



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, November 9, 2022**
Meeting Time: **7:00 pm**

- 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. AUTHORIZATION TO ACCEPT AND EXPEND COPS GRANT 2022
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
SPONSORED BY MAYOR CARRIER BY REQUEST**
 - B. AUTHORIZATION TO ACCEPT AND EXPEND PARTNERSHIP FOR SUCCESS GRANT
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
SPONSORED BY MAYOR CARRIER BY REQUEST**
 - C. AUTHORIZATION TO ACCEPT AND EXPEND STOP ACT GRANT
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
SPONSORED BY MAYOR CARRIER BY REQUEST**
- 8. PUBLIC 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.
- 9. CITY MANAGER'S REPORT**
- 10. APPROVAL OF MINUTES**
 - A. October 26, 2022 – Regular Meeting**
- 11. MAYOR'S REPORT**
- 12. UNFINISHED BUSINESS**
 - A. ORDINANCES IN THE 2nd READING**
 - B. ORDINANCES IN THE 3RD READING**
 - C. RESOLUTIONS**
 - 1. AUTHORIZATION TO ACCEPT AND EXPEND COPS GRANT 2022
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
SPONSORED BY MAYOR CARRIER BY REQUEST**
 - 2. AUTHORIZATION TO ACCEPT AND EXPEND PARTNERSHIP FOR SUCCESS GRANT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
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- 3. AUTHORIZATION TO ACCEPT AND EXPEND STOP ACT GRANT
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
SPONSORED BY MAYOR CARRIER BY REQUEST**

13. NEW BUSINESS

A. CONSENT CALENDAR

- 1. B21016 SNOW PLOWING-HAULING SERVICES AMENDMENT TO EXTEND THIRD AND FINAL YEAR
SPONSORED BY MAYOR CARRIER BY REQUEST**

COMMITTEE REPORTS

- | | |
|---|---|
| 1. School Board (Muffett-Lipinski) | 16. Ordinance Committee (Shanahan) |
| 2. Planning Board (Cullen) | 17. Parking Commission (Hinkel) |
| 3. Appointments Committee (Williams) | 18. Pool Advisory Committee (Hackett) |
| 4. Arena Commission (Hackett) | 19. Racial Equity and Inclusion Ad-Hoc Committee (Nemeth) |
| 5. Arts Commission (Nemeth) | 20. Recreation Advisory Board (Shanahan) |
| 6. Board of Health (Thibodeaux) | 21. Solid Waste Advisory Commission (Muffett-Lipinski) |
| 7. Collaborative City Council and School Board (M-Lipinski) | 22. Transportation Advisory Commission (Williams) |
| 8. Conservation Commission (Williams) | 23. Waterfront TIF Advisory Board (Shanahan) |
| 9. Downtown TIF Advisory Board (Hinkel) | 24. Joint Building Committee – DHS (Carrier) |
| 10. Energy Commission (Thibodeaux) | 25. COAST (Shanahan) |
| 11. Graffiti Management Ad Hoc Committee (Nemeth) | 26. Cocheco Waterfront Development Advisory Committee (Carrier) |
| 12. Heritage Commission (Nemeth) | 27. Dover Main Street (Carrier) |
| 13. Legislative Liaison (Shanahan) | 28. Strafford Regional Planning Commission (Williams) |
| 14. Library Board of Trustees (Thibodeaux) | 29. Government Affairs (Carrier) |
| 15. McConnell Center Advisory Committee (Thibodeaux) | |

B. RESOLUTIONS

- 1. AUTHORIZATION FOR ISSUANCE OF TAX ANTICIPATION NOTE FOR FISCAL YEAR 2023 (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
(TO BE REFERRED TO A PUBLIC HEARING ON NOVEMBER 30, 2022.)
SPONSORED BY MAYOR CARRIER BY REQUEST**

C. ORDINANCES IN 1ST READING

- 1. CHAPTER 105 – PEACE AND GOOD ORDER, SECTION 16
(TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 14, 2022.)
SPONSORED BY MAYOR CARRIER BY REQUEST**

14. COUNCIL CORRESPONDENCE

15. COUNCIL MATTERS OF INTEREST

16. ADJOURN

CITY MANAGER'S REPORT

November 9, 2022

Reporting On:
October 2022

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 constituents and/or customers. In addition, legal support is also provided to the Dover School Board and Superintendent of Schools as requested.

Legal support levels are tracked to the extent feasible. The tracking of legal support efforts revolves around legal services called "Matters" (legal questions and issues raised by staff and all other sources warranting ongoing attention), individual legal questions answered, litigation, legal documents (contracts, deeds etc.), resolutions, and responses to Right to Know requests. It is important to note, however, that not all activity each month results in a new "matter" being created, as a considerable number of tasks performed each month relate to preexisting matters that are in progress, or for discrete research issues or legal questions that may not result in the creation of a "matter" but are counted in the figures below as "Questions."

For the month of October 2022:

	For Month	FY23	FY22	FY21	FY20	FY19
Legal Matters/Questions Handled	96	332	790	703	466	342
Review Existing Legal Contracts & Draft Memo	20	67	161	-	-	-
Legal Contracts/Memo Created	10	39	214	350	256	269
Right to Know Requests Processed	5	20	78	51	49	41
Resolutions	8	29	74	73	75	53
Ordinances	1	7	24	19	10	18
Leases	0	0	13	-	-	-
Primex Auto Claims Handled	3	19	46	-	-	-
Primex Liability Claims Handled	8	20	70	-	-	-
Primex Property Claims Handled	1	13	68	-	-	-

Right to Know Requests

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

- Ohm Analytical – Issued Residential and Commercial solar permits for 8/1/22 through 9/30/22
- Triangle Club – Request of police report #2022017924 from September 4, 2022 relating to Mr. Kyle McGowan
- Julie Porter – request for Dover/SAU 11 School District library card catalog
- The Labor Collaborative, LLC – request of payroll and timecard records for all 40 full time permanent employees from 2020-2022
- Rick Hebbard – copies of any and all communications regarding cutting or potential cutting of the trees on Adam Hatch's property

Assistance to City Departments

City Council & City Boards	Attention to resolutions and ordinances as needed or requested by City Council or individual members. Assistance with sharps disposal license.
Community Services	Assistance with aquifer protection efforts; assistance with certain procurements related to the Waterfront project; assistance with potentially hazardous trees; assistance with driveway permit enforcement issues; assistance with water/sewer questions; assistance with review of environmental concerns.
Executive	Assistance with several proposed purchase/sale agreements.
Finance	Assistance with bankruptcy filings; track and file City claims with Primex; assistance with collection efforts; assistance with possible tax deeding; assistance with review of tax credits.
Fire & Rescue	Assistance with code enforcement; assistance with Energov inquiry.
Planning	Assistance with code enforcement; assistance with possible zoning ordinance amendments; assistance with preparing grant agreement.
Police	Assistance with RSA 91-A inquiry; assistance with reviews of insurance requirements; review of certain forms; assistance with parking enforcement inquiries.
Public Library	No assistance required.
Public Welfare	Assistance with review of charitable trusts administered by the City as trustee; assistance with compliance questions and possible revisions to existing welfare guidelines.
Recreation	Assistance with compliance inquiry.
School	Assistance with RSA 91-A and requests; assistance with various contract reviews; assistance with template vendor agreement; assistance with compliance questions; assistance with review of forms; assistance with employment inquiries; review of proposed policies.

