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1. CALL TO ORDER
2. MOMENT OF SILENCE
3. PLEDGE OF ALLEGIANCE
4. ROLL CALL ATTENDANCE
5. PROCLAMATIONS/AWARDS
6. APPROVAL OF AGENDA
7. PUBLIC HEARINGS

A. FINE SCHEDULE

SPONSORED BY MAYOR CARRIER BY REQUEST

B. CHAPTER 141 – VEHICLES AND TRAFFIC

SPONSORED BY MAYOR CARRIER BY REQUEST

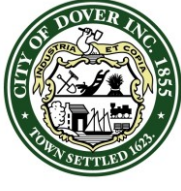
8. CITIZEN'S FORUM

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, 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. November 18, 2020 – Workshop Session
 - B. November 18, 2020 – Special Meeting
 - C. December 2, 2020 – Non-Public Session
 - D. December 2, 2020 – Special Meeting
 - E. December 2, 2020 – Workshop Session
11. MAYOR'S REPORT

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12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

1. FINE SCHEDULE

SPONSORED BY MAYOR CARRIER BY REQUEST

2. CHAPTER 141 – VEHICLES AND TRAFFIC

SPONSORED BY MAYOR CARRIER BY REQUEST

B. ORDINANCES IN THE 3RD READING

C. RESOLUTIONS

13. NEW BUSINESS

A. CONSENT CALENDAR

1. B21023 GENERAL CARPENTRY, SHEETROCK & PAINTING SERVICES

SPONSORED BY MAYOR CARRIER BY REQUEST

2. B21028 ELECTRICAL CONTRACTOR SERVICES

SPONSORED BY MAYOR CARRIER BY REQUEST

3. COMPUTER SOFTWARE - STATE OF NH CONTRACT WITH SHI INTERNATIONAL CORPORATION

SPONSORED BY MAYOR CARRIER BY REQUEST

4. INTERNATIONAL TRUCK REPLACEMENT PARTS - STATE OF NH CONTRACT WITH LIBERTY INTERNATIONAL

SPONSORED BY MAYOR CARRIER BY REQUEST

5. JANITORIAL SUPPLIES - STATE OF NEW HAMPSHIRE CONTRACTS WITH W.B. MASON CO., INC. AND CENTRAL PAPER CO.

SPONSORED BY MAYOR CARRIER BY REQUEST

6. AUTHORIZATION TO MODIFY PRIOR DEBT AGREEMENT WITH DOVER CHILDREN'S CENTER AND ACCEPT PROMISSORY NOTE AND MORTGAGE FROM CAPSC DAYCARE, LLC

SPONSORED BY MAYOR CARRIER BY REQUEST

7. AUTHORITY TO ACCEPT POINTE PLACE DRIVE AS A PUBLIC ROAD

SPONSORED BY MAYOR CARRIER BY REQUEST



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Conference Room**
Meeting Date: **Wednesday, December 9, 2020**
Meeting Time: **7:00 pm**

8. MERIT PLAN AMENDMENT

SPONSORED BY MAYOR CARRIER BY REQUEST

9. APPROVAL OF PROCEDURAL RULES FOR AD-HOC COMMITTEE FOR RACIAL EQUITY AND INCLUSION

SPONSORED BY MAYOR CARRIER BY REQUEST

10. APPROVAL OF PROCEDURAL RULES FOR AD HOC COMMITTEE TO STUDY STORMWATER AND FLOOD RESILIENCE FUNDING

SPONSORED BY MAYOR CARRIER BY REQUEST

11. CONSENT TO AND ACCEPTANCE OF LAND AND EASEMENT CONTRIBUTION FROM STF DEVELOPMENT CORPORATION IN LIEU OF IMPACT FEES

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. **Racial Equity and Inclusion Ad-Hoc Committee**
18. **Recreation Advisory Board**
19. **Solid Waste Advisory Commission**
20. **Stormwater and Flood Resilience Funding Ad-Hoc Committee**
21. Transportation Advisory Commission
22. Waterfront TIF Advisory Board
23. City Council / School Board Collaborative Committee
24. Joint Building Committee – Dover High School and Regional Career Technical Center
25. COAST
26. Cocheco Waterfront Development Advisory Committee
27. Dover Main Street
28. Strafford Regional Planning Commission
29. Tri-City Homelessness Task Force

B. RESOLUTIONS

1. REVIEW AND APPROVAL OF AMENDMENTS TO CITY OF DOVER'S WINTER OPERATIONS SNOW REMOVAL AND ICE CONTROL POLICY

SPONSORED BY MAYOR CARRIER BY REQUEST

2. CITY OF DOVER'S SUPPORT FOR 2021-2023 NEW HAMPSHIRE STATEWIDE ENERGY EFFICIENCY PLAN AND CONTINUATION OF THE NHSAVES PROGRAM

SPONSORED BY COUNCILORS SHANAHAN AND THIBODEAUX

3. B21026 JOHN DEERE MODEL 710L BACKHOE

SPONSORED BY MAYOR CARRIER BY REQUEST



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Conference Room**
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Meeting Time: **7:00 pm**

C. ORDINANCES IN 1ST READING

- 1. CHAPTER 121 – SEWERS AND WATER, SECTIONS 1, 5, AND 11
(TO BE REFERRED TO A PUBLIC HEARING ON JANUARY 13, 2021)
SPONSORED BY MAYOR CARRIER BY REQUEST**

14. COUNCIL CORRESPONDENCE

15. COUNCIL MATTERS OF INTEREST

16. ADJOURN

CITY MANAGER'S REPORT

December 9, 2020

Reporting On:
November 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
Legal Matters/Questions Handled	59	275	466	342
Document Creation & Review Including Contracts	40	130	256	269
Right to Know Requests Processed	04	29	49	41
Resolutions	03	29	75	53
Ordinances	02	10	10	18

Customer Focused Outcomes: Right to Know

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

- Cell Tower Reports
- Fertilizer
- NHPR – Voter Information
- Voter Information

Product & Process Outcomes: Assistance to City Departments

City Council	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;
Community Services	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; Assistance with personnel matters;
Executive	Assistance with personnel matters; Assistance with New Hampshire Retirement System matters; Assistance with new COVID-19 administrative regulation; Assistance with Right to Know request;
Fire & Rescue	Assistance with compliance questions; Assistance with grant acceptance;
Finance	Prepare and review various contracts; track and file City claims with Primex; Assistance with collection; Assistance with grant acceptance process;
Planning	Assistance with development-related contracts; 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); assistance with potential new development agreement;
Police	Assistance with Right to Know matter; Assistance with purchasing and procurement;
Public Library	No legal assistance needed.
Public Welfare	Assistance with compliance questions; Assistance with fair hearing;
Recreation	Assistance with certain leases; Assistance with LWCF grant matter; Assistance with record retention requirements; Assistance with Ice Arena closure and reopening;
School	Assistance with contracts; Assistance with electricity procurement contract; Assistance with Right to Know requests;
Committees	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: Case is in general discovery. Trial scheduled for October 2020 has been continued. No new trial notice has issued. 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.

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 originally scheduled in December 2020 has now been converted to a hearing on a motion to dismiss filed by the intervenor.

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

Leadership & Governance Outcomes:

Summary:

The downtown restaurants that reopened with outside seating, the relaxation of indoor capacity utilization with social distancing and barriers are now facing the onset of cold weather, snow removal issues and increasing dependency on takeout business. This is important to all downtown businesses as the restaurants attract customers to all other downtown merchants. One bright spot this month was the Dover unemployment rate, at the height of the initial pandemic peak, was 17.3 %. At the end of October, it had declined to 3.7%. 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. That benefit is about to be significantly attenuated by the onset of winter weather. Dover's hotels are doing better than expected and are enjoying an average occupancy rate of 75%. The corporate market has declined but the trades, utilities and medical markets have expanded. 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.

The NH MSRP 2.0 support program is providing some relief to small businesses as a bridge until the expected second federal stimulus program rolls out.

The stock market, though somewhat volatile in the oil and commodities sectors in November, 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. Locally, Plaid Friday and Small business Saturday were successful sales events for local businesses. 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. 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.

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 flat 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 last 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 soybean 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. 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 6th best total tax burden in the U.S. 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 November. On-line shopping has, prospered due to the brick and mortar small 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 initially collapsed with the widespread business closures and layoffs. It is estimated by EMSI Data Analytics that of Dover's 3.7% unemployment rate, 2.2% 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 made 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 as 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 but are once again at peak levels but with fewer hospitalizations. 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 2nd 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

	October 2020	October 2019	October 2018
Meter Transactions	35,443	50,460	40,529
Income from Meters - Total	\$63,320	\$93,509	\$54,624
Income from Meters – Parking Garage	\$4,453	\$10,221	\$4,911
Meter Days	26	25	22
Average Meter Transactions Per Day	1,363	2,018	1,842

	Fiscal YTD 2021	Fiscal Year 2020	Fiscal Year 2019
Meter Transactions	132,867	442,999	466,721
Income from Meters - Total	\$232,529	\$792,054	\$648,806
Meter Days	103	292	249
Average Meter Transactions Per Day	1,290	1,517	1,874

Electric Vehicle Charging Stations

Month	Number of Times Charging Stations Used	Amount Added to Parking Activity Fund
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
October 2020	11	\$39.00

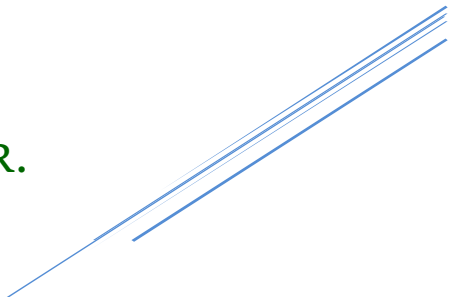
COAST

Ridership Activity

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

Month	Route 1 Dover/Somersworth/ Berwick	Route 13 Dover/Somersworth	Route 33 Downtown Dover/County Complex/Portland Ave	Route 34 Downtown Dover/Knox 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
October 2020	3,331	2,700	1,148	266

J. MICHAEL JOYAL, JR.
CITY MANAGER





CITY OF DOVER

CITY COUNCIL – AGENDA

Meeting Type: Workshop Session
Meeting Location: City Hall, Council Conference Room
Meeting Date: **Wednesday, November 18, 2020**
Meeting Time: **6:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Deputy Mayor Ciotti led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Carrier, Deputy Mayor Ciotti, Councilor Cullen, Councilor O'Connor, Councilor Shanahan. Councilor Muffett-Lipinski attended virtually. Councilor Thibodeaux logged in virtually at 6:10 pm. Councilor Williams logged in virtually at 6:57 pm.

Absent: Councilor Manley

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

5. CITIZEN'S FORUM

Citizens are invited to speak on the subject matter of the Workshop. Statements shall be limited to five minutes.

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

6. DISCUSSIONS

A. FISCAL YEARS 2022-2027 CAPITAL IMPROVEMENTS PROGRAM (CIP)

City Manager Joyal gave an overview regarding the intent of this Workshop's discussion on the CIP.

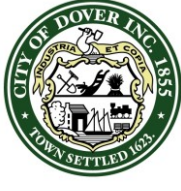
The Council discussed several areas in the CIP. Department Heads were available to answer questions.

Deputy Mayor Ciotti mentioned one change he would like to make for Garrison Elementary School. He also recommended the prices for projects be kept current.

7. ADJOURNMENT

Councilor Shanahan moved to adjourn; seconded by Councilor Cullen.

Roll Call Vote: 8/0.

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1. CALL TO ORDER

2. ~~MOMENT OF SILENCE~~

3. ~~PLEDGE OF ALLEGIANCE~~

4. ROLL CALL ATTENDANCE

Present: Mayor Carrier, Deputy Mayor Ciotti, Councilor Cullen, Councilor O'Connor, Councilor Shanahan. Councilor Muffett-Lipinski, Councilor Thibodeaux, and Councilor Williams attended virtually.

Absent: Councilor Manley.

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

5. PROCLAMATIONS/AWARDS

A. PLAID FRIDAY AND SUPER SATURDAY TO SUPPORT SMALL BUSINESSES

Mayor Carrier read the proclamation to the Council and citizens.

6. APPROVAL OF AGENDA

Councilor Shanahan moved to add the following items:

Item 6.A – Public Hearing for Emergency Ordinance for Face Coverings

6.B. – Emergency Ordinance – Chapter 89, Section 14

Substitute as a whole Item 13.A.2.

13.C.3. Authorization for Issuance of Tax Anticipation Note for Fiscal Year 2021.

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

Roll Call Vote: 8/0/

6.A. PUBLIC HEARING FOR EMERGENCY ORDINANCE – CHAPTER 89, SECTION 14 WEARING OF FACE COVERINGS IN THE CITY OF DOVER.

Pastor Taigen Joos, Heritage Baptist Church, 186 Dover Point Road: He spoke against the Emergency Ordinance.

Michael Runey, 3 Seaborne Drive: He spoke against the Emergency Ordinance.

Nicholas Foley, 62 Belknap Street: He spoke against the Emergency Ordinance.

Zachary Woodward, Cushing Street: He spoke against the Emergency Ordinance.

Adam Anderson, 41 Nye Lane: He spoke against the Emergency Ordinance.

 CITY OF DOVER	CITY COUNCIL - MINUTES <table border="0" style="width: 100%;"> <tr> <td style="width: 30%;">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>	Meeting Type:	Special Meeting	Meeting Location:	City Hall, Council Conference Room	Meeting Date:	Wednesday, November 18, 2020	Meeting Time:	7:00 pm
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Marybeth Perrelli, 35 New Rochester Road: She spoke against the Emergency Ordinance.

Michael Comeau, 50 Dover Point Road: He spoke against the Emergency Ordinance.

Erin Kniphfer– Owner of Kid’s Culture Childcare and Learning Center, 32 St. Thomas Street: She spoke against the Emergency Ordinance.

John Cannon, 36 Samuel Hanson Avenue: He spoke against the Emergency Ordinance.

Joseph Perrelli, 35 New Rochester Road: : He spoke against the Emergency Ordinance.

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

6.B. EMERGENCY ORDINANCE – CHAPTER 89, SECTION 14 - WEARING OF FACE COVERINGS IN THE CITY OF DOVER.

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Shanahan.

Councilor

City Attorney Wyatt explained the process for an Emergency Ordinance.

Councilor Thibodeaux explained the importance of wearing a mask during this time.

Councilor O’Connor discussed the areas in the Ordinance that he felt were not appropriate and not enforceable.

Councilor Shanahan said he isn’t an expert, but listed all the experts and organizations that encourage the use of masks. He said he would wear a mask all the time if it meant he was protecting someone else. He did have concerns with some of the same restrictions brought up by Councilor O’Connor.

Councilor Cullen asked Police Chief Breault to answer about enforcement.

Police Chief Breault said enforcement will be a challenge. He said they will handle it as an education matter and only enforce it as a last resort.

Councilor Cullen moved to strike Section C and Section D; seconded by Councilor Shanahan.

Mayor Carrier asked for further discussion before the motion to strike.

Councilor Cullen said there was a motion on the floor.

City Manager Joyal said as chairperson the Mayor can reject the motion, and if necessary the Council can overrule the Mayor.

Councilor Shanahan recommended to Councilor Cullen that he withdraw his motion, and he would withdraw his second. Finish the discussion on the original Ordinance.

Councilor Cullen withdrew his motion.

Councilor Shanahan withdrew his second to the motion.

Deputy Mayor Ciotti spoke about the Ordinance and said he would not be supporting it.

Councilor Williams asked about outdoor face coverings.

City Manager Joyal gave an overview of what is meant about wearing a mask outdoors.

Councilor Williams gave an overview of the Ordinance as she felt it impacted the citizens.

Mayor Carrier said people should be wearing a mask in public. He said 80 or 85 percent of the people get it. He said he put this forward to the Council because he was asked to bring it

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forward. He felt there were parts of the Ordinance that can be enhanced. He recommended that it be tabled.

Councilor O'Connor moved to table the Ordinance; seconded by Deputy Mayor Ciotti.
Roll Call Vote: 6/2; Passed. Councilors Muffett-Lipinski and Williams were opposed.

City Manager Joyal gave an overview of what the next steps would be regarding this Ordinance. He asked Councilors to send their suggestions for changes to him or the Mayor. He said there is an ongoing pandemic and encouraged mask use and social distancing guidelines.

7. PUBLIC HEARINGS

A. ESTABLISHING A SCHEDULE AND PROCESS FOR REVIEW AND FINAL PROPOSAL OF POTENTIAL CHARTER AMENDMENTS 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, 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 else 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 following items: Food Baskets being delivered for Thanksgiving, Toy Bank for the holiday season, Homeless Shelter, and securing a grant for addressing a grant to help the homeless. He spoke about the Right to Know request from the media for access to City Council – All emails, which has been activated. He recognized Finance Director Lynch for once again being recognized for excellence in financial reporting.

Councilor Cullen spoke about his concerns regarding the City Council – All emails.

City Manager Joyal said the City has an obligation to be transparent. He said it is the State law that these emails be made available.

Deputy Mayor Ciotti asked if a disclaimer that needs to be checked off to allow the email to be sent.

City Attorney Wyatt asked the Council if they wish him to answer the question in this public session.

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There was no objection from the Council.

City Attorney Wyatt said the Council would be allowing the sender to declare something confidential, and that is not how RSA 91-A works.

Deputy Mayor Ciotti said he wanted a disclaimer to stop the person from sending the email if they do not want to have it become public.

City Manager Joyal asked for a motion to temporary suspend the City Council – All emails being sent to the media.

Councilor Cullen made the motion; seconded by Councilor O'Connor.

Roll Call Vote: 6/2; passed. Councilors Muffett-Lipinski and Williams were opposed.

Deputy Mayor Ciotti moved to accept the City Manager's report; seconded by Councilor O'Connor.

Roll Call Vote: 8/0.

10. APPROVAL OF MINUTES

A. October 28, 2020

Deputy Mayor Ciotti moved to approve the Minutes as presented; seconded by Councilor Shanahan.

Roll Call Vote: 8/0.

11. MAYOR'S REPORT

Mayor Carrier listed the events he attended: Veterans' Day ceremony, Christmas lights, and a meeting with the thirteen Mayors of the State. He spoke Dover Main Street sponsoring the Tree lighting, ice sculpture, decorate your door for the holiday event, and a Santa drive by .

Deputy Mayor Ciotti moved to accept the City Manager's report; seconded by Councilor O'Connor.

Roll Call Vote: 8/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2ND READING

B. ORDINANCES IN THE 3RD READING

C. RESOLUTIONS

1. ADOPTION OF FISCAL YEAR 2022 – 2027 CAPITAL IMPROVEMENTS PROGRAM (CIP)

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Ciotti moved for its adoption; seconded by Councilor O'Connor.

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



CITY OF DOVER

CITY COUNCIL - MINUTES

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

Deputy Mayor Ciotti moved to \$25,000 from 2024 funding for the Garrison Elementary School and moved it to 2022 Garrison Elementary School so the kitchen can be addressed; seconded by Council O'Connor.
Roll Call Vote: 8/0.

Councilor Cullen moved the \$2 million turf construction project up from 2026 to 2022; seconded by Councilor Shanahan.
Councilor Muffett-Lipinski said she was more concerned the City had the funding for the children coming back to school.
Mayor Carrier said a good place to start with that is the City Council/School Board Collaborative Committee meeting.
Councilor Shanahan said the Council can express their intent right now, but can revisit if needed.
City Manager Joyal recommended adopting the document now, and revisit after having a discussion with the School.
Deputy Mayor Ciotti asked about the impact of moving \$2 million dollars on the current year.
City Manager Joyal gave an overview of the impact for both the School and City sides of the budget to the Council.
Councilor Shanahan asked the City Manager to review the recommended changes with the School Department, and come back to the Council.
City Manager Joyal asked Councilor Cullen and Councilor Shanahan if they wanted to hold off on the amendment.
Councilor Cullen asked for a vote on the amendment.
Roll Call Vote: 2/6 Failed. Councilors Cullen and O'Connor voted in favor.

Councilor Cullen motioned to move the Skate Park project a year; seconded by Deputy Mayor Ciotti for discussion.
Councilor O'Connor gave an overview of the project to the Council and supported that it remain where it was in the CIP.
Assistant City Manager Parker said the funding for the Skate Park consisted of impact fees.
Roll Call Vote: 1/7; Failed. Councilor Cullen voted in favor.

City Manager Joyal gave an overview of the additional \$25,000 for the Garrison Elementary School.

Mayor Carrier asked for a roll call vote on the amended Resolution.
Roll Call Vote: 8/0.

Councilor Shanahan moved to have the City Manager work with the Planning Board and School Board to investigate the implications of moving the \$2 million turf management up to fiscal year 2022 and the appropriation of funds from the CARES Act for mental health activities; seconded by Councilor O'Connor.
Roll Call Vote: 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

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

**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**

Deputy Mayor Ciotti moved for its adoption; seconded by Councilor O'Connor.
City Manager Joyal gave an overview of the Resolution to the Council.
Roll Call Vote: 8/0.

**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**

Deputy Mayor Ciotti moved for its adoption; seconded by Councilor O'Connor.
City Manager Joyal gave an overview of the Resolution to the Council.
Roll Call Vote: 8/0.

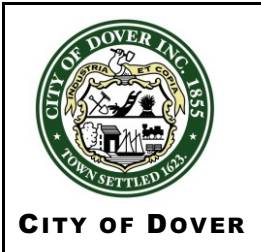
**4. ESTABLISHING A SCHEDULE AND PROCESS FOR REVIEW AND FINAL
PROPOSAL OF POTENTIAL CHARTER AMENDMENTS
SPONSORED BY MAYOR CARRIER BY REQUEST**

Deputy Mayor Ciotti moved for its adoption; seconded by Councilor Shanahan.
Councilor Shanahan gave an overview of the Resolution to the Council.
Roll Call Vote: 8/0.

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**



CITY COUNCIL - MINUTES

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

- 5. REPLACEMENT OF COMPRESSOR AT DOVER ICE ARENA**
SPONSORED BY MAYOR CARRIER BY REQUEST
- 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
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 O'Connor.

Mayor Carrier asked the Council if they had items they would like pulled for further discussion. Deputy Mayor Ciotti pulled 13.A.1.

Roll Call Vote: 8/0.

Deputy Mayor moved to approve the raffle application through the end of 2020.

Roll Call Vote: 8/0.

Councilor Muffett-Lipinski gave an overview of the School Board Report to the Council.

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

Roll Call Vote: 8/0.

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 Shanahan.

Roll Call Vote: 8/0.

 CITY OF DOVER	CITY COUNCIL - MINUTES Meeting Type: Special Meeting Meeting Location: City Hall, Council Conference Room Meeting Date: Wednesday, November 18, 2020 Meeting Time: 7:00 pm
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Councilor Muffett-Lipinski lost her virtual connection.

Deputy Mayor Ciotti gave an overview of the Appointments Committee Report to the Council.
Deputy Mayor Ciotti moved to accept the Appointments Committee Report; seconded by Councilor O'Connor.
Roll Call Vote: 7/0.

Councilor Muffett-Lipinski regained her virtual connection.

Councilor O'Connor gave an overview of the Arena Commission Report to the Council.
Deputy Mayor Ciotti moved to accept the Arena Commission Report; seconded by Councilor O'Connor.
Roll Call Vote: 8/0.

Councilor Shanahan gave an overview of the Arts Commission Report to the Council. He said approval of his report will also include the approval of an Arts installation.
Deputy Mayor Ciotti moved to accept the Arts Commission Report; seconded by Councilor Shanahan.
Roll Call Vote: 8/0.

Councilor Williams gave an overview of the Conservation Commission Report to the Council.
Deputy Mayor Ciotti moved to accept the Conservation Commission Report; seconded by Councilor O'Connor.
Roll Call Vote: 8/0.

Deputy Mayor Ciotti moved to suspend the rules to move the Authorization for Issuance of Tax Anticipation Note for Fiscal Year 2021 Resolution from Item 13.C.3. to Item 13.B.1; seconded by O'Connor.
Roll Call Vote: 8/0.

B. RESOLUTIONS

1. AUTHORIZATION FOR ISSUANCE OF TAX ANTICIPATION NOTE FOR FISCAL YEAR 2021 (TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 2, 2020) SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Ciotti moved to refer to a public hearing on December 2, 2020; seconded by Councilor O'Connor.
Roll Call Vote: 8/0.

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C. ORDINANCES IN 1ST READING

1. FINE SCHEDULE

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

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Ciotti moved to refer to a public hearing on December 9, 2020; seconded by Councilor Cullen.

Roll Call Vote: 8/0.

2. CHAPTER 141 – VEHICLES AND TRAFFIC

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

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Ciotti moved to refer to a public hearing on December 9, 2020; seconded by Councilor O'Connor.

Roll Call Vote: 8/0.

3. CHAPTER 89 – HEALTH AND SANITATION, SECTION 14

DECLARATION OF EMERGENCY AND PURPOSE – WEARING OF FACE COVERINGS IN THE CITY OF DOVER

SPONSORED BY MAYOR CARRIER AND COUNCILOR THIBODEAUX

Moved up on the Agenda

14. COUNCIL CORRESPONDENCE

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

Deputy Mayor Ciotti moved to place correspondence on file; seconded by Councilor Shanahan.

Roll Call Vote: 8/0.

15. COUNCIL MATTERS OF INTEREST

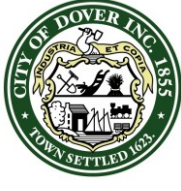
Councilor O'Connor recognized the Dover High School cheerleaders. He urged citizens to donate to the Dover Children's Home.

Mayor Carrier spoke about the Fire Department Labor Union selling raffle tickets to raise funds for warm jackets for children in need.

16. ADJOURN

Councilor O'Connor moved to adjourn; seconded by Deputy Mayor Ciotti.

Roll Call Vote: 8/0.

 CITY OF DOVER	CITY COUNCIL - MINUTES <table border="0" style="width: 100%;"> <tr> <td style="width: 30%;">Meeting Type:</td><td>Public Meeting to Enter Non-Public Session</td></tr> <tr> <td>Meeting Location:</td><td>City Hall, Council Conference Room</td></tr> <tr> <td>Meeting Date:</td><td>Wednesday, December 2, 2020</td></tr> <tr> <td>Meeting Time:</td><td>6:00 pm</td></tr> </table>	Meeting Type:	Public Meeting to Enter Non-Public Session	Meeting Location:	City Hall, Council Conference Room	Meeting Date:	Wednesday, December 2, 2020	Meeting Time:	6:00 pm
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Meeting Location:	City Hall, Council Conference Room								
Meeting Date:	Wednesday, December 2, 2020								
Meeting Time:	6:00 pm								

The City Council will meet in a Public Meeting to enter a Non-public Session to discuss the following topic:

- 1. Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.**

NOTE: The non-public meeting is not open to the public per RSA 91-A:3 II(d).

Mayor Carrier called the meeting to order and asked for a moment of silence.

Mayor Carrier asked Councilor Cullen to lead the Pledge of Allegiance.

Mayor Carrier asked for roll call.

Present: Mayor Carrier, Deputy Mayor Carrier, Councilor Cullen, Councilor O'Connor, Councilor Shanahan. Councilor Muffett-Lipinski, Councilor Thibodeaux, and Councilor Williams attended virtually.

Absent: Councilor Manley.

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

Mayor Carrier asked for a motion to enter into non-public session per RSA 91-A:3 II(d): Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

Deputy Mayor Ciotti made the motion to enter non-public session; seconded by Councilor Shanahan.

Roll Call Vote: 8/0.

Meeting entered into non-public session.

Economic Director Barufaldi, Dover Business and Industrial Development Authority (DBIDA) Chairperson Johnson, Realtor David Choate of New England Commercial Property Exchange, gave an overview of the Enterprise Park proposal being brought forward. They answered questions from the Council.

City Manager Joyal asked for the Council's consensus to continue with this concept with this company.

There was consensus.

Deputy Mayor Ciotti moved to reenter into public session; seconded by Councilor O'Connor.

Roll Call Vote: 8/0.

Deputy Mayor Ciotti moved to adjourn; seconded by Councilor O'Connor.

Roll Call Vote: 8/0.

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1. CALL TO ORDER

2. ~~MOMENT OF SILENCE~~

3. ~~PLEDGE OF ALLEGIANCE~~

4. ROLL CALL ATTENDANCE

Present: Mayor Carrier, Deputy Mayor Carrier, Councilor Cullen, Councilor O'Connor, Councilor Shanahan. Councilor Muffett-Lipinski, Councilor Thibodeaux, and Councilor Williams attended virtually.

Absent: Councilor Manley.

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

5. PUBLIC HEARINGS

A. AUTHORIZATION FOR ISSUANCE OF TAX ANTICIPATION NOTE FOR FISCAL YEAR 2021

SPONSORED BY MAYOR CARRIER BY REQUEST

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

6. UNFINISHED BUSINESS

A. AUTHORIZATION FOR ISSUANCE OF TAX ANTICIPATION NOTE FOR FISCAL YEAR 2021

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Ciotti moved for its adoption; seconded by Councilor O'Connor.

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

Roll Call Vote: 8/0.

7. NEW BUSINESS

A. ACCEPTANCE AND EXPENDITURE OF THE NEW HAMPSHIRE HOUSING FINANCE AUTHORITY GRANT FOR STRAFFORD COUNTY REGIONAL EMERGENCY EXTREME WEATHER WARMING CENTER

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Ciotti recused himself from discussing and voting on this Resolution.

Councilor Shanahan moved for its adoption; seconded by Councilor O'Connor.

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

Roll Call Vote: 7/0. Deputy Mayor Ciotti recused.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Special Meeting**
Meeting Location: **City Hall, Council Conference Room**
Meeting Date: **Wednesday, December 2, 2020**
Meeting Time: **7:00 pm**

**B. AUTHORIZATION TO ACQUIRE AND ACCEPT A DEED FOR 30 WILLAND DRIVE,
SOMERSWORTH FOR USE AS AN EMERGENCY EXTREME COLD WEATHER
WARMING CENTER
SPONSORED BY MAYOR CARRIER BY REQUEST**

Deputy Mayor Ciotti recused himself from discussing and voting on this Resolution.
Councilor Shanahan moved for its adoption; seconded by Councilor O'Connor.
City Manager Joyal gave an overview of the Resolution to the Council.
Roll Call Vote: 7/0. Deputy Mayor Ciotti recused.

8. ADJOURN

Deputy Mayor Ciotti moved to adjourn; seconded by Councilor O'Connor.
Roll Call Vote: 8/0.



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: Workshop Session
Meeting Location: City Hall, Council Conference Room
Meeting Date: **Wednesday, December 2, 2020**
Meeting Time: **To immediately follow Special Meeting**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL ATTENDANCE

Present: Mayor Carrier, Deputy Mayor Carrier, Councilor Cullen, Councilor O'Connor, Councilor Shanahan. Councilor Muffett-Lipinski, Councilor Thibodeaux, and Councilor Williams attended virtually.

Absent: Councilor Manley.

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

5. CITIZEN'S FORUM

Citizens are invited to speak on the subject matter of the Workshop. Statements shall be limited to five minutes.

6. TOPIC OF DISCUSSION

A. DOVER BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY (DBIDA) - ECONOMIC DEVELOPMENT ACTIVITY

Economic Development Director Barufaldi gave an overview of projects DBIDA is working on to develop new businesses in the City.

City Manager Joyal said he will be bringing forward a resolution to be referred to a public hearing regarding this project.

7. ADJOURNMENT

Deputy Mayor Ciotti to adjourn; seconded by Councilor Thibodeaux.

Roll Call Vote: 8/0.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 12.A.1. Ordinance Number: O – 2020.11.18 – 013 Ordinance Title: Fine Schedule
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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:

SECTION 12 Violations and Penalties	
<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>	<u>\$150.00 first offense/\$250 for each repeat offense</u>



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.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:

All parking(B) violations enumerated in §§ 141-13 through 141-38 shall be Table A violations as set forth herein.	
(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.	
(2) Violations of §§ 141-14A(11) and F shall be Table C violations as set forth herein.	
(3) Violations of § 141-16D shall be subject to the provisions of that section.	

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#: 12.A.1.

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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:

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

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)".



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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:

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

20. AMENDMENT

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

FINE SCHEDULE (Rev. Dec. 2020)	FY20- ADOPTED FINE
CITY CODE	
CHAPTER 17 - Election Procedures	
SECTION 7. Violations and penalties.	
Any person found in violation of this article may be subject to a fine of up to \$1,000.	Up to \$1000.00
SECTION 11. Violations and penalties.	
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
CHAPTER 29 - Property, City	
SECTION 5 - Storage of sludge on City property prohibited.	
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 nor more than \$1,000.00
SECTION 8. Violations and penalties.	
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
SECTION 14. Violations and penalties.	
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
CHAPTER 41 - Adult-Oriented Establishments	
SECTION 6. Violations and penalties.	



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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
SECTION 11. Violations and penalties.	
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 nor more than \$1,000.00
CHAPTER 45 - Alarms and Security	
SECTION 16- Violations and penalties.	
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 nor more than \$100.00
SECTION 22. (B) Required Inspections.	
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
FINE SCHEDULE	FY20- ADOPTED FINE
SECTION 23. (A) Operation without permit; violations and penalties.	
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 nor more than \$100.00
SECTION 23. (B) Operation without permit; violations and penalties.	
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
SECTION 24. (B) False alarms; violations and penalties.	
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
SECTION 24. (C) False alarms; violations and penalties.	
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
SECTION 30. Violations and penalties.	
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
SECTION 33. Fire alarm malfunction; responsibility of owner.	



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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
CHAPTER 49 - Amusements	
SECTION 10. Violations and penalties.	
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
CHAPTER 53 - Bicycles and Play Vehicles	
SECTION 6.(A) Violations and penalties.	
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
CHAPTER 61 - Building Demolition	
SECTION 3. Violations and penalties.	
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
CHAPTER 65 - Cemeteries	
SECTION 6. Violations and penalties.	
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
FINE SCHEDULE	FY20- ADOPTED FINE
CHAPTER 69 - Dogs	
SECTION 6.(C) Penalty for unlicensed dogs.	
A fine not to exceed \$25 shall be imposed for an offense.	\$25.00
SECTION 13. Violations and penalties.	
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
sew SECTION 17.(A) Violations and penalties	
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>
CHAPTER 81 - Fire Prevention and Life Safety	
SECTION 12.(A) Violations and penalties.	



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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.	Not less than \$275.00 nor more than \$500.00 for each offense
SECTION 21. Violations and penalties	
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	Not less than \$275.00 or not more than \$500.00
SECTION 22. Inspection of certain public spaces.	
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.	Not less than \$275



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FINE SCHEDULE	FY20- ADOPTED FINE
SECTION 26.(A) Violations and penalties.	
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.	
SECTION 29. Violations and penalties.	
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 or not more than \$500.00
SECTION 40. Violations and penalties.	
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 or not more than \$500.00
CHAPTER 85 - Food Service Establishments	
SECTION 9. Violations and penalties.	
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
CHAPTER 89 - Health and Sanitation	
SECTION 11. Violations and penalties.	
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
CHAPTER 93 - Housing Standards	
SECTION 33. Violations and penalties.	
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
CHAPTER 101 - Manufactured Home Parks	
SECTION 11. Violations and penalties.	
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 offense



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FINE SCHEDULE	FY20- ADOPTED FINE
CHAPTER 105 - Peace and Good Order	
SECTION 5.(F) Facilitation of drug or underage alcohol party.	
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
SECTION 6.(B) Motor vehicles on school property and park grounds.	
Any person violating the provisions of this section shall be subject to a maximum fine of up to \$250.	Up to \$250.00
SECTION 8. Operation of boats and vehicles on Willand Pond restricted.	
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
SECTION 15.(B) Safe storage of firearms.	
Any person violating the provisions of this section shall be subject to a fine of up to \$1,000.	Up to \$1,000.00
SECTION 16.(C) Hunting on City property.	
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
SECTION 17.(B) Rolling papers.	
Any person violating the provisions of this section shall be subject to a fine of up to \$100.	Up to \$100.00
SECTION 18.(C) Henry Law Park, school grounds and athletic fields.	
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
SECTION 19.(C) McConnell Center and Dover Public Library.	
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
SECTION 20.(B) Use of electronic nicotine delivery systems restricted.	
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
SECTION 21.(D) Purchase, use and possession of tobacco products.	



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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
FINE SCHEDULE	FY20-ADOPTED FINE
CHAPTER 109 - Peddlers and Vendors	
SECTION 8. Violations and penalties.	
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
CHAPTER 117 - Scenic Roads	
SECTION 4. Violations and penalties.	
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
CHAPTER 121 - Sewers and Water	
SECTION 11.(B) Violation and penalties.	
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
SECTION 35. Violations and penalties.	
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
SECTION 48. Violations and penalties.	
Violation of this article shall be punishable by a fine of \$250 for each violation.	\$250.00
SECTION 52. Violations and penalties.	
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
SECTION 60. Violations and penalties.	
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
CHAPTER 125 - Streets and Sidewalks	



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SECTION 32. Violations and penalties.

Violations, of any provision of this Chapter shall be subject to a fine.

\$250.00 1st Violation
\$500.00 2nd Violation
\$1,000.00 each
successive violation
(each day to be a
separate offense)

CHAPTER 133 - Trees and Vegetation

SECTION 11. Violations and penalties.

Violations of any provision of this chapter shall be subject to a maximum fine of \$250.

\$250.00

FINE SCHEDULE

**FY20-
ADOPTED FINE**

CHAPTER 141 - Vehicles and Traffic

SECTION 5.(B)(5) Travel restrictions.

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

SECTION 12 Violations and Penalties

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

SECTION 23. First notice of violation; payment tables.

~~All parking(B) violations enumerated in §§ 141-13 through 141-38 shall be Table A violations as set forth herein.~~

~~(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.~~

~~(2) Violations of §§ 141-14A(11) and F shall be Table C violations as set forth herein.~~

~~(3) Violations of § 141-16D shall be subject to the provisions of that section.~~

POLICE DEPARTMENT

SECTION 23 First notice of violation; payment tables **PARKING TICKET- FINES/PENALTIES**

Table A Violations:

First Notice, subject to increase per provisions below

* Per Dover Code Section 141-23 City Ordinance #166-30

** Adopted by City Council

*** Administrative penalty for violation of Dover City Code

\$20.00



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



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Minimum Court Fine * Dover Code Section 141-23 Per-City Ordinance #166-30 ** Adopted by City Council *** Administrative penalty for violation of Dover City Code	\$300.00
SECTION 141-31 Unlawful acts; separate violations OTHER:	
Code 03 – Winter Parking Multiple Violator 5+ * Per City Ordinance #166-19D ** Adopted by City Council *** Administrative penalty for violation of Dover City Code	\$100.00
Online Violation payment * Per Budget Resolution ** Adopted by City Council *** Administrative penalty for violation of Dover City Code	\$2.00/Violation
Chronic Meter Offense - 5+ on street meter violations * Dover Code Section 141-31(D) Per-Budget Resolution ** Adopted by City Council *** Administrative penalty for violation of Dover City Code	\$100.00
SECTION 39(D) Weight limits established	
Violations of this section shall be punishable by the imposition of a citation of \$100.	\$100
CHAPTER 145 - Waste Management	
SECTION 15.(A) Enforcement; violations and penalties.	
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
SECTION 16.(F) Composting facilities.	
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
CHAPTER 153 - Site Review Regulations	
SECTION 20. Enforcement; violations and penalties.	
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



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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

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DOCUMENT HISTORY:

First Reading Date: 11/18/2020

Public Hearing Date: 12/09/2020

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:		
Ordinance does does not pass.		



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.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.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: O – 2020.11.18 – 014 Ordinance Title: Vehicles and Traffic Chapter: 141 Section: 23 30	Agenda Item#: 12.A.2.

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#: 12.A.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

 CITY OF DOVER	CITY OF DOVER - ORDINANCE
	Agenda Item#: 12.A.2.
	Ordinance Number: O – 2020.11.18 – 014 Ordinance Title: Vehicles and Traffic Chapter: 141 Section: 23 30

DOCUMENT HISTORY:

First Reading Date: 11/18/2020	Public Hearing Date: 12/09/2020
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:		
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.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.1.

Resolution Number: **R – 2020.12.09 – 196**
Resolution Re: B21023 General Carpentry, Sheetrock & Painting Services
As-Needed

WHEREAS: A sealed Request for Proposal #B21023 was issued and received for as needed General Carpentry, Sheetrock and Painting Services on November 24, 2020 at 2:00 PM with rates to hold for (1) one year, with the option to renew for two (2) additional one-year terms subject to annual review, funding availability and negotiations at the end of each annual period; and

WHEREAS: The City received eight (8) bid replies which were reviewed for necessary experience, technical and professional qualifications, skills and facilities, project understanding, approach, ability to comply with proposed or required time of completion or performance, possession of a satisfactory record of performance as well as cost; and

WHEREAS: It is the recommendation to accept the proposals deemed most advantageous to the City and with lowest offered rates submitted by Seacoast Houseworks of Dover, NH and as the selected backup vendor, Unified Building Group, Corp. of Barrington, NH; and

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

The Purchasing Agent is hereby authorized to issue purchase orders to Seacoast Houseworks of Dover, NH and Unified Building Group, Corp. of Barrington, NH at the given rates for as needed general carpentry, sheetrock and painting services provided in conjunction with Request for Proposal #B21023. 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.4433	Maintenance of Equipment	\$ 250,420	\$ 125,769
xxxx.1.xxx.xxxxx.4431	Maintenance of Building	\$ 273,907	\$ 227,792

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.1.

Resolution Number: **R – 2020.12.09 – 196**
Resolution Re: B21023 General Carpentry, Sheetrock & Painting Services
As-Needed

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.1.

Resolution Number: **R – 2020.12.09 – 196**
Resolution Re: B21023 General Carpentry, Sheetrock & Painting Services
As-Needed

RESOLUTION BACKGROUND MATERIAL:

The City is seeking proposals from qualified vendors who can provide general carpentry, sheetrock and painting services. The successful bidder must have at least five (5) years' experience in the field. The bidder shall submit qualifications for work and experience.

The contract pricing will be based on Time Only. Materials will be supplied by the City. Man hours paid under this agreement shall be only for production hours.

Examples of the type of projects include, but are not limited to:

- Repair columns at Dover Transportation Center
- Repair roof soffit and trim boards around pump stations
- Build small wall divider for various buildings
- Build offices in various buildings
- Build softball dugouts for Dover High School

Rates are for a one (1) year period beginning 12/15/2020 through 12/14/2021 with the option to be renewed for two (2) additional one-year terms, subject to annual review, funding availability and negotiations at the end of each annual period. Depending on the results of the bid, a backup vendor may be selected.

Bid Information:

Sealed Request for Proposal #B21023 was issued and received for as needed General Carpentry, Sheetrock & Painting Services on November 24, 2020 at 2:00 PM.

Award Information:

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

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	265	Number of Responses:	2
Warranty:	Per Manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	One Year	Estimated Delivery:	As Needed
Recommended Award to:	Seacoast Houseworks & Unified Building Group, Corp.	Fund:	Various
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	No	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation.

[B21023 Bid Documents and Vendor List](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.2.

