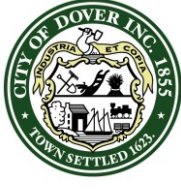


|  <p><b>CITY OF DOVER</b></p> | <table> <tr> <th colspan="2">CITY COUNCIL - AGENDA</th></tr> <tr> <td>Meeting Type:</td><td>Special Meeting</td></tr> <tr> <td>Meeting Location:</td><td>City Hall, Council Conference Room</td></tr> <tr> <td>Meeting Date:</td><td>Wednesday, November 18, 2020</td></tr> <tr> <td>Meeting Time:</td><td>7:00 pm</td></tr> </table> | CITY COUNCIL - AGENDA |  | Meeting Type: | Special Meeting | Meeting Location: | City Hall, Council Conference Room | Meeting Date: | Wednesday, November 18, 2020 | Meeting Time: | 7:00 pm |
|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--|---------------|-----------------|-------------------|------------------------------------|---------------|------------------------------|---------------|---------|
| CITY COUNCIL - AGENDA                                                                                         |                                                                                                                                                                                                                                                                                                                                       |                       |  |               |                 |                   |                                    |               |                              |               |         |
| Meeting Type:                                                                                                 | Special Meeting                                                                                                                                                                                                                                                                                                                       |                       |  |               |                 |                   |                                    |               |                              |               |         |
| Meeting Location:                                                                                             | City Hall, Council Conference Room                                                                                                                                                                                                                                                                                                    |                       |  |               |                 |                   |                                    |               |                              |               |         |
| Meeting Date:                                                                                                 | Wednesday, November 18, 2020                                                                                                                                                                                                                                                                                                          |                       |  |               |                 |                   |                                    |               |                              |               |         |
| Meeting Time:                                                                                                 | 7:00 pm                                                                                                                                                                                                                                                                                                                               |                       |  |               |                 |                   |                                    |               |                              |               |         |

**1. CALL TO ORDER**

**2. MOMENT OF SILENCE**

**3. PLEDGE OF ALLEGIANCE**

**4. ROLL CALL ATTENDANCE**

**5. PROCLAMATIONS/AWARDS**

**A. PLAID FRIDAY AND SUPER SATURDAY TO SUPPORT SMALL BUSINESSES**

**6. APPROVAL OF AGENDA**

**7. PUBLIC HEARINGS**

**A. ESTABLISHING A SCHEDULE AND PROCESS FOR REVIEW AND FINAL PROPOSAL OF POTENTIAL CHARTER AMENDMENTS  
SPONSORED BY MAYOR CARRIER BY REQUEST**

**8. CITIZEN'S FORUM**

*Taxpayers, Business owners, and Residents are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.*

Email correspondence must be directed to [CityCouncil-All@dover.nh.gov](mailto:CityCouncil-All@dover.nh.gov), Voicemails must be left at (603) 516-6338, and written letters or correspondence must be directed to City of Dover, ATTN: City Council, 288 Central Avenue, Dover, NH 03820.

Correspondence that does not state the individual's name and Dover address shall not be placed on file with the Council public meeting record.

**9. CITY MANAGER'S REPORT**

**10. APPROVAL OF MINUTES**

**A. October 28, 2020**

**11. MAYOR'S REPORT**

**12. UNFINISHED BUSINESS**

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

**B. ORDINANCES IN THE 3<sup>RD</sup> READING**



**CITY OF DOVER**

## **CITY COUNCIL - AGENDA**

Meeting Type: **Special Meeting**  
Meeting Location: **City Hall, Council Conference Room**  
Meeting Date: **Wednesday, November 18, 2020**  
Meeting Time: **7:00 pm**

### **C. RESOLUTIONS**

- 1. ADOPTION OF FISCAL YEAR 2022 – 2027 CAPITAL IMPROVEMENTS PROGRAM (CIP)**  
SPONSORED BY MAYOR CARRIER BY REQUEST
- 2. APPROPRIATION FOR FY2022 CAPITAL IMPROVEMENTS PROGRAM (CIP) – NON-DEBT FINANCED PROJECTS (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)**  
SPONSORED BY MAYOR CARRIER BY REQUEST
- 3. APPROPRIATION FOR FY2022 CAPITAL IMPROVEMENTS PROGRAM (CIP) AND AUTHORIZATION FOR BONDING (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)**  
SPONSORED BY MAYOR CARRIER BY REQUEST
- 4. ESTABLISHING A SCHEDULE AND PROCESS FOR REVIEW AND FINAL PROPOSAL OF POTENTIAL CHARTER AMENDMENTS**  
SPONSORED BY MAYOR CARRIER BY REQUEST

### **13. NEW BUSINESS**

#### **A. CONSENT CALENDAR**

- 1. RAFFLE – American Legion Post 8**
- 2. B14074 PHASE II – PROFESSIONAL ENGINEERING SERVICES FOR WATER SYSTEM FACILITY UPGRADES ADDITIONAL SCOPE OF WORK NO. 10, UNDERWOOD ENGINEERS**  
SPONSORED BY MAYOR CARRIER BY REQUEST
- 3. CONSTRUCTION SUPPORT ENVIRONMENTAL CONSULTING SERVICES FOR BROADWAY RAILROAD CULVERT PROJECT - ADDITIONAL SCOPE OF WORK WITH RANSOM CONSULTING LLC**  
SPONSORED BY MAYOR CARRIER BY REQUEST
- 4. TIRES, PASSENGER & TRUCK - STATE OF NH CONTRACT WITH SULLIVAN TIRE CO., INC.**  
SPONSORED BY MAYOR CARRIER BY REQUEST
- 5. REPLACEMENT OF COMPRESSOR AT DOVER ICE ARENA**  
SPONSORED BY MAYOR CARRIER BY REQUEST



**CITY OF DOVER**

## **CITY COUNCIL - AGENDA**

Meeting Type: **Special Meeting**  
Meeting Location: **City Hall, Council Conference Room**  
Meeting Date: **Wednesday, November 18, 2020**  
Meeting Time: **7:00 pm**

**6. APPROVAL OF MEMORANDUM OF AGREEMENT REGARDING PARKING SPACES BETWEEN ONE FIRST DOVER, LLC AND CITY OF DOVER**

**SPONSORED BY MAYOR CARRIER BY REQUEST**

**7. AUTHORIZATION TO ACCEPT SEWER EASEMENTS TRANSFERRED FROM EZRA GREEN'S FARM, LLC**

**SPONSORED BY MAYOR CARRIER BY REQUEST**

### **COMMITTEE REPORTS**

- |                                         |                                                                                       |
|-----------------------------------------|---------------------------------------------------------------------------------------|
| 1. School Board                         | 16. Pool Advisory Committee                                                           |
| 2. Planning Board                       | 17. Recreation Advisory Board                                                         |
| 3. 400th Anniversary Committee          | 18. Solid Waste Advisory Commission                                                   |
| 4. Appointments Committee               | 19. Transportation Advisory Commission                                                |
| 5. Arena Commission                     | 20. Waterfront TIF Advisory Board                                                     |
| 6. Arts Commission                      | 21. City Council / School Board Collaborative Committee                               |
| 7. Conservation Commission              | 22. Joint Building Committee – Dover High School and Regional Career Technical Center |
| 8. Downtown TIF Advisory Board          | 23. COAST                                                                             |
| 9. Energy Commission                    | 24. Cocheco Waterfront Development Advisory Committee                                 |
| 10. Heritage Commission                 | 25. Dover Main Street                                                                 |
| 11. Legislative Liaison                 | 26. Strafford Regional Planning Commission                                            |
| 12. Library Board of Trustees           | 27. Tri-City Homelessness Task Force                                                  |
| 13. McConnell Center Advisory Committee |                                                                                       |
| 14. Ordinance Committee                 |                                                                                       |
| 15. Parking Commission                  |                                                                                       |

### **B. RESOLUTIONS**

### **C. ORDINANCES IN 1<sup>ST</sup> READING**

**1. FINE SCHEDULE**

**(TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 9, 2020)**

**SPONSORED BY MAYOR CARRIER BY REQUEST**

**2. CHAPTER 141 – VEHICLES AND TRAFFIC**

**(TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 9, 2020)**

**SPONSORED BY MAYOR CARRIER BY REQUEST**

### **16. COUNCIL CORRESPONDENCE**

**A. Letter from xfinity, dated November 2, 2020.**

### **17. COUNCIL MATTERS OF INTEREST**

### **18. ADJOURN**

# CITY MANAGER'S REPORT

**November 18, 2020**

*Reporting On:*  
**October 2020**

*By: J. Michael Joyal, Jr.*  
*City Manager*

# Legal Department

**Joshua Wyatt, City Attorney**

The Office of General Legal Counsel provides legal support to the City Council, City Manager, city staff and volunteers on boards, commissions and committees of the City of Dover to assist efforts in providing services to our constituents and/or customers. In addition, legal support is also provided to the Dover School Board and Superintendent of Schools.

|                                                           | For Month | FY21 | FY20 | FY19 |
|-----------------------------------------------------------|-----------|------|------|------|
| <b>Legal Matters/Questions Handled</b>                    | 54        | 216  | 466  | 342  |
| <b>Document Creation &amp; Review Including Contracts</b> | 22        | 90   | 256  | 269  |
| <b>Right to Know Requests Processed</b>                   | 06        | 25   | 49   | 41   |
| <b>Resolutions</b>                                        | 07        | 26   | 75   | 53   |
| <b>Ordinances</b>                                         | 00        | 08   | 10   | 18   |

## Customer Focused Outcomes: Right to Know

Pursuant to RSA 91-A, the following Right to Know requests were received this month:

- ACLU NH – Records related to terminated police officer.
- Foster's Daily Democrat – SAU – Access to future City Council & SAU correspondence.
- Kirsten Wilson Law – Emergency response records for alleged incident in March 2020.
- Johansen – AquaLaw fee agreement
- MacKinac Center – Union membership statistical data
- Trileaf Corp. – Environmental information regarding privately owned Dover property.

**Product & Process Outcomes:  
Assistance to City Departments**

|                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>City Council</b>       | Assistance to the City Council and other City boards: Attention to resolutions and ordinances as needed or requested by City Council. Assistance with formation of new ad hoc committees. Assistance with Charter amendment/revision research. Assistance with RSA chapter 91-A compliance questions as requested by City bodies/boards;                                                                                                                                 |
| <b>Community Services</b> | Assistance with Great Bay Draft Permit; Assistance with Broadway culvert project; Assistance with code enforcement; Assistance with water/sewer issues; Assistance with public sewer easements; Assistance with procuring other easements; Assistance with right-of-way clearing enforcement; Assistance with signs in public ways; Assistance with proposed public road acceptances;                                                                                    |
| <b>Executive</b>          | Assistance with personnel matters; Assistance with New Hampshire Retirement System matters; Assistance with new COVID-19 administrative regulation; Assistance with Right to Know request;                                                                                                                                                                                                                                                                               |
| <b>Fire &amp; Rescue</b>  | Assistance with compliance questions; Assistance with grant acceptance;                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Finance</b>            | Prepare and review various contracts; track and file City claims with Primex; Assistance with collection; Assistance with grant acceptance process;                                                                                                                                                                                                                                                                                                                      |
| <b>Planning</b>           | Assistance with development-related contracts; Assistance with new planning board appeal; Assistance with ordinances and re-zoning; Assistance with enforcement issues; Assistance with lot line restoration requests; Assistance with CDBG program and actions needed in light of COVID-19 funding; Assistance with refining checklists for acceptance of public ways and possible acceptance of other infrastructure located on private property (for public benefit); |
| <b>Police</b>             | Assistance with Right to Know matter;                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Public Library</b>     | No legal assistance needed.                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Public Welfare</b>     | Assistance with compliance questions;                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Recreation</b>         | Assistance with certain leases; Assistance with LWCF grant matter; Assistance with record retention requirements; Assistance with Ice Arena closure and reopening;                                                                                                                                                                                                                                                                                                       |
| <b>School</b>             | Assistance with contracts; Assistance with electricity procurement contract; Assistance with Right to Know requests;                                                                                                                                                                                                                                                                                                                                                     |
| <b>Committees</b>         | No legal assistance needed.                                                                                                                                                                                                                                                                                                                                                                                                                                              |

## Financial Outcomes: Litigation

**Opioid Epidemic Litigation:** Retained services of Robbins Geller of Boca Raton, Florida for fraudulent marketing practices of pharmaceutical manufacturers. Suit filed in USDC in Concord. Case has been transferred to federal court in Ohio as part of a multi-district litigation consolidation.

**McQuade Realty, Inc v. JAD Investments LLC & City:** City Attorney filed an Answer and Appearance. File sent to outside counsel. Case is being put on track for new discovery and trial deadlines.

**Mary Hebbard v. City of Dover, John & Karen Brough and Ryan Colbath:** Served on City on 4.17.2019. Case is in general discovery. Trial is scheduled in October 2020. In February 2020, the City filed a partial motion for summary judgment; which is now believed to be fully briefed and awaiting decision.

**Mary & Rick Hebbard v. City:** Complaint filed in October 2019 concerning drainage in the Tanglewood Subdivision. Case is undergoing temporarily extended discovery, now that the State is a party. The trial scheduled for November 2020 has been continued. No new trial notice has been received. A partial summary judgment motion was filed in April 2020 and is now believed to be fully briefed and awaiting decision.

**City of Dover v. Bowers:** Complaint filed by City Attorney in August 2020 for failure to pay the City for cost of construction work. Case resolved and dismissed October 2020.

**Stergiou et. al. v. City of Dover:** Planning Board appeal filed in August 2020 by certain abutters. The City accepted service in September 2020. In October 2020, the City Attorney filed an appearance, certified record, and answer to the Complaint. The applicant has retained counsel and intervened. A hearing on the merits is scheduled in December 2020.

**Town of Durham et al v. Consolidated Communications:** This PUC docket was initiated in July 2020. The City of Dover is a party and the City Attorney has appeared. Several Seacoast communities have filed a joint complaint about the backlog of "double poles" in their communities. These are poles that have been replaced, but the old pole has not yet been removed. A formal adjudication has commenced in the PUC. The first substantive hearing was held on October 6, 2020. The case is now undergoing periodic "work sessions" by a subgroup attempting to develop a stipulated resolution.

*The use of outside counsel to handle specialty matters continues and consists of environmental matters and labor negotiations. There are a small number of attorneys hired on a variety of smaller matters.*

# Dover Business & Industrial Development Authority

by Daniel Barufaldi

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## Leadership & Governance Outcomes:

### Summary:

The majority of the downtown restaurants (35) that closed down as a result the coronavirus epidemic or the government regulations put in place to combat its spread and resultant loss of life April to May have re-opened with outdoor table service and 100% inside seating capacity. The Governor's Pandemic Commission is now considering allowing restaurants to reduce the 6 foot social distancing requirement if they erect barriers between tables. This will allow restaurants to use their 100% capacity and help them to survive as winter weather approaches. Dover's unemployment rate went from 6.3% to 5.4% in October. One significant effect was the resurgence of the restaurant sector due to the extraordinary efforts of the City of Dover to provide outdoor table seating with delivery of water filled Jersey barriers, allowing overhead covers and parking space conversion where necessary. Dover now has 42 restaurants operating with the outdoor seating in place. At the end of October, most Dover restaurants had re-opened inside table service at 100% capacity and most wish to retain the outdoor seating until year-end and to subsequent years. The restaurant activity is important as the rest of the downtown retailers depend on Dover's 70 restaurants to bring people to Dover.

We are beginning to see increased vacancies developing in leased office space and expect to see more as leases expire. This is due to the realization that remote working works for some firms and the overhead expense of office space can be eliminated.

Our airtime radio marketing campaign ended in August with I-Heart Media and with CGI Communications providing 6-7 Dover videos for "Dover is Re-opening for Business" media sites in September and part of October. The NH MSRP 2.0 support program is providing some relief to small businesses as a bridge until the proposed second federal stimulus program rolls out.

The stock market, though somewhat volatile in October, has shown enough strength to increase consumer spending and has raised people's confidence going forward. It is anticipated that some volatility will continue through Q3. We are all waiting to see what will happen with the cutoff of existing stimulus packages and the probability of another Federal stimulus bill and what form it will take. The durable goods sector reported some significant sales gains after the previous sales declines. Dealerships are trying to sell cars on line and are experiencing success. The manufacturing sector, including capital goods and aircraft related parts, continues to show declines including some major layoffs due to the economic paralysis engendered by the coronavirus in international trade and tourism and the Boeing MAX problems. . Most downtown retailers are on reduced hours and staffing. Staffing firms reported a small but persistent rising tide of employment. Commercial real estate activity continues for projects already started. A few new commercial/ industrial projects were greenlighted in October. Residential real estate markets saw some major increases in closed single family home sales at sustained high prices and multifamily residential apartment projects continue strong for the moment. Planned modest wage increases are gone and layoffs continue. Most recently the US economy was growing at a record pace (GDP growth at 2.6% over Q2, 2019 but declining to a recessionary state at least up to the beginning of the third quarter of 2020. Mortgage interest rates most recently again declined slightly with the Federal Reserve near zero interest rates now a great value.

The uncertainty surrounding the Federal elections appears to have a negative effect on positive investments and projects for the moment.

### **Selected Business Services:**

Demand for consulting and advertising is down sharply over last year at this time. Software and IT services providers are experiencing a pause in activity. Some consolidation is now being experienced in the institutional healthcare sector. Wentworth Douglas Hospital's merger with Mass General and possibly Exeter is part of an overall consolidation trend in institutional healthcare. This is expanding the range of medical specialties available to the Dover market. WDH has opened a medical practice facility at the Pease Development Authority and has another urgent care center planned on a Dover Point Rd. site. Portsmouth Regional Hospital has opened a stand-alone ER building at Exit 7 in Dover. Tele-med service is expanding and may become a more permanent segment of medical services after the pandemic abates. Wages, while historically up significantly in critical skill areas. Have flattened with the loss of elective procedures during the pandemic. Increased health insurance costs remain a concern with the uncertainty of the future reform of the Affordable Care Act and the challenge of being able to increase pricing to cover the increased cost.

Predictions for 2020 revenue growth in the services sector are now in doubt.

### **Commercial Real Estate:**

Non-residential commercial real estate sales activity continued at about 70% of the previous rate locally, and with flat activity in the Portland markets and declines in Connecticut. Boston and Rhode Island markets in this period. New build costs for needed 20,000 SF – 30,000 SF manufacturing/ assembly/ warehouse/ office spaces at Enterprise Park are causing sticker shock for several prospects and delaying project initiation but with two breakthrough projects beginning to be considered this coming month. The lack of at site utilities on Innovation Way has limited the developments considering that location. Accelerator units of 1,200 – 2,500 SF are sorely needed to house small post startup companies to get underway and to grow in Dover. The Orpheum co-worker space will help alleviate this problem to a very small degree. Office leasing was non-existent this month. Land sales have tanked this month. The lending environment remains highly favorable to brave borrowers, with historically low interest rates but with somewhat tighter lending standards. The flow of investment capital declined for commercial lease properties across the Seacoast, sourced from private equity firms, pension funds, foreign investors, REITS and high net worth individuals. Leverage ratios are on the rise among some investors, but remain low in absolute terms. Local multi-family and mixed use construction remains active so far with local inventory in this category rising rapidly. The outlook remains cloudy across the region so far in this sector. Forecasts call for more uncertainty in fundamentals moving forward. Fiscal policy and uncertainty around the business and employment effects of the pandemic uncertainty at both the state and federal levels are causing a reluctance to commit assets until things calm down.

See Local Major Development Projects Section below.

## **Residential Real Estate:**

Residential real estate markets are now contributing strong performance on the Seacoast. Home buyer confidence still appears to be there for higher priced homes which seems counter intuitive unless these are investments in non-monetary assets in anticipation of rising inflation as the Treasury prints money to pay off Federal deficits with cheap dollars. Completed sales of single family homes increased year-over-year in Q1 and Q2 but Q3 and Q4 unit sales in 2019 declined slightly and 2020 unit sales to date declined slightly due to lack of inventory. Rising prices are convincing sellers to put homes on the market. Median selling prices continue to rise locally and are up another 6.7% year-over-year 2019-2020. Condo sales though somewhat mixed regionally, are up slightly locally as well as condo pricing and pending sales.. Median sale prices in NH and in Dover increased again in the period for single family homes to the \$367,000 range. Pending sales suggest the markets for high-end single family houses and condo's will continue, though abated, throughout 2020 with a probable more significant pause in growth in late 2021. Realtors are having more luck trying to sell homes on-line.

## **Manufacturing & Related Services:**

Most local manufacturers supplying domestic markets are now reporting poor results with 85% reporting severe market weakness. One point-of-purchase systems supplier is experiencing sales decreases significant enough to require 80% layoffs. Local manufacturing has grown 400 jobs this year but this month Safran and Albany International announced some layoffs due to the airline problems mentioned above. ACLARA in Somersworth has closed the former GE meters plant and is changing their business model to outsource production. Measured Progress has been sold and will be moved to the buyer's HQ in the South. The Phase 1 Chinese trade agreement is not expected to have a substantive positive effect as tensions between the U.S. and China continue to mount. The one exception is some agricultural products being purchased to offset crops lost to flooding in China. Manufacturing firms reporting on inventory levels are citing higher levels. Most contacts in the manufacturing sector indicate that both staffing levels and wage growth are now in decline especially in the airplane parts business. Capital investment is stable locally except for some new builds being deferred due to building costs exceeding the value of the completed building at present and the corona virus effect. Foreign investment in the US is growing rapidly due to the uncertainties rampant in the Chinese, Brazilian, Venezuelan and European economies and the pro-business messages from the new administration. Some major capital spending projects are now delayed. The Silver Square development is now making Phase II progress on this \$50 million dollar development.

Regional manufacturers are now governed by caution and uncertainty.

Labor demand has been strong in IT and software, electronics, engineering, quality assurance tech and legal skills. This is expected to change shortly as manufacturers deal with reduced demand. Talks with the Chamber of Commerce Education Committee, Dover high School CTC, Great Bay Community College, Somersworth High School CTC and UNH for BIZEDConnect have now resumed. Recent reductions in the NH BPT and EPT are being maintained by the Governor's veto so far. The FY2020 property tax increase, with the tax cap budget from the School District, is causing concern at several local businesses when combined with high electric energy costs and water processing costs and their concerns about their survivability. New Hampshire has the 6<sup>th</sup> best total tax burden in the US, and far better than the other New England states. This is partially offset by the high energy and water processing costs.

## **Retail & Tourism:**

Due to the limits on gatherings necessitated by the pandemic and the fear surrounding it, local retail and tourism activities are highly curtailed. Local hotels having gone from an occupancy rate of just under 90% to 30% occupancy with several postponed weddings, are now back to an average of 75% occupancy with one at 90% occupancy in October. On-line shopping has, to some extent, prospered due to the brick and mortar retail closings. Many regional malls are being repurposed to other uses and many national/international retail chains have closed in the US, Canada and worldwide. Many large retailers are making infrastructure investments to participate more fully in on-line sales with on-site drive through pick up points and deliveries to your door. It is anticipated that some of the big box medium sized chain stores in neighboring municipalities will close when their leases expire.

Local retailers and all local businesses have been informed of the recent SBA Emergency loans and grants programs, SELF Program and most recently, the GAP Program, and NH Chamber Relief Program as well as the DoverCARES Emergency Loan Fund.