Litigation

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. For clarification, the list below does not include bankruptcy filings or cases filed under seal.

-Maloney v. City of Dover –Case is pending with Rockingham Superior Court; City accepted service. Case is undergoing discovery.

-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. In 2021, the City received its first payment from the State of New Hampshire pursuant to RSA 126-A:83, II, by virtue of an opioid-related settlement entered into by the State of New Hampshire. A national settlement as to certain defendants was accepted in January 2022. Settlements or other payments in satisfaction of City claims may be forthcoming from other defendants, but would be required to be tendered to the State's Opioid Abatement Trust Fund per RSA 126-A:83, I. Certain of the City's opioid claims have become part of bankruptcy proceedings..

-Mary Hebbard v. City of Dover, John & Karen Brough and Ryan Colbath - served on City of Dover on April 17, 2019. Partial summary judgment rulings received in February 2021. Following trial in 2021, a final trial order was issued by the Court on April 1, 2022, finding in favor of the City on the width of Spruce Lane, the location of Old Garrison Road, several disputed issues of law concerning allowable uses on public roads, and issuing an injunction requiring remedial action. The Hebbards filed a motion for reconsideration, which the Court has now denied. The case has now been appealed by Mr. and Mrs. Hebbard. The Supreme Court is preparing a transcript—no briefing schedule has yet been set.

-City of Dover v. Mary and Rick Hebbard - Complaint filed in October 2019 concerning drainage in the Tanglewood Subdivision. Partial summary judgment rulings were received in February 2021. Case was tried by City Attorney, Deputy City Attorney, and outside counsel on April 7, 8 and 9 of April 2021. The post-trial briefing was divided into two areas: (1) injunctive relief concerning removal of a berm, and (2) remaining issues, including enforcement of a stipulated Court-Order for an underground drainage system. In May 2021, the Court issued an order granting an injunction and requiring removal of the berm and restoration of surface drainage. In September 2021, the Court issued a final Order on the remaining trial issues, finding the defendants to be in contempt of a prior stipulation and requiring that the defendant's complete construction of the drainage project within 90 days of receiving additional materials from the City. The drainage system is now believed to be constructed and near completion, though the City is awaiting certification of same from the project engineer. Following the certified completion of construction, it is expected that the parties will proceed with fulfilling the other obligations of the earlier stipulation they entered into, which includes conveyance of an easement and a mutual release. The Court held an evidentiary hearing on September 9, 2022 relating to damages alleged by the defendants. No decision has issued yet on that damages hearing. The Hebbards have filed other post-hearing items since, to which the City has responded to the extent necessary.

-Estate of Stephen Towne - This is a probate matter concerning administration of estate that includes a bequest to the Dover School District. The City Attorney has filed an appearance and is monitoring the progression of the docket.

-Barufaldi v. City of Dover - In September 2022, a former employee filed a Charge of Discrimination with the New Hampshire Commission for Human Rights alleging age-based disparate treatment.

-City of Dover v. Secretary of State (House Redistricting) - On July 26, 2022, a complaint was filed with the Strafford County Superior Court. In October 2022, the defendants filed a Joint Motion to Dismiss. An objection to the Joint Motion to Dismiss is currently being prepared.

-Dover Point Cooperative, Inc. v. City of Dover Planning Board: In October 2022, an abutter filed an appeal of a Conditional Use Permit granted by the planning board in September 2022. The City has agreed to accept service and the Office of the City Attorney is reviewing the matter.

-Rutland Manor Associates v. City of Dover: A local property owner appealed its tax year 2021 assessment to the New Hampshire Board of Tax and Land Appeals ("BTLA"). The City Attorney and Deputy City Attorney have filed appearances. The case is currently within a BTLA-mandated settlement discussion period.

-Richard Strahan v. William McNamara.: This is a declaratory judgment and injunction action filed by a citizen related to policing against individuals from the University of New Hampshire, the Town of Durham, and the City of Dover. In the Complaint, the plaintiff alleges various claims arising out of a no-trespass order related to UNH Wildcats Transit. Outside counsel is defending this matter and has moved to dismiss the claims asserted by the plaintiff against Chief Breault.

Business Development

by Christopher Parker, Deputy City Manager

Month	Businesses Reached Out for Assistance	Business Visitations Performed	Businesses Connected to Business Assistance Resources
March 2022	15	16	07
April 2022	19	20	12
May 2022	25	24	00
June 2022	19	31	00
July 2022	38	20	29
August 2022	27	18	23
September 2022	23	19	12
October 2022	27	31	16

New Business / Commercial Development / Downtown Updates

- ★ A Purchase & Sales Agreement was signed between APW Properties, LLC and the City of Dover for the parcel located on Map D, Lot 11 8 at the end of Quality Way. This sale marks the expansion of a manufacturing facility located in Dover.
- ★ A new low waste refillery opened at 2 Waldron Court. The shop encourages patrons to bring in their own containers and refill them with non-toxic, environmentally friendly home and body products. The feedback has been very positive from the community.
- ★ There were numerous activities throughout the downtown during the month of October, including a Witches Market & Ball. The event proved to be very successful with about 4,000 attendees. The business that hosted the event is interested in expanding it next year and will be meeting with the Office of Business Development in the coming weeks to discuss opportunities.
- ★ A UNH intern is working with the Office of Business Development to assist with data input for the Business Visitation Program in collaboration with the Dover Business & Industrial Development Authority (DBIDA). The program will allow for increased visitations and connections between the City of Dover and the business community.

Waterfront - Update:

- Waterfront/Shoreland Stabilization/Site Preparation:
 - Business Development and Planning and Community Development staff continued to assist the Cochecho Waterfront Development Advisory Committee in its pursuit of developing the City's River Street parcel. Project Manager Bird had three online meetings during October with staff from Horsley Witten and Ironwood to review the status of state and federal permitting, discuss site plan updates and preparing bid documents.
 - Project Manager Bird:
 - ♦ Held online meetings on October 5, 12, & 19 with Horsley-Witten and Ironwood to discuss numerous waterfront issues.

