



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, December 14, 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. **CHAPTER 105 – PEACE AND GOOD ORDER, SECTION 16**
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. **November 9, 2022 – Regular Meeting**
 - B. **November 30, 2022 – Special Meeting**
 - C. **November 30, 2022 – Workshop Session**
 - D. **December 7, 2022 – Joint Meeting of the City Council and School Board**

11. **MAYOR'S REPORT**

12. **UNFINISHED BUSINESS**

- A. **ORDINANCES IN THE 2nd READING**

1. **CHAPTER 105 – PEACE AND GOOD ORDER, SECTION 16**
SPONSORED BY MAYOR CARRIER BY REQUEST

2. **ORDINANCES IN THE 3RD READING**

3. **RESOLUTIONS**

13. **NEW BUSINESS**

- A. **CONSENT CALENDAR**

1. **AWARD OF SERVICE CONTRACT WITH CARRIER CORPORATION - SOLE SOURCE**
SPONSORED BY MAYOR CARRIER BY REQUEST

2. **B11001 DESIGN SERVICES FOR STARK AVENUE AND DOWNTOWN AREA**
SEWER REHABILITATION PROJECT-PHASE C AMENDMENT ONE
SPONSORED BY MAYOR CARRIER BY REQUEST



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3. **B13052 EMULSION POLYMER EXTENSION WITH SOLENIS LLC**
SPONSORED BY MAYOR CARRIER BY REQUEST
4. **B18013 DESIGN SERVICES FOR COMMUNITY TRAIL EXPANSION PHASE IV AMENDMENT ONE**
SPONSORED BY MAYOR CARRIER BY REQUEST
5. **B20073 DESIGN CONSULTING SERVICES FOR THE LOWER CENTRAL AVENUE IMPROVEMENT PROJECT - ADDITIONAL SCOPE OF WORK #2**
SPONSORED BY MAYOR CARRIER BY REQUEST
6. **B21048 RFP22-001 CONSULTING SERVICES FOR HENRY LAW PARK BEST MANAGEMENT PRACTICES**
SPONSORED BY MAYOR CARRIER BY REQUEST
7. **B23007 AWARD OF BID FOR ELEVEN MULTIFUNCTIONAL PRINTER, COPIER AND FAX/SCANNING UNITS**
SPONSORED BY MAYOR CARRIER BY REQUEST
8. **B23032 PROFESSIONAL CONSULTING SERVICES – CONSULTANT FOR DEVELOPING IMPACT FEE METHODOLOGIES**
SPONSORED BY MAYOR CARRIER BY REQUEST
9. **B23039 HIGH PERFORMANCE COLD PATCH AND/OR HOT PATCH**
SPONSORED BY MAYOR CARRIER BY REQUEST
10. **DOVER CITYWIDE AQUIFER MANAGEMENT PLANNING - EMERY & GARRETT GROUNDWATER INVESTIGATIONS AMENDMENT ONE**
SPONSORED BY MAYOR CARRIER BY REQUEST
11. **PURCHASE OF TWO (2) ALLEN BRADLEY (VFD) VARIABLE FREQUENCY DRIVES FOR AERATION BLOWER UPGRADE PROJECT**
SPONSORED BY MAYOR CARRIER BY REQUEST
12. **APPROVAL OF DIRECTOR OF INFORMATION TECHNOLOGY OF THE CITY OF DOVER EMPLOYMENT AGREEMENT**
SPONSORED BY MAYOR CARRIER BY REQUEST
13. **APPROVAL OF DIRECTOR OF MEDIA SERVICES OF THE CITY OF DOVER EMPLOYMENT AGREEMENT**
SPONSORED BY MAYOR CARRIER BY REQUEST
14. **AUTHORIZATION TO EXECUTE DEFAULT SERVICE REIMBURSEMENT AGREEMENT BETWEEN STANDARD POWER OF AMERICA, INC. AND THE CITY OF DOVER**
SPONSORED BY MAYOR CARRIER BY REQUEST



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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 Commission (Muffett-Lipinski)**
22. **Transportation Advisory Commission (Williams)**
23. **Waterfront TIF Advisory Board (Shanahan)**
24. **Joint Building Committee – DHS (Carrier)**
25. **COAST (Shanahan)**
26. **Cochecho Waterfront Development Advisory Committee (Carrier)**
27. **Dover Main Street (Carrier)**
28. **Strafford Regional Planning Commission (Williams)**
29. **Government Affairs (Carrier)**

B. RESOLUTIONS

1. **FISCAL YEAR 2024 BUDGET GUIDANCE**
SPONSORED BY MAYOR CARRIER
2. **B23031 AWARD OF BRIDGE REPAIRS – CHESTNUT STREET BRIDGE OVER COCHECHO RIVER**
SPONSORED BY MAYOR CARRIER BY REQUEST
3. **B23043 MULTIHOG CX75 ARTICULATED SIDEWALK TRACTOR WITH VARIOUS RELATED ACCESSORIES – SOURCEWELL CONTRACT #030619**
SPONSORED BY MAYOR CARRIER BY REQUEST
4. **AUTHORIZATION TO ACCEPT AND EXPEND THE NHHFA INVESTNH MUNICIPAL PLANNING AND ZONING GRANT**
(REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL.)
(TO BE REFERRED TO A PUBLIC HEARING ON JANUARY 11, 2023.)
SPONSORED BY MAYOR CARRIER BY REQUEST