## **Employment and Wages:**

Local labor market pressure collapsed with the widespread business closures and layoffs. It is estimated by EMSI Data Analytics that of Dover's 5.4%% unemployment rate, 4.9%% is directly related to the effects of COVID-19. Wages for wait staff and experienced retail workers have begun to move upward but the \$600 a week addition to unemployment checks was pulling wait staff out of the labor market as they make a lot more money staying home. Unless extended by Congress, it is gone for the moment and did not exceed \$300 extra per week in the subsequent presidential executive order. It is anticipated that when that expires, further reductions in the unemployment rate will ensue.

In the higher skill set categories, doctors, paramedics, physician's assistants and nurses are no longer in short supply as elective procedures were suspended in anticipation of COVID-19 surges that didn't materialize in the magnitude anticipated in NH. NH hospitals are in deficit and some doctor and nurse layoffs are expected as elective procedures are back on track again locally but not in heavily infected states.

## Local Major Development Projects:

- First Street Development Phase 2 (River Mark) is nearing completion.
- Third Street Development (Changing Places) is nearing completion.
- Silver Square Development: Phase 1 completion, Phase 2 underway.
- 49,000 SF at 27 Production Drive I reported to have a buyer..
- Cathartes Project (Orpheum completing occupancy).
- Well over \$100,000,000 in Dover development underway.
- Enterprise Park Developments suffering from “sticker shock” for new builds. Two projects expected to begin in 2020.
- Fosters Building sold for \$1.5 million / Kostis Brothers (renovation in process).
- The Old courthouse Building on First and 2<sup>nd</sup> may have a buyer shortly.
- 6 Grove St. Project is underway but paused.
- The Fosters building on Venture Dr has a buyer that is expanding the building..
- Birch Hill Armory on Industrial Park Dr. is completed.
- The H. Morris building on Venture Dr. is nearing completion.
- Several mixed use and multi-family residential projects are at the TRC stage and heading for Planning Board approval.

## Parking Division

### Meter Activity

|                                     | September 2020 | September 2019 | September 2018 |
|-------------------------------------|----------------|----------------|----------------|
| Meter Transactions                  | 33,577         | 48,644         | 48,644         |
| Income from Meters - Total          | \$57,738       | \$93,509       | \$46,956       |
| Income from Meters – Parking Garage | \$4,187        | \$10,547       | \$4,189        |
| Meter Days                          | 25             | 24             | 19             |
| Average Meter Transactions Per Day  | 1,342          | 2,027          | 2,560          |

|                                    | Fiscal YTD 2021 | Fiscal Year 2020 | Fiscal Year 2019 |
|------------------------------------|-----------------|------------------|------------------|
| Meter Transactions                 | 97,424          | 442,999          | 466,721          |
| Income from Meters - Total         | \$169,209       | \$792,054        | \$648,806        |
| Meter Days                         | 77              | 292              | 249              |
| Average Meter Transactions Per Day | 1,265           | 1,517            | 1,874            |

### Electric Vehicle Charging Stations

| Month          | Number of Times Charging Stations Used | Amount Added to Parking Activity Fund |
|----------------|----------------------------------------|---------------------------------------|
| September 2019 | 38                                     | \$188.00                              |
| October 2019   | 32                                     | \$140.00                              |
| November 2019  | 23                                     | \$87.00                               |
| December 2019  | 28                                     | \$102.00                              |
| January 2020   | 25                                     | \$82.00                               |
| February 2020  | 31                                     | \$94.00                               |
| March 2020     | 23                                     | \$85.00                               |
| April 2020     | 02                                     | \$6.00                                |
| May 2020       | 05                                     | \$17.00                               |
| June 2020      | 08                                     | \$21.00                               |
| July 2020      | 05                                     | \$28.00                               |
| August 2020    | 31                                     | \$88.00                               |
| September 2020 | 10                                     | \$83.00                               |

# COAST

## Ridership Activity

---

*New Coast routes began end of June 2020. Those pertaining to Dover are below:*

| Month          | Route 1<br>Dover/Somersworth/<br>Berwick | Route 13<br>Dover/Somersworth | Route 33<br>Downtown Dover/County<br>Complex/Portland Ave | Route 34<br>Downtown Dover/Knox<br>Marsh Rd |
|----------------|------------------------------------------|-------------------------------|-----------------------------------------------------------|---------------------------------------------|
| July 2020      | 3,103                                    | 2,313                         | 1,042                                                     | 133                                         |
| August 2020    | 2,812                                    | 2,484                         | 1,040                                                     | 178                                         |
| September 2020 | 3,225                                    | 2,577                         | 1,011                                                     | 271                                         |
|                |                                          |                               |                                                           |                                             |

J. MICHAEL JOYAL, JR.  
CITY MANAGER

|                                                                                                               |                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p><b>CITY OF DOVER</b></p> | <h2 style="text-align: center; background-color: #2e5496; color: white; padding: 5px;">CITY COUNCIL - MINUTES</h2> <p>Meeting Type: <b>Regular Meeting</b><br/> Meeting Location: <b>City Hall, Council Conference Room</b><br/> Meeting Date: <b>Wednesday, October 28, 2020</b><br/> Meeting Time: <b>7:00 pm</b></p> |
|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

- 1. CALL TO ORDER**
- 2. MOMENT OF SILENCE**
- 3. PLEDGE OF ALLEGIANCE**

Councilor Williams led the Pledge of Allegiance.

#### **4. ROLL CALL ATTENDANCE**

**Present:** Mayor Carrier, Deputy Mayor Ciotti, Councilor Cullen, Councilor Muffett-Lipinski, Councilor Shanahan, Councilor Thibodeaux, and Councilor Williams.

**Absent:** Councilor Manley and Councilor O'Connor.

**Also Present:** City Manager Joyal, City Attorney Wyatt, and City Clerk Mistretta.

#### **5. PROCLAMATIONS/AWARDS**

##### **A. NATIONAL AMERICAN INDIAN HERITAGE MONTH**

Mayor Carrier presented the proclamation.

#### **6. APPROVAL OF AGENDA**

Deputy Mayor Ciotti moved to add after Items 13.B.1. and 13.B.2. a vote to nominate candidates recommended by the Appointments Committee for the respective committees; seconded by Councilor Shanahan.

Deputy Mayor Ciotti moved to approve the Agenda as amended; seconded by Councilor Thibodeaux.

Vote: 7/0.

#### **7. PUBLIC HEARINGS**

##### **A. AUTHORIZATION TO ACCEPT THE CENTER FOR TECH & CIVIC LIFE COVID-19 RESPONSE GRANT FOR LOCAL ELECTION ADMINISTRATION SPONSORED BY MAYOR CARRIER BY REQUEST**

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

##### **B. AUTHORIZATION TO APPROVE CITY-WIDE "ADOPT A BENCH" PROGRAM, DONATIONS AND PLACEMENT OF PLAQUES SPONSORED BY MAYOR CARRIER BY REQUEST**

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

|  <p><b>CITY OF DOVER</b></p> | <table> <tr> <th colspan="2">CITY COUNCIL - MINUTES</th></tr> <tr> <td>Meeting Type:</td><td>Regular Meeting</td></tr> <tr> <td>Meeting Location:</td><td>City Hall, Council Conference Room</td></tr> <tr> <td>Meeting Date:</td><td>Wednesday, October 28, 2020</td></tr> <tr> <td>Meeting Time:</td><td>7:00 pm</td></tr> </table> | CITY COUNCIL - MINUTES |  | Meeting Type: | Regular Meeting | Meeting Location: | City Hall, Council Conference Room | Meeting Date: | Wednesday, October 28, 2020 | Meeting Time: | 7:00 pm |
|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--|---------------|-----------------|-------------------|------------------------------------|---------------|-----------------------------|---------------|---------|
| CITY COUNCIL - MINUTES                                                                                        |                                                                                                                                                                                                                                                                                                                                       |                        |  |               |                 |                   |                                    |               |                             |               |         |
| Meeting Type:                                                                                                 | Regular Meeting                                                                                                                                                                                                                                                                                                                       |                        |  |               |                 |                   |                                    |               |                             |               |         |
| Meeting Location:                                                                                             | City Hall, Council Conference Room                                                                                                                                                                                                                                                                                                    |                        |  |               |                 |                   |                                    |               |                             |               |         |
| Meeting Date:                                                                                                 | Wednesday, October 28, 2020                                                                                                                                                                                                                                                                                                           |                        |  |               |                 |                   |                                    |               |                             |               |         |
| Meeting Time:                                                                                                 | 7:00 pm                                                                                                                                                                                                                                                                                                                               |                        |  |               |                 |                   |                                    |               |                             |               |         |

**C. ADOPTION OF FISCAL YEAR 2022 – 2027 CAPITAL IMPROVEMENTS PROGRAM (CIP)**  
**(CITY COUNCIL VOTE OCCURRING ON NOVEMBER 18, 2020)**  
 SPONSORED BY MAYOR CARRIER BY REQUEST

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

**D. APPROPRIATION FOR FY2022 CAPITAL IMPROVEMENTS PROGRAM (CIP) – NON-DEBT FINANCED PROJECTS**  
**(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)**  
**(CITY COUNCIL VOTE OCCURRING ON NOVEMBER 18, 2020)**  
 SPONSORED BY MAYOR CARRIER BY REQUEST

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

**E. APPROPRIATION FOR FY2022 CAPITAL IMPROVEMENTS PROGRAM (CIP) AND AUTHORIZATION FOR BONDING**  
**(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)**  
**(CITY COUNCIL VOTE OCCURRING ON NOVEMBER 18, 2020)**  
 SPONSORED BY MAYOR CARRIER BY REQUEST

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

**8. CITIZEN'S FORUM**

*Taxpayers, Business owners, and Residents are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.*

Email correspondence must be directed to [CityCouncil-All@doover.nh.gov](mailto:CityCouncil-All@doover.nh.gov), Voicemails must be left at (603) 516-6338, and written letters or correspondence must be directed to City of Dover, ATTN: City Council, 288 Central Avenue, Dover, NH 03820.

Correspondence that does not state the individual's name and Dover address shall not be placed on file with the Council public meeting record.

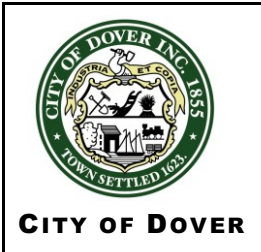
Mayor Carrier, seeing no one wishing to speak, closed the Citizen's Forum.

**9. CITY MANAGER'S REPORT**

City Manager Joyal submitted his report in writing. He gave an overview of the current COVID-19 situations and its impact on the City. He spoke about the upcoming holidays. He recommended appointing the Fire Chief to the Licensing Board as an ex officio member.

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

Vote: 7/0.



## CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**  
Meeting Location: **City Hall, Council Conference Room**  
Meeting Date: **Wednesday, October 28, 2020**  
Meeting Time: **7:00 pm**

### 10. APPROVAL OF MINUTES

#### A. October 14, 2020

Deputy Mayor Ciotti moved to approve the Minutes; seconded by Councilor Muffett-Lipinski.  
Vote: 7/0.

### 11. MAYOR'S REPORT

Mayor Carrier asked the citizens to support local businesses. He said graduation of the Leadership Academy is set for November 5, 2020. He spoke about Halloween and how he was going to celebrate. He said the Skateboarding park plans have been revealed. He spoke about the Dover 400<sup>th</sup> Anniversary Committee. He recognized the Rotary Club and their \$75,000 donation to the Dover Public Library. He said he is working on setting up an event for Veterans' Day at Veteran's Park in front of the McConnell Center.

Deputy Mayor Ciotti moved to accept the Mayor's Report; seconded by Councilor Muffett-Lipinski.

Vote: 7/0.

### 12. UNFINISHED BUSINESS

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

#### B. ORDINANCES IN THE 3<sup>RD</sup> READING

#### C. RESOLUTIONS

##### 1. AUTHORIZATION TO APPROVE CITY-WIDE "ADOPT A BENCH" PROGRAM, DONATIONS AND PLACEMENT OF PLAQUES

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Ciotti moved for its adoption; seconded by Councilor Thibodeaux.

City Manager Joyal gave an overview of the Resolution to the Council.

Roll Call Vote: 7/0.

### 13. NEW BUSINESS

#### A. CONSENT CALENDAR

##### 1. B17003 SIEMENS INDUSTRIES ADDITIONAL SCOPE OF WORK - FACILITIES, GROUNDS & CEMETERIES BUILDING

SPONSORED BY MAYOR CARRIER BY REQUEST

##### 2. B21016 SNOW PLOWING-HAULING SERVICES

SPONSORED BY MAYOR CARRIER BY REQUEST



**CITY OF DOVER**

## CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**  
Meeting Location: **City Hall, Council Conference Room**  
Meeting Date: **Wednesday, October 28, 2020**  
Meeting Time: **7:00 pm**

- 3. AUTHORIZATION TO ACCEPT THE CENTER FOR TECH & CIVIC LIFE COVID-19 RESPONSE GRANT FOR LOCAL ELECTION ADMINISTRATION**  
SPONSORED BY MAYOR CARRIER BY REQUEST
- 4. ACCEPTANCE OF EMERGENCY MANAGEMENT PERFORMANCE GRANT COVID-19 SUPPLEMENTAL (EMPG-S)**  
SPONSORED BY MAYOR CARRIER BY REQUEST
- 5. AUTHORIZATION TO SIGN THE FEDERAL LAND AND WATER CONSERVATION FUND (LWCF) MAP AND NOTICE OF GRANT RESTRICTIONS FOR COCHECO PARK (PORTION OF TAX MAP 22-1-1)**  
SPONSORED BY MAYOR CARRIER BY REQUEST

### COMMITTEE REPORTS

1. School Board
2. **Planning Board**
3. 400th Anniversary Committee
4. **Appointments Committee**
5. Arena Commission
6. Arts Commission
7. Conservation Commission
8. Downtown TIF Advisory Board
9. Energy Commission
10. Heritage Commission
11. Legislative Liaison
12. Library Board of Trustees
13. McConnell Center Advisory Committee
14. Ordinance Committee
15. Parking Commission
16. Pool Advisory Committee
17. Recreation Advisory Board
18. Solid Waste Advisory Commission
19. **Transportation Advisory Commission**
20. **Waterfront TIF Advisory Board**
21. **City Council / School Board Collaborative Committee**
22. **Joint Building Committee – Dover High School and Regional Career Technical Center**
23. **COAST**
24. **Cocheco Waterfront Development Advisory Committee**
25. **Dover Main Street**
26. **Strafford Regional Planning Commission**
27. **Tri-City Homelessness Task Force**

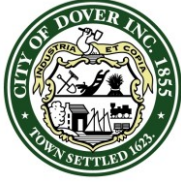
Deputy Mayor Ciotti moved for the adoption of the Consent Calendar; seconded by Councilor Thibodeaux.

Roll Call Vote: 7/0.

City Council, in a majority vote, accepted the terms of the Emergency Management Performance Grant as presented in the amount of \$66,376.00 for the purchase of equipment to support and enhance the community's Emergency Operations Center (EOC). Furthermore, the Council acknowledges that the total cost of this project will be \$132,752.00, in which the city will be responsible for a 50% match (\$66,376.00).

Mayor Carrier asked the Council if they had items they would like pulled for further discussion. Deputy Mayor Ciotti moved to add an Appointments Committee and Planning Board Reports. Roll Call Vote: 7/0.

Deputy Mayor Ciotti gave an overview of the Planning Board Report to the Council. Deputy Mayor Ciotti moved to accept the Planning Board Report; seconded by Councilor Muffett-Lipinski.

|                                                                                                               |                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p><b>CITY OF DOVER</b></p> | <h2 style="text-align: center; background-color: #2e5496; color: white; padding: 5px;">CITY COUNCIL - MINUTES</h2> <p>Meeting Type: <b>Regular Meeting</b><br/> Meeting Location: <b>City Hall, Council Conference Room</b><br/> Meeting Date: <b>Wednesday, October 28, 2020</b><br/> Meeting Time: <b>7:00 pm</b></p> |
|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Deputy Mayor Ciotti gave an overview of the Appointment Committee Report to the Council, and recommended the following appointments:

Bruce Batchelder – Conservation Commission alternate member

Gregory Bird – Utilities Commission alternate member

Richard Ferraro – McConnell Center Advisory Board regular member

Juan Mojica – McConnell Center Advisory Board regular member

Kristen Murphy – Conservation Commission alternate member

D'Artagnian Stein – Arts Commission

Robert Blake – Cemetery Board alternate member

Deputy Mayor Ciotti moved to accept the Appointments Committee Report and recommended appointments; seconded by Councilor Muffett-Lipinski.

Vote: 7/0.

Deputy Mayor Ciotti gave an overview of the Transportation Advisory Committee Report to the Council.

Deputy Mayor Ciotti moved to accept the Transportation Advisory Committee Report; seconded by Councilor Muffett-Lipinski.

Vote: 7/0.

Mayor Carrier gave an overview of the Joint Building Committee – Dover High School and CTC Report to the Council.

Deputy Mayor Ciotti moved to accept the Joint Building Committee – Dover High School and CTC Report; seconded by Councilor Shanahan.

Vote: 7/0.

Councilor Shanahan gave an overview of the COAST Report to the Council.

Deputy Mayor Ciotti moved to accept the COAST Report; seconded by Councilor Thibodeaux.

Vote: 7/0.

Mayor Carrier gave an overview of the Dover Main Street Report to the Council.

Deputy Mayor Ciotti moved to accept the Dover Main Street Report; seconded by Councilor Williams.

Vote: 7/0.

Councilor Williams gave an overview of the Strafford Regional Planning Commission Report to the Council.

Deputy Mayor Ciotti moved to accept the Strafford Regional Planning Commission Report; seconded by Councilor Thibodeaux.

Vote: 7/0.



**CITY OF DOVER**

## **CITY COUNCIL - MINUTES**

Meeting Type: **Regular Meeting**  
Meeting Location: **City Hall, Council Conference Room**  
Meeting Date: **Wednesday, October 28, 2020**  
Meeting Time: **7:00 pm**

### **B. RESOLUTIONS**

#### **1. FORMATION OF AD HOC COMMITTEE FOR RACIAL EQUITY AND INCLUSION SPONSORED BY MAYOR CARRIER BY REQUEST**

Deputy Mayor Ciotti moved for its adoption; seconded by Councilor Shanahan.  
Mayor Carrier gave an overview of the Resolution to the Council. He asked the Council to change the sponsorship for the resolution to include the whole Council.  
There was consensus.  
Roll Call Vote: 7.0.

Councilor Williams made the following recommendations for appointments:

Council Liaison – Councilor Shanahan

School Board Liaison – to be appointed by the School Board

Nine regular members:

Luz Bay

Mark Brave

Lauren Conley

Maggie Fogarty

Timothy Mainella

Daniel Pontoh

Cora Quisumbing-King

Oscany Rodriguez De Jesus

Lina Shayo

Two alternates:

Tess Beem

Jill Braceland

Deputy Mayor Ciotti moved to approve the appointments; seconded by Councilor Shanahan.

Roll Call Vote: 7/0.

#### **2. REPEAL AND REPLACE AD HOC COMMITTEE TO STUDY STORMWATER AND FLOOD RESILIENCE FUNDING SPONSORED BY MAYOR CARRIER BY REQUEST**

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Muffett-Lipinski.  
City Manager Joyal gave an overview of the Resolution to the Council.  
Roll Call Vote: 7.0.

Councilor Williams made the following recommendations for appointments:

Council Liaison – Councilor Shanahan

School Board Liaison – Peter Driscoll

Staff Liaison - Gretchen Young



**CITY OF DOVER**

## CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**  
Meeting Location: **City Hall, Council Conference Room**  
Meeting Date: **Wednesday, October 28, 2020**  
Meeting Time: **7:00 pm**

Fourteen members  
Stephen Haight  
Vincent Hayes  
Chad Kageleiry  
Allan Krans  
Kenneth Mavrogeorge  
Jan Nedelka  
Otis Perry  
Cynthia Walter  
Bill Baber  
Raymond Bardwell  
Marcia Gasses  
Eric George  
Paul Geraci  
David Dagenais

Deputy Mayor Ciotti moved to approve the appointments; seconded by Councilor Muffett-Lipinski.  
Vote: 7/0.

**3. B11001 WRIGHT-PIERCE ADDITIONAL SCOPE OF WORK FOR ENGINEERING CONSTRUCTION SERVICES FOR CATCH BASIN AND WET WELL CLEANINGS TREATMENT FACILITY**  
SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Muffett-Lipinski.  
City Manager Joyal gave an overview of the Resolution to the Council.  
Roll Call Vote: 7.0.

**4. B99057 BROADWAY RAILROAD CULVERT ENGINEERING ADDITIONAL SCOPE OF WORK #6**  
SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Shanahan.  
City Manager Joyal gave an overview of the Resolution to the Council.  
Roll Call Vote: 7.0.



**CITY OF DOVER**

## **CITY COUNCIL - MINUTES**

Meeting Type: **Regular Meeting**  
Meeting Location: **City Hall, Council Conference Room**  
Meeting Date: **Wednesday, October 28, 2020**  
Meeting Time: **7:00 pm**

**5. AUTHORIZATION TO RELEASE OUTSIDE COUNSEL MEMORANDUM DATED OCTOBER 14, 2020 REVIEWING CITY OF DOVER'S POLICE DEPARTMENT'S INTERNAL INVESTIGATION**  
SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Shanahan.  
City Manager Joyal gave an overview of the Resolution to the Council.  
City Attorney Wyatt answered questions from the Council.  
Roll Call Vote: 7.0.

**6. ESTABLISHING A SCHEDULE AND PROCESS FOR REVIEW AND FINAL PROPOSAL OF POTENTIAL CHARTER AMENDMENTS (TO BE REFERRED TO A PUBLIC HEARING ON NOVEMBER 18, 2020)**  
SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Carrier to refer to a Public Hearing on November 18, 2020; seconded by Councilor Muffett-Lipinski.  
Councilor Shanahan gave an overview of the Resolution to the Council.  
Vote: 7.0.

### **C. ORDINANCES IN 1<sup>ST</sup> READING**

#### **14. COUNCIL CORRESPONDENCE**

#### **15. COUNCIL MATTERS OF INTEREST**

Councilor Williams spoke about a letter from the Energy Commission Chairperson Bill Baber.

Councilor Thibodeaux thanked everyone for wishing her well. She will be starting up her Coffee with a Councilor events again.

#### **16. ADJOURN**

Councilor Muffett-Lipinski moved to adjourn; seconded by Councilor Shanahan.  
Vote: 7/0.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.C.1.**

Resolution Number: **R – 2020.10.14 – 173**

Resolution Re: Adoption of FY2022-FY2027 Capital Improvements Plan

WHEREAS: The Capital Improvements Program (CIP) serves as the City's long range planning document for the purchase or construction of capital assets; and

WHEREAS: The CIP anticipates the scheduling and financing over the course of the next six years of individual capital related projects with an estimated annual aggregate cost of \$25,000 or more and useful life of three years or greater; and that

WHEREAS: The CIP is updated annually following review by the Planning Board and adoption by the City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Proposed Capital Improvements Program for Fiscal Year 2022-2027 reflected in the attached document is hereby adopted.