- ♦ Held a pre-bid meeting on October 5 with representatives of four pre-qualified construction companies, Finance Department staff and Community Services staff.
- ♦ Met with Executive Councilor Kenney on October 7 at the waterfront site to provide information on the project.
- ♦ Held online meeting on October 11 with Horsley Witten staff, City Engineer Mavrogeorge, and Deputy Finance Director Legere to discuss bid addendum preparations.
- ♦ Held meeting with Deputy City Manager and two CWDAC members on October 11 to discuss ideas for crew clubs to locate in the waterfront park.
- ♦ Attended an online coordination meeting on October 12 with Community Services staff and consultants working on the dredge cell, waterfront development, River Street pump station upgrade and Henry Law Avenue reconstruction projects.
- ♦ Held online meetings on October 12 & 13 with City Engineer Mavrogeorge, Horsley Witten staff and Cathartes to discuss building foundation issues and project coordination.
- ♦ Met with the Deputy City Manager two times during October to provide project updates.
- ♦ Held a meeting on October 18 with City Manager, Deputy City Manager, Recreation Director and 2 CWDAC members to discuss crew clubs locating in waterfront park.
- ♦ Had phone calls with Cathartes Project Manager on October 20 & 27 to discuss bid process and project schedules.
- ♦ Attended the bid opening on October 26 in the Finance Department. No bids were received.
- ♦ Held a meeting of the CWDAC Park Sub-committee on October 26 to discuss options with crew clubs.
- ♦ Held meeting on October 26 with Finance Director to discuss bid process and potential building values.
- ♦ Held online meeting with Deputy Finance Director Legere, Purchasing Agent Cragin and City Engineer Mavrogeorge on October 31 to discuss the steps necessary to rebid the project.

Economic Activity

- ✚ Retail revenue growth slowed and retailers are reporting softer sales from the previous year. Local retailers are cautiously optimistic however and some are planning to collaborate with each other in anticipation of a busy holiday season.
- ✚ Labor market reports are mixed with variations between industries. Some are expressing concerns about hiring too many workers in the lead up to a possible downturn.
- ✚ Demand for semiconductor chips dropped sharply as a result of panic buying earlier in the year. Globally, the semiconductor market is expected to experience a period of weakness through the end of 2023.
- ✚ Demand and revenue growth are stable for software and IT firms. Positive results are attributed to the ongoing recovery of their business clients' end markets.
- ✚ Vacancy rates for industrial/manufacturing real estate remains low, but rising interest rates and recession fears are expected to continue to restrain both leasing and investment activity.

Some non-local items were excerpted from the Federal Reserve Beige Book-Boston.

<i>Economic Metrics</i>	Dover Labor Force	Dover Unemployment Rate	Median Home Sales-Single Family	Average Days on Market
February 2021	18,540	2.90%	\$324,145	33
February 2022	18,600	2.10%	\$372,500	31
March 2021	18,570	3.00%	\$324,400	38
March 2022	18,730	2.10%	\$390,000	20
April 2021	18,410	2.50%	\$327,200	34
April 2022	18,380	2.10%	\$420,000	21
May 2021	18,510	2.20%	\$364,900	18
May 2022	18,480	1.70%	\$414,500	12
June 2021	18,250	2.80%	\$378,000	16
June 2022	18,540	1.70%	\$435,000	11
July 2021	18,600	3.10%	\$370,000	14
July 2022	18,800	1.50%	\$420,000	10
August 2021	18,510	2.70%	\$380,000	15
August 2022	18,760	1.90%	\$405,000	16
September 2021	18,180	2.10%	\$390,000	18
September 2022	18,620	2.10%	\$396,000	20

Housing metrics obtained from NHAR-Strafford County.

Parking Division

Sep-22	Sep-22	Sep-21	Sep-20	Fiscal YTD 2023	Fiscal Year 2022	Fiscal Year 2021	Fiscal Year 2020	Fiscal Year 2019
Meter Activity - Total								
Meter Transactions	42,017	39,407	33,557	132,652	485,571	385,006	442,999	466,721
Income at Meters	\$80,570	\$69,957	\$57,738	\$250,115	\$911,476	\$676,715	\$836,199	\$648,806
Active Meter Days	25	25	25	77	301	302	292	249
Average Daily Meter Transactions	1,681	1,573	1,342	1,723	1,613	1,275	1,517	1,874
Meter Activity - Parking Garage								
Meter Transactions	2,570	2,277	1,700	7,158	31,151	11,463	36,219	34,749
Income from Meters	\$7,143	\$6,397	\$4,187	\$19,539	\$89,464	\$62,637	\$88,142	\$61,468
Active Meter Days	25	25	25	77	301	302	292	249
Average Daily Meter Transactions	103	91	68	93	103	74	124	148
Parking Permit Activity								
Total Parking Permits Issued	785	809	686	2,324	9,232	8,756	6,809	6,767
Residential Permits Issued	27	38	39	83	420	473	441	637
Business Permits Issued	758	771	647	2,241	8,812	8,283	6,499	6,130
Permit Income	\$38,556	\$34,560	\$23,028	\$123,023	\$344,367	\$265,168	\$246,485	\$232,682
Parking Ticket Activity								
Total Parking Tickets Issued	780	707	557	1,976	8,460	6,588	7,835	8,188
Accessible Space Tickets Issued	7	2	2	23	41	21	72	141
Winter Restriction Tickets Issued	0	0	0	70	495	486	186	331
Parking Ticket Income	\$14,632	\$16,360	\$12,973	\$41,865	\$197,012	\$160,519	\$180,148	\$168,062
Electric Vehicle Charging Stations								
Number of times Stations Used	64	12	10	171	316	100	233	not captured
Charging Station Income	\$638	\$93	\$83	\$1,371	\$2,660	\$571	\$952	not captured

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
September 2021	3,191	3,165	1,144	338
October 2021	3,356	3,082	1,254	318
November 2021	3,357	3,030	1,268	234
December 2021	4,078	3,122	1,234	134
January 2022	2,970	2,327	788	91
February 2022	3,030	2,615	1,132	109
March 2022	4,065	3,460	1,418	117
April 2022	4,039	3,620	1,472	156
May 2022	3,251	3,497	1,156	162
June 2022	2,336	3,587	834	153
July 2022	2,631	3,877	823	108
August 2022	2,784	3,904	995	192
September 2022	2,775	3,582	1,106	175

J. MICHAEL JOYAL, JR.
CITY MANAGER



CITY OF DOVER

CITY COUNCIL - MINUTES

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1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Cullen led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Carrier, Deputy Mayor Shanahan, Councilor Cullen, Councilor Hackett, Councilor Hinkel, Councilor Muffett-Lipinski, Councilor Nemeth, and Councilor Williams

Absent: Councilor Thibodeaux.

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

5. PROCLAMATIONS/AWARDS

6. APPROVAL OF AGENDA

Deputy Mayor Shanahan moved to accept the Agenda as presented; seconded by Councilor Hackett.

Vote: 8/0.

7. PUBLIC HEARINGS

1. CHAPTER 9, BOARDS AND COMMISSIONS, SECTION 4 SPONSORED BY COUNCILOR THIBODEAUX

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

2. APPROVAL OF LICENSE AGREEMENT FOR PILOT PUBLIC SYRINGE DISPOSAL PROGRAM (TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 26, 2022) SPONSORED BY MAYOR CARRIER BY REQUEST

William Davis, 177 Mount Vernon Street: He spoke in favor of the Resolution.

