

**MINUTES
REGULAR COUNCIL MEETING
SEPTEMBER 8, 1999
DOVER CITY COUNCIL
COUNCIL CHAMBERS
7:00 PM**

6:00 PM

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

7:00 PM

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Councilor Reese led the pledge.

3. ROLL CALL

Members Present: Councilor Reese, Councilor Wilson, Councilor Schmidt, Councilor Johnson, Councilor Landry, Mayor Pro Tem Perry, Councilor Rawding, and Mayor Boc.

Absent: Councilor Berry.

4. PUBLIC HEARING

A. Increase of the Elderly Exemption Criteria. Sponsored by Councilor Bill Wilson and Councilor David Landry.

Roland Hofeman is here as president of Chapter 611 of the local American Association of Retired Persons (AARP). They have 200 people in their organization and 99% are over 65 years old. He urged the council to drop the income limits on the property tax. This will be especially helpful to widows, as they will not have to compromise themselves and it will allow them to stay in their homes. This would only mean an increase of 12 cents per thousand on the tax rate. This proposal is not only good for the city, it is good government.

Paul Vatcher of 27 Richardson Drive is a member of AARP and almost a senior citizen himself. He asked how we determine people's assets. He would rather help the young people who really need it, and are just starting out. He is financially all set and has a home in Florida but he still

meets the criteria of this resolution. He doesn't feel that people who own homes worth \$200,000 – \$300,000 should qualify for the exemption. He thinks this exemption should be for people who really need it.

5. CITIZEN'S FORUM

Bill McCann is representing Dover School Board and is asking the council to pass a resolution that will be introduced under new business tonight. This resolution will ratify the AFSCME contract, that is the school custodians and building and grounds employees of the School Department. After ten months of negotiations they were able to reach a contract. They won't need any additional appropriation. He hopes this will be ratified tonight.

John Torr of 217 Durham Road has an issue with the proposed public works facility being placed on Mast Road. He stated his field drains across this property. Also there is no adequate water and sewer lines down there. Mr. Torr is concerned about the increased traffic. He is not in favor of building the public works facility at this location.

Doug Bogen is program director for NH Clean Water Action and here to speak about the resolution on tonight's agenda. This is part of a coalition of statewide organizations for clean water. He feels we are compromising our health by allowing these older power plants to continue to emit these pollutants into the air. He feels the only reason they are not cleaning up this pollution is that we lack the political will to see that these plants get clean before the new millennium. We need to send a strong message to the state government. Similar resolutions have been introduced and passed in other towns.

The Mayor cautioned people to keep their remarks to five minutes.

Elaine Case of 1 Cross Street is here on behalf of Camp Sun N' Fun and the efforts to restore the camp. She had sent her eleven-year-old to this camp this summer for the first time and feels this is a remarkable place for children and offered far more than she ever could have. She has spoken with Mr. Lavoie and he has told her the building needs to be torn down, as it is not structurally sound. Mr. Lavoie will be requesting funds and she hopes the council will support his request.

Erv Sparkman of 232 Tolend Road asks that they please invest in an air conditioner for these council chambers. He also stated the City of Dover is not ready for any kind of municipalization as this is about fiscal responsibility and the citizens need to be educated on this issue. No one has told us exactly what municipalization really is. This is not about who is right and who is wrong but rather there are far too many unknowns to make a decision on this issue right now. With regard to another resolution on the agenda he is distressed about the non-competitive contracts he sees under

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the consent calendar. Also he feels \$73,000 is a lot of money for anti-stalking. As for the Clean Water Action Resolution, he is in favor of this resolution but feels the city should find out what the price tag of the burden associated with this will be. He is not in favor of the zoning ordinance proposed on the agenda with regard to the towers on Garrison Hill. He does support the smoking ordinance and would like to add an amendment to make it stronger by addressing the area right outside the restaurants' doors.

Steve Diamond was a resident of Dover and he has worked in children's camps around the state. He spoke with regard to the Clean Water Action resolution and he feels a penny's worth of intervention is worth a pound of cure. This pollution definitely has an adverse effect on our young people.

Gary Gilmore of 39 Middle Road, a State Representative and serving on the Science, Energy and Technology Committee. He is a supporter of the Clean Water Resolution. He stated the Newington plant could run on natural gas but they (PSNH) wouldn't have made as much of a profit. He urged the council to pass this.

Joanne Dodge of 17 Harmony Lane has been appointed by the Governor as the chair of the New Hampshire United Nations Observance of the elderly Day that is October 24, 1999. 1999 is the International Year for older persons. She asked the council to say thank you to our senior citizens everywhere.

The Mayor saw no one else wishing to speak and closed citizen's forum.

6. MINUTES

- A. Regular Council Meeting – August 11, 1999
- B. Council Workshop – August 25, 1999

Perry moved, seconded by Wilson to accept. All councilors were in favor.

7. MAYOR'S REPORT

On August 26th, the Mayor gave the opening remarks for the Dover Main Street program at the Cocheco Arts festival. He thanked Tommy Makem for his contribution and talents for a very important program.