**NOTE: This resolution requires a duly advertised public hearing.**

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Robert Carrier  
By Request

Approved as to Legal  
Form and Compliance: Joshua Wyatt  
City Attorney

Recorded by: Susan Mistretta  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.C.1.**

Resolution Number: **R – 2020.10.14 – 173**

Resolution Re: Adoption of FY2022-FY2027 Capital Improvements Plan

### DOCUMENT HISTORY:

First Reading Date: 10/14/2020

Public Hearing Date: 10/28/2020

Approved Date:

Effective Date:

### DOCUMENT ACTIONS:

| VOTING RECORD                               |     |    |
|---------------------------------------------|-----|----|
| Date of Vote:                               | YES | NO |
| Mayor Robert Carrier                        |     |    |
| Deputy Mayor Dennis Ciotti, Ward 2          |     |    |
| Councilor Michelle Muffett-Lipinski, Ward 1 |     |    |
| Councilor Deborah Thibodeaux, Ward 3        |     |    |
| Councilor Joshua Manley, Ward 4             |     |    |
| Councilor Dennis Shanahan, Ward 5           |     |    |
| Councilor Fergus Cullen, Ward 6             |     |    |
| Councilor John O'Connor, At Large           |     |    |
| Councilor Lindsey Williams, At Large        |     |    |
| Total Votes:                                |     |    |
| Resolution does   does not pass.            |     |    |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.C.1.**

Resolution Number: **R – 2020.10.14 – 173**

Resolution Re: Adoption of FY2022-FY2027 Capital Improvements Plan

### **RESOLUTION BACKGROUND MATERIAL:**

This resolution establishes the attached FY2022 through FY2027 Capital Improvements Program.

This resolution only recognizes and adopts a financial and operational planning document for the City's infrastructure and capital assets over the course of the next six years and does NOT authorize or appropriate funding for projects or authorize bonding.

The FY2022 – FY2027 CIP projects and their anticipated schedule for funding are reflected in the attached document.

# Capital Improvements Program - FY2022-2027

Proposed 7-Oct-20

| All Projects                                          |           |           |                            |                     |            |           |            |                   |
|-------------------------------------------------------|-----------|-----------|----------------------------|---------------------|------------|-----------|------------|-------------------|
| BOLD = New Project                                    |           |           | * = Multi Category Project |                     |            |           |            |                   |
| UNDERLINED = Change in Schedule                       |           |           | ITALIC = \$ Change         |                     |            |           |            |                   |
| PROJECT DESCRIPTION                                   | 2022      | 2023      | 2024                       | Fiscal Year<br>2025 | 2026       | 2027      | Total      | Finance<br>Method |
| <b>GENERAL GOVERNMENT</b>                             |           |           |                            |                     |            |           |            |                   |
| Transfer to Capital Reserve - Infrastructure & Equip  | 1,025,000 | 1,150,000 | 1,275,000                  | 1,400,000           | 1,525,000  | 1,650,000 | 8,025,000  | OB                |
| Transfer to Capital Reserve - Cemetery                | 125,000   | 125,000   | 125,000                    | 125,000             | 125,000    | 125,000   | 750,000    | OB                |
| <i>General Facility Improvements</i>                  | 50,000    | 50,000    | 50,000                     | 50,000              | 50,000     | 50,000    | 300,000    | RF                |
| <i>CAMA Software Replacement and Implementaion</i>    | 33,000    | 37,000    |                            |                     |            |           | 70,000     | OB                |
| Cemetery Improvements                                 | 250,000   |           | 250,000                    |                     | 250,000    |           | 750,000    | RF                |
| City Hall Structural/Safety Improvements              | 500,000   |           | 250,000                    |                     |            |           | 750,000    | RF                |
| TOTAL GENERAL GOVT.                                   | 1,983,000 | 1,362,000 | 1,950,000                  | 1,575,000           | 1,950,000  | 1,825,000 | 10,645,000 |                   |
| <b>POLICE</b>                                         |           |           |                            |                     |            |           |            |                   |
| Police Cruiser Replacement Program                    | 144,000   | 144,000   | 144,000                    | 144,000             | 144,000    | 144,000   | 864,000    | RF                |
| Public Safety Comm Infrastructure Upgrades            | 105,000   | 100,000   | 100,000                    | 400,000             | 200,000    | 100,000   | 1,005,000  | OB                |
| TOTAL POLICE                                          | 249,000   | 244,000   | 244,000                    | 544,000             | 344,000    | 244,000   | 1,869,000  |                   |
| <b>FIRE &amp; RESCUE</b>                              |           |           |                            |                     |            |           |            |                   |
| <i>Command/Staff Vehicle Replacement</i>              | 51,000    |           | 51,000                     |                     | 51,000     |           | 153,000    | RF                |
| <i>Pumper/Quint Replacement</i>                       | 750,000   |           |                            |                     | 900,000    |           | 1,650,000  | RF                |
| <u><i>Station Capacity Improvements</i></u>           | 830,000   | 40,000    |                            | 660,000             |            |           | 1,530,000  | DF                |
| <i>Ambulance Replacement</i>                          |           | 267,000   |                            | 256,000             |            | 256,000   | 779,000    | RF                |
| <i>Front Line Vehicle Corosion Repair</i>             |           | 100,000   |                            |                     |            |           | 100,000    | RF                |
| Protective Gear                                       |           |           | 174,000                    |                     |            |           | 174,000    | RF                |
| SCBA Gear                                             |           |           |                            |                     | 195,000    |           | 195,000    | RF                |
| <b>Squad Replacement</b>                              |           |           |                            |                     | 500,000    |           | 500,000    | RF                |
| TOTAL FIRE & RESCUE                                   | 1,631,000 | 407,000   | 225,000                    | 916,000             | 1,646,000  | 256,000   | 5,081,000  |                   |
| <b>COMMUNITY SERVICES - PUBLIC WORKS</b>              |           |           |                            |                     |            |           |            |                   |
| PW Heavy Equipment                                    | 400,000   | 450,000   | 500,000                    | 550,000             | 600,000    | 650,000   | 3,150,000  | RF                |
| General Streets Improvements                          | 2,251,395 | 2,341,451 | 2,435,109                  | 2,532,513           | 2,633,814  | 2,739,166 | 14,933,448 | OB                |
| General Sidewalk Improvements                         | 121,664   | 126,531   | 131,592                    | 136,855             | 142,330    | 148,023   | 806,995    | OB                |
| Bridge Improvements                                   | 160,000   | 180,000   | 200,000                    | 200,000             | 200,000    | 200,000   | 1,140,000  | OB                |
| Drainage System Improvements                          | 200,000   | 250,000   | 300,000                    | 350,000             | 400,000    | 450,000   | 1,950,000  | OB                |
| Traffic Signal Upgrades/Traffic Calming               | 90,000    | 90,000    | 90,000                     | 90,000              | 90,000     | 90,000    | 540,000    | OB                |
| <b>Bridge Replacement- Chestnut Street</b>            | 250,000   |           |                            |                     |            |           | 250,000    | DF                |
| Street Reconstruction - Court/Union/Middle            | 200,000   |           | 2,000,000                  | 1,700,000           | 600,000    |           | 4,500,000  | DF                |
| Street Reconstruction Fifth/Grove Streets*            | 100,000   | 750,000   | 250,000                    |                     |            |           | 1,100,000  | DF                |
| <u>Street Reconstruction - Oak/Ham/Elm</u>            | 450,000   | 200,000   | 350,000                    |                     |            |           | 1,000,000  | DF                |
| <b>Portland Avenue Retaining Wall</b>                 | 250,000   |           |                            |                     |            |           | 250,000    | DF                |
| <b>Sidewalk Reconstruction - Whittier Street</b>      |           | 600,000   |                            |                     |            |           | 600,000    | DF                |
| <i>Bridge Replacement - Oak Street</i>                |           |           |                            | 5,000,000           |            |           | 5,000,000  | GF                |
| Soundwalls - Renaud/Keating                           |           |           |                            | 400,000             |            |           | 400,000    | RF/GF             |
| Street Reconstruction - Sunset Drive                  |           |           |                            | 200,000             | 1,000,000  |           | 1,200,000  | DF                |
| Street Reconstruction - Atlantic Avenue               |           |           |                            |                     | 900,000    | 600,000   | 1,500,000  | DF                |
| Street Reconstruction - Horne Street*                 |           |           |                            |                     | 250,000    |           | 250,000    | DF                |
| <b>Drainage Improvements - Spruce/Tanglewood</b>      |           |           |                            |                     |            | 900,000   | 900,000    | DF                |
| <u>Street Reconstruction - Piscataqua/Back River*</u> |           |           |                            |                     |            | 1,000,000 | 1,000,000  | DF                |
| TOTAL COMM SERV - PW                                  | 4,473,059 | 4,987,982 | 6,256,701                  | 11,159,368          | 6,816,144  | 6,777,189 | 40,470,443 |                   |
| <b>CULTURE &amp; RECREATION</b>                       |           |           |                            |                     |            |           |            |                   |
| Transfer to Capital Reserve - Park/Playground Imprv.  | 12,500    | 112,500   | 112,500                    | 112,500             | 112,500    | 112,500   | 575,000    | OB                |
| Park Infrastructure Replace/Maintenance               | 75,000    | 75,000    | 75,000                     | 75,000              | 75,000     | 75,000    | 450,000    | RF                |
| <b>Arena - Sprinkler System Repairs</b>               | 60,000    |           |                            |                     |            |           | 60,000     | OB                |
| <b>Arena - Zamboni Replacement</b>                    | 100,000   |           |                            |                     |            |           | 100,000    | OB                |
| <b>Park Improvements - Skatepark Relocation</b>       | 250,000   |           |                            |                     |            |           | 250,000    | RF                |
| <b>Community Trail Phase IV</b>                       |           | 131,000   |                            |                     |            |           | 131,000    | RF                |
| <u><i>Park Improvements - Garrison Hill Park</i></u>  |           | 290,000   |                            |                     |            |           | 290,000    | RF                |
| Indoor Pool Solar Panel Purchase                      |           |           |                            | 150,000             |            |           | 150,000    | RF                |
| Arena - Foster Rink Air Conditioning                  |           |           |                            |                     | 75,000     |           | 75,000     | RF                |
| Indoor Pool Solarium                                  |           |           |                            |                     |            | 410,000   | 410,000    | RF                |
| TOTAL CULTURE & RECREATION                            | 497,500   | 608,500   | 187,500                    | 337,500             | 262,500    | 597,500   | 2,491,000  |                   |
| <b>PUBLIC LIBRARY</b>                                 |           |           |                            |                     |            |           |            |                   |
| Library Books and Collections                         | 125,477   | 129,241   | 133,118                    | 137,112             | 141,225    | 145,462   | 811,635    | OB                |
| <u><i>Library Renovations and Upgrades</i></u>        | 730,000   | 270,462   | 648,008                    | 338,460             |            |           | 1,986,930  | DF                |
| TOTAL PUBLIC LIBRARY                                  | 855,477   | 399,703   | 781,126                    | 475,572             | 141,225    | 145,462   | 2,798,565  |                   |
| <b>TOTAL CITY DEPARTMENTS</b>                         | 9,689,036 | 8,009,185 | 9,644,327                  | 15,007,440          | 11,159,869 | 9,845,151 | 63,355,008 |                   |

# Capital Improvements Program - FY2022-2027

Proposed 7-Oct-20

## All Projects

BOLD = New Project

\* = Multi Category Project

UNDERLINED = Change in Schedule

ITALIC = \$ Change

| PROJECT DESCRIPTION                              | 2022              | 2023              | 2024              | Fiscal Year<br>2025 | 2026              | 2027              | Total              | Finance<br>Method |
|--------------------------------------------------|-------------------|-------------------|-------------------|---------------------|-------------------|-------------------|--------------------|-------------------|
| <b>EDUCATION</b>                                 |                   |                   |                   |                     |                   |                   |                    |                   |
| Transfer to Capital Reserve - Curriculum         | 50,000            | 150,000           | 150,000           | 150,000             | 150,000           | 150,000           | 800,000            | OB                |
| Transfer to Capital Reserve - Facilities         | 150,000           | 250,000           | 250,000           | 250,000             | 250,000           | 250,000           | 1,400,000          | OB                |
| Transfer to Capital Reserve - Info. Technology   | 20,000            | 20,000            | 20,000            | 20,000              | 20,000            | 20,000            | 120,000            | OB                |
| Transfer to Capital Reserve - Athletics          | 20,000            | 20,000            | 20,000            | 20,000              | 20,000            | 20,000            | 120,000            | OB                |
| Curriculum Replacement and Upgrade               | 450,000           | 100,000           | 100,000           | 100,000             | 100,000           | 100,000           | 950,000            | RF/OB             |
| Facilities/School Maintenance and Repairs        | 100,000           | 100,000           | 100,000           | 100,000             | 100,000           | 100,000           | 600,000            | RF                |
| Furniture Replacement                            | 25,000            | 25,000            | 25,000            | 25,000              | 25,000            | 25,000            | 150,000            | OB                |
| Information Technology Replacement and Upgrade   | 480,000           | 480,000           | 480,000           | 480,000             | 480,000           | 480,000           | 2,880,000          | OB                |
| Facilities and Space Needs Study                 | 50,000            |                   |                   |                     |                   |                   | 50,000             | OB                |
| Middle School AC/Dehumidification                | 546,000           |                   |                   |                     |                   |                   | 546,000            | DF                |
| Middle School Locker Relocation                  | 42,000            | 44,000            |                   |                     |                   |                   | 86,000             | OB                |
| Middle School Roof Replacement                   | 560,000           |                   |                   |                     |                   |                   | 560,000            | DF                |
| Garrison Elementary School Renovations           |                   | 300,000           | 5,928,000         |                     |                   |                   | 6,228,000          | DF                |
| DHS Solar Panel Purchase                         |                   |                   |                   |                     | 600,000           | 100,000           | 700,000            | RF                |
| DHS Turf Field and Track Replacement             |                   |                   |                   |                     | 2,000,000         |                   | 2,000,000          | DF                |
| <b>TOTAL EDUCATION</b>                           | <b>2,493,000</b>  | <b>1,489,000</b>  | <b>7,073,000</b>  | <b>1,145,000</b>    | <b>3,745,000</b>  | <b>1,245,000</b>  | <b>17,190,000</b>  |                   |
| <b>TOTAL GENERAL FUND</b>                        |                   |                   |                   |                     |                   |                   |                    |                   |
|                                                  | 12,182,036        | 9,498,185         | 16,717,327        | 16,152,440          | 14,904,869        | 11,090,151        | 80,545,008         |                   |
| <b>SPECIAL REVENUE FUNDS</b>                     |                   |                   |                   |                     |                   |                   |                    |                   |
| <u>Building Access Control and CCTV Systems</u>  | 100,000           | 100,000           | 100,000           | 100,000             | 60,000            |                   | 460,000            | OB                |
| Conservation Funding                             | 250,000           | 250,000           | 250,000           | 250,000             | 250,000           | 250,000           | 1,500,000          | OB                |
| DoverNet Client System Replacement               | 59,000            | 54,000            | 54,000            | 54,000              | 54,000            | 54,000            | 329,000            | OB                |
| SAU Athletic Improvements                        | 30,000            | 30,000            | 30,000            | 30,000              | 30,000            | 30,000            | 180,000            | OB                |
| SAU Cafeteria Maintenance/Repair/Upgrade         | 40,000            | 40,000            | 40,000            | 40,000              | 40,000            | 40,000            | 240,000            | OB                |
| SAU Light Vehicle Replacement                    | 50,000            | 50,000            | 50,000            | 50,000              | 50,000            | 50,000            | 300,000            | OB                |
| Parking Facility - Downtown                      |                   |                   | 8,100,000         |                     |                   |                   | 8,100,000          | DF                |
| McConnell Center Boiler & Pump Replacement       |                   |                   | 4,500             | 250,000             |                   |                   | 254,500            | DF                |
| McConnell Center Rubber Roof                     |                   |                   | 6,500             | 275,000             |                   |                   | 281,500            | DF                |
| McConnell Center Gym AC                          |                   |                   |                   | 10,000              | 260,000           |                   | 270,000            | DF                |
| <b>TOTAL SPECIAL REVENUE FUNDS</b>               | <b>529,000</b>    | <b>524,000</b>    | <b>8,635,000</b>  | <b>1,059,000</b>    | <b>744,000</b>    | <b>424,000</b>    | <b>11,915,000</b>  |                   |
| <b>TIF DISTRICT FUNDS</b>                        |                   |                   |                   |                     |                   |                   |                    |                   |
| Waterfront - Dredge Cell Closure/Maglaras Park   | 100,000           | 3,200,000         |                   |                     |                   |                   | 3,300,000          | DF                |
| Street Reconstruction Henry Law Ave              | 80,000            |                   | 1,220,000         |                     |                   |                   | 1,300,000          | DF                |
| <b>TOTAL TIF DISTRICT FUNDS</b>                  | <b>180,000</b>    | <b>3,200,000</b>  | <b>1,220,000</b>  | <b>0</b>            | <b>0</b>          | <b>0</b>          | <b>4,600,000</b>   |                   |
| <b>COMMUNITY SERVICES - WATER FUND</b>           |                   |                   |                   |                     |                   |                   |                    |                   |
| Transfer to Capital Reserve                      | 500,000           | 500,000           | 500,000           | 500,000             | 500,000           | 500,000           | 3,000,000          | OB                |
| Water Exploration                                | 100,000           | 100,000           | 100,000           | 100,000             | 100,000           | 100,000           | 600,000            | RF                |
| Water Heavy Equipment Replacement                | 40,000            | 40,000            | 40,000            | 40,000              | 40,000            | 40,000            | 240,000            | RF                |
| Water Light Vehicle Replacement*                 | 15,000            | 15,000            | 15,000            | 15,000              | 15,000            | 15,000            | 90,000             | OB                |
| Water Main Replacement - City Wide               | 156,000           | 162,240           | 168,730           | 175,479             | 182,497           | 189,798           | 1,034,744          | RF                |
| Water Meter Replacement                          | 175,000           | 175,000           | 175,000           | 175,000             | 175,000           | 175,000           | 1,050,000          | OB                |
| Water Treatment Plant & Well Equipment           | 78,000            | 81,120            | 84,365            | 87,739              | 91,249            | 94,899            | 517,372            | RF                |
| Wellhead Protection                              | 100,000           | 100,000           | 100,000           | 100,000             | 100,000           | 100,000           | 600,000            | RF                |
| Water Main Replacement - Court Street Area*      | 75,000            |                   |                   | 750,000             |                   |                   | 825,000            | DF                |
| Water Main Replacement - Fifth/Grove Streets*    | 125,000           |                   | 875,000           |                     |                   |                   | 1,000,000          | DF                |
| <u>Water Main Replacement - Oak/Ham/Ela*</u>     | 500,000           |                   |                   |                     |                   |                   | 500,000            | DF                |
| Water Main Replacement - Urban Core*             | 1,900,000         |                   |                   |                     |                   |                   | 1,900,000          | DF                |
| <b>Water Main Replacement - Littleworth Road</b> |                   | 1,000,000         | 1,000,000         |                     |                   |                   | 2,000,000          | DF                |
| Water Main Replacement - Durham Road             |                   |                   |                   |                     | 850,000           |                   | 850,000            | DF                |
| Water Main Replacement - Horne Street*           |                   |                   |                   |                     | 100,000           |                   | 100,000            | DF                |
| <u>Water Main Replacement - Piscataqua Road*</u> |                   |                   |                   |                     | 250,000           | 1,500,000         | 1,750,000          | DF                |
| <b>Well Upgrades - Hughes Well</b>               |                   |                   |                   |                     |                   | 2,000,000         | 2,000,000          | DF                |
| <b>TOTAL WATER FUND</b>                          | <b>3,764,000</b>  | <b>2,173,360</b>  | <b>3,058,095</b>  | <b>1,943,218</b>    | <b>2,403,746</b>  | <b>4,714,697</b>  | <b>18,057,116</b>  |                   |
| <b>COMMUNITY SERVICES - SEWER FUND</b>           |                   |                   |                   |                     |                   |                   |                    |                   |
| Transfer to Capital Reserve                      | 500,000           | 500,000           | 500,000           | 500,000             | 500,000           | 500,000           | 3,000,000          | OB                |
| Inflow/Infiltration Study/Mitigation             | 300,000           | 300,000           | 300,000           | 300,000             | 300,000           | 300,000           | 1,800,000          | RF                |
| Pump Station Equipment Replace-Maint.            | 78,000            | 81,120            | 84,365            | 87,739              | 91,249            | 94,899            | 517,372            | OB                |
| Sewer Heavy Equipment Replacement                | 40,000            | 40,000            | 40,000            | 40,000              | 40,000            | 40,000            | 240,000            | RF                |
| Sewer Light Vehicle Replacement*                 | 15,000            | 15,000            | 15,000            | 15,000              | 15,000            | 15,000            | 90,000             | OB                |
| Sewer Main Replacements - City Wide              | 156,000           | 162,240           | 168,730           | 175,479             | 182,497           | 189,798           | 1,034,744          | RF                |
| <b>WWTP General Permit Compliance</b>            | 500,000           | 1,700,000         | 400,000           | 400,000             | 400,000           | 400,000           | 3,800,000          | OB                |
| <u>Pump Station Upgrade - Mill Street</u>        |                   |                   | 200,000           | 2,300,000           |                   |                   | 2,500,000          | DF                |
| Sewer Main Replacement - Horne Street*           |                   |                   |                   |                     | 100,000           |                   | 100,000            | DF                |
| <b>TOTAL SEWER FUND</b>                          | <b>1,589,000</b>  | <b>2,798,360</b>  | <b>1,708,095</b>  | <b>3,818,218</b>    | <b>1,628,746</b>  | <b>1,539,697</b>  | <b>13,082,116</b>  |                   |
| <b>TOTAL OTHER FUNDS</b>                         |                   |                   |                   |                     |                   |                   |                    |                   |
|                                                  | 6,062,000         | 8,695,720         | 14,621,190        | 6,820,436           | 4,776,492         | 6,678,394         | 47,654,232         |                   |
| <b>TOTAL ALL PROJECTS</b>                        | <b>18,244,036</b> | <b>18,193,905</b> | <b>31,338,517</b> | <b>22,972,876</b>   | <b>19,681,361</b> | <b>17,768,545</b> | <b>128,199,240</b> |                   |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.C.2.**

Resolution Number: **R – 2020.10.14 – 174**  
Resolution Re: **Appropriation For FY2022 Capital Improvements  
Program – Non-Debt Financed Projects**

WHEREAS: The City Council desires to make public improvements as listed in the Capital Improvements Program for Year 1 and to finance these improvements with transfers from Reserve Trust Funds and appropriation of existing funds.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL, THAT:  
The following capital outlays are appropriated as part of the FY2022 Capital Improvements Program for the purposes so designated and the Finance Director is authorized to transfer the funds from the respective Reserve Funds in the amounts listed.

| Item | Description                                         | Appropriation | Funding                               | Fund  |
|------|-----------------------------------------------------|---------------|---------------------------------------|-------|
| 1    | General Facility Improvements                       | \$50,000      | General Fund Capital Reserve          | Trust |
| 2    | City Hall Structural/Safety Improvements            | 500,000       | General Fund Capital Reserve          | Trust |
| 3    | Police Cruiser Replacement Program                  | 144,000       | General Fund Capital Reserve          | Trust |
| 4    | Command/Staff Vehicle Replacement                   | 51,000        | General Fund Capital Reserve          | Trust |
| 5    | Pumper/Quint Replacement                            | 750,000       | General Fund Capital Reserve          | Trust |
| 6    | Public Works Heavy Equipment                        | 400,000       | General Fund Capital Reserve          | Trust |
| 7    | Cemetery Improvements                               | 250,000       | Cemetery Maintenance Capital Reserve  | Trust |
| 8    | Park Infrastructure Replace/Maintenance             | 50,000        | Park Improvements Reserve             | Trust |
| 9    | Public Safety Communication Infrastructure Upgrades | 5,000         | Police Facilities Capital Reserve     | Trust |
| 10   | Park Infrastructure Replace/Maintenance             | 25,000        | Recreation Facilities Capital Reserve | Trust |
| 11   | Park Improvements - Skatepark Relocation            | 250,000       | Recreation Facilities Capital Reserve | Trust |
| 12   | School Facilities Maintenance and Repairs           | 100,000       | School Facilities Capital Reserve     | Trust |
| 13   | Water Exploration                                   | 100,000       | Water Fund Capital Reserve            | Trust |
| 14   | Water Heavy Equipment Replacement                   | 40,000        | Water Fund Capital Reserve            | Trust |
| 15   | Water Main Replacement - City Wide                  | 156,000       | Water Fund Capital Reserve            | Trust |
| 16   | Wellhead Protection                                 | 100,000       | Water Fund Capital Reserve            | Trust |
| 17   | Water Treatment Plant & Well Equipment              | 78,000        | Water Fund Capital Reserve            | Trust |
| 18   | Inflow/Infiltration Study/Mitigation                | 300,000       | Sewer Fund Capital Reserve            | Trust |
| 19   | Sewer Heavy Equipment Replacement                   | 40,000        | Sewer Fund Capital Reserve            | Trust |
| 20   | Sewer Main Replacement - City Wide                  | 156,000       | Sewer Fund Capital Reserve            | Trust |
|      | Total                                               | \$3,545,000   |                                       |       |

**Note: This resolution requires a public hearing and a 2/3 majority vote according to C6-6 of the charter.**

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Robert Carrier  
By Request

Approved as to Legal Joshua Wyatt  
Form and Compliance: City Attorney

Recorded by: Susan Mistretta  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2020.10.14 – 174**  
Resolution Re: **Appropriation For FY2022 Capital Improvements  
Program – Non-Debt Financed Projects**

### DOCUMENT HISTORY:

|                                |                                 |
|--------------------------------|---------------------------------|
| First Reading Date: 10/14/2020 | Public Hearing Date: 10/28/2020 |
| Approved Date:                 | Effective Date:                 |

### DOCUMENT ACTIONS:

| VOTING RECORD                               |     |    |
|---------------------------------------------|-----|----|
| Date of Vote:                               | YES | NO |
| Mayor Robert Carrier                        |     |    |
| Deputy Mayor Dennis Ciotti, Ward 2          |     |    |
| Councilor Michelle Muffett-Lipinski, Ward 1 |     |    |
| Councilor Deborah Thibodeaux, Ward 3        |     |    |
| Councilor Joshua Manley, Ward 4             |     |    |
| Councilor Dennis Shanahan, Ward 5           |     |    |
| Councilor Fergus Cullen, Ward 6             |     |    |
| Councilor John O'Connor, At Large           |     |    |
| Councilor Lindsey Williams, At Large        |     |    |
| Total Votes:                                |     |    |
| Resolution does   does not pass.            |     |    |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2020.10.14 – 174**  
Resolution Re: **Appropriation For FY2022 Capital Improvements  
Program – Non-Debt Financed Projects**

### RESOLUTION BACKGROUND MATERIAL:

This resolution appropriates capital reserve funds to finance a portion of the FY2022 Capital Improvements Program. In addition, it authorizes the transfer of Capital Reserve Fund moneys.

