

We will never bring disgrace on this our City by an act of dishonesty or cowardice. We will fight for the ideals and Sacred Things of the City both alone and with many. We will revere and obey the City's laws, and will do our best to incite a like reverence and respect in those above us who are prone to annul them or set them at naught. We will strive increasingly to quicken the public's sense of civic duty. Thus in all these ways we will transmit this City, not only not less, but greater and more beautiful than it was transmitted to us.

City of Dover Charter & Orientation

▣ Charter 3-2 (effective January 1, 2022):

"The Councilors so chosen shall meet in their capacity as the City Council on the first Monday of January next following their election for the purpose of taking their respective oaths of office, and adopting rules for the transaction of business required by law or ordinance to be transacted at such meeting. The City Clerk shall act as the Clerk of the Council. In the event that the first Monday of January is a holiday, the organization meeting shall take place on the Tuesday immediately following the first Monday of January.

The City Council shall establish by ordinance an orientation program for the newly elected City Council. The orientation program shall inform members on their role, appropriate ethics and the responsibilities of the City Council. The program shall provide an understanding of the budgetary process as well as the City Charter, city ordinances, and relevant state law. The program shall be conducted prior to the organizational meeting."

OUR OBJECTIVES TODAY

Importance of local leadership team
Linking policy-making, planning and operations
Legal framework of local government
Sound decision making and transparency
Open communications/citizen involvement
Promote ethical culture
Strengthen Council-School Board relationship
Financial and administrative organization

Congratulations and Welcome!

- ▣ Who are we?
- ▣ Why/How did we come to reside in Dover?
- ▣ What do we hope to achieve?

LEADING OUR COMMUNITY: THE CHALLENGES

"You've got to think about big things while you're doing the small things, so that all the small things go in the right direction." - Alvin Toffler

LEADING OUR COMMUNITY: LEADERSHIP TEAM

"Coming together is a beginning. Keeping together is progress. Working together is success." - Henry Ford

POLICY MAKING AND STRATEGIC PLANNING

I get up every morning determined to
both change the world and have one
hell of a good time. Sometimes this
makes planning the day difficult.

—E. B. White

CITY OF DOVER VISION STATEMENT

“To be a city with an emerging urban
vibrancy guided by a small town sense
of community”

CITY OF DOVER MISSION STATEMENT

“To provide affordable high quality municipal services and responsive and accessible local governance ensuring all persons the opportunity to enjoy contributing to and being part of the Dover Community”

LEADERSHIP: THE BIGGER PICTURE

The greatest danger for most of us is not that our aim is too high and we miss it, but that it is too low and we reach it.

—Michelangelo

COMMUNICATING WITH THE PUBLIC

Openness and Transparency

Right to Know

Two Big Takeaways:

1. Formal requirements for meetings of public bodies;
2. Public review of municipal documents

Right to Know, cont'd

Meetings

- ▣ Statutory meeting requirements triggered by a quorum
- ▣ Open to public
- ▣ Minutes kept;
 - If a confidential meeting, must be sealed by motion or else become public
- ▣ No deliberations outside of requirements
 - Email, text, other deliberations also prohibited!
- ▣ Sensitive to raising/ divulging confidential or privilege information during public sessions
- ▣ City ordinance requires recording of all public meetings.

Right to Know, cont'd

- ▣ Non-meetings (sometimes called “executive sessions”)
 - A quorum of members discussing non-City or non-School District matters
 - ▣ Example: quorum of a subcommittee run into each other at the grocery store and discuss the weather
 - Pursuant to RSA 91-A:2:
 - ▣ Consultation with legal counsel (counsel must be present in person or in real time remotely)
 - ▣ Collective bargaining strategy
 - ▣ Circulation of a draft documents which, once finalized, formalize decisions previously made in a meeting.

Right to Know, cont'd

- ▣ Nonpublic meeting (distinct from non-meetings)
- ▣ Examples (not exhaustive)
 - Personnel actions (hiring, discipline, etc.)
 - Reputational harm
 - Considering pending claims or legal advice
 - Considering sale or lease of property
 - School board's consideration of a tuition contract
- ▣ These meetings start in public session, then by motion go into non-public, and then return to a public session at end.
- ▣ Non-public meetings usually must be preceded by 24-hour public posting (RSA 91-A:2, II; also noting "emergency" exception).
- ▣ City has a procedural checklist to follow. You will want copies with you in case needed.

Right to Know, cont'd

- ▣ **RSA 42:1-a Manner of Dismissal; Breach of Confidentiality.**
 II. Without limiting other causes for such a dismissal, it shall be considered a violation of a town officer's oath for the officer to divulge to the public any information which that officer learned by virtue of his official position, or in the course of his official duties, if:

(a) A public body properly voted to withhold that information from the public by a vote of 2/3, as required by RSA 91-A:3, III, and if divulgence of such information would constitute an invasion of privacy, or would adversely affect the reputation of some person other than a member of the public body or would render proposed municipal action ineffective; or

(b) The officer knew or reasonably should have known that the information was exempt from disclosure pursuant to RSA 91-A:5, and that its divulgence would constitute an invasion of privacy, or would adversely affect the reputation of some person other than a member of the public body or agency, or would render proposed municipal action ineffective.

Right to Know, cont'd

- ▣ Remote Meetings
- ▣ Technical requirements:
 - Remote attendance allowed where attendance in person "is not reasonably practical." Check specific body's procedural rules.
 - The reason for remote participation should be stated on the record for the minutes;
 - The meeting must be audible (on both ends, to the public, & for the recording device);
 - Remote participant must identify "the persons present in the location from which the member is participating"
 - All votes taken must be by roll call vote.
- ▣ Except in an emergency, a quorum of the public body must still be physically present;
- ▣ City has a procedural checklist for remote meetings too, which you will want to have with you in case needed.

Right to Know, cont'd

Documents for Inspection

- ▣ Public records
- ▣ Documents reviewed by public body
- ▣ Email or other correspondence as part of official functions
 - Preference for use of City email
- ▣ Social media possibly
- ▣ Not exhaustive
- ▣ Exceptions & exemptions
 - Narrowly construed
 - Personnel matters
 - Legal advice
 - Other Confidential documents

Right to Know, cont'd

Resources:

- ▣ City Attorney's Office
 - We will help you each collect and respond, including identification of anything confidential or exempt
- ▣ Attorney General's memorandum (update in progress)
- ▣ Other publications ,including NHMA publications

Right to Know, cont'd

Other Compliance Considerations:

- ▣ Oath of office
- ▣ Penalties
 - Invalidation of public action
 - Costs
 - Attorney's fees
 - Civil penalties
 - Remedial training

Right to Know (End)

▣ Questions?

CITIZEN ENGAGEMENT

I know of no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion.

— Thomas Jefferson

MEDIA RELATIONS

You can have brilliant ideas, but if you can't get them across, your ideas won't get anywhere.

— Lee Iacocca

ETHICAL LEADERSHIP

It takes many good deeds to build a reputation and only one bad one to lose it.