C. ORDINANCES IN 1ST READING

1. **CHAPTER 9 – BOARDS, COMMISSIONS AND COMMITTEES, SECTION 8**
(TO BE REFERRED TO A PUBLIC HEARING ON JANUARY 11, 2023.)
SPONSORED BY MAYOR CARRIER BY REQUEST

14. COUNCIL CORRESPONDENCE

15. COUNCIL MATTERS OF INTEREST

16. ADJOURN

CITY MANAGER'S REPORT

December 14, 2022

Reporting On:
November 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 November 2022:

	For Month	FY23	FY22	FY21	FY20	FY19
Legal Matters/Questions Handled	77	409	790	703	466	342
Review Existing Legal Contracts & Draft Memo	11	78	161	-	-	-
Legal Contracts/Memo Created	22	61	214	350	256	269
Right to Know Requests Processed	10	30	78	51	49	41
Resolutions	4	33	74	73	75	53
Ordinances	0	7	24	19	10	18
Leases	0	0	13	-	-	-
Primex Auto Claims Handled	6	25	46	-	-	-
Primex Liability Claims Handled	7	27	70	-	-	-
Primex Property Claims Handled	2	15	68	-	-	-

Right to Know Requests

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

- Stalwart Investments – request for Primex bond and insurance information
- Boomerang Data – list of all uncashed checks or warrants for all outstanding dollar amounts that are older than 6 months
- Richard Strahan – request for 2000-2022 motor vehicle records of theft or unauthorized use
- Catalfo Law Offices – request for Police Department policies
- Voter Reference Foundation – request for public checklist for 2022 general election
- Diane Carpinone – request for labels, invoices and report of use of pesticides by the City and SAU
- Deltek, Inc. – request for solicitation information for #B22068 Catch Basin Cleaning Services
- Buckley Law Office – request of policy of insurance including umbrella coverage and limits of liability
- Trileaf – records pertaining to reports of spills, leaks, underground storage tanks, above ground storage tanks, hazmat responses, permitting or other records of environmental interest for five properties on Central Avenue (679, 691, 673, 677 and 681)
- Trileaf - records pertaining to reports of spills, leaks, underground storage tanks, above ground storage tanks, hazmat responses, permitting or other records of environmental interest for 701 Central Avenue

Assistance to City Departments

City Council & City Boards	Attention to resolutions and ordinances as needed or requested by City Council or individual members.
Community Services	Assistance with driveway permit enforcement issues; assistance with water/sewer questions and enforcement; assistance with easement drafting for infrastructure projects; assisted with code enforcement matter; assistance with public right of way encroachment; review of Chapter 141 for potential updates; review and update on dam relicensing before the Federal Energy Regulatory Commission; review and research related to status of local cemetery; assistance with Waste Management contract administration.
Executive	Participated in Community Mental Health staff survey and review of draft plan; assisted with revising and updating City Hall Use Agreement for Dover 400; assistance with planning NHMA legislative preview in January 2023 to be hosted in Dover for the Seacoast area; assistance with proposed purchase/sale agreements
Finance	Assistance with bankruptcy filings; assistance with notices of foreclosure; track and file City claims with Primex; assistance with collection efforts; assistance with inquiry into one charitable trust; assistance with auditor letter; review LUCT (Land Use Change Tax) issue with assessing; assisted with fee schedule.
Fire & Rescue	Assistance with code enforcement; assisted with process improvement for Energov; assisted with prior building permit.
Planning	Assistance with code enforcement; assistance with possible zoning ordinance recodification and amendments; assistance with preparing grant agreement.
Police	Assisted with drafting proposed tower lease for Strafford County; assistance with RSA 91-A inquires; assistance with parking enforcement inquiries.
Public Library	Review a template use agreement and policy.
Public Welfare	No assistance needed.
Recreation	No assistance needed.
School	Assistance with RSA 91-A and requests; assistance with various contract reviews; assistance with FERPA and other compliance questions; review of and revision to proposed School Board 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. Trial is scheduled for May 2023.

-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 denied. The case was then appealed by Mr. and Mrs. Hebbard. The Supreme Court has completed the transcript and recently issued an appeal briefing schedule. The City's brief or memorandum of law is due by March 3, 2023.

1

-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 completed. 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. The parties are in the process of fulfilling the other obligations of the earlier stipulation they entered into, which includes conveyance of an easement and a mutual release.

-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. In October 2022, the respondents filed an answer.

-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. In November 2022, the plaintiffs filed an objection, to which the defendants filed a reply. Plaintiffs are currently seeking permission to file a surreply memorandum. Case has not yet been scheduled for discovery.

-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 parties filed a joint motion to vacate the planning board's order and remand the matter, which the Court granted (terminating the Superior Court 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 in U.S. District Court by a citizen against 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. The Court has denied the plaintiff's requests for a preliminary injunction, following the most recent of which the plaintiff filed an interlocutory appeal to the U.S. First Circuit Court of Appeals. As a result of the interlocutory appeal, the trial Court has stayed further proceedings at this time pending resolution of the interlocutory appeal.