The following table reflects the amount to be appropriated from the various funds and their projected balances as of 6/30/2021:

| Description                           | Proposed<br>Appropriation | Balance<br>6/30/2021 | Notes |
|---------------------------------------|---------------------------|----------------------|-------|
| <b>Capital Reserve Funds CIP</b>      |                           |                      |       |
| General Fund Capital Reserve          | \$1,895,000               | \$944,659            | (1)   |
| Cemetery Maintenance Capital Reserve  | \$250,000                 | \$138,953            | (2)   |
| Park Improvements Reserve             | \$50,000                  | \$70,365             |       |
| Police Facilities Capital Reserve     | \$5,000                   | \$36,543             |       |
| Recreation Facilities Capital Reserve | \$275,000                 | \$457,307            |       |
| School Facilities Capital Reserve     | \$100,000                 | \$524,636            |       |
| Water Fund Capital Reserve            | \$474,000                 | \$2,626,900          |       |
| Sewer Fund Capital Reserve            | \$496,000                 | \$1,148,457          |       |
| Total                                 | \$3,545,000               |                      |       |

1. The General Fund Capital Reserve will have sufficient funds for the appropriations as a transfer from the General Fund of \$1,025,000 into the reserve is proposed in the CIP FY 2022-2027 to be budgeted during FY2022 as part of the City's General Fund Operating Budget.
2. The Cemetery Maintenance Capital Reserve will have sufficient funds for the appropriations as a transfer from the General Fund of \$125,000 into the reserve is proposed in the CIP FY 2022-2027 to be budgeted during FY2022 as part of the City's General Fund Operating Budget.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.3.

Resolution Number: **R – 2020.10.14 – 175**  
 Resolution Re: **Appropriation For FY2022 Capital Improvements Program and Authorization for Bonding**

WHEREAS: The City Council desires to make public improvements and to finance these improvements with the sale of general obligation bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:  
 The following capital projects are appropriated, with estimated useful lives in excess of the length indicated, as part of the FY2022 Capital Improvements Program:

| Item # | Description                                    | Proposed Appropriations | Life/Yrs | Department     | Fund           |
|--------|------------------------------------------------|-------------------------|----------|----------------|----------------|
| 1      | Fire Station Capacity Improvements             | \$ 1,530,000            | 20       | Fire & Rescue  | General        |
| 2      | Bridge Replacement - Chestnut Street           | 250,000                 | 20       | Comm Serv - PW | General        |
| 3      | Street Reconstruction - Court/Union/Middle     | 4,500,000               | 20       | Comm Serv - PW | General        |
| 4      | Street Reconstruction - Fifth/Grove Streets    | 1,100,000               | 20       | Comm Serv - PW | General        |
| 5      | Street Reconstruction - Oak/Ham/Ela            | 1,000,000               | 20       | Comm Serv - PW | General        |
| 6      | Portland Avenue Retaining Wall                 | 250,000                 | 20       | Comm Serv - PW | General        |
| 7      | Library Renovations/Upgrades                   | 1,986,930               | 20       | Public Library | General        |
| 8      | Middle School AC/Dehumidification              | 546,000                 | 20       | Education      | General        |
| 9      | Middle School Roof Replacement                 | 560,000                 | 20       | Education      | General        |
| 10     | Waterfront - Dredge Cell Closure/Maglaras Park | 3,300,000               | 20       | Waterfront TIF | Waterfront TIF |
| 11     | Street Reconstruction - Henry Law Avenue       | 1,300,000               | 20       | Waterfront TIF | Waterfront TIF |
| 12     | Water Main Replacement - Court Street Area     | 825,000                 | 20       | CS - Water     | Water          |
| 13     | Water Main Replacement - Fifth/Grove Streets   | 1,000,000               | 20       | CS - Water     | Water          |
| 14     | Water Main Replacement - Oak/Ham/Ela           | 500,000                 | 20       | CS - Water     | Water          |
| 15     | Water Main Replacement - Urban Core            | 1,900,000               | 20       | CS - Water     | Water          |
|        | Total                                          | 20,547,930              |          |                |                |

AND FURTHER BE IT RESOLVED THAT:

To meet the appropriations of this resolution there is authorized, under and pursuant to the City Charter and the New Hampshire Municipal Finance Act and any other enabling authority, the issuance and sale of general obligation bonds of the City of Dover in a principal amount equal to the total of the appropriations. The full faith and credit of the City is hereby pledged for the principal and interest on said bonds. The bonds are to be signed by the City Manager and countersigned by the City Treasurer, with the Finance Director and City Treasurer having the discretion of fixing the dates, maturities, denominations, place of payment, interest rate or rates and form, and to provide for the sale of the bonds.

AND FURTHER BE IT RESOLVED THAT:

Pursuant to the City Charter and the New Hampshire Municipal Finance Act and any other enabling authority, the City of Dover is hereby authorized to participate in the NH Clean Water State Revolving Fund (CWSRF) Program for financing eligible Sewer Fund projects provided CWSRF funding is available; and the City of Dover is hereby authorized to participate in the NH Drinking Water State Revolving Fund (DWSRF) Program for financing the Water Fund projects provided DWSRF funding is available. The City Manager, Finance Director and Treasurer are authorized, on behalf of the City of Dover, to file for participation in the NH CWSRF and DWSRF Programs and obtain loans through the programs for eligible identified projects.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.3.

Resolution Number: **R – 2020.10.14 – 175**  
Resolution Re: **Appropriation For FY2022 Capital Improvements  
Program and Authorization for Bonding**

**NOTE:** This resolution requires a duly advertised public hearing and a 2/3 favorable vote of all members for passage with the vote deferred until at least three (3) days after public hearing.

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Robert Carrier  
By Request

Approved as to Legal Joshua Wyatt  
Form and Compliance: City Attorney

Recorded by: Susan Mistretta  
City Clerk

### DOCUMENT HISTORY:

|                                |                                 |
|--------------------------------|---------------------------------|
| First Reading Date: 10/14/2020 | Public Hearing Date: 10/28/2020 |
| Approved Date:                 | Effective Date:                 |

### DOCUMENT ACTIONS:

| VOTING RECORD                               |     |    |
|---------------------------------------------|-----|----|
| Date of Vote:                               | YES | NO |
| Mayor Robert Carrier                        |     |    |
| Deputy Mayor Dennis Ciotti, Ward 2          |     |    |
| Councilor Michelle Muffett-Lipinski, Ward 1 |     |    |
| Councilor Deborah Thibodeaux, Ward 3        |     |    |
| Councilor Joshua Manley, Ward 4             |     |    |
| Councilor Dennis Shanahan, Ward 5           |     |    |
| Councilor Fergus Cullen, Ward 6             |     |    |
| Councilor John O'Connor, At Large           |     |    |
| Councilor Lindsey Williams, At Large        |     |    |
| Total Votes:                                |     |    |
| Resolution does   does not pass.            |     |    |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.C.3.**

Resolution Number: **R – 2020.10.14 – 175**  
Resolution Re: **Appropriation For FY2022 Capital Improvements Program and Authorization for Bonding**

### **RESOLUTION BACKGROUND MATERIAL:**

This resolution makes appropriations for the projects of the FY2022 Capital Improvements Program financed by debt and authorizes the sale of bonds and/or participation in the CWSRF or DWSRF.

This resolution makes appropriations for projects that are scheduled to be completed over multiple years. The Finance Department requests from all departments with projects to submit cash flow requirements for projects. These cash flow projections are completed to determine the amount by project for the coming bond issuance. Those projects that are not financed or are only partially financed remain as authorized unissued debt and bonded (financed) when the cash need arises.

### **Debt Authorization versus Debt Retirement**

The following table compares the tentative authorization amount to the amount of debt being retired: The Net Sewer reflects the amount retired by user fees (total debt retirement less State aid for principal).

| <b>Description</b>   | <b>City</b> | <b>School</b> | <b>Water</b> | <b>Sewer</b> | <b>Waterfront TIF</b> | <b>Total</b> |
|----------------------|-------------|---------------|--------------|--------------|-----------------------|--------------|
| FY2022 Authorization | 10,616,930  | 1,106,000     | 4,225,000    | 0            | 4,600,000             | 20,547,930   |
| FY2022 Retirement    | 4,037,722   | 3,224,674     | 1,115,357    | 1,440,393    | 122,542               | 9,940,688    |
| Net Change           | 6,579,208   | (2,118,674)   | 3,109,643    | (1,440,393)  | 4,477,458             | 10,607,242   |

### **Legal Debt Limits**

The following table summarizes the amount of debt outstanding & authorized-unissued, as of June 30, 2020 and this authorization, against the legal debt limits.

| <b>Description</b>      | <b>City</b> | <b>School</b> | <b>Water</b> | <b>DBIDA-IP</b> | <b>DBIDA-IB</b> | <b>Exempt</b> | <b>Total</b> |
|-------------------------|-------------|---------------|--------------|-----------------|-----------------|---------------|--------------|
| Debt Outstanding        | 42,960,853  | 88,683,638    | 14,245,152   | 0               | 0               | 31,283,728    | 177,173,371  |
| Authorized - Unissued   | 16,338,385  | 545,000       | 27,453,000   | 0               | 0               | 12,613,265    | 56,949,650   |
| Total Issued & Unissued | 59,299,238  | 89,228,638    | 41,698,152   | 0               | 0               | 43,896,993    | 234,123,021  |
| This Authorization      | 10,616,930  | 1,106,000     | 4,225,000    | 0               | 0               | 4,600,000     | 20,547,930   |
| Grand Total             | 69,916,168  | 90,334,638    | 45,923,152   | 0               | 0               | 48,496,993    | 254,670,951  |
| Legal Debt Limit        | 118,758,715 | 277,103,668   | 395,862,383  | 4,000,000       | NA              | NA            |              |
| Unused Capacity         | 48,842,547  | 186,769,030   | 349,939,231  | 4,000,000       |                 |               |              |
| Percent Unused          | 41.1%       | 67.4%         | 88.4%        | 100.0%          |                 |               |              |

Notes: Legal debt limits are based on a percent of equalized assessed value. City 3%, School 7%, Water 10%.

DBIDA limits are set by special legislation.

IP = Industrial Park projects

IB = Industrial Building projects

Exempt includes Sewer, Special Revenue Funds, TIF District, and Tolend Road Landfill debt.

R-2020.10.14 CIP FY2022 Authorization for Bonding

Document Created by: Finance Department

Resolution.doc

Document Posted on: November 13, 2020

Page 3 of 6



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.C.3.**

Resolution Number: **R – 2020.10.14 – 175**  
Resolution Re: **Appropriation For FY2022 Capital Improvements Program and Authorization for Bonding**

### Multi-Year Projects Proposed Bonding Schedule

The following table summarizes the bonding schedule for the proposed debt authorizations. This table shows that for multi-year projects the issuance of bonds will be done based on cash flow requirements per the projects' proposed segments as presented in the Capital Improvements Program.

| Item # | Description                                    | Proposed       |              |              |              |              |            |
|--------|------------------------------------------------|----------------|--------------|--------------|--------------|--------------|------------|
|        |                                                | Appropriations | FY2022       | FY2023       | FY2024       | FY2025       | FY2026     |
| 1      | Fire Station Capacity Improvements             | \$ 1,530,000   | 830,000      | 40,000       |              | 660,000      |            |
| 2      | Bridge Replacement - Chestnut Street           | 250,000        | 250,000      |              |              |              |            |
| 3      | Street Reconstruction - Court/Union/Middle     | 4,500,000      | 200,000      |              | 2,000,000    | 1,700,000    | 600,000    |
| 4      | Street Reconstruction - Fifth/Grove Streets    | 1,100,000      | 100,000      | 750,000      | 250,000      |              |            |
| 5      | Street Reconstruction - Oak/Ham/Ela            | 1,000,000      | 450,000      | 200,000      | 350,000      |              |            |
| 6      | Portland Avenue Retaining Wall                 | 250,000        | 250,000      |              |              |              |            |
| 7      | Library Renovations/Upgrades                   | 1,986,930      | 730,000      | 270,462      | 648,008      | 338,460      |            |
| 8      | Middle School AC/Dehumidification              | 546,000        | 546,000      |              |              |              |            |
| 9      | Middle School Roof Replacement                 | 560,000        | 560,000      |              |              |              |            |
| 10     | Waterfront - Dredge Cell Closure/Maglaras Park | 3,300,000      | 100,000      | 3,200,000    |              |              |            |
| 11     | Street Reconstruction - Henry Law Avenue       | 1,300,000      | 80,000       |              | 1,220,000    |              |            |
| 12     | Water Main Replacement - Court Street Area     | 825,000        | 75,000       |              |              | 750,000      |            |
| 12     | Water Main Replacement - Fifth/Grove Streets   | 1,000,000      | 125,000      |              | 875,000      |              |            |
| 12     | Water Main Replacement - Oak/Ham/Ela           | 500,000        | 500,000      |              |              |              |            |
| 12     | Water Main Replacement - Urban Core            | 1,900,000      | 1,900,000    |              |              |              |            |
| Total  |                                                | \$ 20,547,930  | \$ 6,696,000 | \$ 4,460,462 | \$ 5,343,008 | \$ 3,448,460 | \$ 600,000 |

### Financial Policy Considerations

The proposed debt authorizations contained in this resolution will result in the following City Council adopted Financial Policies not being adhered to:

- A. School Department portion of General Fund debt shall not exceed 28% of the State of NH legal limit.
- B. Water Fund debt shall not exceed 5% of the State of NH legal limit.
- C. Water Fund debt service for any given fiscal year shall not exceed 40% of the total appropriations for the fund.

School District debt will exceed the 28% policy limit in FY2022 and continuing through FY2027 as a result of the funding appropriated for the Dover High School project in the FY2016 CIP, as well as the \$1,106,000 proposed for debt financing in this resolution.

Water Fund debt will exceed the 5% policy limit in FY2022 and continue through FY2027 as a result of the funding appropriated for Water System Facilities Upgrade in the FY2017 CIP and FY2018 CIP. The Water Fund debt service as a percentage of budget is projected to exceed the 40% policy level in FY2022 and continue through FY2027. This is the result of the funding appropriated for Water System Facilities Upgrade in FY2017 and FY2018 CIPs, as well as the \$4,225,000 proposed for debt financing in this resolution.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.C.3.**

Resolution Number: **R – 2020.10.14 – 175**  
 Resolution Re: **Appropriation For FY2022 Capital Improvements Program and Authorization for Bonding**

### Rate Impacts

The following tables summarize the change from year to year on the Property Tax Rate and the Utility Rates, net of existing debt service and aid, related to the projects proposed to be bonded in FY2022. The top table reflects the impact of the new CIP projects only; the second set reflects the combined impact of the new CIP projects and anticipated debt related to prior year authorizations. The rate changes have been adjusted for any amendments to projects from the proposed CIP.

| <b>CIP Only</b>                            |  |             |             |             | <b>CIP Only</b>                              |  |             |             |             |
|--------------------------------------------|--|-------------|-------------|-------------|----------------------------------------------|--|-------------|-------------|-------------|
| <b>Net Change in Property Tax Rates</b>    |  |             |             |             | <b>Net Change in Utility Rates</b>           |  |             |             |             |
|                                            |  | <b>2022</b> | <b>2023</b> | <b>2024</b> |                                              |  | <b>2022</b> | <b>2023</b> | <b>2024</b> |
| City                                       |  | 0.09        | 0.14        | 0.22        | Water                                        |  | 0.28        | 0.40        | 0.55        |
| School                                     |  | 0.03        | 0.07        | 0.19        | Sewer                                        |  | 0.00        | 0.01        | 0.09        |
| Total Change                               |  | 0.12        | 0.21        | 0.41        | Total Change                                 |  | 0.28        | 0.41        | 0.64        |
| Est Tax Rate                               |  | 25.87       | 26.08       | 26.49       | Est Utility Rate                             |  | 15.29       | 15.70       | 16.34       |
| % Change City                              |  | 0.96%       | 1.47%       | 2.30%       | % Change Water                               |  | 5.19%       | 7.04%       | 9.48%       |
| % Change School                            |  | 0.26%       | 0.61%       | 1.65%       | % Change Sewer                               |  | 0.00%       | 0.11%       | 0.99%       |
| % Change Total                             |  | 0.47%       | 0.82%       | 1.60%       | % Change Total                               |  | 1.94%       | 2.78%       | 4.31%       |
| <b>Including Prior Year Authorizations</b> |  |             |             |             | <b>Including Prior Year Authorizations</b>   |  |             |             |             |
| <b>Net Change in Property Tax Rates</b>    |  |             |             |             | <b>Net Change in Utility Rates</b>           |  |             |             |             |
|                                            |  | <b>2022</b> | <b>2023</b> | <b>2024</b> |                                              |  | <b>2022</b> | <b>2023</b> | <b>2024</b> |
| City                                       |  | 0.12        | 0.10        | 0.02        | Water                                        |  | 1.79        | 1.23        | 0.10        |
| School                                     |  | 0.03        | 0.01        | 0.09        | Sewer                                        |  | 0.51        | 0.10        | 0.01        |
| Total Change                               |  | 0.15        | 0.11        | 0.11        | Total Change                                 |  | 2.30        | 1.33        | 0.11        |
| Est Tax Rate                               |  | 25.90       | 26.01       | 26.12       | Est Utility Rate                             |  | 17.31       | 18.64       | 18.75       |
| % Change City                              |  | 1.28%       | 1.05%       | 0.21%       | % Change Water                               |  | 33.15%      | 17.11%      | 1.51%       |
| % Change School                            |  | 0.26%       | 0.09%       | 0.78%       | % Change Sewer                               |  | 5.64%       | 1.05%       | 0.11%       |
| % Change Total                             |  | 0.59%       | 0.43%       | 0.43%       | % Change Total                               |  | 15.92%      | 7.94%       | 0.70%       |
| Rate per \$1,000 of Assessed Value         |  |             |             |             | Rate per 100 Cubic Feet of Water Consumption |  |             |             |             |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.3.

Resolution Number: **R – 2020.10.14 – 175**

Resolution Re: **Appropriation For FY2022 Capital Improvements  
Program and Authorization for Bonding**

The table below reflects the net change from year to year, and the total change after 3 years, for an average single family home for taxes and user fees, based on the FY20 estimated assessed value at \$336,833 with 75 HCF of average water usage.

| Impact to Average Single Family Home |     |     |     |         |
|--------------------------------------|-----|-----|-----|---------|
|                                      |     |     |     | Change  |
|                                      |     |     |     | After   |
| Description                          | Yr1 | Yr2 | Yr3 | 3 Years |
| <b>CIP Only</b>                      |     |     |     |         |
| Property Tax                         | 40  | 71  | 138 | 249     |
| Water Fees                           | 21  | 30  | 41  | 92      |
| Sewer Fees                           | -   | 1   | 7   | 8       |
| Total Avg SFH Impact                 | 61  | 101 | 186 | 349     |
| <b>Including PY Authorizations</b>   |     |     |     |         |
| Property Tax                         | 51  | 37  | 37  | 125     |
| Water Fees                           | 134 | 92  | (8) | 219     |
| Sewer Fees                           | 38  | 8   | 1   | 47      |
| Total Avg SFH Impact                 | 223 | 137 | 30  | 390     |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.C.4.**

Resolution Number: **R – 2020.10.28 – 186**

Resolution Re: Establishing a Schedule and Process for Review and Final Proposal of Potential Charter Amendments

- WHEREAS: The City Council's Ordinance Committee has overseen review of, revision to, and recodification of the City of Dover's Code; and
- WHEREAS: During the recodification process, several provisions of the City's charter were identified as potentially in need of amendment; and
- WHEREAS: Amendments to the City's charter were not addressed during recodification given the statutory requirements and prerequisites for making amendments and revisions to the City's Charter; and
- WHEREAS: Charter "amendments" may be considered by the City Council (or a committee thereof) at any time the City Council deems necessary or prudent, *see* [RSA 49-B:5](#), I, and such amendments do not require formation or approval of a charter commission, but will require ultimate approval by voters; and
- WHEREAS: The Ordinance Committee is now bringing forward the issue of charter amendments for consideration by the City Council and, specifically, to determine whether the City Council agrees that a review of potential amendments is warranted at this time and, if so, the City Council's desired process for researching potential amendments and bringing forward a final proposal to proceed through the amendment process outlined in RSA chapter 49-B:5;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Ordinance Committee is authorized and requested to study and review potential amendments to the City of Dover's Charter, including but not limited to those matters identified in the background of this resolution, and no later than May 12, 2021 develop a proposed set of recommended amendments for consideration by the full City Council.