— Benjamin Franklin

Ethics Issues

Various sources of authority:

- ▣ Dover Charter 10-2 (conflicts of interest)
- ▣ Dover Code Chapter 22
- ▣ NH RSA chapter 95
- ▣ RSA 673:13 (disqualification for local land use boards)
- ▣ RSA 669:7 (incompatibility of dual office)

Ethics, Cont'd

- ▣ Conflicts of interest principles:
 - Personal interest must be pecuniary and “immediate, definite, and capable of demonstration; not remote, uncertain, contingent and speculative.” *Atherton v. Concord*, 109 N.H. 164 (1968);
 - “The area of matters on which aldermen and other legislators must pass is of such a wide range that almost every legislator, whether he be in a private or public calling, or in neither, must inevitably have some interest which may conceivably be affected by some legislative proposal. It follows that, if every possibility of conflict, no matter how remote, uncertain, contingent, insubstantial or speculative, were cause for disqualification, many persons who are peculiarly suited for public office by the very reason of their commercial or professional experience would be prevented from contributing their services to the community.”

Ethics, Cont'd

- ▣ Conflict provisions apply to decisions involving “family,” meaning “spouse, parent, grandparent, child, grandchild or sibling” as well as “all persons who are members of the same household” whether or not a blood relative (Dover Code 22-1)
- ▣ Timing: Ideally abstain prior to discussion taking place
- ▣ Distinction between legislative and quasi-judicial capacities
 - Rules more strict when acting in quasi-judicial setting;
 - “An act is judicial in nature if officials are bound to notify and hear the parties, and can only decide after weighing and considering such evidence and arguments as the parties chose to lay before them.” *Appeal of Keene*, 141 N.H. 797 (1997).

Ethics, Cont'd

- ▣ Gifts
 - \$25 per gift; \$100 total per calendar year per source “in business dealings with the City”;
 - Dinners
 - Favors
 - Services
- ▣ Confidentiality
 - Maintain confidential information and privileged information (discussed above in reference to RSA 91-A and the Right to Know law).

Ethics, Cont'd

RSA 95:1 Public Officials Barred From Certain Private Dealings. – No person holding a public office, as such, in state or any political subdivision governmental service shall, by contract or otherwise, except by open competitive bidding, buy real estate, sell or buy goods, commodities, or other personal property of a value in excess of \$200 at any one sale to or from the state or political subdivision under which he holds his public office

Ethics, Cont'd

- ▣ Ethics Committee pursuant to City Charter to investigate and adjudicate ethics violations
- ▣ Your decision
- ▣ When in doubt, disclose
- ▣ Do not be intimidated: you have a duty to sit and vote just as much as you do to recuse yourself, so weigh them accordingly;
- ▣ Violation could invalidate board action;

Ethics, Cont'd

- ▣ Breaches of the peace may occur during your meetings.
- ▣ RSA 644:2 (Disorderly Conduct) generally makes it a crime to engage in disruptive behavior in a public place, including loud or unreasonable noises, or otherwise disrupting the orderly conduct of business.
- ▣ Try to calm the situation and bring meeting to order.
- ▣ If unsuccessful, contact police and consider adjourning the meeting temporarily (recess) or to another date and time if necessary.

Ethics, Cont'd

- ▣ Questions?

ETHICAL LEADERSHIP

When in Doubt...

Just ask yourself if your mother would
be proud when she reads about it on
the front page of the newspaper??!!

MAKING MEETINGS WORK

Democracy must mean more than two
wolves and a sheep voting on what to
have for lunch.

— Benjamin Franklin

Robert's Rules

- ▣ Drafted over a century ago by a US army officer, codifying centuries of evolving parliamentary procedure
- ▣ Address how deliberative body does its deliberation and action
- ▣ Governs things such as speaking, being recognized, bringing motions
- ▣ Motion, second, discussion/debate, vote
- ▣ One subject at a time
- ▣ Guide in materials

Form of Government

- ▣ City and School Department joined in one entity;

C4-1. District Established.

The City of Dover shall constitute a single municipal corporation with powers for municipal and school purposes, including all the powers of a school district conferred by law.

Form of Government, cont'd

- ▣ A political subdivision of the state, similar to a state agency
- ▣ Only exercise powers delegated by the State by statutes
 - RSA chapter 49-B and 49-C (City charters)
 - ▣ Charter commission vote during this term
 - RSA chapter 44 (Cities and Wards)
 - RSA chapter 47 (Powers of City Councils)
 - RSA chapter 31 (Powers and Duties of Towns)
 - ▣ largely applicable to cities, see RSA 44:2; RSA 47:1
 - RSA chapter 194 (School Districts)
 - RSA chapter 194-C (SAUs)
 - RSA chapter 189 (School Boards, Superintendents, Teachers, and Truant Officers)

Form of Government, cont'd

Division of responsibility

- City Charter

C3-11. Powers and Duties.

The City Council shall be the governing body of the City of Dover, shall set policies for city government and shall bear full responsibility for the implementation of said policies through the hiring and supervision of the City Manager. [Adopted 11-05-2005 by Municipal Election]

Except as herein otherwise provided, the City Council shall have all the powers and discharge all the duties conferred or imposed upon city councils, boards of mayor and aldermen and selectmen of towns by law. Except as otherwise provided in this Charter, all boards, commissions and committees shall be appointed by the Council.

Form of Government, cont'd

▣ Charter 4-2 (effective January 1, 2022):

"There shall be a School Board consisting of seven members, one member from each ward and one member elected at large. The term of office shall begin upon the member's election and making and subscription to the oath of office and end upon the election of the member's successor and the successor's making and subscription of oath of office. All School Board members shall be elected for terms of two years and shall take office on the first Monday in January following the election. In the event that the first Monday of January is a holiday, the organization meeting shall take place on the Tuesday immediately following the first Monday of January."

Form of Government, cont'd

- City Council & School Board handle policy matters
- Autonomy of schools
- Council controls budget (bottom line)

Form of Government, cont'd

- City Manager & Superintendent day to day chief administrative officers
 - City Manager designee to bind City by signature

CS-1. City Manager. [Amended 09-05-90, approved at 11-06-90 Election; Amended 11-05-2005 by Municipal Election]

The chief administrative officer of the city shall be the City Manager. The Council shall appoint a person especially qualified by experience and training, who received the votes of at least six members of the Council, to be the City Manager. The Council shall fix the Manager's salary and such other conditions of employment not inconsistent with this Charter. The City Manager shall serve for an indefinite term of office.

Form of Government, cont'd

- Superintendent services set forth in RSA 194-C:4
 - Educational mission
 - Governance, organization structure, and implementation of administrative services
- Superintendents supervise educators (RSA 189:31)

