



CITY OF DOVER

## CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, May 25, 2011**  
Meeting Time: **7:00pm**

### 1. CALL TO ORDER

### 2. MOMENT OF SILENCE

### 3. PLEDGE OF ALLEGIANCE

Councilor Cruikshank led the Pledge of Allegiance.

### 4. ROLL CALL ATTENDANCE

**Present:** Mayor Myers, Deputy Mayor Trefethen, Councilor Carrier, Councilor Cheney, Councilor Cruikshank, Councilor Garrison, Councilor Hooper, Councilor Nedelka and Councilor Weston.

**Also present:** City Manager Joyal, General Legal Counsel, and City Clerk Lavertu.

### 5. PROCLAMATIONS/AWARDS – None

### 6. APPROVAL OF AGENDA

Mayor Myers asked that the numbering be corrected for 12.C.1. and 12.C.2. in the Agenda packets to match the Agenda. He asked for a vote on the approval of the Agenda.

Vote: 9/0

### 7. PUBLIC HEARINGS

#### **A. FISCAL YEAR 2012 BUDGET APPROPRIATIONS, FEES AND CAPITAL IMPROVEMENTS PROGRAM – CITY PORTION ONLY (COUNCIL VOTE TO OCCUR AT A LATER DATE) SPONSORED BY MAYOR MYERS BY REQUEST**

**Marilyn Follansbee, 25 Dover Point Road:** She spoke about being on a fixed income and being from a generation that doesn't believe in getting something for nothing. She said she budgets accordingly when taxes goes up. She spoke about the budget presentations, and hopes the Council will approve the Fire, Police, and Library Departments' budgets. She questioned the need for a conference room at the McConnell Center. She said Public Works needs all the money it can get to fix the roads. She suggested giving Dover Business and Industrial Development Authority (DBIDA) a year off and use the money to support of the schools.

**Raymond Bardwell, 199 Spur Road:** He listed his costs to live in Dover. He spoke about the increase in his property taxes from 2002 to present. He spoke about the roads condition because they haven't been maintained. He said the seniors can't afford the increase in taxes, and the Council has to help them. He appreciated that the City employees haven't had any increased, but asked what can be done to help this remain a good community. He said he loved the horses, but they are not going make it to Spur Road or Sixth Street when there is a



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problem. He spoke about ridiculous salaries of the department heads. He told the citizens to call their representatives and tell them how they feel.

**Ronald Huml, 199 Mast Road:** He spoke about the tax cap. He said the City complied with it with their proposed budget, but the School Department did not. He referred to a newspaper article, which stated that 1:10 people in New Hampshire were receiving food stamps. He spoke about the employment rate being down because a lot of people moved out of the State to retire and other people took jobs working for less.

**Douglas DeDe, 143 Locust Street:** He spoke about the tax cap being ruled out. He said they have to decide what they want Dover to be. He said the City Manager and Council have done a great job.

**Eric Steltzer, 103 Henry Law Avenue, Energy Advisory Committee Chairperson:** He spoke about the excellent work of the Planning Board. He said \$25,000 to continue the work of a part-time planner would go a long way towards Dover's sustainability.

**Mark Bonpane, (no address given), Student:** He spoke about the Dover Teen Center and how it was a safe haven for kids.

**Kyle Wheat, DHS Student and Junior Volunteer at the Dover Teen Center:** He said 45 children would have nowhere to go after school if the City closes the Teen Center.

**Elizabeth Mc\_\_\_\_\_; Somersworth resident, Junior Volunteer at the Dover Teen Center:** She spoke in support of the Dover Teen Center.

**John Colford, 24 Hubbard Road, Volunteer at the Dover Teen Center:** He spoke in support of the Dover Teen Center.

**Josie Lindh, 267 Long Hill Road, Student:** She spoke in support of the Dover Teen Center.

**Erin Kilmain, 9 Concord Way, Student :** She spoke in support of the Dover Teen Center.

**Maci Leighton, 138 Varney Road, and Leocritia Wolfe, 17 School Street, Student:** They spoke in favor of the Dover Teen Center.