AND, BE IT FURTHER RESOLVED THAT:

Upon receipt of the Ordinance Committee's final recommended amendments, the City Council will consider if and to what extent to commence a formal Charter amendment process pursuant to RSA 49-B:5.

**TO BE REFERRED TO PUBLIC HEARING ON NOVEMBER 18, 2020**  
**AUTHORIZATION**

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Councilor Dennis Shanahan  
Councilor Lindsay Williams  
Councilor Fergus Cullen

Approved as to Legal  
Form and Compliance: Joshua M. Wyatt  
City Attorney

Recorded by: Susan M. Mistretta  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.C.4.**

Resolution Number: **R – 2020.10.28 – 186**  
Resolution Re: Establishing a Schedule and Process for Review and Final  
Proposal of Potential Charter Amendments

### DOCUMENT HISTORY:

|                                |                                 |
|--------------------------------|---------------------------------|
| First Reading Date: 10/28/2020 | Public Hearing Date: 11/18/2020 |
| Approved Date:                 | Effective Date:                 |

### DOCUMENT ACTIONS:

| VOTING RECORD                               |     |    |
|---------------------------------------------|-----|----|
| Date of Vote:                               | YES | NO |
| Mayor Robert Carrier                        |     |    |
| Deputy Mayor Ciotti                         |     |    |
| Councilor Michelle Muffett-Lipinski, Ward 1 |     |    |
| Councilor Deborah Thibodeaux, Ward 3        |     |    |
| Councilor Joshua Manley, Ward 4             |     |    |
| Councilor Dennis Shanahan, Ward 5           |     |    |
| Councilor Fergus Cullen, Ward 6             |     |    |
| Councilor John O'Connor, At Large           |     |    |
| Councilor Lindsey Williams, At Large        |     |    |
| Total Votes:                                |     |    |
| Resolution does   does not pass.            |     |    |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.C.4.**

Resolution Number: **R – 2020.10.28 – 186**

Resolution Re: Establishing a Schedule and Process for Review and Final Proposal of Potential Charter Amendments

### RESOLUTION BACKGROUND MATERIAL:

The subject matter of this resolution is charter “amendments,” which by statute are distinct from and defined differently than charter “revisions.” Pursuant to [RSA 49-B:4-d](#), charter “revisions” are limited to an enumerated list of changes to a community’s form of government. Pursuant to [RSA 49-B:4-f](#), charter “amendments” are all other changes to the text of a community’s charter.

Charter “amendments” may be considered by the City Council (or a committee thereof) at any time the City Council deems necessary or prudent. See [RSA 49-B:5](#), I. Charter “revisions” require the formation of a charter commission, which is a longer and more involved process than simply undertaking Charter “amendments.” Compare [RSA 49-B:5](#) with [RSA 49-B:4-e](#). In both instances, any proposed changes to the text of the City’s charter must be ultimately approved by voters.

Below is a list of examples of potential charter changes that have been identified to date, all of which constitute “amendments” and not “revisions”:

- Formatting and style:
  - Consistent presentation of numerical references in text;
  - Comma use in Sections C3-9A, C5-7, C6-15, and C8-4;
  - Update to gender-neutral language in C5-6, C7-6, C10-10, and C11-1;
  - Use of words “they” and “their” in C4-4, C5-2, C5-9, C7-4, C10-1, C10-2, C10-3, C10-7, C10-10, C11-2, and C11-3;
- Typographical errors, which may include some or all of the following:
  - Correct reference in C1-3 to “Central Avenue Street” (should say “Central Avenue”) and use of the word “the” in reference to Washington Street;
  - Update reference in C2-11C, as ballot commission rules referenced do not include “206.14”;
  - Include a comma and word “and” in portion of C3-2;
  - The word “voters” is missing a possessive apostrophe in C3-3;
  - Change the word “oF” to “or” in C3-8B;
  - Add omitted words “as” and “and” to C3-8D and C3-9B;
  - Include comma in C3-10;
  - “City of over” found within C3-10;
  - Duplicate word “elected” in C4-2;
  - The word “therefore” in C5-3 should be “therefor”;
  - The word “charted” should be “charged” in C5-5;
  - Include use of word “Advisory” when referring to the Personnel Advisory Board in C5-9;
  - Include the word “and” in C6-17;
  - Verify and if necessary correct reference to RSA 412:3 in C7-5;
  - If necessary, move final sentence of C8-2 to C8-1 as it may be misplaced;
  - Change word “and” to “to” in C8-2;
  - Verify consistency in C10-3 for use of “directly”;
  - Change use of the word “section” to “article” in C10-9;
  - Include comma and the word “and” in C11-10;



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.C.4.**

Resolution Number: **R – 2020.10.28 – 186**

Resolution Re: Establishing a Schedule and Process for Review and Final Proposal of Potential Charter Amendments

- Possible changes to Ethics Commission provisions to address ongoing appointment challenges;
- Review of Ward boundaries in light of census, provided the census results are received in time (redistricting counts should be sent to states by March 31, 2021 per current guidance, which may leave insufficient time for redistricting to occur during this proposed amendment process) (C1-2);
- Clarify in C11-13 that acts contrary to ordinances are “violation” level offenses;
- Possibly bring \$1,000 default fine into line with \$500 default fine in [RSA 49-C:31](#);
- Possibly include express residency qualification for City Council and School Board members (C3-4; C4-4) and, if necessary or advisable, update the process for filling vacancies (C3-5; C4-5), as compared to RSA 49-C:9 and RSA 49-C:10 and other related statutes specific to school board vacancies (RSA 671:33).
- Other potential amendments as proposed by City Council or through public input process.

Below is a brief overview of the charter “amendment” process:

1. City Council reviews its charter and determines if and what amendments may be necessary or prudent. (Current stage)
2. City Council finalizes proposed amendments and text of same, then provides for public notice/hearing on those proposed amendments.
  - a. Notice must be in newspaper at least seven days prior to hearing;
  - b. Hearing can be by council or a committee;
  - c. Must have a new hearing if any substantive amendments are made;
3. Within seven days after final hearing, a report must be filed with City Clerk. *See* RSA 49-B:5, I(a))
4. City Clerk then needs to seek approval of the proposed amendments from three State of New Hampshire bodies: Secretary of State, Attorney General, and Commissioner of DRA pursuant to RSA 49-B:4-a.
5. Within 45 days, the state-level actors shall review amendments and give notice to clerk of approval/disapproval. *See* RSA 49-B:4-a, I(d).
6. If not approved by state actors, then amendment does not go to voters. (Can try to resolve any objections and re-submit);
7. If/once approved by all state actors, City Council at its next regular meeting must order the proposed amendments to be placed on a ballot at the next regular municipal election.
8. Voters must vote on each amendment. Each amendment must be limited to a single subject, but more than one section of the charter may be amended so long as it is germane to that subject. *See* RSA 49-B:5, I(c).

In terms of a projected timeline for these events, the process (through Step 7) needs to be commenced and completed in time for proposed amendments to appear on the ballot for the November 2021 municipal election. In order to allow time for printing of the ballot, the City Council will need to complete its portion of the process, including State-level approvals by approximately September 1, 2021.



**PERMIT APPLICATION  
CITY OF DOVER, NEW HAMPSHIRE**

Check( ☒ ) the type of application:

RAFFLE\* ☒, TAG\* \_\_\_\_\_, BLOCK PARTY\*\* \_\_\_\_\_,

*Fill In Completely and Return To City Clerk -- PLEASE NO LATER THAN 30 DAYS PRIOR TO EVENT*

Organization Name: American Legion Post 8

Federal Tax ID number for Organization: 02-0215228

Check ( ☒ ) Nature of Organization:

Religious\_\_\_\_, Educational\_\_\_\_, Charitable ☒, Civic\_\_\_\_, Sports\_\_\_\_, Veterans\_\_\_\_, Fraternal or Political\_\_\_\_, Other\_\_\_\_  
(Describe) \_\_\_\_\_

Contact Person: VICKY COUTURE Day Time Telephone: 603-742-2157

Address: 640 CENTRAL AVE Email: aldoverpost8@yahoo.com

Purpose of Permit: Queen of Hearts Drawing

Date of Event: Monday evenings Specific Time: 7pm

Location of Event: 640 Central Ave

**\*\*\*\*\*RAFFLE / TAG PERMITS\*\*\*\*\***

Prize (s) To Be Awarded: 5% to the Dover Childrens Home

Cost of Ticket: \$1 Date of Drawing: Monday evenings

Place of Drawing: 640 Central Ave

\* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS: Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited. Information on these requirements may be found at

<http://www.doj.nh.gov/charitable-trusts/faq.htm>

**\*\*\*\*\*BLOCK PARTY PERMITS\*\*\*\*\***

**\*\*NOTICE TO BLOCK PARTY APPLICANTS: STREET CLOSURES, TRAFFIC DETOURS, AND/OR PARKING RESTRICTIONS MUST BE ARRANGED WITH THE POLICE DEPARTMENT**

Block Party Location (attach map if more than one street is affected): \_\_\_\_\_

Police Department Block Party Approval Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT. I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A , RSA 31:91 and/or RSA 286 and I agree to abide by the same.

SIGNATURE OF APPLICANT: Jenn Malone DATE: 10-8-2020

PRINTED NAME: Jenn Malone  
(duly authorized)

Licensing Board Approval Jim B Date: 10/16/2020



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.2.**

Resolution Number: **R – 2020.11.18 – 187**  
Resolution Re: B14074 Phase II - Professional Engineering Services for Water Systems Facility Upgrades Additional Scope of Work #14, Underwood Engineers

- WHEREAS: A sealed Request for Qualifications (RFQ) B14074 was issued and received for Professional Engineering Services for Water Systems Facility Upgrades on July 9, 2014 at 11:00 am. Four firms replied and interviews were conducted on August 3, 2014 with representatives from all four firms. The evaluating committee recommended award to Underwood Engineers of Portsmouth, NH as the top ranked firm for this project; and
- WHEREAS: The City received Additional Scope of Work #14 in the amount of \$86,600.00 for final design and bidding services for the Central Avenue North Water Improvements project. The preliminary design work was approved via council resolution [R-2020.05.13-074](#); and
- WHEREAS: To be eligible for State of NH funding through the Drinking Water State Revolving Fund, the City followed the RFQ guidelines set by the state for professional engineering services.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue a purchase order for Additional Scope of Work #14 to Underwood Engineers of Portsmouth, NH for Design Phase Engineering Services in the amount not to exceed \$86,600.00. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

The amount of this authorization shall be limited so as not to exceed available funding.

### Financing

| Account                        | Description                       | Appropriation | Balance   |
|--------------------------------|-----------------------------------|---------------|-----------|
| 5300.1.300.43320.4757.03550.17 | Water Systems Facilities Upgrades | 7,381,871     | 2,303,073 |

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Robert Carrier  
By Request

Approved as to Legal: Joshua Wyatt  
Form and Compliance: City Attorney

Recorded by: Susan Mistretta  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.2.**

Resolution Number: **R – 2020.11.18 – 187**  
Resolution Re: B14074 Phase II - Professional Engineering Services for Water Systems Facility Upgrades Additional Scope of Work #14, Underwood Engineers

### DOCUMENT HISTORY:

|                     |                      |
|---------------------|----------------------|
| First Reading Date: | Public Hearing Date: |
| Approved Date:      | Effective Date:      |

### DOCUMENT ACTIONS:

| VOTING RECORD                               |     |    |
|---------------------------------------------|-----|----|
| Date of Vote:                               | YES | NO |
| Mayor Robert Carrier                        |     |    |
| Deputy Mayor Dennis Ciotti                  |     |    |
| Councilor Michelle Muffett-Lipinski, Ward 1 |     |    |
| Councilor Deborah Thibodeaux, Ward 3        |     |    |
| Councilor Joshua Manley, Ward 4             |     |    |
| Councilor Dennis Shanahan, Ward 5           |     |    |
| Councilor Fergus Cullen, Ward 6             |     |    |
| Councilor John O'Connor, At Large           |     |    |
| Councilor Lindsey Williams, At Large        |     |    |
| Total Votes:                                |     |    |
| Resolution does   does not pass.            |     |    |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.2.**

Resolution Number: **R – 2020.11.18 – 187**  
Resolution Re: B14074 Phase II - Professional Engineering Services for Water Systems Facility Upgrades Additional Scope of Work #14, Underwood Engineers

### **RESOLUTION BACKGROUND MATERIAL:**

The City of Dover requested the submission of Statements of Qualifications from full service engineering firms to provide services for water system facilities upgrades including, but not limited to, eight wells and three water treatment facilities. Underwood Engineers was selected via council approval for Phase I on November 12, 2014 and awarded Phase II in the amount of \$350,300.00 on October 26, 2016 via Resolution [R-2016.10.26-142](#).

Additional Scope of Work #1 to Phase II for \$4,700 Temporary PFSA Treatment and \$7,300 conceptual permanent treatment considerations Additional Scope of Work #1 total \$12,000 was approved via council resolution [R-2017.08.09-093](#). New total contract \$362,300.00.

Additional Scope of Work #2 adding \$210,900 additional services at Rochester Road and Bellamy was approved via council resolution [R-2017.08.09-093](#). New total contract \$573,200.00.

Additional Scope of Work #3 adding \$82,100 additional services for Somersworth Interconnection was approved via council resolution [R-2017.08.09-093](#). New total Contract \$655,300.00.

Additional Scope of Work #4 adding \$94,948 additional services for Washington and Main was approved via council resolution [R-2017.11.08-158](#). New total contract \$750,248.00.

Additional Scope of Work #5 adding \$894,000 additional services for Contract I water transmission main and Contract III Willand Pond, Smith/Cummins Wells and Somersworth Interconnection was approved via council resolution [R-2019.01.09-006](#). New total contract \$1,644,248.00.

Additional Scope of Work #6 adding \$18,400 for Portsmouth-Dover Water Interconnection. New total contract \$1,662,648.00.

Additional Scope of Work #7 adding \$9,400 additional services for Raw Water Transmission Main and Smith and Cummings and Willand Pond facility improvements. New total contract \$1,672,048.00

Additional Scope of Work #8 adding \$43,700 for engineering survey and preliminary design phase engineering services for Central Avenue North Water Improvements in the amount of \$43,700 was approved via council resolution [R-2020.05.13-074](#). New total contract \$1,715,748.00.

Additional Scope of Work #9 adding \$108,200 for engineering services, including survey, design, subsurface (borings & probes), permitting and bidding services for Littleworth Road Water Improvements was approved via council resolution [R-2020.05.13-074](#). New total contract \$1,823,948.00.

Additional Scope of Work #10 adding \$240,000 for construction administration, resident project representative services, startup services, preparation of an operational and maintenance manual, record drawings, SRF and Trust Fund administration and compliance, and special services for water facilities improvements [Phase II Contract IV – Bellamy Recharge Facility \(Bid #B20039\)](#) was approved via council resolution [R-2020.06.24-114](#). New contract total \$2,063,948.00.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.2.**

Resolution Number: **R – 2020.11.18 – 187**  
Resolution Re: B14074 Phase II - Professional Engineering Services for Water Systems Facility Upgrades Additional Scope of Work #14, Underwood Engineers

Additional Scope of Work #11 adding \$10,000 for a Water Storage Tank Evaluation of the Garrison Hill Tank was approved via council resolution [R-2020.06.24-114](#). New contract total \$2,073,948.00.

Additional Scope of Work #12 adding \$37,000 for preliminary design services at French Cross Road Water Treatment Plant and Hughes Well was approved via council resolution [R-2020.06.24-114](#). New contract total \$2,110,948.00.

Additional Scope of Work #13 adding \$191,100 for professional engineering services for the construction phase, which includes construction administration, resident project representative services, record drawings and geotechnical and soil testing for Main Street and Washington Street Water Improvements approved via council resolution [R-2020.09.23-155](#). New contract total \$2,302,048.00.

Additional Scope of Work #14 is being requested for final design and bidding services for Central Avenue North Water Improvements in the amount of \$86,600. The Central Avenue North Water Improvements project will replace an 1888 vintage 6-inch diameter, cast iron water main with a new 12-inch main. It will run on Central Avenue from Abbey Sawyer Memorial Drive up to Glenwood Avenue. It will significantly improve reliability and fire flow capacity and replace a 130 year old pipe. New contract total \$2,388,648.00.

### **Award Information:**

A purchase order revision will be issued to the vendor selected to authorize expenditures as outlined in this resolution.

### **Purchasing Information:**

|                                    |                         |                                     |                                                                                                     |
|------------------------------------|-------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------|
| <b>Type:</b>                       | Purchase Order          | <b>Advertised:</b>                  | Yes                                                                                                 |
| <b>Invitations Mailed:</b>         | 206                     | <b>Number of Responses:</b>         | 4                                                                                                   |
| <b>Warranty:</b>                   | n/a                     | <b>Terms:</b>                       | Net 30, FOB Dover                                                                                   |
| <b>Work Bonded:</b>                | No                      | <b>Contract:</b>                    | Yes                                                                                                 |
| <b>Prices will hold for:</b>       | Until Completed         | <b>Estimated Delivery:</b>          | 2020                                                                                                |
| <b>Recommended Award to:</b>       | Underwood Engineers     | <b>Fund:</b>                        | CIP Water                                                                                           |
| <b>Other Approvals Required:</b>   | State NH if using DWSRF | <b>References Checked:</b>          | Satisfactory                                                                                        |
| <b>Previously Worked for City:</b> | Yes                     | <b>Reason for Council Approval:</b> | Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation. |

### **[B14074 Bid Documents and Vendor List](#)**



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.3.**

Resolution Number: **R – 2020.11.18 – 188**  
Resolution Re: Construction Support Environmental Consulting Services  
for Broadway Railroad Culvert Project - Additional Scope of  
Work with Ransom Consulting LLC

WHEREAS: Soil testing for the Broadway Railroad Culvert Project has shown indications there is some level of contamination of what is considered “urban fill”, thereby limiting its re-use, and putting restrictions on its ultimate disposal. Therefore, excavation material must be stockpiled onsite, analyzed, and then approved either for re-use, or for disposal at an offside location; and

WHEREAS: In 2013, the City issued RFP #B13075 for a Phase 2 Environmental Review for a parcel of land owned by the City. Ransom Consulting, LLC (Ransom) was ultimately selected for the work. The work included a determination of what type of “urban fill” could be disposed at the City’s Dredge Cell; and

WHEREAS: Per 5-28.B, Competitive Bidding Purchase; Waiver: Competitive bidding may be waived by a majority vote of the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue a Purchase Order to Ransom Consulting, LLC of Portsmouth, NH for continued Construction Support Environmental Consulting Field Services during earthwork activities for the Broadway Railroad Culvert project in the amount of \$60,000.00. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

The amount of this authorization shall be limited so as not to exceed available funding.

| Financing                      |             |                |              |
|--------------------------------|-------------|----------------|--------------|
| Account                        | Description | Appropriation  | Balance      |
| 4020.1.300.43121.4751.03176.20 | Roadways    | \$1,320,000.00 | \$193,922.01 |

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Robert Carrier  
By Request

Approved as to Legal Joshua Wyatt  
Form and Compliance: City Attorney

Recorded by: Susan Mistretta  
City Clerk

Document Created by: Purchasing  
Document Posted on: November 13, 2020

R-2020.11.18 Construction Support Environmental  
Consulting Services for Broadway Railroad Culvert Project  
- Additional Scope of Work, Ransom Consulting LLC.doc  
Page 1 of 4



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.3.**

Resolution Number: **R – 2020.11.18 – 188**  
Resolution Re: Construction Support Environmental Consulting Services  
for Broadway Railroad Culvert Project - Additional Scope of  
Work with Ransom Consulting LLC

### DOCUMENT HISTORY:

|                     |                      |
|---------------------|----------------------|
| First Reading Date: | Public Hearing Date: |
| Approved Date:      | Effective Date:      |

### DOCUMENT ACTIONS:

| VOTING RECORD                               |     |    |
|---------------------------------------------|-----|----|
| Date of Vote:                               | YES | NO |
| Mayor Robert Carrier                        |     |    |
| Deputy Mayor Dennis Ciotti                  |     |    |
| Councilor Michelle Muffett-Lipinski, Ward 1 |     |    |
| Councilor Deborah Thibodeaux, Ward 3        |     |    |
| Councilor Joshua Manley, Ward 4             |     |    |
| Councilor Dennis Shanahan, Ward 5           |     |    |
| Councilor Fergus Cullen, Ward 6             |     |    |
| Councilor John O'Connor, At Large           |     |    |
| Councilor Lindsey Williams, At Large        |     |    |
| Total Votes:                                |     |    |
| Resolution does   does not pass.            |     |    |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.3.**

Resolution Number: **R – 2020.11.18 – 188**  
Resolution Re: Construction Support Environmental Consulting Services  
for Broadway Railroad Culvert Project - Additional Scope of  
Work with Ransom Consulting LLC

### RESOLUTION BACKGROUND MATERIAL:

The City of Dover sought prequalification submittals from construction general contractors and pipe jacking contractors for a large-diameter storm drain culvert project. The work for the Broadway Street Railroad Culvert Project includes construction of approximately 800 feet of new storm drain pipes and culverts in Broadway Street near New York Street and within easements located on private property, including 210 feet of 72-inch and 84-inch drain pipe to depths in excess of 25 feet below grade utilizing open-cut methods, 205 feet of 84-inch reinforced concrete drain pipe to be installed by pipe jacking underneath a large embankment carrying active railroad lines owned by B&M Railroad, large-diameter drain manholes and chambers, and other ancillary work.

During the design process, test borings were conducted at the project site with soil analysis for hazardous compounds. Non-hazardous urban fill was allowed to be stockpiled at the Waterfront, or disposed at the City's Dredge Cell. The City remains liable for the excavated material, as it's a result of a City-directed public infrastructure project. More recent soil monitoring has raised a concern about possible elevated levels of lead and petroleum related VOC's.

The City retained Ransom in the summer of 2019 to develop both a Soil Management Plan and a Site Health & Safety Plan when a sink hole was discovered on a City drainage pipe that ran through DES identified Activity & Use Restricted area of contaminated soils at Maglaras' Marina. The City has continued to use Ransom to help monitor contaminant parameters and determine what may be disposed at the Dredge Cell.

During ongoing excavation work, Ransom staff will continue to provide field oversight to assess nature of soil contaminants, and determine reuse potential and disposal options. They will also ensure that site soils are managed in accordance with the Soil Management Plan (SMP) and related NH DES approvals. Services provided by Ransom include field screening of the soils using a hand-held x-ray fluorescence (XRF) analyzer for metals contaminants of concern, primarily lead, to assist in soil management and coordination between the City and the NH DES. Central to this task is the identification of urban fills from native soils, mixtures of native soils and native bedrock, or placed specification fills. Potential re-use and stockpiling and the need for sampling and testing of those soils will be based on NH DES approvals of proposed management.

In October 2019, the City approved Soil Characterization and Management for the Broadway Railroad Culvert project in the amount of \$24,695.00 via council resolution [R-2019.10.23-175](#).

In March 2020, the City approved additional Soil Characterization and Management for the Broadway Railroad Culvert project in the amount of \$24,200.00.

In June 2020, the City approved additional Soil Characterization and Management for the Broadway Railroad Culvert project in the amount of \$24,700.00 via council resolution [R-2020.06.24-107](#).

In July 2020, the City approved additional Soil Characterization and Management for the Broadway Railroad Culvert project in the amount of \$45,000.00 via council resolution [R-2020.07.22-121](#).