Resolution Number: **R – 2020.12.09 – 197**
Resolution Re: B21028 Electrical Contractor Services

WHEREAS: A sealed Request for Proposal #B21028 was issued and received for as needed Electrical Contractor Services on November 24, 2020 at 2:30 PM with rates to hold for (1) one year, with the option to renew for three (3) additional one-year terms subject to annual review, funding availability and vendor satisfaction; and

WHEREAS: The City received two bid replies which were reviewed for necessary experience, technical and professional qualifications, possession of a satisfactory record of performance, as well as cost. It is the recommendation to accept the proposal deemed most advantageous to the City and with lowest offered rates submitted by the City's current vendor Martineau Electric, Inc. of Dover, NH; and

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

The Purchasing Agent is hereby authorized to issue purchase orders to Martineau Electric, Inc. given the rates provided in conjunction with Request for Proposal #B21028. 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.4433.xxxxx.xx	Maintenance of Equipment	\$ 250,420	\$ 125,769
xxxx.1.xxx.xxxxx.4431.xxxxx.xx	Maintenance of Building	\$ 273,907	\$ 227,792

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.2.

Resolution Number: **R – 2020.12.09 – 197**
Resolution Re: B21028 Electrical Contractor Services

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 – 2020.12.09 – 197**
Resolution Re: B21028 Electrical Contractor Services

RESOLUTION BACKGROUND MATERIAL:

The electrical contractor must be licensed in the state of New Hampshire and have general knowledge of residential and commercial electrical systems, which would include pumps, motors, transfer switches, Variable Frequency Drives (VFDs), and instrumentation equipment such as Supervisory Control & Data Acquisition (SCADA) systems. The contractor must have their own vehicle, tools & meters. The contractor must be able to respond to emergencies within a 2-hour time frame. The successful bidder must have at least five (5) years experience in the field.

Rates are for a one (1) year period of time (1/1/2021-12/31/2021) with the option to be renewed for three (3) additional one-year terms, subject to funding availability, annual rate review and negotiations at the end of each annual period.

Martineau Electric, Inc. is the City's current vendor and is in the final term of their agreement to expire on December 31, 2020.

Bid Information:

Sealed Request for Proposal #B21028 was issued and received for as needed Electrical Contractor Services on November 24, 2020 at 2:30 PM.

Award Information:

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

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	100	Number of Responses:	2
Warranty:	Per Manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	One Year	Estimated Delivery:	As Needed
Recommended Award to:	Martineau Electric, Inc.	Fund:	Various
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation.

[B21028 Bid Documents and Vendor List](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

Resolution Number: **R – 2020.12.09 – 198**
Resolution Re: Computer Software State of NH Contract with SHI
International Corporation

WHEREAS: The State of NH joined the Western States Contracting Alliance (WSCA) in a bid request #2289-20 for computer software; and

WHEREAS: An award went to SHI International Corporation (SHI) with the State's current agreement through July 31, 2023. The pricing and terms and conditions are extended to non-profits, counties, cities, towns, schools, colleges and universities, but does not lock them into buying with SHI. Should the City determine an alternate vendor be used in specific scenarios, the City of Dover Purchasing Procedure applies; and

WHEREAS: The City had bid out various computer software items in the past and found the State of NH pricing through the WSCA contract lower than other prices the City had received. In an effort to obtain standardization and best costs, the City wishes to utilize this State of NH agreement with SHI; 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; and

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

The Purchasing Agent is hereby authorized to issue Purchase Orders to SHI International Corporation of Somerset, NJ for the purchase of computer software. 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
1xxx.1.xxx.xxxxx.4435.xxxxx.xx	Maintenance Charges - Office Equipment	826,470	439,277
61xx.1.xxx.xxxxx.4435.xxxxx.xx	Maintenance Charges - Office Equipment	127,300	90,080

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.3.

Resolution Number: **R – 2020.12.09 – 198**
Resolution Re: Computer Software State of NH Contract with SHI
International Corporation

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 – 2020.12.09 – 198**
Resolution Re: Computer Software State of NH Contract with SHI
International Corporation

RESOLUTION BACKGROUND MATERIAL:

In July 2020, the State of NH joined the Western States Contracting Alliance (WSCA) in a bid request for computer software. An award went to SHI International Corporation with an agreement effective from August 1, 2020 through July 31, 2023. The pricing and terms and conditions are extended to non-profits, counties, cities, towns, schools, colleges and universities, but does not lock them into only purchasing from SHI International Corporation.

The City had bid out various computer software items in the past and found the State of NH pricing through the WSCA contract lower than other prices the City had received. In an effort to obtain standardization and best costs, the City wishes to utilize this agreement with SHI International Corporation.

On July 22, 2020, the State of NH Contract with SHI International Corporation through July 31, 2020 was approved for use via council resolution [R-2020.07.22-120](#).

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.

Award Information:

Purchase orders will be issued to the vendor selected to authorize future expenditures as outlined in this resolution.

Purchasing Information:

Type:	Purchase Order	Advertised:	N/A
Invitations Mailed:	N/A	Number of Responses:	N/A
Warranty:	Meets Specifications	Terms:	Net 30, FOB Dover
Work Bonded:	N/A	Contract:	Yes
Prices will hold for:	8/1/2020 – 7/31/2023	Estimated Delivery:	FY2021
Recommended Award to:	SHI International Corporation	Fund:	Various
Other Approvals Required:	State of NH – Contract No. 8002720	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R – 2020.12.09 – 199**
Resolution Re: International Truck Replacement Parts - State of NH
Contract with Liberty International

WHEREAS: There are several State of New Hampshire contract pricing schedules available for municipal use with a select few vendors that participate in the sale and service of International truck replacement parts. The purchasing request falls under NH State Bid#2317-20 for contract period June 1, 2020 through May 31, 2023. Three bids were received with contracts being issued to all vendors based on agency location; and

WHEREAS: Liberty International in Manchester, NH is an authorized service center in the State of New Hampshire for International replacement parts and service 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

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; and

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

The Purchasing Agent is hereby authorized to issue Purchase Orders to Liberty International of Manchester, NH for the purchase of International replacement parts, as well as associated repairs and service. 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	Maintenance Supplies - Vehicles	321,476	267,189

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.4.

Resolution Number: **R – 2020.12.09 – 199**
Resolution Re: International Truck Replacement Parts - State of NH
Contract with Liberty International

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 – 2020.12.09 – 199**
Resolution Re: International Truck Replacement Parts - State of NH
Contract with Liberty International

RESOLUTION BACKGROUND MATERIAL:

There are several State of New Hampshire contract pricing schedules available for municipal use with a select few vendors that participate in discounted pricing for International truck replacement parts, as well as service. The purchasing request falls under NH State Bid#2317-20 for contract period June 1, 2020 through May 31, 2023. Three bids were received with contracts being issued to all vendors based on agency location.

The City has been very pleased with the availability, service and pricing structure offered by this vendor and wishes to continue to utilize. 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 utilizing Liberty International. Total City expenditures for FY2020 were approximately \$52,000.00 which included the purchase of replacement parts, as well as associated repairs and service.

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.

Award Information:

Purchase orders will be issued to the vendors selected to authorize expenditures.

Purchasing Information:

Type:	Purchase Order	Advertised:	No
Invitations Mailed:	N/A	Number of Responses:	N/A
Warranty:	Per Manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes/State of NH
Prices will hold for:	Through 5/31/2023	Estimated Delivery:	As needed
Recommended Award to:	Liberty International	Fund:	Various
Other Approvals Required:	State of NH Contract No. 8002692, Approved 6/1/2020-5/21/2023	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	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 – 2020.12.09 – 200**

Resolution Re: Janitorial Supplies - State of New Hampshire Contracts with W.B. Mason Co., Inc. and Central Paper Co.

WHEREAS: There are several State of New Hampshire contract pricing schedules available for municipal use with various vendors that participate in discounted pricing for janitorial supplies. The purchasing request falls under NH State Bid#2364-21 for a one-year contract. Eleven bids were received with contracts being issued to multiple vendors including W.B. Mason Co., Inc. and Central Paper Co., both of Manchester, NH; and

WHEREAS: The State of NH awarded contract #8002774 to W.B. Mason Co., Inc. and contract #8002775 to Central Paper Co. for the time period of November 1, 2020 through October 31, 2021, it seems to be financially prudent for the City to take advantage of the discounts that shall remain firm for the entire term of each 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; and

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

The Purchasing Agent is hereby authorized to issue Purchase Orders to W.B. Mason Co., Inc. and Central Paper Co. given the rates/discounts provided in conjunction with State of NH Contracts #8002774 and #8002775. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
xxxx.1.xxx.xxxxx.4612.xxxxxx.xx	Operating Supplies	827,737	316,121

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.5.

Resolution Number: **R – 2020.12.09 – 200**

Resolution Re: Janitorial Supplies - State of New Hampshire Contracts with W.B. Mason Co., Inc. and Central Paper Co.

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 – 2020.12.09 – 200**

Resolution Re: Janitorial Supplies - State of New Hampshire Contracts with W.B. Mason Co., Inc. and Central Paper Co.

RESOLUTION BACKGROUND MATERIAL:

There are several State of New Hampshire contract pricing schedules available for municipal use with various vendors that participate in discounted pricing for janitorial supplies. The purchasing request falls under NH State Bid#2364-21 for a one-year contract. Eleven bids were received with contracts being issued to multiple vendors including W.B. Mason Co., Inc. and Central Paper Co., both of Manchester, NH.

W.B. Mason Co., Inc. and Central Paper Co. offer 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 these vendors.

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.

Award Information:

Purchase orders will be issued to the vendors selected to authorize expenditures.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	By the State of NH	Number of Responses:	Eleven
Warranty:	Per Manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Through 10/31/2021	Estimated Delivery:	As-Needed
Recommended Award to:	W.B. Mason Co., Inc. Central Paper Co.	Fund:	Various
Other Approvals Required:	State of NH, Contract No. 8002774 & No. 8002775	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase may exceed the \$25,000 amount requiring Council approval.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.6.

Resolution Number: **R – 2020.12.09 – 201**

Resolution Re: Authorization to Modify Prior Debt Agreement with
Dover Children’s Center and Accept Promissory Note and
Mortgage from CAPSC Daycare, LLC

WHEREAS: By a resolution passed November 14, 2018 ([R-2018.11.14—150](#)), the City Council authorized the City Manager to resolve an accrued, past-due debt from a non-profit tenant at the McConnell Center named The Dover Day Care Learning Center, Inc. d/b/a Dover Children’s Center (“DCC”); and

WHEREAS: At that time DCC owned, and still owns, real property in the City of Dover located at 43 Back River Road (Tax Map I Lot 55-A) (“the Property”); and

WHEREAS: The City and DCC agreed that DCC would resolve the past-due debt by way of, among other things, an agreement to future repayment of \$28,142.45 without interest due “when the property is sold” and security by way of a recorded third mortgage enforceable up to 75% of the assessed value of the Property; and

WHEREAS: Recently, DCC has contacted the City and indicated that the assets of DCC are being acquired by the Community Action Partnership of Strafford County (“CAP”) by way of a subsidiary entity of CAP named CAPSC Daycare, LLC (“CAPSC”); and

WHEREAS: As part of the acquisition, DCC and CAP have recognized the asset acquisition may technically trigger the due-on-sale provision for the Property, and have asked that the City agree to allow the transfer of Property without payment of the debt at this time provided the City receives equivalent value or security for the debt.

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

The City Manager is authorized to execute and provide a discharge of the current debt obligation of DCC and mortgage given by DCC in the amount of \$28,142.45, provided the City receives (i) a satisfactory promissory note executed by CAPSC on the same or better terms as the existing agreement with DCC, and if deemed advisable and acceptable to all parties a satisfactory guaranty of that note from CAP itself; and (ii) a new mortgage granted by CAPSC against the Property recorded with the Strafford County Registry of Deeds junior to the two existing mortgages on the Property.

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.6. Resolution Number: R – 2020.12.09 – 201 Resolution Re: Authorization to Modify Prior Debt Agreement with Dover Children’s Center and Accept Promissory Note and Mortgage from CAPSC Daycare, LLC
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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.		

RESOLUTION BACKGROUND MATERIAL:

The acquisition aims to help stabilize the financial situation of the childcare center itself. City staff have been informed that the City’s cooperation is important to facilitating the acquisition given that the Property is going to be retained and used (not sold), meaning the parties cannot otherwise pay off the existing debt to the City. Working with the Dover Children’s Center (“DCC”) to facilitate the acquisition is not expected to place the City in a worse position to recover or collect the funds (and may improve the City’s position in some ways), and will help ensure the ongoing non-profit childcare services being provided to the public.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R – 2020.12.09 – 202**

Resolution Re: Authority to Accept Point Place Drive as a Public Road

WHEREAS: Pointe Place Drive was planned to be a public road, has now been constructed, and the current owner (Varney Brook Lands, LLC) is in the process of submitting materials required by the City of Dover's checklist for public acceptance of streets;

WHEREAS: City staff are continuing to review the materials submitted, and which continue to be submitted, by the owner;

WHEREAS: The owner has requested the City Council authorize public acceptance of Pointe Place Drive upon the owner's fulfillment of remaining items on the City of Dover's checklist;

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

The City Manager is authorized to publicly accept Pointe Place Drive as a public right-of-way after the owner, Varney Brook Lands, LLC, sufficiently meets each of the conditions within the City of Dover's "Acceptance of a New City Road" checklist to the satisfaction of the City Manager.

AND, BE IT FURTHER RESOLVED THAT:

Upon satisfaction of the conditions set forth above, the City Manager is authorized to take any/all necessary steps to cause a satisfactory, recorded deed to issue to the City of Dover with metes and bounds for Point Place Drive.

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 – 2020.12.09 – 202**

Resolution Re: Authority to Accept Point Place Drive as a Public Road

DOCUMENT HISTORY:

First Reading Date:

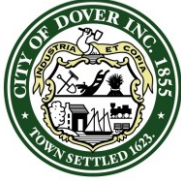
Public Hearing Date:

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 – 2020.12.09 – 202 Resolution Re: Authority to Accept Point Place Drive as a Public Road
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RESOLUTION BACKGROUND MATERIAL:

A street is created as an official public way in one of 4 ways as follows:

- Highway layout
- Prescription
- Dedication and acceptance
- Deed

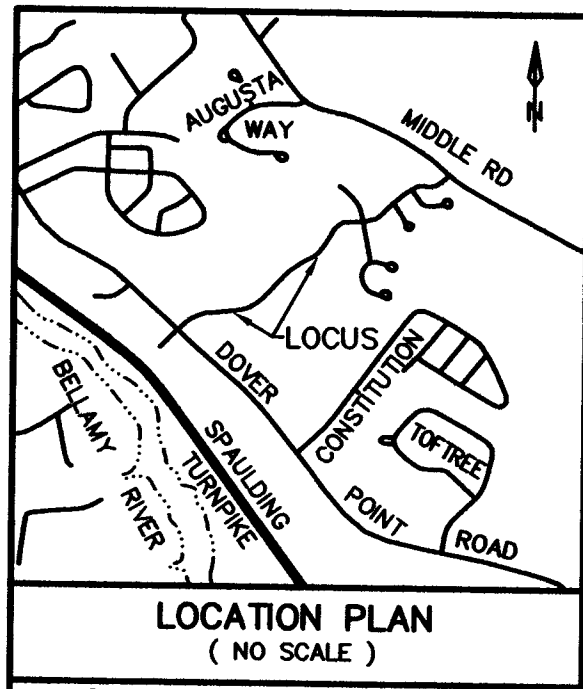
See RSA 229:1. Creation of this street as an official highway by dedication and acceptance will be accomplished with this resolution and satisfaction of the conditions set forth in this resolution, as well as by deed.

Dedication and acceptance is a two-step process. The most common act of dedication is the filing and recording of an approved subdivision plan. The second and final step is a formal vote of acceptance by the City Council, and the recording of appropriate documents in the Strafford County Registry of Deeds.

Only streets meeting City specifications are accepted. Acceptance is in the sole discretion of the City Council. The City of Dover maintains and provides services for the City's public rights-of-way.

A copy of the owner's most recent plans showing the right-of-way is attached for reference. The City Manager intends to inform the City Council in the future by written report, or as part of the City Manager's report, that the conditions set forth in this resolution have been met and the deed has been recorded to complete the transfer and acceptance of Pointe Place Drive to the City of Dover as a public right-of-way.

For reference, in 2016 the City Council passed a resolution ([R-2016.06.22-089](#)) renaming a portion of Thornwood Lane to Pointe Place Drive. In 2018, the City Council accepted Thornwood Lane as a public road ([R-2018-12.12-160](#)). Reference is also made to the Development Agreement between the City and Varney Brook Lands, LLC, a copy of which is recorded in the Strafford County Registry of Deeds at Book 4455, Page 628.



REFERENCE PLANS:

- 1.) SUBDIVISION AND LOT LINE ADJUSTMENT PLAN FOR POINTE PLACE & DOVER POINT ROAD 252 LLC, TAX MAP K, LOT Nos. 19, 19-2, 19-3 & 19-4, THORNWOOD LANE, CITY OF DOVER, COUNTY OF STRAFFORD, STATE OF NEW HAMPSHIRE. SCALE: 1" = 150'; DATED: MAY 20, 2015, REVISED THROUGH 8/3/15; BY THIS OFFICE. RECORDED S.C.R.D. PLANS 110-23, 110-24, 110-25 & 110-26.
- 2.) AMENDED SITE PLAN OF THE VILLAGE AT POINTE PLACE CONDOMINIUM TAX MAP K, LOT No. 19-3 THORNWOOD LANE & SIERRA DRIVE, CITY OF DOVER, COUNTY OF STRAFFORD, STATE OF NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: JUNE 17, 2016; BY THIS OFFICE. RECORDED S.C.R.D. PLAN 111-82.
- 3.) PLAN OF LAND PREPARED FOR VARNEY BROOK LANDS LLC, TAX MAP K, LOT No. 19-5, POINTE PLACE & SIERRA DRIVE, CITY OF DOVER, COUNTY OF STRAFFORD, STATE OF NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: APRIL 11, 2018; BY THIS OFFICE. RECORDED S.C.R.D. PLAN 111-77.
- 4.) LOT LINE ADJUSTMENT PLAN PREPARED FOR VARNEY BROOK LANDS, LLC AND THE CITY OF DOVER, NH, TAX MAP K, LOT Nos. 18A-10 & 19, APPLEVALE DRIVE & POINTE PLACE, CITY OF DOVER, COUNTY OF STRAFFORD, STATE OF NEW HAMPSHIRE. SCALE: 1" = 80'; DATED: OCT. 17, 2016, REVISED THROUGH 12/22/16; BY THIS OFFICE. RECORDED S.C.R.D. PLAN 113-01.
- 5.) SUBDIVISION PLAN OF LAND PREPARED FOR VARNEY BROOK LANDS LLC, TAX MAP K, LOT No. 19-5, POINTE PLACE & SIERRA DRIVE, CITY OF DOVER, COUNTY OF STRAFFORD, STATE OF NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: NOV. 15, 2016, REVISED THROUGH 2/1/17; BY THIS OFFICE. RECORDED S.C.R.D. PLAN 113-10.
- 6.) RIGHT OF WAY ADJUSTMENT PLAN PREPARED FOR POINTE PLACE RIGHT OF WAY, A VARIABLE WIDTH R.O.W., VARNEY BROOK LANDS, LLC, TAX MAP K, LOT No. 19-4, POINTE PLACE DEVELOPMENT, LLC, TAX MAP K, LOT No. 19-5, POINTE PLACE, CITY OF DOVER, COUNTY OF STRAFFORD, STATE OF NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: OCTOBER 26, 2018, REVISED THROUGH 12/12/18; BY THIS OFFICE. RECORDED S.C.R.D. PLAN 117-078.
- 7.) BOUNDARY LINE ADJUSTMENT & SUBDIVISION PLAN - ELLIOTT ROSE COMPANY OF DOVER, INC., DOVER POINT ROAD, DOVER, NEW HAMPSHIRE. SCALE: 1" = 40'; DATED: JUNE 28, 2002, REVISED TO 8/25/03; BY: TRITECH ENGINEERING CORP. RECORDED S.C.R.D. PLAN 72-49.

LEGEND

R.O.W. - RIGHT OF WAY
TYP. - TYPICAL
S.C.R.D. - STRAFFORD COUNTY
REGISTRY OF DEEDS
S.F. - SQUARE FEET
Ac. - ACRE
P.O.B. - POINT OF BEGINNING

No.	Central Angle	Radius	Arc Length	Chord Length	Chord Bearing
C1	23°03'39"	200.00	80.50	79.95	S79°55'33"W
C2	81°09'00"	65.00	92.06	84.56	N50°52'52"E
C3	08°30'28"	600.00	89.09	89.01	N87°12'09"E
C4	08°10'42"	580.00	82.79	82.72	N78°51'33"E
C5	38°31'50"	125.00	84.06	82.49	N53°26'05"E
C6	59°22'21"	65.00	67.36	64.38	N63°51'21"E
C7	41°53'38"	125.00	91.40	89.38	N72°35'42"E
C8	09°20'16"	570.00	92.90	92.79	N46°58'45"E
C17	12°56'23"	630.00	142.28	141.98	S48°46'49"W
C18	29°01'54"	125.00	63.34	62.66	S40°44'03"W
C19	75°16'29"	60.00	78.83	73.28	S63°51'21"W
C20	29°01'54"	125.00	63.34	62.66	S86°58'38"W
C21	02°45'32"	630.00	30.33	30.33	S73°50'27"W

No.	Bearing	Distance
L1	S68°23'44"W	19.80'
L2	S88°32'37"E	16.06'
L3	N07°03'06"W	20.00'
L4	S15°13'48"E	15.92'
L5	N42°18'37"E	22.71'
L6	N11°20'02"E	15.22'
L17	S81°54'45"W	16.31'
L18	S86°11'28"W	32.31'

NOTES:

- 1.) OWNERS OF RECORD:
K / 19 VARNEY BROOK LANDS LLC
340 CENTRAL AVENUE, SUITE 202
DOVER, NEW HAMPSHIRE 03820
S.C.R.D. VOLUME 3660, PAGE 351
S.C.R.D. VOLUME 3690, PAGE 116
POINTE PLACE
R.O.W.
- 2.) K / 19 - DENOTES TAX MAP AND PARCEL NUMBER.
- 3.) THE INTENT OF THIS PLAN IS TO DEPICT THE RIGHT OF WAY OF POINTE PLACE WHICH IS TO BE ACCEPTED AS A CITY STREET AND CONVEYED TO THE CITY OF DOVER.
- 4.) RIGHT OF WAY AREA: 127,516 S.F. / 2.93 Ac.
- 4.) ZONING DISTRICT IS ETP & RCM (RESIDENTIAL COMMERCIAL MIXED USE) OVERLAY. ALLOWED BY APPROVED CONDITIONAL USE PERMIT.
- 5.) THE SUBJECT PARCEL IS LOCATED OUTSIDE THE 0.2 PERCENT ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 330145; PANEL 0340; SUFFIX E; MAP NUMBER 33017C0340E; EFFECTIVE DATE SEPT. 30, 2015.
- 6.) BASIS OF BEARING IS NH STATE PLANE (NAD83) BASED ON GPS OBSERVATION DATED NOVEMBER 11, 2013. VERTICAL DATUM IS NGVD29 BASED ON BENCHMARK FOUND ON THORNWOOD COMMONS PROJECT.

NOTES CONTINUED:

- 7.) PROPERTY LINE INFORMATION HAS BEEN OBTAINED FROM A SURVEY PERFORMED BY MCENEANEY SURVEY ASSOCIATES, INC. DURING NOVEMBER 2013 WITH AN ERROR NOT GREATER THAN 1 IN 10,000.
- 8.) GRANITE BOUNDS ARE TO BE SET AT ALL ANGLE POINTS, AND CURVE POINTS IN THE POINTE PLACE RIGHT OF WAY.
- 9.) THIS PORTION OF THE CUL-DE-SAC IS TO BECOME PART OF PARCEL K / 19C WHEN THE THORNWOOD LANE (NOW POINTE PLACE) RIGHT OF WAY IS CONTINUED. SEE REFERENCE PLAN #7.
- 10.) THE POINTE PLACE RIGHT OF WAY IS SUBJECT TO THE RIGHTS GRANTED WITHIN EASEMENT DEED S.C.R.D. 4392, PAGE 951 GIVEN TO PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE (PSNH); d/b/a EVERSOURCE ENERGY AND NORTHERN NEW ENGLAND TELEPHONE OPERATIONS, LLC d/b/a FAIRPOINT COMMUNICATIONS - NNE. THIS 20' WIDE EASEMENT IS GIVEN WITHOUT GEOMETRIC LOCATIONS, TO BE CENTERED ABOUT UTILITIES AS INSTALLED.
- 11.) THE POINTE PLACE RIGHT OF WAY IS SUBJECT TO THE RIGHTS GRANTED WITHIN EASEMENT DEED S.C.R.D. 4510, PAGE 867 GIVEN TO NORTHERN NEW ENGLAND TELEPHONE OPERATIONS, LLC d/b/a FAIRPOINT COMMUNICATIONS - NNE. THIS 15' WIDE EASEMENT IS GIVEN WITHOUT GEOMETRIC LOCATIONS, TO BE LOCATED ABOUT UTILITIES AS INSTALLED.

"I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL GROUND SURVEY PERFORMED WITH A TOTAL STATION, BY ME OR THOSE UNDER MY DIRECT SUPERVISION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, SAID SURVEY MEETS OR EXCEEDS THE MINIMUM PRECISION REQUIREMENTS FOR SURVEY CLASSIFICATION "U" AS SET FORTH IN TABLE 500.1 OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS."

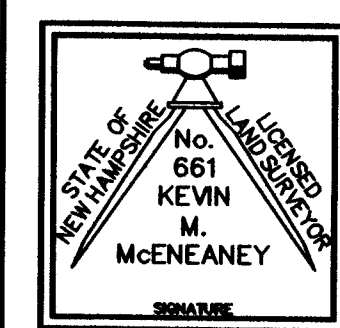
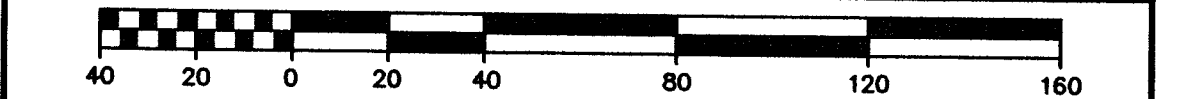
"I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN." (RSA 676:18)

DATE: / KEVIN M. MCENEANEY LLS # 661

SHEET 1 OF 2

PLAN OF POINTE PLACE RIGHT OF WAY
PREPARED FOR
VARNEY BROOK LANDS LLC
AND
THE CITY OF DOVER
OVER A PORTION OF TAX MAP K, LOT No. 19
POINTE PLACE
CITY OF DOVER
COUNTY OF STRAFFORD
STATE OF NEW HAMPSHIRE

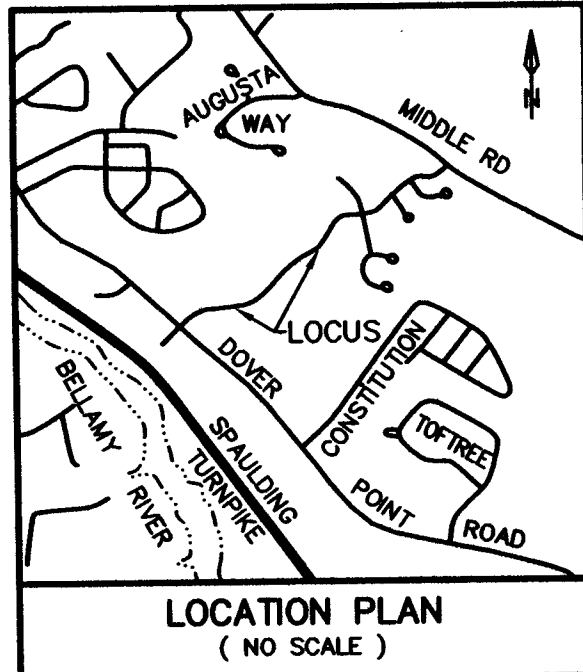
DRAWN BY: RJM FILE: W10 CP\2041\18-2041 PP ROW
SCALE: 1" = 40' DATE: DECEMBER 31, 2018



McEneaney
Survey
Associates, inc.

P.O. Box 681 - 24 CHESTNUT STREET
DOVER, NH 03820 (603) 742-0911

SURVEYING - PLANNING - CONSULTING



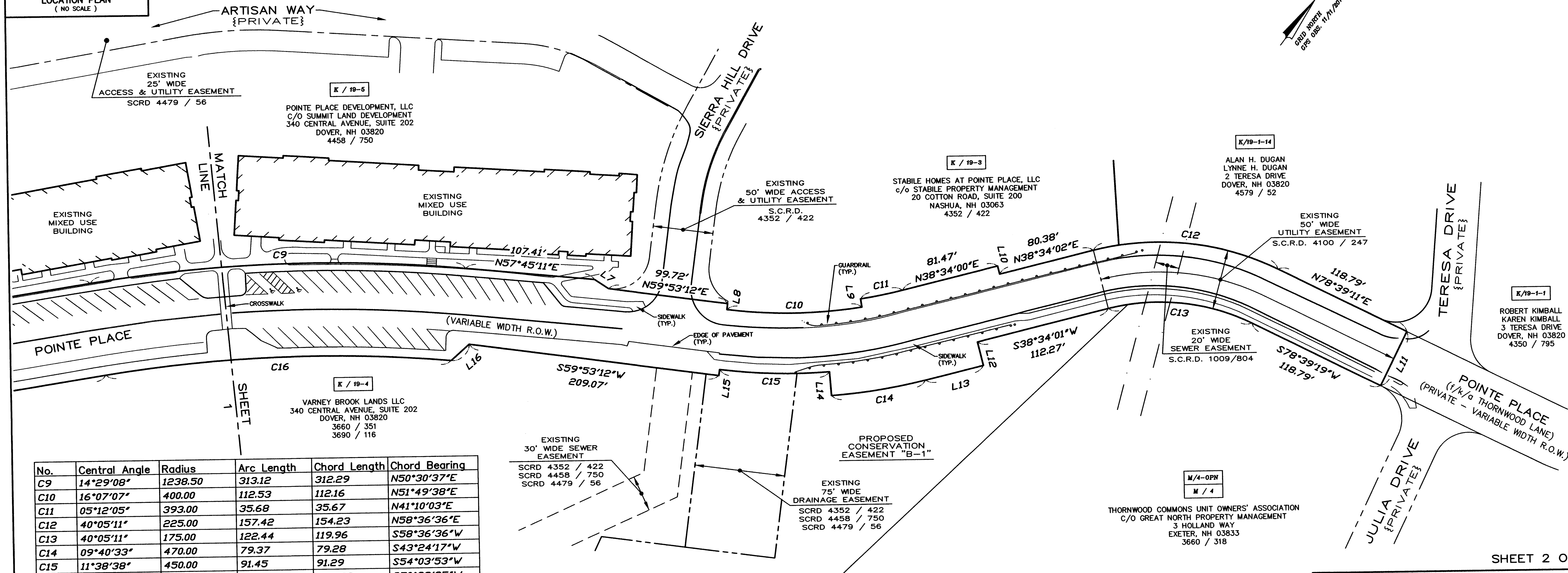
REFERENCE PLANS:

- 1.) SUBDIVISION AND LOT LINE ADJUSTMENT PLAN FOR POINTE PLACE & DOVER POINT ROAD 252 LLC, TAX MAP K, LOT Nos. 19, 19-2, 19-3 & 19-4, THORNWOOD LANE, CITY of DOVER, COUNTY of STRAFFORD, STATE of NEW HAMPSHIRE. SCALE: 1" = 150'; DATED: MAY 20, 2015, REVISED THROUGH 8/3/15; BY THIS OFFICE. RECORDED S.C.R.D. PLANS 110-23, 110-24, 110-25 & 110-26.
- 2.) AMENDED SITE PLAN OF THE VILLAGE AT POINTE PLACE CONDOMINIUM TAX MAP K, LOT No. 19-3 THORNWOOD LANE & SIERRA DRIVE CITY of DOVER COUNTY of STRAFFORD STATE of NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: JUNE 17, 2016; BY THIS OFFICE. RECORDED S.C.R.D. PLAN 111-82.
- 3.) PLAN OF LAND PREPARED FOR VARNEY BROOK LANDS LLC, TAX MAP K, LOT No. 19-5, POINTE PLACE & SIERRA DRIVE, CITY of DOVER, COUNTY of STRAFFORD, STATE of NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: APRIL 11, 2018; BY THIS OFFICE. RECORDED S.C.R.D. PLAN 111-77.

- 4.) LOT LINE ADJUSTMENT PLAN PREPARED FOR VARNEY BROOK LANDS, LLC AND THE CITY OF DOVER, NH, TAX MAP K, LOT Nos. 18A-10 & 19, APPLEVALE DRIVE & POINTE PLACE, CITY of DOVER, COUNTY of STRAFFORD, STATE of NEW HAMPSHIRE. SCALE: 1" = 80'; DATED: OCT. 17, 2016, REVISED THROUGH 12/22/16; BY THIS OFFICE. RECORDED S.C.R.D. PLAN 113-01.
- 5.) SUBDIVISION PLAN OF LAND PREPARED FOR VARNEY BROOK LANDS LLC, TAX MAP K, LOT No. 19-5, POINTE PLACE & SIERRA DRIVE, CITY of DOVER, COUNTY of STRAFFORD, STATE of NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: NOV. 15, 2016, REVISED THROUGH 2/1/17; BY THIS OFFICE. RECORDED S.C.R.D. PLAN 113-10.
- 6.) RIGHT OF WAY ADJUSTMENT PLAN PREPARED FOR POINTE PLACE RIGHT OF WAY, A VARIABLE WIDTH R.O.W., VARNEY BROOK LANDS, LLC, TAX MAP K, LOT No. 19-4, POINTE PLACE DEVELOPMENT, LLC, TAX MAP K, LOT No. 19-5, POINTE PLACE, CITY of DOVER, COUNTY of STRAFFORD, STATE of NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: OCTOBER 26, 2018, REVISED THROUGH 12/12/18; BY THIS OFFICE. RECORDED S.C.R.D. PLAN 117-078.
- 7.) BOUNDARY LINE ADJUSTMENT & SUBDIVISION PLAN - ELLIOTT ROSE COMPANY OF DOVER, INC., DOVER POINT ROAD, DOVER, NEW HAMPSHIRE. SCALE: 1" = 40'; DATED: JUNE 28, 2002, REVISED TO 8/25/03; BY: TRITECH ENGINEERING CORP. RECORDED S.C.R.D. PLAN 72-49.

LEGEND

R.O.W. - RIGHT OF WAY
TYP. - TYPICAL
S.C.R.D. - STRAFFORD COUNTY
REGISTRY OF DEEDS
S.F. - SQUARE FEET
Ac. - ACRE



No.	Central Angle	Radius	Arc Length	Chord Length	Chord Bearing
C9	14°29'08"	1238.50	313.12	312.29	N50°30'37"E
C10	16°07'07"	400.00	112.53	112.16	N51°49'38"E
C11	05°12'05"	393.00	35.68	35.67	N41°10'03"E
C12	40°05'11"	225.00	157.42	154.23	N58°36'36"E
C13	40°05'11"	175.00	122.44	119.96	S58°36'36"W
C14	09°40'33"	470.00	79.37	79.28	S43°24'17"W
C15	11°38'38"	450.00	91.45	91.29	S54°03'53"W
C16	14°12'45"	1161.50	288.12	287.38	S50°22'25"W

No.	Bearing	Distance
L7	N85°31'19"E	13.85'
L8	S30°06'48"E	5.00'
L9	N46°13'55"W	7.00'
L10	S51°26'00"E	7.00'
L11	S11°20'49"E	50.00'
L12	S51°26'00"E	20.00'
L13	S38°34'00"W	49.58'
L14	N41°45'27"W	20.00'
L15	S30°06'48"E	5.00'
L16	S10°45'44"W	20.07'

NOTES:

- 1.) OWNERS OF RECORD:

K / 19

POINTE PLACE

R.O.W.

- 2.) K / 19 - DENOTES TAX MAP AND PARCEL NUMBER.

- 3.) THE INTENT OF THIS PLAN IS TO DEPICT THE RIGHT OF WAY OF POINTE PLACE WHICH IS TO BE ACCEPTED AS A CITY STREET AND CONVEYED TO THE CITY OF DOVER.

- 4.) RIGHT OF WAY AREA: 127,516 S.F. / 2.93 Ac.

- 4.) ZONING DISTRICT IS ETP & RCM (RESIDENTIAL COMMERCIAL MIXED USE) OVERLAY. ALLOWED BY APPROVED CONDITIONAL USE PERMIT.

- 5.) THE SUBJECT PARCEL IS LOCATED OUTSIDE THE 0.2 PERCENT ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 330145; PANEL 0340; SUFFIX E; MAP NUMBER 33017C0340E; EFFECTIVE DATE SEPT. 30, 2015.

- 6.) BASIS OF BEARING IS NH STATE PLANE (NAD83) BASED ON GPS OBSERVATION DATED NOVEMBER 11, 2013. VERTICAL DATUM IS NGVD29 BASED ON BENCHMARK FOUND ON THORNWOOD COMMONS PROJECT.

NOTES CONTINUED:

- 7.) PROPERTY LINE INFORMATION HAS BEEN OBTAINED FROM A SURVEY PERFORMED BY MCENEANEY SURVEY ASSOCIATES, INC. DURING NOVEMBER 2013 WITH AN ERROR NOT GREATER THAN 1 IN 10,000.

- 8.) GRANITE BOUNDS ARE TO BE SET AT ALL ANGLE POINTS, AND CURVE POINTS IN THE POINTE PLACE RIGHT OF WAY.

- 9.) THIS PORTION OF THE CUL-DE-SAC IS TO BECOME PART OF PARCEL K / 19C WHEN THE THORNWOOD LANE (NOW POINTE PLACE) RIGHT OF WAY IS CONTINUED. SEE REFERENCE PLAN #7.

- 10.) THE POINTE PLACE RIGHT OF WAY IS SUBJECT TO THE RIGHTS GRANTED WITHIN EASEMENT DEED S.C.R.D. 4392, PAGE 951 GIVEN TO PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE (PSNH). d/b/a EVERSOURCE ENERGY AND NORTHERN NEW ENGLAND TELEPHONE OPERATIONS, LLC d/b/a FAIRPOINT COMMUNICATIONS - NNE. THIS 20' WIDE EASEMENT IS GIVEN WITHOUT GEOMETRIC LOCATIONS, TO BE CENTERED ABOUT UTILITIES AS INSTALLED.

- 11.) THE POINTE PLACE RIGHT OF WAY IS SUBJECT TO THE RIGHTS GRANTED WITHIN EASEMENT DEED S.C.R.D. 4510, PAGE 867 GIVEN TO NORTHERN NEW ENGLAND TELEPHONE OPERATIONS, LLC d/b/a FAIRPOINT COMMUNICATIONS - NNE. THIS 15' WIDE EASEMENT IS GIVEN WITHOUT GEOMETRIC LOCATIONS, TO BE LOCATED ABOUT UTILITIES AS INSTALLED.

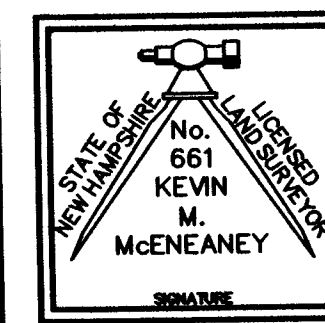
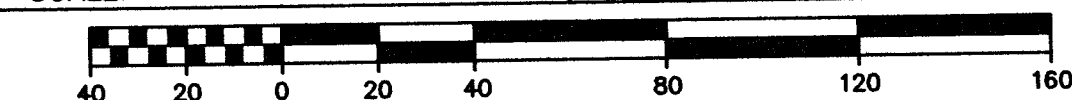
"I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL GROUND SURVEY PERFORMED WITH A TOTAL STATION, BY ME OR THOSE UNDER MY DIRECT SUPERVISION AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, SAID SURVEY MEETS OR EXCEEDS THE MINIMUM PRECISION REQUIREMENTS FOR SURVEY CLASSIFICATION "U" AS SET FORTH IN TABLE 500.1 OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS."

"I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN." (RSA 676:18)

DATE: / KEVIN M. MCENEANEY LLS # 661

PLAN OF POINTE PLACE RIGHT OF WAY
PREPARED FOR
VARNEY BROOK LANDS LLC
AND
THE CITY OF DOVER
OVER A PORTION OF TAX MAP K, LOT No. 19
POINTE PLACE
CITY of DOVER
COUNTY of STRAFFORD
STATE of NEW HAMPSHIRE

DRAWN BY: R/JM FILE: W10 CP\2041\18-2041 PP ROW
SCALE: 1" = 40' DATE: DECEMBER 31, 2018



McEneaney
Survey
Associates, inc.

P.O. Box 681 - 24 CHESTNUT STREET
DOVER, NH 03820 (603) 742-0911

SURVEYING - PLANNING - CONSULTING



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R - 2020.12.09 – 203**

Resolution Re: **Merit Plan Amendment – Classification Plan**

WHEREAS: The City Charter requires the City Manager to submit any amendment to the Merit Plan to the City Council as an item on a regular City Council meeting agenda; and

WHEREAS: The City Council shall, within sixty days after having received the amendment, take action to approve or disapprove them at a regular City Council meeting; and

WHEREAS: The Merit Plan includes, as attachments, the Classification Plan and Pay Plan which establish the grade level and set the minimum and maximum rates of pay for each class of position in the City's Administrative Service; and

WHEREAS: The City Manager has identified and proposes to add a position classification in the City's Administrative Service.

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

The City Council accepts the attached Merit Plan amendment specific to the Classification Plan as submitted.

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.8.

Resolution Number: **R - 2020.12.09 – 203**

Resolution Re: **Merit Plan Amendment – Classification Plan**

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:		
Ordinance does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R - 2020.12.09 – 203**

Resolution Re: **Merit Plan Amendment – Classification Plan**

RESOLUTION BACKGROUND MATERIAL:

The Merit Plan includes, as attachments, the Classification Plan and Pay Plan which establish the grade levels and set minimum and maximum rates of base pay for each class of position in the City's Administrative Service. The City Manager proposes to make the following change to the Classification Plan:

1. Add a Deputy Economic Development Director classification assigned to pay grade 23. The grade 23 assignment is supported by the compensable factor scoring tool provided by Paypoint HR as part of our wage survey.

City of Dover Deputy Economic Development Director:

Dover Grade 23	Minimum \$52,520	Median \$62,483.20	Maximum \$74,339.20
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The amended Classification Plan with changes highlighted and a position description for the proposed Deputy Economic Development Director are attached as background.