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

3. AUTHORIZATION TO ACCEPT AND EXPEND THE NEW HAMPSHIRE DEPARTMENT OF EDUCATION SAFE GRANT AWARD FOR DOVER SCHOOL DISTRICT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) (TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 26, 2022) SPONSORED BY MAYOR CARRIER BY REQUEST

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



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8. PUBLIC 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.

Michael Lessard, 18 Chapel Street: He spoke about the need to expand the services of the warming center.

Deputy Mayor Shanahan moved to suspend the rules to allow Mr. Kimball to speak; seconded by Councilor Hackett.

Roll Call Vote: 8/1. Councilor Cullen was opposed.

Mr. Kimball, Gonic resident: He spoke about the need to expand the services of the warming center. He spoke about the need to expand the services of the warming center.

Pamela Lessard, 62 Glenwood Avenue: She spoke about the need to help the homeless people and to expand the services of the Warming center.

Jackson Brown, 55 New York Street: He spoke about the need to expand the services of the Warming center.

William Stafford, 217 Washington Street: He spoke about the Dover NH Recycle Collection Process.

Katherine Surman, 39 Sandra's Run, Solid Waste Advisory Committee Member: She spoke about the work of the Solid Waste Advisory Committee.

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

9. CITY MANAGER'S REPORT

City Manager Joyal said he submitted his report in writing. He highlighted a few items to the Council. He said the outdoor water restrictions are still in place at this time. The Police Department will be hosting a drug take back day this Saturday, 9:00 am to 5:00. He said the study regarding Mental Health in the City will host one more public session on November 19, 2022. Sunday, October 30th, Halloween trick or treating will be open 5:00 pm to 8:00 pm. He read an update regarding the Willand Emergency Warming Center situation, and the contract between Strafford County and SOS.

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

Vote: 8/0.

10. APPROVAL OF MINUTES

A. October 12, 2022 – Regular Meeting

Deputy Mayor Shanahan moved to approve the Minutes; seconded by Councilor Hinkel.

Vote: 8/0.



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11. MAYOR'S REPORT

Mayor Carrier said the Tri-City Mayors are discussing the warming center with the County and State legislature. He discussed meetings and events he attended the past couple weeks.

Deputy Mayor Shanahan moved to accept the Mayor's Report; seconded by Councilor Nemeth.
Vote: 8/0.

Deputy Mayor Shanahan suspend the rules to move Item #12.C.4 to this point on the Agenda; seconded by Councilor Williams.
Roll Call Vote: 8/0.

Deputy Mayor Shanahan moved for the adoption of 12.C.4.; seconded by Councilor Williams.
City Manager Joyal gave an overview of the Resolution to the Council.
Roll Call Vote: 8/0.

Deputy Mayor Shanahan moved to suspend the rules to move Item 13.B.1. to this point on the Agenda; seconded by Councilor Hinkel.
Roll Call Vote: 8/0.

Deputy Mayor Shanahan moved for the adoption of 13.B.1.; seconded by Councilor Hackett.
City Manager Joyal gave an overview of the Resolution to the Council.
Roll Call Vote: 8/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2ND READING

1. CHAPTER 9, BOARDS AND COMMISSIONS, SECTION 4 SPONSORED BY COUNCILOR THIBODEAUX

Deputy Mayor Shanahan moved for its adoption; seconded by Councilor Hinkel.
City Manager Joyal gave an overview of the Ordinance to the Council.
Roll Call Vote: 8/0.

B. ORDINANCES IN THE 3RD READING

C. RESOLUTIONS

1. ADOPTION OF FISCAL YEAR 2024 – 2029 CAPITAL IMPROVEMENTS PROGRAM (CIP) SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved for its adoption; seconded by Councilor Nemeth.
Councilor Cullen spoke about the Athletic Field project at the School.
Roll Call Vote: 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, October 26, 2022**
Meeting Time: **7:00 pm**

2. APPROPRIATION FOR FISCAL YEAR 2024 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 Shanahan moved for its adoption; seconded by Councilor Muffett-Lipinski.

Roll Call Vote: 8/0.

3. APPROPRIATION FOR FISCAL YEAR 2024 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 Shanahan moved for its adoption; seconded by Councilor Hinkel.
Roll Call Vote: 8/0.

4. APPROVAL OF LICENSE AGREEMENT FOR PILOT PUBLIC SYRINGE DISPOSAL PROGRAM
SPONSORED BY MAYOR CARRIER BY REQUEST

Moved up on the Agenda to follow the Mayor's Report.

5. AUTHORIZATION TO ACCEPT AND EXPEND THE NEW HAMPSHIRE DEPARTMENT OF EDUCATION SAFE GRANT AWARD FOR DOVER SCHOOL DISTRICT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved for its adoption; seconded by Councilor Hackett.
Roll Call Vote: 8/0.

13. NEW BUSINESS

A. CONSENT CALENDAR

- 1. APPROVAL OF UPDATE TO WELFARE GUIDELINES**
SPONSORED BY MAYOR CARRIER BY REQUEST
- 2. B20031 FIRE INSPECTION SERVICES AMENDMENT TO EXTEND THIRD AND FINAL YEAR**
SPONSORED BY MAYOR CARRIER BY REQUEST
- 3. Q23-013 STATE OF NH CONTRACT FOR CISCO SECURITY HARDWARE**
SPONSORED BY MAYOR CARRIER BY REQUEST



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, October 26, 2022**
Meeting Time: **7:00 pm**

COMMITTEE REPORTS

1. **School Board (Muffett-Lipinski)**
2. **Planning Board (Cullen)**
3. Appointments Committee (Williams)
4. Arena Commission (Hackett)
5. **Arts Commission (Nemeth)**
6. Board of Health (Thibodeaux)
7. Collaborative City Council and School Board (M-Lipinski)
8. Conservation Commission (Williams)
9. Downtown TIF Advisory Board (Hinkel)
10. Energy Commission (Thibodeaux)
11. Graffiti Management Ad Hoc Committee (Nemeth)
12. Heritage Commission (Nemeth)
13. Legislative Liaison (Shanahan)
14. Library Board of Trustees (Thibodeaux)
15. McConnell Center Advisory Committee (Thibodeaux)
16. Ordinance Committee (Shanahan)
17. Parking Commission (Hinkel)
18. Pool Advisory Committee (Hackett)
19. Racial Equity and Inclusion Ad-Hoc Committee (Nemeth)
20. Recreation Advisory Board (Shanahan)
21. Solid Waste Advisory Committee (Muffett-Lipinski)
22. Transportation Advisory Commission (Williams)
23. Waterfront TIF Advisory Board (Shanahan)
24. **Joint Building Committee – DHS (Carrier)**
25. COAST (Shanahan)
26. Coheco Waterfront Development Advisory Committee (Carrier)
27. Dover Main Street (Carrier)
28. Strafford Regional Planning Commission (Williams)
29. Government Affairs (Carrier)

Deputy Mayor Shanahan moved for the adoption of the Consent Calendar: seconded by Councilor Hinkel.

