



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, December 14, 2011**
Meeting Time: **7:00pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Garrison led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

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

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

5. PROCLAMATIONS/AWARDS – None

6. APPROVAL OF AGENDA

Councilor Hooper moved to add a third School Board Report; seconded by Councilor Ciotti.
Vote: 9/0.

Deputy Mayor Weston moved to add a resolution: Extension of Pedestrian Bridge Fundraising/Completion Date, as Item 12.C.4.; seconded by Councilor Ciotti.

Vote: 9/0.

Deputy Mayor Weston moved to accept the agenda as amended; seconded by Councilor Nedelka.

Vote: 9/0.

7. PUBLIC HEARINGS – None

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.

Director of Economic Development Daniel Barufaldi, 240 Blackwater Road: He spoke in favor of the resolution for "Requesting Support from the Congressional Delegation and the Governor of the State of New Hampshire for the Continuation of Dover as a Stop on the Amtrak Downeaster Route."

Councilor-Elect Michael Crago, 11 Augusta Way: He spoke in favor the Pedestrian Covered Bridge project.

Marcia Gasses, 114 Garrison Road: She spoke in favor of Item 13.B.1.: "Authorization for the Purchase of a Conservation Easement by the City Of Dover Conservation Commission."



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, December 14, 2011**
Meeting Time: **7:00pm**

School Business Administrator Michael Limanni: He spoke about his handout with the Council, which answered questions from the previous Workshop regarding School projects on the CIP.

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

Mayor Trefethen asked for a motion to suspend the rules so he could add the Appointments Committee Report to the Agenda.

Councilor Cruikshank made a motion to suspend the rules to add the Appointments Committee Report to the agenda; seconded by Councilor Nedelka.

Vote: 9/0.

9. CITY MANAGER'S REPORT

City Manager Joyal submitted his written report to the Council. He spoke about the temporary repairs being made to Watson Road.

Deputy Mayor Weston started a discussion regarding the timeline for the Tolend Road project. Deputy Mayor Weston moved to accept the City Manager's Report; seconded by Councilor Garrison.

Vote: 9/0.

10. APPROVAL OF MINUTES

- A. November 2, 2011 – Workshop
- B. November 9, 2011 – Regular Session
- C. November 16, 2011 – Workshop

Deputy Mayor Weston moved to accept the Minutes; seconded by Councilor Cruikshank.

Vote: 9/0.

11. MAYOR'S REPORT

Mayor Trefethen said in the past few weeks he has met with all the mayors in the surrounding communities. He attended the Christmas tree lighting ceremony at Henry Law Park, the Festival of Lights at the City Hall, and reading books with Santa Claus at Café on the Corner. He said he attended several ribbon cuttings for the Greater Dover Chamber of Commerce.

Deputy Mayor Weston moved to accept the Mayor's Report; seconded by Councilor Nedelka.

Vote: 9/0.

12. UNFINISHED BUSINESS

- A. ORDINANCES IN THE 2nd READING – None
- B. ORDINANCES IN THE 3rd READING – None



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, December 14, 2011**
Meeting Time: **7:00pm**

C. RESOLUTIONS

1. RESOLUTION: ADOPTION OF FY2013-2018 CAPITAL IMPROVEMENTS PROGRAM (CIP) SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Weston moved for its adoption; seconded by Councilor Ciotti.
Mayor Trefethen asked the Council if they had changes they wanted to make the CIP.

Councilor Nedelka referred to Page 21, Community Services Water Fund, and made a motion to change Water Exploration from \$100,000 to \$50,000, then add a line allocating \$50,000 for the engineering for the water main on Court Street; seconded by Deputy Mayor Weston.

Councilor Nedelka explained his reasoning for this change with the Council.

Councilor Carrier started a discussion about the purpose of the remaining \$50,000 in Water Exploration.

Councilor Cheney said she would not support this amendment.

Councilor Cruikshank asked about the impact to Water Exploration.

City Manager Joyal said the remaining \$50,000 should be sufficient to fund the Willand Pond exploration project.

Vote: 8/1; Passed. Councilor Cheney was opposed.

Deputy Mayor Weston moved to revise the McConnell Center Renovation projection to 2013 for \$100,000, and 2014 to \$102,000; seconded by Councilor Garrison.

Councilor Cheney said she felt this shouldn't be in the CIP and will not support the amendment.

Councilor Hooper asked if it affected the 2013 Budget.

City Manager Joyal said it didn't affect the 2013 Budget unless they have a prospective tenant.

Mayor Trefethen said it was a placeholder. They will spend the money only when it's needed for a tenant, and the money will be recouped in the lease agreement.

Vote: 8/1; Passed. Councilor Cheney was opposed.

Councilor Cruikshank asked about the lighting in the High School Auditorium.