Garry Lane et al v. City of Dover et al. - In October 2022, abutters filed an appeal of a decision of the Zoning Board of Adjustment granting an equitable waiver of dimensional requirements. The City is in the process of drafting an answer and preparing a certified record for filing with the Superior Court.

Pamela Leighton et. al. v. City of Dover et al - In November 2022, representatives of the estates of two decedents filed a tort action in Strafford Superior Court, naming as defendants a former Dover police officer and the City of Dover. The City is in the processing of responding to the Complaint.

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
November 2022	32	33	11

New Business / Commercial Development / Downtown Updates

- ★ Two retail shops collaborated into one space and relocated to 394 Central Avenue.
- ★ A vegan café reopened, under new ownership, at 6 Third Street.
- ★ A new jewelry shop opened at 460 Central Avenue.
- ★ A small fire downtown caused several businesses to close for a few days. All of the businesses have since reopened and are fully operational.
- ★ The “Plaid Friday” and “Shop Small Saturday” efforts to support small and independent retailers, were very successful. The City offered free parking to those wishing to patronize local businesses, and some businesses saw an increase in revenues from the previous year.
- ★ The Office of Business Development collaborated with the City’s Outreach Coordinator to develop a survey for businesses in response to a request for assistance from the Dover 400th Committee. The survey was well received and businesses were happy to provide feedback for an upcoming Block Party, in July, which will be a part of the festivities planned for the City’s 400th celebration.
- ★ The Dover Retail Committee reconvened and hosted a meet & greet. Several new business owners worked together to plan a Holiday Stroll event for the upcoming holiday shopping season.

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 five online meetings during November 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 November 2, 9, 16, 23 & 30 with Horsley-Witten and Ironwood to discuss numerous waterfront issues.
 - Met with the Deputy City Manager two times during November to provide project updates.
 - Had five telephones call with CWDAC Chair during November about the rebid process, CWDAC meeting and the architect RFP.
 - Held a meeting on November 2 to discuss strategy for rebidding the construction bid with City Manager, Deputy City Manager and Community Services staff.
 - Had a telephone call on November 7 with the artist selected to create a sculpture for the 400th celebration on potential locations and schedules.
 - Held online meeting on November 10 with City Engineer Mavrogeorge, Horsley Witten staff and Cathartes to discuss building foundation issues and project coordination.
 - Held online meeting on November 14 with CWDAC member and Cathartes staff to discuss possibility of crew club building location in waterfront park.
 - Held a pre-bid meeting on November 15 for an RFP to hire an architect to design the park building, with potential architectural companies, Finance Department staff, Community Services staff and Recreation Director.
 - Had phone calls with Cathartes Project Manager on November 3 & 30 to discuss bid process, permitting and project schedules.
 - Held a CWDAC meeting on November 15 to discuss sub-committee recommendations on crew clubs and rebid process.
 - Had telephone calls with CWDAC Vice Chair on November 15 and 28 about CWDAC meeting topics and publicity for the project.
 - Held an online meeting on November 16 with Community Services staff and Horsley Witten Project Manager about contracts, change orders and deliverables.

Economic Activity

- ✚ Retail and restaurant sales are mixed, with some local establishments reporting weaker than expected results. A few establishments have reported an increase in year over year sales due to strong media, promotions, and online sales campaigns.
- ✚ Some restaurants and retailers are beginning to see an uptick in hiring. One local restaurant reported having a surplus of help, as did one retailer. Overall employment is roughly steady but labor demand weakened for some industries. Competition for specialized workers remains in strong demand.
- ✚ An automotive dealer in the area said high borrowing costs will have an impact on sales in the coming months. Demand for Hybrid and electric vehicles remains high, while inventory is low.
- ✚ Multiple contacts are expecting an economic downturn in the coming year, but are working on building more resilient business models to withstand any impending declines in sales 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
October 2021	18,180	2.30%	\$350,000	17
October 2022	18,880	2.30%	\$395,000	21

Housing metrics obtained from NHAR-Stafford County.