Form of Government, cont'd

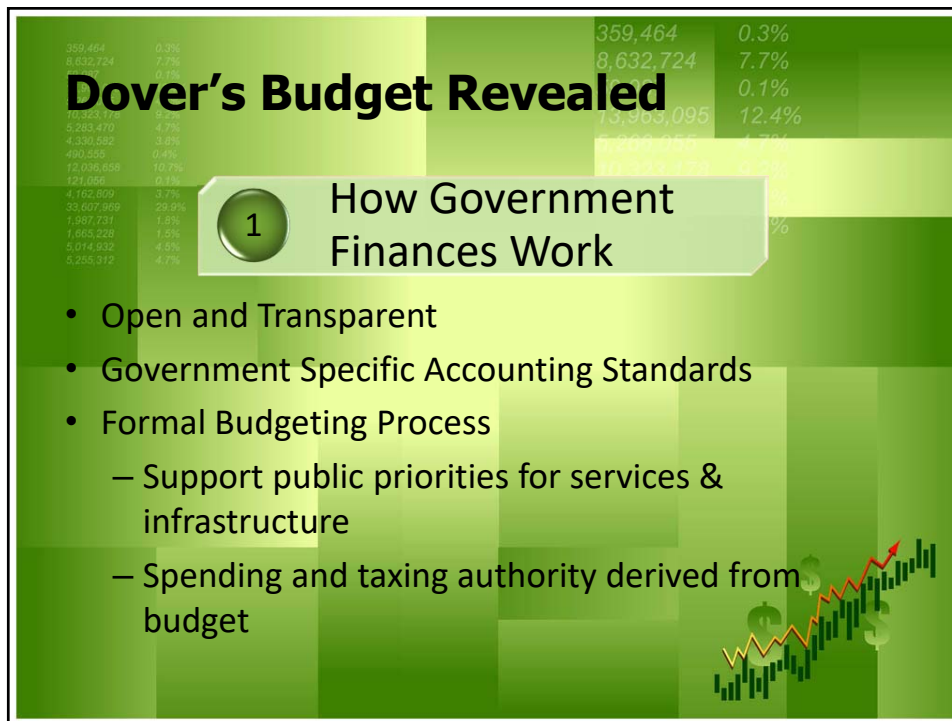
- Joint Building Committees
 - JBCs oversee construction of those schools until control returned to school board at conclusion of project (special requirements of each JBC)
 - RSA chapter 199
 - “No schoolhouse shall be erected, altered, remodeled or changed in any city school district unless the plans have been previously submitted to the school board of that district and received its approval.”
 - “All construction relating to schoolhouses in any city school district shall be done under the direction of a joint building committee which shall be established and chosen in equal numbers by the city council and the school board.”
 - Other duties include:
 - “Oversee and decide all matters relating to any construction on schoolhouse buildings.”
 - Administration of all appropriated funds.

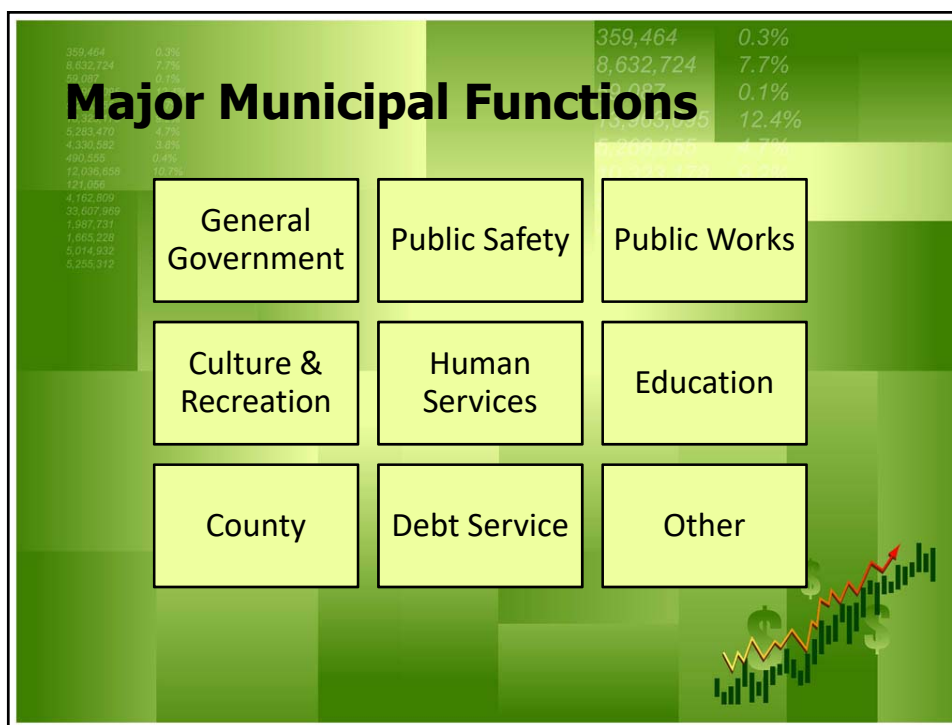
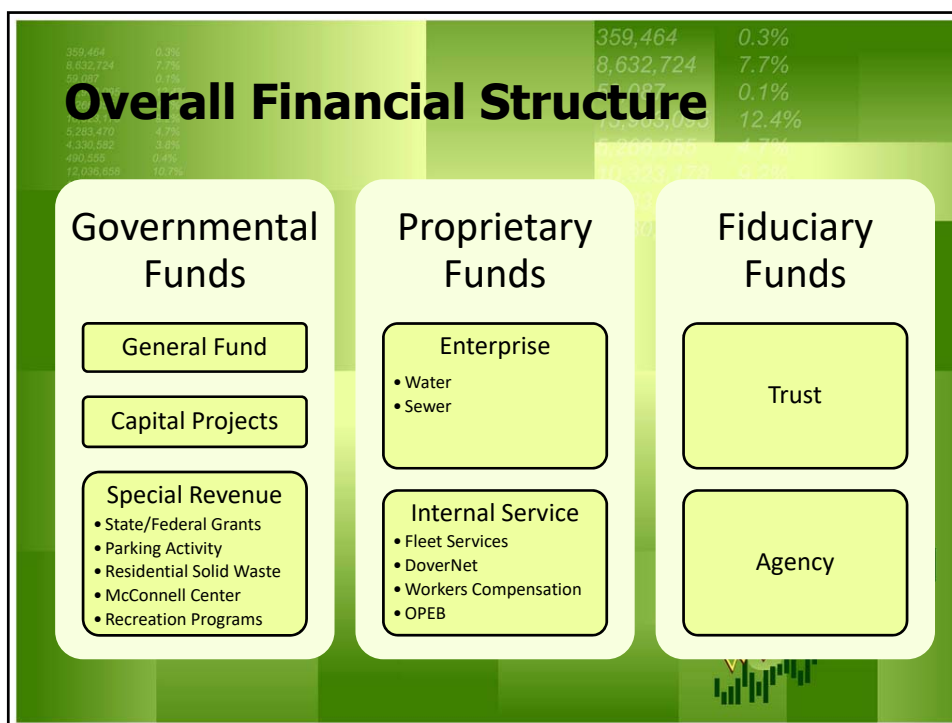
Form of Government, cont'd