Mayor Carrier asked the Council if they had items they would like pulled for further discussion.

Councilor Hinkel pulled Item 13.A.1.

Roll Call Vote: 8/0.

Deputy Mayor Shanahan moved for the adoption of Item 13.A.1.; seconded by Councilor Hinkel.

Councilor Hinkel discussed the changes to the Public Welfare guidelines.

Roll Call Vote: 8/0.

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

Councilor Cullen gave an overview of the Planning Board Report to the Council.

Councilor Nemeth gave an overview of the Arts Commission Report to the Council.

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

B. RESOLUTIONS

1. **APPROVAL OF PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF DOVER, DOVER BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY AND APW PROPERTIES, LLC**
SPONSORED BY MAYOR CARRIER BY REQUEST

Moved up on the Agenda to follow the Mayor's Report.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, October 26, 2022**
Meeting Time: **7:00 pm**

**2. AUTHORIZATION TO ACCEPT AND EXPEND COPS GRANT 2022
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
(TO BE REFERRED TO A PUBLIC HEARING ON NOVEMBER 9, 2022.)**

Deputy Mayor Shanahan moved to refer to a public hearing on November 9, 2022;
seconded by Councilor Hinkel.
Vote: 8/0.

**3. AUTHORIZATION TO ACCEPT AND EXPEND PARTNERSHIP FOR SUCCESS
GRANT
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
(TO BE REFERRED TO A PUBLIC HEARING ON NOVEMBER 9, 2022.)**

Deputy Mayor Shanahan moved to refer to a public hearing on November 9, 2022;
seconded by Councilor Hackett.
Vote: 8/0.

**4. AUTHORIZATION TO ACCEPT AND EXPEND STOP ACT GRANT
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
(TO BE REFERRED TO A PUBLIC HEARING ON NOVEMBER 9, 2022.)**

Deputy Mayor Shanahan moved to refer to a public hearing on November 9, 2022;
seconded by Councilor Hinkel.
Vote: 8/0.

5. ORDINANCES IN 1ST READING

14. COUNCIL CORRESPONDENCE

15. COUNCIL MATTERS OF INTEREST

Councilor Williams recognized the City's Environmental Project Manager, Gretchen Young, for her being honored with the Gulf of Maine 2022 Visionary Award..

16. ADJOURN

Councilor Muffett-Lipinski moved to adjourn; seconded by Councilor Hackett.
Vote: 8/0.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2022.10.26 – 219**
Resolution Re: Acceptance of COPS Grant for City of Dover Police
Department

WHEREAS: The City of Dover Police Department has applied for and received a grant from the COPS (Community Oriented Policing Services) Office in the amount of \$250,000 to hire two new police officers; and

WHEREAS: This COPS grant provides funding that covers a period of three (3) years, with the final year (Year 4) being a required retention period for the officer hired with these grant funds; and

WHEREAS: This COPS grant requires a City cost share in the approximate amount of \$ 392,558 to be incurred over the period of Fiscal Year 2025 through Fiscal Year 2027; and

WHEREAS: In adhering to the requirements established per NH RSA 31:95-b and RSA 21-P:43, authorization by the City Council to expend the grant funds for eligible project costs is needed; and

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

The City of Dover hereby accepts the COPS grant for \$250,000 and agrees to the cost matching and retention period grant provisions.

AND, FURTHER BE IT RESOLVED;

The City Manager is authorized to sign the necessary documents to accept the COPS grant award for the City of Dover.

Financing			
Account	Description	Appropriation	Balance
TBD	COPS Grant	250,000.00	250,000.00

THIS RESOLUTION REQUIRES A PUBLIC HEARING AND A TWO-THIRDS MAJORITY TO ADOPT PURSUANT TO DOVER CHARTER C6-6.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan Mistretta
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2022.10.26 – 219**
Resolution Re: Acceptance of COPS Grant for City of Dover Police
Department

DOCUMENT HISTORY:

First Reading Date: 10/26/2022	Public Hearing Date: 11/09/2022
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Robert Hinkel, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Debra Hackett, Ward 4		
Councilor Fergus Cullen, Ward 6		
Councilor Linnea Nemeth, At Large		
Councilor Lindsey Williams, At Large		
Total Votes:		
Ordinance does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2022.10.26 – 219**
Resolution Re: Acceptance of COPS Grant for City of Dover Police
Department

RESOLUTION BACKGROUND MATERIAL:

In the spring of 2022, the Dover Police Department applied to the Department of Justice COPS (Community Oriented Policing Services) Office for a grant two police officers. The proposal was for the officers to enhance the department's abilities to respond to incidents involving mental illness and substance misuse. The City has been notified that it has been selected to receive the grant award.

The department will deploy two officers as an intervention team which will improve our response efforts focused on mental illness as well as education, prevention, and interventions related to the abuse of opioids and other substances in Dover. The team will complement the work done by the department's social worker. This collaboration will provide for the best possible outcomes for those suffering from mental illness and substance misuse. Whenever possible, people will be contacted in the field by this highly trained team of officers and then our social worker will assist by referring the individuals to the community resources best equipped to assist those in need.

The officers will receive advanced training in topics such as crisis intervention, suicide prevention, critical incident stress management, and peer to peer crisis intervention to better serve those suffering from mental illness and substance misuse and addiction as well as officer wellness.

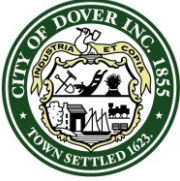
The grant award is for a maximum federal cost share of \$250,000. The remainder of the cost of the police officers, approximately \$392,558, is the responsibility of the City.

The grant period is 4 years. Three of those years are partially funded by the grant and the fourth year, the required retention period, is paid for exclusively by the City. See the below breakdown for the cost sharing between the grantor and the City.

	<u>Federal Share</u>	<u>Dover Share</u>
Year 1 (FY25)	\$125,000	\$80,889
Year 2 (FY26)	\$75,000	\$139,053
Year 3 (FY27)	\$50,000	\$172,616
Total	\$250,000	\$392,558

The addition of these police officers will bring the police department's authorized sworn strength to 56 officers. These additional officers also provide the ability for the department to enhance our response to the mental health and substance misuse calls for service involving the Dover community while also continuing to focus on the mental health and wellness of our own staff.