FY2021 Dover Classification Plan

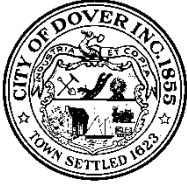
Classification Title	Pay Plan Grade	Union
ACCOUNT CLERK I	11	DMEA
ACCOUNT CLERK II	13	DMEA
ACCOUNTANT I	18	DMEA
ACCOUNTANT II	28	DMEA
ADMINISTRATIVE ASSISTANT	19	non-union
ADMINISTRATIVE CLERK/CEMETERY COORDINATOR	15	DMEA
ANIMAL CONTROL OFFICER	16	DPA
AQUATIC FACILITY MANAGER	22	DPEA
ARENA FACILITY MANAGER	23	DPEA
ARENA PROGRAM & MARKETING SUPERVISOR	21	DPEA
ASSISTANT CITY CLERK	13	DMEA
ASSISTANT CITY ENGINEER	24	DPEA
ASSISTANT CITY MANAGER	32	non-union
ASSISTANT CITY PLANNER	24	DMEA
ASSISTANT LIBRARY DIRECTOR	26	DMEA
ASSISTANT RECREATION DIRECTOR	23	DPEA
ASSISTANT TAX ASSESSOR	23	DMEA
BOOKKEEPER	14	DMEA
BUILDING INSPECTOR	22	DMEA
BUILDING MAINTENANCE MECHANIC	13	DMEA
BUILDING OFFICIAL	28	DMEA
CITY ATTORNEY	33	non-union
CITY CLERK/TAX COLLECTOR	26	non-union
CITY ENGINEER	29	DPEA
CITY TREASURER	24	non-union
CLERK TYPIST I	9	DMEA
CLERK TYPIST II	11	DMEA
CONSTRUCTION MANAGER	26	non-union
CROSSING GUARD	8	non-union
CUSTODIAN	9	DMEA
DEPUTY CITY ATTORNEY	30	non-union
DEPUTY CITY CLERK	15	DMEA
DEPUTY CITY MANAGER	34	non-union
DEPUTY COMMUNITY SERVICES DIRECTOR	30	non-union
DEPUTY ECONOMIC DEVELOPMENT DIRECTOR	23	non-union
DEPUTY FINANCE DIRECTOR	29	non-union
DEPUTY INFORMATION TECHNOLOGY DIRECTOR	29	non-union
DEPUTY PARKING MANAGER	17	DPAAll
DEPUTY TAX COLLECTOR	15	DMEA
DIRECTOR OF COMMUNITY SERVICES	33	non-union
DIRECTOR OF ECONOMIC DEVELOPMENT	30	non-union
DIRECTOR OF FINANCE	32	non-union
DIRECTOR OF HUMAN RESOURCES	29	non-union
DIRECTOR OF INFORMATION TECHNOLOGY	33	non-union
DIRECTOR OF MAIN STREET PROGRAM	23	non-union
DIRECTOR OF MEDIA SERVICES	30	non-union
DIRECTOR OF PLANNING & CDBG	31	non-union
DIRECTOR OF PUBLIC LIBRARY	29	non-union
DIRECTOR OF PUBLIC WELFARE	26	non-union
DIRECTOR OF RECREATION	26	non-union
ELECTRICAL INSPECTOR	22	DMEA
ENGINEERING TECHNICIAN	20	DPEA

FY2021 Dover Classification Plan

Classification Title	Pay Plan Grade	Union
ENVIRONMENTAL PROJECTS MANAGER	27	DPEA
EXECUTIVE SECRETARY	18	non-union
FACILITIES, GROUNDS & CEMETERY SUPERVISOR	23	DPEA
FIRE & RESCUE CHIEF	33	non-union
FIRE ASSISTANT CHIEF	29	DPFOA
FIRE CAPTAIN	25	DPFOA
FIRE DEPUTY CHIEF	30	DPFOA
FIRE DIVISION CHIEF	27	DPFOA
FIRE LIEUTENANT	23	DPFOA
FIRE MECHANIC	11	non-union
FIRE/HEALTH INSPECTOR	22	DMEA
FIRE/LIFE SAFETY INSPECTOR	22	DMEA
FIREFIGHTER ON CALL	17	non-union
FIREFIGHTER/EMT	17	IAFF
FIREFIGHTER/AEMT	18	IAFF
FIREFIGHTER/PARAMEDIC	20	IAFF
FLEET SUPERVISOR	25	DPEA
GROUNDKEEPER I	14	AFSCME
GROUNDKEEPER II	16	AFSCME
HEAVY EQUIPMENT MECHANIC I	16	AFSCME
HEAVY EQUIPMENT MECHANIC II	17	AFSCME
HEAVY EQUIPMENT OPERATOR I	16	AFSCME
HEAVY EQUIPMENT OPERATOR II	17	AFSCME
HUMAN RESOURCES ASSISTANT	19	non-union
INFORMATION TECHNOLOGY ADMINISTRATOR	22	non-union
INFORMATION TECHNOLOGY TECHNICIAN	18	non-union
INVENTORY COORDINATOR	17	AFSCME
LABORER I	12	AFSCME
LABORER II	13	AFSCME
LIBRARIAN I	17	DMEA
LIBRARIAN II	22	DMEA
LIBRARY ASSISTANT I	11	DMEA
LIBRARY ASSISTANT II	13	DMEA
LIBRARY PAGE	7	DMEA
MAINTENANCE MECHANIC I	14	AFSCME
MAINTENANCE MECHANIC II	15	AFSCME
MAINTENANCE MECHANIC III	22	AFSCME
MAINTENANCE SPECIALIST I	15	AFSCME
MAINTENANCE SPECIALIST II	18	AFSCME
MAINTENANCE SPECIALIST III	22	AFSCME
MANAGEMENT ANALYST	17	non-union
MEDIA SERVICES MANAGER	26	non-union
OFFICE MANAGER	15	DMEA
PARKING ENFORCEMENT OFFICER	13	DPA
PARKING MANAGER	24	non-union
PAYROLL & BENEFITS ADMINISTRATOR	15	DMEA
PERSONNEL ASSISTANT	15	DPAAII
PLANNER	27	DMEA
PLANT & PUMP STATION SUPERVISOR	23	DPEA
PLUMBING INSPECTOR	22	DMEA
POLICE CAPTAIN	30	DPAAII
POLICE CHIEF	33	non-union

FY2021 Dover Classification Plan

Classification Title	Pay Plan Grade	Union
POLICE COMMUNICATIONS SUPERVISOR	21	DPAAll
POLICE DEPUTY COMMUNICATIONS SUPERVISOR	19	DPAAll
POLICE DISPATCHER I	17	DPA
POLICE DISPATCHER II	18	DPA
POLICE LIEUTENANT	27	DPAAll
POLICE OFFICER I	21	DPA
POLICE OFFICER II (Advanced Career Track)	22	DPA
POLICE PREVENTION COORDINATOR	22	non-union
POLICE PREVENTION PROGRAMMER	16	non-union
POLICE PROSECUTOR	27	DPAAll
POLICE RECORDS SUPERVISOR	21	DPAAll
POLICE SERGEANT	24	DPAAll
POLICE VICTIM/WITNESS ADVOCATE	20	non-union
PUBLIC WELFARE TECHNICIAN I	18	DMEA
PUBLIC WELFARE TECHNICIAN II	19	DMEA
PUBLIC WELFARE TECHNICIAN III	20	DMEA
PUBLIC WORKS SUPERVISOR	23	DPEA
PUMP STATION OPERATOR I	16	AFSCME
PUMP STATION OPERATOR II	18	AFSCME
PUMP STATION OPERATOR III	22	DPEA
PURCHASING AGENT	26	DMEA
RECREATION PROGRAM ASSOCIATE I	2	non-union
RECREATION PROGRAM ASSOCIATE II	3	non-union
RECREATION PROGRAM ASSOCIATE III	4	non-union
RECREATION PROGRAM SPECIALIST I	5	non-union
RECREATION PROGRAM SPECIALIST II	7	non-union
RECREATION PROGRAM SPECIALIST III	9	non-union
RECREATION PROGRAM SPECIALIST IV	15	non-union
RECREATION PROGRAM SUPERVISOR	17	DPEA
SEASONAL MAINTENANCE WORKER I	3	non-union
SEASONAL MAINTENANCE WORKER II	5	non-union
SEASONAL MAINTENANCE WORKER III	7	non-union
SECRETARY I	13	DMEA
SECRETARY II	14	DMEA
SOLID WASTE ASSISTANT	18	AFSCME
SOLID WASTE COORDINATOR	23	DPEA
SUPERINTENDENT OF FACILITIES, GROUNDS & CEMETERY	28	DPEA
SUPERINTENDENT OF PUBLIC WORKS & UTILITIES	29	DPEA
TAX ASSESSING DATA TECHNICIAN	15	DMEA
TEEN CENTER COUNSELOR	22	non-union
TELEVISION BROADCAST OPERATOR	15	non-union
TRUCK DRIVER	14	AFSCME
UTILITIES SYSTEM SUPERVISOR	26	DPEA
WORKING FOREMAN	22	DPEA
WWTP CHIEF OPERATOR	23	DPEA
WWTP LAB TECHNICIAN	17	DPEA
WWTP LAB/INDUSTRIAL PRETREATMENT COORDINATOR	22	DPEA
WWTP OPERATOR I	18	AFSCME
WWTP OPERATOR II	22	AFSCME
WWTP SUPERVISOR	26	DPEA



CITY OF DOVER, NEW HAMPSHIRE
Position Description

Position: Deputy Director of Economic Development Classification-Series: Deputy Director of Economic Development Occupational Grouping: Professional & Managerial Services Organizational Unit: Executive	Position Control No: XXXXX FLSA Status: Exempt-Regular FT 40hr/wk Union - Grade: Non Union – Grade 23 Primary Job Location: City Hall, 288 Central Ave.
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JOB SUMMARY: Performs highly responsible administrative, technical and professional work. Assists Economic Development Director in supporting existing businesses and attracting new businesses and industries to Dover. Establishes contact and maintains ongoing communications with local businesses and community organizations. Provides technical and staff assistance to the Dover Business and Industrial Development Authority.

ACCOUNTABILITY: Work is performed with considerable independence under the general administrative direction of the Director of Economic Development and is reviewed through conferences, reports and observation of program results.

SUPERVISION EXERCISED: May provide instruction and lead assigned personnel in the completion of projects and administrative support activities as delegated by supervisor and/or department head.

TYPICAL EQUIPMENT USED: Computer; telephone; calculator; copy and facsimile machines; motor vehicle.

TYPICAL WORK ENVIRONMENT: Inside: 20% Outside: 80%

DUTIES AND RESPONSIBILITIES (Except as specifically noted, the following functions are considered essential to this position. The listed examples may not include all duties found in this class):

1. Assist in promoting the City of Dover and its economic development climate by initiating contact with businesses, distributing economic and demographic information to a wide range of prospective business and industrial officials, and the media; responding to local citizen inquiries.
2. Assist in the development and implementation of short- and long-range economic development plans with Dover Business and Industrial Development Authority; gather, interpret, and prepare data for studies, reports, and recommendations; coordinate activities with local, State and Federal agencies, as needed.
3. Assist with the implementation of economic development marketing program to generate industrial and commercial leads interested in locating in Dover. Inform potential clients of the opportunities within the City and follow up on interest expressed from initial contact to actual plant construction and operation.
4. Research, develop, and prepare graphics, charts, tables, promotional materials, etc. on economic development related resources such as business climate, current industries, utilities, transportation, zoning, labor market conditions, taxes, government, banks, housing, education, research, recreation, churches, cultural events, etc.
5. Maintain a comprehensive inventory of available buildings and sites in the community for economic development purposes.
6. Serve as a liaison and assist in coordination between public, private, and/or non-profit groups and associations interested in or engaged in economic development activities and community events beneficial to sustaining and

expanding the local economy.

7. Compile statistics, maintains records and prepares reports related to financial, personnel and/or operational data.
8. Prepares planning reports and supporting data, including recommendations as required.
9. Prepares, writes, and administers grant applications related to economic development.
10. Attend professional development workshops and conferences to keep abreast of field related trends and developments.
11. Establishes and maintains effective working relationships with employees, other departments and agencies, and the general public.
12. Maintains familiarity with and executes safe work procedures associated with assigned work.
13. Performs other related duties as required.

TYPICAL PHYSICAL ACTIVITY REQUIREMENTS:

LIFT: -up to 10 lbs.: Occasionally required. -11 to 25 lbs.: Rarely required. -26 to 50 lbs.: Not required. -over 50 lbs.: Not required. CARRY: -up to 10 lbs.: Occasionally required. -11 to 25 lbs.: Rarely required. -26 to 50 lbs.: Not required. -over 50 lbs.: Not required. REACH: -above shoulder height: Rarely required. -at shoulder height: Occasionally required. -below shoulder height: Occasionally required.	PUSH/PULL: Rarely required. TWISTING: Rarely required. BENDING: Occasionally required. CRAWLING: Not required. SQUATTING: Rarely required. KNEELING: Not required. CROUCHING: Rarely required. CLIMBING: Occasionally required. BALANCING: Rarely required. GRASPING: Occasionally required. HANDLING: Occasionally required. TORQUING: Rarely required. FINE MOTOR SKILLS: Frequently required.
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DURING AN 8 HOUR DAY, EMPLOYEE IS TYPICALLY REQUIRED TO:

CONSECUTIVE HOURS: Sit: 3 hours Stand: 1 hour Walk: 1 hour	TOTAL HOURS: Sit: 4 hours Stand: 3 hour Walk: 1 hour
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COGNITIVE AND SENSORY REQUIREMENTS:

TALKING: Necessary for communicating with others HEARING: Necessary for receiving instructions and information. SIGHT: Necessary for performing job effectively. TASTING & SMELLING: Not necessary for performing job effectively.

TYPICAL WORK SURFACE(S): Standard office desk and chair; tables; computer work stations; carpet, tile, concrete and wood floors; outside surfaces including flat, sloped and uneven ground.

TYPICAL CONTROLS & EQUIPMENT: Computer, calculator, typewriter, telephone, copy and facsimile machines, and motor vehicle.

SUMMARY OF OCCUPATIONAL EXPOSURES: While performing the duties of this job, the employee

occasionally works in outside weather conditions. The employee is occasionally exposed to wet and/or hot/cold/humid conditions, or airborne particles. Employee may be exposed to conditions in the field prevalent during site and building construction projects.

KNOWLEDGE, SKILL AND ABILITY REQUIREMENTS: Thorough knowledge of Economic Development, Financing, Marketing/Sales, and Public Relations. Considerable knowledge of the business climate and potential for development in New Hampshire. Ability to effectively discuss business and managerial issues with prospective clients. Ability to establish and maintain effective working relationships with business and industrial leaders, governmental officials, and the general public. Ability to communicate effectively, verbally and in writing. Strong time management skills; ability to plan, organize and analyze problems, preparing technical reports, and formulating recommendations.

EDUCATION/LICENSURE/CERTIFICATION REQUIREMENTS: Bachelor's degree from an accredited college or university with major course work in economic development, planning, business administration, finance, and/or marketing, plus minimum five (5) years related experience, OR any equivalent combination of education and experience which demonstrates possession of the required knowledge, skills and abilities.

SPECIFIC VOCATIONAL PREPARATION/EXPERIENCE REQUIREMENT(S):

☐ 1. None.	☐ 6. 1 to 2 years.
☐ 2. Short demonstration up to 30 days.	☐ 7. 2 to 4 years.
☐ 3. 30-90 days.	☒ 8. 4-10 years.
☐ 4. 91-180 days.	☐ 9. Over 10 years.
☐ 5. 181 days to 1 year.	

OTHER CONSIDERATIONS AND REQUIREMENTS: Some interstate travel may be required. Job may involve attendance at meetings held after normal business hours. Maintenance of motor vehicle operator's driver license required. Use of personal vehicle for business related travel may be necessary. The minimum requirements listed above may be satisfied by having any equivalent combination of education and experience which demonstrates possession of the required knowledge, skills and abilities. The duties and responsibilities of this position are also governed by statutes, policies, rules and regulations.

Classification Established: 12/09/2020
Job Description Developed: 12/07/2020
Job Description Revised:



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.9.

Resolution Number: **R – 2020.12.09 – 204**

Resolution Re: Approval of Procedural Rules for Ad Hoc Committee for Racial Equity and Inclusion

WHEREAS: By resolution passed on October 28, 2020 ([R-2020.10.28-181](#)), the City Council created the Ad Hoc Committee for Racial Equity and Inclusion;

WHEREAS: The Ad Hoc Committee for Racial Equity and Inclusion, is required to, and wishes to, Establish Operating Rules;

WHEREAS: The Ad Hoc Committee for Racial Equity and Inclusion reviewed an adopted proposed Operational Rules at its organizational meeting on December 3, 2020;

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

The City Council approves the Operational Rules for the Ad Hoc Committee for Racial Equity and Inclusion as adopted by the Ad Hoc Committee for Racial Equity and Inclusion on December 3, 2020.

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



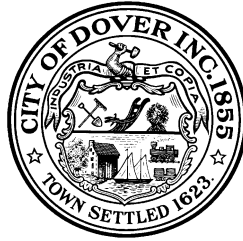
Agenda Item#: 13.A.9.

Resolution Re:	Approval of Procedural Rules for Ad Hoc Committee for Racial Equity and Inclusion
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Public Hearing Date:
Effective Date:

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.

See attached Operational Rules for the Ad Hoc Committee for Racial Equity and Inclusion adopted by the Committee on December 3, 2020.



OPERATING RULES

COMMITTEE FOR RACIAL EQUITY AND INCLUSION

Article I. Name

The name of the Committee is the **Ad-Hoc Committee for Racial Equity and Inclusion** (hereinafter “Committee”).

Article II. Purpose, Authority, Duties and Termination

- A. The purpose and authority of this Committee is to review data, hold listening sessions, and recommend to the City Council and City Manager, an action plan outlining existing and new steps to be taken to work to eliminate any potential relics of past systemic racism in municipal operations, including boards and commissions. The Committee shall work closely with City staff through the City Manager to gather necessary information on municipal operations, and will coordinate as necessary with the Dover Schools Racial Equity Vision Keepers Committee.
- B. The Committee’s authority and existence shall be advisory and for a limited duration.

Article III. Membership

- A. **Membership.** The Committee shall be composed of the following members:
 - (a) One City Councilor recommended by the Mayor and ratified by the City Council, appointed on an ex officio basis;
 - (b) One School Board Member appointed by the School Board on an ex officio basis;
 - (c) Nine members of the community at large with knowledge, interest, and/or experience in addressing systemic racism and bias, as recommended by the City Council’s appointments committee and ratified by City Council;
 - (d) Up to two alternate members fulfilling any of the criteria above as recommended by the City Council’s appointments committee and ratified by City Council;
 - (e) Exceptions to the Dover residency requirement within Dover Code § 9-1(E) may be made if recommended by the City Council’s appointments committee and approved by the City Council.

- B. **Attendance, Vacancies and Removal.** Unless otherwise provided by the appointing authority, all appointments to the Committee shall serve for a designated term and are expected to attend all scheduled and properly noticed meetings of the committee. Attendance shall be recorded for all meetings and absences may be excused in advance by the Chair. Any appointments made to fill any vacancies shall be for the full remainder of the predecessor's term, to begin the date of appointment by the appointing authority unless otherwise provided. Conditions for removal of any Committee member, including for lack of attendance, shall be defined by statute, ordinance, Charter, or common law.

Article IV. Officers and Staffing

- A. **Officers.** The officers consist of a Chair, Vice Chair, and Secretary, who shall be selected by the membership and who shall serve at the pleasure of the membership for one-year terms, though such terms shall expire sooner if and when the committee itself lapses or ceases to exist. Officers may be re-elected.
- B. **Duties of the Chair.** The Chair shall have general supervisory and directional powers over the Committee. The Chair shall preside at all Committee meetings and, in consultation with the Vice Chair, shall set the Committee's agenda. The Chair shall also be an ex-officio member of all subcommittees and shall be the sole spokesperson for the Committee, unless this responsibility is delegated by vote of the committee and recorded in the meeting minutes.
- C. **Vice Chair.** The Vice Chair shall execute all powers of the Chair in the absence of the Chair.
- D. **Secretary.** The Secretary shall take written minutes and make an audio recording of each meeting and transmit them promptly to the City Clerk in conformance with the requirements established by the City Clerk.
- E. **Staff.** The City of Dover may provide staff support to the Committee for meeting notification, typing, copying, and information gathering to the extent permitted by the City budget and within the authority vested in the City Manager. All staff shall remain under the direction of the employer.

Article V. Procedures

- A. **Meetings.** The Committee shall hold regular meetings as necessary at a time and place designated by the Chair. The business of the public shall be conducted in public session unless otherwise permitted by state law. All meetings of the Committee and subcommittees shall be posted to comply with state law in accordance with procedures established by the City Clerk. State law requires all meetings to be posted in two (2) places with a minimum of twenty-four (24) hours notice.
- B. **Quorum.** Six (6) members of the voting membership of the Committee shall constitute a quorum.
- C. **Parliamentary Authority.** The parliamentary authority for the Committee is *Robert's Rules of Order Revised, 11th ed*, except as provided by these rules or local, state or federal law.
- D. **Minutes.** Written minutes shall be kept for all meetings of the Committee. The minutes shall include the names of the members in attendance, all actions, motions and resolutions

coming before the public body including the votes of the members, and a summary of all discussions. Draft minutes shall be provided to the City Clerk within five (5) business days of each meeting for posting on the city website in draft form. Draft minutes shall be clearly marked "DRAFT". Draft minutes with or without revisions shall be approved by the committee at the next meeting of the committee, or as soon as possible. Final approved minutes shall be provided to the City Clerk for posting on the city website.

- E. **Recording of Meetings.** The Committee shall arrange for video or audio recording of all meetings consistent with the requirements of Dover's Code. All recordings shall be provided to the City Clerk within five (5) business days of the meeting.
- F. **E-mail accounts.** Committee members who do not already have a City of Dover e-mail address may obtain same to facilitate communications regarding meetings, agendas and the dissemination of information. Committee members shall refrain from using e-mail to discuss issues with other members where the e-mail discussion directly or indirectly involves a quorum of the committee. In addition, committee members shall refrain from conducting the official business of the Committee outside the view of the public and the news media unless permitted by state law.
- G. **Nonpublic meetings.** The Committee shall conduct only nonpublic meetings pursuant to the laws of the State of New Hampshire. The Chair shall conduct nonpublic meetings utilizing the Checklist prepared by the City Attorney for nonpublic meetings.
- H. **Amendment of Rules.** These rules may be repealed or amended by a vote of the Dover City Council based upon the recommendation of the Committee.

APPROVED AND RECOMMENDED BY THE COMMITTEE ON December 3, 2020

APPROVED BY THE DOVER CITY COUNCIL ON _____



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10.

Resolution Number: **R – 2020.12.09 – 205**

Resolution Re: Approval of Procedural Rules for Ad Hoc Committee to Study Stormwater and Flood Resilience Funding

WHEREAS: By resolution passed on October 28, 2020 ([R-2020.10.28-182](#)), the City Council created the Ad Hoc Committee to Study Stormwater and Flood Resilience Funding.

WHEREAS: The Ad Hoc Committee to Study Stormwater and Flood Resilience Funding, is required to, and wishes to, establish Procedural Rules.

WHEREAS: The Ad Hoc Committee to Study Stormwater and Flood Resilience Funding reviewed and adopted proposed Procedural Rules at its meeting on November 30, 2020.

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

The City Council approves the Procedural Rules for the Ad Hoc Committee to Study Stormwater and Flood Resilience Funding as adopted by the Ad Hoc Committee to Study Stormwater and Flood Resilience Funding on November 30, 2020.

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.10.	
Resolution Number: R – 2020.12.09 – 205 Resolution Re: Approval of Procedural Rules for Ad Hoc Committee to Study Stormwater and Flood Resilience Funding		

DOCUMENT HISTORY:

First Reading Date: _____ Approved Date: _____	Public Hearing Date: _____ Effective Date: _____
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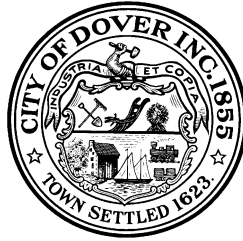
DOCUMENT ACTIONS:

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.		

RESOLUTION BACKGROUND MATERIAL:

Pursuant to Dover Code §9-1(F), “[a]ll boards, commissions and committees shall adopt rules subject to the approval of the City Council.”

See attached Procedural Rule for the Ad Hoc Committee to Study Stormwater and Flood Resilience Funding adopted by the committee on November 30, 2020.



OPERATING RULES

COMMITTEE TO STUDY STORMWATER AND FLOOD RESILIENCE FUNDING

Article I. Name

The name of the Committee is the **Committee to Study Stormwater and Flood Resilience Funding** (hereinafter "Committee").

Article II. Purpose, Authority, Duties and Termination

- A. The purpose and authority of this Committee is to investigate, study, and identify and make recommendations to the City Council concerning various funding opportunities that may exist with respect to existing needs and future stormwater and flood resilience management planning.
- B. The Committee's authority and existence is established until the submission of its final, written report and may be extended by further act of the City Council, barring which the Committee to Study Stormwater and Flood Resilience Funding shall automatically lapse and cease to exist.

Article III. Membership

- A. **Membership.** There shall be 17 members on the Committee composed of One (1) City Councilor appointed by the Mayor and ratified by the City Council on an ex officio and non-voting basis, and One (1) employee from the Dover School District may be appointed on an ex officio and non voting basis. One (1) Community Services Department liaison designee may be appointed on an ex officio and non voting basis. All remaining fourteen (14) committee members shall be appointed by the Mayor subject to review of the Appointments Committee and approval of the City Council, shall have voting rights, and shall serve in an at large.
- B. **Attendance, Vacancies and Removal.** Unless otherwise provided by the appointing authority, all appointments to the Committee shall serve for a term that is co-terminous with the member's term on their respective public body. Any appointments made to fill any vacancies shall be for full remainder of the predecessor's term, to begin the date of appointment by the appointing authority unless otherwise provided. Conditions for removal of any Committee member shall be defined by statute, ordinance, Charter, or common law.

Article IV. Officers and Staffing

- A. **Officers.** The officers consist of a Chair and Vice Chair, who shall be selected by the membership and who shall serve at the pleasure of the membership for one-year terms, or until the expiration of the committee, whichever is sooner. Officers may be re-elected.
- B. **Duties of the Chair.** The Chair shall have general supervisory and directional powers over the Committee. The Chair shall preside at all Committee meetings and set the Committee's agenda. The Chair shall also be an ex-officio member of all subcommittees and shall be the sole spokesperson for the Committee, unless this responsibility is delegated in writing.
- C. **Vice Chair.** The Vice Chair shall execute all powers of the Chair in the absence of the Chair.
- D. **Staff.** The City of Dover may provide staff support to the Committee for meeting notification, typing, copying, and information gathering to the extent permitted by the City budget. All staff shall remain under the direction of the employer.

Article V. Procedures

- A. **Meetings.** The Committee shall hold regular meetings as necessary at a time and place designated by the Chair. The business of the public shall be conducted in public session unless otherwise permitted by state law. All meetings of the Committee and subcommittees shall be posted to comply with state law. State law requires all meetings to be posted in two (2) places with a minimum of twenty-four (24) hours notice.
- B. **Quorum. Eight (8)** members of the voting membership of the Committee shall constitute a quorum.
- C. **Parliamentary Authority.** The parliamentary authority for the Committee is *Robert's Rules of Order Revised, 11th ed*, except as provided by these rules or local, state or federal law.
- D. **Minutes.** Minutes shall be kept for all meetings of the Committee. The minutes shall include the names of the members in attendance, all actions, motions and resolutions coming before the public body including the votes of the members, and a summary of all discussions. Draft minutes shall be provided to the City Clerk within five (5) business days of each meeting for posting on the city website in draft form. Draft minutes shall be clearly marked "DRAFT". Draft minutes with or without revisions shall be approved by the committee at the next meeting of the committee, or as soon as possible. Final approved minutes shall be provided to the City Clerk for posting on the city website.
- E. **Recording of Meetings.** The Committee shall arrange for video or audio recording of all meetings consistent with the requirements of Dover's Code. All recordings shall be provided to the City Clerk within five (5) business days of the meeting.
- F. **E-mail accounts.** Committee members who do not already have a City of Dover e-mail address may obtain same to facilitate communications regarding meetings, agendas and the dissemination of information. Committee members shall refrain from using e-mail to discuss issues with other members where the e-mail discussion directly or indirectly involves a quorum of the committee. In addition, committee members shall refrain from conducting the official business of the Committee outside the view of the public and the press unless permitted by state law.

- G. **Nonpublic meetings.** The Committee shall conduct only nonpublic meetings pursuant to the laws of the State of New Hampshire. The Chair shall conduct nonpublic meetings utilizing the Checklist prepared by the City Attorney for nonpublic meetings.
- H. **Amendment of Rules.** These rules may be repealed or amended by a vote of the Dover City Council based upon the recommendation of the Committee.
- I. **Emergency Meetings.** The Committee expects to meet frequently using the “Emergency” provisions of RSA 91-A:2,III(b) given the time limited nature of the Committee and the ongoing pandemic, as determined by the Chair.

APPROVED AND RECOMMENDED BY THE COMMITTEE ON November 30, 2020

APPROVED BY THE DOVER CITY COUNCIL ON _____



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R – 2020.12.09 – 206**

Resolution Re: Consent to and Acceptance of Land and Easement
Contribution from STF Development Corporation In Lieu
of Impact Fees

WHEREAS: STF Development Corporation (“STF”) owns a parcel of land located on Snows Court, Dover, NH, Tax Map 32, Lot 35A, as shown on a set of plans entitled “Subdivision Plan, Land of STF Development Corporation Snows Court, Dover, NH”; and

WHEREAS: As part of the above referenced subdivision two parcels were created lots 35A and 35A-1. 35A is intended to be a single family home and 35A-1 was intended to be undeveloped in response to neighborhood request; and

WHEREAS: STF owns a parcel of land located on Sheffield Drive, Dover, NH, Tax Map K, Lot 37, as is shown on a set of plans entitled “Site Plan Sheffield Drive, Dover, NH”; and

WHEREAS: Sheffield Drive intersects Dover Point Road across from Pointe Place, where the City wishes to have a traffic control device at the intersection which would require encroachment on Map K lot 37; and

WHEREAS: STF owes \$77,404 in recreation fees from various projects; and

WHEREAS: STF owes \$18,374 in intersection improvement fees for the traffic control device and public safety impact fees for the Sheffield Drive site plan; and

WHEREAS: The City’s Impact Fee Ordinance (Dover Code § 170-23) allows for fees to be paid by donation of real property or infrastructure; and

WHEREAS: STF wishes to contribute an easement for the traffic control device and donate Map 32 Lot 35A-1 for passive recreation and public access to the Cochecho River.

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

The City Council has reviewed and hereby consents to the contribution from STF Development Corporation, in lieu of impact fees, of the parcel of land located on Snows Court, Dover, NH, Tax Map 32, Lot 35A-1, as shown on a set of plans entitled “Subdivision Plan, Land of STF Development Corporation Snows Court, Dover, NH.” Provided the Planning Board also approves the acceptance of the aforesaid contribution of property in lieu of impact fees, the City Manager, or designee, is authorized to accept a satisfactory Warranty Deed from STF Development Corporation for the parcel and cause the recording of said deed in the Strafford County Registry of Deeds, in exchange for Recreation Fees due.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R – 2020.12.09 – 206**

Resolution Re: Consent to and Acceptance of Land and Easement
Contribution from STF Development Corporation In Lieu
of Impact Fees

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

The City Council has reviewed and hereby consents to the contribution from STF Development Corporation, in lieu of impact fees, of an easement for the parcel of land located on Sheffield Drive, Dover, NH, Tax Map K, Lot 37, as is shown on the provided exhibit. Provided the Planning Board also approves the acceptance of the aforesaid contribution of property in lieu of impact fees, the City Manager, or designee, is authorized to accept a Warranty Deed from STF Development Corp for the easement and record said Deed in the Strafford County Registry of Deeds, in exchange for Public Safety and Intersection Improvement Fees due.

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.11.

Resolution Number: **R – 2020.12.09 – 206**
Resolution Re: Consent to and Acceptance of Land and Easement
Contribution from STF Development Corporation In Lieu
of Impact Fees

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.11.

Resolution Number: **R – 2020.12.09 – 206**
Resolution Re: Consent to and Acceptance of Land and Easement
Contribution from STF Development Corporation In Lieu
of Impact Fees

RESOLUTION BACKGROUND MATERIAL:

A subdivision plan and easement sketch are attached for reference.

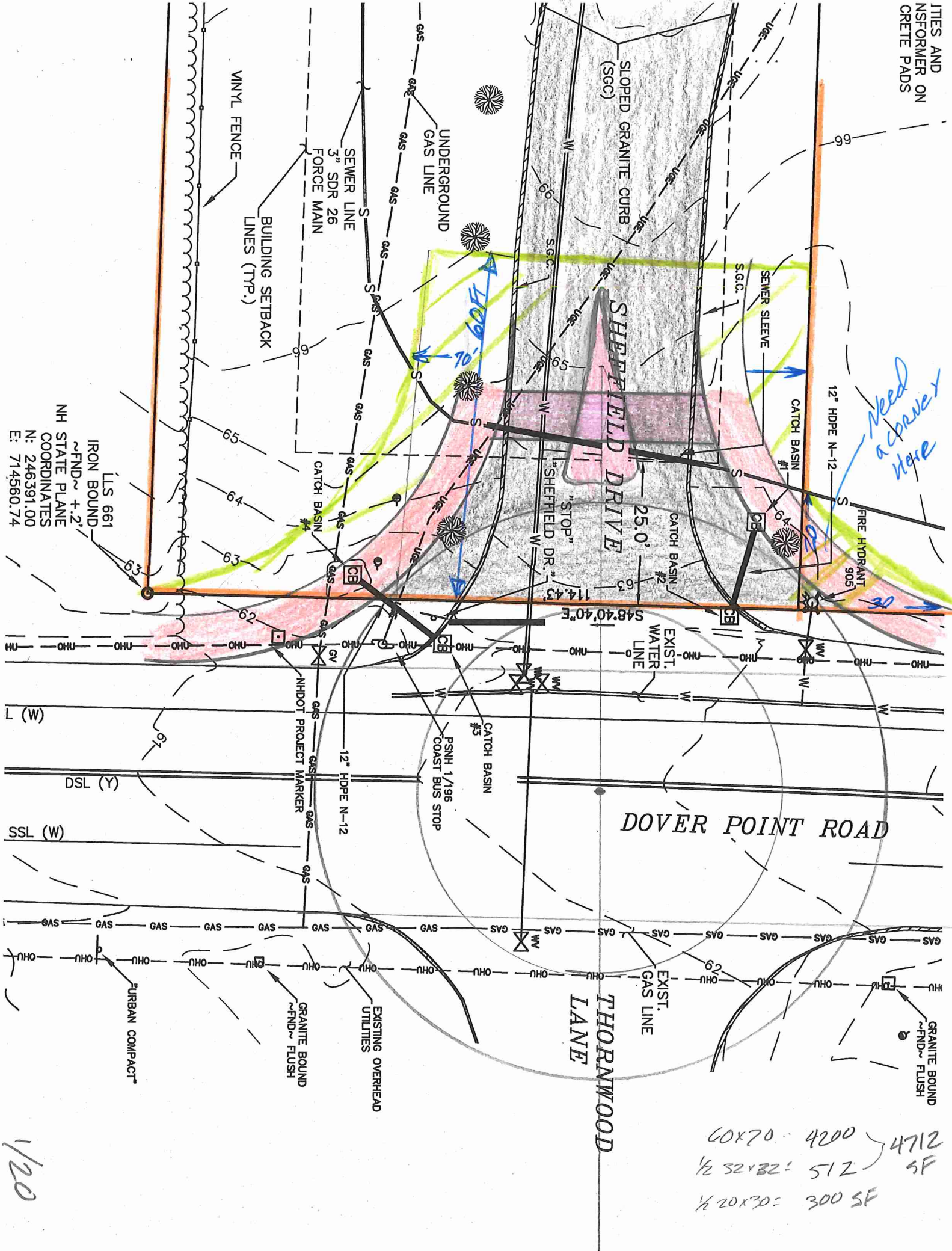
Dover Code § 170-23 allows for the acceptance of property in lieu of cash payments.

As part of a request for a Conditional Use Permit for the single family home on the Snows Court land, the abutters spoke to the Planning Board about the environmental sensitivity of the parcel and the need to not further develop the lot. STF Development Corporation agreed to convey the parcel to the City for passive recreation and public access to the Cochecho River. No improvements (canoe launch etc) to the parcel are expected at this time, though may be contemplated in the future.

As part of the development of Sheffield Drive and Pointe Place, staff and civil engineers involved with all projects have identified the need for increased traffic control at the intersection created with Dover Point Road. This initially was intended to be a traffic signal. Overtime the State of New Hampshire, which owns Dover Point Road just south of this area, and City staff have reviewed options for a roundabout at the intersection. If completed a wider area of right of way would be necessary. The easement proposed would provide for that area. The development approvals for Pointe Place have all included provisions for the developer to cost share on the traffic control device. Currently, the device must be installed before certificate of occupancy of the next major piece (a mixed use building or all 30 townhouses recently approved). A final right of way easement layout will be created with the final design of the planned traffic control device.

City staff have reviewed the proposed contributions of property and determined they are of at least equivalent value.

ITIES AND
NSFORMER ON
CRETE PADS



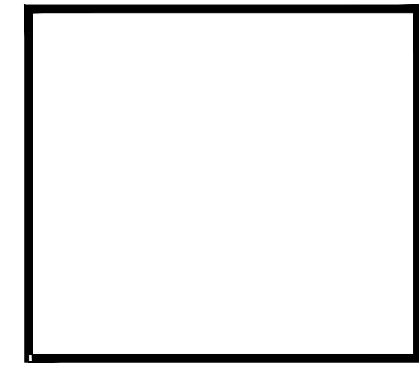
Need a cover here

60x70 = 4200 } 4712 SF
1/2 32x32 = 512
1/2 20x30 = 300 SF

1/20

JURISDICTIONAL WETLANDS WERE DELINEATED BY CYNTHIA BALCIUS OF STONEY RIDGE ENVIRONMENTAL LLC IN JANUARY, 2019, UTILIZING THE FOLLOWING STANDARDS:

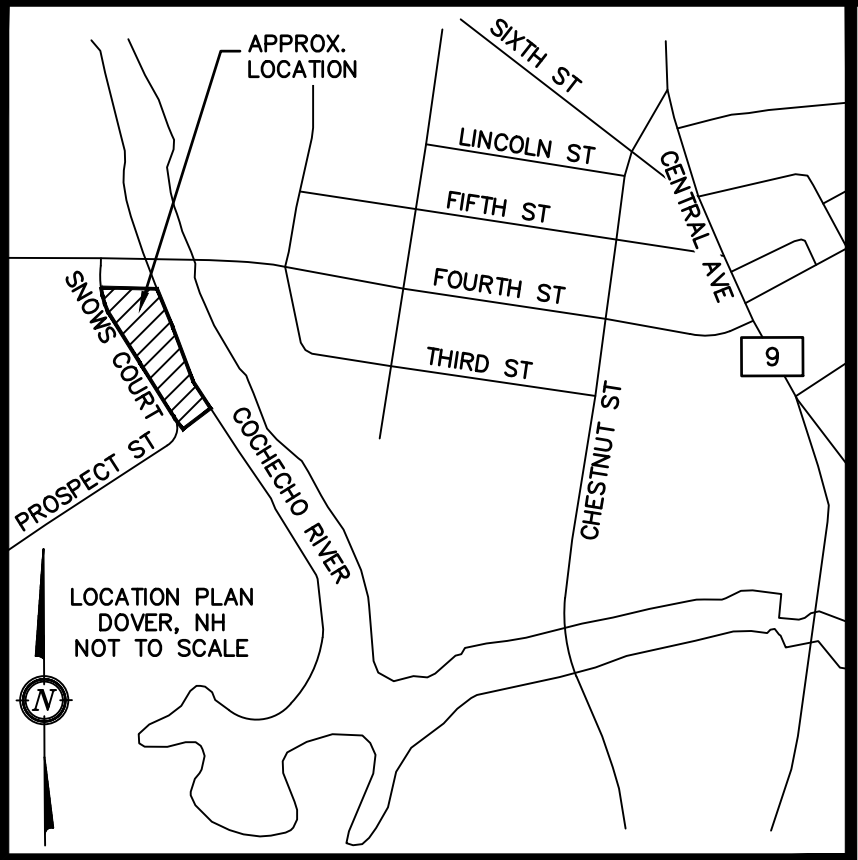
- 1) FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES, VERSION 7.0. 2010. L.M. VASILAS, G.W. HURT, AND C.V. NOBLE (EDS.). UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE, IN COOPERATION WITH THE NATIONAL TECHNICAL COMMITTEE FOR HYDRIC SOILS.
- 2) FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND. VERSION 3. APRIL 2004. NEIWPCC WETLANDS WORKGROUP. WILMINGTON, MA 01887.
- 3) NORTH AMERICAN DIGITAL FLORA: NATIONAL WETLAND PLANT LIST, VERSION 2.1.0 (HTTP://WETLAND_PLANTS.USACE.ARMY.MIL). U.S. ARMY CORPS OF ENGINEERS, ENGINEER RESEARCH AND DEVELOPMENT CENTER, COLD REGIONS RESEARCH AND ENGINEERING LABORATORY, HANOVER, NH, AND BONAP, CHAPEN HILL.
- 4) STATE OF NEW HAMPSHIRE 2014 WETLAND PLANT LIST. LICHVAR, R.W., M. BUTTERWICH, N.C. MELVIN, AND W.N. KIRCHNER. 2014. THE NATIONAL WETLAND PLANT LIST: 2014 UPDATE OF WETLAND RATINGS. PHYTONEURON 2014-41:1-42.
- 5) CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, JANUARY 1987. WETLANDS RESEARCH PROGRAM TECHNICAL REPORT Y-87-1.
- 6) REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION. JANUARY 2012, VERSION 2. U.S. ARMY CORPS OF ENGINEERS. ENVIRONMENTAL LABORATORY ERDC/EL TR-12-1.
- 7) CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES. DECEMBER 1979. L. COWARDIN, V. CARTER, F. GOLET, AND E. LAROE. US DEPARTMENT OF THE INTERIOR. FISH AND WILDLIFE SERVICE. FWS/OBS-79/31.



