



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, May 22, 2013**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Deputy Mayor Carrier led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Trefethen, Deputy Mayor Carrier, Councilor Cheney, Councilor Crago, Councilor Garrison, Councilor Hooper, Councilor Weeden, and Councilor Weston. Councilor Spuler arrived at 7:11 pm.

Also Present: City Manager Joyal, General Legal Counselor Krans, and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS – None

6. APPROVAL OF AGENDA

Councilor Cheney moved to add the Resolution: Council Rule Change – Ordinance Committee as Item 13.B.1.; seconded by Councilor Hooper.

Vote: 9/0.

Councilor Hooper moved to add two School Board Reports; seconded by Councilor Weston.

Vote: 9/0.

Deputy Mayor Carrier moved to accept the agenda as amended; seconded by Councilor Weeden.

Vote: 9/0.

7. PUBLIC HEARINGS

A. FISCAL YEAR 2014 BUDGET APPROPRIATIONS, FEES AND CAPITAL IMPROVEMENTS PROGRAM (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) CITY BUDGET ONLY

SPONSORED BY MAYOR TREFETHEN BY REQUEST

Leif Gerjuoy, COAST Representative: He spoke in favor of Dover supporting COAST funding and the FastTrans system.

Ronald Huml, 199 Mast Road: He spoke about the Dover Arena's budget and the \$20,000 that was taken out of the proposed budget for capital improvements. He spoke in general about the budget and said when the City gets excess funds it should be used to reduce taxes or to save for future projects, and not spent. He said employees' salaries should be reviewed.

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



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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.

Human, 55 Union Street: He spoke about the Police Facility Building conspiracy. He also spoke against the resolution on the agenda regarding professional consulting services for the development of tax increment finance & transit oriented development districts.

Mary Hebbard, 97 Spruce Lane: She spoke about the sewer line collapse for their neighbor's property and the ensuing cost to the owners, which she felt was the responsibility of the City. She said the owners have now received a shutoff notice from the City Clerk's office and a lien will be put on the property. She said the bill should go away.

Joyce Cynewski, 7 Tanglewood Drive: She spoke about the sewer line to her property. She said it was very upsetting because they're being charged for something being fixed in the street. She said they always pay their bills. She asked for the Council's help to resolve this issue.

Thomas Cynewski, 7 Tanglewood Drive: He spoke about receiving a water service termination notice. He asked the Council what he'll do without water. He didn't want to bring the City to court. He spoke with Attorney Schulte, but he is not his lawyer. He urged the Council not to shut his water off.

Richard Hebbard, 97 Spruce Lane: He begged the Council not to shut the Cynewskis water off. He spoke about the General Legal Counselor lying and felt it should be put in his personnel file.

David Goodwin, 27 Dover Neck Road, Arena Commission Chairperson: He spoke about how the Arena is doing well and how people from all over the Northeast come and spend money in Dover.

Donald Medbery, 3 Covered Bridge Lane: He said it was crazy that someone should have to beg the Council not to shut their water off. He spoke about the inappropriate appointment of Attorney Krans as Executive Director for the Dover Housing Authority because he wasn't qualified. He spoke about the Dover Housing Authority's problems.

Mayor Trefethen, 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, which covered legal and economic development activities in the City. He said General Legal Counselor Krans will be leaving the City to work for the Dover Housing Authority as Executive Director. He thanked him for his service to the City of Dover.

Councilor Weston started a discussion regarding the process for hiring a new General Legal Counselor. She then discussed the sewer line issue and that it should be reviewed.

Councilor Cheney asked if the Arena could use the extra funds for capital improvements.

City Manager Joyal explained how the Arena's funds were transferred from an enterprise fund



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to the General Fund at the suggestion of the auditors, and said the extra funds go toward paying off the \$2 million deficit.

Councilor Cheney said the Cynewskis have three requests: don't shut their water off, don't lien their property, and acknowledge that the sewer repairs are the responsibility of the City.

City Manager Joyal explained the rules and regulations of the Dover Utilities Commission (DUC), which explained the demarcation public to customer.

Councilor Cheney asked what the rule was in the 1960's.

City Manager Joyal said he will review it.

Councilor Weeden asked if the Cynewskis have counsel.

City Manager Joyal said the Cynewskis say they do not have counsel.

Councilor Weeden asked why the Council was told not to talk to them because they had counsel. He said the Council needs more accurate information.

City Manager Joyal said he needed to investigate it.

Councilor Weeden said he wanted a formal report and action taken.

Councilor Spuler started a discussion about the water shutoff notice process.

Councilor Hooper asked for a City official to contact the Cynewskis.

City Manager Joyal said as part of his investigation he will talk with the Cynewskis.

Councilor Weston asked about creating a capital reserve fund for the Arena.

City Manager Joyal said it was something the Council can do.

Councilor Weeden discussed saving money by hiring one more person for the police and fire departments instead of overtime.

City Manager Joyal said they look at this every year and benefits costs outweigh overtime costs.

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

Vote: 9/0.