**Evelyn Perkins, 575 Tolend Road, and Madison Prinopoulos, 7 Floral Avenue, Students:** They spoke in support of the Dover Teen Center.

**Jeanne Melton, 73 Horne Street:** She spoke in support of the Dover Public Library.

**Nick Piscitello, 581 Tolend Road, DMS Student:** He spoke in favor of the Dover Youth to Youth Group.



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**Susan Martinen, 256 Washington Street:** She spoke in favor of the Dover Youth to Youth Group.

**E. Michele Holt-Shannon, 14 Florence Street:** She said they love Dover and willing to pay more taxes to prioritize. She said it wasn't City versus School.

**Addy Martinen, 256 Washington Street, and Katelyn Hutchins, 24 Wentworth Terrace, Students:** They spoke in favor of the Dover Youth to Youth Group.

**Patricia Campbell, 17 Hamilton Street:** She spoke in favor of the Dover Pools.

**John Scruton, 99 Sixth Street:** He spoke about the budget frenzy this time of year. He said the City needs to sustain itself. He said more common sense needs to be established.

**D. Leif Gerjuoy, 8 Woodman Park Drive, COAST Board of Directors Representative:** He thanked the Council for their support of COAST.

**Daniel Huppe, 5 Kennedy Circle:** He spoke against supporting the Mounted Patrol.

Mayor Myers responded by clarifying the only costs for the Mounted Patrol are the two officers, who also can be in a patrol car, on foot, on a bicycle, or horse. The horses are totally supported by donations and volunteers.

**Lisa Munoz, 33 Basil Place:** She spoke in support of the Dover Youth to Youth Group.

**NH State Representative Peter Schmidt, 53 Fourth Street:** He spoke about the economy. He said in general they are coming out of the recession slowly, and New Hampshire came through it better than most. He said this Council is a good Council and has made accomplishments. He called upon the citizenry of Dover to volunteer. He spoke in support of the Dover Youth to Youth Group and the Dover Teen Center. He believed the Council could create the best budget possible under the circumstances.

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

### **B. THE DISPOSITION OF REVENUES FROM THE LAND USE CHANGE ACT SPONSORED BY MAYOR MYERS BY REQUEST**

**Douglas DeDe, 43 Locust Street:** He spoke against this Resolution.

**Thomas Fargo, 14 Cobble Hill Drive:** He spoke against this Resolution. He suggested the Council not to adopt the Resolution or amend the Resolution to put a cap on the amount or a percentage.

**Cheryl Niles, 200 Sixth Street:** She spoke against this Resolution and asked the Council to vote it down.



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**Barbara Lehocky, 98 County Farm Road, Open Lands Committee Chairperson:** She said no one came to the Committee prior to this Resolution coming before the Council. She asked for time to review and make suggestions.

**Anna Boudreau, 9 Northam Drive, Open Lands Committee Vice-Chairperson:** She spoke against the Resolution.

**Marcia Gasses, 114 Garrison Avenue, Conservation Commission Vice-Chairperson:** She said she understood the economic situation, but the Conservation Commission did not support this Resolution. She asked the Council not to support this Resolution. She asked that the Council redirect the penalties paid beyond \$75,000 go to the Conservation fund. She said they support the \$75,000 being used to fund the City Planner.

**John Scruton, 99 Sixth Street, Open Lands Committee Member:** He said he has watched development in the City for 30 years. He said the City needs sustainable development, land, and clean water. He asked the Council to look to the future.

**NH State Representative Peter Schmidt, 53 Fourth Street:** He urged caution with depleting funds. He believes that the City cannot build their way to lower property taxes.

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

### **C. BAKER STREET PARKING** SPONSORED BY COUNCILOR WESTON

Mayor Myers, seeing no one wishing to speak, closed the Public Hearing.

### **D. REMOVAL OF STREET LIGHTING** SPONSORED BY MAYOR MYERS BY REQUEST

Mayor Myers reminded the public that the Council has already had a consensus that they would not be supporting this Resolution.