STONEY RIDGE ENVIRONMENTAL, LLC.
CYNTHIA BALCIUS, CWS #61

PLAN REFERENCES:

1. "WHITE ENTERPRISES INC. PLAN OF LOTS, PROSPECT ST., DOVER NEW HAMPSHIRE" BY: GL DAVIS & ASSOCIATES DATED: APRIL, 1968 S.C.R.D. PLAN #9A, POCKET #9, FOLDER #2
2. "PLAN OF LAND OF LEWIS & SARAH BROWN, EASTERLY SIDE OF SNOWS COURT, DOVER, N.H." BY: G.A. CRAWFORD DATED: APRIL 27, 1955 S.C.R.D. PLAN #55, POCKET #3, FOLDER #1
3. "PLAN OF LAND, GERARD R. COTE, DOVER, N.H." BY: GL DAVIS & ASSOCIATES S.C.R.D. PLAN #55, POCKET #2, FOLDER #15



NOTES:

- 1.) OWNER: STF DEVELOPMENT CORPORATION 242 CENTRAL AVENUE DOVER, NH 03820
- 1A.) APPLICANT: STF DEVELOPMENT CORPORATION 242 CENTRAL AVENUE DOVER, NH 03820
- 2.) TAX MAP 32, LOT 35A
- 3.) LOT AREA: 40,592 Sq. Ft., 0.92 Ac.
- 4.) S.C.R.D. BOOK 2515, PAGE 207
- 5.) ZONING: (R-12) MEDIUM DENSITY RESIDENTIAL DISTRICT MINIMUM FRONTAGE ~ 100' MINIMUM LOT SIZE ~ 12,000 Sq. Ft. FRONT BUILD TO LINE ~ 15'-25' REAR SETBACK ~ 30' SIDE SETBACK ~ 15' WETLANDS BUFFER ~ 50.0' MAX. BUILDING HEIGHT: 35' MAX. LOT COVERAGE: 30%
- 6.) I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE & BELIEF, PART OF THIS PARCEL DOES FALL WITHIN THE FLOOD PLAIN FLOOD HAZARD REF.: FEMA COMMUNITY #330145, MAP #33017C0310E, DATED: SEPTEMBER 30, 2015
- 7.) THE FEMA FLOOD ZONE IS AT ELEVATION 46.4', LOCATED ACROSS THE STREET.
- 8.) VERTICAL DATUM BASED ON NAVD88 ELEVATIONS. HORIZONTAL COORDINATES BASED ON NAD83. COORDINATES GATHERED USING TOPCON HIPER SR SURVEY GRADE GPS RECEIVERS.
- 9.) THE BOUNDARY LINES SHOWN ON THIS PLAN ARE THE RESULT OF A CLOSED TRAVERSE PERFORMED BY THIS OFFICE IN FEBRUARY OF 2019, WITH AN ERROR OF CLOSURE OF 1 PART IN 21612.70.
- 10.) THE INTENT OF THIS PLAN IS TO SHOW THE BOUNDARIES OF A PROPOSED 2 LOT SUBDIVISION ON TAX MAP 32, LOT 35A.
- 11.) THIS IS A 9 SHEET PLAN SET WITH SHEET 3 WILL BE RECORDED AT THE STRAFFORD COUNTY REGISTRY OF DEEDS. SHEET 3 WILL BE ON FILE AT THE CITY OF DOVER OR THIS OFFICE. FOR MORE INFORMATION ON THIS SUBDIVISION, CONTACT THE CITY OF DOVER PLANNING DEPARTMENT, 288 CENTRAL AVENUE, DOVER, NH 03820, (603) 516-6008.
- 12.) BOTH LOTS WILL BE SERVICED BY MUNICIPAL WATER AND SEWER.
- 13.) OWNER TO WORK WITH CITY ENGINEER ON PROPOSED WATER AND SEWER UTILITIES FOR THE PROPOSED LOT.
- 14.) NHDES SUBDIVISION APPROVAL NOT REQUIRED DUE TO THE SITE BEING SERVICED BY MUNICIPAL WATER AND SEWER.
- 15.) SEE SHEET 5 FOR ALL OTHER STANDARD SUBDIVISION NOTES ON FILE AT THE DOVER PLANNING.

LEGEND:

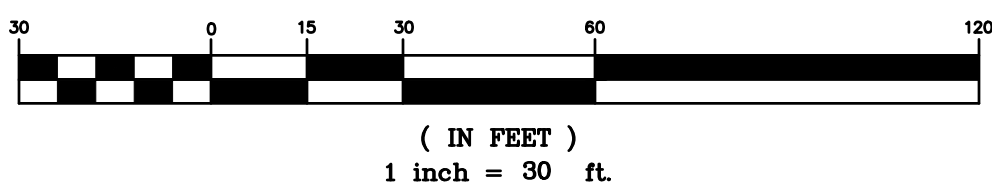
- IRON BOUND ~TBS~
- IRON PIPE ~FND~
- CONCRETE BOUND ~FND~
- UTILITY POLE
- GUY WIRE
- ⊕ TEMPORARY BENCH MARK (T.B.M.)
- SURVEY TIE LINE
- PROPOSED BOUNDARY LINE
- BUILDING SETBACK LINE
- APPROXIMATE ABUTTING BOUNDARY LINE
- 100' CONSERVATION DISTRICT
- 50' PRIMARY BUILDING SETBACK LINE (NHDES)
- 150' NATURAL WOODLAND BUFFER LINE (NHDES)
- FEMA FLOODWAY LINE
- CONCRETE HEADWALL OR RETAINING WALL
- FND FOUND
- TYP TYPICAL
- S.C.R.D. STRAFFORD COUNTY REGISTRY OF DEEDS

I CERTIFY THAT THIS PLAT EXCEEDS THE MINIMUM REQUIREMENT FOR ACCURACY AND COMPLETENESS OF THE STATE OF N.H. AND OF THE CITY OF DOVER, N.H. - 1:10,000 -

KENNETH A. BERRY LLS 805 DATE

APPROVED DOVER

GRAPHIC SCALE



WHETHER OR NOT OTHERWISE EXPRESSLY RECITED ON THIS SUBDIVISION PLAN, THE SUBDIVISION APPROVAL GRANTED IS CONDITIONED ON FAITHFUL AND DILIGENT ADHERENCE BY THE OWNER/SUBDIVIDER/DEVELOPER OF ALL TERMS, CONDITIONS, PROVISIONS AND SPECIFICATIONS OF THE CITY OF ROCHESTER LAND SUBDIVISION REGULATIONS AS AMENDED OR AS MAY LATER BE AMENDED, IN EFFECT ON THE DATE OF APPROVAL, UNLESS OR EXCEPT INSOFAR AS EXPRESSLY WAIVED, IN ANY PARTICULAR, BELOW. NON - ADHERENCE MAY RESULT IN A REVOCATION OF APPROVAL. ANY VARIATION FROM THE APPROVED PLAN WILL REQUIRE A RESUBMISSION FOR SUBDIVISION APPROVAL.

REVISION	DATE	DESCRIPTION

SUBDIVISION PLAN
LAND OF
STF DEVELOPMENT CORPORATION
SNOWS COURT
DOVER, N.H.
TAX MAP 32, LOT 35A

BERRY SURVEYING & ENGINEERING
335 SECOND CROWN POINT ROAD
BARRINGTON, NH 03825 (603) 332-2863
SCALE : 1 IN. EQUALS 30 FT.
DATE : JUNE 14, 2019
FILE NO. : DB 2019 - 013

STATE OF NEW HAMPSHIRE
No. 805
KENNETH A. BERRY
SIGNATURE

SHEET 3 OF 9



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2020.12.09 – 207**

Resolution Re: Review and Approval of Amendments to City of Dover's
Winter Operations Snow Removal and Ice Control Policy

WHEREAS: The City of Dover has an existing Winter Operations Snow Removal and Ice Control policy that governs winter operations and snow clearing and maintenance on the City's rights of way (including sidewalks); and

WHEREAS: The existing policy is comprehensive but could benefit from certain amendments and updating oriented toward the City's current practices and the City's current code, as well as the City Council's review, comment, and approval; and

WHEREAS: City staff have made certain proposed amendments to the policy, as set forth in the attached, proposed winter operations policy.

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

The Winter Operations Snow Removal and Ice Control policy (including the route maps and equipment list) attached to this resolution have been reviewed by the City of Dover City Council, have been determined to be a reasonable policy that in good faith balances various policy considerations, including budget considerations, and is hereby approved and adopted by the City Council effective upon passage of this resolution.

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.B.1.

Resolution Number: **R – 2020.12.09 – 207**
Resolution Re: Review and Approval of Amendments to City of Dover's
Winter Operations Snow Removal and Ice Control Policy

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.B.1.

Resolution Number: **R – 2020.12.09 – 207**
Resolution Re: Review and Approval of Amendments to City of Dover's
Winter Operations Snow Removal and Ice Control Policy

RESOLUTION BACKGROUND MATERIAL:

The City's winter operations policy is an important memorialization and communication to the public concerning the City's handling of winter right-of-way clearing and maintenance. The City's policy educates the public about the City's winter operations plans and priorities, the materials and equipment used by the City, and the City's plan for deploying its resources. As observed in the policy itself, the City must balance several considerations in developing any policy. It is impossible to maintain a snow and ice-free road during a storm, but the City aims to ensure public safety and accessibility in a timely manner, including when necessary pretreatment and ice control prior to certain anticipated weather events. The existence of a policy adopted in good faith can also provide the City with certain protections from tort liability. See [RSA 507-B:2-b](#); see also [RSA 231:92-a](#). For more information about this subject and obligations of the City, the New Hampshire Municipal Association has published a 2009 article with answers to frequently asked questions. See C. Fillmore, *Winter Maintenance of Roads and Sidewalks* (NHMA Nov/Dec. 2009), available at <https://www.nhmunicipal.org/town-city-article/winter-maintenance-roads-and-sidewalks>

There are eight attachments to this resolutions. The first is the City's current policy (from 1999), attached for reference. The second is a copy of the proposed new policy. The remaining attachments form part of the proposed new policy. The City's prioritized plow and maintenance routes referenced in the proposed policy are also attached for reference as (i) an overall map of roads with color highlighting, (ii) individual section maps breaking down the larger map, (iii) three sidewalk maps, and (iv) list of equipment referenced in the policy.

Standard Operating Procedures

Dover, New Hampshire

No: 1999-2000

Date: November 1, 1999

Policy: Snow Removal and Ice Control

Governing Laws: RSA 231:92; RSA 507-B:2-b; *Dover Code Chapters 166-11; 166-15; 166-19.*

Approval Date: *December 8, 1999*

Next Review Date: *October 2000*

OBJECTIVE: It is the goal and intent of the City of Dover to provide timely, efficient and cost-effective winter maintenance, snow removal and ice control on the roadways of the municipality for the safety and benefit of the City's residents and the general motoring public.

PROCEDURE: The objective stated above will be achieved by implementation and execution of the procedures and tasks outlined in the City of Dover Winter Operations Snow Removal and Ice Control Procedures. Due to the many variables that are inherent in New England weather, each storm and/or weather event may require slightly different effort and/or emphasis on any number of maintenance tasks, which together, determine the overall winter maintenance, snow removal or ice control strategy.

LEVEL OF SERVICE: It is not possible to maintain a snow and ice-free road or sidewalk during a storm. It is the intention of the City to provide practical, safe access along city streets and municipal facilities during winter storms. The Department shall strive to achieve bare pavement on all priority streets in Dover within the 24 hours following snowstorms 2" or greater. All operational decisions regarding pre-salting, scheduling equipment operators and private contractors shall be based upon this goal. The Department shall conduct removal

operations throughout snow storms to keep non-priority streets open for vehicles.

It is our policy to begin snow removal operations upon accumulation of two-inches of snowfall. The Public Works/Utilities Superintendent may, at his or her discretion based upon weather information reports, elect to not remove snow until greater or lesser accumulations. During nights and weekends the Dover Police Department shall notify the Public Works/Utilities Superintendent that road conditions warrant mobilization of snow removal or ice control activity.

Pre-treatment and ice control may be addressed in advance of a storm, during the actual storm as seen effective, and proceeding the storm. It should be noted that salt has a much slower effect on melting snow and ice at temperatures below 20 degrees, and may not be applied until it is warmer. Chemical pre-wetting maybe used to enhance deicing operations when conditions dictate.

Sidewalk snow clearance will be conducted as possible during winter storms. Personnel availability and the need to maintain safe roadways will take priority.

COMMAND: Direction of all winter maintenance activities for the City of Dover is vested with the Community Services Director or his or her designee.

EXECUTION: The policy outlined above is intended to serve as the normal operating procedures for winter maintenance, snow removal and/or ice control for the City of Dover. One or more of the following, which may delay or prevent the implementation of this policy, may affect all or any part of this Policy:

- Equipment Breakdown
- Snow Accumulation in Excess of 1" Per Hour
- Freezing Rain or Other Icing Conditions
- Traffic Congestion
- Emergencies
- Personnel illness

ADOPTION:

The City of Dover has adopted the Winter Operations Snow Removal and Ice Control Policy effective December 8, 1999. All residents are encouraged to familiarize themselves with the content as it describes the condition that one might expect to encounter before, during and following a winter storm event.

CITY COUNCIL
DOVER, NEW HAMPSHIRE

WINTER OPERATIONS SNOW REMOVAL AND ICE CONTROL PROCEDURES

Dover, New Hampshire

EQUIPMENT: The Highway Department utilizes all the assets of the department as needed to address snow emergencies. A list of the current rolling stock assets used in snow removal and ice control operations is included in the appendices of this policy. Snow equipment shall be operational by November 1st. Equipment with multiple uses may not be converted for snow operations until needed or the secondary use operations cease for the season.

ROUTES: Currently, the Town is divided into seventeen (17) major plow routes. Additionally, there are eight (8) 4 x 4 trucks with 4-way plows used to maintain small streets, utility facilities, emergency service facilities, municipal parking areas, and to assist in support of trucks assigned specific routes. Each street on all plow routes is designated as either a priority street or non-priority street. Streets that receive treatment are shown on the Winter Operations Treatment street map.

The City uses wheeled loaders and a large snow blower in the down town area to load snow for removal to snow fields as it may restrict parking or line of sight distances at intersections. The City has three sidewalk plows used for winter maintenance on designated sidewalks.

MANPOWER: The City of Dover has thirty three (33) full-time personnel assigned to its winter maintenance operations. The Streets Division shall have primary responsibility for removing snow and ice from city streets and sidewalks. Staff from the Utilities, Facilities and Grounds, the Wastewater Treatment Plant divisions, and contracted equipment and drivers are utilized during snow removal and ice control operations as well. All private contractors used during snow storms shall report to the Supervisor on duty during their operations and provide progress reports on the status of their routes. One member of the Fleet Services Division is on duty during winter operations to repair equipment. A call in list of personnel and contractors with phone numbers is maintained and included in the appendix

MATERIALS: The Department uses approximately 1500 tons of rock salt and 4000 cubic yards of sand each season. The sand is used as an abrasive and is applied to the road to improve the public's motor vehicles traction. Salt is employed by the Department as a de-icing and anti-icing agent. Rock salt is

purchased from a supplier as needed. A limited quantity of approximately 300 tons is stockpiled by the Highway Department. Unless weather conditions require a different approach, Winter Maintenance Treatment routes are treated with a mixture of sand and salt. The mixture is maintained at a minimum of one part salt to two parts sand. The mixture is applied to the center of the roadway where traffic can work the mix traveling either way. The mixture, in conjunction with traffic action, creates a watery brine melting snow and/or ice, and resisting snow and ice packing on the roadway. The road crown further assists with the spreading of the mixture brine. The sand/salt mixture is only effective to approximately 20 degrees Fahrenheit. Liquid calcium chloride is applied as a pre-salting agent up to 3 hours before a storm. Ice-Ban Magic™ has also been utilized as a deicing agent on hills, at intersections, and on Priority rural roads experimentally with good success during the last winter season. The department will continue to experiment with this product to identify its most effective and cost efficient use in winter operations.

COMMUNICATIONS: All Public Works rolling stock is equipped with high band radios capable of transmitting and receiving on a frequency of 150.995. Each plow and equipment operator is assigned a unique call number. A list of all call numbers is displayed in each piece of equipment or truck. A copy of the current call numbers is included as an appendix to this policy. Radios are also maintained at the Fleet Services division garage, facilitating the operator's ability to communicate with the Dover police and fire departments.

WEATHER MONITORING: The Highway division maintains computer access to a weather advisory service that provides weather forecasts and provides weather advisories via fax to the highway division office.

PUBLIC SERVICE ANNOUNCEMENTS: The Highway division provides information to the local radio stations on road conditions during storms and educational promotional segments encouraging public cooperation during snowstorms.

SCHOOLS: The Highway Department administers the clearing of snow and winter treatment operations of the City schools access roads and parking lots. On days when school is in session, winter maintenance efforts must be timed to coincide with bus routing and delivery. School Department staff provide snow and ice removal on sidewalks and other school facilities.

The Public Works/Utilities Superintendent calls the school Superintendent or designated representative at 5:30 am on stormy days to provide current

road condition information and available weather forecast information in order to determine the safety of students using school buses. The school Superintendent shall make the decision to cancel or postpone school for that day.

PARKING: The Town has enacted a winter parking ban effective from December 1st to April 1st of each year. This ban prohibits parking in or on city streets or rights of way (ROW) between the hours of 1:00 am and 6:00 am. The City has the right to tow or ticket violators in accordance with Chapter 166 of Dover City Code. The purpose of this winter parking ban is to allow winter maintenance crews unobstructed snow removal and ice control routes, as much as possible, to maintain the maximum effectiveness of their efforts.

PLOW ROUTE PRIORITIES: With a total of 125 miles of roads from which to remove snow and control ice and 33 pieces of equipment to handle this responsibility, the Highway Department has to assign priorities for winter maintenance route activity in order to maximize the effectiveness of their efforts for the motoring public.

- A. Streets are prioritized for Snow removal and ice control as follows:

Priority	Arterial streets and Collector streets
Non-Priority	Residential streets
- B. The downtown Business District will be maintained as possible during business hours, with the main snow clearance effort to be done during the snow parking curfew hours from 1 AM to 7 AM Public as part of Post Storm Operations. Safety is a very great concern in this area due to many cars and pedestrians in the area.
- C. Public parking areas will be maintained by plowing during the winter storm. The application of slip resistant materials will be applied after the storm as determined to be needed by the Public Works/Utilities Superintendent.
- D. Fire Hydrants: The Fire Department locates and shovels fire hydrants to maintain access in case of a fire. The Community Services Department will provide snow removal around fire hydrants when streets and sidewalks are completed.
- E. Each specific plow route is depicted on a route map and a list of streets for each route is included in the appendix.

ROADS AND SIDEWALKS NOT RECEIVING WINTER MAINTENANCE: The City of Dover does not maintain a number of roadways and sidewalks as part of its ongoing winter maintenance activities. The areas not maintained by the City include:

- a. Town roads classified as Class VI roads except portions of Old Garrison Road
- b. Private roads
- c. Unaccepted City Streets
- d. Highways and roads maintained by NH Department of Transportation
- e. City parks except the upper parking lot at Bellamy Park as time allows.
- f. School District sidewalks which are the responsibility of the school district.
- g. Sidewalks not identified on the sidewalk plow routes maps.

DAMAGE TO PRIVATE PROPERTY: It should be noted that the municipality isn't held responsible for damage to private property that is located within the public right of way. (RSA 231:92) The right of way (ROW) is often 50' wide, and is often confused by property owners as their own property. In most cases, the ROW often extends 10 to 20 feet of either side of the paved or gravel road. Homeowners often cultivate extensions of their lawns, place mailboxes, erect fences or stonewalls in these areas, which improves the appearance of the street greatly, but is obstructive to good maintenance from being conducted on the roadway.

In the event of personal property damage, the City of Dover will only be responsible to repair or replace damaged property having been in actual contact with the snow removal equipment that is on private property and not within the public right-of-way.

SNOW REMOVAL FROM PRIVATE PROPERTY: Dover City Code Chapter 166-11 states: No person shall deposit, or cause to be deposited, any ice or snow which has been removed from private property, in or upon any street,

sidewalk, or public place in the City, or deposit or cause to be deposited any ice or snow on private property in such a manner as to obstruct the normal and reasonable flow of traffic in or upon any street, sidewalk or public place within the City.

POST STORM OPERATIONS: As determined by the Public Works/Utilities Superintendent, the snow banks resulting from the previous accumulations shall be pushed back, or shelved, using the plow and wing of the grader or other suitable equipment to make space for future snow storms.

Snow Removal: During the initial stages of the storm, only the roadways through the Business District will be plowed. As parking areas along the businesses are free of parked vehicles, snow removal equipment may swing wider through the street to push back large amounts of accumulated snow.

- A. The downtown Business District and other designated areas require snow removal. The snow removal and snow blower routes in the appendix identify areas of routine snow removal operations.
- B. During the months of December 1st through April 1st snow removal of parking areas in the Business District shall not begin until 10:00 pm and shall cease operations at 7 am.
 - 1. Cars left in this area after the stated times will be called into the Police Department to be towed away.
 - 2. No snow removal operations will be conducted in the area of such vehicles until they have been removed.
- C. Snow removal to open parking in the Business District is accomplished using a large snow blower and loaders. Additional snow removal may be undertaken as necessary on bridges, narrow streets, the "Miracle Mile" and other areas as conditions dictate.

BRIDGES: During an event with precipitation and cold temperatures (32 degrees F) bridges become icy or snow packed because of the air flow above and below the bridge deck. The list of bridges in the appendix are checked and treated as necessary during and after these events. Snow removal on bridges takes place before the amount of snow begins to impede into the roadway causing narrow passage. Removal is done by blower or front end loader.

CHURCHES: Snow removal in the immediate proximity to churches occurs to allow overflow parking in the street without causing congestion. Sidewalks are also cleared to allow pedestrian traffic access. All denominations are assisted.

Snow removal usually occurs in relation to downtown business snow removal operations.

SIDEWALK SNOW REMOVAL:

- A. Sidewalk snow clearance will not begin until:
 - 1. All other snow removal operations are manned and in progress.
 - 2. If there are insufficient personnel available to conduct sidewalk snow removal operations, as well as street and road clearance, the streets and roads shall take priority.
- B. Municipal facilities and the Business District are the sidewalks with the highest priority for snow removal and ice control.
- C. The sidewalks outside the Business District shall be cleared as soon as possible during and after the storm.
- D. The sidewalks will be treated with sand as quickly possible after the storm.
- E. All municipal sidewalks to be cleared of snow and sanded are shown on the sidewalk plow route maps included in the Appendix of this document. Areas of sidewalk not identified on the maps will not receive winter maintenance.

If pedestrians or vehicles cause obstructions to the sidewalk snow removal operations, the Town's winter maintenance operators are encouraged to request their cooperation. Otherwise, the operator is expected to call their supervisor for assistance. The operator is cautioned to avoid confrontation at all possible costs.

PRIORITIZED PLOW ROUTE MAPS

Standard Operating Procedures

Dover, New Hampshire

No: 2020-2021

Date: December 9, 2020

Policy: Winter Operations Snow Removal and Ice Control

Governing Laws: RSA 231:92-a; RSA 507-B:2-b; *Dover Code Chapters 141-11; 141-12; 141-16; 141-48.*

Approval Date: *December 9, 2020*

WINTER OPERATIONS SNOW REMOVAL AND ICE CONTROL PROCEDURES

Dover, New Hampshire

OBJECTIVE: It is the goal and intent of the City of Dover to provide timely, efficient and cost-effective winter maintenance, snow removal and ice control on the roadways of the municipality for the safety and benefit of the City's residents and the general traveling public.

PROCEDURE: The objective stated above will be achieved by implementation and execution of the procedures and tasks outlined in the City of Dover Winter Operations Snow Removal and Ice Control Procedures. Due to the many variables that are inherent in New England weather, each storm and/or weather event may require slightly different effort and/or emphasis on any number of maintenance tasks, which together, determine the overall winter maintenance, snow removal or ice control strategy.

LEVEL OF SERVICE: It is not possible to maintain a snow and ice-free road or sidewalk during a storm. It is the intention of the City to provide practical, safe access along city streets and municipal facilities during winter storms. The City's Community Services Department shall strive to achieve bare pavement on all priority streets in Dover within the 24 hours following snowstorms 2" or greater. All operational decisions regarding pre-salting, scheduling equipment operators and private contractors shall be based upon this goal. The Department shall conduct removal operations throughout snow storms to keep non-priority streets open for vehicles.

It is the City's policy to begin snow removal operations upon accumulation of two-inches of snowfall. The Public Works Supervisor may, at his or her discretion based upon weather information reports, elect to not remove snow until greater or lesser accumulations. During nights and weekends the Dover Police Department shall notify the Public Works Supervisor that road conditions warrant mobilization of snow removal or ice control activity.

Pre-treatment and ice control may be addressed in advance of a storm, during the actual storm as seen effective, and proceeding the storm. It should be noted that salt has a much slower effect on melting snow and ice at temperatures below 20 degrees, and may not be applied until it is warmer. Chemical pre-wetting maybe used to enhance deicing operations when conditions dictate.

Sidewalk snow clearance will be conducted as practical during winter storms. Personnel availability and the need to maintain safe roadways will take priority.

COMMAND: Direction of all winter maintenance activities for the City of Dover is vested with the Community Services Director or his or her designee.

EXECUTION: The policy outlined above is intended to serve as the normal operating procedures for winter maintenance, snow removal and/or ice control for the City of Dover. One or more of the following, which may delay or prevent the implementation of this policy, may affect all or any part of this Policy:

- Equipment Breakdown
- Snow Accumulation in Excess of 1" Per Hour
- Freezing Rain or Other Icing Conditions
- Extreme low temperatures
- Traffic Congestion
- Emergencies
- Personnel illness
- Loss of personnel due to pandemic or mandated quarantine, or other similar circumstances outside of the City's control.

EQUIPMENT: The Highway Department utilizes all the assets of the department as needed to address snow emergencies. A list of the current rolling stock assets used in snow removal and ice control operations is included in the appendices of this policy. Snow equipment shall be operational by November 1st. Equipment with multiple uses may not be converted for snow operations until needed or the secondary use operations cease for the season. Each city vehicle is equipment with a Global Positioning System (GPS) sensor to allow for position monitoring of the equipment.

ROUTES: Currently, the City is divided into eighteen (18) major plow routes. Additionally, there are six (6) 4 x 4 trucks with 4-way plows used to maintain small streets, utility facilities, emergency service facilities, municipal parking areas, and to assist in support of trucks assigned specific routes. Each street on all plow routes is designated as either a priority street or non-priority street. Streets that receive treatment are shown on the Winter Operations Treatment street map. Outside contractor assistance may be utilized to help augment City

staff and equipment.

The City uses wheeled loaders and a large snow blower in the downtown area to load snow for removal to snow fields as it may restrict parking or line of sight distances at intersections. The City sidewalks are broken into three (3) separate zones: Southside, Downtown, and Northside. The City has two sidewalk plows and three skid steer loaders used for winter maintenance on designated sidewalks. There are prioritized areas for pedestrian access, with emphasis on school zones. Remaining sidewalks are addressed as budget, staffing, and equipment allow.

MANPOWER: The City of Dover has thirty three (33) full-time personnel assigned to its winter maintenance operations. The Highway Department shall have primary responsibility for removing snow and ice from city streets and sidewalks. Staff from the Utilities, Facilities and Grounds, the Wastewater Treatment Plant divisions, and contracted equipment and drivers are utilized during snow removal and ice control operations as well. All private contractors used during snow storms shall report to the Supervisor on duty during their operations and provide progress reports on the status of their routes. One member of the Fleet Services Division is on duty during winter operations to repair equipment. A call-in list of personnel and contractors with phone numbers is maintained and updated by the City.

MATERIALS: The Department uses approximately 4,000 tons of rock salt and 1,800 cubic yards of sand each season. The sand is used as an abrasive and is applied to the road to improve the public's motor vehicles traction. Salt is employed by the Department as a de-icing and anti-icing agent. Rock salt is purchased from a supplier as needed. A limited quantity of approximately 400 tons is stockpiled by the Highway Department. Unless weather conditions require a different approach, Winter Maintenance Treatment routes are typically treated in one of four (4) ways:

Dirt roads, or sensitive environmental areas (public water aquifers), may only be treated with sand.

Some residential streets, areas with hills, and certain intersections will typically get treated with a mixture of sand and salt. The mixture is maintained at a minimum of one part salt to five parts sand. The salt helps to prevent the sand from freezing or "clumping" and also provides some de-icing for the roadways.

Arterial streets and collector roads are typically treated with sodium chloride, or rock salt. The intended application rate equates to about 150 pounds of material per lane mile of roadway. The salt is applied to the center of the roadway where traffic can work the material traveling either way. The salt material, in conjunction with traffic action, creates a watery brine melting snow and/or ice, and resisting snow and ice packing on the roadway. The road crown further assists with the spreading of the mixture brine. The salt brine is only effective to approximately 20 degrees Fahrenheit. The City continues to experiment with "pre-wetting" of the dispensed rock salt in

order to provide more even distribution of the rock salt, and to also expedite the conversion process to a liquid brine.

Depending on weather conditions preceding a storm event, the City may elect to treat high-traffic arterial streets and collector roads with a liquid brine solution. The City continues to experiment with expanding the use of brine. The objective is to apply a 23% salinity solution (rock salt) at a rate of 90 gallons per lane mile of roadway.

COMMUNICATIONS: All Public Works rolling stock is equipped with high band, dual-frequency radios which transmit at a frequency of 452.0125 and receive at a frequency of 457.0125. Each plow and equipment operator is assigned a unique call number. A list of all call numbers is displayed in each piece of equipment or truck. A copy of the current call numbers is included as an appendix to this policy. Radios are also maintained at the Fleet Services division garage, facilitating the operator's ability to communicate with the Dover police and fire departments.

WEATHER MONITORING: The Highway Department maintains computer access to a weather advisory service that provides weather forecasts and provides weather advisories via email to supervisory staff.

PUBLIC SERVICE ANNOUNCEMENTS: The Highway Department coordinates with the City's Media Services Department to provide information to the local radio stations on road conditions during storms and educational promotional segments encouraging public cooperation during snowstorms. The City also maintains a subscription based service (text or email) to send direct alerts or notifications to residents, property owners and or businesses.

SCHOOLS: The Highway Department administers the clearing of snow and winter treatment operations of the City schools access roads. The School Department employs private contractors for clear of their parking lots. On days when school is in session, winter maintenance efforts must be timed to coincide with bus routing and delivery. School Department staff provide snow and ice removal on sidewalks and other school facilities.

The Public Works Supervisor is in discussion with the school Superintendent or designated representative before 5:30 am on stormy days to provide current road condition information and available weather forecast information in order to determine the safety of students using school buses or traveling by private vehicle. The school Superintendent shall make the decision to cancel or postpone school for that day.

PARKING: The City may declare parking bans in response to a storm, or as-needed after a storm, to allow winter maintenance crews unobstructed snow removal and ice control routes, as much as possible, to maintain the maximum effectiveness of their efforts. When a ban is declared, all vehicles must be off all public streets, sidewalks, or rights of way (ROW) by the time the ban goes into effect. If vehicles are not removed, they may be ticketed and/or towed. A parking ban will be declared by 3 p.m. to begin at a designated time later that

evening. When a ban is declared, parking is prohibited on City streets, sidewalks and adjacent parking areas.

In addition to winter parking bans that can be called at any time, there are several streets where seasonal winter parking restrictions are in place from Dec. 1 to April 1. These streets, do not allow parking at any time, day or night, between Dec. 1 and April 1. Seasonal restrictions are required due to the limited width of the roads and concerns about plows and emergency vehicles being able to pass. An updated list of no parking restrictions can be found at www.dover.nh.gov/government/city-operations/police/parking-bureau/winter-parking-restrictions/, or in [Chapter 141-48](#) of the City's codes.

PLOW ROUTE PRIORITIES: With a total of 137 miles of roads from which to remove snow and control ice and approximately 36 pieces of equipment to handle this responsibility, the Highway Department has to assign priorities for winter maintenance route activity in order to maximize the effectiveness of their efforts for the motoring public.

- A. Streets are prioritized for snow removal and ice control as follows:

Priority	Arterial streets and Collector streets
Non-Priority	Residential streets
- B. The downtown Business District will be maintained as possible during business hours, with the main snow clearance effort to be done during declared Parking Bans as part of Post Storm Operations. Safety is a very great concern in this area due to many cars and pedestrians in the area.
- C. Public parking areas will be maintained by plowing during the winter storm. The application of slip resistant materials will be applied after the storm as determined to be needed by the Public Works/Utilities Superintendent.
- D. Fire Hydrants: The Fire Department locates and shovels fire hydrants to maintain access in case of a fire. The Community Services Department will provide snow removal around fire hydrants when streets and sidewalks are completed.
- E. Each specific plow route is depicted on a route map and are included in the appendix.

ROADS AND SIDEWALKS NOT RECEIVING WINTER MAINTENANCE: The City of Dover does not maintain a number of roadways and sidewalks as part of its ongoing winter maintenance activities. The areas not maintained by the City include:

- a. City roads classified as Class VI roads
- b. Private roads and private sidewalks

- c. Unaccepted City Streets
- d. Highways and roads maintained by NH Department of Transportation
- e. City parks, except the upper parking lot at Bellamy Park as time allows.
- f. Sidewalks which are the responsibility and in the care of the school department.

DAMAGE TO PRIVATE PROPERTY: It should be noted that the municipality isn't held responsible for damage to private property that is located within the public right of way. (RSA 231:92) The right of way (ROW) is often 50' wide, and is often confused by property owners as their own property. In most cases, the ROW often extends 10 to 20 feet of either side of the paved or gravel road. Homeowners often cultivate extensions of their lawns, place mailboxes, erect fences or stonewalls in these areas, which improves the appearance of the street greatly, but is obstructive to good maintenance from being conducted on the roadway.

In the event of personal property damage, the City of Dover will only be responsible to repair or replace damaged property having been in actual contact with the snow removal equipment that is on private property and not within the public right-of-way.

SNOW REMOVAL FROM PRIVATE PROPERTY: Dover City Code Chapter 141-11 states: No person shall deposit, or cause to be deposited, any ice or snow which has been removed from private property, in or upon any street, sidewalk, or public place in the City, or deposit or cause to be deposited any ice or snow on private property in such a manner as to obstruct the normal and reasonable flow of traffic in or upon any street, sidewalk or public place within the City.

POST STORM OPERATIONS: As determined by the Public Works Supervisor, the snow banks resulting from the previous accumulations shall be pushed back, or shelved, using the plow and wing of the grader or other suitable equipment to make space for future snow storms.

Snow Removal: During the initial stages of the storm, only the roadways through the Business District may be plowed. As parking areas along the businesses are free of parked vehicles, snow removal equipment may swing wider through the street to push back large amounts of accumulated snow.

- A. The downtown Business District and other designated areas typically require snow removal. The snow removal and snow blower routes in the appendix identify areas of routine snow removal operations.

- B. When a Snow Removal Parking Ban is declared, snow removal of parking areas in the Business District will typically begin at 10:00 pm and shall cease operations at 7 am.
 - 1. Cars left in this area after the stated times will be called into the Police Department to be towed away.
 - 2. Snow removal operations may be delayed in the area of such vehicles until they have been removed.
- C. Snow removal to open parking in the Business District is accomplished using a large snow blower and loaders. Additional snow removal may be undertaken as necessary on bridges, narrow streets, the "Miracle Mile" and other areas as conditions dictate.

BRIDGES: During an event with precipitation and cold temperatures (32 degrees F or lower) bridges become icy or snow packed because of the air flow above and below the bridge deck. The list of bridges in the appendix are checked and treated as necessary during and after these events. Snow removal on bridges takes place before the amount of snow begins to impede into the roadway causing narrow passage. Removal is done by blower or front end loader.

CHURCHES: Snow removal in the immediate proximity to churches occurs to allow overflow parking in the street without causing congestion. Sidewalks are also cleared to allow pedestrian traffic access. All denominations are assisted.

Snow removal usually occurs in relation to downtown business snow removal operations.

SIDEWALK SNOW REMOVAL:

- A. Sidewalk snow clearance may not begin until:
 - 1. All other snow removal operations are manned and in progress.
 - 2. If there are insufficient personnel available to conduct sidewalk snow removal operations, as well as street and road clearance, the streets and roads shall take priority.
- B. Municipal facilities, School Zones (public streets near schools, but not on school property), and the Business District are the sidewalks with the highest priority for snow removal and ice control.
- C. The sidewalks outside the identified priority areas shall be cleared as budget, staffing, weather conditions and equipment availability may allow during and after the storm.
- D. The sidewalks will be treated with sand as quickly possible after the storm.
- E. Prioritized sidewalks to be cleared of snow and sanded are shown

on the sidewalk plow route maps included in the Appendix of this document.

If pedestrians or vehicles cause obstructions to the sidewalk snow removal operations, the City's winter maintenance operators are encouraged to request their cooperation. Otherwise, the operator is expected to call their supervisor for assistance. The operator shall avoid confrontation at all possible costs. Any vehicles blocking public access, or parked in violation of Parking Regulations or a posted Parking Ban may be ticketed and/or towed.

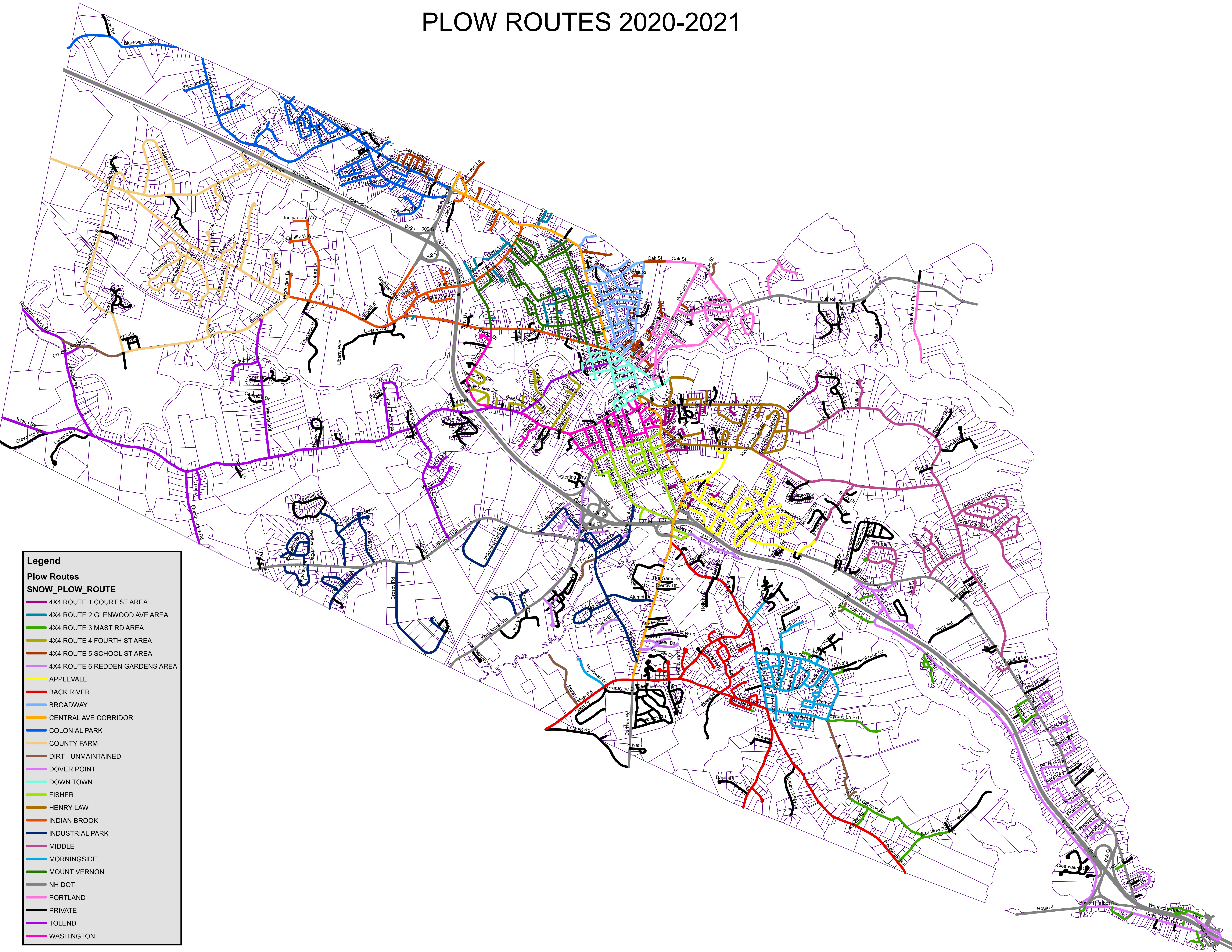
ADOPTION:

The City of Dover has adopted the Winter Operations Snow Removal and Ice Control Policy by Resolution on and effective December 9, 2020. All residents are encouraged to familiarize themselves with the content as it describes the condition that one might expect to encounter before, during and following a winter storm event.

Residents are also encouraged to familiarize themselves with the Winter Parking Ban regulations and guidelines.