Parking Division

Oct-22	Oct-22	Oct-21	Oct-20	Fiscal YTD 2023	Fiscal Year 2022	Fiscal Year 2021	Fiscal Year 2020	Fiscal Year 2019
Meter Activity - Total								
Meter Transactions	43,138	38,627	35,443	175,790	485,571	385,006	442,999	466,721
Income at Meters	\$84,882	\$71,254	\$63,320	\$334,997	\$911,476	\$676,715	\$836,199	\$648,806
Active Meter Days	25	25	26	102	301	302	292	249
Average Daily Meter Transactions	1,726	1,545	1,363	1,723	1,613	1,275	1,517	1,874
Meter Activity - Parking Garage								
Meter Transactions	3,139	2,663	1,749	10,297	31,151	11,463	36,219	34,749
Income from Meters	\$8,591	\$7,248	\$4,453	\$28,130	\$89,464	\$62,637	\$88,142	\$61,468
Active Meter Days	25	25	26	102	301	302	292	249
Average Daily Meter Transactions	126	107	67	101	103	74	124	148
Parking Permit Activity								
Total Parking Permits Issued	767	836	720	3,091	9,232	8,756	6,809	6,767
Residential Permits Issued	26	35	38	109	420	473	441	637
Business Permits Issued	741	801	682	2,982	8,812	8,283	6,499	6,130
Permit Income	\$21,466	\$22,512	\$14,424	\$144,489	\$344,367	\$265,168	\$246,485	\$232,682
Parking Ticket Activity								
Total Parking Tickets Issued	722	592	543	2,698	8,460	6,588	7,835	8,188
Accessible Space Tickets Issued	3	4	3	26	41	21	72	141
Winter Restriction Tickets Issued	0	0	0	70	495	486	186	331
Parking Ticket Income	\$14,103	\$13,554	\$11,910	\$55,968	\$197,012	\$160,519	\$180,148	\$168,062
Electric Vehicle Charging Stations								
Number of times Stations Used	85	28	11	256	316	100	233	not captured
Charging Station Income	\$944	\$173	\$39	\$2,315	\$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
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
October 2022	2,807	3,323	1,204	190

J. MICHAEL JOYAL, JR.
CITY MANAGER



CITY OF DOVER

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1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Hackett 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, Councilor Thibodeaux, and Councilor Williams.

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

5. PROCLAMATIONS/AWARDS

Mayor Carrier read a proclamation regarding National American Indian Heritage Month.

6. APPROVAL OF AGENDA

Deputy Mayor Shanahan moved to accept the Agenda as presented; seconded by Councilor Muffett-Lipinski.

Vote: 9/0.

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

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

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

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

C. AUTHORIZATION TO ACCEPT AND EXPEND STOP ACT GRANT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) SPONSORED BY MAYOR CARRIER BY REQUEST

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

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.

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.



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Gail Daudelin, Dover Main Street Chairperson: She gave an overview of the Dover Main Street Report to the Council regarding upcoming events and projects.

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

9. CITY MANAGER'S REPORT

City Manager Joyal said he submitted his report in writing, and gave an overview of the November 8, 2022 Election. He thanked City staff and all the Election workers for a job well done. He discussed the upcoming Dover Mental Health Challenges and Responses: Community Feedback event on November 19, 2022 at 9:00 am at the Dover High School Library.

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

Vote: 9/0.

10. APPROVAL OF MINUTES

A. October 26, 2022 – Regular Meeting

Deputy Mayor Shanahan moved to approve the Minutes; seconded by Councilor Muffett-Lipinski.

Vote: 9/0.

11. MAYOR'S REPORT

Mayor Carrier invited Ernie Clark and Tim Paiva to speak to the Council regarding the status of the Dover Sports Complex.

Ernie Clark and Tim Paiva gave a PowerPoint presentation of the project to the Council.

The Council directed the City Manager to discuss the project with potential developers

Mayor Carrier discussed events and meetings he attended the last few weeks.

Deputy Mayor Shanahan gave a Holiday parade update to the Council.

Deputy Mayor Shanahan moved to accept the Mayor's Report; seconded by Councilor Hinkel.

Vote: 9/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2ND READING

B. ORDINANCES IN THE 3RD READING



CITY OF DOVER

CITY COUNCIL - MINUTES

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

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**

Deputy Mayor Shanahan moved for its adoption; seconded by Councilor Muffett-Lipinski.
City Manager Joyal gave an overview of the Resolution to the Council.
Roll Call Vote: 9/0.

**2. AUTHORIZATION TO ACCEPT AND EXPEND PARTNERSHIP FOR SUCCESS
GRANT (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.
Police Chief Breault gave an overview of the Resolution to the Council.
Roll Call Vote: 9/0.

**3. AUTHORIZATION TO ACCEPT AND EXPEND STOP ACT GRANT
(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 Thibodeaux.
Police Chief Breault gave an overview of the Resolution to the Council.
Roll Call Vote: 9/0.

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. Coheco Waterfront Development Advisory
Committee (Carrier) |
| 12. Heritage Commission (Nemeth) | 27. Dover Main Street (Carrier) |
| 13. Legislative Liaison (Shanahan) | 28. Stafford Regional Planning Commission (Williams) |
| 14. Library Board of Trustees (Thibodeaux) | 29. Government Affairs (Carrier) |
| 15. McConnell Center Advisory Committee (Thibodeaux) | |



CITY OF DOVER

CITY COUNCIL - MINUTES

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

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

Roll Call Vote: 9/0.

Councilor Nemeth gave an overview of the Graffiti Management Ad-Hoc Committee Report to the Council.

Deputy Mayor Shanahan gave an overview of the Legislative Liaison Report to the Council.

Councilor Thibodeaux gave an overview of the Library Board of Trustees Report to the Council.

Councilor Hinkel gave an overview of the Parking Commission Report to the Council.

Councilor Nemeth gave an overview of the Racial Equity and Inclusion Ad-Hoc Committee Report to the Council.

Deputy Mayor Shanahan gave an overview of the Recreation Advisory Board Report to the Council.