Mr. Limanni said the lighting meets the multi-purpose use that they are looking for.

Mayor Trefethen moved to move the \$1.9 million High School Auditorium renovation to 2014; seconded by Councilor Garrison.

Mayor Trefethen said construction wouldn't start until June 2013; almost at the end of the fiscal year.

Councilors Garrison, Hooper, Cheney, Nedelka, Carrier, Ciotti, and Deputy Mayor Weston spoke in support of staying with the current timeline.

Vote: 1/8; Failed. Mayor Trefethen was opposed.

Deputy Mayor Weston moved to approve the CIP as amended; seconded by Councilor Ciotti.

Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, December 14, 2011**
Meeting Time: **7:00pm**

2. APPROPRIATION FOR FY2013 CAPITAL IMPROVEMENTS PROGRAM AND AUTHORIZATION FOR BONDING (REQUIRES A 2/3 MAJORITY VOTE) SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Weston moved for its adoption; seconded by Councilor Ciotti.
Mayor Trefethen listed the items to be bonded for the Council.
Roll Call Vote: 9/0.

3. APPROPRIATION FOR FY2013 CAPITAL IMPROVEMENTS PROGRAM – NON-DEBT FINANCED PROJECTS (REQUIRES A 2/3 MAJORITY VOTE) SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Weston moved for its adoption; seconded by Councilor Ciotti.
Mayor Trefethen listed the items that will be added into the Operating Budget.
Councilor Nedelka moved to amend line item #10 Water Explorations to \$50,000, and add a line item #14, engineering of Court Street water mains for \$50,000; seconded by Councilor Ciotti.
City Manager Joyal said the new line item would need a public hearing. He recommended the reduction and following up with a resolution and public hearing to add the new item.
Councilor Nedelka moved to amend line item #10 Water Explorations to \$50,000; seconded by Councilor Ciotti.
Vote: 9/0.
Mayor Trefethen asked for a roll call vote on the amended resolution.
Roll Call Vote: 9/0.

4. EXTENSION OF PEDESTRIAN BRIDGE FUNDRAISING/COMPLETION DATE SPONSORED BY MAYOR DEAN TREFETHEN

Deputy Mayor Weston moved for its adoption; seconded by Councilor Ciotti.
Deputy Mayor Weston asked for an update from Mr. Bardwell.
Mr. Bardwell, Chairperson, gave an update presentation to the Council and citizens.
Mayor Trefethen talked about the timeline and June 13, 2012 end date.
Mr. Bardwell said June 13, 2012 is the completion date.
Mayor Trefethen asked the City Manager about the funds collected and if they could be used.
City Manager Joyal said the donated funds will be returned to the donators if the bridge doesn't get moved. He said they have contacted donators to ask if they will forego a refund on their donation to completed nonrefundable work on the project, such as permits. He said there is money in the fund that can't be spent until the project has a green light to proceed. He said an amendment of resolution can allow the committee to use the funds now, and also to add that the future donations be used as the committee decides.
Councilor Garrison spoke about his believed that the bridge was a burden for the City.
Deputy Mayor Weston spoke possibly having a friendly amended to not have set deadlines, but having plans, donation amounts and the status of the project.
Mayor Trefethen said it would be easier to remove that bullet item.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, December 14, 2011**
Meeting Time: **7:00pm**

Deputy Mayor Weston referred to Page 1/8 of the resolution, moved to remove the third bullet item, "A detailed budget for the project indicating the raising of **75%** of the cash funds necessary to complete the project. The funds shall be held in escrow by the City."; seconded by Councilor Cheney.

Vote: 8/1; Passed. Councilor Nedelka was opposed.

Councilor Nedelka asked if the Council doesn't pass this Resolution will the committee still work on the project.

Mr. Bardwell said if the Council doesn't pass this he was history. He felt the Council needed to show the community that the Council supports this project.

Councilor Carrier asked for items being donated to be written down.

Mayor Trefethen said this resolution was showing the citizens that the Council was looking out for them, and not a show of any negativity.

Councilor Cheney made a motion that the report be attached to the resolution as background material; seconded by Deputy Mayor Weston.

Vote: 9/0.

Councilor Cheney said this deserves the Council's full support.

Councilor Cruikshank asked about the Waterfront developer and when he was starting work.

City Manager Joyal said his understanding is that the developer still plans to start work on the Waterfront in the spring.

Councilor Cruikshank said she was still sitting on the fence. She said if the money is not there to move it then it will fall on to the taxpayer.

Councilor Hooper said she was not a supporter of this bridge, because there was not historic value. She said she would not support this extension.

Councilor Nedelka said at some point you have to cut bait. He felt support wasn't there.

Councilor Carrier said the bridge is not hurting anyone right now, and he was in total support of this resolution. He said it was the citizens getting together for a cause.

Deputy Mayor Weston said the committee has her support until the June 13, 2012 date.