PRIORITIZED PLOW ROUTE MAPS

PLOW ROUTES 2020-2021



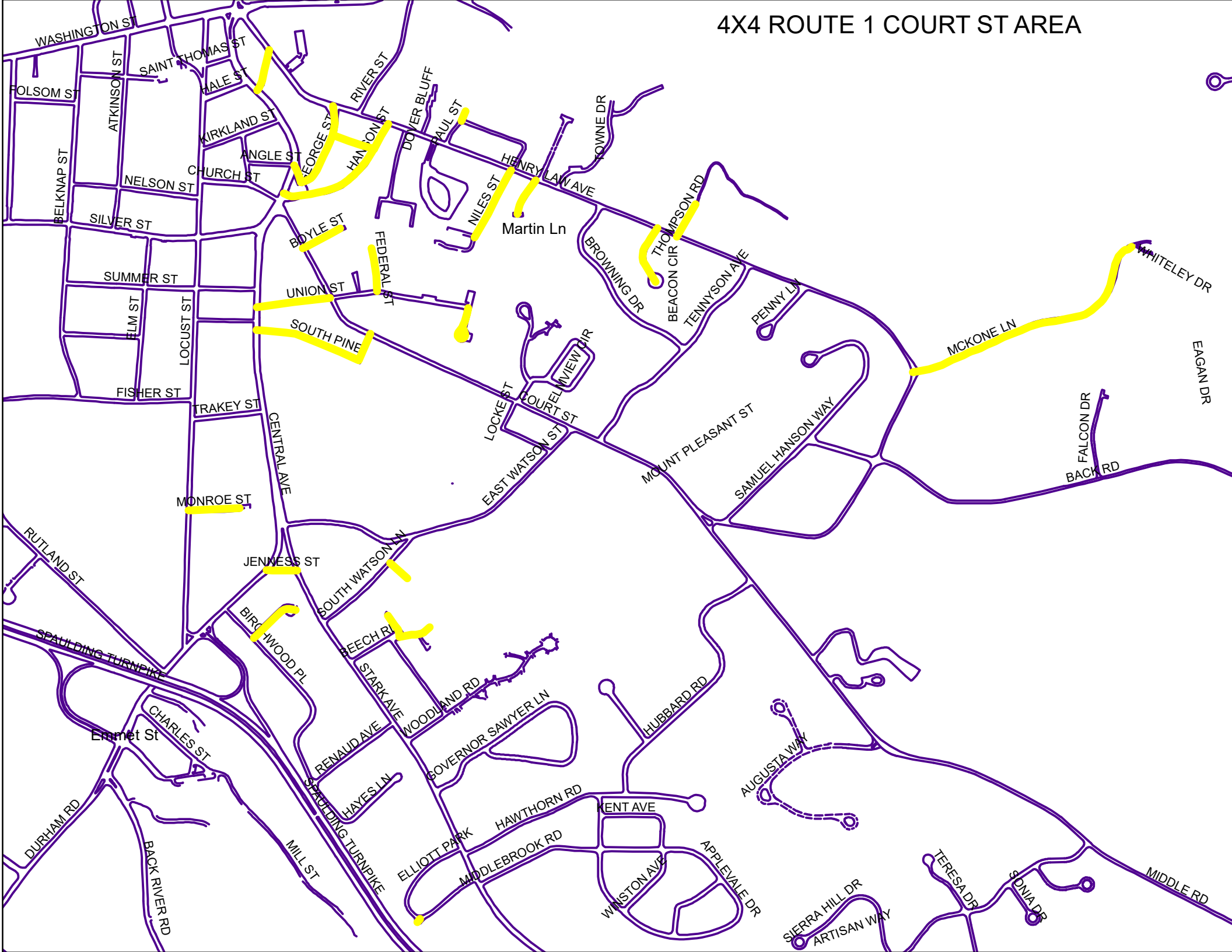
Legend

Plow Routes

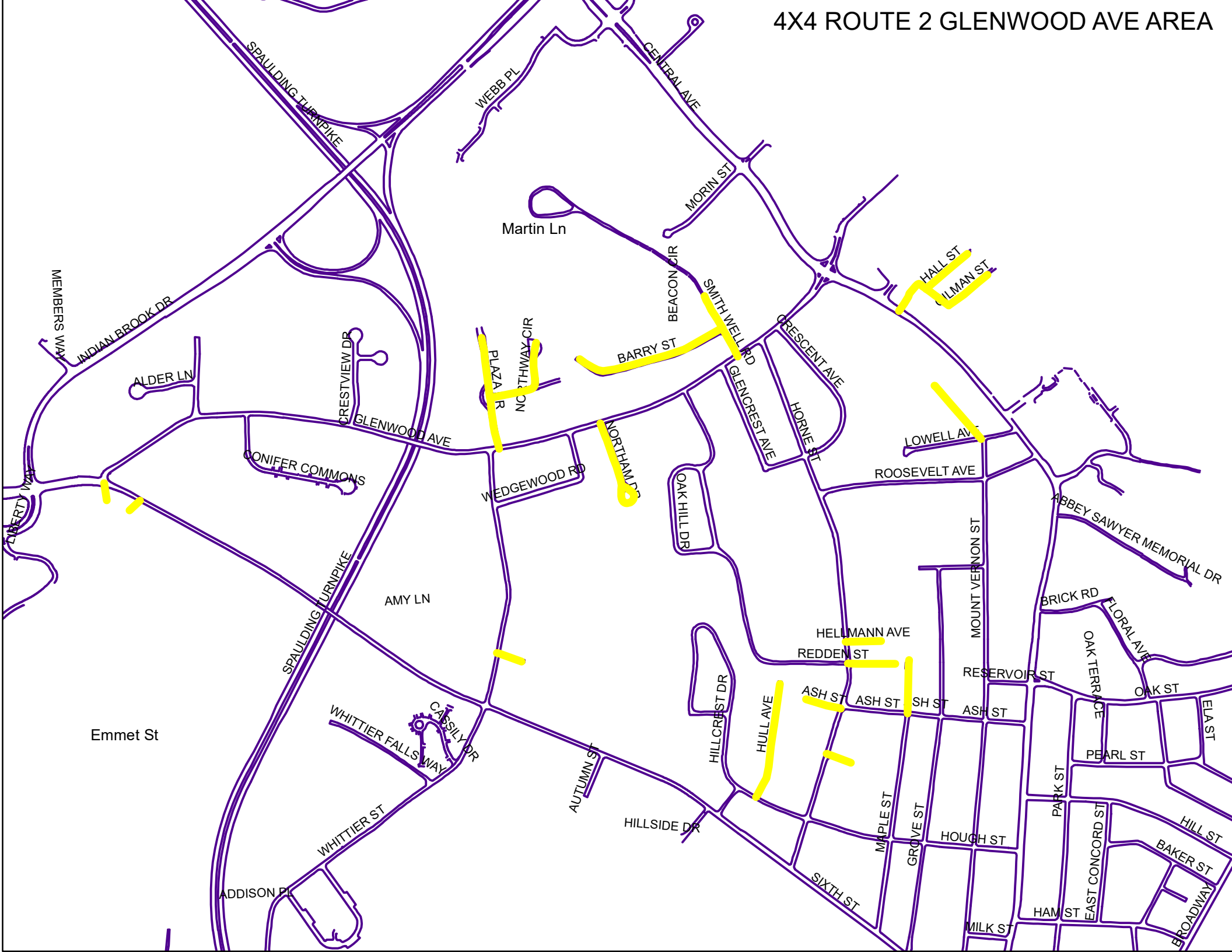
SNOW_PLOW_ROUTE

4X4 ROUTE 1 COURT ST AREA
4X4 ROUTE 2 GLENWOOD AVE AREA
4X4 ROUTE 3 MAST RD AREA
4X4 ROUTE 4 FOURTH ST AREA
4X4 ROUTE 5 SCHOOL ST AREA
4X4 ROUTE 6 REDDEN GARDENS AREA
APPLEVALE
BACK RIVER
BROADWAY
CENTRAL AVE CORRIDOR
COLONIAL PARK
COUNTY FARM
DIRT - UNMAINTAINED
DOVER POINT
DOWN TOWN
FISHER
HENRY LAW
INDIAN BROOK
INDUSTRIAL PARK
MIDDLE
MORNINGSIDE
MOUNT VERNON
NH DOT
PORTLAND
PRIVATE
TOLEND
WASHINGTON