Councilor Williams gave an overview of the Appointments Committee Report to the Council.

Deputy Mayor Shanahan moved to accept the Appointments Committee Report; seconded by Councilor Thibodeaux.

Vote: 9/0.

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**

Deputy Mayor Shanahan moved to refer to a Public Hearing on November 30, 2022; seconded by Councilor Hinkel.

Vote: 9/0.

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**

Deputy Mayor Shanahan moved to refer to a Public Hearing on December 14, 2022; seconded by Councilor Hinkel.

Vote: 9/0.

14. COUNCIL CORRESPONDENCE

15. COUNCIL MATTERS OF INTEREST



CITY OF DOVER

CITY COUNCIL - MINUTES

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

Councilor Thibodeaux spoke about the election. She reminded people that she will be holding her Coffee with a Mayor on Saturday morning.

Councilor Hackett spoke about volunteering for the elections.

16. ADJOURN

Councilor Muffett-Lipinski moved to adjourn; seconded by Councilor Thibodeaux.
Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Special Meeting
Meeting Location: City Hall, Council Chambers
Meeting Date: **Wednesday, November 30, 2022**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Williams led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Carrier, Deputy Mayor Shanahan, Councilor Cullen, Councilor Hackett, Councilor Nemeth, Councilor Thibodeaux, and Councilor Williams.

Absent: Councilor Hinkel and Councilor Muffett-Lipinski.

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

5. PUBLIC HEARING

A. AUTHORIZATION FOR ISSUANCE OF TAX ANTICIPATION NOTE FOR FISCAL YEAR 2023 (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) SPONSORED BY MAYOR CARRIER BY REQUEST

Renee Blaisdell, 146 Varney Road: Concerned why the City wasn't prepared for this situation.

Mayor Carrier suspended the rules and asked City Manager Joyal to explain why this resolution was before the Council.

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

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

6. CITIZEN'S FORUM

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

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

7. UNFINISHED BUSINESS

A. RESOLUTION: AUTHORIZATION FOR ISSUANCE OF TAX ANTICIPATION NOTE FOR FISCAL YEAR 2023 (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) SPONSORED BY MAYOR CARRIER BY REQUEST

Mayor Shanahan moved for its adoption; seconded by Councilor Nemeth.

Finance Director Lynch gave an overview of the Resolution to the Council.

Roll Call Vote: 7/0.

8. ADJOURNMENT

Deputy Mayor Shanahan moved to adjourn; seconded by Councilor Thibodeaux.

Vote: 7/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type:	Workshop Session
Meeting Location:	City Hall, Council Chambers
Meeting Date:	Wednesday, November 30, 2022
Meeting Time:	Immediately following Special Meeting

1. CALL TO ORDER
2. MOMENT OF SILENCE
3. PLEDGE OF ALLEGIANCE
4. ROLL CALL ATTENDANCE
5. PROCLAMATIONS
6. PUBLIC FORUM

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

Renee Blaisdell, 146 Varney Road: She spoke about the City doing something about drugs being delivered to people's homes.

Micaela Demeter, School Board Member, 33A Piscataqua Road: She gave an overview of the work of the Mental Health Alliance Committee.

7. DISCUSSIONS

A. DOVER MENTAL HEALTH CRISIS RESPONSE STUDY

Dr. Max Latona, Saint Anselm College, gave a PowerPoint presentation to the Council regarding Dover's Mental Health Crisis Services in 2022.

Executive Director Chris Kozak, Community Partners, gave an overview of the services they offer to the community.

Police Chief Breault gave an overview of what services the Police Department is providing to deal with the Mental Health Crisis in Dover.

Kaitlin Jones, Dover Social Worker, gave an overview of the work she has completed since she was hired in February, 2022.

B. ROADWAY SURFACE MANAGEMENT ANALYSIS - PAVEMENT CONDITION INDEX UPDATE

City Engineer Mavrageorge and Stantec Senior Asset Management Specialist Bill Scarpatti gave a PowerPoint presentation to the Council regarding the Pavement Management Study.

8. ADJOURNMENT

Deputy Mayor Shanahan moved to adjourn; seconded by Councilor Hackett.
Vote: 7/0.



CITY OF DOVER

JOINT MEETING OF CITY COUNCIL AND SCHOOL BOARD - MINUTES

Meeting Type: **Workshop Session**
Meeting Location: **McConnell Center, Room 305**
Meeting Date: **Wednesday, December 7, 2022**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

School Board Member Micaela Demeter led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

City Council Present: Mayor Carrier, Deputy Mayor Shanahan, Councilor Cullen, Councilor Hackett, Councilor Hinkel, Councilor Thibodeaux, and Councilor Williams.

School Board Present: Michelle Clancy, Micaela Demeter, Maggie Fogarty, Jessica Rozzo, and Robin Trefethen.

Absent: Councilor Muffett-Lipinski, Councilor Nemeth, School Board Chairperson Mebert, and Kathleen Morrison.

Also Present: City Manager Joyal, City Attorney Wyatt, City Clerk Mistretta, Finance Director Lynch, Superintendent Harbron, Business Administrator Limanni.