Acceptance of the COPS Grant will require that the City include in its operating budget the necessary funding in future years to meet City cost matching and retention requirements of the grant.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R - 2022.10.26 – 220**

Resolution Re: Authorization to Accept and Expend Partnership for Success Grant funded by US Substance Abuse and Mental Health Services Administration (SAMHSA)

WHEREAS: The City of Dover Police Department has applied for the Partnership for Success Grant funded by the US Substance Abuse and Mental Health Services Administration (SAMHSA) in the amount of \$375,000 each year for five years for a total of \$1,875,000; and

WHEREAS: The Partnership for Success grant is designed to help reduce the onset and progression of substance misuse and its related problems by supporting the development and delivery of community substance misuse prevention and mental health promotion services; and

WHEREAS: In adhering to the requirements established per NH RSA 31:95-b and RSA 21-P:43, authorization by the City Council to expend the grant funds for eligible project costs is needed; and

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

In accordance with NH RSA 31:95-b and RSA 21-P:43, the City Manager is authorized to expend the grant funds awarded to the City of Dover, and any funding received is hereby appropriated for said purposes. The City Council, in a majority vote, accepts the terms and requirements of the Grant, and authorizes the City Manager to sign all necessary paperwork for the grant as well as contract(s) with a vendor, consistent with the authority herein.

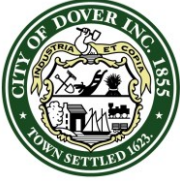
AND, FURTHER BE IT RESOLVED THAT:

In expending funds for eligible costs identified in the grant, the Purchasing Agent is hereby authorized to issue Purchase Orders as set forth in the duties and responsibilities of Dover Code Chapter V, Purchasing Procedure. The City Manager, or designee, is hereby authorized to contract with vendors 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
TBD	Partnership for Success Grant	375,000.00	annually

THIS RESOLUTION REQUIRES A PUBLIC HEARING AND A TWO-THIRDS MAJORITY TO ADOPT PURSUANT TO DOVER CHARTER C6-6.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R - 2022.10.26 – 220**

Resolution Re: Authorization to Accept and Expend Partnership for Success Grant funded by US Substance Abuse and Mental Health Services Administration (SAMHSA)

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

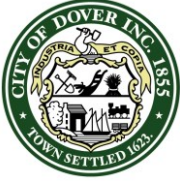
DOCUMENT HISTORY:

First Reading Date: 10/26/2022
Approved Date:

Public Hearing Date: 11/09/2022
Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Robert Hinkel, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Debra Hackett, Ward 4		
Councilor Fergus Cullen, Ward 6		
Councilor Linnea Nemeth, At Large		
Councilor Lindsey Williams, At Large		
Total Votes:		
Ordinance does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

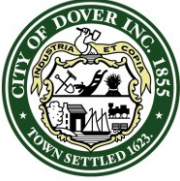
Agenda Item#: 12.C.2.

Resolution Number: **R - 2022.10.26 – 220**

Resolution Re: Authorization to Accept and Expend Partnership for Success Grant funded by US Substance Abuse and Mental Health Services Administration (SAMHSA)

RESOLUTION BACKGROUND MATERIAL:

The City of Dover's Partnership for Success Grant will build capacity to launch effective, data-driven collaborative community-based strategies to prevent the onset and reduce the progression of substance misuse and its collateral problems while promoting mental health and wellbeing. We have identified three community prevention priorities which are addressing underage drinking and its related consequences, decreasing vaping use (both THC and nicotine) and reducing the onset and progression of opioid/prescription drug misuse. This effort will strengthen and expand prevention capacity to deliver evidence based prevention programs by increasing Dover Coalition for Youth membership. It will reduce youth alcohol use, as measured by the Youth Risk Behavior Survey, by implementation of evidence-based prevention strategies and the launch of a new social norming campaign. Another outcome of the grant will be an increase in the perception of peer disapproval of vaping, and increase perception of vaping-related risk among middle and high school aged youth to reduce use by youth. The department will conduct parent trainings and implement evidence-based strategies for prevention. The Dover Coalition for Youth will increase capacity to identify youth substance misuse and mental health problems by expanding diversion programs resulting in increased referrals to treatment and recovery services. Lastly, we will increase our ability to identify youth substance misuse and mental health problems by creating and expanding programs focused on affecting as many youth as possible. We will also implement an Adverse Childhood Experience Response Team, promote Mental Health First Aid trainings and implement appropriate evidence based interventions identified by our research.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.3.

Resolution Number: **R - 2022.10.26 – 221**

Resolution Re: Authorization to Accept and Expend STOP Act Grant funded by US Substance Abuse and Mental Health Services Administration (SAMHSA)

WHEREAS: The City of Dover Police Department has applied for the Sober Truth on Preventing Underage Drinking Act (STOP Act) Grant funded by the US Substance Abuse and Mental Health Services Administration (SAMHSA) in the amount of \$50,000 each year for four years for a total of \$200,000; and

WHEREAS: The STOP Act grant is designed to prevent and reduce alcohol use among youth and young adults ages 12-20 years old and reduce negative consequences associated with underage drinking; and

WHEREAS: In adhering to the requirements established per NH RSA 31:95-b and RSA 21-P:43, authorization by the City Council to expend the grant funds for eligible project costs is needed; and

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

In accordance with NH RSA 31:95-b and RSA 21-P:43, the City Manager is authorized to expend the grant funds awarded to the City of Dover, and any funding received is hereby appropriated for said purposes. The City Council, in a majority vote, accepts the terms and requirements of the Grant, and authorizes the City Manager to sign all necessary paperwork for the grant as well as contract(s) with a vendor, consistent with the authority herein.

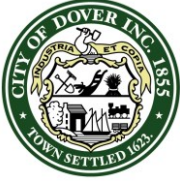
AND, FURTHER BE IT RESOLVED THAT:

In expending funds for eligible costs identified in the grant, the Purchasing Agent is hereby authorized to issue Purchase Orders as set forth in the duties and responsibilities of Dover Code Chapter V, Purchasing Procedure. The City Manager, or designee, is hereby authorized to contract with vendors 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
TBD	STOP Act Grant	50,000.00	annually

THIS RESOLUTION REQUIRES A PUBLIC HEARING AND A TWO-THIRDS MAJORITY TO ADOPT PURSUANT TO DOVER CHARTER C6-6.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.3.

Resolution Number: **R - 2022.10.26 – 221**

Resolution Re: Authorization to Accept and Expend STOP Act Grant funded by US Substance Abuse and Mental Health Services Administration (SAMHSA)

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

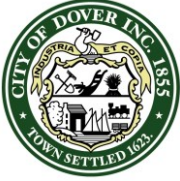
DOCUMENT HISTORY:

First Reading Date: 10/26/2022
Approved Date:

Public Hearing Date: 11/09/2022
Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Robert Hinkel, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Debra Hackett, Ward 4		
Councilor Fergus Cullen, Ward 6		
Councilor Linnea Nemeth, At Large		
Councilor Lindsey Williams, At Large		
Total Votes:		
Ordinance does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.3.