4X4 ROUTE 1 COURT ST AREA

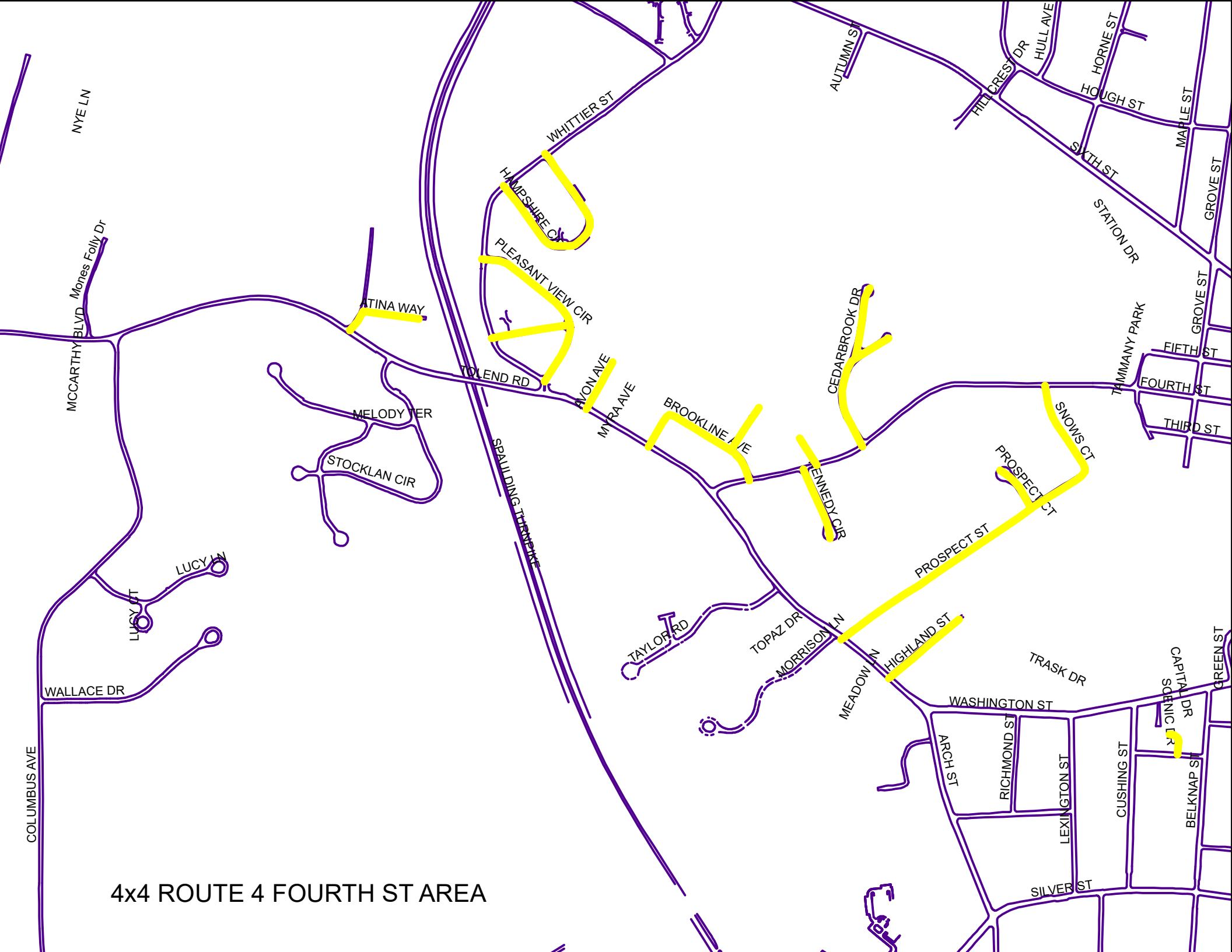


4X4 ROUTE 2 GLENWOOD AVE AREA



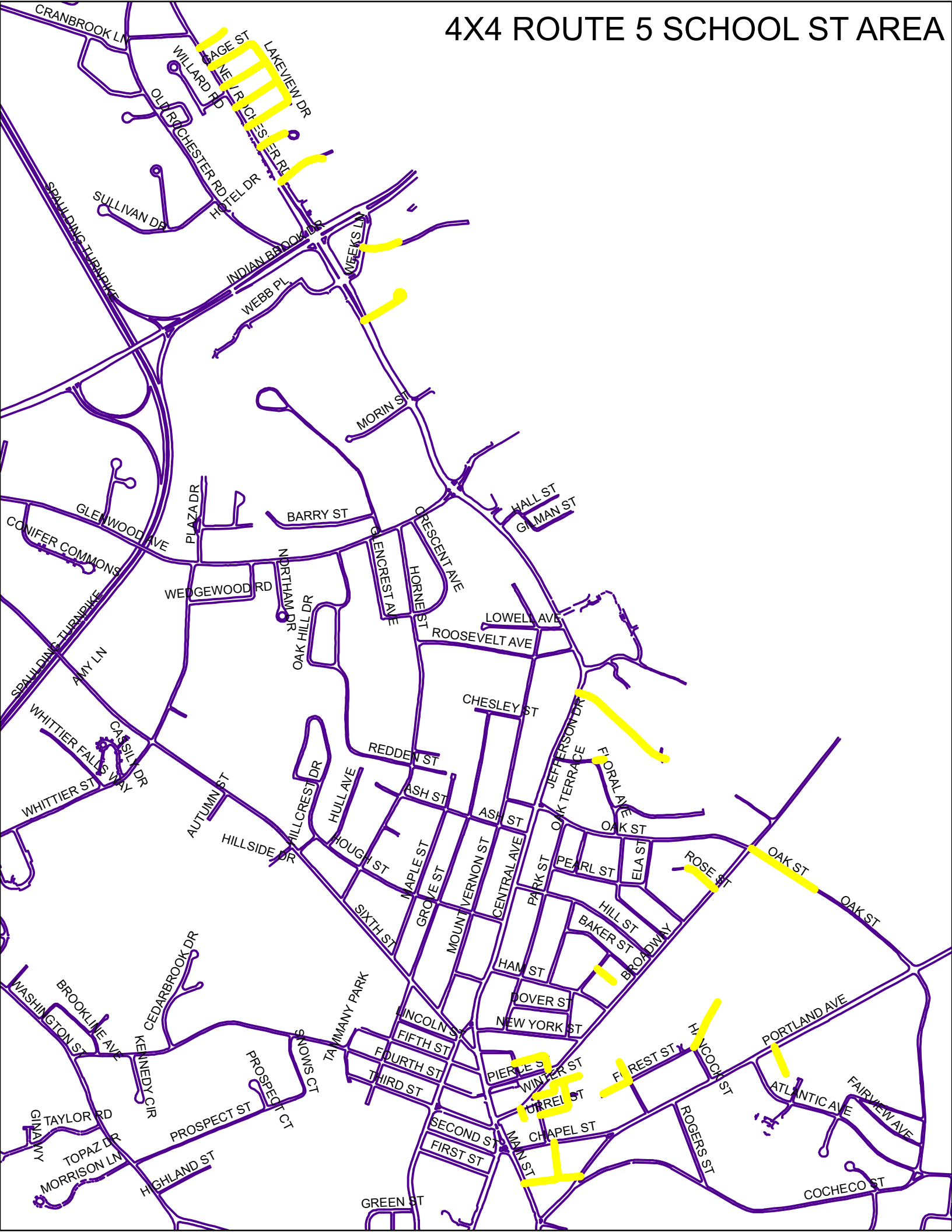


4X4 ROUTE 3 MAST RD AREA

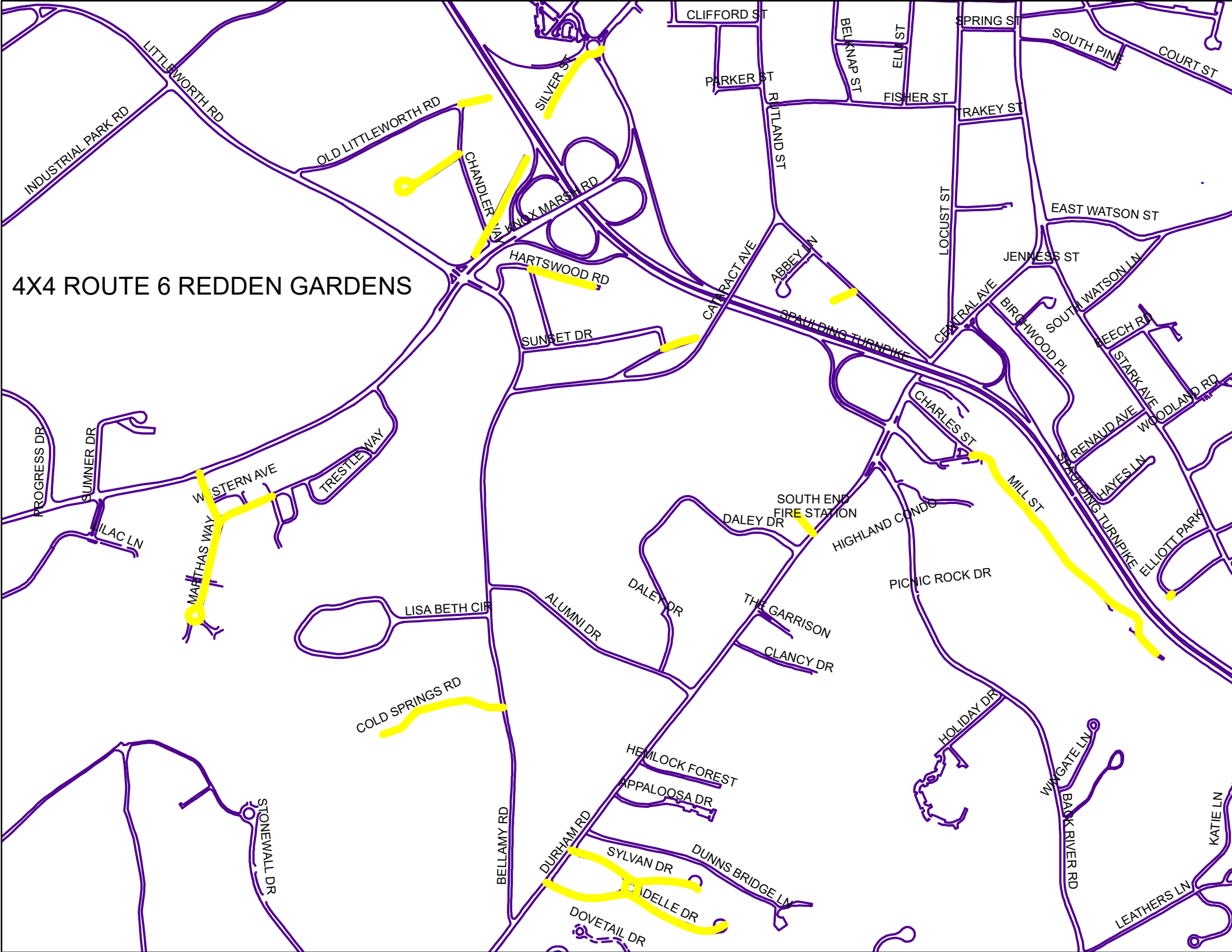


4x4 ROUTE 4 FOURTH ST AREA

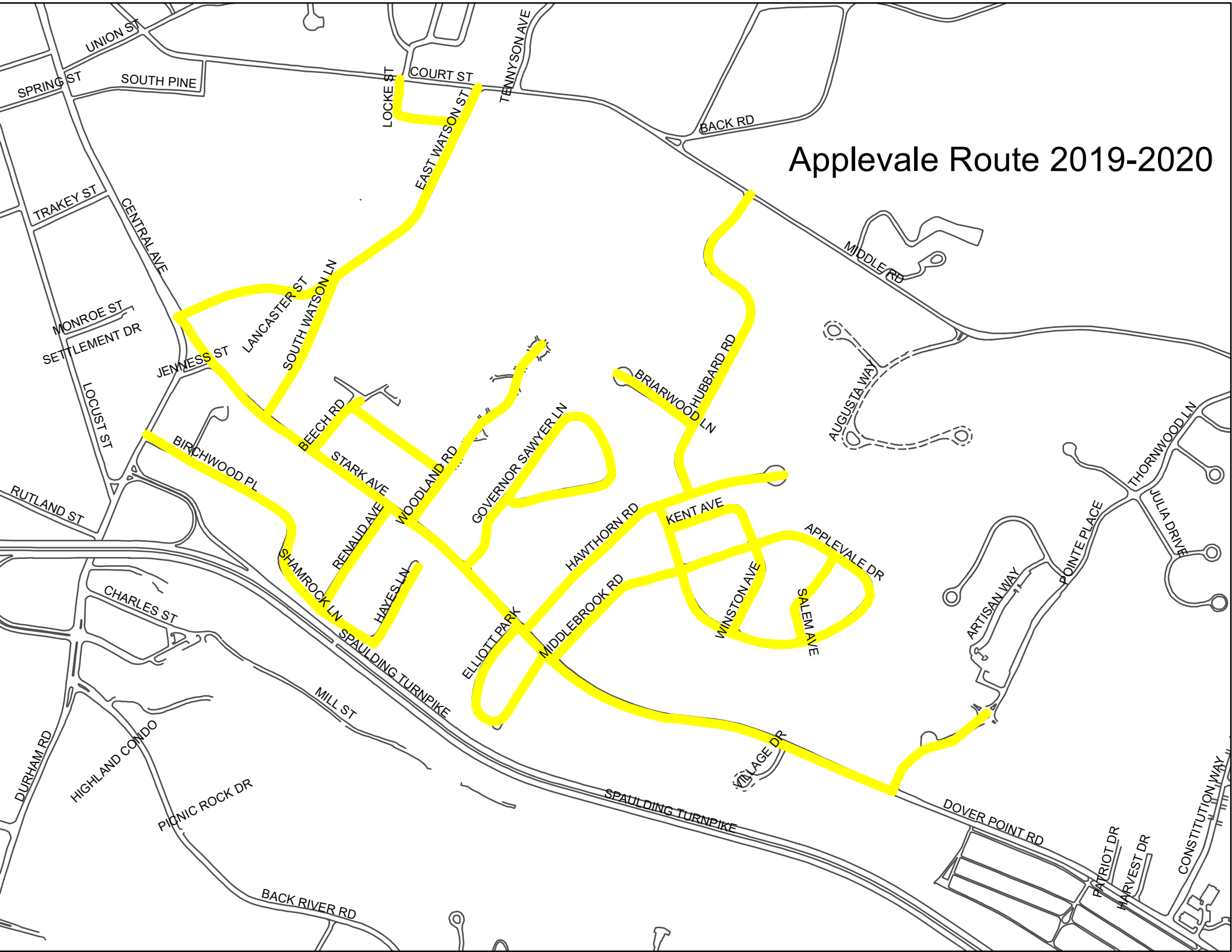
4X4 ROUTE 5 SCHOOL ST AREA



4X4 ROUTE 6 REDDEN GARDENS

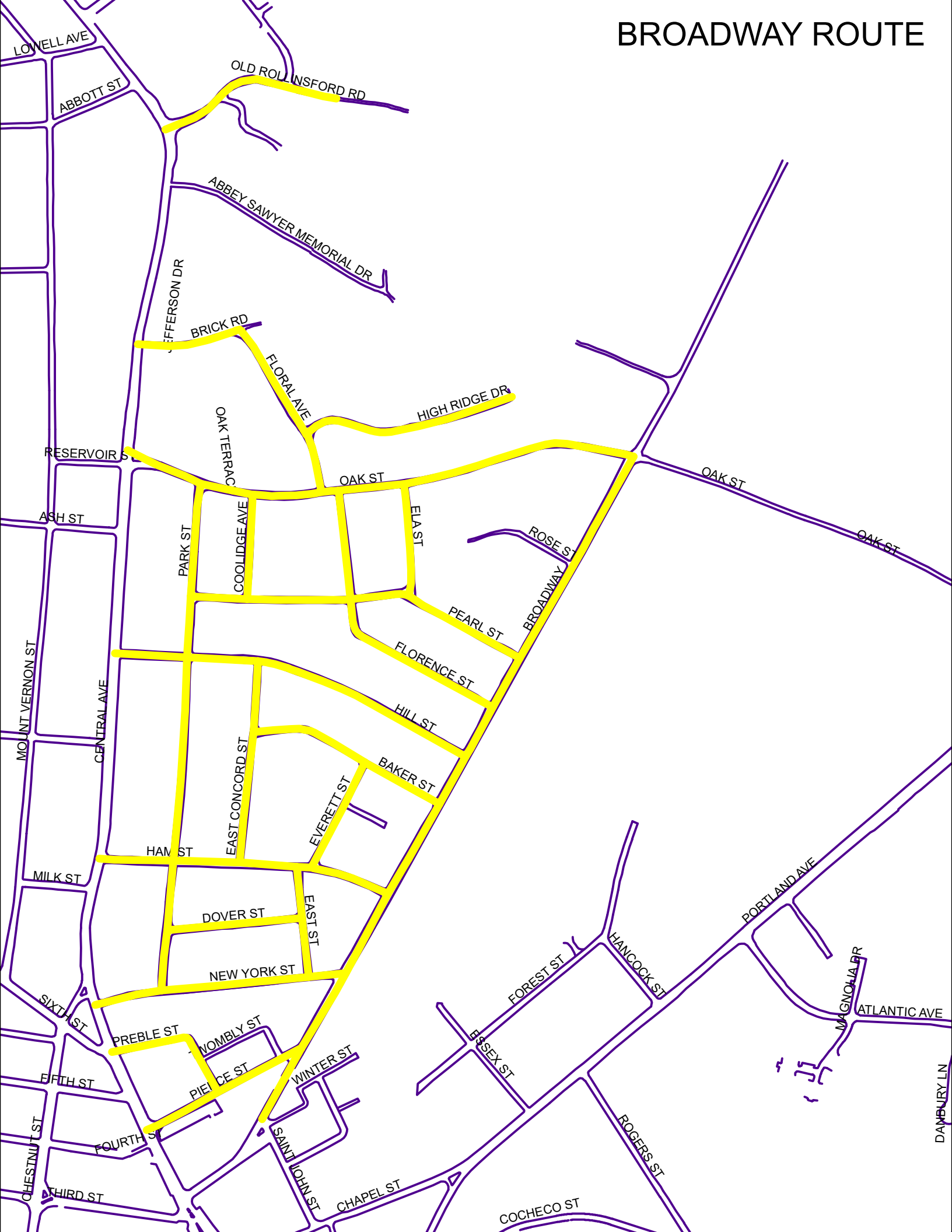


Applevale Route 2019-2020

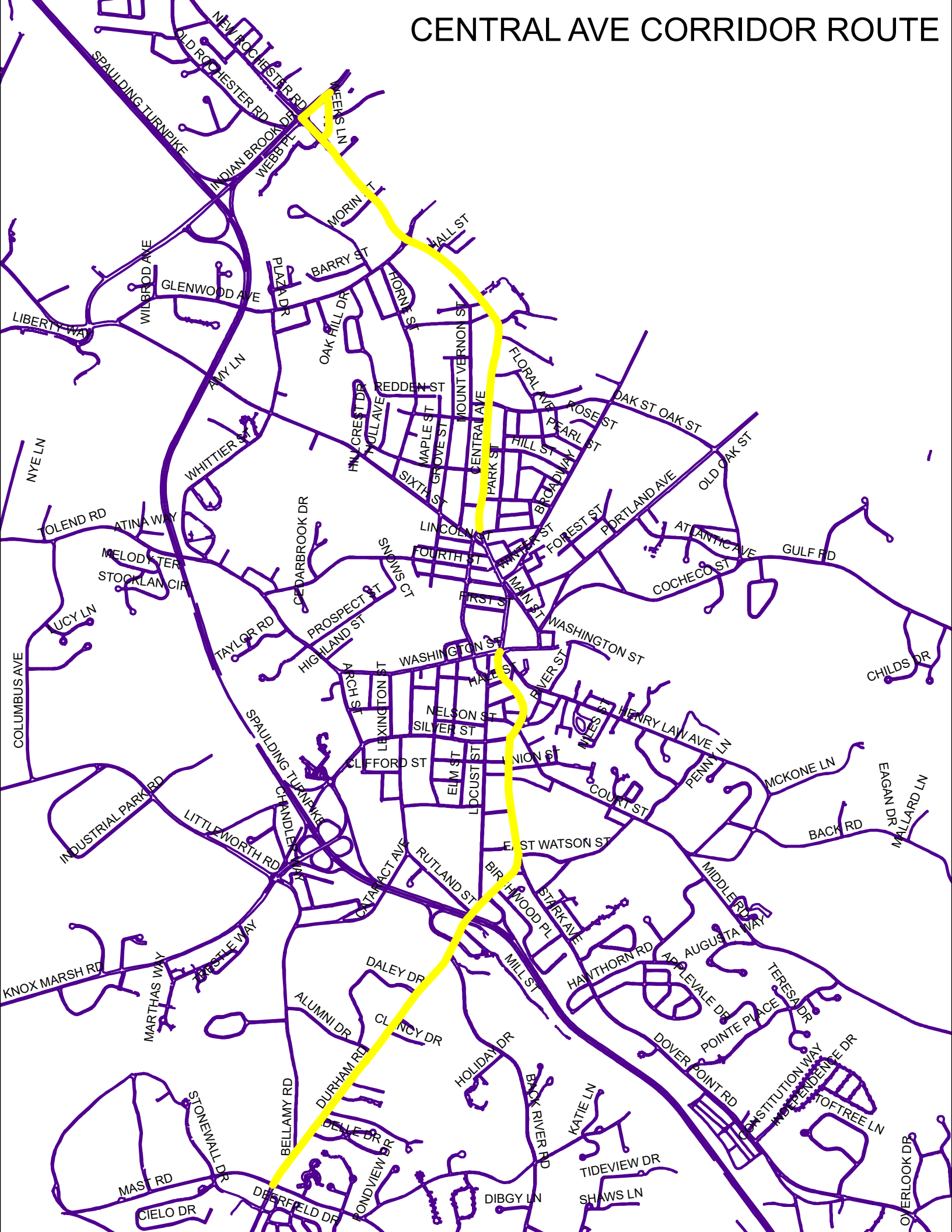




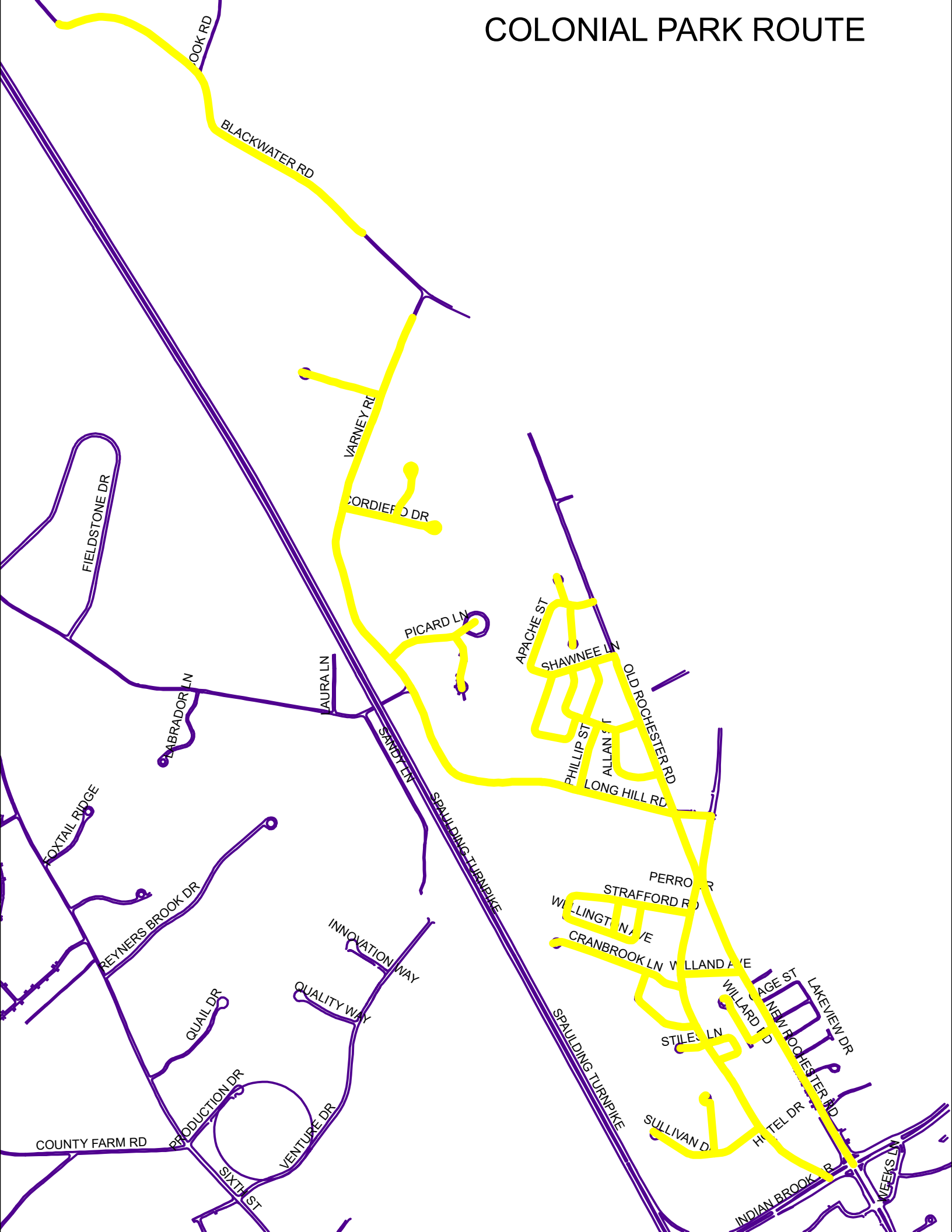
BROADWAY ROUTE



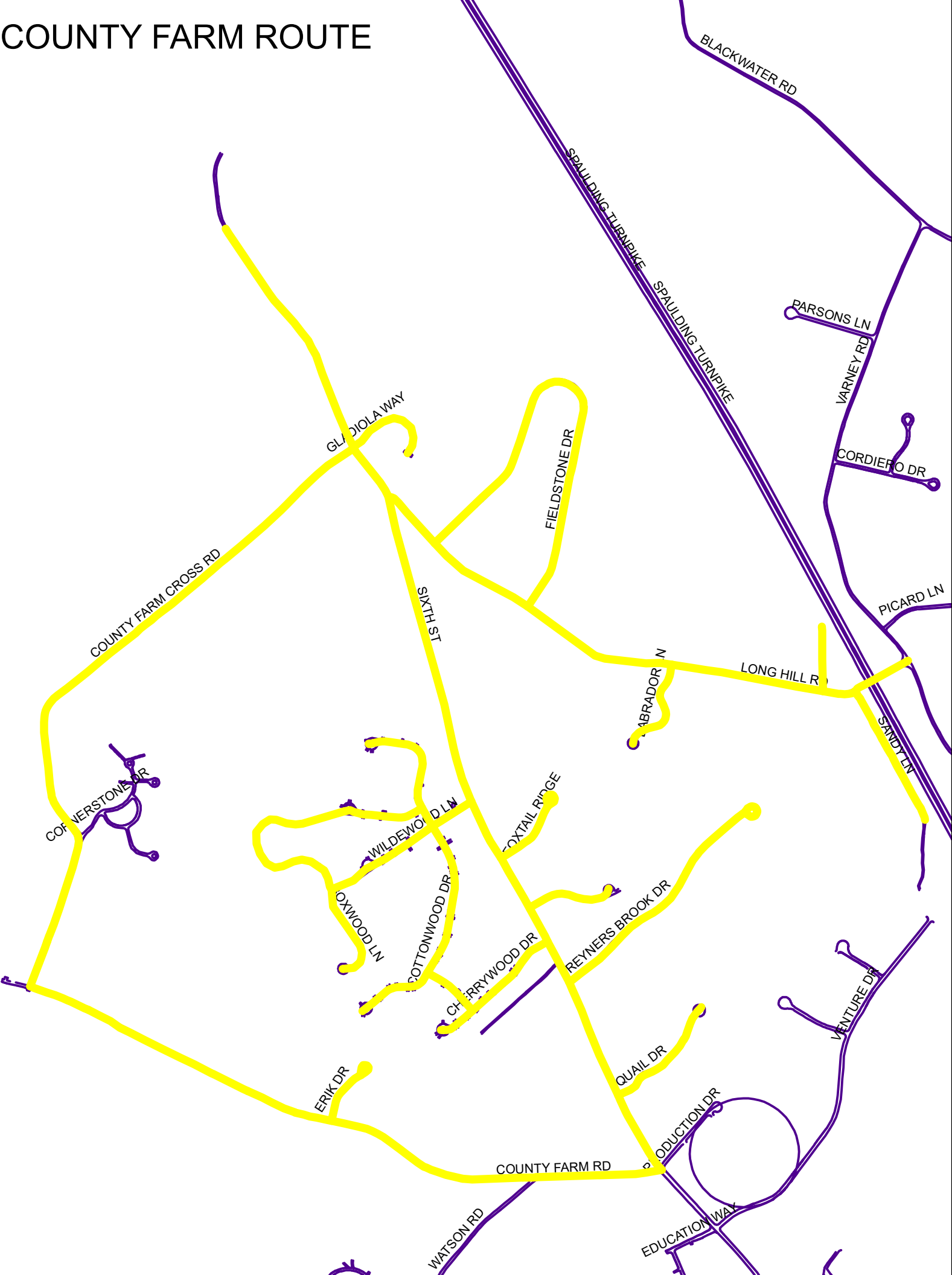
CENTRAL AVE CORRIDOR ROUTE



COLONIAL PARK ROUTE

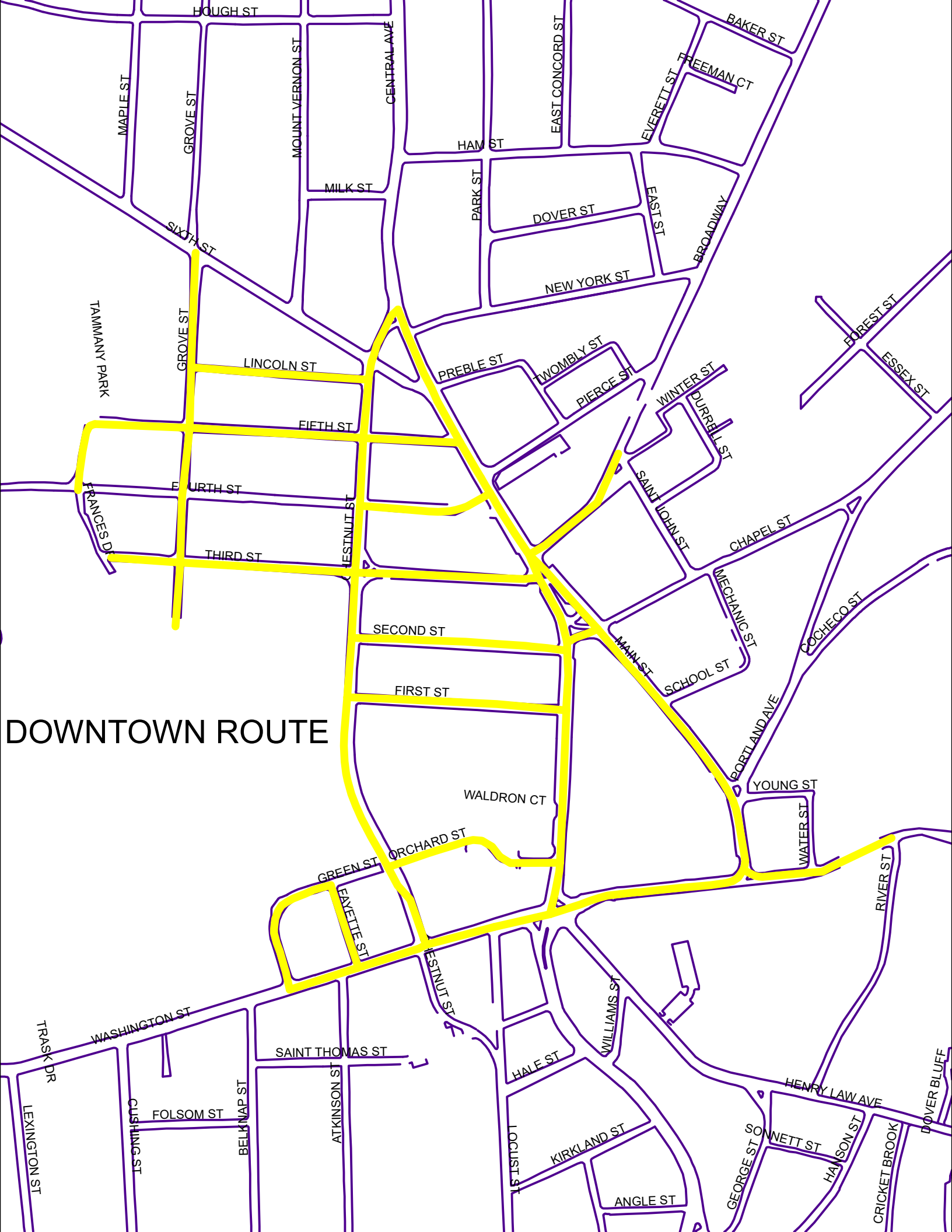


COUNTY FARM ROUTE

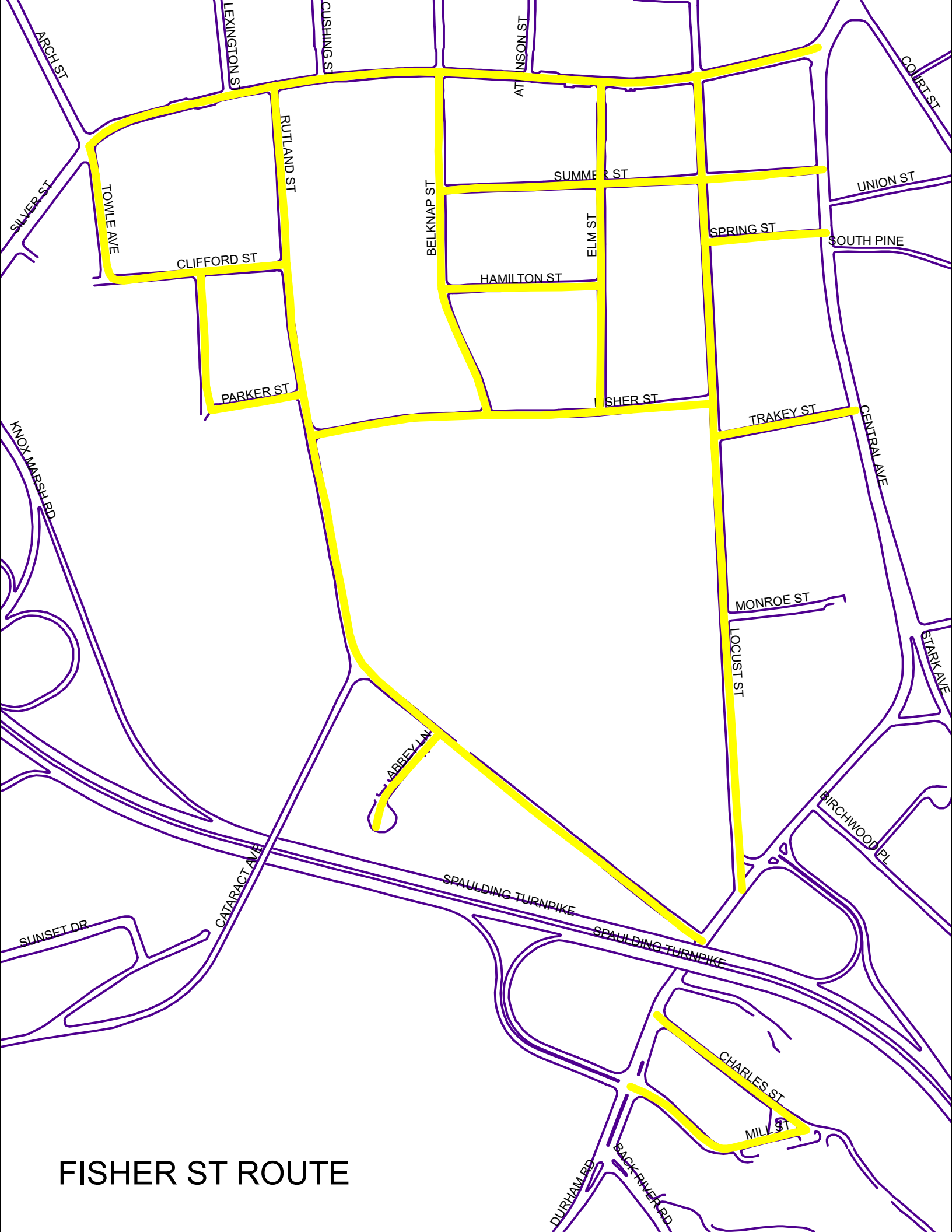




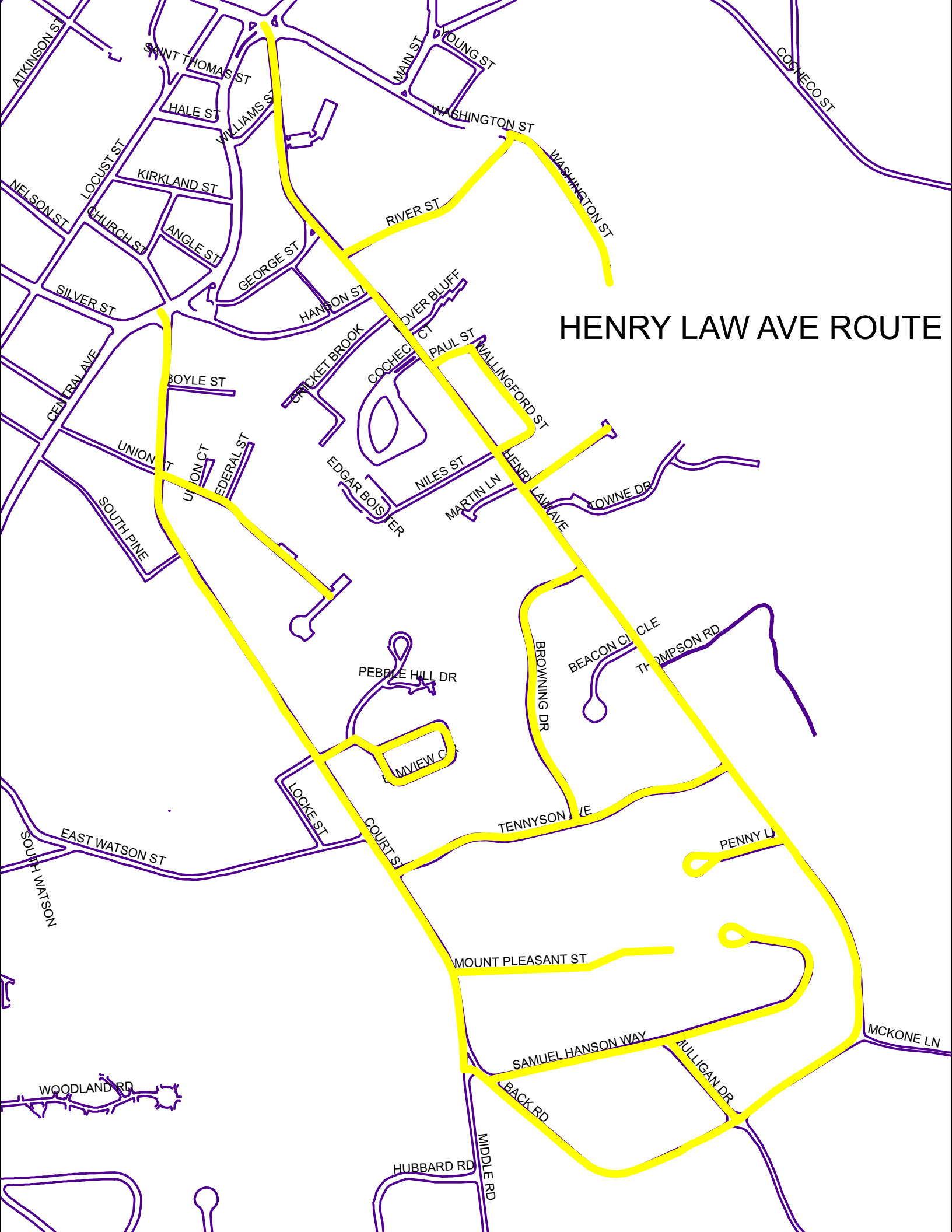
DOVER POINT ROUTE



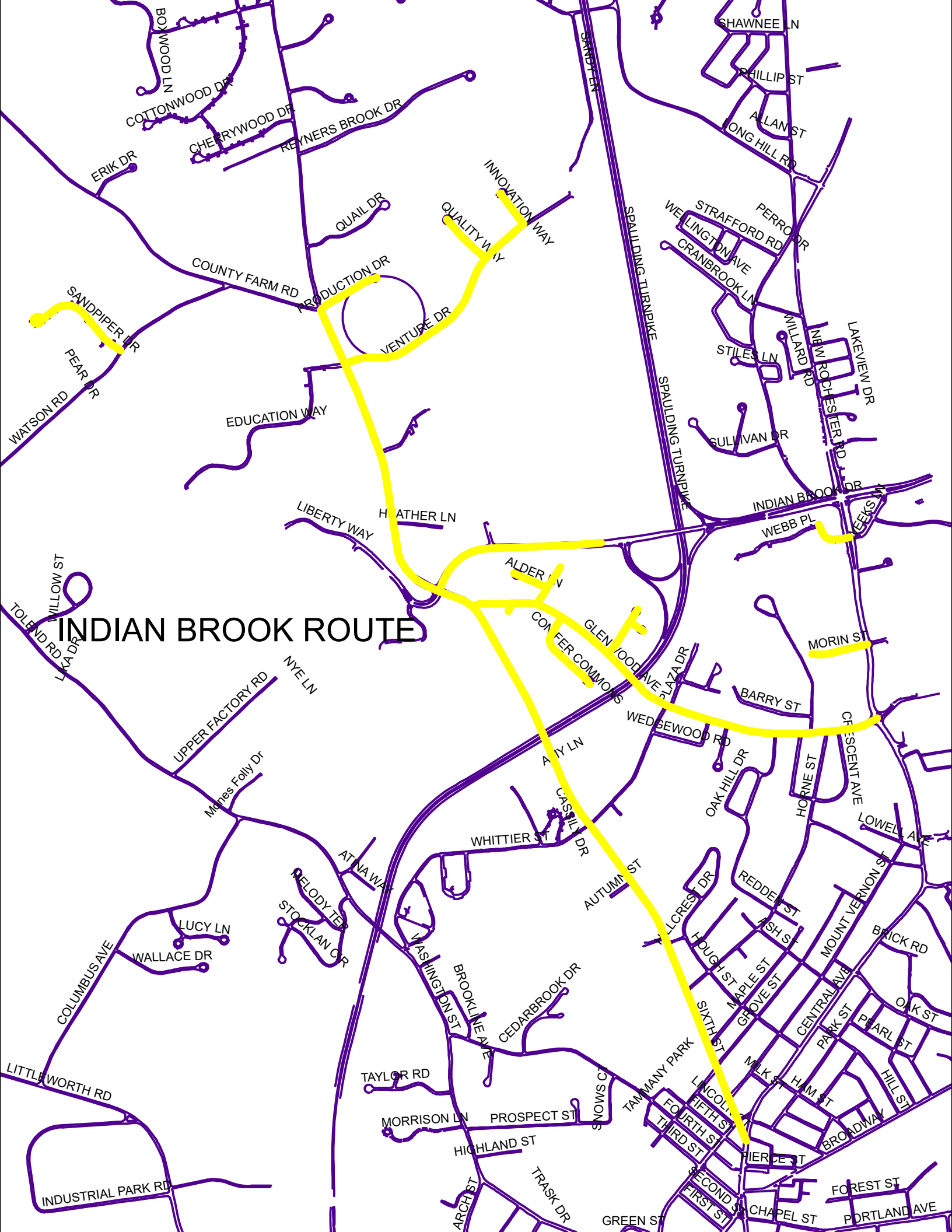
DOWNTOWN ROUTE



FISHER ST ROUTE



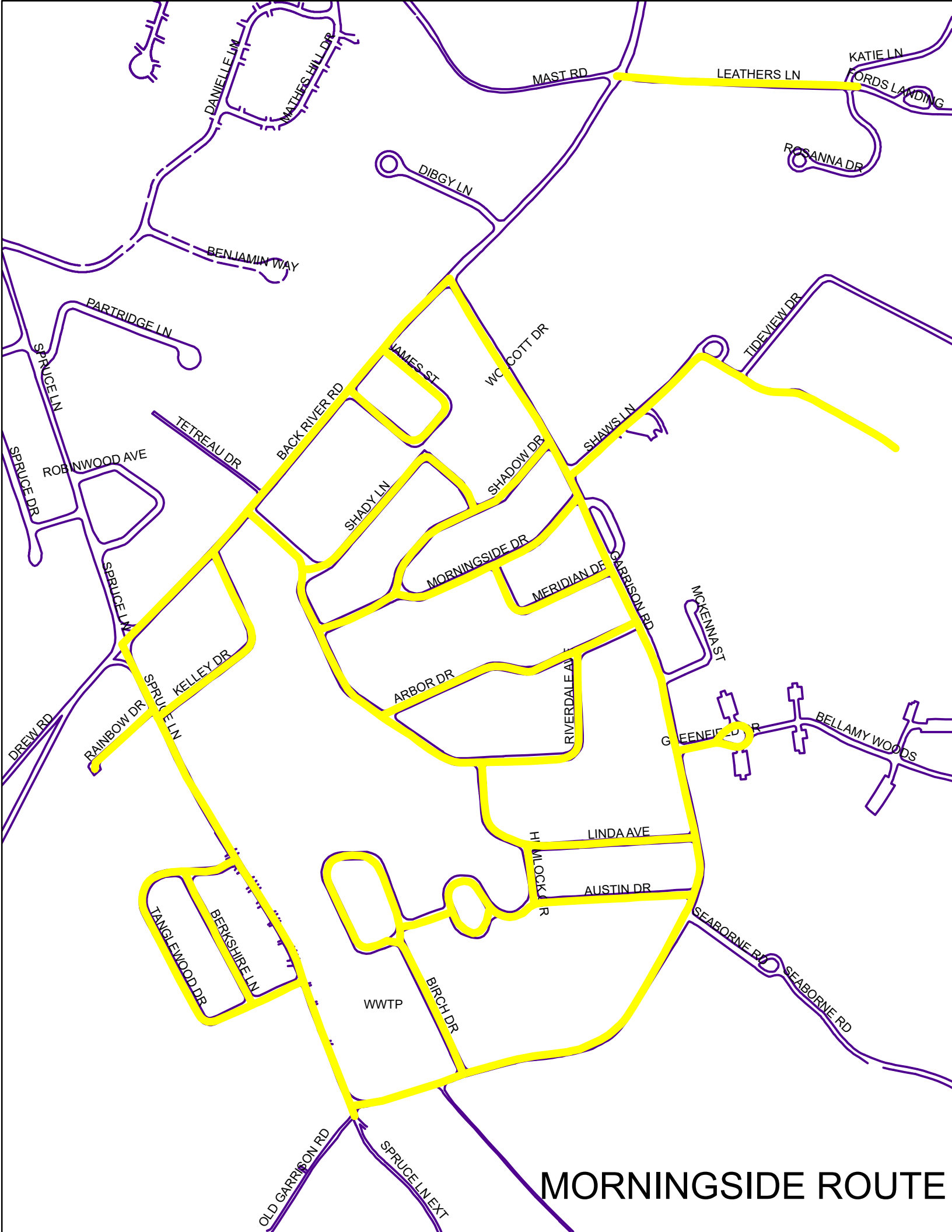
HENRY LAW AVE ROUTE



INDUSTRIAL PARK ROUTE

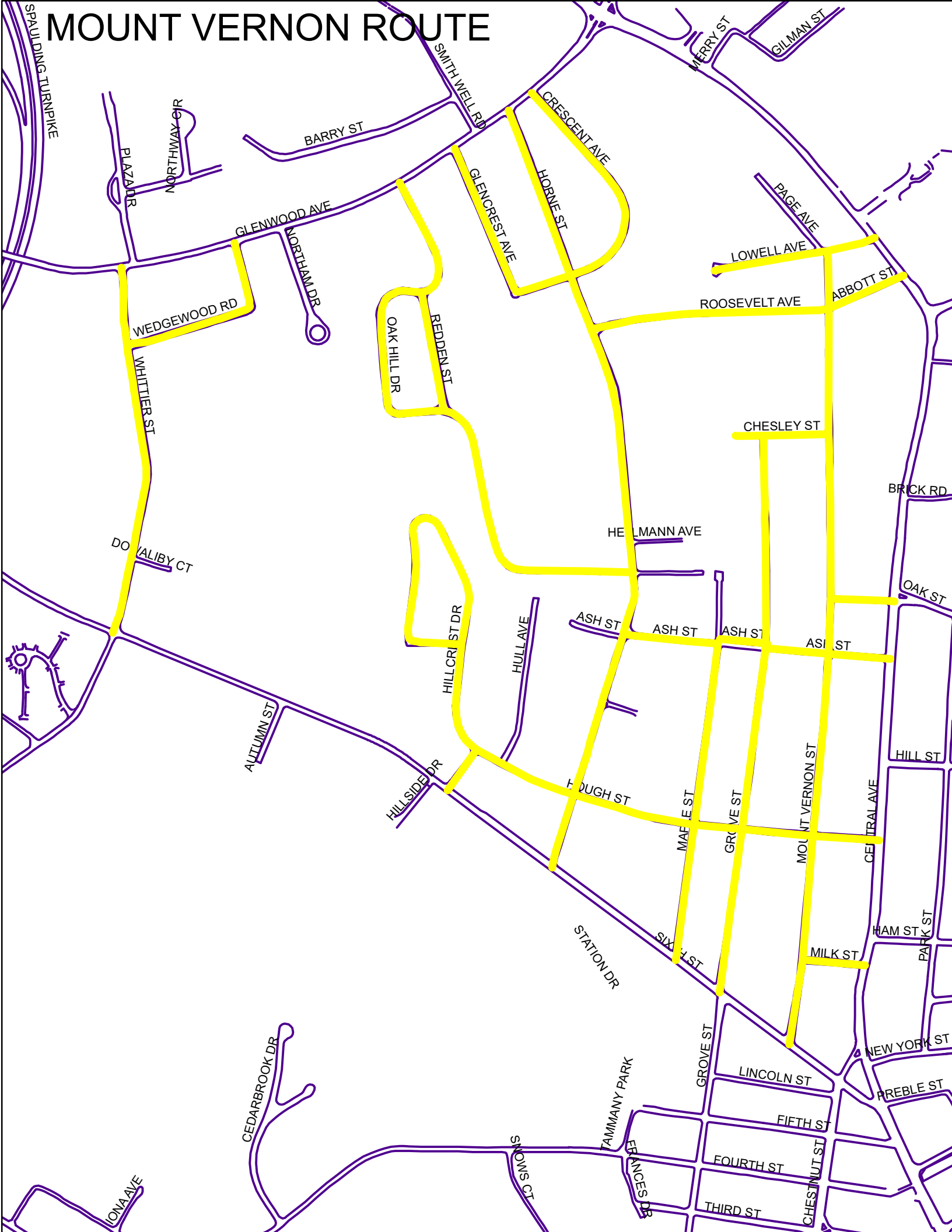




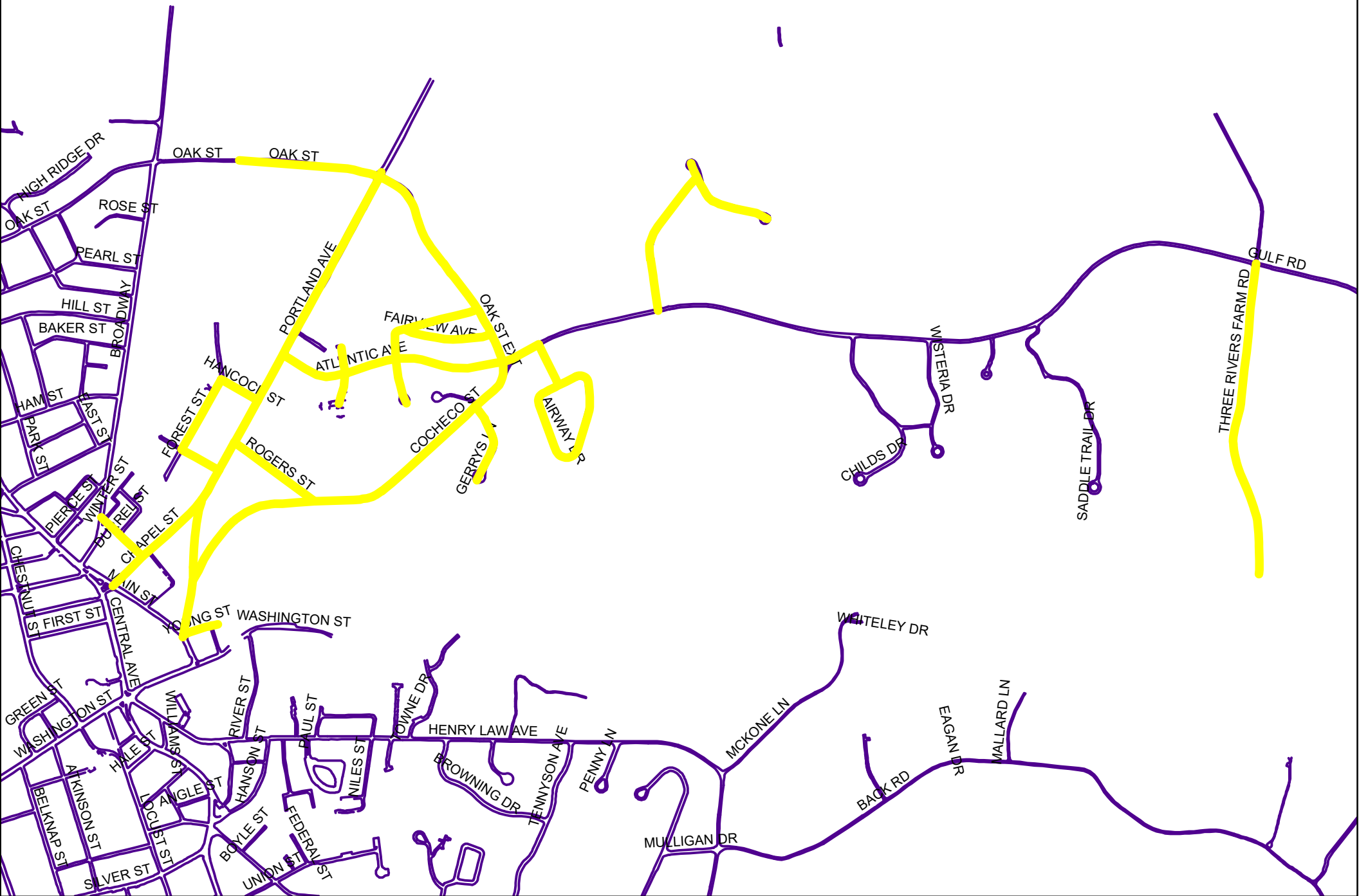


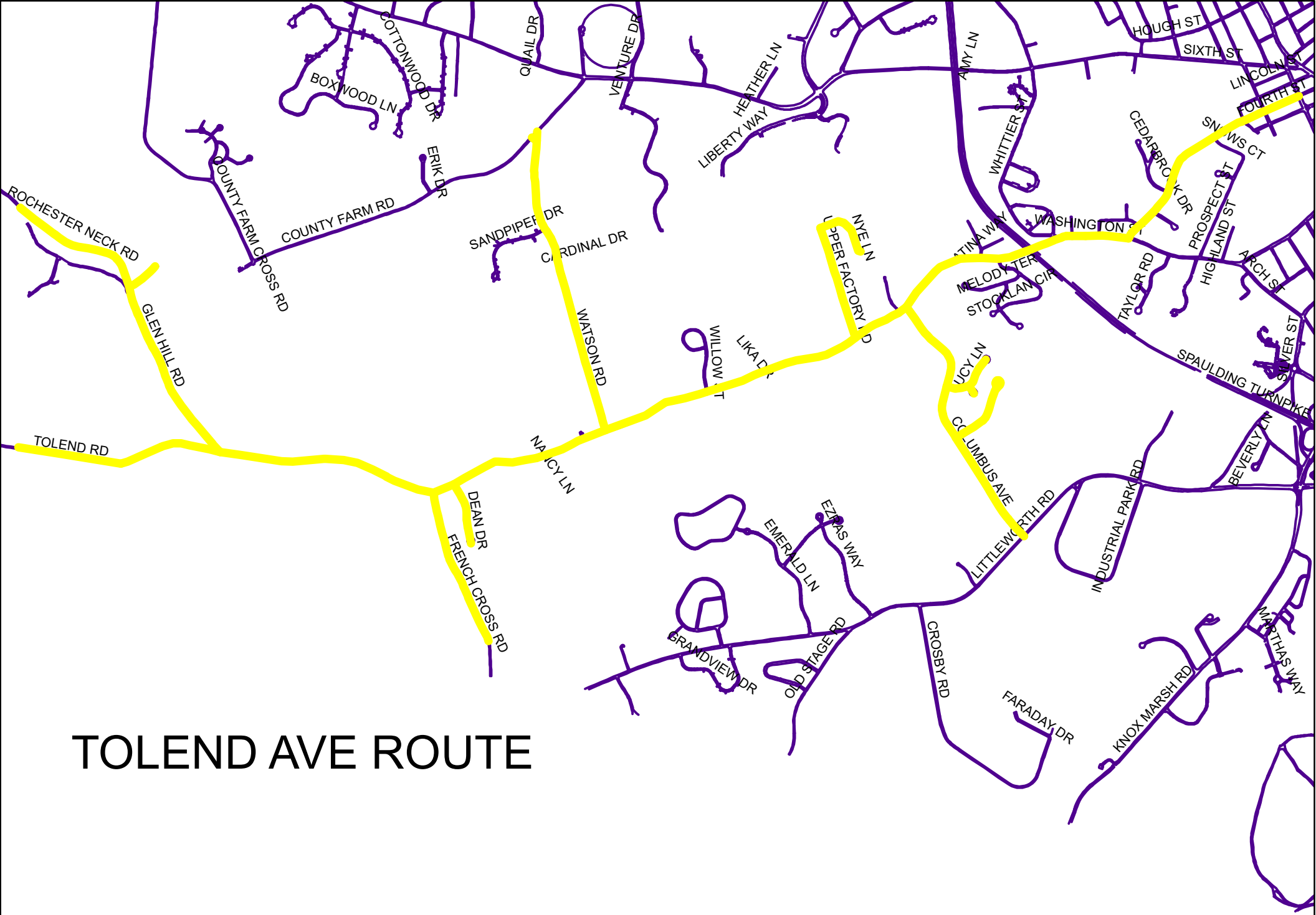
MORNINGSIDE ROUTE

MOUNT VERNON ROUTE

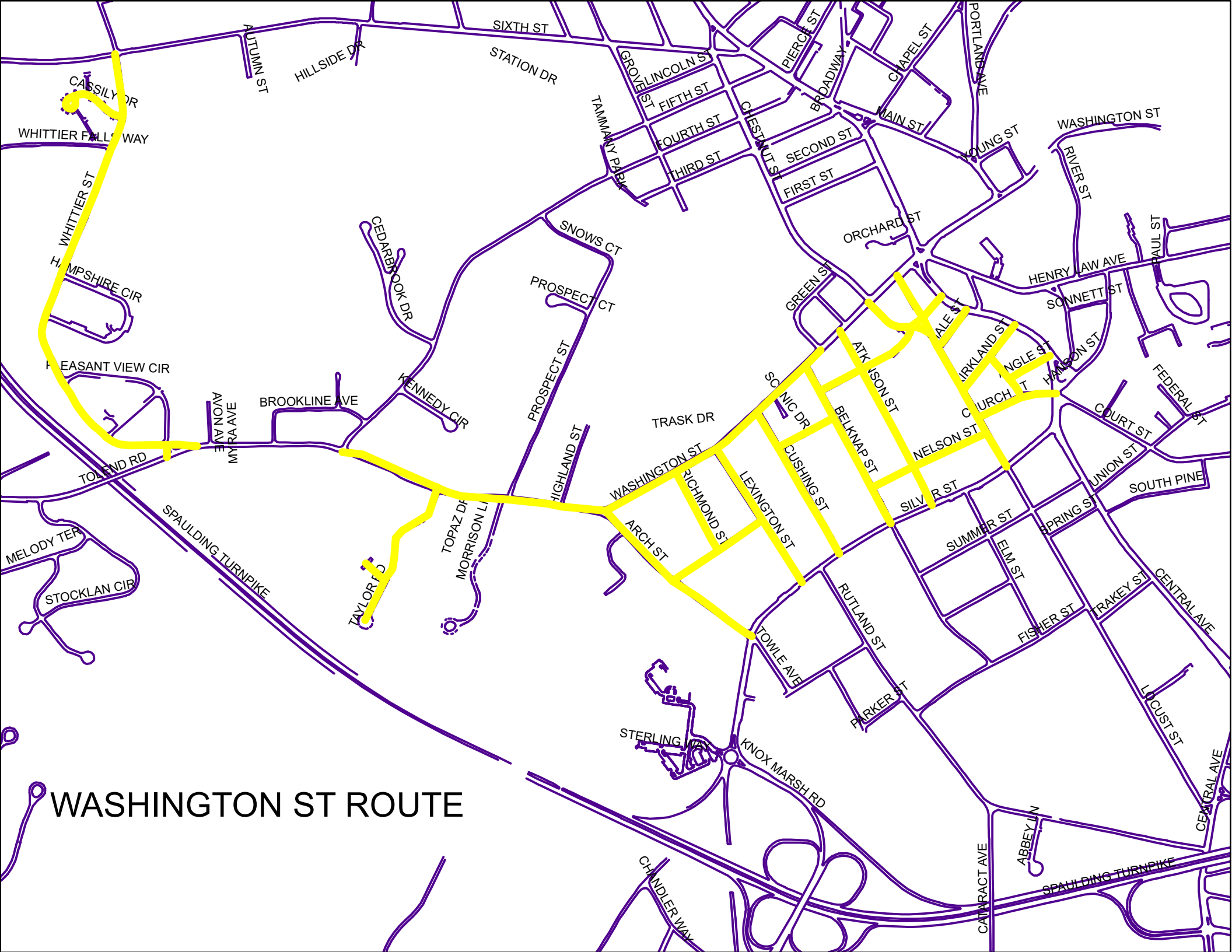


PORTLAND AVE ROUTE



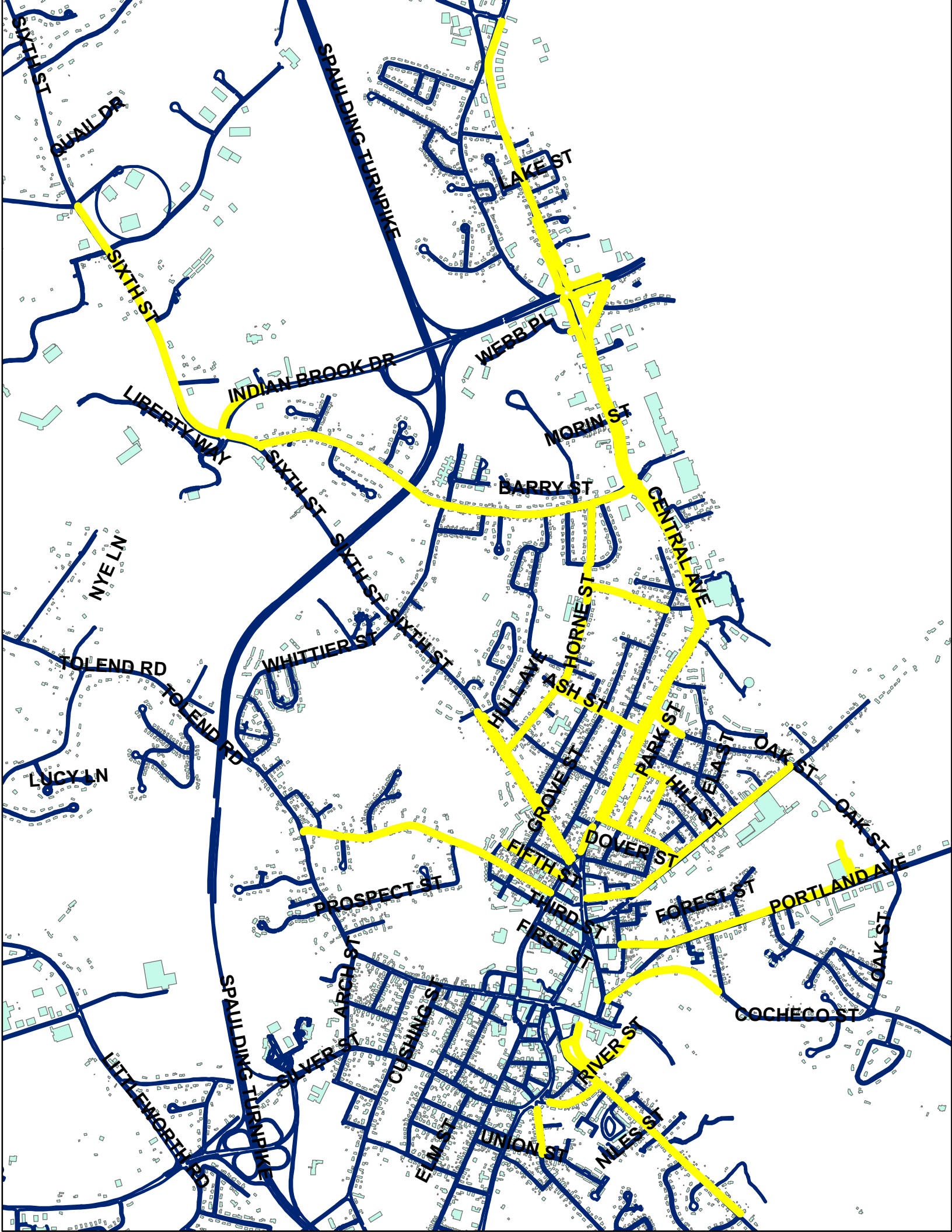


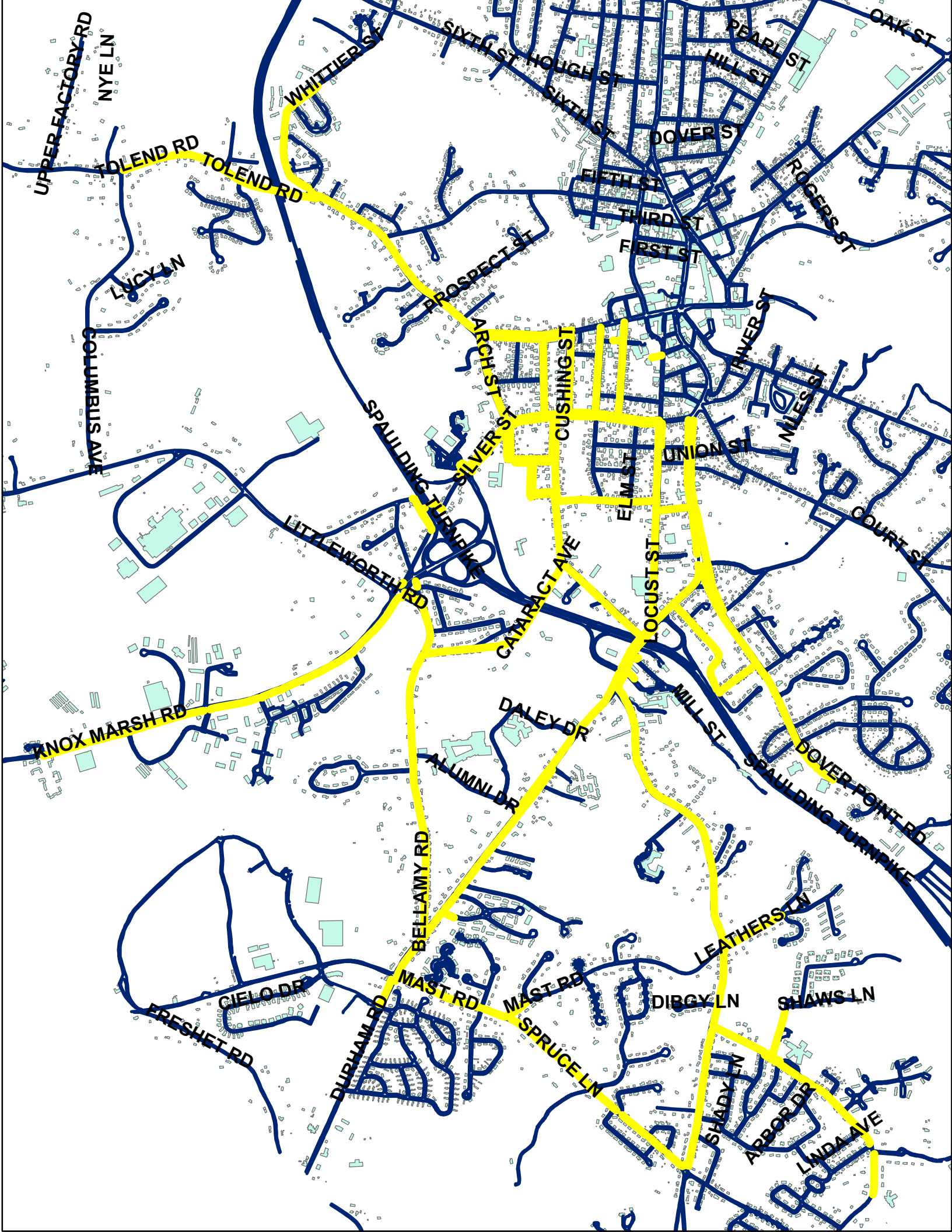
TOLEND AVE ROUTE



WASHINGTON ST ROUTE







City of Dover
Equipment Id List

Equipment	Chassis Serial#	License	Division	Primary Meter Reading
05 - 2015 FORD F250	1FTBF2B66FEA70778	NH - G06842	STREETS & DRAINS	59,344 Miles
16 - 2015 FORD F250	1FTBF2B68FEA70779	NH - G13747	STREETS & DRAINS	69,613 Miles
28 - 2016 FORD F250	1FTBF2B61GEC37565	NH - G00758	WATER	38,847 Miles
35 - 2017 FORD F250	1FTBF2B6XHEF23237	NH - G05187	WATER	35,997 Miles
40 - 2008 FORD F350	1FDWF37Y18EE17319	NH - G20686	CEMETERY	63,619 Miles
41 - 2017 FORD F-550	1FDUF5HY0HEB37229	NH - G14437	STREETS & DRAINS	27,642 Miles
45 - 2012 FORD F450	1FDUF5HYXCEC99894	NH - G14506	WATER	45,056 Miles
49 - 2006 FORD F450	1FDXF47Y16EC10940	NH - G17420	RECYCLING	55,056 Miles
53 - 1985 BLANCHET SNOW BLOWER	B96-6359T	NH	STREETS & DRAINS	0 Hours
54 - 2019 FORD F550	1FDUF5HY3KDA18135	NH - G03086	STREETS & DRAINS	7,680 Miles
65 - 2017 FORD F250	1FTBF2B64HEC90827	NH - G03106	SEWER	32,795 Miles
70 - 2020 FREIGHTLIN 108SD	1FVAG5FE1LHLR3016	NH - G04254	STREETS & DRAINS	3,710 Miles
71 - 2020 FREIGHTLIN 108SD	1FVAG5FEXLHLR3015	NH - G27281	STREETS & DRAINS	4,122 Miles
73 - 2006 INTERN'L DUMP	1HTWDAAR56J289402	NH - G27699	STREETS & DRAINS	66,977 Miles
76 - 2017 FREIGHTLIN 108SD	1FVAG5CY9HHJG6027	NH - G14859	STREETS & DRAINS	13,250 Miles
78 - 2018 FREIGHTLIN 108SD	1FVAG5FE4JHJX9165	NH - G26391	STREETS & DRAINS	11,022 Miles
79 - 2021 FREIGHTLIN 108SD	3ALAG5FE0MDMM2973	NH - G04279	STREETS & DRAINS	3,450 Miles
80 - 2021 FREIGHTLIN 108SD	3ALAG5FE9MDMM2972	NH - G06032	STREETS & DRAINS	3,372 Miles
84 - 2015 HOLDER SIDEWALK TRACTOR	53400172	NH - G14586	STREETS & DRAINS	3,440 Hours
87 - 2013 HOLDER SIDEWALK TRACTOR	53400159	NH - G19258	STREETS & DRAINS	2,870 Hours
109 - 2018 BOBCAT 5600T	AHG815603	NH - G27048	STREETS & DRAINS	298 Hours
110 - 2017 BOBCAT T450	AUVP13786	NH - G26393	STREETS & DRAINS	793 Hours
112 - 2016 BOBCAT T450	AUVP12764	NH - G26392	STREETS & DRAINS	1,482 Hours
114 - 2006 BOBCAT MINI LOADER	SG98B000482	NH - G03015	STREETS & DRAINS	2,442 Hours
115 - 2018 BOBCAT T450	AUVP15305	NH - G27049	STREETS & DRAINS	715 Hours
116 - 2016 FREIGHTLIN 114SD	1FVHG3DV2GHHG4033	NH - G16720	STREETS & DRAINS	33,854 Miles
117 - 2014 FREIGHTLIN 114SD	1FVHG3DV9EHFV7012	NH - G07937	STREETS & DRAINS	44,967 Miles
118 - 2004 INTERN'L DUMP	1HTWXAHT34J014424	NH - G02791	STREETS & DRAINS	107,900 Miles
119 - 2003 VOLVO	4V5KC9UF43N348474	NH - G28316	RECYCLING	151,422 Miles
120 - 2015 CAT 430F	CAT0430FCHWE00195	NH - G09130	WATER	3,203 Hours
121 - 2010 JOHN DEER 410J	T0410JX175756	NH	WATER	11,258 Miles
123 - 2015 JOHN DEER 544K	1DW544KHAF672082	NH - G16711	STREETS & DRAINS	3,454 Hours
124 - 2000 JOHN DEER 544H	DW544HX575725	NH - G14304	STREETS & DRAINS	2,851 Hours



City of Dover
Equipment Id List

Equipment	Chassis Serial#	License	Division	Primary Meter Reading
125 - 2002 FREIGHTLIN FC70	1FVAB2BV32DK15777	NH - G13791	STREETS & DRAINS	17,200 Miles
128 - 2002 JOHN DEER 544H	DW544HX586461	NH - G18080	STREETS & DRAINS	16,166 Hours
129 - 2005 JOHN DEER 544J	DW544JZ597734	NH	STREETS & DRAINS	3,629 Hours
Total	36 Equipment			





CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2020.12.09 – 208**

Resolution Re: City of Dover's Support for 2021-2023 New Hampshire Statewide Energy Efficiency Plan and Continuation of the NHSaves Program

WHEREAS: The "Stewardship of Natural Resources" chapter of Dover's Master Plan commits a full section to examining our energy use in Dover and identifying energy efficiency initiatives and new energy sources that will better serve the citizens. The plan also contains action to: "Provide education, outreach, and incentives to encourage developers and homeowners to pursue energy conservation measures on their properties"; and

WHEREAS: The State of New Hampshire's *2021-2023 New Hampshire Statewide Energy Efficiency Plan* outlines the effort by the State to promote programs that provide energy savings, promote economic development, reduce the need for additional capacity investments, and protect the natural environment by reducing the amount of carbon dioxide ("CO2") and sulfur and nitrogen oxides released into the atmosphere due to reduced energy generation and consumption; and

WHEREAS: The *2021-2023 New Hampshire Statewide Energy Efficiency Plan* will save \$1.3 billion in energy costs and is estimated to support over 4,000 jobs; and

WHEREAS: A key aspect of this program is the NHSaves initiative. NHSaves is an efficiency plan from the State's major utilities with electric and gas savings goals for 2021 to 2023 through rebates, audits, and incentives; and

WHEREAS: The NHSaves program also includes \$77 million for income-eligible programs, helping those who need it most to weatherize their homes, update heating systems, and replace inefficient appliances, providing critical assistance to lower income families all over the State; and

WHEREAS: Members of the NH House Science, Technology, Energy Committee have recently requested that the NH Public Utilities Commission (NHPUC) indefinitely postpone the implementation of this program; and

WHEREAS: Elimination of this program will have a devastating impact on energy conservation efforts and will cripple efforts that keep lower income households warm and provide critical assistance to those in need.

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

The City of Dover fully supports continuation of the NHSaves program as laid out in the *2021-2023 New Hampshire Statewide Energy Efficiency Plan*, this plan has been acted on by the legislature, approved by Governor Sununu, is regulated by the NHPUC, and is implemented by the utilities.

AND, FURTHER BE IT RESOLVED THAT:



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2020.12.09 – 208**

Resolution Re: City of Dover's Support for 2021-2023 New Hampshire Statewide Energy Efficiency Plan and Continuation of the NHSaves Program

The City Manager is directed to forward this resolution to the NHPUC providing the Mayor and City Council's full support of the *2021-2023 New Hampshire Statewide Energy Efficiency Plan* and the critically important NHSaves program.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor Deborah Thibodeux
Councilor Dennis Shanahan

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

Recorded by: Susan M. Mistretta
City Clerk

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.		

RESOLUTION BACKGROUND MATERIAL:

n/a

Document Created by: Legal
Document Posted on: December 4, 2020

Support for 2021-2023 NH Statewide Energy Efficiency
Plan and Continuation of the NHSaves Program
Page 2 of 2



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2020.12.09 – 209**
Resolution Re: **B21026 John Deere Model 710L Backhoe**

- WHEREAS: A sealed Request for Bid #B21026 was received for one (1) John Deere Model 710L Backhoe or Equivalent on November 4, 2020 at 2:00 p.m.; and
- WHEREAS: Two bid responses were received and reviewed for necessary qualifications, experience, skills, project understanding, approach for completing the work and proposal costs. The low bid, including a requested 5-year warranty, was for a Caterpillar 450 at a total price of \$152,800.00 versus \$155,117.00 for the John Deere Model 710L; and
- WHEREAS: The Caterpillar unit did not meet the full specifications or equivalence of the John Deere unit, having a smaller engine, 134 HP versus 148 HP for the John Deere, as well as a lower bucket breakout force of 14,100 pounds versus 16,359 pounds for the John Deere; and
- WHEREAS: Community Services recommends the purchase of the John Deere Model 710L based on familiarity with the brand and parts, and also recent repair histories. Community Services has 6 large, front line, John Deere units (4 loaders and 2 backhoes) in inventory, versus a single Caterpillar backhoe. The Fleet Services Supervisor also indicated there have been chronic repair problems with the existing, 5-year old Caterpillar backhoe; and

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 Nortrax of Pembroke, NH for the purchase of a new John Deere 710L Backhoe Loader in the amount of \$155,117.00. 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
5320.1.300.43250.4743.04512.20.001	Sewer - Heavy Equipment	40,000	40,000
5300.1.300.43320.4743.03512.20.000	Water Share - Heavy Equipment	40,000	40,000
5320.1.300.43250.4743.04512.19.000	Sewer - Heavy Equipment	36,142	36,142
5300.1.300.43320.4743.03512.19.000	Water Share - Heavy Equipment	11,142	11,142
5300.1.300.43320.4743.03512.21.001	Water Share - Heavy Equipment	40,000	40,000
5320.1.300.43250.4743.04512.21.000	Sewer - Heavy Equipment	40,000	40,000



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2020.12.09 – 209**
Resolution Re: **B21026 John Deere Model 710L Backhoe**

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:	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.B.3.

Resolution Number: **R – 2020.12.09 – 209**

Resolution Re: **B21026 John Deere Model 710L Backhoe**

RESOLUTION BACKGROUND MATERIAL:

Community Services seeks to replace a 2003 John Deere 410G backhoe that has over 10,000 hours on it. The Fleet Supervisor indicates the vehicle is unsafe for road travel, so the vehicle has been restricted for use on-site at the Recycling Center.

Community Services keeps three rubber-tire backhoes in inventory, with one typically assigned to each Division of Water & Sewer, Highways & Storm Drains, and Recycling & Solid Waste. All three are put into operation and relied upon for winter snow removal. Historically, the newest backhoe in inventory gets assigned to Water & Sewer, as it is the primary response vehicle for a water main break or sewer collapse. The 2nd in line vehicle then gets assigned to Highways & Storm Drains, with the oldest unit assigned to Recycling Center. The Recycling Center unit gets a significant amount of use compacting dumpsters and prepping them for road travel, moving around yard waste and tree stumps, and for snow removal.

The City's current 3 backhoes consist of 2 John Deere units and 1 Caterpillar unit. The City also has 4 large front-end loaders that are all John Deere units. In seeking replacement of a new backhoe, the Fleet Supervisor developed a specification package around a John Deere unit. The newest backhoe in inventory is a 5-year Caterpillar, and there have been chronic problems with the throttle system and engine speed controls. It was assigned to the Water & Sewer Division and several times during a water main break repair the unit would not stay revved up to adequately run the hydraulic pump and control systems. The unit is supposed to respond automatically (engine speed) to being operated, which helps optimize fuel consumption. In a time of emergency repairs, the Water & Sewer crew actually had to put a weight on the throttle pedal in order to keep the machine running at high enough engine speed.

The problems with the Caterpillar unit lingered off and on since the unit was purchased about 5 years ago. It was serviced and diagnosed by factory-trained technicians, but the problem could never be completely corrected until just recently. Two bids were received, one for a John Deere unit and one for a Caterpillar. In reviewing the proposal submittals, the John Deere unit is slightly bigger and more powerful with a 148 HP engine versus a 134 HP for the Caterpillar, and bucket breakout force of 16,539 lbs. versus 14,100 lbs. for the Caterpillar.