On September 3rd he attended a Dover High School Friday night football game under the new lights. He stated it was an exciting event where sportsmanship is being taught and everybody has a good time.

On September 4th he met with the contractor who operates the dam in the downtown bridge to see if some of the green could be removed from the water. He has been

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advised that the staff will be looking into helping to remove it. Also the City is waiting to have a wetlands application approved by the state so that some much needed work can be done in that area.

On September 5th he gave the opening remarks for Dover Peewee Football League. There are ten teams on the league and they need more ball fields to play on, as they do not have enough space for all the teams to play.

He stated the Dover City Council met in executive session and voted to reject the contract with EnerDev.

Lastly, each year we evaluate the performance of the City Manager, he then read the report. See folder of 9/8/1999. Reese moved to approve, seconded by Schmidt. All Councilors were in favor.

8. REPORTS OF STANDING AND SPECIAL COMMITTEES

A. Solid Waste Advisory – Councilor David Landry

Landry stated they had last met on August 26th and had reviewed the budget and the fund balance. He stated the current contract ends midway through the year 2000. They discussed briefly the issue of picking up Christmas trees but this did not go forward. He stated they discussed trash receptacles and the proposal that they could be placed at no cost at different events. These receptacles separate recyclables into compartments. He will be speaking to Debra Dineen, Director of the Main Street Program to see if she is interested in placing these receptacles at public events and in the parks.

B. Planning Board – Councilor Jerry Reese

Reese stated the Planning Board held a meeting on August 24th. They Considered and Accepted an application of a minor subdivision of land for STF Development Corporation located on Mast Road.

C/A an application for an amended site plan of land for Portsmouth Christian Academy on Seaborne Drive.

C/A an application for a site plan of land for Megan Martineau on Littleworth Road/Industrial Park Road.

C. Joint Building Committee – Councilor W. Scott Rawding

Rawding stated no meeting has been held but he does have an update for us. He went on a walk through last Friday at the new middle school. He stated the roof is 100% complete, all the electrical roughing-in is completed. The plumbing is 90% done. The tile work is about halfway done, as well as, the ceiling grids. The gym floor will be done next week and the paving is scheduled for October 1st. The curbing and landscaping is ongoing. The entire project is on time and on budget. Their next meeting is scheduled for

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September 14th at 7pm at the Dover Public Library.

D. Parking and Traffic Committee – Councilor David Landry

Landry stated they last met on August 17th and discussed two items. The first is the Church Street and Locust Street safety concerns. All the signage had been put up in time for school to start. He credited the Police Department with this. Secondly, the Willand Avenue speed hump and no truck traffic and no left turn onto Willand Avenue. He stated several business people in this area had spoken out about the no left turn signs.

E. Environmental Concerns Committee – Councilor Paul Johnson

Johnson stated they had not met but that the next meeting will be held in the morning on September 14th at 7:30 – 9:00 am in the Council Conference Room.

F. COAST BUS – Councilor Peter Schmidt

Schmidt stated he had met with the director of COAST and John Cavanaugh, Judd Gregg's director of public affairs to investigate the financing and negotiations for their new proposed facility.

Perry moved to accept, seconded by Reese . Passed on an 8-0 vote.

9. CITY MANAGER'S REPORT

The City Manager stated on budgetary basis, through the end of August (17% of the current fiscal year. All non-property revenue is being collected at 23% rate; expenditures are at 19%. The city issued 66 building permits in the amount of 2.8 million dollars and had received \$15,000 in fees and that there were 7 single-family permits issued.

DEDC has a meeting on September 9. The city is seeing a renewed interest in various spots around the city for different types of projects.

He stated, starting Sunday the library will be open for the fall and winter months' schedule. Also, signs will go up in the crosswalks this week. He had brought a sample to show the citizens. He stated we will be tearing down and reconstructing a new, year round facility for Camp Sun N' Fun. He has \$90,000 in the CIP for this project. He stated there are a number of citizens volunteering for the project.

He stated with regard to the inspection of the dam, part of it may belong to the City and we will have to fund \$86,000 to help fix this. The smell is due to the duckweed in the river and there is not much they can do in the hot weather.

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The City Manager recognized the retirement of Leo Michaud and Harold Freeman.

He also asked for cash (preferably) in donations for Camp Sun N' Fun. He stated the GE people would start demolishing the current building next week.

Landry asked about the issue of benches and swing sets for Henry Law Park. Rawding had a question about crosswalks as he has noticed they are not clearly marked here. Lavoie stated all the painting of the sidewalks will be completed in the next few weeks. He is also working with the Main Street director to put designs in our sidewalks.

Rawding asked about another issue, with the rail station being built, he feels we are going to need a safety awareness program. What is the City doing to prepare for the arrival of the trains that will be coming? The City Manager assured him we would be addressing it. The Mayor stated he would like new brick sidewalks like Durham has just recently completed. Schmidt had an issue regarding the traffic lights at the corner of Oak Street and Portland Avenue. Lavoie commented, the State is addressing this issue. A yield on green has been recommended there. Schmidt asked about the Hancock Street Area Park. He stated the equipment is dilapidated and not the safest, also there is a bad sanitation problem there. Schmidt asked about the river mess and is there any timeline for fixing it. Lavoie commented again that the duckweed is out of control this year. Schmidt also asked whether the State is dragging its feet on this issue.