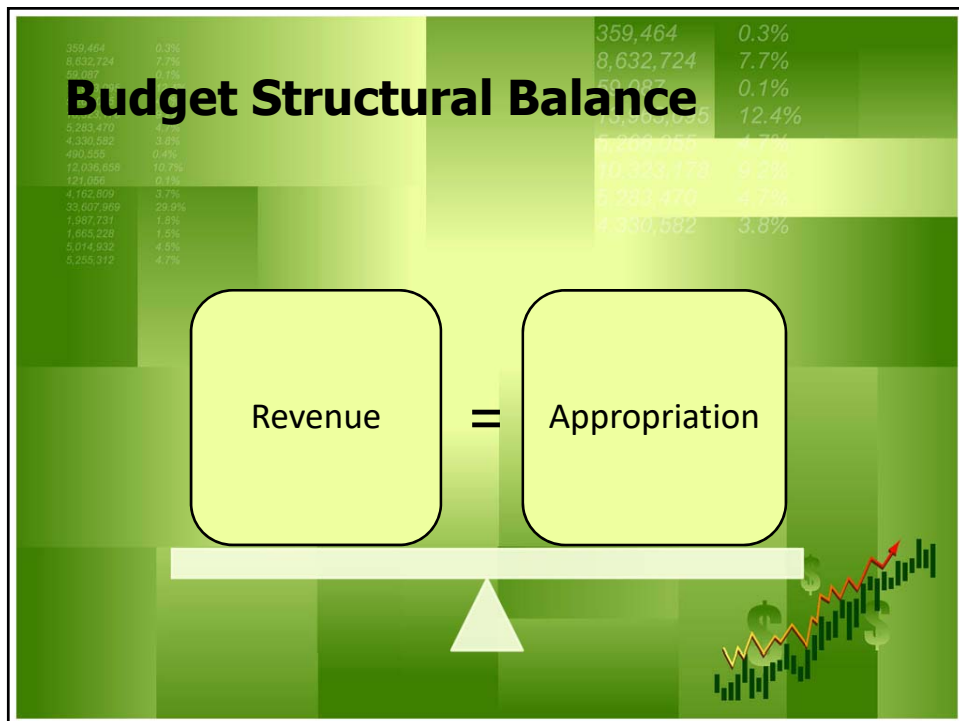
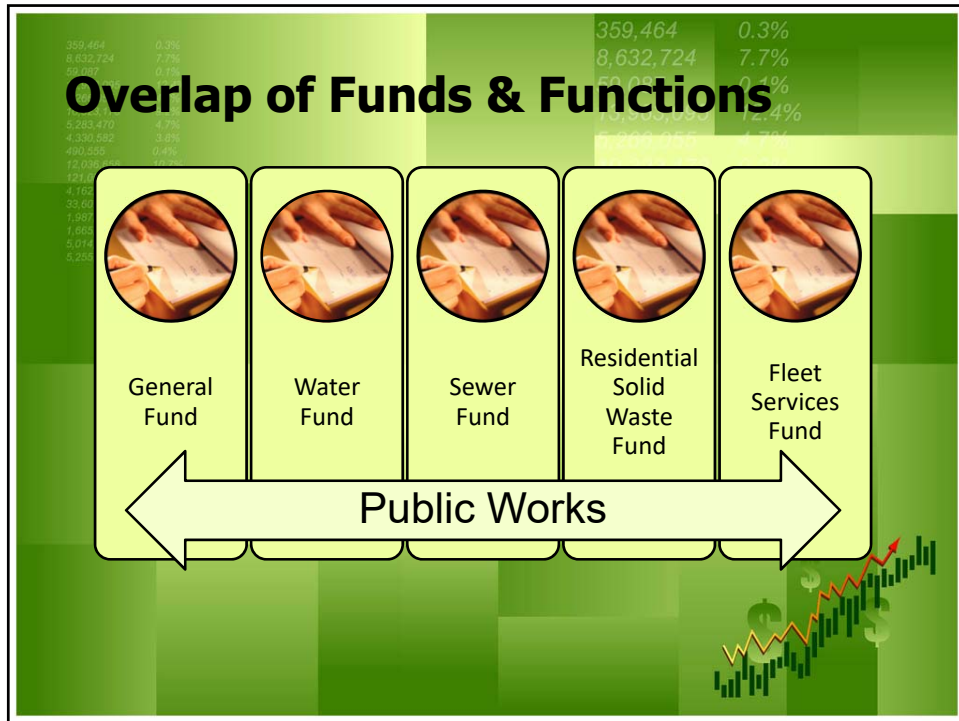
- State preemption
- Federal preemption
- Questions?

FINANCE AND BUDGETING









Other Finance Terminology

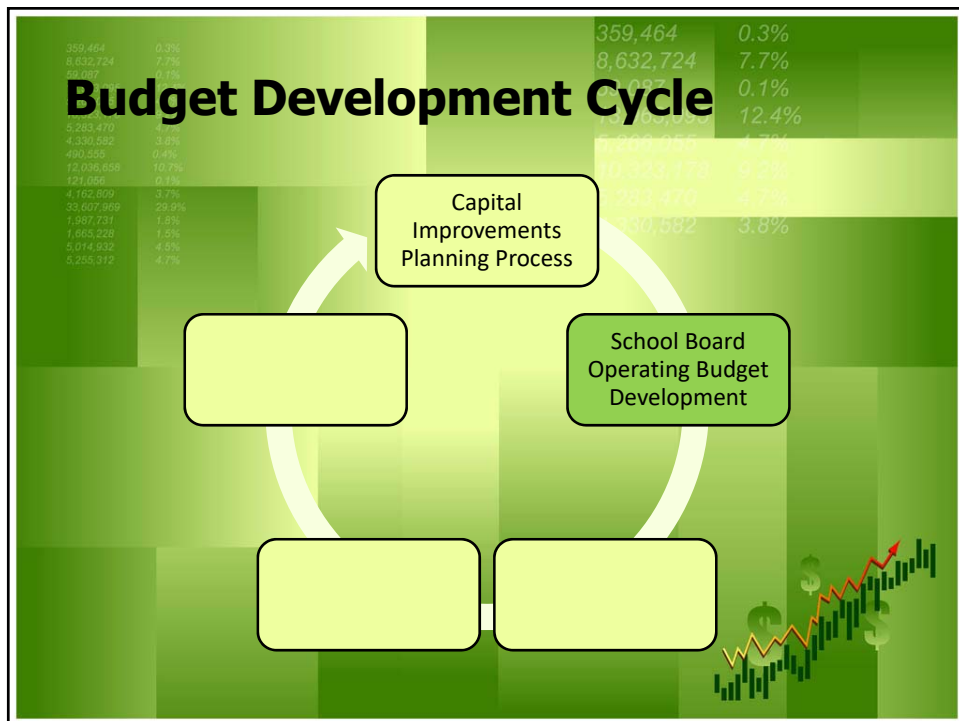
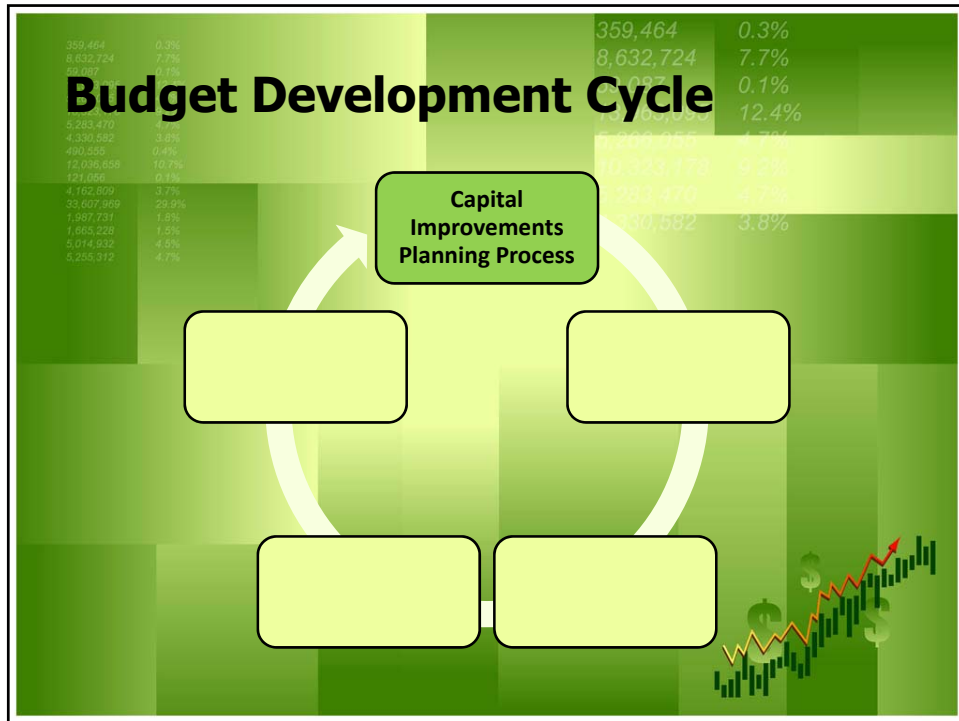
- Fiscal Year Designation - July 1st to June 30th
- Tax Rate versus Tax Levy
 - Changes in tax rates can be misinterpreted
- Unassigned Fund Balance - Key finance measure
- Chart of Accounts numbering schema
 - Fund, Entity, Department, Function, Object...Series
 - 1000.1.130.41320.4534.000000.00.000.000.300
 - City Manager Postage