Resolution Number: **R - 2022.10.26 – 221**

Resolution Re: Authorization to Accept and Expend STOP Act Grant
funded by US Substance Abuse and Mental Health Services
Administration (SAMHSA)

RESOLUTION BACKGROUND MATERIAL:

The City of Dover's STOP Act grant will seek to prevent and reduce alcohol use among youth and young adults ages 12-20 by strengthening our prevention programming in the community, raising the perception of harm of underage and high risk drinking by youth, and integrating tailored prevention programming within the community. The first goal of the project is to increase the organizational capacity of the Dover Coalition for Youth to strengthen prevention programming in an effort to reduce underage and high risk drinking among youth. The second goal is to raise the perception of harm of underage and high-risk drinking by highlighting the science of alcohol's impact on brain development and addressing emerging products that pose a risk of increasing underage drinking. The third goal is to integrate tailored prevention programming for high-risk populations. The fourth goal is to enhance liquor licensee oversight and collaboration to reduce youth access to alcohol by working closely with the NH Liquor Commission's Bureau of Enforcement to offer training to licensees while also following up with licensees after a violation has occurred.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.1.

Resolution Number: **R – 2020.11.09 – 222**
Resolution Re: B21016 Snow Plowing/Hauling Services Amendment to
Extend Third and Final Year

WHEREAS: A sealed Request for Bid #B21016 was requested and received for “As Needed” Snow Plowing/Hauling Services for City Streets and Parking Lots on October 13, 2020 at 2:30 p.m. Contract terms will be for one winter season effective November 1, 2020 with the provision of two, one-year extensions contingent upon satisfactory vendor performance, funding availability and mutually agreed upon negotiated rates for said subsequent years of service; and

WHEREAS: Nine responses were received from multiple vendors, as outlined in the results page of the request for bid, for various pieces of equipment at varying hourly rates and awarded via Resolution [R-2020.10.28-177](#). The City accepted option for the year one extension and is also seeking acceptance of year two of the extension for this third and final year of this bid. The rates as well as hourly rate increases for both extensions are attached to the link provided in background section of this resolution This vendor has, or likely will exceed \$25,000 threshold for FY23, thereby requiring council approval; and

WHEREAS: There is typically a sufficient number of vendors listed for snow plowing of municipal parking lots and snow hauling services, however, there is an insufficient number of responses for snow plowing of City streets. Due to difficulty in locating vendors and equipment suited to the City’s snow plowing requirements, additional qualified vendors may be added as discovered and approved by the Community Services Director for snow plowing and hauling services.

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

The Purchasing Agent is hereby authorized to issue Purchase Orders to the vendors identified given the rates provided for this final year and in conjunction with Bid #B21016 for snow plowing/hauling services as needed. Additional qualified vendors may be added as discovered and approved by the Community Services Director. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

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

Financing			
Account	Description	Appropriation	Balance
1000.1.300.43125.4422.00000.00	Contract Snow Plowing	80,000.00	75,609.00

AUTHORIZATION

Approved as Daniel R. Lync Sponsored Mayor Robert
Fund Carrier
Finance Direct By Request

Approved as to Le Joshua Wyatt
Form and Compliar City Attorney

Recorded Susan Mistretta
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.1.

Resolution Number: **R – 2020.11.09 – 222**
Resolution Re: B21016 Snow Plowing/Hauling Services Amendment to
Extend Third and Final Year

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 Shanahan		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Robert Hinkel, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Debra Hackett, Ward 4		
Councilor Fergus Cullen, Ward 6		
Councilor Linnea Nemeth, 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.1.

Resolution Number: **R – 2020.11.09 – 222**
Resolution Re: B21016 Snow Plowing/Hauling Services Amendment to
Extend Third and Final Year

RESOLUTION BACKGROUND MATERIAL:

The Community Services Department has found that it is beneficial to engage outside contractors for some assistance with snow and ice removal responsibilities, as opposed to trying to tackle everything in-house. It is extremely helpful to have additional large loader assistance to tackle certain parking lots, as the City has a limited number of loaders, and some have to be assigned to street routes out of necessity. It is also helpful to have access to equipment (such as a road grader) that the City doesn't have in inventory. The intent is to also offer 1 or 2 primary plow routes to an outside contractor. Snow removal requires contributions from virtually every Community Services employee, so the goal is to engage a couple of outside contractors to provide regular assistance. This should help ensure adequate vehicle, equipment and personnel coverage to get through the winter season.

The City offered a one winter season contract beginning November 1, 2020 through May 1, 2021 to the successful bidders, with the provision of two, one-year extensions, all options contingent upon satisfactory vendor performance, funding availability and mutually agreed-upon negotiated rates for said subsequent years of service.

Award Information:

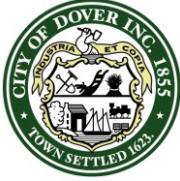
Purchase orders will be issued to the multiple vendors for the winter plowing season to be used as needed.

The City accepted option for the year one extension and is also seeking acceptance of year two of the extension for this third and final year of this bid. The rates as well as hourly rate increases for both extensions are attached to the link provided below.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	146	Number of Responses:	9
Warranty:	N/A	Terms:	Net 30, FOB Dover
Work Bonded:	N/A	Contract:	Yes
Prices will hold for:	May 1, 2023	Estimated Delivery:	As needed
Recommended Award to:	Various	Fund:	Snow Removal
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

[B21016 Bid Documents and Vendors](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2022.11.09 – 223**

Resolution Re: Authorization for Issuance of Tax Anticipation Note for
Fiscal Year 2022

WHEREAS: Each fiscal year the City issues the first half tax bill in November with a due date in December, and issues the second half tax bill in May with a due date in June, resulting in first half tax bill collections being six-months after the start of the fiscal year, and the second half tax bill collections being at the end of the fiscal year; and

WHEREAS: Each December the City has two significant payments to made from the City treasury, a payment to the County for their annual property tax apportionment to the City being \$9,848,433 for the current fiscal year, and the City's mid-year debt service payments being \$4,027,966 for the current fiscal year; and

WHEREAS: The City has not obtained a certified property tax rate for fiscal year 2023 (tax year 2022) at this time, and it appears that sufficient property tax collections will not occur by December 15th to make debt service payments and County property tax payment; and

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

In accordance with the Municipal Finance Act, the provisions of RSA 33:7 *Tax Anticipation Notes* and RSA 33:9, *City Bonds* (and tax anticipation notes), the City is hereby authorized to borrow \$10,000,000 (Ten Million) to meet its cash flow needs by issuing tax anticipation notes for fiscal year 2023 tax levy and to authorize the City Manager and City Treasurer to issue such tax anticipation notes, with the notes to be signed by the City Manager and countersigned by the City Treasurer and with the Finance Director and the City Treasurer having the discretion of fixing the date, maturities, denominations, place of payment, interest rate or discount rate and other terms as are deemed to be in the best interests of the City and to provide for the sale of the notes.