City staff are therefore recommending the purchase of the John Deere Model 710L, which is based on a comparison of the specifications, and in consideration of recent repair histories. Although the John Deere is slightly more expensive when considering the inclusion of a full 5-year warranty in the amount of \$7,800 (\$155,117 versus \$152,800), City staff feel the John Deere will be the best long-term investment. Lastly, there was only one bid that met all requirements of the bid solicitation. The second bid received was considered not equivalent in certain key areas relating to engine size and load capacities.

Bid Information:

A sealed Request for Bid #B21026 was received for one (1) John Deere Model 710L Backhoe or Equivalent on November 4, 2020 at 2:00 p.m.

Award Information:

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2020.12.09 – 209**

Resolution Re: **B21026 John Deere Model 710L Backhoe**

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	201	Number of Responses:	2
Warranty:	Extended 5-year/3000 hr comprehensive warranty	Terms:	Net 30, FOB Dover
Work Bonded:	N/A	Contract:	Yes
Prices will hold for:	One Year from NOA	Estimated Delivery:	As Needed
Recommended Award to:	Nortrax	Fund:	Various
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

[B21026 Bid Documents and Vendor Lists](#)

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2020.12.09 – 016**
Ordinance Title: Sewers and Water
Chapter: 121
Sections: 1, 5 and 11

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 121 Sewers and Water. Modifications to this Chapter have been made in consultation with the EPA in order to :

2. AMENDMENT

Chapter 121 entitled “Sewers and Water” is hereby amended by revising Sections 1, 5 and 11.

a. THE FOLLOWING ARE AMENDED:

Chapter 121 Sewers and Water

[HISTORY: Adopted by the City Council of the City of Dover as indicated in article histories. Amendments noted where applicable.]

Article I Sewer Use

[Adopted 11-13-2013 by Ord. No. 2013.10.09-013 as Ch. 147, Art. I, of the 2013 Code.]

§ 121-1 Definitions and word usage.

Unless the context specifically indicates otherwise, the meanings of terms used in this article shall be as follows. "Shall" is mandatory; "may" is permissive.

APPLICANT

Any person requesting approval to discharge industrial or domestic wastewaters into facilities of the City.

BEST MANAGEMENT PRACTICES or BMPS

Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b). Best management practices also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

BOD (denoting "biochemical oxygen demand")

The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2020.12.09 – 016**
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Chapter: 121
Sections: 1, 5 and 11

laboratory procedure in five days at 20° C., expressed in milligrams per liter.

BUILDING DRAIN

That part of the lowest horizontal piping of a drainage system which receives the discharge from inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

BUILDING SEWER

The extension beyond five feet from the building drain to the public sewer or other place of disposal.

BYPASS

The intentional diversion of wastewater streams from any portions of a wastewater treatment facility and/or of an industrial user's pretreatment system.

CATEGORICAL PRETREATMENT STANDARD or CATEGORICAL STANDARD or PRETREATMENT STANDARD

Any requirement or any regulation containing pollutant discharge limitations promulgated by the United States Environmental Protection Agency in accordance with Section 307(b) and (c) of the Clean Water Act (33 U.S.C. § 1317) which apply to industrial users and which are found in the Code of Federal Regulations, 40 CFR, Chapter I, Subchapter N, Parts 403 through 471.

COMBINED SEWER

A sewer intended to receive both surface runoff and sewage.

COMPOSITE SAMPLE

A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The sample may be composited either as a time composite sample, composed of discrete sample aliquots collected in one container at constant time intervals providing representative samples irrespective of stream flow; or as a flow proportional composite sample, collected either as a constant sample volume at time intervals proportional to stream flow or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots. (The permit writer should determine the most appropriate composite sampling method to be used by the permittee.)

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2020.12.09 – 016**

Ordinance Title: Sewers and Water

Chapter: 121

Sections: 1, 5 and 11

DILUTE

To reduce in concentration, or thin down, or weaken by mixing with water or other liquids.

DIVISION

The New Hampshire Water Division.

[Amended 2-12-2020 by Ord. No. 2020.01.08-001]

DOMESTIC WASTEWATER or SANITARY SEWAGE

Normal water-carried household and toilet wastes or waste from sanitary conveniences, excluding groundwater, surface water or stormwater.

DOVER UTILITIES COMMISSION

As set forth in Chapter 9, Boards, Commissions and Committees.

ENFORCEMENT RESPONSE PLAN(ERP)

A required plan by 40 CFR 403.8(f)(5) that provides for the City to enforce its Industrial Pretreatment Program. The plan explains its purpose and outlines the steps the City can and will take to enforce the requirements of Dover's Industrial Pretreatment Program.

EPA

The Environmental Protection Agency of the United States government.

EXCESSIVE

Amounts or concentration of a constituent of a wastewater which, in the judgment of the Community Services Director, or designee:

- A. Will cause damage to the City's wastewater facility.
- B. Will be harmful to a wastewater treatment process.
- C. Cannot be removed in the City treatment works to the degree required to meet the limiting stream classification standards of the receiving water and/or EPA effluent standards.
- D. Can otherwise endanger life, limb or public property.

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2020.12.09 – 016**
Ordinance Title: Sewers and Water
Chapter: 121
Sections: 1, 5 and 11

E. Can constitute a nuisance.

FACILITIES

Includes structures and conduits for the purpose of collecting, treating, neutralizing or disposing of domestic wastewater and/or industrial or other wastewaters as are disposed of by means of such structures and conduits, including treatment and disposal works necessary, intercepting, outfall and outlet sewers and pumping stations integral to such facilities with sewers, equipment, furnishings thereof and other appurtenances connected therewith.

FLOATABLE OIL

Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility.

GARBAGE

The animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

GRAB SAMPLE

A single sample collected in less than 15 minutes at a particular time and place which represents the composition of the waste stream.

INCOMPATIBLE POLLUTANT

Any pollutant, other than biochemical oxygen demand, suspended solids, pH, coliform bacteria or additional pollutants identified in the permit, which the treatment works was not designed to treat and does not remove to a substantial degree.

INDUSTRIAL DISCHARGE PERMIT (IDP)

The official document issued by the publicly owned/operated treatment works (POTW) to an industrial user of the Dover sewer system and treatment works that outlines the general and specific conditions under which the industrial user may discharge wastewaters into the City's collection system or POTW.

INDUSTRIAL ESTABLISHMENT

Any room, group of rooms, building or other enclosure used or intended for use in the operation of one business enterprise for manufacturing, processing, cleaning, laundering,

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2020.12.09 – 016**
Ordinance Title: Sewers and Water
Chapter: 121
Sections: 1, 5 and 11

assembling or preparing any product, commodity or article or from which any process waste, as distinct from domestic wastewater, may be discharged.

INDUSTRIAL PRETREATMENT PROGRAM(IPP)

A program by which the federal, state, and local governments are authorized to implement a part of the Clean Water Act which identifies and controls industrial discharges from adverse effects to the POTW and/or the environment.

INDUSTRIAL USER

A person who discharges industrial wastes to the wastewater facilities in Dover.

INDUSTRIAL WASTE

The liquid wastes from industrial manufacturing processes, trade or business as distinct from domestic wastewater.

INSTANTANEOUS LIMIT

The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

INTERFERENCE

A discharge which, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment process or operations or its sludge processes, use or disposal and therefore is a cause of a violation of the City of Dover's NPDES permit or the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent state or local regulations: Section 405 of the Clean Water Act, as amended; the Solid Waste Disposal Act, including Title II, commonly referred to as the "Resource Conservation and Recovery Act (RCRA)"; any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; the Marine Protection, Research, and Sanctuaries Act; 40 CFR Part 503, Standards for the Use or Disposal of Sewage Sludge; and RSA 485-A:4, XVI-a.

[Amended 2-12-2020 by Ord. No. 2020.01.08-001]

MANAGER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2020.12.09 – 016**
Ordinance Title: Sewers and Water
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The City Manager or the top executive and administrative officer of the City or his duly authorized agent.

NATURAL OUTLET

Any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

NEW SOURCE

- A. Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed categorical pretreatment standards under Section 307(c) of the Clean Water Act, as amended, which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that: **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**
- (1) The building, structure, facility or installation is constructed at a site at which no other source is located;
 - (2) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (3) The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.
- B. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of Subsection **A(2)** or **(3)** of this definition but otherwise alters, replaces, or adds to existing process or production equipment.
- C. Construction of a new source as defined under this subsection has commenced if the owner or operator has:
- (1) Begun, or caused to begin, as part of a continuous on-site construction program:
 - (a) Any placement, assembly or installation of facilities or equipment; or

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- (b) Significant site preparation work, including clearing, excavation, or removal of existing buildings, structures, or facilities, which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
- (2) Entered into a binding contractual obligation for the purchase of facilities or equipment which is intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this subsection.

PASS THROUGH

The discharge of pollutants through the POTW into navigable waters in quantities or concentrations which, alone or in conjunction with discharges from other sources, is a cause of a violation of any requirements of the POTW's National Pollutant Discharge Elimination System Permit, including an increase in magnitude or duration of a violation, or of applicable water quality criteria.

PERSON

Any individual, firm, company, partnership, state, association, society, corporation, group, or municipality, commission, government facility or governmental subdivision of a state or any interstate body, or responsible corporate officer.

pH

The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

POLLUTANT

Includes but is not limited to the materials identified in § 121-5 of this article and Article II, § 121-12.

POTW or PUBLICLY OWNED TREATMENT WORKS

A wastewater treatment works which is owned by a state or a municipality. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial waste of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW wastewater treatment works. The term also means the municipality which has jurisdiction over discharges to and the discharges from

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such a treatment works.

PRELIMINARY TREATMENT or PRETREATMENT

The conditioning of a waste at its source before discharge to remove or to neutralize substances injurious to the facilities of the City or to effect a partial reduction in the load on the treatment process.

PRETREATMENT REQUIREMENT

Any substantive or procedural requirement related to pretreatment in addition to pretreatment standards imposed on an industrial user.

PROPERLY SHREDDED GARBAGE

The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.

PUBLIC SEWER

A sewer in which all owners of abutting properties have equal rights and which is controlled by a municipality.

RECEIVING WATERS

Any watercourse, river, pond, ditch, lake, aquifer or other body of surface water or groundwater receiving discharge of wastewater.

SANITARY SEWER

A sewer which carries sewage and to which stormwater, surface water and groundwater are not intentionally admitted.

SCREENING LEVEL

That concentration of a pollutant which under baseline conditions would cause a threat to personnel exposed to the pollutant or would cause a threat to structures of wastewater facilities. To be administered as limits applicable to a particular discharge, the screening levels must be adjusted to account for conditions at the point of discharge which differ from baseline conditions.

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SEWAGE

A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwater, surface water and stormwater as may be present.

SEWER

A pipe or conduit for carrying sewage.

SIGNIFICANT INDUSTRIAL USER (SIU)

A user of the sewer system which:

- A. Discharges 10,000 gallons per day or more of process wastewater, excluding sanitary, noncontact cooling and boiler blowdown wastewater;
- B. Contributes a process waste stream which makes up 5% or more of the average dry weather hydraulic or organic (BOD, total suspended solids, etc.) capacity of the treatment plants;
- C. Has a reasonable potential, in the opinion of the City Manager or his authorized representative, to adversely affect the operation of the POTW;
- D. Violates any pretreatment standard or requirement in accordance with 40 CFR 403.8(f)(6);
- E. Is subject to categorical pretreatment standards as outlined in 40 CFR 403.6 and 403.8 and 40 CFR Chapter I, Subchapter N; or
- F. Is a discharger of medical/infectious waste, pharmaceutical waste, radiological waste, or wastewater from a hospital process or system that, in the opinion of the Community Services Director, or designee, could have an adverse effect on the POTW.

SIGNIFICANT NONCOMPLIANCE or SNC

- A. Chronic violations of wastewater discharge limits, defined here as those in which 66% or more of all the measurements taken for the same pollutant parameter during a six-month period exceed (by any magnitude) a numeric categorical pretreatment standard or requirement, including instantaneous limits, as defined by 40 CFR 403.3(l);

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- B. Technical review criteria (TRC) violations, defined here as those in which 33% or more of all of the measurements taken for the same pollutant parameter during a six-month period equal or exceed the product of the numeric categorical pretreatment standard or requirement, including instantaneous limits, as defined by 40 CFR 403.3(l), multiplied by the applicable TRC (TRC equals 1.4 for BOD, TSS, fats, oils and grease and 1.2 for all other pollutants except pH);
- C. Any other violation of a categorical pretreatment standard or requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) that the POTW determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);
- D. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the City's authorized agent's exercise of the emergency authority under 40 CFR 403.8(f)(1)(vi)(B) "imminent endangerment" to halt or prevent such a discharge;
- E. Failure to meet, within 90 days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or a general permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- F. Failure to provide, within 45 days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G. Failure to accurately report noncompliance; or
- H. Any other violation(s), which may include a violation of best management practices, which the Community Service Director, or designee, determines will adversely affect the POTW operation or implementation of the local pretreatment program.

SLUG

Any discharge of water, sewage or wastewater which, in concentration of any given constituent or in quantity of flow, exceeds, for any period of duration longer than 15 minutes, more than five times the average twenty-four-hour concentration or flow during normal operation or which shall adversely affect the collection system and/or the performance of the treatment works.

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SPILL

The release, accidental or otherwise, of any material not normally released to the facilities which, by virtue of its volume, concentration or physical or chemical characteristics, creates a hazard to the facilities, their operation or their personnel. Such characteristics shall include, but are not limited to, volatile, explosive, toxic or otherwise unacceptable materials.

STORM DRAIN (sometimes termed "storm sewer")

A pipe or conduit which carries stormwater and surface water and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

SUPERINTENDENT

The Community Services Director, or designee.

SUSPENDED SOLIDS

Solids that either float on the surface or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

TOTAL TOXIC ORGANICS (TTOs)

Any of the organic substances, alone or in combination, as determined by the Community Services Director, or designee, to sufficiently inhibit the operation of the public treatment works or endanger its employees, which may result in violation of air or water quality criteria or which could result in sludge reuse limitations.

UNPOLLUTED WATERS

Water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to sanitary sewers and wastewater treatment facilities provided.

USER

Any person who discharges wastewater to the facilities of the City.

WASTEWATER

The same materials as described in the definition of "sewage."

WASTEWATER TREATMENT PLANT

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Any arrangement of devices and structures used for treating and disposing of sewage.

WASTEWATER WORKS

All facilities for collection, pumping, treating and disposing of sewage.

WATERCOURSE

A channel in which a flow of water occurs, either continuously or intermittently.

§ 121-2 Prohibited acts; connection to public sewer required.

- A. It shall be unlawful for any person to place, deposit or permit to be deposited any sewage, human or animal excrement, garbage or other objectionable waste on public or private property within the City of Dover or in any area under the jurisdiction of said City.
- B. It shall be unlawful to discharge to any natural outlet within the City of Dover or in any area under the jurisdiction of said City any wastewater, except where suitable treatment has been provided in accordance with subsequent provisions of this article.
- C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- D. The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the City and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the City are hereby required at their expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article within 90 days after date of official notice to do so, provided that said public sewer is within 100 feet of the building.
- E. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the municipal wastewater works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

§ 121-3 Private wastewater disposal.

- A. Where a public sanitary sewer is not available under the provisions of § 121-2D, the building sewer shall be connected to a private wastewater disposal system complying with the provisions

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of Chapter **113**, Plumbing, as amended, and the Division rules and regulations.

- (1) Before commencement of construction of a private wastewater disposal system, the owner(s) shall first obtain design approval from the Division and a written permit signed by the City Engineer. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the City Engineer. A permit and inspection fee shall be paid according to the Fee Schedule and shall be paid at the time the application is filed. In case of community systems, the fee shall be for each leach bed system. **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**
- (2) A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the City Engineer. The City Engineer shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the City Engineer when the work portions are uncovered. This inspection shall be made within 24 hours of the receipt of notice from the applicant.
- (3) The type, capacities, location, layout and installation of a private wastewater disposal system shall comply with all requirements of the New Hampshire Water Division. No septic tank or cesspool shall be permitted to discharge to any natural outlet. **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**
- (4) The owner(s) shall operate and maintain private wastewater disposal facilities in a sanitary manner at all times, at no expense to the City. Sludge from private disposal systems shall be removed only by licensed operators. Disposition will be made within the City and will be accepted into the sewer system at a designated receiving structure within the treatment plant area and at such times as are established by the Community Services Director, or designee, provided that such wastes do not contain toxic pollutants or materials and provided that such surcharge does not violate any other special requirements established by the City. Permits and fees as approved by the City Council to use such facilities shall be under the jurisdiction of the Dover Utilities Commission or its duly authorized representatives. Fees for dumping septage will be established as part of the user charge system. The Director of Community Services, or designee, shall have authority to limit such wastes, if such disposal would interfere with treatment plant operation. Municipalities need not accept septage if it would interfere with proper operation of the municipal treatment and disposal facilities (RSA 486:13). Procedures for the disposal of such wastes shall be in conformance with the operating policy of the Community Services Director, or designee, and disposal shall be accomplished under his

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supervision unless specifically permitted otherwise (RSA 147).

- B. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer in compliance with this article within 90 days after date of official notice to do so, provided that said public sewer is within 100 feet of the building.
- C. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

§ 121-4 **Building sewers and connections.**

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Community Services Director, or designee/City Engineer.

A. There shall be three classes of building sewer permits:

- (1) For residential service.
- (2) For commercial service producing only domestic wastewater.
- (3) For service to establishments producing industrial wastes.

B. In all cases, the owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by the plans, specifications or other information considered pertinent in the judgment of the Community Services Director, or designee/City Engineer. A permit and inspection fee set by the City for either a residential, commercial or industrial building sewer permit shall be paid to the City at the time the application is filed. Transfer of use from one industrial or commercial use to another industrial or commercial use will constitute the need for a new permit.

C. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may, directly or indirectly, be occasioned by the installation of the building sewer.

D. A separate and independent building sewer shall be provided for every building, unless a special

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exception is granted, in writing, by the Dover Utilities Commission, and except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the front building sewer may be extended to the rear building and the whole considered as one building sewer, but the City will not assume any obligation or responsibility for damage caused by or resulting from any such single connection.

- E. An old building sewer may be used in connection with new buildings when the new building replaces an old one, provided that the existing sewer and connection are exposed for the examination and test by the Community Services Director, or designee/City Engineer, and are found to meet all requirements of this article.
- F. The size, slope, alignment and materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the City and the Division. In the absence of code provisions to cover a specific project or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials and Water Pollution Federation Manual of Practice No. 9 shall apply.
- G. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means, at the owner's expense, and discharged to the building sewer.
- H. No person shall make connection of roof downspouts, foundation drains, areaway drains or other sources of surface runoff or groundwater to a building drain which in turn is connected, directly or indirectly, to a public sanitary sewer.
- I. The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the City or the procedures set forth in appropriate specifications of the American Society for Testing and Materials and Water Pollution Control Federation Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Community Services Director, or designee/City Engineer, before installation.

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- J. The applicant for the building sewer permit shall notify the Community Services Director, or designee, at least 24 hours prior to commencement of the work proposed and again for inspection purposes at least 24 hours prior to the covering of any underground portions of the installation. The physical connection to the public sewer shall be made under the supervision of the Community Services Director, or designee.
- K. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City, at the expense of the owner.
- L. Any person proposing a new discharge into the system or a discharge of listed or characteristic hazardous waste, or an increase in the volume beyond limits previously permitted, or in the strength or character of pollutants that are discharged into the system shall notify the Community Services Director, or designee, at least 60 days prior to the proposed change or connection.
- M. Proposed new discharges from residential or commercial sources involving loading exceeding 50 population equivalence (5,000 gpd), any new industrial discharge, or any alteration in either flow or waste characteristic in industrial discharge must be approved by the Division. It is understood that, absent special circumstances, the Division will approve plans for new systems, extensions, or replacement sewers only when designed upon the separate plan, in which rainwater from roofs, streets, and other areas and groundwater from foundation drains are excluded. **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**

§ 121-5 Use of public sewer.

- A. A user may not introduce into any POTW any pollutant(s) which may cause pass through or interference. These general prohibitions and the specific prohibitions in this section apply to each user introducing pollutants into a POTW whether or not the user is subject to other national pretreatment standards or any national, state, or local pretreatment requirements.
- B. No person or industrial user shall ever increase the use of process water or in any other way attempt to dilute a discharge as a partial or complete substitute for treatment. Dilution is prohibited to achieve compliance with all applicable pretreatment standards and requirements. No wastewaters which otherwise will not meet the requirements of this article shall be diluted with river water or other unpolluted water in order to render the wastewater acceptable as

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meeting the requirements of this article.

- C. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial waters to any sanitary sewer. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designed as storm sewers or to a natural outlet. Industrial cooling water or unpolluted process waters require an NPDES permit prior to discharge to a storm sewer or natural outlet.
- D. Prohibitions. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
- (1) Pollutants which create a fire or explosion hazard in the POTW, including but not limited to gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas, any waste stream with a closed-cup flashpoint of less than 140° F., using test method from 40 CFR 261.21, pollutants causing toxic gases, vapors, or fumes that may cause worker health and safety problems, or any pollutant(s) which causes pass through or interference.
 - (2) Any water containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure, pass through, or cause interference with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters or the wastewater treatment works.
 - (3) Waters or wastes which interfere with safety, operation and maintenance, or performance of the POTW or having any corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works.
 - (4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater works, such as, but not limited to, ashes, cinders, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, unground garbage, whole blood, paunch manure, hair and fleshings, leather dust, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
 - (5) Wastewater sufficiently hot to cause the influent at the wastewater treatment facilities to exceed 104° F. (40° C.) or cause inhibition of biological activity in the POTW, resulting in interference.

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- (6) Any pollutant, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause interference or pass through at the POTW.
 - (7) Petroleum oil greater than 100 mg/l, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
 - (8) Any trucked or hauled pollutants, except at discharge points designated by the POTW.
 - (9) Wastewater alone or in conjunction with other sources that causes the treatment plant's effluent or sludge to fail a toxicity test.
 - (10) Household hazardous waste, including but not limited to paints, stains, thinners, pesticides, herbicides, antifreeze, transmission and brake fluids, motor oil, and battery acid.
 - (11) Any hazardous waste listed or designated by the New Hampshire Department of Environmental Services (NHDES) under Chapter Env-Hw 400 of the Administrative Rules.
[Amended 2-12-2020 by Ord. No. 2020.01.08-001]
 - (12) Any discharge by a healthcare provider of pharmaceuticals, as 40 CFR 266.505 prohibits all healthcare facilities from discharging any hazardous waste pharmaceutical to the POTW. Therefore, the discharge of pharmaceuticals either listed or exhibiting hazardous waste characteristics as defined in subpart C, D and appendices in 40 CFR 261 generating from healthcare facilities or reverse distributors is prohibited.
- E. The following described substances, materials, waters, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream or cannot otherwise endanger life, limb or public property or constitute a nuisance. In forming an opinion as to the acceptability of these wastes, consideration may be given to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the wastewater treatment process, capacity of the wastewater treatment plant, degree of treatability of wastes in the wastewater treatment plant and other pertinent factors. The substances prohibited are:
- (1) Waters or waste containing animal or vegetable type oil and grease, or wax, whether emulsified

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or not, in amounts that will cause interference or pass through and containing substances which may solidify or become viscous at temperatures between 32° F. and 104° F. (0° C. and 40° C.).

- (2) Garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor 3/4 horsepower or greater shall be subject to the review and approval of the Community Services Director, or designee.
- (3) Waters or wastes containing strong-acid iron-pickling wastes, or concentrated plating solutions, whether neutralized or not.
- (4) Any wastewaters containing an increase in caustic alkalinity in the raw waste recalculated as CaCO₃(calcium carbonate) in excess of 75 milligrams per liter (mg/l) or in volumes which may be excessive.
- (5) Waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances or wastes exerting an excessive chlorine requirement to such a degree that any such material received in the composite sewage at the wastewater treatment works exceeds the limits established for such materials.
- (6) Any waters or wastes containing odor-producing substance exceeding limits established by the Community Services Director, or designee. **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**
- (7) Any medical/infectious wastes, pharmaceutical waste, or radiological waste except as specifically authorized in an industrial discharge permit. Additionally, any radioactive wastes or isotopes of such half-life or concentration as may exceed limits in compliance with applicable state or federal regulation.
- (8) Waters or wastes having a pH less than 6.0 or in excess of 11.0.
- (9) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and/or treatment processes.
- (10) Wastewater with any of the following constituents at ~~loadings~~ concentrations greater than those indicated below. If applicable, see procedures for net/gross determination at 40 CFR 403.15.

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These ~~Local limits~~ are - Maximum Allowable Industrial Loading (MAIL) in (Lbs/day) available to the SIUs. SIUs should refer to the individual industrial user permit for a more site-specific limit(s). ~~uniform concentration limits expressed as "total" limit of each parameter in mg/l.~~

Cadmium (Cd)	0.06620	Zinc (Zn)	1.730433
Chromium (Cr)	4.63003	Silver (Ag)	56.000713
Copper (Cu)	2.950346	Nickel (Ni)	1.41007
Cyanide (CN)	1.5400363	Mercury (Hg)	0.05904
Lead (Pb)	1.1800806	Arsenic (As)	0.130400
Total Nitrogen-Phenol	379482	Selenium	0.345855

Screening levels in mg/l:

Wastewater which has a concentration of any pollutant above the following screening levels shall be limited in its discharge to the POTW by the Community Services Director, or designee. Such screening levels, generated on the basis of standard conditions, shall be adjusted for the particular conditions applicable to the specific discharge. Fume toxicity screening levels shall be adjusted when administered as limits to account for the pH, temperature, dilution, other toxic fumes and ventilation present at the site of the particular discharge. The screening level for sulfate shall be adjusted when administered as a limit to account for the type of concrete used in sewer construction and the dilution present. Specific list of screening levels:

Ammonia	90.000	Bromomethan	0.002
Vinyl chloride	0.003	Carbon disulfide	0.060
Chloromethane	0.007	Acrylonitrile	1.240
Chlorobenzene	2.350	1,2-Dichlorobenzene	3.740
Chloroform	0.420	1,4-Dichlorobenzene	3.540
Napthalene	3.340	Dichlorodifluoro-methane	0.04
Methane	0.040	1,1-Dichloroethane	4.580
Vinyl acetate	1.210	1,2-Dichloropropane	3.650
1,3-Dichloropropene	0.090	Tran-1,2-dichloro-ethylene	0.28
Sulfate	150/1500	Trichlorofuorome - thane	1.220
Thylene	0.280	Ethylene dichloride	1.050
Sulfide	1.000	Heptachlor	0.003
Sulfite	2.000	Hexachloro-1,3 butadiene	0.0002
Acetone	1.176	Hexachloroethane	0.960
Ethyl benzene	1.590	Tetrachloroethylene	0.530
Toluene	1.350	1,2,4-Trichlorobenzene	0.430
Methylene chloride	4.150	1,1,1-Trichloroethylene	1.550
Formaldehyde	0.070	Methyl ethyl ketone	2.49
Polychlorinated biphenyls	0.002	Trichloroethylene	0.710

(11) Materials which exert or cause:

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- (a) Unusual concentration of inert suspended solids, such as but not limited to fuller's earth, lime slurries and lime residues, or of dissolved solids, such as but not limited to sodium chloride and sodium sulfate.
- (b) Excessive discoloration such as but not limited to dye wastes and vegetable tanning solution or dyes that pass through the wastewater treatment plant and visibly color effluent. **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**
- (c) Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment works.
- (d) Unusual volume of flow or concentration of wastes constituting slugs as defined herein.
- (12) Waters or wastes containing substances which are not amenable to treatment or reduction by the processes employed or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to receiving waters.
- F. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Subsection **E** of this section and which, in the judgment of the Community Services Director, or designee, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the Community Services Director, or designee, may take any or all of the following actions:
 - (1) Reject the wastes.
 - (2) Require pretreatment to an acceptable condition for discharge to the public sewers.
 - (3) Require control over the quantities and rates of discharge.
 - (4) Require payment to cover the added cost of handling and treating the wastes.
 - (5) Impose additional discharge limits on a user.
- G. If the Community Services Director, or designee, permits the pretreatment or equalization of

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waste flows, the design and installation of equipment for such shall be subject to the review and approval of the Division and subject to the requirements of all applicable codes, ordinances and laws.

- H. Such facilities shall not be connected until said approval is obtained in writing. Such approval shall not relieve the owner of the responsibility of discharging treated waste meeting the requirements of this article. Plans and specifications for a proposed pretreatment facility shall be the result of the design of a professional engineer registered in New Hampshire in the field of sanitary or chemical engineering.
- I. To determine compliance with respect to prohibited discharges and categorical limitations on wastewater discharges and discharge permits, prohibitions and limitations may be made on the basis of either instantaneous grab samples or composite samples of the wastewater. The nature and time span of sampling shall be determined by the Community Services Director, or designee. The City may also conduct sampling of either scheduled or random nature to ensure compliance.
- J. Grease, oil and sand interceptors shall be provided when, in the opinion of the Community Services Director, or designee, they are necessary for the proper handling of liquid wastes containing grease, oil, sand or other materials which, in the opinion of the City Engineer/Community Services Director, or designee, will damage or interfere with the operation of sewers or drains or give rise to hazardous conditions therein. All interceptors shall be of the type and capacity approved by the City Engineer and shall be located as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious material capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction and shall be gastight and watertight. Where installed, all grease, oil, and sand interceptors shall be maintained by the owner at his expense in continuously efficient operation at all times. Appropriate means of disposal shall be subject to review by the Community Services Director, or designee. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by currently licensed waste disposal firms. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Community Services Director, or designee. **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**

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- K. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- L. All industrial wastes shall be pretreated in accordance with federal and state regulations and this article to the extent required by applicable categorical pretreatment standards, state pretreatment standards or standards established by the Community Services Director, or designee, whichever is more stringent. When required by the Community Services Director, or designee, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole, together with such necessary meters and other appurtenances, in the building sewer to facilitate observation, sampling and measurement of wastes. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the City Engineer. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times. The owner shall perform or have others perform at his expense all tests and monitoring required by the Community Services Director, or designee. Completed reports of all tests shall be submitted to the Community Services Director, or designee, for his records.
- M. The Community Services Director, or designee, may require a user of sewer services to provide information needed to determine compliance with this article. These requirements may include but are not limited to:
- (1) Wastewater discharge peak rates and volume over a specified period.
 - (2) Chemical analysis of wastewaters.
 - (3) Information on raw materials, processes, and products affecting wastewater volume and quality.
 - (4) Quality and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use and control.
 - (5) A plot plan of sewers on the user's property showing sewer and pretreatment facility location.
 - (6) Details of pretreatment facilities.
 - (7) Details of systems to prevent and control the losses of materials through spills to the municipal

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sewer.

- N. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with methods and procedures as set forth in 40 CFR Part 136. Sampling methods, locations, times, durations, and frequencies are to be determined on an individual basis subject to approval by the Community Services Director, or designee. Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.
- (1) Except as indicated in Subsection ~~N~~(2) and (3) below, the user must collect wastewater samples using twenty-four-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Community Services Director, or designee. Where time-proportional composite sampling or grab sampling is authorized by the City, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a twenty-four-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides, the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City, as appropriate. In addition, grab samples may be required to show compliance with instantaneous limits.
 - (2) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
 - (3) For sampling required in support of baseline monitoring and ninety-day compliance reports required in 40 CFR 403.12(b) and (d), a minimum of four grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data does not exist; for facilities for which historical sampling data is available, the Community Services Director, or designee, may authorize a lower minimum. For the reports required by 40 CFR 403.12(e) and (h), the industrial user is required to collect the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and requirements.

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- O. All applications to discharge any industrial wastewater, substances, or wastes directly into any sewer under the control of the City, or into any tributary thereof, shall be accompanied by an industrial discharge permit (IDP) stating that the applicant agrees to abide by all ordinances and rules and regulations of the City, that the applicant will provide such works for the preliminary treatment of the wastewater, substances or wastes as may be required by the City, and that the applicant will permit duly authorized representatives of the City to enter the premises of the industry to sample and measure wastewaters, as needed to check characteristics of the wastewaters, when so directed by the City.
- P. When required by the permit, each industrial permittee shall submit a duly signed report to the Community Services Director, or designee, containing all information requested. If insufficient data has been furnished, additional information may be required.
- Q. Each significant industrial user shall be required to submit a semiannual report on the first of June and the first of December each year containing information as to the minimum, average and peak flows of industrial wastewater discharges during the previous six months, accompanied by designated analysis and wastewater samplings taken by an approved EPA method and at appropriate times during the flow measuring periods. A nonsignificant industrial user will be required to submit the above information, but on an annual basis, on the first of July each year. A nonsignificant industrial user will be required to submit the above information, after evaluation, at the discretion of the City's authorized agent.
- R. Sampling methods, locations, times, durations, and frequencies are to be determined on an individual basis as specified in the industrial permit.
- S. All users shall notify the Community Services Director, or designee, at least 60 days prior to the discharge of all pollutants which would cause a substantial change in the volume or character of the pollutants entering the treatment plant. In addition to receiving a permit to enter the public sewer, the new user shall notify the Community Services Director, or designee, at least 60 days before any discharge begins. Any user whose discharges would be subject to Section 301 of Public Law 92-500 shall notify the Community Services Director, or designee, at least 60 days prior to any discharge of pollutants.
- T. The Community Services Director, or designee, and other duly authorized employees of the City bearing proper credentials and identifications shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing, in

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accordance with the provisions of this article.

- U. The Community Services Director, or designee, the Division, EPA, or their duly authorized employees are authorized to obtain information concerning industrial processes which have a bearing on the kind and source of discharge to the public sewer. **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**
- V. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, provided that such agreements do not contravene any requirements of existing federal or state laws, and/or regulations promulgated thereunder, are compatible with the Fee Schedule, and do not waive applicable categorical pretreatment standards.
- W. If sampling performed by an industrial user indicates a violation, the user shall notify the City within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the City within 30 days after becoming aware of the violation, except that the industrial user is not required to resample if:
 - (1) The City performs sampling at the industrial user at a frequency of at least once per month; or
 - (2) The City performs sampling at the user between the time when the user performs its initial sampling and the time when the user receives the results of this sampling, or if the City has performed the sampling and analysis in lieu of the industrial user. If the City performed the sampling and analysis in lieu of the industrial user, the City will perform the repeat sampling and analysis unless it notifies the user of the violation and requires the user to perform the repeat sampling and analysis.
- X. Each industrial user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this article. Facilities to prevent accidental discharges shall be provided and maintained at the industrial user's expense.
- Y. Bypass is prohibited except where the bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. The industrial user shall notify the POTW immediately in the event of any bypass.

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§ 121-6 **User charges and industrial cost recovery.**

- A. All users, including residential, commercial and industrial, shall pay a user's fee to cover the costs involved in processing their portions of the total wastewater treated.
- B. Any industrial user whose wastes will significantly influence the capital costs of the treatment works by virtue of abnormal strength, volume, rate of flow or any other design factor shall be required to pay an industrial cost recovery (ICR) fee. The Dover Utilities Commission shall use the sewer user charge, industrial survey results, and chemical analysis reports of the industrial pretreatment program, as prepared by the City of Dover, as a guideline for determining which industries fall under this section and the method by which the fees will be applied. As a minimum, the industrial cost recovery fee shall be proportional to the user's flow and in addition to the basic user's fee.
- C. The user charge system, as established by resolution of the City Council, shall generate sufficient revenue to offset the cost of all treatment works operation, maintenance and repair provided by the City and shall be reviewed annually in accordance with recommendations of the Dover Utilities Commission.

§ 121-7 **Restricted acts.**

[Amended 2-12-2020 by Ord. No. 2020.01.08-001]

To uncover the public sewer for any purpose or make connection therewith or to uncover the public sewer for inspection or connection to branches thereof or to open any manhole, unless and except with the written consent and under the supervision of the Community Services Director, or designee, shall constitute a violation of this article. The powers and authority of the Manager and his duly authorized agents are set forth in § 121-8.

§ 121-8 **Right of entry.**

[Amended 2-12-2020 by Ord. No. 2020.01.08-001]

- A. The Community Services Director, or designee, shall be permitted to enter all properties, including dwellings, for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this article. The Community Services Director, or designee, shall have authority to inquire into any processes, including but not restricted to metallurgical, chemical, oil, refining, ceramic, tanning, paper or other industries, that have a bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment. The Community Services Director, or designee, shall have access to and permission

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to copy all records and inspect all equipment installed as required by § **121-5G** of this article.

- B. The Community Services Director, or designee, shall be permitted to enter all private properties through which the City holds an easement for the purposes of but not limited to inspection, observation, measurements, sampling, repair and maintenance of any portion of the sewage works lying within said easement.

§ 121-9 **Variances.**

- A. Any person seeking a variance from any of the provisions of this article shall file a written request with the Dover Utilities Commission setting forth the reasons for the variance. Categorical pretreatment standards are exempt from variances, waivers, or agreements.
- B. The Dover Utilities Commission, upon receipt of a request for a variance from this article, shall within 30 days act on such request and promptly notify the applicant, in writing, of its decision to grant or deny the variance.

§ 121-10 **Permit applications.**

[Amended 2-12-2020 by Ord. No. 2020.01.08-001]

The required application forms to carry out the provisions of this article are hereby incorporated by reference and made a part of this article. The application forms can be obtained from the Community Services Department.

§ 121-11 **Violations and penalties.**

- A. After review or reasonable testing in accordance with the requirements of § **121-5N or Chapter 121**, any person found by the Community Services Director, or designee, to be violating any discharge limitation or any other provision of ~~this Article I~~ or Article **II** of this chapter, ~~or any pretreatment standard, or to be in noncompliance with an IDP~~ shall be served by the City with written notice stating the nature of the violation. At the discretion of the Community Services Director, or his designee where immediate action is not warranted due to a serious noncompliance of this chapter and providing a reasonable time limit for the satisfactory correction of the violation(s) shall be provided thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. Any person in noncompliance as listed above in subsection A, or who shall continue any violation beyond the time limit provided for in sSubsection A of this section can be subject to a fine of not less than \$100.00 nor more than ten thousand dollars (\$10,000.00) for each

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~~violation~~ as provided in the City Fine Schedule. Enforcement actions taken by the City are carried out with respect to the City's Enforcement Response Plan (ERP) in remedy to noncompliance with Dover's SUO, federal pretreatment standards, or an IDP. ~~shall be fined in the amount provided in the City Fine Schedule for each violation.~~ Each day in which any such violation shall continue shall be deemed a separate offense. (House Bill 980, which established a limit in RSA 149-I:6, effective January 1, 1989.) **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**

- C. Any person failing to obtain permits as required by § **121-3A(1)** to **(4)** or **B** shall be in violation of this article.
- D. Any person violating any of the provisions of this article shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation.
- E. Any person in noncompliance with ~~At this article I or Article II~~ shall be subject to the following enforcement responses, not necessarily in this order: notice of violation, administrative or compliance order, noncompliance fees or fines, termination of service, civil litigation, or criminal prosecution.

Article II Industrial Pretreatment

[Adopted 11-13-2013 by Ord. No. 2013.10.09-013 as Ch. 147, Art. II, of the 2013 Code.]

§ 121-12 **Applicability.**

All persons discharging industrial process wastes into public or private sewers connected to the City's wastewater facilities shall comply with applicable requirements of local, state and federal industrial pretreatment regulations and pretreatment standards for new and existing sources set out in 40 CFR Chapter I, Subchapter N, Parts 403 to 471 (as amended).

§ 121-13 **Industrial discharge permit (IDP).**

- A. Permit required. Effective 120 calendar days after this provision is adopted by the City, the discharge of any industrial waste to the City's wastewater works or to a public or private sewer connected to the City's wastewater facilities is prohibited without a valid industrial discharge permit (IDP).
- B. Permit application. Within 60 days after the effective date of these industrial pretreatment rules,

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persons subject to these rules shall submit an application for an IDP containing the information required below:

- (1) The name and address of the facility, including the name of the operators and owners.
 - (2) A list of all environmental permits held by or for the facility.
 - (3) A brief description of the nature, average rate of production, and Standard Industrial Classification of the operations carried out at such facility.
 - (4) An identification of the categorical pretreatment standards applicable to each regulated process.
 - (5) An analysis identifying the nature and concentration of pollutants in the discharge.
 - (6) Notification to the City, EPA Waste Management Division, and the state hazardous waste authority of any proposed or existing discharge of listed or characteristic hazardous waste as required by 40 CFR 403.12(p). In those instances in which the industrial user provides notification of discharge of hazardous wastes, the industrial user shall also provide the following certification; "I certify that the company has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree the company has determined to be economically practical." Reference 40 CFR 403.12(j) and (p).
 - (7) Information showing the measured average daily and maximum daily flow, in gallons per day, to the public sewer from regulated process streams and from other streams.
 - (8) A schedule of actions to be taken to comply with discharge limitations.
 - (9) Additional information as determined by the Community Services Director, or designee, or his representative may also be required. **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**
- C. Provisions. The IDP will outline the general and specific conditions under which the industrial process waste is accepted for treatment at the City's wastewater treatment plant. Specifically included in the IDP are the following:
- (1) Pretreatment and self-monitoring facilities required.

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- (2) Parameters to be monitored, type of samples, and monitoring frequencies required.
 - (3) Effluent limitations, including best management practices, on the industrial process waste, using the combined waste stream formula where applicable, also considering federal categorical pretreatment standards, and local limits, then applying the more stringent of the two sets of pretreatment standards.
 - (4) Reporting requirements.
 - (5) Location of sampling site.
 - (6) Notification by the industrial user of slugs, bypass or noncompliance.
 - (7) Penalties for noncompliance.
 - (8) Compliance schedule.
- D. Permit duration. The IDP shall be issued for a period of time not to exceed five years from the date it is issued. The user shall apply to the POTW for permit renewal a minimum of 60 days prior to the expiration of any existing IDP. Any changes or new conditions in the IDP imposed on the user by the POTW shall include a time schedule for compliance.
- E. Permit transfer. An IDP is issued to a specific user for a specific operation. An IDP shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the POTW. Any succeeding owner or user shall comply with the terms and conditions of the existing permit until such time that the POTW issues a new IDP.
- F. Accidental discharge/sludge discharge control plans. The Community Services Director, or designee, shall evaluate whether each significant industrial user needs an accidental discharge/sludge discharge control plan or other action to control slug discharges. The Community Services Director, or designee, may require within any user's control mechanism (permit) the user to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control slug discharges. Alternatively, the Community Services Director, or designee, may develop such a plan for any user. An accidental discharge/sludge discharge control plan shall address, at a minimum, the following: description of discharge

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practices, including nonroutine batch discharges; description of stored chemicals; procedures for immediately notifying the Community Services Director, or designee, of any accidental or slug discharge, as required by § **121-18** of this article; and procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

- G. Significant industrial users are required to notify the POTW immediately of any changes at their facility affecting the potential for a slug discharge.

§ 121-14 Industrial user reporting.