5. PUBLIC 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 Public Forum.

6. DISCUSSIONS

A. TEACHER SALARY BENCHMARK SURVEY

Superintendent Harbron gave a PowerPoint presentation regarding the Teacher Salary Benchmark Survey.

B. FISCAL YEAR 2024 BUDGET TAX CAP ANALYSIS

Finance Director Lynch gave an overview of the Analysis of Tax Cap – Fiscal Year 2024 Budget handout.

C. FISCAL YEAR 2024 BUDGET DEVELOPMENT DISCUSSION

City Manager Joyal gave an overview of the Fiscal Year 2024 Preliminary Budget Estimates.

Business Administrator Limanni gave an overview of major costs the School Department is reviewing for the School Department's proposed budget.



CITY OF DOVER

JOINT MEETING OF CITY COUNCIL AND SCHOOL BOARD - MINUTES

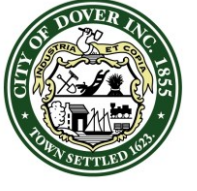
Meeting Type: **Workshop Session**
Meeting Location: **McConnell Center, Room 305**
Meeting Date: **Wednesday, December 7, 2022**
Meeting Time: **7:00 pm**

Councilor Cullen discussed a resolution on the City Council's December 14, 2022 Agenda regarding the Athletic Field Steering Committee.

7. ADJOURNMENT

Deputy Mayor Shanahan moved to adjourn; seconded by Councilor Thibodeaux.
Vote: Unanimous.

Presentations and handouts have been archived with these minutes.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 12.A.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**

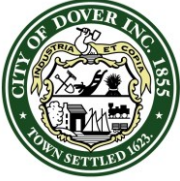
Chapter 105 entitled “Peace and Good Order” is hereby amended by revising Section 16, “Hunting and Target Shooting on City Property”, as follows:

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#: 12.A.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

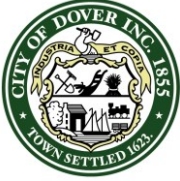
AUTHORIZATION

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#: 12.A.1.

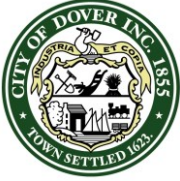
Ordinance Number: **O – 2022.11.09 – 013**
Ordinance Title: Peace and Good Order
Chapter: 105
Section: 16 Hunting and Target Shooting on City Property

DOCUMENT HISTORY:

First Reading Date: 11/09/2022	Public Hearing Date: 12/14/2022
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