10. APPROVAL OF MINUTES

A. May 1, 2013 – Workshop Session

B. May 8, 2013 – Regular Meeting

Deputy Mayor Carrier moved to approve the Minutes; seconded by Councilor Weston.

Vote: 9/0.

11. MAYOR'S REPORT

Mayor Trefethen attended the Dover Dancing with the Stars event. He attended the State of the City Address.

Councilor Cheney talked about the media advertisement against Senator Ayotte sponsored by the Mayors Against Illegal Guns, and how the Mayor is a member.

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

Vote: 9/0.



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12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING – None

B. ORDINANCES IN THE 3rd READING – None

C. RESOLUTIONS – None

13. NEW BUSINESS

A. CONSENT CALENDAR

- 1. BLOCK PARTY – 1st Birthday Party**
- 2. RAFFLE – Moses Paul Masonic Lodge #96**
- 3. RAFFLE – Son of the American Legion Post 8**
- 4. ROAD RACE – Garrison Elementary School**
- 5. TAG – Dover Little Green Cheerleading**

- 6. RESOLUTION: B07052 CHEMICAL ROOT CONTROL ADDITIONAL SERVICES
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

- 7. RESOLUTION: B13034 CALDERWOOD WELL CLEANING AND PUMP REPAIRS
ADDITIONAL SCOPE OF WORK.
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

- 8. RESOLUTION: B13053 AWARD OF BID TRAFFIC CONTROL FLAGGING
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

- 9. RESOLUTION: B13063 CATCH BASIN CLEANING SERVICES
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

- 10. RESOLUTION: B13064 PROFESSIONAL CONSULTING SERVICES FOR
DEVELOPMENT OF TAX INCREMENT FINANCE & TRANSIT ORIENTED
DEVELOPMENT DISTRICTS
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

- 11. RESOLUTION: TROJAN UV3000 PLUS LAMPS AND SLEEVE QUARTZ
SPONSORED BY MAYOR TREFETHEN BY REQUEST**



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COMMITTEE REPORTS

1. **School Board (2)**
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. Legislative Liaison
10. Pool Advisory Committee
11. Parking Commission
12. Ordinance Codification and Verification Committee

Deputy Mayor Carrier moved for the adoption of the Consent Calendar; seconded by Councilor Garrison.

Mayor Trefethen asked the Council if they had items they would like pulled for further discussion. Councilor Hooper asked to pull Item 13.A.8 and the School Board Reports.

Councilor Spuler asked to pull Item 13.A.1.

Councilor Cheney asked to pull Item 13.A.10.

Mayor Trefethen pulled 13.A.7.

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

Roll Call Vote: 9/0.

Deputy Mayor Carrier moved for the adoption of 13.A.1.; seconded by Councilor Spuler. Councilor Spuler said this was a fantastic idea.

Vote: 9/0.

Deputy Mayor Carrier moved for the adoption of 13.A.7.; seconded by Councilor Weeden.

City Manager Joyal said this would be approved retroactively. It was to cover additional repairs.

Roll Call Vote: 9/0.

Deputy Mayor Carrier moved for the adoption of 13.A.8.; seconded by Councilor Hooper.

Councilor Hooper discussed if it would save money to have temporary traffic lights instead of flaggers.

City Manager Joyal said they do look into it, but felt it was less obtrusive to have flaggers.

Roll Call Vote: 9/0.

Deputy Mayor Carrier moved for the adoption of 13.A.10.; seconded by Councilor Cheney.

Councilor Cheney said she did not support Tax Increment Finance (TIF) districts, because she felt it benefitted the developer and bigger government, and harmed the school system.

City Manager Joyal said this resolution is in response to a Council Workshop to look into developing a TIF district.

Planning Director Parker said he agreed with Councilor Cheney that the City doesn't know a lot about TIF districts and this consultant will help the City make an educated decision.

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



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Councilor Hooper gave an overview of the two School Board Reports.
Deputy Mayor Carrier moved to accept the two School Board Reports; seconded by Councilor Weeden.
Vote: 9/0.

B. RESOLUTIONS

1. COUNCIL RULE CHANGE – ORDINANCE COMMITTEE

SPONSORED BY COUNCILORS CHENEY, WEEDEN AND WESTON

Councilor Cheney moved to address this resolution on June 26, 2013; seconded by Councilor Weston.

Vote: 9/0.

C. ORDINANCES IN 1ST READING – None

14. COUNCIL CORRESPONDENCE – None

15. COUNCIL MATTERS OF INTEREST

Councilor Weeden apologized for his tone earlier regarding the Cynewskis.
Mayor Trefethen reminded the Council that misinformation can be given during Citizen's Forum.
Councilor Spuler said the Arts Commission will be submitting new rules to add alternates members.
He asked the City Manager if he had created a list of costs of items to be removed or added to the budget.

City Manager Joyal said he had and he will be sending it out to the Council tomorrow.

Councilor Spuler discussed the Berry Brook Project and cleaning it up.

16. ADJOURNMENT

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

Vote: 9/0.