**Marilyn Follansbee, 25 Dover Point Road:** She asked if it would help to turn off the lights during the summer.

**Raymond Bardwell, 199 Spur Road:** He spoke against the removal of the streetlights.

**Eric Steltzer, 103 Henry Law Avenue, Energy Advisory Committee Chairperson:** He said the idea of removing some of the streetlights is a good thing. He asked if Route 108 in Madbury is more dangerous because they don't have lights. He suggested forming a committee to look at these streetlights. He spoke about the new midnight rate option from PSNH, and asked the Council consider looking into this option.



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**David Montenegro, 55 Union Street:** He said removing street was a good idea provided it was done right. He spoke about the irrational fear of removing streetlights, and spoke of alternatives. He recommended that the City remove the streetlights, use half the savings on alternatives and education, and use the other half to help balance the budget.

**Jennifer MacNeil, 87 Emerald Lane:** She said if the Council does close the Youth to Youth Group and Teen Center, then she hoped they did provide the kids with flashlights.

**Beverly Shadley, 155 Locust Street:** She was unclear of the results of other communities who have gone through. She asked if there has been an increase in crime and accidents. She feels they need time to learn more.

**Daniel Huppe, 5 Kennedy Circle:** He said he would like to see a study. He was concerned with streetlights near the schools.

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

### 8. CITIZEN'S FORUM

*Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.*

Councilor Cheney made a motion to suspend the rules to allow the citizens here to speak about non-School Department's budget issues be allowed to speak first; seconded by Councilor Weston.

Roll Call Vote: 2/7; Failed. Councilors Cheney and Weston voted in favor.

**Gretchen Lothrop, 16 Grandview Drive:** She supports the School Department's budget as proposed.

**Jeanne Melton, 73 Horne Street:** She supports the School Department's budget as proposed.

**Christy Thomas, 9 Ironwood Lane:** She supports the School Department's budget as proposed.

**Pamela Giguere, 26 Danielle Lane:** She supports the School Department's budget as proposed.

**Bell Giguere, 26 Danielle Lane, Garrison Elementary School Student:** She said she didn't want to have 30 kids in her class.

**John Giguere, 26 Danielle Lane, Garrison Elementary School Student:** He didn't want big class sizes.

**Lisa & Jeffrey Dean, 22 Overlook Drive:** They support the School Department's budget as proposed.



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**Natalie Koellmer, 59 Spur Road:** She supports the School Department's budget as proposed.

**Brooke Spur, 84 Broadway:** She supports the School Department's budget as proposed, and understands that sacrifices will be made.

**Paige Covert, 18 Richmond Street:** She supports the School Department's budget as proposed.

**Jared Olkkola, 25 Richmond Street:** He supports the School Department's budget as proposed.

**Abigail Lundborn, 340 Washington Street:** She supports the School Department's budget as proposed.

**Christopher Berg, 15 Middlebrook Road:** He supports the School Department's budget as proposed.

**Tegan Goodridge, 75 Ezras Way:** She supports the School Department's budget as proposed.

**Shannon Donovan, 25 Susannahs Crossing:** She supports the School Department's budget as proposed.

**Jennifer MacNeil, 87 Emerald Lane:** She supports the School Department's budget as proposed.

**Amy Eisenmann, 20 Susannahs Crossing:** She supports the School Department's budget as proposed.

**Brian Saylor, 19 Susannahs Crossing:** He supports the School Department's budget as proposed.

**Kristin Johnson, 39 Old Rochester Road:** She supports the School Department's budget as proposed.

**Sherri Wormstead and children, 5 Ox Bow Lane:** She supports the School Department's budget as proposed.

**Lesley Cruz, 4 Fieldstone Drive:** She supports the School Department's budget as proposed.

**Lisa Nicholson, 13 Cassily Lane:** She supports the School Department's budget as proposed.

**Kyle, 21 Elm Street, Student:** He supports the School Department's budget as proposed.

**Darla, 21 Elm Street:** She supports the School Department's budget as proposed.



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**Susan Valenti, 27 Overlook Drive:** She supports the School Department's budget as proposed.