- A. All significant industrial users are required to submit periodic compliance reports. All significant industrial users must, at a frequency determined by the Community Services Director, or designee, submit no less than twice per year [June and December (or on dates specified)] reports indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the pretreatment standard requires compliance with a best management practice (BMP) or pollution prevention alternative, the user must submit documentation required by the Community Services Director, or designee, on the pretreatment standard necessary to determine the compliance status of the user. Sampling for all significant industrial users for periodic reports must be performed during the period covered by the report. Extra sampling data from categorical significant industrial users must be included in the periodic reports. The reports shall state whether the applicable categorical pretreatment standards and effluent limitations are being met on a consistent basis and, if not, what additional operations and maintenance practices and/or pretreatment is necessary. Additional requirements for such reports may be imposed by the Community Services Director, or designee, or his representative.
- B. Reports submitted under this section shall be signed by an authorized representative and shall contain the certification statement of 40 CFR 403.6(a)(2)(ii); an authorized representative may be as specified in Subsection **C**.
- C. Signature for reports. The reports required by Subsections **A** and **B** shall include the certification as set forth in Subsection **D** and shall be signed as follows:

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- (1) By a responsible corporate officer, if the industrial user submitting the reports required this article is a corporation. For the purpose of this subsection, a "responsible corporate officer" means:
 - (a) A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policymaking or decision_making functions for the corporation; or
 - (b) The manager of one or more manufacturing, production, or operating facilities, provided that the manager is authorized to make management decisions which govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) By a general partner or proprietor if the industrial user submitting the reports required by this article is a partnership or sole proprietorship, respectively.
- (3) By a duly authorized representative of the individual designated in Subsection **C(1)** or **(2)** if:
 - (a) The authorization is made, in writing, by the individual in Subsection **C(1)** or **(2)**;
 - (b) The authorization specified either an individual or a position having responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position of plant manager, operator of a well or well field, superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**
 - (c) The written authorization is submitted to the City.
- (4) If an authorization under Subsection **C(3)** is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of Subsection **C(3)** must be submitted to the City prior to or together with any reports to be

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signed by an authorized representative.

- D. Certifications. All reports required to be signed as specified in Subsection **C** shall include the following certification:

"I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

§ 121-15 Monitoring records.

Users subject to the reporting requirements of this article shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this article, any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements, and documentation associated with best management practices established under **§ 121-13C(3)** to implement discharge limits and requirements of Article **I**, **§ 121-5**. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. Additionally, flow rate and production rate may be required. These records shall remain available for a period of at least five years. This period shall be automatically extended for the duration of any litigation concerning the user or the City, or where the user has been specifically notified of a longer retention period by the City's authorized agent.

§ 121-16 Additional conditions.

- A. The IDP will contain a statement of duration, but in no case shall the duration be for more than five years.
- B. The IDP is nontransferable and may be revoked for noncompliance, or modified so as to conform to discharge limitation requirements that are enacted by federal or state rules and/or regulations.
- C. An industry proposing a new discharge or a change in volume or character of its existing discharge must submit a completed IDP application to the City at least 60 days prior to the

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commencement of such discharge. The submitted application must include plans and engineering drawings, stamped by a registered professional engineer, of the proposed pretreatment facilities. Upon approval of the application by the City, a discharge permit request is submitted by the community to the Division. The industry and the City will enter into a new or amended IDP in accordance with the procedure outlined in this article. **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**

- D. Industrial users will be assessed an annual fee by the City to defray the administrative costs of the IDP program.
- E. For industrial users whose discharge is in noncompliance with this article, the local or federal pretreatment programs, as amended, shall meet the requirement of 40 CFR 403.8(f)(1)(iv).

§ 121-17 **Categorical pretreatment standards.**

- A. Notification. The Community Services Director, or designee, shall provide timely notification to appropriate industries of applicable categorical pretreatment standards.
- B. Deadline for compliance with categorical standards. As defined in 40 CFR 403.6(b).
- C. Amendment to IDP required. An industrial user subject to categorical pretreatment standards shall not discharge to wastewater facilities after the compliance date of such standards unless an amendment to its IDP has been issued by the Community Services Director, or designee.
- D. Application for IDP amendment. Within 180 days after the effective date of a categorical pretreatment standard, an industry subject to such standards shall submit an application for an IDP amendment. The application shall contain the information noted under Subsection **G(2)** of this section.
- E. Categorical compliance schedule reports. Each user subject to a compliance schedule as required under 40 CFR 403.8(f)(1)(iv) or § **121-13B(8)** shall report on progress, to include 40 CFR 403.12(c), toward meeting compliance with these regulations as follows:
 - (1) Not later than 14 days following each date in the schedule, and the final date for compliance, the industrial user shall submit a progress report to the Community Services Director, or designee, indicating whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply, the reason for the delay, and the

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steps being taken by the industrial user to return the progress to the schedule established.

- (2) The time for any increment in the schedule, or the interval between reports required in Subsection **E(1)**, shall not exceed nine months. An "increment" is the time between the dates for commencement and completion of major events leading to the construction and operation of pretreatment facilities necessary to achieve compliance with this article and categorical pretreatment standards.
- F. Report on compliance with categorical standard deadline. Within 90 days following the date for final compliance with applicable categorical pretreatment standards or, in the case of a new industrial user, following introduction of wastewater into City sewer, any industrial user subject to pretreatment standards and requirements shall submit to the Community Services Director, or designee, a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and the average and maximum daily flow for these process lines. The report shall state whether the applicable pretreatment standards are being met on a consistent basis, and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the industrial user into compliance with the applicable pretreatment standards. This statement shall be signed by an authorized representative (see § **121-14C**) and certified by a qualified professional engineer.
- G. Baseline monitoring reports. Reporting requirements for industrial users upon the effective date of a categorical pretreatment standard baseline report shall be in accordance with 40 CFR 403.12(b).
- (1) Within either 180 days after the effective date of a categorical pretreatment standard or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical industrial users currently discharging to or scheduled to discharge to the POTW shall submit to the City's authorized agent a report which contains the information listed in Subsection **G(2)** below. At least 90 days prior to commencement of their discharge, new sources, and sources that become categorical industrial users subsequent to the promulgation of an applicable categorical standard, shall submit to the City's authorized agent a report which contains the information listed in Subsection **G(2)** below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged [40 CFR 403.12(b)(4) and (5)].

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- (2) Users described above shall submit the information set forth below:
 - (a) Identifying information. The name and address of the facility, including the name of the operator and owner.
 - (b) Environmental permits. A list of any environmental control permits held by or for the facility.
 - (c) Description of operations. A brief description of the nature, average rate of production, including each product produced by type, amount, processes, and rate of production, and Standard Industrial Classifications of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
 - (d) Flow measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6(e).
 - (e) Measurement of pollutants.
- [1] The categorical pretreatment standards applicable to each regulated process and any new categorically regulated processes for existing sources.
- [2] The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Community Services Director, or designee, of regulated pollutants in the discharge from each regulated process. **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**
- [3] Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported.
- [4] The sample shall be representative of daily operations and shall be analyzed in accordance with 40 CFR Part 136. Where the standard requires compliance with a BMP or pollution prevention alternative, the user shall submit documentation as required by the City's authorized agent or the applicable standards to determine compliance with the standard.
- [5] The user shall take a minimum of one representative sample to compile that data necessary to

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comply with the requirements of this subsection.

- [6] Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, the user should measure the flows and concentrations necessary to allow use of the combined waste stream formula in 40 CFR 403.6(e) to evaluate compliance with the pretreatment standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e), this adjusted limit along with supporting data shall be submitted to the Community Services Director, or designee. **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**
- [7] Sampling and analysis shall be performed in accordance with, and as outlined in, the user's control mechanism (permit).
- [8] The City's authorized agent may allow the submission of a baseline report which utilizes only historical data, so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
- [9] The baseline report shall indicate the time, date and place of sampling and methods of analysis and shall certify that such sampling and analysis are representative of normal work cycles and expected pollutant discharges to the POTW.
- (f) Compliance certification. A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, what additional operation and maintenance practices and pretreatment are necessary. **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**
- (g) Compliance schedule. If additional pretreatment and/or operation and maintenance will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or operation and maintenance must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this subsection must meet these requirements as set forth:
 - [1] The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional

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pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);

- [2] No increment referred to above shall exceed nine months;
- [3] The user shall submit a progress report to the Community Services Director, or designee, no later than 14 days following each date in the schedule and the final date of compliance, including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and
- [4] In no event shall more than nine months elapse between such progress reports to the City's authorized agent.
- (3) Signature and report certification. All baseline monitoring reports must be certified in accordance with 40 CFR 403.6(a)(2)(ii) and signed by an authorized representative.
- H. For the POTW developing a pretreatment program pursuant to 40 CFR 403.8, specific discharge limits on pollutant(s) shall be developed and continue to be developed as necessary and effectively enforced by the City.
- I. Where specific prohibitions or limits on pollutants or pollutant parameters are developed by a POTW in accordance with Subsection **H** above, such limits shall be deemed pretreatment standards for the purposes of Section 307(d) of the Clean Water Act.
- J. By the legal authority obtained through Article **I**, Sewer Use, of this chapter, compliance with applicable pretreatment standards and requirements by industrial users shall be enforced.

§ 121-18 **Slug or spill discharge notification.**

Industrial users shall immediately notify the Superintendent of the Wastewater Treatment Plant of any slug or process waste discharged by such user to the City's system. A written report shall be sent by the user to the Community Services Director, or designee, within five days of the incident describing reason for the slug or spill, remedial action taken, and steps taken to prevent its reoccurrence, all complete and concise.

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- A. Any damage experienced by the City as the result of a spill or slug is considered a violation of this article and costs for repair, replacement or other associated costs shall be recoverable.
- B. The Community Services Director, or designee, shall evaluate, at least once every two years, whether each significant industrial user needs a plan to control slug discharges. For purposes of this subsection, a "slug discharge" is any discharge of a nonroutine, episodic nature, including but not limited to an accidental spill or noncustomary batch discharge. The results of such activities shall be available to the Community Services Director, or designee, upon request. If the POTW decides that a slug control plan is needed, the plan shall contain, at a minimum, the following elements: **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**
- (1) Description of discharge practices, including nonroutine batch discharges.
 - (2) Description of stored chemicals.
 - (3) Procedures for immediately notifying the POTW of slug discharges, including any discharge that would violate a prohibition under 40 CFR 403.5(b), with procedures for follow-up written notification within five days.
 - (4) If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment necessary for emergency response.

§ 121-19 **Imminent endangerment.**

The Community Services Director, or designee, may, after formal notice to the industry discharging wastewater to the public sewer, immediately halt or prevent any such discharge reasonably appearing to present an imminent endangerment to the health and welfare of persons, or any discharge presenting, or which may present, an endangerment to the environment, or which threatens to interfere with operation of the public sewer or wastewater treatment facilities. Actions which may be taken by the City include ex parte temporary judicial injunctive relief, entry on private property to halt such discharge, blockage of a public sewer to halt such discharge, or demand of specific action by the industry.

§ 121-20 **Monitoring and surveillance.**

The City shall, as necessary, sample and analyze the wastewater discharges of contributing industries

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and conduct surveillance and inspection activities to identify, independently of information supplied by such industries, occasional and continuing noncompliance with industrial pretreatment standards. Additionally, the City will sample the effluent from each significant industrial user and inspect it at least annually. Each industry will be billed directly for costs incurred for analysis of its wastewater. All industries discharging to the City system shall allow unrestricted access by City, Division, and EPA personnel for the purposes of investigating and sampling discharges from the industries.

§ 121-21 **Investigations.**

The City shall investigate instances of noncompliance with industrial pretreatment standards and requirements.

§ 121-22 **Public information.**

Information and data submitted to the City under its industrial pretreatment program and this article relating to process and/or wastewater discharge characteristics shall be available to the public in accordance with those conditions as set forth in 40 CFR 403.14.

§ 121-23 **Public participation.**

[Amended 2-12-2020 by Ord. No. 2020.01.08-001]

The City shall comply with the public participation requirements of 40 CFR Part 25 in the enforcement of national pretreatment standards. The Community Services Director, or designee, shall publish annually, in newspaper of general circulation that provides meaningful public notice within the jurisdiction served by the POTW, a list of users which, at any time during the previous 12 months, were in significant noncompliance with applicable pretreatment standards and requirements. The term "significant noncompliance" shall be applicable to all significant industrial users (or any other industrial user) that violate Subsection C, D or H of the definition of "significant noncompliance" in Article I, § 121-1.

Article III Sewer and Water Mains

[Adopted 11-13-2013 by Ord. No. 2013.10.09-013 as Ch. 147, Art. III, of the 2013 Code.]

§ 121-24 **Petition for construction.**

[Amended 2-12-2020 by Ord. No. 2020.01.08-001]

All applications for the construction of sewer and water mains, whether by persons, developers, corporations, contractors, or otherwise, shall be in the form of a petition addressed to the City Council, in compliance with the rules of the Council and having inscribed on the face thereof a recommendation by the Community Services Director, or designee, and by the Planning Board,

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signed by the Chair and Secretary of the Planning Board; provided, however, that in the case of water main extension or sewer lines, the petition shall also bear the approval of the Utilities Commission.

§ 121-25 **Investigation.**

The Council in finance session, upon investigation of costs of construction, materials or any other factor involved in such installation, may, by majority vote, grant the petition at any regular or special meeting of the Council.

§ 121-26 **Supervision of construction.**

All construction shall be under the supervision of the Community Services Director, or designee.

§ 121-27 **Filing of instruments.**

The Council may require that a petitioner file with the City Clerk such rights-of-way, releases, completion bonds, payment bonds or any other instruments reasonably consistent with any such construction, and the City of Dover shall be the grantee, insured or payee of any such instrument.

§ 121-28 **Construction cost; title.**

The petitioner shall pay full costs for any such construction of sewer or water mains and installation, and full title to the same shall, upon acceptance by the City Council, be in the City of Dover.

§ 121-29 **Control of construction.**

All construction of water mains and sewers shall be under the direct control of the City Council and Dover Utilities Commission, but any heads of departments having the duty of repair and/or maintenance of these installations may make rules and regulations governing the same, subject to confirmation by the Council.

§ 121-30 **Special assessments.**

- A. Special assessments may be created in response to petitions for the extension of water or sewer lines in accordance with the provisions below.
- (1) If other property owners intervene between the land of the petitioner and the end of the City's water or sewer facilities, they may join by application, in writing, with the petitioner. The application must be made through the office of the City Clerk.
 - (2) The Community Services Director, or designee, City Engineer, representative of the Utilities Division and a representative of the Waste Water Treatment Plant shall act as a board to determine the proportionate cost to each intervening applicant. However, after determining the proportionate cost, it shall be duty of the Finance Director to carry out all financial details of the board.

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- (3) The basis of determining such shall be the proportion of the frontage owned by the applicant by which the extension extends to the total distance of the extension. The sewer line may be figured on a per-lot basis.
 - (4) No property owner shall be forced to join with the petitioner, but if, after the facilities have been installed to the petitioner and any intervening applicants, an intervening landowner desires to take advantage of said facilities, he may petition the Community Services Director, or designee, for such right.
 - (5) If the aforementioned petition is granted, the board shall tax the latter petitioner his proportionate share, and said proportionate share, when paid, shall be refunded to the first petitioner, except where Subsection **C(1)** hereof applies.
- B. Special assessments may be developed for water or sewer line extensions that are initiated by the City in accordance with the follow provisions:
- (1) The City Council may, by resolution, enact specific rules and procedures for said assessment that establish the cost of the proposed improvement, identify the boundaries of a betterment district, establish the percentage of the cost of the proposed improvement that is to be borne by the City, establish the pro rata share assigned to each property owner within the betterment district, and identify the maximum number of installments in which the special assessment may be paid. Any such proposal for the establishment of a special assessment for the extension of a water line and any such proposal for the establishment of a special assessment for the extension of a sewer line shall be referred to the Dover Utilities Commission for its review and recommendations.
 - (2) The special assessment may be based upon the length of frontage, amount of land area, or other factors deemed appropriate by the City Council.
 - (3) If the expenditures of the proposed improvement are to exceed \$1,000, a public hearing shall be held by the City Council, and action by the Council shall not be taken earlier than seven days after said hearing.
- C. The proportionate share of each abutter along the line of construction and installation, or the proportionate share of each property owner within the betterment district, shall become a lien on such property as to real estate taxes until full payment of said proportionate share of full

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costs, including financing, is made. Payment may be as follows:

- (1) The petitioner, applicant or late petitioner may pay his proportionate share in cash for the full amount at the time the obligation is incurred or enter into an agreement with the City of Dover that said proportionate share of all costs may be paid in equal installments over a period of time equal to the full term of the bond or a lesser period. Said agreement is to be recorded with the Strafford County Registry of Deeds at the expense of the petitioner, applicant or late petitioner. All the funds relating to sewer and water extensions under these provisions shall be placed in a special fund for payment of bonds, interest and charges pertaining thereto.
- (2) All fees for permits, licenses, etc.: see Fee Schedule.
- (3) Abatements may be granted in accordance with the rules and regulations of the Dover Utilities Commission.

§ 121-31 **Board of Appeal.**

- A. There hereby is created a Board of Appeal, composed of the Mayor, Finance Director and the City Assessor, to hear appeals from § 121-30C.
- B. Any petitioner, applicant or late petitioner dissatisfied with the determination of his proportionate share of costs by the Board of Appeal as set forth above may appeal said assessment to the Dover Utilities Commission.

§ 121-32 **Manner of waiver.**

Upon recommendation of the Mayor and the Dover Utilities Commission, the Council, by a two-thirds vote, may suspend the provisions of this article. All recommendations and the evidence supporting the same shall be in writing and submitted to the City Clerk, according to the rules of the Council.

§ 121-33 **Conflict with other provisions.**

If a provision of this article is found to be in conflict with any provision of any zoning, building, safety or health or other ordinance of the City of Dover, that ordinance which, in the judgment of the Director of Community Services or the Board of Health, establishes the higher standard of safety and protection of health shall prevail, and that ordinance or provision which sets the lower standard is hereby declared to be invalid to the extent that is found to be in conflict with the ordinance or provision which sets the higher standard.

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§ 121-34 Severability.

The invalidity of any section, clause, sentence or provision of this article shall not affect the validity of any other part of this article which can be given effect without such invalid part or parts.

§ 121-35 Violations and penalties.

[Amended 2-12-2020 by Ord. No. 2020.01.08-001]

Any person, firm or corporation violating any provisions of this article shall, upon conviction, be subject to a fine as provided in the City Fine Schedule for each violation. Each day in which any such violation shall continue beyond the time limit shall be deemed a separate violation.

Article IV

Cross-Connections and Backflow Prevention

[Adopted 11-13-2013 by Ord. No. 2013.10.09-013 as Ch. 148, Art. I, of the 2013 Code]

§ 121-36 Findings and purpose.

- A. Cross-connections between water supplies and nonpotable sources of contamination are significant threats to health in the water supply industry. This article is designed to maintain the safety and potability of the water in the Community Services Department by establishing rules and procedures to prevent the contamination of public drinking water by the backflow of water from an approved source or other fluids.
- B. The purpose of this regulation is:
 - (1) To protect the public water supply of the Community Services Department from the possibility of contamination by isolating contaminants which could backflow or backsiphon into the public water system within its customers' internal distribution system(s);
 - (2) To promote the elimination or control of cross-connections, actual or potential, between its customers' in-plant drinking water system(s) and anything that could contaminate or pollute it; and
 - (3) To provide for the maintenance of a cross-connection control program to effectively prevent the contamination or pollution of all drinking water systems.

§ 121-37 Authority.

[Amended 2-12-2020 by Ord. No. 2020.01.08-001]

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This article is adopted pursuant to the following:

- A. New Hampshire Administrative Rules Part Env-Dw 505, Backflow Prevention, or subsequent rules.
- B. The Dover Utilities Commission rules and regulations approved by the Dover City Council. Under these rules and regulations, the Community Services Department has the primary responsibility for protecting the public water supply from the backflow and cross-contamination of dangerous substances which would endanger the public health or physically damage the public water system.

§ 121-38 **Definitions.**

As used in this article, the following terms shall have the meanings indicated:

AIR GAP

A physical separation sufficient to prevent backflow between the free-flowing discharge end of the potable water system and any other system. Physically defined as a vertical distance equal to twice the diameter of the supply pipe but not less than one inch.

ATMOSPHERIC VACUUM BREAKER

A device which prevents backsiphonage by creating an atmospheric vent when there is either a negative pressure or subatmospheric pressure in a water system.

AUXILIARY WATER SUPPLY

Any water supply on or available to the premises other than the purveyor's approved public potable water supply.

BACKFLOW

The flow of water or other fluids, mixtures or substances into the distribution pipes of a potable water system from any source other than the intended approved source of supply.

BACKFLOW PREVENTER

A device or means designed to prevent backflow or backsiphonage.

BACKPRESSURE

A condition in which the owner's system pressure is greater than the supplier's system pressure.

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BACKSIPHONAGE

The flow of water or other fluids, mixtures or substances into the distribution pipes of a potable water system from any source other than its intended source caused by the sudden reduction of pressure in the public water system.

BAROMETRIC LOOP

A fabricated piping arrangement rising at least 35 feet at its topmost point above the highest fixture it supplies. It is utilized in water systems to protect against backsiphonage.

CONTAINMENT

A method of backflow prevention which requires a backflow prevention device at the water service entrance.

CONTAMINANT

A substance that may impair the quality of the water, creating a potential health hazard to the public.

CROSS-CONNECTION

Any actual or potential connection between the public water system and any source of contamination or unapproved water source.

DOUBLE CHECK VALVE ASSEMBLY

An assembly of two independently operating, spring-loaded check valves with tightly closing shut-off valves on each side of the double check valve, plus properly located test cocks for the testing of each check valve.

DUAL CHECK VALVE WITH INTERMEDIATE ATMOSPHERIC VENT

A device having two independently operating, spring-loaded check valves separated by an atmospheric vent chamber.

FIXTURE ISOLATION

A method of backflow prevention in which a backflow preventer, such as a hose bib or an atmospheric vacuum breaker, is located to correct a cross-connection at an in-plant location rather than at a water service entrance. This protects the drinking water in the building.

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HOSE BIB VACUUM BREAKER

A device which is connected to a hose bib and which acts as an atmospheric vacuum breaker.
Not to be used under constant pressure.

OWNER

Any person who has legal title to, or license to operate or habitat in, a property upon which a cross-connection inspection is to be made or upon which a cross-connection may be present.

PERSON

Any individual, partnership, company, public or private corporation, political subdivision or agency of the state, department, agency or instrumentality of the United States, or any other legal entity.

PRESSURE VACUUM BREAKER

A device containing one or two independently operated, spring-loaded check valves and an independently operated, spring-loaded air inlet valve located on the discharge side of the check valve(s). The device includes tightly closing shutoff valves on each side of the check valve(s) and properly located test cocks for the testing of the assembly.

REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTER

An assembly consisting of two independently operating, spring-loaded check valves with an automatically operating differential relief valve located between the two check valves, tightly closing shutoff valves on each side of the check valves, plus properly located test cocks for the testing of the check valves and the relief valve.

RESIDENTIAL DUAL CHECK

An assembly of two spring-loaded, independently operating check valves. Generally employed immediately downstream of the water meter to act as a containment device in a single- or two-family residence.

WATER SERVICE ENTRANCE

That point in the owner's water system beyond the sanitary control of the water supplier; generally considered to be the outlet end of the water meter or where the water service first enters the building.

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WATER SUPERINTENDENT

The official, or his delegated representative, in charge of the Community Services Department who is invested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this article.

WATER SUPPLIER

The public water supply system.

§ 121-39 Protection requirements.

The Water Superintendent shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or backsiphonage of contaminants or pollution through the water service connection. If, in the judgment of the Water Superintendent, an approved backflow prevention device is required at the City of Dover's water service connection to any customer's premises for the safety of the water system, the Water Superintendent or his designated agent shall give notice, in writing, to said customer to install an approved backflow prevention device at each service connection to his premises. The customer shall, within 90 days, install the approved device or devices at his own expense. Failure, refusal, or inability on the part of the customer to install said device or devices within 90 days shall constitute grounds for discontinuing water service to the premises until such device or devices have been properly installed.

§ 121-40 Administration.

- A. The Community Services Department will operate an approved cross-connection control chapter, including the keeping of necessary records to fulfill the requirements of the New Hampshire Department of Environmental Services' backflow rules, regulations, and related laws.
- B. The owner shall allow the City of Dover to inspect his property for possible cross-connections and shall follow the provisions of this article and the rules of the Dover Utilities Commission.
[Amended 2-12-2020 by Ord. No. 2020.01.08-001]
- C. If the City of Dover requires that the public supply be protected by containment, the owner shall be responsible for the water quality beyond the outlet end of the containment device and should utilize the appropriate device approved for that purpose.

§ 121-41 Responsibilities.

- A. Community Services Department.

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- (1) On new installations, the City of Dover will provide an on-site evaluation and/or inspection and review of plans in order to determine the type of backflow preventer, if any, that will be required.
- (2) On new installations, the City of Dover will issue a permit and perform inspection and testing.
- (3) For premises existing prior to the start of this program, the City of Dover will:
 - (a) Perform an assessment of the function of the premises and determine if it poses a cross-connection risk.
 - (b) If a risk is present, assess the risk as high-hazard or low-hazard.
 - (c) Inform the owner, in writing, of any corrective action deemed necessary, the method of achieving the correction, and the time allowed for the correction to be made. Ordinarily, 30 days will be allowed. However, this time period may be shortened depending upon the degree of hazard involved and the history of the device(s) in question.
- (4) The City of Dover will not allow any cross-connection to remain unless it is isolated by an approved backflow prevention assembly, commensurate with the degree of hazard, for which a permit has been issued and which will be regularly inspected/tested to ensure satisfactory operation.
- (5) The City of Dover shall inform the owner, in writing, of any failure to comply and the time allowed for the correction to be made. If upon reinspection the owner has not complied, the City of Dover may allow an additional 15 days for the correction. In the event the owner fails to comply with the necessary correction by the time of the second reinspection, the City of Dover will inform the owner, by certified letter, that the water service to the owner's premises will be terminated within a period not to exceed five days. In the event that the owner informs the City of extenuating circumstances as to why the correction has not been made, a time extension may be granted by the Community Services Director.
- (6) If the City of Dover determines at any time that a serious threat to the public health exists, the water service shall be terminated immediately.
- (7) The City of Dover shall begin inspections to determine the nature of existing hazards and

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corrections to be made, following approval of the program by the New Hampshire Department of Environmental Services (NHDES). Initial focus will be on high-hazard water use.

- (8) Certified backflow prevention device inspectors must be certified through the New England Water Works Association (NEWWA) Certified Backflow Prevention Device Inspectors/Testers Program.
 - (9) The City of Dover shall also develop installation standards and specifications for each type of backflow preventer to ensure they are installed in a manner in which they have been evaluated and approved and to allow for periodic testing and maintenance.
- B. Owner.
- (1) The owner shall be responsible for the elimination, or isolation with the proper installation of an approved backflow preventer commensurate with the degree of hazard, of all cross-connections on his premises.
 - (2) The owner, after having been informed by a letter from the City, shall, at his expense, install, maintain, and inspect or have inspected (as determined by the City of Dover) all backflow preventers on his premises.
 - (3) The owner shall correct any deficiency of a backflow preventer which is revealed by inspection or testing. This shall include the replacement of parts or the replacement of the backflow preventer, if deemed necessary by the Community Services Department.
 - (4) The owner shall inform the Community Services Department of any proposed or modified cross-connections and also existing cross-connections of which the owner is aware but which have not been found by the Community Services Department.
 - (5) The owner shall not install a bypass around any backflow preventer unless there is a backflow preventer of the same type on the bypass. Owners who cannot shut down operations for inspecting of the device(s) must supply additional devices necessary to allow inspecting to take place.
 - (6) The owner shall install backflow preventers in a manner and location approved by the Community Services Department.

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- (7) The owner shall only install approved backflow preventers from a list adopted by the Community Services Department and NHDES.
- (8) Any owner having a private well or other private water source must:
 - (a) Have a permit if the well or source is cross-connected to the Community Services Department's system. Permission to cross-connect may be denied by the Community Services Department. The owner may be required to install a backflow preventer at the service entrance if a private water source is maintained, even if it is not cross-connected to the Community Services Department's system.
 - (b) In the event the owner installs plumbing to provide drinking water for domestic purposes which is on the City public water system's side of the backflow preventer, such plumbing must have its own backflow preventer installed.
- (9) The owner shall be responsible for the payment of all fees for permits, annual or semiannual device inspections, retesting in the case that the device fails to operate correctly, and reinspections for noncompliance with the Community Services Department or NHDES requirements.

§ 121-42 **Degree of hazard.**

The Community Services Department recognizes the threat to the public water system arising from cross-connections. All threats will be classified by degree of hazard and will require the installation of approved backflow prevention devices for high and low hazards.

- A. Low degree of hazard. If backflow were to occur, the resulting effect on the water supply would be a change in its aesthetic qualities. The foreign substance must be nontoxic to humans.
- B. High degree of hazard.
 - (1) If backflow were to occur, the resulting effect on the water supply could cause illness or death if consumed by humans. The foreign substance may be toxic to humans from either a chemical, bacteriological or radiological standpoint. The effects of the contaminants may result from short- or long-term exposure.
 - (2) Only the following types of backflow prevention devices may be used for the containment of

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on-site contaminants for high- and low-hazard situations, respectively:

(a) High hazard.

[1] Air gap (AG).

[2] Reduced pressure principal backflow preventer (RPZ).

[3] Combination of the above.

(b) Low hazard.

[1] Air gap (AG).

[2] Pressure vacuum breaker (PVB).

[3] Double check valve assembly (DCVA).

[4] Reduced pressure principal backflow preventer (RPZ).

[5] Combination of the above.

§ 121-43 **Permits.**

The Community Services Department shall not permit a cross-connection within the public water system unless it is considered necessary and cannot be eliminated.

A. Cross-connection permits that are required for each backflow prevention device are obtained from the Community Services Department. A fee will be charged for the initial permit and for the renewal of each permit as found in the Fee Schedule.

B. Cross-connection permits shall be renewed every five years and are nontransferable. Permits are subject to revocation and become immediately revoked: **[Amended 2-12-2020 by Ord. No. 2020.01.08-001]**

(1) If the owner should change the type of cross-connection or degree of hazard associated with the service type of device;

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- (2) Upon replacement of the device with a new device; or
- (3) Upon change of ownership.
- C. A permit is not required when fixture isolation is achieved with the utilization of a nontestable backflow preventer in the case of residential dual checks.

§ 121-44 **Existing in-use backflow devices.**

Any existing backflow preventer shall be allowed by the Community Services Department to continue in service unless the degree of hazard is such as to supersede the effectiveness of the present backflow preventer, or unless an unreasonable risk to the public health results.

§ 121-45 **Periodic testing.**

- A. Backflow prevention devices shall be inspected and tested at least semiannually for high hazard devices and annually for low hazard devices.
- B. Periodic inspections and testing shall be performed by an inspector certified through the NEWWA Backflow Prevention Device Inspectors/Testers Program. The inspections will be done at the owner's expense.
- C. When performed by an inspector from the Community Services Department, the inspections shall be conducted during the Community Services Department's regular business hours. Exceptions to this, when at the request of the owner, may require additional charges to cover the increased costs to the Community Services Department.
- D. Any backflow preventer which fails the inspection test during a periodic inspection will be repaired or replaced. When repairs are necessary, upon completion of the repair, the device will be inspected a second time at the owner's expense to ensure correct operation. High-hazard situations will not be allowed to continue unprotected if the backflow preventer fails the inspection and cannot be repaired immediately. In other situations, a compliance date of not more than 30 days after the inspection date will be established. The owner is responsible for spare parts, repair tools, and/or a replacement device. Parallel installation of two devices is an effective means of the owner ensuring that uninterrupted water service is provided during inspections or repair of devices and is strongly recommended when the owner desires such continuity.
- E. These devices shall be repaired or replaced at the expense of the owner whenever said devices

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are found to be defective. Tests and repairs shall be recorded on forms approved by the Water Superintendent, and copies shall be distributed to the owner and Water Superintendent within 10 days of the actual test.

- F. Backflow prevention devices may be inspected more frequently than specified in Subsection **A** above in cases where there is a history of test failures and the Community Services Department feels that, due to the degree of hazard involved, additional inspections are warranted. Cost of the additional inspections will be borne by the owner.

§ 121-46 **Records and reports.**

- A. Records. The Community Services Department will initiate and maintain the following for a minimum of five years:

- (1) Master files on customer cross-connection inspections and/or tests.
- (2) Master files on cross-connection permits.
- (3) Copies of permits and permit applications.

- B. Reports. Each year, by April 1, the Community Services Department will submit a summary of inspection results to NHDES that includes the following:

- (1) The name, certifying organization, and certification number of the certified backflow prevention device inspector who performed the inspection and test on the device;
- (2) The permit number;
- (3) The name of the owner and the location of the device;
- (4) The purpose of the device and its hazard class;
- (5) The type of device;
- (6) The date and result of each test; and
- (7) If the test failed, the subsequent test date and result until the device passes.

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§ 121-47 Fees and charges.

The Community Services Department will publish a list of fees or charges. See Fee Schedule.

§ 121-48 Violations and penalties.

[Added 2-12-2020 by Ord. No. 2020.01.08-001]

Violation of this article shall be subject to a fine as provided in the City Fine Schedule.

Article V Water System Use

[Adopted 7-25-2018 by Ord. No. 2018.07.11 (Ch. 148, Art. II, of the 2013 Code)]

§ 121-49 Purpose.

The purpose of this article is to protect public health, welfare and safety, as well as the City's water system during an emergency water shortage.

§ 121-50 Authority.

The provisions of this regulation are adopted pursuant to RSA 38:26 and 47:17, XV.

§ 121-51 Emergency water shortage.

Whenever an emergency exists by reason of a shortage of water due to drought conditions, inadequate supply, limited treatment or distribution capacity, or failure of equipment, material or infrastructure, the City Manager is authorized to restrict or prohibit the use of water from the City water system. Such restriction and/or prohibition of the use of water from the City water system shall be implemented in the following manner:

- A. Declaration of emergency. A water emergency exists whenever the City Manager makes a written determination that the City's water system is unable to or will, within 60 days of such written determination, become unable to supply the full commercial, domestic and residential needs of the users of the City's water system, including needs for adequate fire protection, based on average water system usage over the prior twenty-four-month period, or whenever drought conditions exist as defined in § 121-56.
- B. Issuance of notice of emergency. Upon the declaration of a water emergency, the City Manager shall issue a written emergency notice declaring the emergency and setting forth with particularity an order restricting the use of water from the City's water system.
 - (1) Such order may:

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- (a) Restrict water system usage during certain periods during the day or week or according to any orderly and nondiscriminatory scheme; and
- (b) Prohibit water system usage not essential to public health and safety.
- (2) The order, as issued, may be revised from time to time as the City Manager deems necessary.
- C. Public notification of emergency.
 - (1) Publication and/or posting of notice. The written emergency notice provided for in Subsection **B** above shall be published in a newspaper of general circulation within 72 hours after the issuance of such notice. In addition to publication as provided for in the previous sentence, the written emergency notice shall be posted in two places within the City, one of which may be the City website. The water emergency and the emergency restriction and/or prohibition of water usage shall be in full force and effect upon the earlier of the compliance with the publication or posting requirements set forth in this subsection. Substantial compliance with this subsection shall be sufficient to implement the effect of the emergency notice.
 - (2) Immediate threat to public health or safety. Whenever a sudden or unexpected event so reduces the availability of water or water pressure as to create an immediate threat to public health or safety, the emergency notice provided for in the preceding subsection may be given by any reasonable means, including electronic means. The water emergency and any restrictions and/or prohibition of water usage promulgated therewith shall be in full force and effect upon the giving of such notice, provided that, if any such means is other than that required in Subsection **C(1)**, the emergency notice shall be promulgated in accordance with the provisions of Subsection **C(1)** within 72 hours of the first emergency notice.
- D. Length of emergency. A duly proclaimed water emergency shall continue and the terms of the restriction and/or prohibition of water uses as set forth in the written emergency notice shall be in force until such time as the City Manager shall cause to be published a notice that the emergency has ended consistent with Subsection **C** above, unless the City Council, by resolution, extends the emergency notice.
- E. Appeals of water emergency declaration. Any person aggrieved by a declaration of water emergency by the City Manager shall have the right to present the matter, in writing, to the next regular or special meeting of the City Council or any emergency session of the Council called to

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discuss the water emergency. The City Council may exempt such aggrieved person, in whole or in part, from the compliance with such order upon a showing that compliance with such order creates an immediate threat to such person's health or safety. A ruling by a majority vote of the City Council with regard to such appeal shall be final and binding. Until and unless the action of the City Manager is modified or revoked by action of the City Council, all water system usage shall be bound by the terms of the emergency notice issued by the City Manager.

§ 121-52 Violations and penalties.
[Amended 2-12-2020 by Ord. No. 2020.01.08-001]

Any person who, in any manner, directly or indirectly, violates or permits others under his/her custody or control to violate any terms of a duly issued written emergency notice shall be guilty of a violation. Each separate day of water use in violation of such emergency notice shall constitute a separate offense, and each separate prohibited water use in excess of one on the same day shall constitute a separate offense. Violation of this article shall be punishable by a fine as provided in the City Fine Schedule.

Article VI
Outdoor Lawn Watering Restrictions

[Adopted 7-25-2018 by Ord. No. 2018.07.11 (Ch. 148, Art. III, of the 2013 Code)]

§ 121-53 Purpose.

The purpose of this article is to protect public health, welfare, and safety by restricting the use of water from the City water system and private water wells during a state or federally declared drought.

§ 121-54 Authority.

The provisions of this article are adopted pursuant to RSA 41:11-d.

§ 121-55 Applicability.

The requirements of this article shall apply immediately after the public notice period described in **§ 121-58** to all described uses of water within the City of Dover from the City water system and from private water wells when administrative agencies of the state or federal government have designated the City or region as being under a declared state or condition of drought.

§ 121-56 Definitions.

As used in this article, the following terms mean:

DROUGHT

A sustained and regionally extensive occurrence of appreciably below average natural water

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availability in the form of precipitation, stream flow or groundwater. One or more of the following resources are used by the City of Dover to determine the declaration of a drought condition:

- A. The New Hampshire Drought Management Team, as designated by the New Hampshire Drought Management Plan.
- B. State of emergency declaration by the Governor's office.
- C. United States Drought Monitor.

RESIDENTIAL LAWN WATERING

The application of water to decorative grass at property that's primary use is to provide living accommodations for people.

§ 121-57 Restrictions under drought conditions.

The following limits to residential lawn watering will apply under drought conditions. The specified levels (Level 1 through 3) will be determined by the City Council, upon the recommendation of the Dover Utilities Commission or City staff, and will be included in the public notice required under **§ 121-58** of this article.

- A. If the City issues a Level 1 restriction, then:
 - (1) Residential lawn watering by odd-numbered addresses is permitted only on Mondays, Wednesdays, and Fridays.
 - (2) Residential lawn watering by even-numbered addresses is permitted only on Tuesdays, Thursdays, and Saturdays.
 - (3) Residential lawn watering shall not occur between the hours of 8:00 a.m. and 7:00 p.m.
- B. If the City issues a Level 2 restriction, then:
 - (1) Residential lawn watering by odd-numbered addresses is permitted only on Mondays and Thursdays.
 - (2) Residential lawn watering by even-numbered addresses is permitted only on Tuesdays and

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Fridays.

(3) Residential lawn watering shall not occur between the hours of 8:00 a.m. and 7:00 p.m.

C. If the City issues a Level 3 restriction, then residential lawn watering is prohibited.

§ 121-58 **Public notification of water use restrictions.**

Notification of any intention to restrict water use and the requirements associated with § 121-57 shall be given at least three calendar days before implementation. Notice of the restrictions shall be posted in a newspaper of general circulation and in at least two public places, one of which may be the City website.

§ 121-59 **Termination of water use restrictions.**

The City Council shall terminate the water use restriction when it determines conditions warrant. Public notification of termination of a water use restriction shall be given consistent with the notice requirements of § 121-58.

§ 121-60 **Violations and penalties.**

[Amended 2-12-2020 by Ord. No. 2020.01.08-001]

Any person who, in any manner, directly or indirectly, violates or permits others under his/her custody or control to violate any terms of a duly issued outdoor water use restriction notice shall be guilty of a violation. Each separate day of water use in violation of such outdoor water use restriction notice shall constitute a separate offense, and each separate prohibited water use in excess of one on the same day shall constitute a separate offense. Violation of this article shall be punishable by a written warning for the first offense and a fine as provided in the City Fine Schedule for the second and each subsequent offense.

3. TAKES EFFECT

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

REQUIRES PUBLIC MEEETING

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AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By request

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

Recorded by: Susan M. Mistretta
City Clerk

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.		

ORDINANCE BACKGROUND MATERIAL:

The City utilizes the services of Wright-Pierce. Project Manager, Neil Cheseldine provided the following as way of background for the proposed ordinance changes:

Document Created by: Legal
Document Posted on: December 4, 2020

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Industrial Pretreatment Program – Technically Based Local Limits

Wright-Pierce performed an evaluation and update of the City of Dover Industrial Pretreatment Program (IPP) Technically Based Local Limits (TBLLs) and submitted the final report in August 2020. The following is a summary of the purpose and need for this work.

The City of Dover is required to administer an IPP as a condition of its NPDES discharge permit. Development of TBLLs is required under the IPP. The TBLLs must be reassessed with each renewal of the NPDES permit (typically 5-year intervals). The purpose of the IPP is to protect the City's wastewater treatment facility (WWTF) also referred to as the publicly owned treatment works (POTW), from adverse impact caused by industrial wastewater pollutant loadings. Every community that administers an IPP must also develop and enforce TBLLs, which are intended to address the unique site-specific characteristics of the City's WWTF. The following criteria are considered in the development of TBLLs:

- NPDES discharge limits
- Water quality criteria of the receiving water (Piscataqua River)
- Treatment process inhibition
- Sludge or biosolids disposal or beneficial use criteria
- Health and safety of operational staff

The existing TBLLs were last updated by the City in 1990. Presently, the City's Sewer Use Ordinance includes numeric local limits for 12 pollutant parameters. The Dover WWTF and significant industrial users (SIUs) characteristics have changed significantly since 1990, therefore the TBLLs must be updated in order to be justified. The changes include the following:

- Reduced industrial wastewater flows
- More stringent NPDES permit discharge limits
- Implementation of receiving water nitrogen water quality criteria
- Upgrade of the WWTF to achieve enhanced nitrogen removal
- Improved WWTF removal efficiency of other pollutants

Based on our evaluation we recommend that the City implement numeric local limits for zinc and total nitrogen. We also recommend that the City implement screening limits for the 11 other pollutant parameters that the City has historically monitored. Utilization of screening limits in conjunction with the numeric limits will provide the City with greater flexibility to regulate the SIUs. The City will be able to impose discharge limits and monitoring requirements on each industrial user for the specific pollutant parameters as appropriate based on the characteristics of each user. Based on review of the industrial users discharge data, we do not foresee any compliance problems for any of the users when the new limits are implemented into the SIU discharge permits.

The City must adopt the new TBLLs into its IPP and Sewer User Ordinance in order to be able to implement the new limits in the SIU discharge permits.