Councilor Ciotti said the Council has lost their vision. He said this community group is doing something for nothing. He supported this resolution.

Mayor Trefethen said he understood a lot of the concerns that have been raised, but he felt they had to look at it today and not six-seven months ago. He said the committee is getting marvelous donations. He said most donations for charity events come just before the deadline, and felt the committee was in good shape. He supported this resolution. He recommended another amendment to allow the committee to spend the money.

City Manager Joyal said the intent of the amendment is donations from this point on be used for ongoing activities for the planning of the bridge.

Deputy Mayor Weston moved to amend the resolution to add that the committee use future donations for ongoing activities for the planning of the bridge; seconded by Councilor Ciotti.

Vote: 9/0.

Councilor Ciotti moved to amend the resolution to say "the committee shall file a monthly written status report to the City Council."

Vote: 9/0.

Councilor Ciotti moved to amend the resolution to extend the June 13, 2012 deadline to December 30, 2012; seconded by Councilor Cheney.

Vote: 5/4; Passed. Councilors Cruikshank, Garrison, Hooper, and Nedelka were opposed.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, December 14, 2011**
Meeting Time: **7:00pm**

Councilor Garrison asked about written contracts with the company services donated and that they have insurance for the project. He moved to amend the resolution to have a written letter of intent from the in kind donations from the contractors.

City Manager Joyal said the original resolution had that requirement.

Councilor Garrison retracted his amendment.

Mayor Trefethen gave a summary of the amendment: The first "Now, Therefore" the deadline has been extended to December 30, 2012. Under the "In Addition," the sentence now reads "the Save Our Bridge Committee shall file a monthly written status report to the Council:". The third bulletin changes the cash issue.

Roll Call Vote: 8/1; Passed. Councilor Hooper was opposed.

13. NEW BUSINESS

A. CONSENT CALENDAR

1. **RAFFLE – St. Mary Academy Scholarship Fund**
2. **RAFFLE – Dover Children’s Home**
3. **RAFFLE – City of Dover Employees to benefit Dover Food Banks**

4. **RESOLUTION: APPROVAL OF ZEBRA CROSSINGS LEASE, ROOM 328, McCONNELL CENTER**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

5. **RESOLUTION: APPROVAL OF MOUNT PROSPECT ACADEMY LEASE, ROOM 317, McCONNELL CENTER**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

6. **RESOLUTION: EXCLUSIVE LISTING AGREEMENT EXTENSION WITH GRUBB & ELLIS**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

7. **RESOLUTION: EMERGENCY MANAGEMENT PERFORMANCE GRANT**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

8. **RESOLUTION: B07052 – CHEMICAL ROOT CONTROL ADDITIONAL SERVICES**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

9. **RESOLUTION: B12024 – AWARD OF BID FOR EXCESS WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

10. **RESOLUTION: B12031 AWARD OF BID FOR CONSULTING SERVICE FOR COMMUNITY WIDE VISIONING PROCESS**
SPONSORED BY MAYOR TREFETHEN BY REQUEST



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, December 14, 2011**
Meeting Time: **7:00pm**

COMMITTEE REPORTS

1. **School Board (3)**
2. Planning Board
3. **Appointments Committee**
4. Recreation Advisory Board
5. McConnell Center Advisory Committee
6. Arts Commission
7. Solid Waste Advisory Commission
8. Transportation Advisory Commission
9. Joint Building Committee – Horne Street
10. Joint Building Committee – Media Access
11. Legislative Liaison
12. Pool Advisory Committee
13. Parking Commission

Deputy Mayor Weston moved to accept the Consent Calendar; seconded by Councilor Ciotti.
Mayor Trefethen asked the Council if they had items they would like pulled for further discussion.
Councilor Hooper asked to pull the three School Board Reports.
Mayor Trefethen asked to pull the Appointments Committee.
Mayor Trefethen asked for a roll call note on the remaining items of the Consent Calendar.
Roll Call Vote: 9/0.

Councilor Hooper gave an overview of her three School Board Reports.
Deputy Mayor Weston moved to accept all three School Board Reports; seconded by Councilor Ciotti.
Vote: 9/0.

Mayor Trefethen gave an overview of the Appointments Committee meeting. He said the Appointments Committee unanimously recommends the following appointments:

- Peter Schmidt, Transportation Advisory Committee, Alternate
- Dennis Munson and Christopher Berg, Dover Utilities Commission, Regular Members
- Lynn Antone and Margaret Trefethen, Recreation Advisory Board, Regular Members.
- Ronald Hebert and Kevin Perron, Conservation Commission, Regular Members.
- Robert Fisher and Christopher Buck, Open Lands Committee
- Pool Advisory Committee, Patricia Campbell.