**Jennifer Spargo, 7 Westwood Circle:** She supports the School Department's budget as proposed.

**Anne Michiels, 68 Bellamy Road:** She supports the School Department's budget as proposed.

**Tiana Randall, 71 Court Street, Student:** She supports the School Department's budget as proposed.

**Abigail Wilson, 2 Morgan Drive:** She supports the School Department's budget as proposed.

**Debra Hanna, 419 Old Garrison Road:** She supports the School Department's budget as proposed.

**Caroline Hanna, 419 Old Garrison Road:** She said she ~~did not~~ want to have bigger class sizes.

**Terri Nelson, 18 Overlook Drive:** She supports the School Department's budget as proposed.

**Jamie Willett, 32 Garrison Road:** She supports the School Department's budget as proposed.

**Kimberly Lyndes, 151 Garrison Road, Co-Principal for the Dover Middle School:** She supports the School Department's budget as proposed.

**Beverly Shadley, 155 Locust Street:** She supports the School Department's budget as proposed.

**Bonnie McGovern, 65 Grandview Drive:** She supports the School Department's budget as proposed. She presented a list of people of 152 people who live in the Dover Housing Authority housing to the Council.

**Jennifer Sprague, 27 Woodland Road:** She supports the School Department's budget as proposed.

**Deborah Fitzgerald, 33 Baldwin Way:** She supports the School Department's budget as proposed.

**David Bamford, 296 Gulf Road:** He said education should not be looked at as a cost, but as an investment in the future. He supports the School Department's budget as proposed.

**Emily Spear, 28 Fieldstone Drive:** She supports the School Department's budget as proposed.

**Mark Geuther, 30 Lisa Beth Circle:** He supports the School Department's budget as proposed.

**Paul Richard, 24 Kirkland Street:** He supports the School Department's budget as proposed.



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**Jill Brooks, 60 Cushing Street:** She supports the School Department's budget as proposed.

**Betsy Andrews-Parker, 34 Gladiola Way:** She supports the School Department's budget as proposed.

**Lisa McRae, 23 Boxwood Lane:** She supports the School Department's budget as proposed.

**Danielle Holt, 45 Oak Street:** She supports the School Department's budget as proposed.

**Amanda Russell, 20 Cranbrook Lane:** She supports the School Department's budget as proposed.

**Richard Hebbard, 97 Spruce Lane:** He urged the Council not to pass the budget, because they don't have the money. He spoke about Dover Police Officers' lying and perjuring themselves in court. He spoke about fixing the chassis for the cannon, which he presented to the Council.

**David Montenegro, 55 Union Street:** He commended Mr. Hebbard for his comments regarding the Police Department.

**Chris Geuther, 30 Lisa Beth Circle:** She supports the School Department's budget as proposed.

**Carol Williams, 60 Tolend Road:** She said it's hard to tax seniors on a fixed income, but she felt education should come first.

Mayor Myers, seeing no one else wishing to speak, closed the Citizen's Forum.

### 9. CITY MANAGER'S REPORT

City Manager Joyal said he submitted his report in writing.

Councilor Weston asked if Youth to Youth position was cut completely out of the budget.

City Manager Joyal said there was one grant-funded counselor position that has ended, and he did not choose to fund it with tax dollars. He said there will be less staff, but the program will still continue. City Manager Joyal said they will discuss it more during the workshop.

Deputy Mayor Trefethen moved to approve the City Manager's Report; seconded by Councilor Hooper.

Vote: 9/0.

### 10. APPROVAL OF MINUTES

**A. May 4, 2011 – Workshop**

**B. May 11, 2011 – Regular Session**

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Deputy Mayor Trefethen moved for the approval; seconded by Councilor Garrison.  
Vote: 9/0.