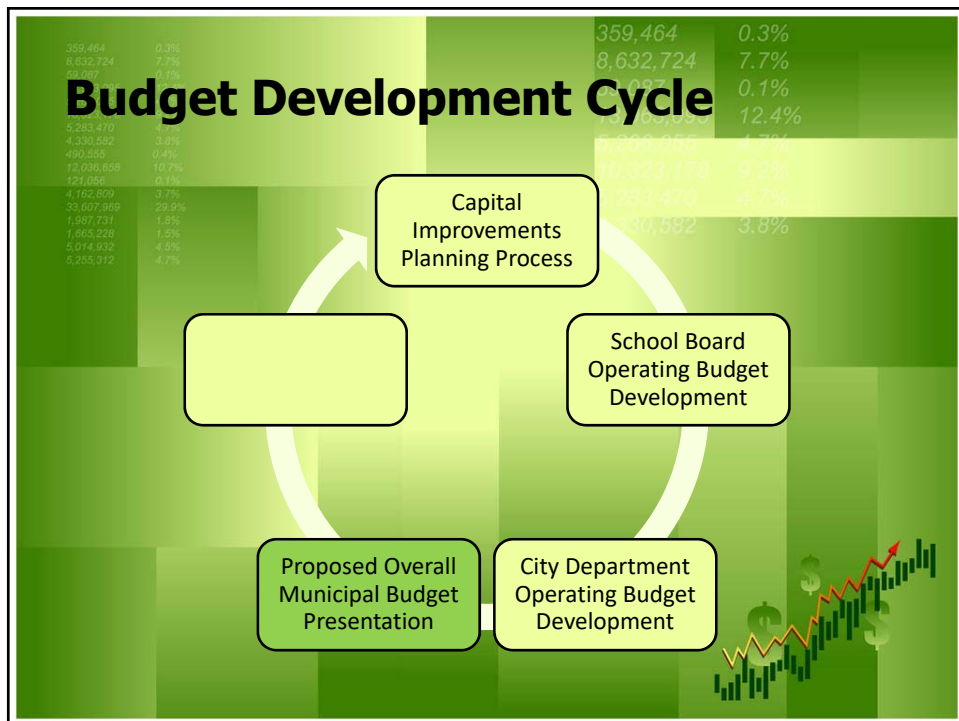
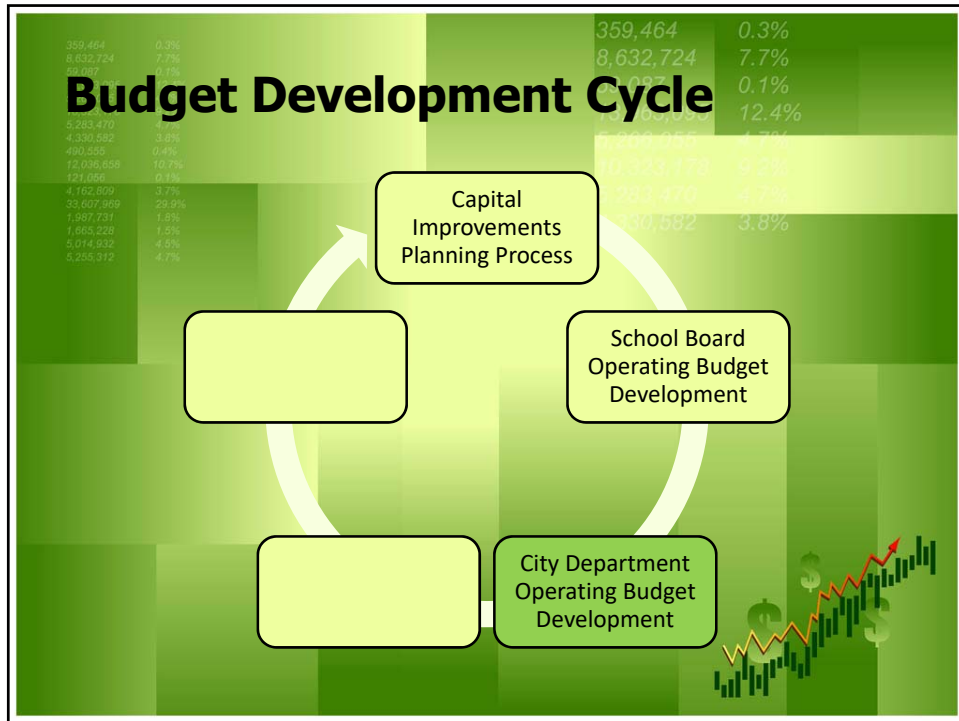
Dover's Budget Revealed