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.3.**

Resolution Number: **R – 2020.11.18 – 188**  
Resolution Re: Construction Support Environmental Consulting Services  
for Broadway Railroad Culvert Project - Additional Scope of  
Work with Ransom Consulting LLC

Additional Scope of Work is being requested for continued Construction Support Environmental Consulting Field Services during earthwork activities for the Broadway Railroad Culvert project in the amount of \$60,000.00. The Scope of Work is anticipated to cover excavation work projected through mid-January 2021.

### Project Costs:

| Task   | Description                                                                                          | Ransom Fees        |
|--------|------------------------------------------------------------------------------------------------------|--------------------|
| 001.13 | Construction Support Environmental Consulting Services (Communications and Meetings)                 | \$5,000.00         |
| 001.14 | Construction Support Environmental Consulting Field Services (Construction Support During Earthwork) | \$55,000.00        |
|        | <b>Total Estimated Cost</b>                                                                          | <b>\$60,000.00</b> |

### Bid Information:

Per 5-28.B, Competitive Bidding Purchase; Waiver: Competitive bidding may be waived by a majority vote of the City Council.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.4.**

Resolution Number: **R – 2020.11.18 – 189**

Resolution Re: Tires, Passenger & Truck - State of NH Contract with Sullivan Tire Co., Inc.

WHEREAS: There are several State of New Hampshire contract pricing schedules available for municipal use with various vendors that participate in the discounted sale of passenger and truck tires. Sullivan Tire Co., Inc. in Dover, NH is an authorized dealer in the State of New Hampshire with whom the City does a significant amount of business; and

WHEREAS: Sullivan Tire Co., Inc. offers a discount off the manufacturer's government sales/price list where any non-profit, county, city, town, school district or any other governmental organization is eligible to participate. The City has been very pleased with the availability, service and pricing structure offered by this vendor; and

WHEREAS: The discounted pricing schedule for Sullivan Tire Co., Inc. is April 1, 2019 through March 31, 2024, it seems to be financially prudent for the City to take advantage of the discounts that shall remain firm for the entire term of the contract; and

WHEREAS: Per 5-29B, Exemptions to Competitive Bidding of the Dover Purchasing Procedure, the Purchasing Agent may, with approval of the City Manager, waive bidding procedures when purchasing through the State of New Hampshire or at State bid prices.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue Purchase Orders to Sullivan Tire Co., Inc. of Dover, NH for the purchase of passenger and truck tires, as well as other associated services at discounted rates. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

The amount of this authorization shall be limited so as not to exceed available funding.

### Financing

| Account                        | Description              | Appropriation | Balance    |
|--------------------------------|--------------------------|---------------|------------|
| xxxx.1.xxx.xxxxx.4654.xxxxx.xx | Maint Supplies - Vehides | 320,593.00    | 275,429.57 |
|                                |                          |               |            |

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Robert Carrier  
By Request

Approved as to Legal: Joshua Wyatt  
Form and Compliance: City Attorney

Recorded by: Susan Mistretta  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.4.**

Resolution Number: **R – 2020.11.18 – 189**

Resolution Re: Tires, Passenger & Truck - State of NH Contract with  
Sullivan Tire Co., Inc.

### DOCUMENT HISTORY:

|                     |                      |
|---------------------|----------------------|
| First Reading Date: | Public Hearing Date: |
| Approved Date:      | Effective Date:      |

### DOCUMENT ACTIONS:

| VOTING RECORD                               |     |    |
|---------------------------------------------|-----|----|
| Date of Vote:                               | YES | NO |
| Mayor Robert Carrier                        |     |    |
| Deputy Mayor Dennis Ciotti                  |     |    |
| Councilor Michelle Muffett-Lipinski, Ward 1 |     |    |
| Councilor Deborah Thibodeaux, Ward 3        |     |    |
| Councilor Joshua Manley, Ward 4             |     |    |
| Councilor Dennis Shanahan, Ward 5           |     |    |
| Councilor Fergus Cullen, Ward 6             |     |    |
| Councilor John O'Connor, At Large           |     |    |
| Councilor Lindsey Williams, At Large        |     |    |
| Total Votes:                                |     |    |
| Resolution does   does not pass.            |     |    |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.4.**

Resolution Number: **R – 2020.11.18 – 189**

Resolution Re: Tires, Passenger & Truck - State of NH Contract with Sullivan Tire Co., Inc.

### RESOLUTION BACKGROUND MATERIAL:

There are several State of New Hampshire contract pricing schedules available for municipal use with various vendors that participate in the discounted sale of passenger and truck tires. Sullivan Tire Co., Inc. in Dover, NH is an authorized dealer in the State of New Hampshire with whom the City does a significant amount of business.

The City has been very pleased with the availability, service and pricing structure offered by this vendor and wishes to continue with their current discounted pricing schedules. The pricing and terms and conditions are extended to non-profits, counties, cities, towns, school districts, special district or precinct, or any other governmental organization, but does not lock them into only purchasing from Sullivan Tire Co., Inc. Total City expenditures for FY2020 were approximately \$60,000.00 which included the purchase of tires and retreads, as well as associated costs of tire dismounting, mounting, balancing and alignments.

Per 5-29B Exemptions to Competitive Bidding of the Dover Purchasing Procedure, the Purchasing Agent may, with approval of the City Manager, waive bidding procedures when purchasing through the State of New Hampshire or at State bid prices. As the estimated expense may exceed the \$25,000.00 threshold, Council approval is required.

### PURCHASING INFORMATION:

|                                    |                                                           |                                     |                                                                   |
|------------------------------------|-----------------------------------------------------------|-------------------------------------|-------------------------------------------------------------------|
| <b>Type:</b>                       | Purchase Order                                            | <b>Advertised:</b>                  | No                                                                |
| <b>Invitations Mailed:</b>         | N/A                                                       | <b>Number of Responses:</b>         | N/A                                                               |
| <b>Warranty:</b>                   | Per Manufacturer                                          | <b>Terms:</b>                       | Net 30, FOB Dover                                                 |
| <b>Work Bonded:</b>                | No                                                        | <b>Contract:</b>                    | Yes/State of NH                                                   |
| <b>Prices will hold for:</b>       | Through 3/31/2024                                         | <b>Estimated Delivery:</b>          | As needed                                                         |
| <b>Recommended Award to:</b>       | Sullivan Tire Co., Inc.                                   | <b>Fund:</b>                        | Various                                                           |
| <b>Other Approvals Required:</b>   | State of NH Contract No. 8002529, Approved 4/1/19-3/31/24 | <b>References Checked:</b>          | Satisfactory                                                      |
| <b>Previously Worked for City:</b> | Yes                                                       | <b>Reason for Council Approval:</b> | Purchase to exceed the \$25,000 amount requiring Council approval |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.5.**

Resolution Number: **R – 2020.11.18 - 190**

Resolution Re: Replacement of Compressor at the Dover Ice Arena

WHEREAS: The City received a quote from Carrier Corporation for the replacement of the lead compressor at the Dover Ice Arena in the amount of \$38,680.00. Carrier Corporation is the manufacturer of the existing units, installer and has been maintaining the three compressors located at the ice arena for several years; and

WHEREAS: It is necessary to replace the equipment to have the ice arena operational at full capacity, and upon issuance of a purchase order will promptly begin work to provide the labor and material for the replacement of the 30HXC chiller; and

WHEREAS: Per 5-29.F Exemptions to Competitive Bidding: Sole Source purchases where the proposed purchase is manufactured or provided by only one entity.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue a Purchase Order to Carrier Corporation of Williston, VT for the replacement of one compressor at the Dover Ice Arena in the amount of \$38,680.00. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

The amount of this authorization shall be limited so as not to exceed available funding.

### Financing

| Account                        | Description                 | Appropriation | Balance   |
|--------------------------------|-----------------------------|---------------|-----------|
| 1000.1.190.41991.4840.00000.00 | Misc Gen Govt - Contingency | 284,298.00    | 48,314.50 |
|                                |                             |               |           |

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Robert Carrier  
By Request

Approved as to Legal  
Form and Compliance: Joshua Wyatt  
City Attorney

Recorded by: Susan Mistretta  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.5.**

Resolution Number: **R – 2020.11.18 - 190**

Resolution Re: Replacement of Compressor at the Dover Ice Arena

### DOCUMENT HISTORY:

First Reading Date:

Public Hearing Date:

Approved Date:

Effective Date:

### DOCUMENT ACTIONS:

| VOTING RECORD                               |     |    |
|---------------------------------------------|-----|----|
| Date of Vote:                               | YES | NO |
| Mayor Robert Carrier                        |     |    |
| Deputy Mayor Dennis Ciotti                  |     |    |
| Councilor Michelle Muffett-Lipinski, Ward 1 |     |    |
| Councilor Deborah Thibodeaux, Ward 3        |     |    |
| Councilor Joshua Manley, Ward 4             |     |    |
| Councilor Dennis Shanahan, Ward 5           |     |    |
| Councilor Fergus Cullen, Ward 6             |     |    |
| Councilor John O'Connor, At Large           |     |    |
| Councilor Lindsey Williams, At Large        |     |    |
| Total Votes:                                |     |    |
| Resolution does   does not pass.            |     |    |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.5.**

Resolution Number: **R – 2020.11.18 - 190**

Resolution Re: Replacement of Compressor at the Dover Ice Arena

### RESOLUTION BACKGROUND MATERIAL:

There are three compressors in the refrigeration system, A1, A2 and B1 which have run efficiently over the years at the Dover Ice Arena. The City has a maintenance agreement with Carrier Corporation who is the manufacturer of the compressors and who has maintained the units for most of their life since installation. Recently the lead compressor (A1) has had numerous operational issues and after several attempts to fix the unit, it has come down to the inner workings of the unit breaking down. The compressor has an average life span of 50,000 hours of operation and is currently at 60,000 hours.

The other large compressor (A2) and the smaller unit (B1) are able to handle one sheet that is now open, however, if the Foster Rink ice is added back in, there is no guarantee that these two units alone will be able to meet that need.

### Bid Information:

No bid solicitation as this is a sole source purchase.

### Award Information:

A purchase order will be issued to the vendor selected to authorize future expenditures as outlined in this resolution.

### Purchasing Information:

|                                    |                     |                                     |                                                                    |
|------------------------------------|---------------------|-------------------------------------|--------------------------------------------------------------------|
| <b>Type:</b>                       | Purchase Order      | <b>Advertised:</b>                  | No                                                                 |
| <b>Invitations Emailed:</b>        | N/A                 | <b>Number of Responses:</b>         | N/A                                                                |
| <b>Warranty:</b>                   | Per manufacturer    | <b>Terms:</b>                       | Net 30, FOB Dover                                                  |
| <b>Work Bonded:</b>                | No                  | <b>Contract:</b>                    | Annual Service Agreement                                           |
| <b>Prices will hold for:</b>       | 12/5/2020           | <b>Estimated Delivery:</b>          | 6-8 weeks                                                          |
| <b>Recommended Award to:</b>       | Carrier Corporation | <b>Fund:</b>                        | Operating                                                          |
| <b>Other Approvals Required:</b>   | No                  | <b>References Checked:</b>          | Satisfactory                                                       |
| <b>Previously Worked for City:</b> | Yes                 | <b>Reason for Council Approval:</b> | Purchase to exceed the \$25,000 amount requiring Council approval. |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.6.**

Resolution Number: **R – 2020.11.18 – 191**  
Resolution Re: **Approval of Memorandum of Agreement Regarding  
Parking Spaces between One First Dover, LLC and  
City of Dover**

WHEREAS: The City of Dover has leased a parking lot from One First Dover, LLC (“One First”) containing 26 +/- parking spaces on the northerly side of First Street at Tax Map 6, Lot 20.

WHEREAS: The existing lease expires November 30, 2020;

WHEREAS: As set forth in the attached Memorandum of Agreement (hereinafter “MOA”) Regarding Parking Rights, One First and the City again wish to enter into a Memorandum of Agreement in order to continue leasing the aforesaid parking lot through November 30, 2021;

WHEREAS: The Parking Commission has previously reviewed and endorsed leasing the aforesaid parking lot.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL:

The City Manager is authorized to negotiate, finalize, and sign a Memorandum of Agreement between One First Dover, LLC and the City.

### AUTHORIZATION

|                                              |                                     |               |                                    |
|----------------------------------------------|-------------------------------------|---------------|------------------------------------|
| Approved as to Funding:                      | Daniel R. Lynch<br>Finance Director | Sponsored by: | Mayor Robert Carrier<br>By request |
| Approved as to Legal<br>Form and Compliance: | Joshua M. Wyatt<br>City Attorney    |               |                                    |
| Recorded by:                                 | Susan Mistretta<br>City Clerk       |               |                                    |

|                                                                                                               |                                                                                                                                                                                                                                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p><b>CITY OF DOVER</b></p> | <p style="text-align: center;"><b>CITY OF DOVER - RESOLUTION</b></p> <p style="text-align: right;">Agenda Item#: 13.A.6.</p> <p>Resolution Number: <b>R – 2020.11.18 – 191</b><br/> Resolution Re: <b>Approval of Memorandum of Agreement Regarding<br/> Parking Spaces between One First Dover, LLC and<br/> City of Dover</b></p> |
|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**DOCUMENT HISTORY:**

|                     |                      |
|---------------------|----------------------|
| First Reading Date: | Public Hearing Date: |
| Approved Date:      | Effective Date:      |

**DOCUMENT ACTIONS:**

| <b>VOTING RECORD</b>                        |     |    |
|---------------------------------------------|-----|----|
| Date of Vote:                               | YES | NO |
| Mayor Robert Carrier                        |     |    |
| Deputy Mayor Ciotti                         |     |    |
| Councilor Michelle Muffett-Lipinski, Ward 1 |     |    |
| Councilor Deborah Thibodeaux, Ward 3        |     |    |
| Councilor Joshua Manley, Ward 4             |     |    |
| Councilor Dennis Shanahan, Ward 5           |     |    |
| Councilor Fergus Cullen, Ward 6             |     |    |
| Councilor John O'Connor, At Large           |     |    |
| Councilor Lindsey Williams, At Large        |     |    |
| Total Votes:                                |     |    |
| Resolution does   does not pass.            |     |    |

**RESOLUTION BACKGROUND MATERIAL:**

The parking lot is located behind the Oriental Delight restaurant. Attached is a current draft of the proposed new Memorandum of Agreement Regarding Parking Spaces between One First Dover, LLC and the City of Dover.

## MEMORANDUM OF AGREEMENT

On this \_\_\_\_\_ day of \_\_\_\_\_, 2020, the City of Dover, New Hampshire, 288 Central Avenue, Dover, New Hampshire 03820 (“the City”) and the One First Dover, LLC (“One First”), 157 Main Dunstable Road, Suite 102, Nashua, New Hampshire 03060 (collectively “the Parties”), hereby state and agree as follows:

### WHEREAS:

1. One First owns a parking lot (“1 First Street Lot”) containing 26 +/- parking spaces, which is located on the northerly side of First Street and is shown on Tax Assessor Map 6, Lot 20 (1 First Street).
2. There is a need to continue the available public parking in the First Street area.
3. As a result of the foregoing, the Parties are desirous, on a temporary basis, of allowing the City exclusive usage and control of the 1 First Street Lot for motor vehicle parking.

NOW THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, AND BASED UPON THE MUTUAL COVENANTS OF THE PARTIES, THE PARTIES AGREE THAT:

1. The City shall have exclusive control over the 1 First Street Lot and be solely responsible for maintenance, and repair of the 1 First Street Lot during its exclusive use for the term of this Agreement.
2. Signage may be installed and maintained by the City in the 1 First Street Lot at its own expense.
3. The 1 First Street Lot shall be occupied and used for the sole purpose of motor vehicle parking and for no other purpose without One First’s prior written consent. The City may include the 1 First Street Lot in the parking management system for the City of Dover including, but not limited to collection and retention of periodic parking space charges and other parking management techniques and systems, including parking enforcement. No portion of parking revenues generated by the conduct of the parking system of the City of Dover in the 1 First Street Lot shall inure to the benefit of One First.
4. The City will provide for snow plowing and removal, as well as sanding and salting in the 1 First Street Lot, at its discretion consistent with its standards and practices for other City owned/controlled parking lots. Snow from the 1 First Street Lot and its entrance may be stored in the 1 First Street Lot until it is removed by the City.
5. For claims alleging that during the period of the City’s exclusive use under this Agreement unsafe conditions or hazards existed on 1 First Street Lot and caused bodily injury or property

damage to a third party and/or an employee, agent, servant, or invitee of the City, the City will:

- A. Add the One First as an additional insured to its liability insurance for bodily injury and property damage at limits of \$1 million per occurrence and \$1 million aggregate. The City shall provide One First a certificate of insurance. Pursuant to the additional insured coverage, the City's insurer will defend and indemnify the One First for the claims described above in this paragraph 5. Coverage shall not exceed \$1 million per occurrence and \$1 million aggregate for the policy coverage period.
  - B. In the event the City's insurer denies One First's defense and indemnification within the limits described in paragraph 5A against the claims described above in this paragraph 5, the City will hold harmless, defend, and indemnify One First, provided that defense and indemnification shall be subject to a maximum dollar limit of \$1 million total for all defense costs, attorney's fees, expense, and settlements/judgments combined.
6. One First may designate and assign three spaces within the 1 First Street Lot for their exclusive use.
  7. This Agreement shall automatically terminate on November 30, 2021. This Agreement may otherwise be terminated by either party or by a successor or assign of One First, for any reason, upon thirty (30) days written notice to the other. Upon termination all signage installed by the City shall be removed at the City's expense. Any improvements made by the City shall become the property of One First.
  8. This Agreement has been entered into in New Hampshire and shall be interpreted under New Hampshire law.
  9. This Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, but such counterparts together shall constitute but one and the same instrument. The City and One First are not and shall not be considered to be joint ventures or partners, and neither shall have power to bind or obligate the other except as specifically set forth herein.
  10. All of the representations, warranties, and covenants by the Parties as contained in this Agreement shall survive the termination of this Agreement.

For the City

For One First Dover, LLC

---

J. Michael Joyal, Jr.  
City Manager  
(duly authorized)

---

Tommy Bolduc  
  
(duly authorized)



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.7.**

Resolution Number: **R – 2020.11.18 – 192**

Resolution Re: Authorization to Accept Sewer Easements Transferred  
from Ezra Green's Farm, LLC

WHEREAS: City staff have discovered that a portion of publicly maintained sewer system relies on an area of three sewer easements deeded in the past to a developer of a nearby subdivision, Ezra Green's Farm, LLC; and

WHEREAS: Those three aforementioned sewer easements burden the following three properties: Tax Map G-35-D-0; Tax Map G-32-0-0; Tax Map G-31-1-0; and

WHEREAS: The three sewer easements may be owned by the City of Dover as appurtenant easements, but also may arguably have never been transferred, or expressly transferred, to the City of Dover by the developer; and

WHEREAS: A principal of Ezra Green's Farm, LLC is offering to execute a quitclaim deed to the City of Dover expressly transferring the three sewer easements in order to remove any doubt concerning the City's ownership and operational control of those three easements.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The City Manager is hereby authorized to negotiate, finalize, sign, acquire, and accept a quitclaim deed from Ezra Green's Farm, LLC transferring and assigning ownership and operational control of the three sewer easements (and related infrastructure) referenced in the background of this resolution on terms acceptable to all parties, and to take any necessary steps to record said deed at the Strafford County Registry of Deeds.

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Robert Carrier  
By request

Approved as to Legal  
Form and Compliance: Joshua M. Wyatt  
City Attorney

Recorded by: Susan M. Mistretta  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.7.**

Resolution Number: **R – 2020.11.18 – 192**

Resolution Re: Authorization to Accept Sewer Easements Transferred  
from Ezra Green's Farm, LLC

### DOCUMENT HISTORY:

|                     |                      |
|---------------------|----------------------|
| First Reading Date: | Public Hearing Date: |
| Approved Date:      | Effective Date:      |

### DOCUMENT ACTIONS:

| VOTING RECORD                               |     |    |
|---------------------------------------------|-----|----|
| Date of Vote:                               | YES | NO |
| Mayor Robert Carrier                        |     |    |
| Deputy Mayor Ciotti                         |     |    |
| Councilor Michelle Muffett-Lipinski, Ward 1 |     |    |
| Councilor Deborah Thibodeaux, Ward 3        |     |    |
| Councilor Joshua Manley, Ward 4             |     |    |
| Councilor Dennis Shanahan, Ward 5           |     |    |
| Councilor Fergus Cullen, Ward 6             |     |    |
| Councilor John O'Connor, At Large           |     |    |
| Councilor Lindsey Williams, At Large        |     |    |
| Total Votes:                                |     |    |
| Resolution does   does not pass.            |     |    |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

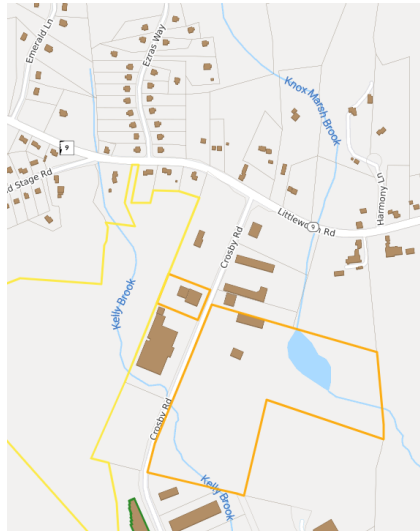
**Agenda Item#: 13.A.7.**

Resolution Number: **R – 2020.11.18 – 192**

Resolution Re: Authorization to Accept Sewer Easements Transferred from Ezra Green's Farm, LLC

### **RESOLUTION BACKGROUND MATERIAL:**

A current draft of the quitclaim deed is attached. The three easements are recorded with the Strafford County Registry of Deeds at Book 2386, Page 404, Book 2231, Page 791, and Book 2271, Page 175. The sewer line traverses the three properties highlighted in yellow below, running from the south of Littleworth Road and across Crosby Road:



The City owns the first parcel to the south of Littleworth Road.

The next map excerpt below shows (approximately) the location of the sewer line in yellow:



## QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS, that Ezra Green's Farm, LLC, a New Hampshire limited liability company with an address of PO Box 715, Bedford, New Hampshire 03110, for consideration paid, grants, conveys, and assigns to the City of Dover, a municipal corporation with an address of 288 Central Avenue, Dover, NH 03820, and its successors and assigns, with QUITCLAIM COVENANTS, any and all right, title and interest in three sewer easements as follows:

A. The ownership of and operational control over an easement and the sewer line and related structures and infrastructure contained therein as reserved to Ezra Green's Farm, LLC in the Warranty Deed from Ezra Green's Farm, LLC to the City of Dover, New Hampshire, recorded at Strafford County Registry of Deeds at Book 2386, Page 404, which easement extends across a certain tract of land situate in Dover, Strafford County and State of New Hampshire, as shown on a plan entitled "Boundary Plan for Peter Theodore in Dover, New Hampshire" prepared by Seacoast Engineering, Inc. dated November 16, 1987 and recorded in the Strafford County Registry of Deeds as Plans 33-68 and 33-69.

B. The ownership of and operational control over the sewer easement and the sewer line and related structures and infrastructure contained therein as granted to Ezra Green's Farm, LLC by easement deed of Miesfeldt, *et al*, recorded at Strafford County Registry of Deeds at Book 2231, Page 791, including the perpetual right to lay, construct, reconstruct, operate, maintain, repair, replace and remove sewer and water mains, including the necessary underground pipes, conduits, manholes and other appurtenances across the Property as described in said deed.