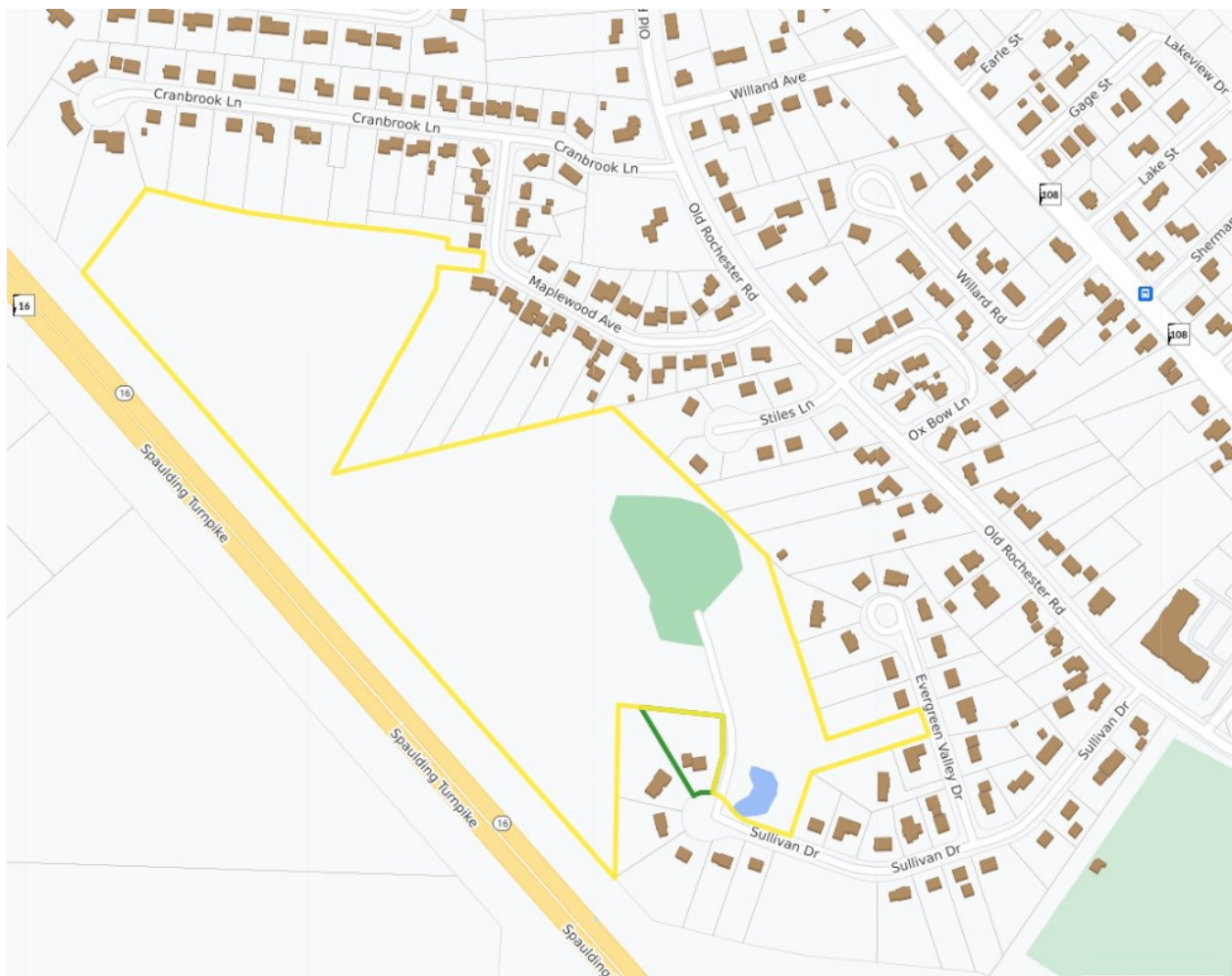
CITY OF DOVER - ORDINANCE

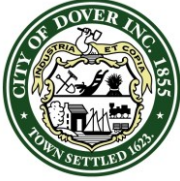
Agenda Item#: 12.A.1.

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).





CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.1.

Resolution Number: **R – 2022.12.14 – 224**
Resolution Re: Award of Service Contract with Carrier Corporation – Sole Source

WHEREAS: The Carrier Corporation located at 95 Shawmut Road, Unit 3 in Canton, MA is the sole manufacturer of Carrier HVAC supplies & equipment. The City of Dover has various Carrier Water Cooler-Chiller Units at the Dover Arena. Carrier has been the primary source since 2017 for supplies & equipment. The current agreement expired November 2022.

WHEREAS: The City of Dover received Service Agreement from Carrier Corporation for renewal of agreement beginning November 1, 2022 and to continue for a three (3) year period. The new three (3) year agreement pricing is as follows:

Year 1 (November 1, 2022 – October 31, 2023) \$4932.00, payable \$1,230.00 quarterly.
Year 2 (November 1, 2023 – October 31, 2024) \$5426.00, payable \$1,356.50 quarterly.
Year 3 (November 1, 2024 – October 31, 2025) \$5968.00, payable \$1,492.00 quarterly.

WHEREAS: Per 5-29F, Exemptions to Competitive Bidding of the Dover Purchasing Procedure, Sole-source purchases where the proposed purchase is manufactured or provided by one entity.

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

The Purchasing Agent is hereby authorized to issue Purchase Orders to Carrier Corporation for annual service agreement on Carrier equipment as outlined. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

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

Financing			
Account	Description	Appropriation	Balance
1000.1.350.45149.4431.00000	Arena Maintenance Charges	33,250.00	12,943.00

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.1.

Resolution Number: **R – 2022.12.14 – 224**

Resolution Re: Award of Service Contract with Carrier Corporation – Sole Source

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:		
Ordinance does does not pass.		

RESOLUTION BACKGROUND MATERIAL:

Whereas, the units are critical to the arena operation and only Carrier Technicians have worked on them since they were installed. As Carrier is the manufacturer of parts for these units and is certified to work on said units, it is reasonable that that we continue to have carrier service the water cooler-chiller units at the dover arena. It is critical to have ready access to Certified Carrier Technicians if there are any breakdowns with our refrigeration system so they can respond quickly before any damage occurs to our ice surfaces. Other vendors would have to work through Carrier to get parts for the units causing markup costs to us as. Lastly, if a major part or a compressor need replacement, we would want a warrantee and only Carrier can provide that coverage.

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.A.2.

Resolution Number: **R – 2022.12.14 – 225**
Resolution Re: B11001 Design Services for Stark Ave & Downtown Area
Sewer Rehabilitation Project-Phase C Amendment One

- WHEREAS: A sealed (RFQ) Request for Qualifications #B11001 was issued and received for Professional Engineering Services for the Waste Water Treatment Facilities Plan on August 23, 2010 at 2:00 PM; and
- WHEREAS: Wright-Pierce was awarded design of equipment upgrades and plant processes via resolution [R-2012.07.25-96](#), as well as several subsequent additional scopes of work using available funds as outlined in the background section of this resolution; and
- WHEREAS: The City received Additional Scope of Work #10 for engineering design services for the Stark Avenue and Downtown Area Sewer Rehabilitation Project-Phase C in the amount of \$237,600.00 which was approved by the NH Department of Environmental Services and City Council via R-[R-2021.10.13-168](#); and
- WHEREAS: The City recently received Amendment One to this Scope of work for additional engineering design services for the Stark Avenue and Downtown Area Sewer Rehabilitation Project-Phase C in the amount of \$34,300.00. Work is to include Elliot Park roadway reconstruction for approximately 1,300 feet along with curbing and drainage system. It is the recommendation to award amendment one in the amount of \$34,300.00 to Wright-Pierce; 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 Amendment One to Wright-Pierce of Portsmouth, NH for engineering design services for the Stark Avenue and Downtown Area Sewer Rehabilitation Project-Phase C in the amount not to exceed \$34,300.00. 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
4017.1.300.43155.4715.03133.17	Stark Ave / Elliot Circle	34,300.00	34,300.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan Mistretta
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.2.