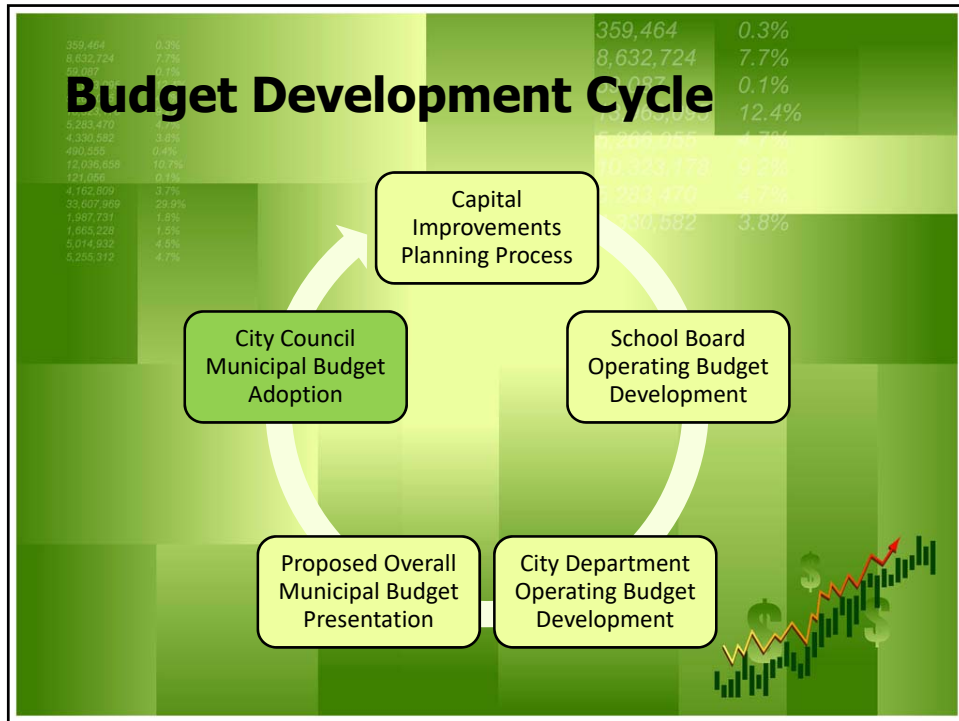
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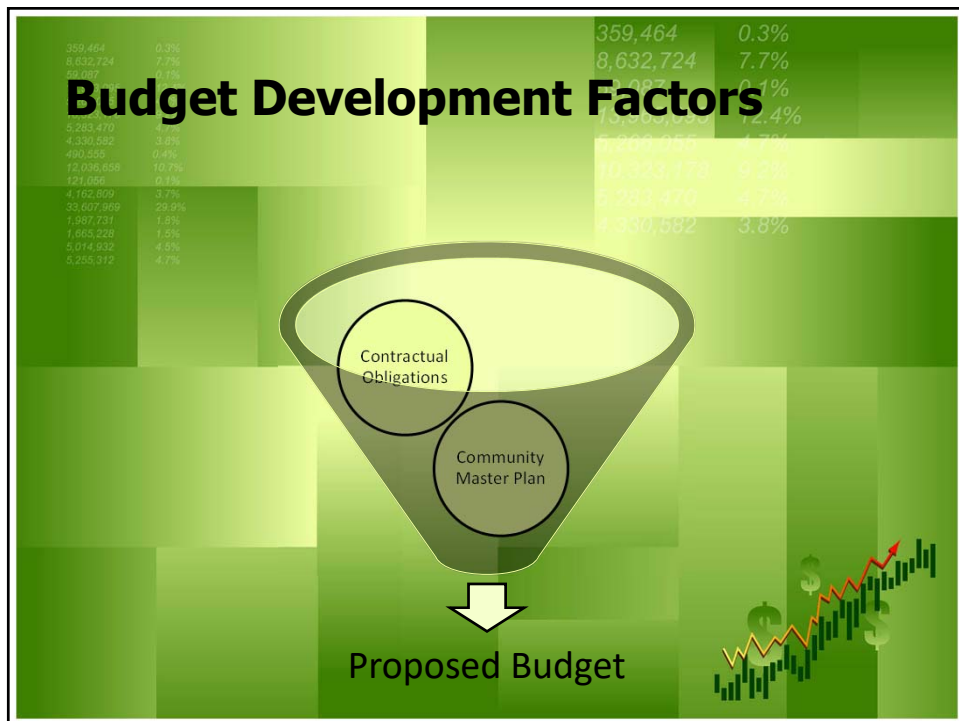
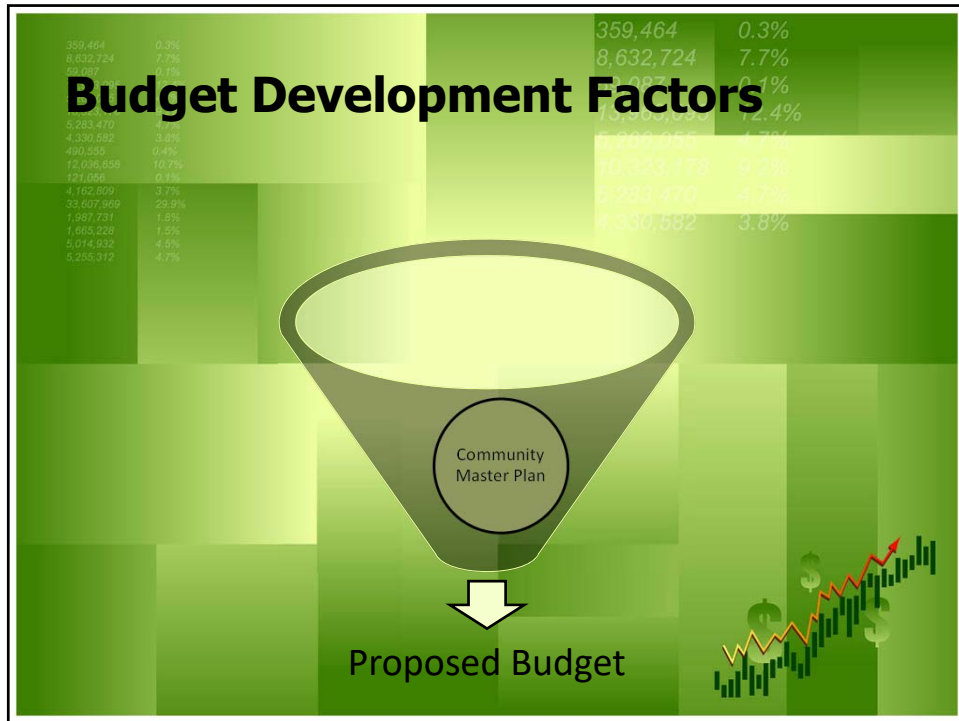
The Budget Development Cycle

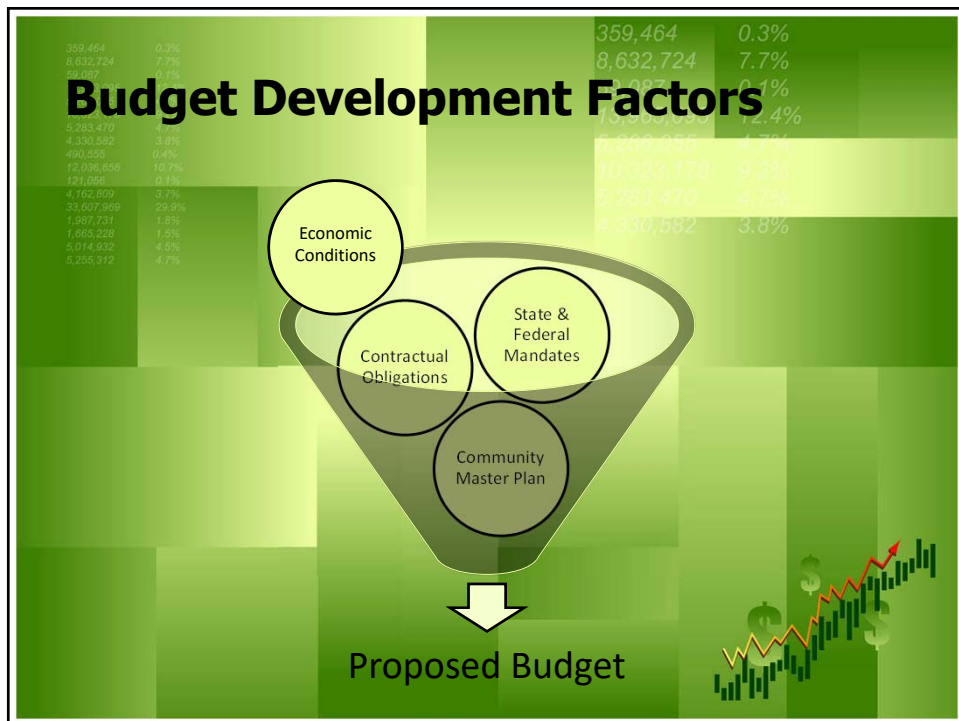
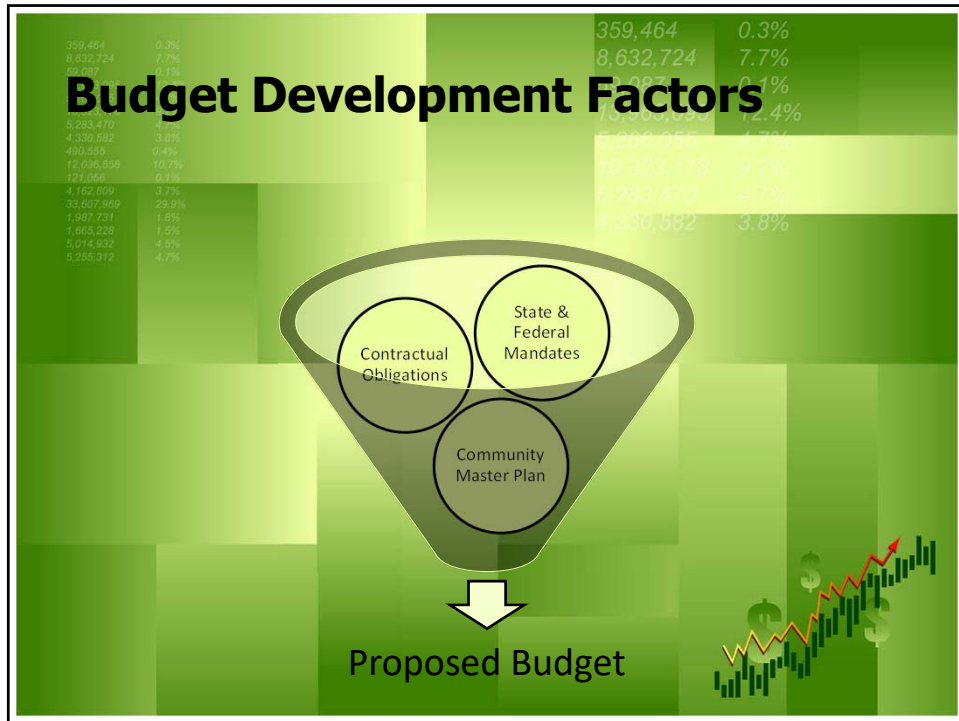