C. The ownership of and operational control over a permanent sewer line easement and the sewer line and related structures and infrastructure contained therein as conveyed to Ezra Green's Farm, LLC by deed from Business Partners, Inc., recorded at Strafford County Registry of Deeds at Book 2271, Page 175, including the right to lay, construct, reconstruct, operate, maintain, repair, replace and remove sewer main, including the necessary underground pipes, conduits, manholes and other appurtenances across the Property as described in said deed, in substantial conformance to final as-built plans drawn by Norway Plains Associates, Inc. dated January, 2001, entitled, "SEWER EASEMENT PLAN, CROSBY ROAD, DOVER, N.H., FOR BUSINESS PARTNERS, INC." (the "As Built Plan"), a copy of which is recorded at the Strafford County Registry of Deeds as Plan No. 61-50.

The above easements are granted, conveyed, and assigned subject to any terms and conditions as set forth in the above referenced deeds and with the rights and privileges as granted in said deeds, and is further subject to any rights of other parties who have previously been authorized to connect to the sewer lines referenced herein.

Pursuant to RSA 78-B:2, I, this conveyance is exempt from the transfer tax.

Ezra Green's Farm, LLC is a dissolved limited liability company. This conveyance is granted as part of the winding up process for the company, in accordance with N.H. RSA 304-C. The undersigned is duly authorized to act on behalf of Ezra Green's Farm, LLC.

By accepting this deed, the Grantee agrees to accept responsibility for the use and maintenance of the sewer lines and easements conveyed herein.

The City's acceptance of this conveyance was authorized by vote of the Dover City Council on November 18, 2020.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2020.

Ezra Green's Farm, LLC

By: \_\_\_\_\_  
Eric S. Katz, Manager  
Duly Authorized

STATE OF NEW HAMPSHIRE  
ROCKINGHAM, SS

Personally, appeared Eric S. Katz, Manager of Ezra Green's Farm, LLC, and acknowledged that he executed the above Deed, as his free act and deed on behalf of the limited liability company, before me, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

Accepted by the City of Dover.

\_\_\_\_\_  
J. Michael Joyal, Jr., City Manager

STATE OF NEW HAMPSHIRE  
STRAFFORD, SS

Personally appeared J. Michael Joyal, Jr. City Manager for the City of Dover, and acknowledged that he executed the above instrument, as his free act and deed on behalf of the City of Dover, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

| <br><b>CITY OF DOVER</b> | CITY OF DOVER - ORDINANCE                                                             |                              |
|-----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------|
|                                                                                                           | Ordinance Number: <b>O – 2020.11.18 – 013</b><br>Ordinance Title:       Fine Schedule | <b>Agenda Item#: 13.C.1.</b> |

The City of Dover Ordains:

**1. PURPOSE**

The purpose of this ordinance is to amend the existing Fine Schedule comprising part of the City of Dover’s Code to include certain updates and technical amendments. The Fine Schedule exists by virtue of City ordinance as a separate, stand-alone component of the Code.

**2. AMENDMENT**

The Fine Schedule comprising part of the City of Dover’s Code is hereby amended by deleting all references to “FY20” in the table’s header.

**3. AMENDMENT**

The Fine Schedule comprising part of the City of Dover’s Code is hereby amended by inserting the Month/Year of the most recent revision date in the header for the first page.

**4. AMENDMENT**

The Fine Schedule comprising part of the City of Dover’s Code is hereby amended by deleting the letters “sewe” within the section for Chapter 69.

**5. AMENDMENT**

The Fine Schedule comprising part of the City of Dover’s Code is hereby amended by adding to the Section for Chapter 69 a \$25 fine maximum on “at large” violations, consistent with RSA 466:30.

**6. AMENDMENT**

The Fine Schedule comprising part of the City of Dover’s Code is hereby amended by adding to the Chapter 141 provisions a new Section 12 as follows:

| <b>SECTION 12 Violations and Penalties</b>                                                                                                                                                                                                                                                     |                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| <p><u>Violations of this section shall be punishable by the imposition of a citation of \$150 for the first offense. Repeat offenders may be punished by the imposition of citations to \$250 for each offense. These amounts apply unless a more specific fine is provided elsewhere.</u></p> | <p><u><b>\$150.00 first offense/\$250 for each repeat offense</b></u></p> |



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 13.C.1.**

Ordinance Number: **O – 2020.11.18 – 013**

Ordinance Title: **Fine Schedule**

### 7. AMENDMENT

The Fine Schedule comprising part of the City of Dover's Code is hereby amended by deleting the current section header entitled "Section 23. First Notices of violation; payment tables" within Chapter 141, as well as deleting the following text:

|                                                                                                                                                      |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <del>All parking(B) violations enumerated in §§ 141-13 through 141-38 shall be Table A violations as set forth herein.</del>                         |  |
| <del>(1) Violations of §§ 141-13E(1) and F, 141-14A(9) and (12) and E, 141-16A and 141-31C(4) shall be Table B violations as set forth herein.</del> |  |
| <del>(2) Violations of §§ 141-14A(11) and F shall be Table C violations as set forth herein.</del>                                                   |  |
| <del>(3) Violations of § 141-16D shall be subject to the provisions of that section.</del>                                                           |  |

### 8. AMENDMENT

The Fine Schedule comprising part of the City of Dover's Code is hereby amended by deleting the header "POLICE DEPARTMENT" within the Chapter 141 Section.

### 9. AMENDMENT

The Fine Schedule comprising part of the City of Dover's Code is hereby amended by deleting the Section header "PARKING TICKET FINES/PENALTIES" with the Chapter 141 Section and replacing same with "Section 23. First notice of violation; payment tables".

### 10. AMENDMENT

The Fine Schedule comprising part of the City of Dover's Code is hereby amended by adding the words ", subject to increase per provisions below" following "First notice" in the "Table A Violations" subsection of the Fine Schedule's Chapter 141 Section.

### 11. AMENDMENT

The Fine Schedule comprising part of the City of Dover's Code is hereby amended by adding the words "Dover Code Section 141-23" and deleting "City Ordinance #166-30" throughout the "Table A Violations" subsection of the Fine Schedule's Chapter 141 Section.

### 12. AMENDMENT

The Fine Schedule comprising part of the City of Dover's Code is hereby amended by adding the words ", subject to increase per provisions below" following "First notice" in the "Table B Violations" subsection of the Fine Schedule's Chapter 141 Section.



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 13.C.1.**

Ordinance Number: **O – 2020.11.18 – 013**

Ordinance Title: **Fine Schedule**

### 13. AMENDMENT

The Fine Schedule comprising part of the City of Dover's Code is hereby amended by adding the words "Dover Code Section 141-23" and deleting "City Ordinance #166-30" throughout the "Table B Violations" subsection of the Fine Schedule's Chapter 141 Section.

### 14. AMENDMENT

The Fine Schedule comprising part of the City of Dover's Code is hereby amended by adding the words ", subject to increase per provisions below" following "First notice" in the "Table C Violations" subsection of the Fine Schedule's Chapter 141 Section.

### 15. AMENDMENT

The Fine Schedule comprising part of the City of Dover's Code is hereby amended by adding the words "Dover Code Section 141-23" and deleting "City Ordinance #166-30" throughout the "Table C Violations" subsection of the Fine Schedule's Chapter 141 Section.

### 16. AMENDMENT

The Fine Schedule comprising part of the City of Dover's Code is hereby amended by deleting the header "OTHER" for the final subsection within the Fine Schedule's Chapter 141 Section, and replacing same with "SECTION 141-31 Unlawful acts; separate violations."

### 17. AMENDMENT

The Fine Schedule comprising part of the City of Dover's Code is hereby amended by deleting the following text with the Fine Schedule's Chapter 141 Section:

|                                                                                                                                                                                    |                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| <b>Code 03 – Winter Parking Multiple Violator 5+</b><br>* Per City Ordinance #166-19D<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code | <b>\$100.00</b>         |
| <b>Online Violation payment</b><br>* Per Budget Resolution<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                            | <b>\$2.00/Violation</b> |

### 18. AMENDMENT

The Fine Schedule comprising part of the City of Dover's Code is hereby amended by deleting the words "Per Budget Resolution" in the subsection for "Chronic Meter Offense – 5+ on street meter violations", and replacing said text with "Dover Code Section 141-31(D)".



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 13.C.1.**

Ordinance Number: **O – 2020.11.18 – 013**

Ordinance Title: **Fine Schedule**

### 19. AMENDMENT

The Fine Schedule comprising part of the City of Dover's Code is hereby amended by adding to the Chapter 141 provisions a new Section 39(D) as follows:

| <b>SECTION 39(D) Weight limits established</b>                                           |                     |
|------------------------------------------------------------------------------------------|---------------------|
| Violations of this section shall be punishable by the imposition of a citation of \$100. | <u><b>\$100</b></u> |

### 20. AMENDMENT

Each of the foregoing amendments to the Fine Schedule set forth above are shown as set forth below:

| <b>FINE SCHEDULE (Rev. Dec. 2020)</b>                                                                                                                                                                                                                                                                                                                                                  | <b>FY20-<br/>ADOPTED FINE</b>                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| <b>CITY CODE</b>                                                                                                                                                                                                                                                                                                                                                                       |                                                       |
| <b>CHAPTER 17 - Election Procedures</b>                                                                                                                                                                                                                                                                                                                                                |                                                       |
| <b>SECTION 7. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                            |                                                       |
| Any person found in violation of this article may be subject to a fine of up to \$1,000.                                                                                                                                                                                                                                                                                               | Up to \$1000.00                                       |
| <b>SECTION 11. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                           |                                                       |
| Failure of any candidate or member of a committee to comply with the provisions of this article shall be a violation under New Hampshire law. Failure of the candidate to file on a continuing basis after notice of a violation of this article shall constitute a continuing offense resulting in daily violations and daily fines until the disclosure statement is properly filed. | Up to \$1000.00                                       |
| <b>CHAPTER 29 - Property, City</b>                                                                                                                                                                                                                                                                                                                                                     |                                                       |
| <b>SECTION 5 - Storage of sludge on City property prohibited.</b>                                                                                                                                                                                                                                                                                                                      |                                                       |
| Any person, firm or corporation violating this provision shall be guilty of a violation and, upon conviction, fined not less than \$500 nor more than \$1,000 for each day sludge is stored on City property.                                                                                                                                                                          | Not less than \$500.00<br>nor more than<br>\$1,000.00 |
| <b>SECTION 8. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                            |                                                       |
| Any person, firm or corporation violating any provisions of this article shall be deemed guilty of a violation and shall, upon conviction, be subject to a fine of up to \$500.                                                                                                                                                                                                        | Up to \$500.00                                        |
| <b>SECTION 14. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                           |                                                       |
| Any person violating any of the provisions of this article shall be deemed guilty of a violation and shall, upon conviction, be subject to a fine of up to \$100.                                                                                                                                                                                                                      | Up to \$100.00                                        |
| <b>CHAPTER 41 - Adult-Oriented Establishments</b>                                                                                                                                                                                                                                                                                                                                      |                                                       |
| <b>SECTION 6. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                            |                                                       |



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 13.C.1.**

Ordinance Number: **O – 2020.11.18 – 013**

Ordinance Title: **Fine Schedule**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| Any person, firm or corporation violating any of the provisions of this article shall be guilty of a violation and subject to a fine of up to \$1,000, no portion of which may be suspended. The store's license shall be subject to suspension for the first offense and revocation for a subsequent conviction.                                                                                                                                                                                                                                                                                      | Up to \$1000.00                                       |
| <b>SECTION 11. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                       |
| Any person, firm or corporation violating any provision of this article shall be fined not less than \$500 nor more than \$1,000 for each offense. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.                                                                                                                                                                                                                                                                                                                                        | Not less than \$500.00<br>nor more than<br>\$1,000.00 |
| <b>CHAPTER 45 - Alarms and Security</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                       |
| <b>SECTION 16- Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                       |
| Any person who violates any provision of this article shall be guilty of a violation and, upon conviction, shall be fined not less than \$50 nor more than \$100. Each day that the violation remains in effect shall constitute a separate violation.                                                                                                                                                                                                                                                                                                                                                 | Not less than \$50.00<br>nor more than \$100.00       |
| <b>SECTION 22. (B) Required Inspections.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                       |
| If one of these persons is found to have purposely or knowingly revealed the information contained in an alarm user permit application or in correspondence or communications with an alarm user to any person for any purpose not related to this article or official law enforcement matters or without the express written consent of the alarm user supplying such information, he shall be guilty of a violation and shall be fined \$100.                                                                                                                                                        | \$100.00                                              |
| <b>FINE SCHEDULE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>FY20-<br/>ADOPTED FINE</b>                         |
| <b>SECTION 23. (A) Operation without permit; violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                       |
| Any alarm system user who operates an alarm system without first obtaining a permit as required by this article or who operates an alarm system when such permit has expired shall be guilty of a violation and, upon conviction, shall be fined not less than \$50 nor more than \$100.                                                                                                                                                                                                                                                                                                               | Not less than \$50.00<br>nor more than \$100.00       |
| <b>SECTION 23. (B) Operation without permit; violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                       |
| Any alarm system user who, after having a permit revoked and after exhausting his right to a hearing, fails to disconnect his alarm system shall be guilty of a violation and, upon conviction, shall be fined \$100.                                                                                                                                                                                                                                                                                                                                                                                  | \$100.00                                              |
| <b>SECTION 24. (B) False alarms; violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                       |
| Except during the first thirty-day period following the installation of an alarm system, there shall be a service charge of \$75 for each false alarm received in excess of three in a calendar year.                                                                                                                                                                                                                                                                                                                                                                                                  | \$75.00                                               |
| <b>SECTION 24. (C) False alarms; violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                       |
| In any case when an alarm is received at police headquarters and the Police Department is unable to locate or make contact with the persons responsible for the alarm systems, as designed by the alarm user on the application form, or in case the persons responsible do not expeditiously respond when notified, the City of Dover, its officers, agents, servants and employees shall be exempt from any and all liability for any claim or loss or damage, personal or property, which may result, and a shall be a service charge of \$30 shall be paid to the City of Dover by the alarm user. | \$30.00                                               |
| <b>SECTION 30. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                       |
| Unless otherwise provided, any person, firm or corporation within the boundaries of the City of Dover who violates any provision of this article shall be guilty of a violation and, upon conviction, shall be punished by a fine of \$100. Each day during which a violation continues shall be considered a separate offense.                                                                                                                                                                                                                                                                        | \$100.00                                              |
| <b>SECTION 33. Fire alarm malfunction; responsibility of owner.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                       |



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: O – 2020.11.18 – 013

Ordinance Title: Fine Schedule

|                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Failure to return an affidavit of service/repair within said fifteen-day period which is satisfactory to the enforcement official will result in the assessment against the owner of a fine of \$275, or the sum of the total fiscal year operating budget divided by 8760 (the average Fire and Rescue Service operating cost for one hour), whichever is more, for the fire alarm malfunction. | \$275.00                                                            |
| <b>CHAPTER 49 - Amusements</b>                                                                                                                                                                                                                                                                                                                                                                   |                                                                     |
| <b>SECTION 10. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                     |                                                                     |
| Any person or organization violating the provisions of this article shall be guilty of a violation and be subject to a fine of up to \$500.                                                                                                                                                                                                                                                      | Up to \$500.00                                                      |
| <b>CHAPTER 53 - Bicycles and Play Vehicles</b>                                                                                                                                                                                                                                                                                                                                                   |                                                                     |
| <b>SECTION 6.(A) Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                   |                                                                     |
| Any person 16 years of age or older found violating this chapter shall be guilty of a violation and shall be fined no more than \$50 for a first offense and no more than \$100 for subsequent offenses.                                                                                                                                                                                         | \$50.00/1st offense no more than \$100.00/subsequent offenses       |
| <b>CHAPTER 61 - Building Demolition</b>                                                                                                                                                                                                                                                                                                                                                          |                                                                     |
| <b>SECTION 3. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                      |                                                                     |
| Any person, firm or corporation violating any provisions of this chapter shall be fined not less than \$500 per offense, and each day of such violation or failure to comply shall constitute a separate offense.                                                                                                                                                                                | Not less than \$500/per offense                                     |
| <b>CHAPTER 65 - Cemeteries</b>                                                                                                                                                                                                                                                                                                                                                                   |                                                                     |
| <b>SECTION 6. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                      |                                                                     |
| Any person violating the terms of this chapter shall constitute a violation subject to the penalties of state law.                                                                                                                                                                                                                                                                               | No less than \$100/ per Violation per RSA 289                       |
| <b>FINE SCHEDULE</b>                                                                                                                                                                                                                                                                                                                                                                             | <b>FY20- ADOPTED FINE</b>                                           |
| <b>CHAPTER 69 - Dogs</b>                                                                                                                                                                                                                                                                                                                                                                         |                                                                     |
| <b>SECTION 6.(C) Penalty for unlicensed dogs.</b>                                                                                                                                                                                                                                                                                                                                                |                                                                     |
| A fine not to exceed \$25 shall be imposed for an offense.                                                                                                                                                                                                                                                                                                                                       | \$25.00                                                             |
| <b>SECTION 13. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                     |                                                                     |
| Any owner found violating any provisions of this Article II shall be guilty of a violation and, upon conviction thereof, shall be punished by a fine of not less than \$25 for a first offense and, upon a second or subsequent conviction within 12 months of a violation of this article, a fine of not less than \$50.                                                                        | \$25.00 for first offense/\$50.00 for second or subsequent offenses |
| <del>sew</del> <b>SECTION 17.(A) Violations and penalties</b>                                                                                                                                                                                                                                                                                                                                    |                                                                     |
| Any person convicted of a violation of this Article III shall be fined not more than \$50, <u>except that fines for "at large" violations of RSA 466:30 and Section 69-14 shall be not more than \$25.</u>                                                                                                                                                                                       | <u>Not more than \$50.00, and \$25.00 for "at large" violation.</u> |
| <b>CHAPTER 81 - Fire Prevention and Life Safety</b>                                                                                                                                                                                                                                                                                                                                              |                                                                     |
| <b>SECTION 12.(A) Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                  |                                                                     |



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 13.C.1.**

Ordinance Number: **O – 2020.11.18 – 013**

Ordinance Title: **Fine Schedule**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <p>Any person who shall violate any of the provisions of Dover Code Chapter 81, Article I, as hereby adopted or fail to comply therewith or who shall violate or fail to comply with any order made thereunder or who shall build in violation of any detailed statement of specifications or plan submitted and approved thereunder and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the Chief of the Fire and Rescue Service or by a court of competent jurisdiction, within the time fixed herein, shall severally, for each and every violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not less than \$275 nor more than \$500 for each offense. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.</p> | <p>Not less than \$275.00<br/>nor more than \$500.00<br/>for each offense</p> |
| <b>SECTION 21. Violations and penalties</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                               |
| <p>Any person, persons, firm, corporation or partnership who or which shall violate any provisions of this article shall be guilty of a violation punishable by a fine of not less than \$275.00 or not more than \$500. Each day that a violation continues to exist shall constitute a separate offense</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>Not less than \$275.00<br/>or not more than<br/>\$500.00</p>               |
| <b>SECTION 22. Inspection of certain public spaces.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                               |
| <p>All public halls or other rooms or buildings used, wholly or in part, for theatrical or other entertainment or for exhibits of any nature or in which people assemble for dancing or for other social or recreational purposes shall be subject to inspection at any and all times by the Fire Chief or the Chief of Police, and any and all mandates or orders issued by said officials, or either of them, in the interest of fire protection or for the safety of the public, shall be obeyed forthwith by any owner or lessee of such hall or building upon whom such notice may be served, and any attempt to obstruct either of said officials in the discharge of his duty hereunder or any violation of the order formally issued by either of said officials under the provisions of this section shall subject the offender to a fine of not less than \$275 or such other penalty as the court having jurisdiction may impose.</p>                                                                                                                                                                           | <p>Not less than \$275</p>                                                    |



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 13.C.1.**

Ordinance Number: **O – 2020.11.18 – 013**

Ordinance Title: **Fine Schedule**

| <b>FINE SCHEDULE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>FY20-<br/>ADOPTED FINE</b>                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| <b>SECTION 26.(A) Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                        |
| Any person, persons, firm, corporation or partnership who or which shall violate any provision of this article shall be guilty of a violation punishable by a fine of not less than \$275 or not more than \$500. Each day that the violation continues to exist shall constitute a separate offense.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                        |
| <b>SECTION 29. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                        |
| Any person, persons, firm, corporation or partnership who or which shall violate any provisions of this article shall be guilty of a violation punishable by a fine of not less than \$275 nor more than \$500. Each day that a violation continues to exist shall constitute a separate offense.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Not less than \$275.00<br>or not more than<br>\$500.00 |
| <b>SECTION 40. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                        |
| Any person, persons, firm, corporation or partnership who or which shall violate any provision of this article shall be guilty of a violation punishable by a fine of not less than \$275 or not more than \$500. Each day that the violation continues to exist shall constitute a separate offense.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Not less than \$275.00<br>or not more than<br>\$500.00 |
| <b>CHAPTER 85 - Food Service Establishments</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                        |
| <b>SECTION 9. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                        |
| Any person violating any provision of this chapter shall be guilty of a violation and, upon conviction, shall be fined up to \$275, and each day of such violation or failure to comply shall constitute a separate offense.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Up to \$275.00                                         |
| <b>CHAPTER 89 - Health and Sanitation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                        |
| <b>SECTION 11. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                        |
| Any person or persons, company or corporation who or which shall violate or cause to be violated, by agent or otherwise, any or either of the sections of this chapter or any or either of the provisions thereof or any or either of the orders, rules or regulations of the Board of Health, legally promulgated, or who or which shall fail or neglect to comply with any or either of the requirements thereof, by agent or otherwise, shall, upon conviction thereof before the Municipal Court or other court of competent jurisdiction, be subject to a fine of up to \$1,000, with the costs of prosecution, for each offense, except in cases where the punishment is made and provided for under the laws of the state, in which case the penalties so prescribed shall be imposed. | Up to \$1,000.00                                       |
| <b>CHAPTER 93 - Housing Standards</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                        |
| <b>SECTION 33. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                        |
| Any person who shall violate any provision of this chapter or any provision of any rule or regulation adopted by the Health Officer pursuant to authority granted by this chapter shall, upon conviction, be punished by a fine not to exceed \$275. Each day's failure to comply with any such provision shall constitute a separate violation.                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not to exceed \$275                                    |
| <b>CHAPTER 101 - Manufactured Home Parks</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                        |
| <b>SECTION 11. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                        |
| Any permittee who violates any requirement of this chapter shall, upon conviction, be fined a sum of at least \$275 for each offense. Each day in which a violation is proved to exist shall constitute a separate offense under this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | At least \$275 for each<br>offense                     |