AND FURTHER BE IT RESOLVED THAT:

The General Fund budget is hereby amended to make an appropriation for repayment of the Tax Anticipation Note as follows:

Budget Amendment		Adopted	Budget	Revised
Account	Description	Budget	Amendment	Budget
1000.1.500.47100.4920.00000.00.000.000.920	Principal Payments - Tax Anticipation Notes	\$0.00	\$10,000,000.00	\$10,000,000.00
	Total Appropriations	\$0.00	\$10,000,000.00	\$10,000,000.00
1000.1.500.47100.3934.00000.00.000.000.R90	Proceeds from Tax Anticipation Notes	\$0.00	(\$10,000,000.00)	(\$10,000,000.00)
	Total Revenues	\$0.00	(\$10,000,000.00)	(\$10,000,000.00)

NOTE: This resolution requires a public hearing and 2/3 favorable vote of all members for passage.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2022.11.09 – 223**

Resolution Re: Authorization for Issuance of Tax Anticipation Note for
Fiscal Year 2022

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:
Approved Date:

Public Hearing Date:
Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Robert Hinkel, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Debra Hackett, Ward 4		
Councilor Fergus Cullen, Ward 6		
Councilor Linnea Nemeth, At Large		
Councilor Lindsey Williams, At Large		
Total Votes:		
Resolution does does not pass.		



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Agenda Item#: 13.B.1.

Resolution Number: **R – 2022.11.09 – 223**

Resolution Re: Authorization for Issuance of Tax Anticipation Note for
Fiscal Year 2022

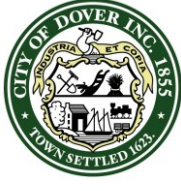
RESOLUTION BACKGROUND MATERIAL:

In accordance with RSA 33:7 *Tax Anticipation Notes*, the City may incur debt in anticipation of the taxes of the fiscal year in which the debt is incurred, in order to pay current maintenance and operation expenses, and may issue notes therefor to an aggregate principal amount not exceeding the total tax levy during the preceding fiscal year. RSA 33:9 requires a 2/3 vote of the members to authorize a tax anticipation note.

It is forecasted that the earliest Dover will receive a certified tax rate from the New Hampshire Department of Revenue Administration is November 30th, 2022. This would result in fiscal year 2023 first half tax bill being issued on or about December 8th, 2022 with a due date of January 9th, 2023. Provided property tax collections are consistent with prior years there will be insufficient tax collections in one week to make timely payment of operation expenses, mid-year debt service payments due December 15th, and the County's property tax apportionment due December 16th.

City of Dover			
Cashflow Analysis			
Calendar Year 2022			
Month	Actual/Estimated Receipts	Actual/Estimated Payments	Cumulative
Cash on Hand			
January 2022	31,582,086		
January	16,496,274	14,497,355	33,581,005
February	5,443,413	12,553,915	26,470,503
March	6,594,980	13,068,639	19,996,844
April	7,540,593	13,435,553	14,101,884
May	46,450,050	14,840,087	45,711,847
June	16,710,578	21,443,962	40,978,463
July	4,015,123	11,379,619	33,613,967
August	5,942,355	11,772,166	27,784,156
September	6,488,102	13,748,245	20,524,013
October	3,497,549	11,622,324	12,399,238
November	8,031,000	12,214,155	8,216,083
December	13,974,000	31,707,587	-9,517,504

Repayment of interest on the Tax Anticipation Note will be made from existing appropriations in the budget for bond issuance costs.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 13.C.1. Ordinance Number: O – 2022.11.09 – 013 Ordinance Title: Peace and Good Order Chapter: 105 Section: 16 Hunting and Target Shooting on City Property
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The City of Dover Ordains:

1. **PURPOSE**

The purpose of this ordinance is to update Chapter 105, Section 16 of the City of Dover’s Code by amending the prohibitions of hunting and target shooting to include a 26-acre parcel owned by the City of Dover on Sullivan Drive.

2. **AMENDMENT**

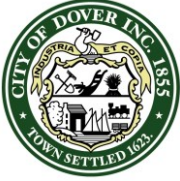
Chapter 105 entitled “Peace and Good Order” is hereby amended by revising Section 16, “Hunting and Target Shooting on City Property”, as follows:

a. **THE FOLLOWING ARE AMENDED:**

§ 105-16 **Hunting and target shooting on City property.**

A. No person shall hunt wildlife or engage in target shooting with firearms in or on the following properties:

- (1) All Dover public school facilities and adjacent parks.
- (2) Willand Pond Recreation Area.
- (3) Dover Community Trail.
- (4) Tolend Landfill.
- (5) Pine Hill Cemetery.
- (6) Guppey Park.
- (7) Dover Community Services facilities on Mast Road.
- (8) Wastewater Treatment Plant.
- (9) Bellamy Park.
- (10) Maglaras Park.
- (11) Garrison Hill Park.
- (12) The Dover Community Services (Facilities, Grounds and Cemeteries) facility at 145 Court street.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2022.11.09 – 013**
Ordinance Title: Peace and Good Order
Chapter: 105
Section: 16 Hunting and Target Shooting on City Property

(13) Sullivan Field and Playground, inclusive of all of the surrounding City-owned parcel comprising Tax Map D-5.

- B. The City Manager may provide for the posting of these City-owned properties against hunting and target shooting with firearms pursuant to RSA 635:4.
- C. Penalties. Any person violating the provisions of this section shall be subject to a fine as provided in the City Fine Schedule per offense.

3. TAKES EFFECT

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

REQUIRES PUBLIC HEARING

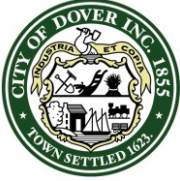
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor Fergus Cullen

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

Recorded by: Susan M. Mistretta
City Clerk



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

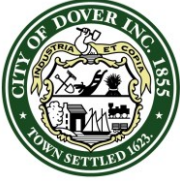
Ordinance Number: **O – 2022.11.09 – 013**
Ordinance Title: Peace and Good Order
Chapter: 105
Section: 16 Hunting and Target Shooting on City Property

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 Shanahan		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Robert Hinkel, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Debra Hackett, Ward 4		
Councilor Fergus Cullen, Ward 6		
Councilor Linnea Nemeth, At Large		
Councilor Lindsey Williams, At Large		
Total Votes:		
Ordinance does does not pass.		



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2022.11.09 – 013**
Ordinance Title: Peace and Good Order
Chapter: 105
Section: 16 Hunting and Target Shooting on City Property

ORDINANCE BACKGROUND MATERIAL:

This ordinance amendment is intended as a public safety measure to avoid situations where hunting or target shooting from occurring in proximity to areas where children or others are playing on City-owned property. Specifically, the City owns a 26-acre parcel located on Sullivan Drive, known as Sullivan Field and Playground and identified as Tax Map D-25, excerpted below. Despite its use as a public recreation area, the Sullivan Field and Playground parcel has reportedly been used recently for hunting. There is no current prohibition on hunting or target shooting at Sullivan Field and Playground. Existing statutes prohibiting the discharge of firearms only apply within the “compact part” of the City, defined to include any park, playground, or other outdoor public gathering space designated by City Council, *see* RSA 644:13, II(b).

