. He stated that Portsmouth was able to build its public works facility for 2 million and

feels that there is a lot of extra cost associated with this site because of its proximity to the wells. He stated that there will also be an ongoing additional expense of man hours required to monitor the wells. He concluded by stating he agrees with Andrews Parker that the Council did not approve the site.

Earl Goodwin stated he went to Portsmouth and found out that they sold the Islington Street facility for 1.3 million dollars and also inherited the Peverly Hill site. He stated it is also a smaller building in Portsmouth (and Rochester) because they contract out their Fire and Police vehicle repair, but Dover doesn't.

Beecher stated that the cost will go up after they are finished fixing the facility.

Duvall addressed the question of extra costs associated with the location near a well stating that the treatment process proposed goes above and beyond requirements and will cost \$300,000. He stated he would recommend indoor salt storage regardless of the location anyway.

Discussion ensued regarding mandatory vs. non mandatory requirements pertaining to particular sites.

Hindle stated he agrees that there has not been enough opportunity for public input.

Boc stated there were public hearings and one person came. He stated that this is a good site and avoids neighborhood problems. He stated that he feels the recycling center costs too much.

Schmidt stated the committee has looked at every available site in the city, which is a very limited number. He stated every site has problems and the committee feels this is the best one. He stated that all of the potential well problems have been addressed and if we continue to wait, the cost will just go up and up.

Nossiff stated he is surprised by the level of emotions and feels that we are spending a lot of taxpayer money, so therefore, should be sure that the public is truly informed. He feels that there is no urgency to this matter and would like to review the numbers.

Hindle moved to adjourn workshop back to the Special Meeting, seconded by Reese.
Motion passed on an 8-0 vote.

SPECIAL MEETING (Reconvened)

3. Resolutions:

B. Resolution RE: Additional Appropriations for FY01 Capital Improvements Program and Authorization for Bonding – Public Works Facility. Sponsored by Mayor Wil Boc, by Request.

Berry moved to adopt, seconded by Schmidt.

Reese moved to table to the 08/24/2000 special meeting, seconded by Andrews Parker.
Motion passed on a 5-2 vote, Berry and Schmidt opposed.