Mayor Trefethen moved to appoint these new members; seconded by Councilor Nedelka.
Vote: 9/0.

Mayor Trefethen said he gets to appoint a Councilor to the Planning Board Steering Committee, and he is appointing Councilor Carrier.

Mayor Trefethen moved to accept the Planning Board recommendation that the Council appoint to the Strafford Regional Planning Commission: Tom Clark, Anthony McManus and Marcia Gasses; seconded by Councilor Cruikshank.
Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, December 14, 2011**
Meeting Time: **7:00pm**

B. RESOLUTIONS

**1. AUTHORIZATION FOR THE PURCHASE OF A CONSERVATION EASEMENT BY THE CITY OF DOVER CONSERVATION COMMISSION
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Weston moved for its adoption; seconded by Councilor Cruikshank.
Ms. Anna Boudreau, Open Lands Committee Vice Chairperson, spoke in support of this resolution and gave an overview to the Council.
Roll Call Vote: 9/0.

**2. SCHOOL BUS CONTRACT
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Weston moved for its adoption; seconded by Councilor Hooper.
Roll Call Vote: 9/0.

**3. B11052 – NORTH END PRESSURE ZONE CONTRACT 1 – WATER
TRANSMISSION MAINS ADDITIONAL SCOPE OF SERVICE
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Weston moved for its adoption; seconded by Councilor Cruikshank.
Roll Call Vote: 9/0.

**4. ACCEPTANCE OF BEACON CIRCLE
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Weston moved for its adoption; seconded by Councilor Garrison.
Mayor Trefethen gave an overview of this resolution to the Council.
Roll Call Vote: 9/0.

**5. REQUESTING SUPPORT FROM THE CONGRESSIONAL DELEGATION AND THE
GOVERNOR OF THE STATE OF NEW HAMPSHIRE FOR THE CONTINUATION OF
DOVER AS A STOP ON THE AMTRAK DOWNEASTER ROUTE
SPONSORED BY MAYOR TREFETHEN**

Deputy Mayor Weston moved for its adoption; seconded by Councilor Cheney.
Mayor Trefethen gave an overview of this resolution to the Council.
Vote: 9/0.

**6. CODIFICATION OF CITY ORDINANCES
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Weston moved for its adoption; seconded by Councilor Cheney.
Roll Call Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, December 14, 2011**
Meeting Time: **7:00pm**

7. SET EFFECTIVE DATES OF CHARTER AMENDMENTS SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Weston moved for its adoption; seconded by Councilor Ciotti.
Roll Call Vote: 9/0.

C. ORDINANCES IN 1ST READING

1. CHAPTER 166, VEHICLES AND TRAFFIC, SMITH WELL PARKING RESTRICTION (TO BE REFERRED TO A PUBLIC HEARING ON JANUARY 11, 2012) SPONSORED BY DEPUTY MAYOR WESTON AND COUNCILOR CRUIKSHANK

Deputy Mayor Weston moved to refer to a public hearing on January 11, 2012; seconded by Councilor Cruikshank.

14. COUNCIL CORRESPONDENCE

A. LETTER FROM JEAN CONTE, RECEIVED NOVEMBER 17, 2011.

B. LETTER FROM BRIAN STERN, DATED DECEMBER 6, 2011.

Deputy Mayor Weston moved to have letters placed on file; seconded by Councilor Nedelka.
Vote: 9/0.

15. COUNCIL MATTERS OF INTEREST

Councilor Hooper wished the citizens Happy Holidays.

Councilor Cheney spoke about the orientation program for the new Council and her belief that they be recorded and archived. She said she was told that it wasn't an actual Council meeting and didn't need to be recorded. She spoke about the improper and unwarranted action that occurred at the orientation meeting. She felt that this meeting should have been recorded, and recommended the next orientation meeting on December 15, 2011 also be recorded.

Mayor Trefethen presented farewell gifts to Councilors Nedelka, Cruikshank and Ciotti.

Councilor Nedelka thanked the whole Council for the past two years.

Councilor Cruikshank thanked the whole Council and said it has been a pleasure.

Councilor Ciotti thanked the whole Council and said he was happy to fill in for the five months he was on the Council.

Mayor Trefethen said he felt privileged to serve with Councilors Nedelka, Cruikshank, and Ciotti. He said the hallmark of this Council was being able to discuss things, take a vote, and still shake each other's hand with no hard feelings. He said this Council was competent and successful. He said he was glad for those who were coming back, and thanked those leaving for serving. Several Councilors said thanks to the three Councilors who were leaving.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, December 14, 2011**
Meeting Time: **7:00pm**

Mayor Trefethen wished all a Merry Christmas.

16. ADJOURNMENT

Deputy Mayor Weston moved to adjourn; seconded by Councilor Cruikshank.

Mr. Limanni's and Mr. Bardwell's handouts have been archived with the Minutes.