**11. MAYOR'S REPORT**

Mayor Myers congratulated Regan Hartley who is the current Miss New Hampshire. He spoke about the redistricting and said Councilor Nedelka and State Representative Watters have agreed to serve on the Committee. He thanked the City Manager and the Greater Dover Chamber of Commerce for the State of the City address. He attended the Cocheco Waterfront Development Committee meeting, and said the developer is ready to start the engineer and design work. He attended a luncheon at Newicks for the National Retired Federal Employees. He attended a Local Government Center subcommittee meeting for strategic planning. He attended the New Hampshire Municipal Association meeting. He attended Community Trail Clean up. He received a plaque from the New Hampshire Fish & Game for the City's access stewardship award. He suggested that it be hung in the Planning Department office.

Councilor Cheney asked for an update on the Local Government Center.

Mayor Myers said the Secretary of State has not released the report.

Deputy Mayor moved to accept the Mayor's Report; seconded by Councilor Cruikshank  
Vote: 9/0.

**12. UNFINISHED BUSINESS**

**A. ORDINANCES IN THE 2<sup>nd</sup> READING**

**1. BAKER STREET PARKING**

SPONSORED BY COUNCILOR WESTON

Councilor Weston moved for its adoption; seconded by Councilor Nedelka.  
Councilor Weston gave an overview of this Ordinance to the Council.  
Roll Call Vote: 9/0.

**B. ORDINANCES IN THE 3<sup>rd</sup> READING – None**

**C. RESOLUTIONS**

**1. REMOVAL OF STREET LIGHTING**

SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Garrison.  
Deputy Mayor Trefethen said he would vote against it, however issue should not just die.  
He said some should be removed, and this should take another look.  
Vote: 0/9; Failed.

**2. THE DISPOSITION OF REVENUES FROM THE LAND USE CHANGE ACT**

SPONSORED BY MAYOR MYERS BY REQUEST



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Deputy Mayor Trefethen moved for its approval; seconded by Councilor Weston. Mayor Myers gave an overview of this Resolution. He said the City Manager did create a substitute Resolution that ties into the Conservation Commission's suggestion that only \$75,000 would be used for the salary of a City Planner. Councilor Hooper moved to substitute the Resolution as a whole; seconded by Councilor Cruikshank. Vote: 8/1; Passed. Councilor Cheney was opposed. Councilor Cheney said she supported leaving the money where it is. She said the City needs to conserve and protect future land. Councilor Garrison made a motion to remove the language "for the purpose of funding a City Planner position;" seconded by Councilor Hooper. Councilor Nedelka supported the amendment, because he felt it implied that the Commission has authority over the Planner. Vote: 4/5; Failed. Deputy Mayor Trefethen, Councilors Garrison, Hooper and Nedelka voted in favor. Councilor Cheney moved to add "for FY2012 budget." The motion was not seconded. Roll Call Vote: 7/2; Passed. Councilors Cheney and Weston were opposed.

### 13. NEW BUSINESS

#### A. CONSENT CALENDAR

1. **PARADE: GARRISON SCHOOL BOOT CAMP**
2. **BLOCK PARTY: LEXINGTON STREET**
3. **RAFFLE: CITY OF DOVER RECREATION DEPARTMENT**
4. **RAFFLE: GREATER DOVER CHAMBER OF COMMERCE**
5. **ROAD CLOSURE: NEW HAMPSHIRE SOAP BOX DERBY**
6. **TAG: DOVER LITTLE GREEN CHEERLEADING**
7. **TAG: PEN INK DESIGN COMPANY FOR SEYMOUR OSMAN COMMUNITY CENTER**
8. **TAG: SUSAN G KOMEN 3 DAY WALK**
9. **RESOLUTION: TROJAN UV3000 PLUS LAMPS AND SLEEVE QUARTZ**  
SPONSORED BY MAYOR MYERS BY REQUEST
10. **RESOLUTION: B11074 CATCH BASIN CLEANING**  
SPONSORED BY MAYOR MYERS BY REQUEST

### COMMITTEE REPORTS

- |                           |                                             |
|---------------------------|---------------------------------------------|
| 1. School Board           | 8. Transportation Advisory Commission       |
| 2. Planning Board         | 9. Joint Building Committee – Horne Street  |
| 3. Appointments Committee | 10. Joint Building Committee – Media Access |



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| 1. Recreation Advisory Board           | 11. Legislative Liaison     |
| 5. McConnell Center Advisory Committee | 12. Pool Advisory Committee |
| 6. Arts Commission                     | 13. Parking Commission      |
| 7. Solid Waste Advisory Commission     |                             |

Deputy Mayor Trefethen moved for the approval of the Consent Calendar; seconded by Councilor Garrison.