Perry moved to accept, seconded by Schmidt. Passed on a vote of 8-0.

10. UNFINISHED BUSINESS:

A. ORDINANCES IN 2ND READING

B. ORDINANCES IN 3RD READING

C. RESOLUTIONS

11. NEW BUSINESS:

A. CONSENT CALENDAR

1. Resolution RE: Award of Purchase Order for a Dump Body and a Snow Plow Equipment (Front Plow and Wing). Sponsored by Mayor Wil Boc, by Request.

This resolution becomes 11.B.4.

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2. Resolution RE: Renewal of License Agreement with Tyra Inc., Successor to S & H Enterprises, Inc. (and Sara Davis and Henry Sanborn). Sponsored by Mayor Wil Boc by Request.
3. Resolution RE: Award of Purchase Order for Both Computer Hardware and Software Maintenance Services. Sponsored by Mayor Wil Boc, by Request.
4. Resolution RE: Authorization of Issuance of Building Permit on a Class VI Highway. Sponsored by Mayor Wil Boc, by Request.
5. Resolution RE: Setting Voting Hours for the Municipal Election on November 2, 1999. Sponsored by Mayor Wil Boc, by Request.
6. Tag Permit – Great Bay Figure Skating Club
7. Raffle Permit – Dover Football Boosters
8. Raffle Permit – St. Joseph Church
9. Raffle Permit – Greater Dover Chamber of Commerce
10. Wetlands Application – Melville Hodgdon

Perry moved to adopt, grant, and file, seconded by Schmidt. Motion passed on a roll call vote of 8-0.

B. RESOLUTIONS

1. Resolution RE: Authorization for the City Manager to Enter into a Joint Agreement with the New Hampshire Department of Transportation for the Construction of Three Transportation Improvement Projects Authorized in the FY00-05 CIP. Sponsored by Wil Boc, by Request.

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

2. Resolution RE: Award of Purchase Order for Evaluation Services of an Anti-Stalking Unit Project. Sponsored by Mayor Wil Boc, by Request.

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

3. Resolution RE: Clean Water Action's Clean Power Campaign. Sponsored by Councilor David Landry.

Landry moved to adopt, seconded by Reese. Motion passed on a roll call vote of

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7-1. Rawding opposed.

4. Resolution RE: Award of Purchase Order for a Dump Body and a Snow Plow Equipment (Front Plow and Wing). Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Schmidt. Motion passed on a roll call vote of 7-1. Landry opposed.

Perry moved to suspend the rules to introduce 3 resolutions, seconded by Schmidt. Motion passed on a roll call vote of 8-0.

5. Resolution Re: Collective Bargaining Agreement Between the Dover School Board and the American Federation of State, County, and Municipal Employees (AFSCME). Sponsored by Mayor Wil Boc, by Request.

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

6. Resolution Re: Award of Purchase Order for BEST Management Practices Relative to Erosion Control at Bill Dube Ford Auto Dealership. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Reese. Motion passed on a roll call vote of 7-0. Rawding abstains.

7. Resolution Re: Authorization for Administrative Services for the Main Street Program.

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

C. ORDINANCES IN THEIR 1ST READING

1. Ordinance #13-09/08/99, Chapter 170, Zoning, Section 170-28.6, Telecommunications Facilities, Subsection H. Sponsored by Councilor Jerry Reese, Planning Board Representative.

Reese moved to refer to a Public Hearing on October 13, seconded by Perry. All in favor. Perry moved to amend by waiving the required citywide notification, seconded by Schmidt. All in favor.

2. Ordinance #11-09/08/99, Chapter 99, Eating and Drinking Establishments, Section 99-11, Food Service Establishment Tobacco Policy. Sponsored by

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Councilor Peter Schmidt and Councilor Robert Berry, by Request of the Board of Health.

Schmidt moved to refer to a Public Hearing on October 13, seconded by Reese and Rawding. Reese asked if we were having a workshop. It was stated it is not necessary just yet. All in favor.

3. Ordinance #12-09/08/99, Chapter 89, Dogs, Article I, Licensing and Regulation, Section 89-4, Group Licenses, Section C. Sponsored by Mayor Wil Boc by Request.

Perry moved to refer to a Public Hearing on October 13, seconded by Reese. All in favor.

4. Ordinance #14-09/08/99, Chapter 166, Vehicles and Traffic, Section 166-49, Schedule B: Prohibited Turns and Intersections, New Rochester Road/Willand Avenue. Sponsored by Councilor David Landry, Chair, Parking and Traffic Committee.

Landry moved to refer to a Public Hearing on October 13, seconded by Reese. All in favor.

D. COUNCIL CORRESPONDENCE

12. COUNCIL MATTERS OF INTEREST

13. ADJOURNMENT

JUDY GAQUETTE
CITY CLERK