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 13.C.1.**

Ordinance Number: **O – 2020.11.18 – 013**

Ordinance Title: **Fine Schedule**

| <b>FINE SCHEDULE</b>                                                                                                                                                          | <b>FY20-<br/>ADOPTED FINE</b>                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <b>CHAPTER 105 - Peace and Good Order</b>                                                                                                                                     |                                                                               |
| <b>SECTION 5.(F) Facilitation of drug or underage alcohol party.</b>                                                                                                          |                                                                               |
| Any person who violates Subsection A shall be guilty of a violation and shall be fined a minimum of \$300 for a first offense and \$500 for a second or subsequent violation. | Minimum of \$300 for first offense and \$500 for second or subsequent         |
| <b>SECTION 6.(B) Motor vehicles on school property and park grounds.</b>                                                                                                      |                                                                               |
| Any person violating the provisions of this section shall be subject to a maximum fine of up to \$250.                                                                        | Up to \$250.00                                                                |
| <b>SECTION 8. Operation of boats and vehicles on Willand Pond restricted.</b>                                                                                                 |                                                                               |
| Any person violating the provisions of this section shall be guilty of a violation and shall, upon conviction, be subject to a fine of up to \$1,000.                         | Up to \$1,000.00                                                              |
| <b>SECTION 15.(B) Safe storage of firearms.</b>                                                                                                                               |                                                                               |
| Any person violating the provisions of this section shall be subject to a fine of up to \$1,000.                                                                              | Up to \$1,000.00                                                              |
| <b>SECTION 16.(C) Hunting on City property.</b>                                                                                                                               |                                                                               |
| Any person violating the provisions of this section shall be subject to a fine of up to \$1,000 per offense.                                                                  | Up to \$1,000.00                                                              |
| <b>SECTION 17.(B) Rolling papers.</b>                                                                                                                                         |                                                                               |
| Any person violating the provisions of this section shall be subject to a fine of up to \$100.                                                                                | Up to \$100.00                                                                |
| <b>SECTION 18.(C) Henry Law Park, school grounds and athletic fields.</b>                                                                                                     |                                                                               |
| Any person violating the provisions of this section shall be subject to a fine of up to \$50 for a first offense and up to \$100 for a second or subsequent offense.          | Up to \$50 for first offense and up to \$100 for second or subsequent offense |
| <b>SECTION 19.(C) McConnell Center and Dover Public Library.</b>                                                                                                              |                                                                               |
| Any person violating the provisions of this section shall be subject to a fine of up to \$50 for a first offense and up to \$100 for a second or subsequent offense.          | Up to \$50 for first offense and up to \$100 for second or subsequent offense |
| <b>SECTION 20.(B) Use of electronic nicotine delivery systems restricted.</b>                                                                                                 |                                                                               |
| Any person violating the provisions of this section shall be subject to a fine of up to \$50 for a first offense and up to \$100 for a second or subsequent offense.          | Up to \$50 for first offense and up to \$100 for second or subsequent offense |
| <b>SECTION 21.(D) Purchase, use and possession of tobacco products.</b>                                                                                                       |                                                                               |



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 13.C.1.**

Ordinance Number: **O – 2020.11.18 – 013**

Ordinance Title: **Fine Schedule**

|                                                                                                                                                                                                                                                                                                       |                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Any person violating the provisions of this section shall be subject to a fine of up to \$50 for a first offense and up to \$100 for a second or subsequent offense.                                                                                                                                  | Up to \$50 for first offense and up to \$100 for second or subsequent offense |
| <b>FINE SCHEDULE</b>                                                                                                                                                                                                                                                                                  | <b>FY20-ADOPTED FINE</b>                                                      |
| <b>CHAPTER 109 - Peddlers and Vendors</b>                                                                                                                                                                                                                                                             |                                                                               |
| <b>SECTION 8. Violations and penalties.</b>                                                                                                                                                                                                                                                           |                                                                               |
| Any person, firm or corporation violating any provisions of this chapter shall be guilty of a violation and be subject to a fine of at least \$275.                                                                                                                                                   | \$275.00                                                                      |
| <b>CHAPTER 117 - Scenic Roads</b>                                                                                                                                                                                                                                                                     |                                                                               |
| <b>SECTION 4. Violations and penalties.</b>                                                                                                                                                                                                                                                           |                                                                               |
| Any person, firm or corporation violating any provisions of this chapter shall, upon conviction, be subject to a maximum fine of \$1,000. Each day of said violation shall be construed as a separate offense. Said violator shall be held responsible for the restoration of the stone wall or tree. | \$1,000.00                                                                    |
| <b>CHAPTER 121 - Sewers and Water</b>                                                                                                                                                                                                                                                                 |                                                                               |
| <b>SECTION 11.(B) Violation and penalties.</b>                                                                                                                                                                                                                                                        |                                                                               |
| Any person who shall continue any violation beyond the time limit provided for in Subsection A of this section shall be fined in the amount not exceeding \$10,000 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.                        | \$10,000.00                                                                   |
| <b>SECTION 35. Violations and penalties.</b>                                                                                                                                                                                                                                                          |                                                                               |
| Any person, firm or corporation violating any provisions of this article shall, upon conviction, be subject to a fine of up to \$10,000 for each violation. Each day in which any such violation shall continue beyond the time limit shall be deemed a separate violation.                           | \$10,000.00                                                                   |
| <b>SECTION 48. Violations and penalties.</b>                                                                                                                                                                                                                                                          |                                                                               |
| Violation of this article shall be punishable by a fine of \$250 for each violation.                                                                                                                                                                                                                  | \$250.00                                                                      |
| <b>SECTION 52. Violations and penalties.</b>                                                                                                                                                                                                                                                          |                                                                               |
| Violation of this article shall be punishable by a fine of \$100 for the first offense and a fine of \$250 for each subsequent offense.                                                                                                                                                               | \$100 for first offense and \$250 for each subsequent offense                 |
| <b>SECTION 60. Violations and penalties.</b>                                                                                                                                                                                                                                                          |                                                                               |
| Violation of this article shall be punishable by a written warning for the first offense, a fine of \$100 for the second offense, and a fine of \$250 for each subsequent offense                                                                                                                     | \$100 second offense/\$250 for each subsequent offense                        |
| <b>CHAPTER 125 - Streets and Sidewalks</b>                                                                                                                                                                                                                                                            |                                                                               |



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2020.11.18 – 013**

Ordinance Title: **Fine Schedule**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| <b>SECTION 32. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                              |
| Violations, of any provision of this Chapter shall be subject to a fine.                                                                                                                                                                                                                                                                                                                                                                                        | \$250.00 1st Violation<br>\$500.00 2nd Violation<br>\$1,000.00 each successive violation (each day to be a separate offense) |
| <b>CHAPTER 133 - Trees and Vegetation</b>                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                              |
| <b>SECTION 11. Violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                              |
| Violations of any provision of this chapter shall be subject to a maximum fine of \$250.                                                                                                                                                                                                                                                                                                                                                                        | \$250.00                                                                                                                     |
| <b>FINE SCHEDULE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>FY20-ADOPTED FINE</b>                                                                                                     |
| <b>CHAPTER 141 - Vehicles and Traffic</b>                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                              |
| <b>SECTION 5.(B)(5) Travel restrictions.</b>                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                              |
| Violations of this section shall be punishable by the imposition of a citation of \$150 for the first offense. Repeat offenders may be punished by the imposition of citations to \$250 for each offense.                                                                                                                                                                                                                                                       | \$150.00 first offense/\$250 for each repeat offense                                                                         |
| <b>SECTION 12 Violations and Penalties</b>                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                              |
| Violations of this section shall be punishable by the imposition of a citation of \$150 for the first offense. Repeat offenders may be punished by the imposition of citations to \$250 for each offense. These amounts apply unless a more specific fine is provided elsewhere.                                                                                                                                                                                | \$150.00 first offense/\$250 for each repeat offense                                                                         |
| <b>SECTION 23. First notice of violation; payment tables.</b>                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                              |
| <p>All parking(B) violations enumerated in §§ 141-13 through 141-38 shall be Table A violations as set forth herein.</p> <p>(1) Violations of §§ 141-13E(1) and F, 141-14A(9) and (12) and E, 141-16A and 141-31C(4) shall be Table B violations as set forth herein.</p> <p>(2) Violations of §§ 141-14A(11) and F shall be Table C violations as set forth herein.</p> <p>(3) Violations of § 141-16D shall be subject to the provisions of that section.</p> |                                                                                                                              |
| <b>POLICE DEPARTMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                              |
| <b>SECTION 23 First notice of violation; payment tables PARKING TICKET FINES/PENALTIES</b>                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                              |
| <b>Table A Violations:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                              |
| <p><b>First Notice, subject to increase per provisions below</b></p> <p>* Per <u>Dover Code Section 141-23</u> City Ordinance #166-30</p> <p>** Adopted by City Council</p> <p>*** Administrative penalty for violation of Dover City Code</p>                                                                                                                                                                                                                  | \$20.00                                                                                                                      |



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2020.11.18 – 013**

Ordinance Title: **Fine Schedule**

|                                                                                                                                                                                                                                    |                               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| <b>Late Notice (10 days after violation)</b><br>* <u>Dover Code Section 141-23</u> Per City Ordinance #166-30<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                         | \$30.00                       |
| <b>14 days after Late Notice</b><br>* <u>Dover Code Section 141-23</u> Per City Ordinance #166-30<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                                     | \$50.00                       |
| <b>After notification to a collections agency</b><br>* <u>Dover Code Section 141-23</u> Per City Ordinance #166-30<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                    | \$60.00                       |
| <b>Minimum Court Fine</b><br>* <u>Dover Code Section 141-23</u> Per City Ordinance #166-30<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                                            | \$100.00                      |
| <b>Table B Violations:</b>                                                                                                                                                                                                         |                               |
| <b><u>First Notice, subject to increase per provisions below</u></b><br>* <u>Dover Code Section 141-23</u> Per City Ordinance #166-30<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code | \$50.00                       |
| <b>Late Notice (10 days after violation)</b><br>* <u>Dover Code Section 141-23</u> Per City Ordinance #166-30<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                         | \$70.00                       |
| <b>14 days after Late Notice</b><br>* <u>Dover Code Section 141-23</u> Per City Ordinance #166-30<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                                     | \$100.00                      |
| <b>After notification to a collections agency</b><br>* <u>Dover Code Section 141-23</u> Per City Ordinance #166-30<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                    | \$120.00                      |
| <b>Minimum Court Fine</b><br>* <u>Dover Code Section 141-23</u> Per City Ordinance #166-30<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                                            | \$150.00                      |
| <b>FINE SCHEDULE</b>                                                                                                                                                                                                               | <b>FY20-<br/>ADOPTED FINE</b> |
| <b>Table C Violations:</b>                                                                                                                                                                                                         |                               |
| <b><u>First Notice, subject to increase per provisions below</u></b><br>* <u>Dover Code Section 141-23</u> Per City Ordinance #166-30<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code | \$250.00                      |
| <b>Late Notice (10 days after violation)</b><br>* <u>Dover Code Section 141-23</u> Per City Ordinance #166-30<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                         | \$250.00                      |
| <b>14 days after Late Notice</b><br>* <u>Dover Code Section 141-23</u> Per City Ordinance #166-30<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                                     | \$250.00                      |
| <b>After notification to a collections agency</b><br>* <u>Dover Code Section 141-23</u> Per City Ordinance #166-30<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                    | \$300.00                      |



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 13.C.1.**

Ordinance Number: **O – 2020.11.18 – 013**

Ordinance Title: **Fine Schedule**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| <b>Minimum Court Fine</b><br>* Dover Code Section 141-23 Per-City Ordinance #166-30<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | \$300.00              |
| <b>SECTION 141-31 Unlawful acts; separate violations OTHER:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                       |
| <b>Code 03 – Winter Parking Multiple Violator 5+</b><br>* Per City Ordinance #166-19D<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | \$100.00              |
| <b>Online Violation payment</b><br>* Per Budget Resolution<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$2.00/Violation      |
| <b>Chronic Meter Offense - 5+ on street meter violations</b><br>* Dover Code Section 141-31(D) Per-Budget Resolution<br>** Adopted by City Council<br>*** Administrative penalty for violation of Dover City Code                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | \$100.00              |
| <b>SECTION 39(D) Weight limits established</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                       |
| Violations of this section shall be punishable by the imposition of a citation of \$100.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | \$100                 |
| <b>CHAPTER 145 - Waste Management</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                       |
| <b>SECTION 15.(A) Enforcement; violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                       |
| Any person, firm or corporation found to be in violation of any provision of this article shall be assessed an administrative fine of \$100, except where otherwise provided.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | \$100.00              |
| <b>SECTION 16.(F) Composting facilities.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                       |
| Penalties. Any person, corporation, partnership or any other legal entity who or which fails to comply with any of the provisions of this section or any of the regulations in pursuance thereof shall be guilty of a violation and, upon conviction thereof, may be fined not more than \$1,000. Every act of violation and every day upon which a violation occurs shall be considered a separate offense. The City may exercise cease and desist remedies under RSA 676:17-a for repeat offenders.                                                                                                                                                                                                                                                                                                   | Not more than \$1,000 |
| <b>CHAPTER 153 - Site Review Regulations</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                       |
| <b>SECTION 20. Enforcement; violations and penalties.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                       |
| If, after an occupancy permit, temporary or permanent, has been issued and the building or buildings are occupied and/or used, the Planning Board finds that any of the conditions of an approved final site review application are in violation, the Planning Board, or its authorized representative, shall order the owner to make such corrections as it deems necessary to bring the use and operation into conformity with the provisions of such approval. Such order shall be complied with within a period of time extending not more than 30 days from the original notice. Where the owner fails to comply with the notice of the Planning Board, a fine not to exceed \$100 per day may be levied against said owner, and the certificate of occupancy shall be revoked as per RSA 676:4-a. | \$100.00 per day      |



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 13.C.1.**

Ordinance Number: **O – 2020.11.18 – 013**

Ordinance Title: Fine Schedule

### 21. TAKES EFFECT

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

### REQUIRES A PUBLIC HEARING

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Robert Carrier  
By request

Approved as to Legal  
Form and Compliance: Joshua M. Wyatt  
City Attorney

Recorded by: Susan M. Mistretta  
City Clerk



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 13.C.1.**

Ordinance Number: **O – 2020.11.18 – 013**

Ordinance Title: Fine Schedule

### DOCUMENT HISTORY:

First Reading Date:

Public Hearing Date:

Approved Date:

Effective Date:

### DOCUMENT ACTIONS:

| VOTING RECORD                               |     |    |
|---------------------------------------------|-----|----|
| Date of Vote:                               | YES | NO |
| Mayor Robert Carrier                        |     |    |
| Deputy Mayor Ciotti                         |     |    |
| Councilor Michelle Muffett-Lipinski, Ward 1 |     |    |
| Councilor Deborah Thibodeaux, Ward 3        |     |    |
| Councilor Joshua Manley, Ward 4             |     |    |
| Councilor Dennis Shanahan, Ward 5           |     |    |
| Councilor Fergus Cullen, Ward 6             |     |    |
| Councilor John O'Connor, At Large           |     |    |
| Councilor Lindsey Williams, At Large        |     |    |
| Total Votes:                                |     |    |
| Ordinance does   does not pass.             |     |    |



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 13.C.1.**

Ordinance Number: **O – 2020.11.18 – 013**

Ordinance Title: Fine Schedule

### ORDINANCE BACKGROUND MATERIAL:

In the past, the City has adopted a fee schedule and a fine schedule annually with the City's budget. However, with the adoption of the City's new Code in February 2020, the fine schedule became part of the City's Code adoption ordinance. Therefore, the Fine Schedule currently exists as part of an ordinance, and will be updated in the future by way of an ordinance amendment. The amendments accomplished by this ordinance are generally technical in nature and meant to make editorial updates to the Code by adding in some fines, removing fines geared more toward the City's former Code, and updating internal references to the City's former Code to now refer to the current Code.

Below is a summary of the revisions in this ordinance:

- Generally: Deletion of references to "FY20" given that the Fine Schedule will not be geared toward the City's fiscal years and insertion of a revision Month/Year to identify and bookmark the most recent revision going forward;
- Chapter 69: (1) imposing limitation on fines for "at large" violations consistent with RSA 466:30; (2) replacement of inadvertent textual reference with Section 17(A) reference;
- Chapter 141: (1) creating new Section 12 fine provisions; (2) retitling the section addressing Table violations to correspond with title headings used in the City's new Code; (3) deleting vestigial references to "City Ordinance #166-30"; (4) technical amendments to the Section 23 section to clarify and update Code references; (5) clarifying that the table violation fines escalate as the fine remains unaddressed; (6) retitling "OTHER" section to correspond with the City's new code, as well as delete references to provisions not part of the current Code.; (7) incorporate the current Code reference for chronic meter offenses; and (8) include a specific fine for weigh limit violations.

|                                                                                                           |                                                                                                                                                                   |
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| <br><b>CITY OF DOVER</b> | <b>CITY OF DOVER - ORDINANCE</b>                                                                                                                                  |
|                                                                                                           | <b>Agenda Item#: 13.C.2.</b>                                                                                                                                      |
|                                                                                                           | Ordinance Number: <b>O – 2020.11.18 – 014</b><br>Ordinance Title:       Vehicles and Traffic<br>Chapter:                 141<br>Section:                 23<br>30 |

The City of Dover Ordains:

**1. PURPOSE**

The purpose of this ordinance is amend Chapter 141, Vehicles and Traffic, Sections 23 and 30.

**2. AMENDMENT**

Chapter 141 entitled “Vehicles and Traffic” is hereby amended by revising Section 23-B(3), “First notice of violation; payment tables” as follows:

**a. THE FOLLOWING ARE AMENDED:**

§ 141-23 **First notice of violation; payment tables.**

**[Amended 2-11-2015 by Ord. No. 2015.01.28-003; 3-11-2015 by Ord. No. 2015.02.25-009; 4-12-2017 by Ord. No. 2017.03.22-004]**

- A. Late notice. If the fine indicated for the initial violation is not paid within 10 days, the Chief of Police shall send a late notice to the owner of the vehicle. Such notice shall be sent to the primary owner as listed with the motor vehicle department of the state in which the vehicle is registered. The late notice shall be sent by first class mail and shall instruct the vehicle owner that he/she may avoid further prosecution and fine by paying the City of Dover the amount in the applicable payment schedule for that violation.
  
- B. All parking violations enumerated in §§ **141-13** through **141-38** shall be Table A violations as set forth in the Fine Schedule as adopted by City Council, except as follows: **[Amended 8-22-2018 by Ord. No. 2018.08.08-008; 10-10-2018 by Ord. No. 2018.09.26-010; 2-12-2020 by Ord. No. 2020.01.08-001]**
  - (1) Violations of §§ **141-13E(1), 141-13E(6) and F, 141-14A(9) and (12) and E, 141-16A and 141-31C(4), 141-31A(3)(a)(4)**, shall be Table B violations as set forth in the Fine Schedule as adopted by City Council.
  
  - (2) Violations of §§ **141-14A(11)** and F shall be Table C violations as set forth in the Fine Schedule as adopted by City Council.
  
  - ~~(3) Violations of § 141-16D shall be subject to the provisions of that section.~~
  
- C. Parking violation Tables A, B, and C fines shall be as set forth in the Fine Schedule adopted by City Council. **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**

**3. AMENDMENT**

Chapter 141 entitled “Vehicles and Traffic” is hereby amended by revising Section 30(A)(1), “Hours of operation and rates.” as follows:



**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

**Agenda Item#: 13.C.2.**

Ordinance Number: **O – 2020.11.18 – 014**  
Ordinance Title: Vehicles and Traffic  
Chapter: 141  
Section: 23  
30

**a. THE FOLLOWING ARE AMENDED:**

**§ 141-30 Hours of operation and rates.**

**[Amended 4-12-2017 by Ord. No. 2017.03.22-004; 11-8-2017 by Ord. No. 2017.10.25]**

A. Paid parking shall be required daily between the hours of 9:00 a.m. and 8:00 p.m., except on Sundays, with the exception of: **[Amended 2-14-2018 by Ord. No. 2018.01.10; 10-10-2018 by Ord. No. 2018.09.26-010; 7-24-2019 by Ord. No. 2019.07.10-11]**

(1) The Orchard Street Parking Garage where ~~designated as metered or paid parking~~ shall also be ~~required as paid parking required at all times, 24 hours a day and seven days a week daily in designated metered spaces between the hours of 2:00 a.m. and 6:00 a.m.~~

(2) The following holidays: January 1; the third Monday in January, known as Martin Luther King, Jr. Civil Rights Day; the third Monday in February, known as Washington's Birthday; the last Monday in May, known as Memorial Day, or on a date to coincide with the federal observance if it is held on a different day; July 4; the first Monday in September, known as Labor Day; the second Monday in October, known as Columbus Day; November 11, known as Veterans Day; Thanksgiving Day; the Friday after Thanksgiving; and Christmas Day. When one of the listed holidays falls on a Sunday, the Monday after shall be observed as a holiday.

B. Parking meter rates shall be set forth in the annual Fee Schedule adopted by the City Council.

C. For good cause, the Chief of Police, upon recommendation of the Parking Commission, shall have the authority to temporarily suspend the provisions of this section for specified dates and times. **[Added 7-22-2020 by Ord. No. 2020.07.08-005]**

**4. TAKES EFFECT**

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

**REQUIRES A PUBLIC HEARING.**

**AUTHORIZATION**

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Robert Carrier  
By Request

Approved as to Legal  
Form and Compliance: Joshua M. Wyatt  
City Attorney

Recorded by: Susan M. Mistretta  
City Clerk

|                                                                                                               |                                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p><b>CITY OF DOVER</b></p> | <p style="text-align: center;"><b>CITY OF DOVER - ORDINANCE</b></p> <p style="text-align: right;"><b>Agenda Item#: 13.C.2.</b></p> <p>Ordinance Number: <b>O – 2020.11.18 – 014</b><br/> Ordinance Title: Vehicles and Traffic<br/> Chapter: 141<br/> Section: 23<br/> 30</p> |
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**DOCUMENT HISTORY:**

|                     |                      |
|---------------------|----------------------|
| First Reading Date: | Public Hearing Date: |
| Approved Date:      | Effective Date:      |

**DOCUMENT ACTIONS:**

| <b>VOTING RECORD</b>                        |     |    |
|---------------------------------------------|-----|----|
| Date of Vote:                               | YES | NO |
| Mayor Robert Carrier                        |     |    |
| Deputy Mayor Ciotti                         |     |    |
| Councilor Michelle Muffett-Lipinski, Ward 1 |     |    |
| Councilor Deborah Thibodeaux, Ward 3        |     |    |
| Councilor Joshua Manley, Ward 4             |     |    |
| Councilor Dennis Shanahan, Ward 5           |     |    |
| Councilor Fergus Cullen, Ward 6             |     |    |
| Councilor John O'Connor, At Large           |     |    |
| Councilor Lindsey Williams, At Large        |     |    |
| Total Votes:                                |     |    |
| Ordinance does   does not pass.             |     |    |

**ORDINANCE BACKGROUND MATERIAL:**

The amendments to Dover Code 141-23 are technical in nature and meant to update and correct references to the current code. The amendment to Dover Code 141-30 enacts a recent recommendation of the Parking Commission made during its October 2020 meeting.



November 2, 2020

Dover City Council  
City of Dover  
288 Central Avenue  
Dover, NH 03820

***Re: Launch of BNC and JBS HD***

Dear Members of the Council:

We are committed to keeping you and our customers informed about Xfinity TV services. Please find below updates for your community:

- Effective November 12, 2020, Black News Channel HD will be added to Sports & News and Expanded Basic on channel 1116.
- Effective December 8, 2020, Jewish Broadcasting Service HD will be added to Sports & News and Expanded Basic on channel 1684.

HD service and IP-capable equipment is required to view both channels. A limited number of customers may still have older devices that do not support these channels and will not be able to view them until the devices are replaced.

This information is being provided to customers via bill message. Should you have any questions please do not hesitate to contact me at **[Bryan\\_Christiansen@comcast.com](mailto:Bryan_Christiansen@comcast.com)**.

Very truly yours,

*Bryan Christiansen*

Bryan Christiansen, Sr. Manager  
Government Affairs