Mayor Myers asked the Council if they had any items they would pulled for further discussion. Councilor Nedelka asked to pull item 13.A.9.

Mayor Myers asked for a roll call vote on the remaining items of the Consent Calendar.

Vote: 9/0.

Deputy Mayor Trefethen moved for the approval of 13.A.9.; seconded by Councilor Nedelka. Councilor Nedelka asked why there were three times as many sleeves versus bulbs.

Community Services Director Steele said the sleeves are changed more frequently than the bulbs.

Roll Call Vote: 9/0.

### B. RESOLUTIONS

#### 1. **B11038 – SLUDGE DEWATERING UPGRADES AWARD OF BID** SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Garrison.

Councilor Garrison asked why the lowest bidder wasn't chosen.

City Manager Joyal said after checking references they chose the firm that was most advantageous for the City.

Roll Call Vote: 9/0.

#### 2. **B09052 WWTP SLUDGE DEWATERING UPGRADE CONSTRUCTION OVERSIGHT SERVICES AWARD OF ADDITIONAL SCOPE OF SERVICES** SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Weston.

Roll Call Vote: 9/0.

#### 3. **MEMORANDUM OF AGREEMENT WITH GREAT BAY COALITION AND NH DEPARTMENT OF ENVIRONMENTAL SERVICES (NHDES)** SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Hooper.

Mayor Myers gave an overview of the Resolution to the Council.



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Councilor Cheney spoke about her concerns with the computer models.  
Environmental Contractor Peschel discussed the intent of the coalition with the Council.

Councilor Carrier moved to suspend the rules to continue the meeting past 10:30 pm to complete the Agenda; seconded by Councilor Cruikshank.  
Roll Call Vote: 9/0.

Environmental Contractor Peschel continued his discussion.  
Roll Call Vote: 9/0.

### C. ORDINANCES IN 1ST READING

**1. 166-18 VEHICLES AND TRAFFIC, PARKING LOTS  
(TO BE REFERRED TO A PUBLIC HEARING ON JUNE 8, 2011)  
SPONSORED BY MAYOR MYERS BY REQUEST**

Deputy Mayor Trefethen moved to refer to a public hearing on June 8, 2011; seconded by Councilor Hooper.  
Vote: 9/0.

**2. 166-38 VEHICLES AND TRAFFIC, UNLAWFUL ACTS; SEPARATE VIOLATIONS,  
SUBSECTION C  
(TO BE REFERRED TO A PUBLIC HEARING ON JUNE 8, 2011)  
SPONSORED BY COUNCILOR WESTON**

Deputy Mayor Trefethen moved to refer to a public hearing on June 8, 2011; seconded by Councilor Weston.  
Councilor Weston asked to have the sponsor changed to Councilor Weston.  
Vote: 9/0.

### 14. COUNCIL CORRESPONDENCE

#### A. SIGN IN SHEET AND LETTER FROM JEANNE MELTON

Deputy Mayor Trefethen moved to accept the correspondence and place on file; seconded by Councilor Weston.

Mayor Myers referred to the proposed cuts to the budget that were included on the sign in sheet. He clarified that the Arena makes money for the City, and cutting it from the budget would actually cost the City money. He spoke about the Mounted Police, and said eliminating the horses isn't saving the City money. He said the Fireworks are not in the City's budget.  
Vote: 9/0.

### 15. COUNCIL MATTERS OF INTEREST - None

### 16. ADJOURNMENT



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Councilor Cruikshank moved to adjourn to a Workshop Session; seconded by Councilor Nedelka.  
Vote: 9/0.

DRAFT