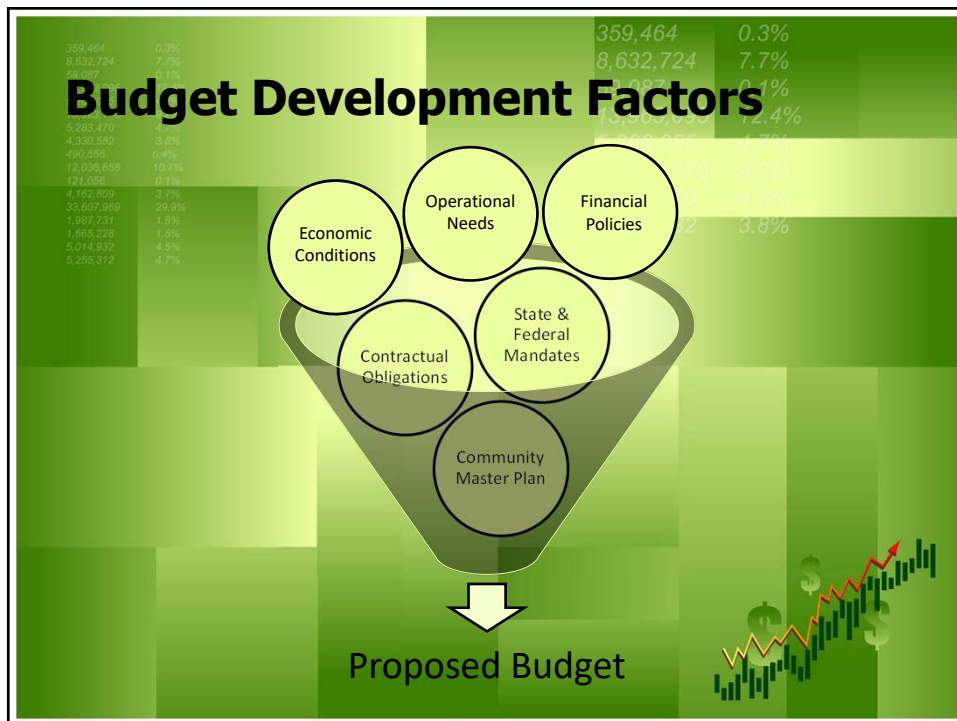
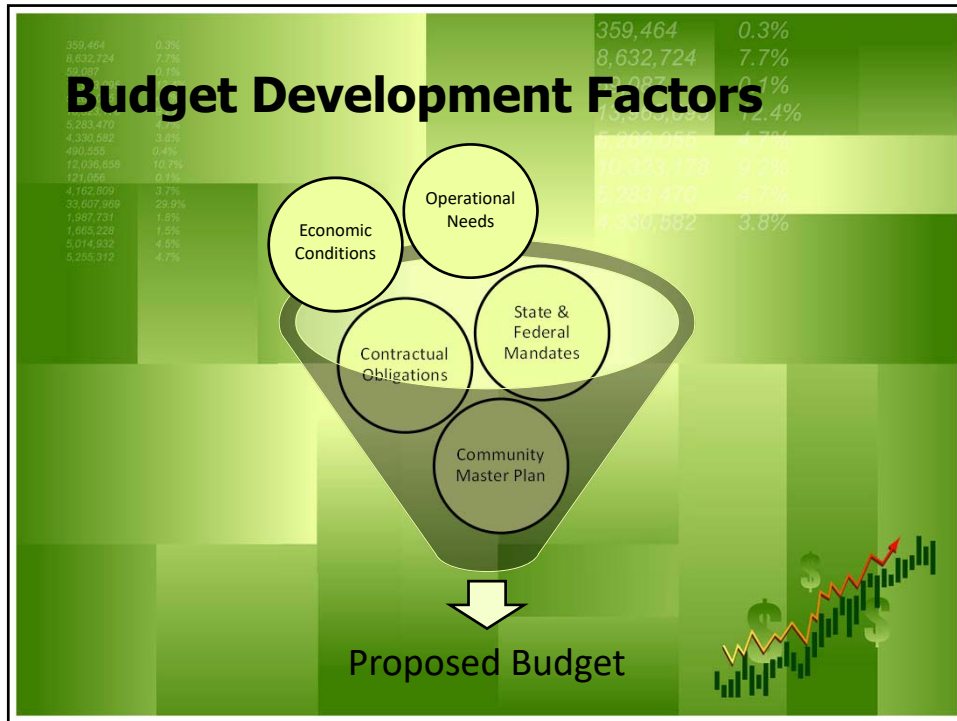












The Budget Document

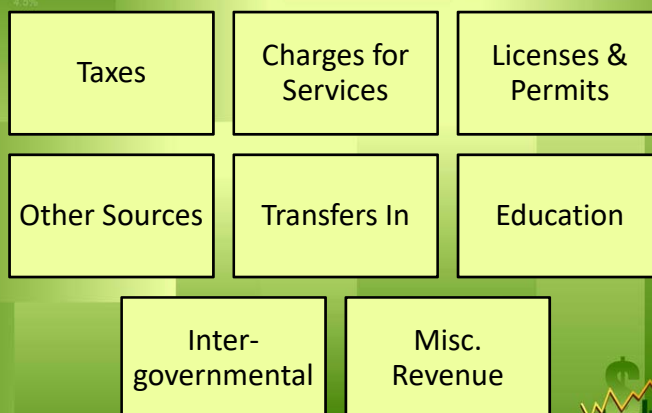
- Budget Summaries
- Budget Analysis
 - Economic & Budget Data
 - Appropriations Detail
 - Debt & CIP Information
 - Organizational Background

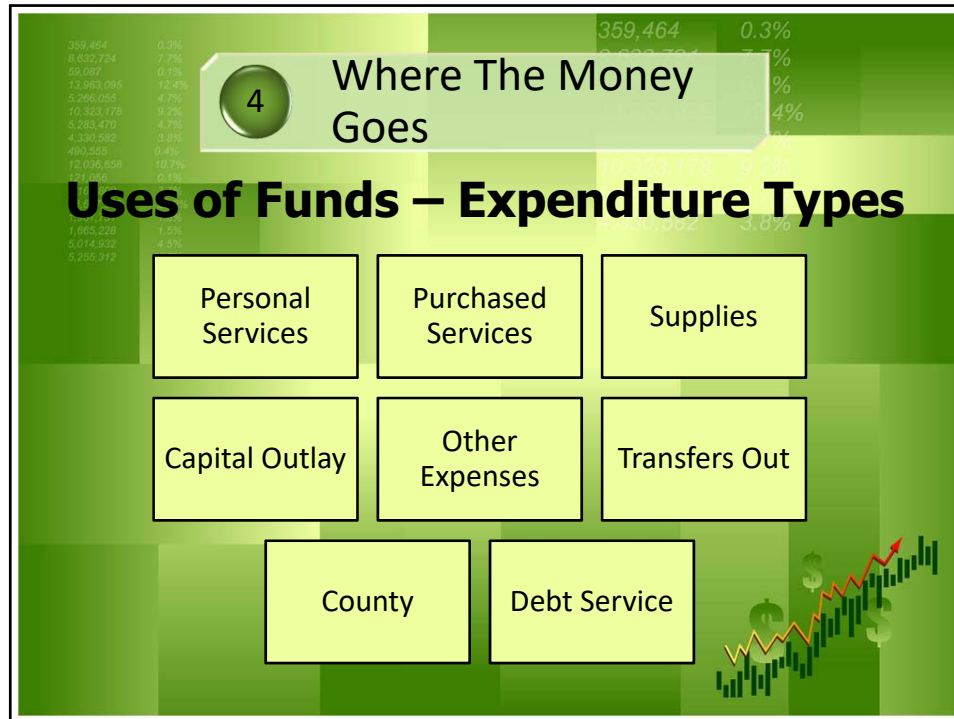


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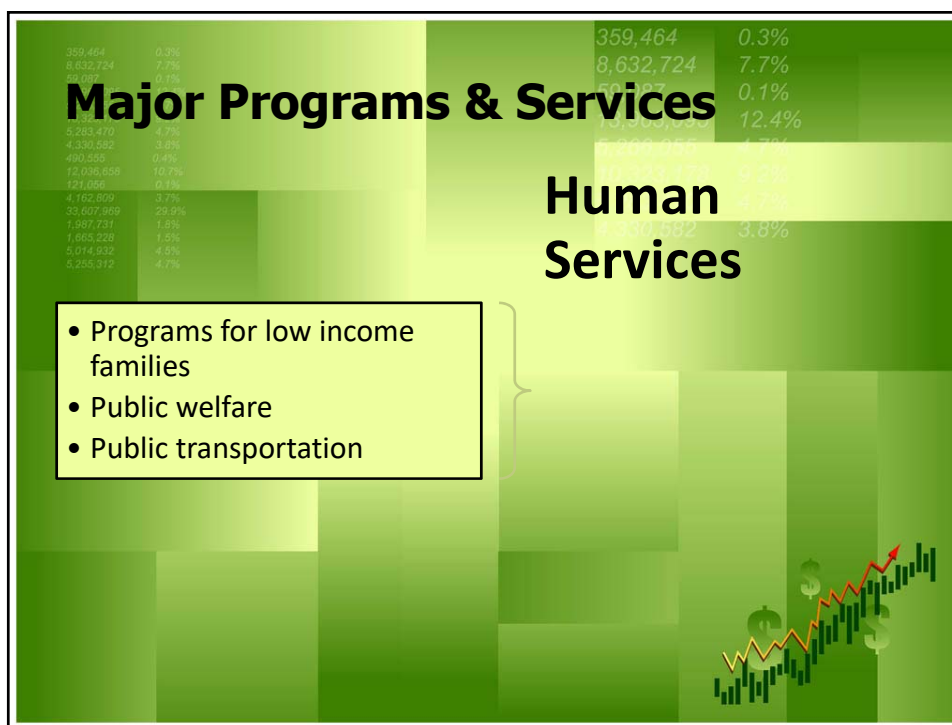
Where The Money Comes From

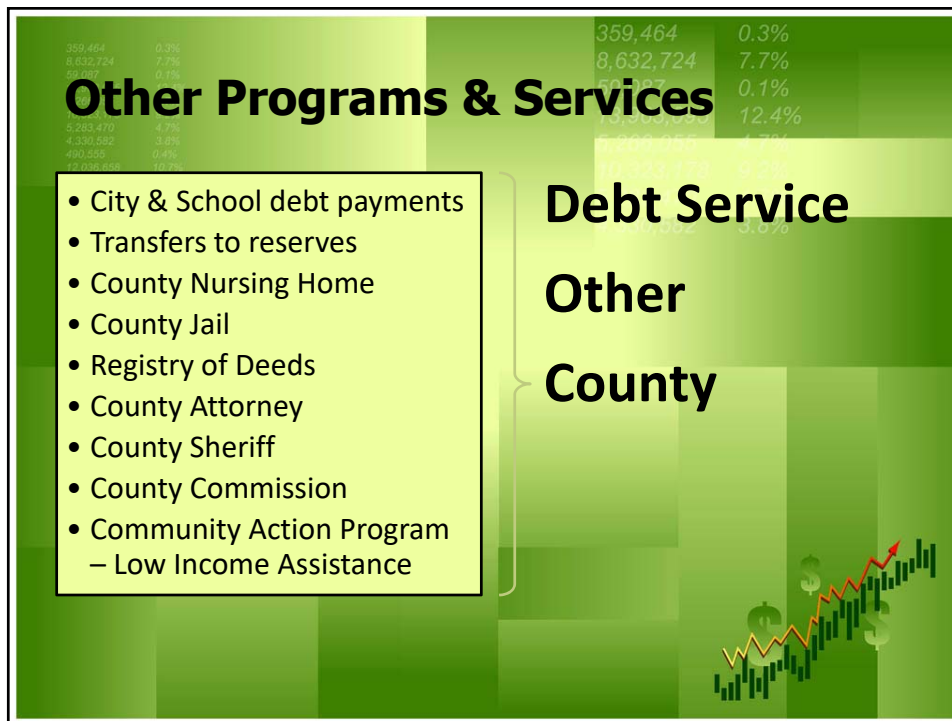
Sources of Funds – Revenue Types











ADMINISTRATIVE ORGANIZATION

LABOR RELATIONS

NH Public Employee Labor Relations Law

Collective Bargaining Units

Labor Negotiations

Contract Ratification

THE LEARNING LEADER

An investment in knowledge pays the
best interest.

— Benjamin Franklin