Resolution Number: **R – 2022.12.14 – 225**
Resolution Re: B11001 Design Services for Stark Ave & Downtown Area
Sewer Rehabilitation Project-Phase C Amendment One

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.2.

Resolution Number: **R – 2022.12.14 – 225**
Resolution Re: B11001 Design Services for Stark Ave & Downtown Area
Sewer Rehabilitation Project-Phase C Amendment One

RESOLUTION BACKGROUND MATERIAL:

Wright-Pierce Engineers had been selected via a quality-based-selection (QBS) process for wastewater engineering design work. They had completed an evaluation and upgrade of the City's wastewater treatment facility, and had been recently assisting the City with a 3-phase Inflow & Infiltration (I/I) Reduction Program. With the recent I/I work, one phase focused on numerous spot-repairs, or elimination of direct stormwater connections to the sanitary sewer throughout the general downtown area. A second phase then focused on the Stark Avenue & Elliot Park neighborhood where I/I investigative work determined there were high levels of stormwater or groundwater getting into the sanitary sewer system. A recent related project included the installation of a new sanitary sewer transmission line beneath the Spaulding Turnpike.

Wright-Pierce was wrapping up the current round of I/I work by designing a new replacement sanitary sewer for portions of Stark Avenue and Elliot Circle. But during the preliminary field investigations, video inspections of the storm drainage system discovered several areas requiring replacement. As such, the City recently received Amendment One to this current I/I scope of work for additional engineering design services for the Stark Avenue and Downtown Area Sewer Rehabilitation Project-Phase C in the amount of \$34,300.00. Work is to include Elliot Park roadway reconstruction for approximately 1,300 feet along with curbing and drainage system improvements. It is the recommendation to award amendment one in the amount of \$34,300.00 to Wright-Pierce. Amendment also adds additional fourteen weeks to the completion of the project. New completion time to be April 15, 2023.

Bid Information:

A sealed (RFQ) Request for Qualifications #B11001 was issued and received for Professional Engineering Services for the Waste Water Treatment Facilities Plan on August 23, 2010 at 2:00 PM.

Award Information:

A purchase order will be issued to Wright-Pierce to authorize expenditures as outlined in this resolution. Approval of the Additional Scope of Work (aka Engineering Design Phase Contract for Professional Services for Treatment Works) is also required by the NH Department of Environmental Services.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	117	Number of Responses:	8
Warranty:	N/A	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until completion	Estimated Delivery:	As needed
Recommended Award to:	Wright-Pierce	Fund:	CIP
Other Approvals Required:	Yes, NHDES	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.3.

Resolution Number: **R – 2022.12.14 – 226**

Resolution Re: B13052 Emulsion Polymer Extension with Solenis LLC

WHEREAS: A sealed request for bid [#B13052](#) was issued and received for Emulsion Polymer on April 16, 2013 at 2:00 p.m.; and

WHEREAS: Four bids were received with varying products and rates. After several months of testing each product, the recommendation, based on performance and cost, was to award to Hercules Inc, Ashland Water Tech Division for the Ashland FLX 274 emulsion polymer at the rate of \$1.37/lb. In 2015, Solenis LLC purchased Hercules, Inc. offering the same pricing of \$1.37/lb. with no issued price increases between the years of 2013 and 2021; and

WHEREAS: In June 2022 based on the past success with this product since July 2013, it was the recommendation, and council approved, to remain with this product and company at the new rate of \$1.59/lb. plus a tote surcharge in the amount of \$0.04/lb. and raw material surcharge of 9%. The pricing was for a 6-month period and held from July 1, 2022 to December 31, 2022; and

WHEREAS: The city has received a new one-year rate of \$1.72/lb. and no other fees or surcharges. It is the recommendation to remain with same product and vendor as outlined herein; 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 Solenis LLC at the rate of \$1.72/lb. for the Praestol K274 FLX IBC emulsion polymer. 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
5320.1.300.43256.4612.00000.00	CS - Sewer - WWTP -Operating Supplies, FY23	80,000.00	50,000.00
5320.1.300.43256.4612.00000.00	CS - Sewer - WWTP -Operating Supplies, FY24	80,000.00	80,000.00

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 – 2022.12.14 – 226**

Resolution Re: B13052 Emulsion Polymer Extension with Solenis LLC

DOCUMENT HISTORY:

First Reading Date:

Public Hearing Date:

Approved Date:

Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis 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.3.

Resolution Number: **R – 2022.12.14 – 226**

Resolution Re: B13052 Emulsion Polymer Extension with Solenis LLC

RESOLUTION BACKGROUND MATERIAL:

After a lengthy polymer trial in 2013, the WWTP facilities supervisor has found that the Ashland FLX 274 is the product that is most advantageous to the City. The low bid was received from Polydyne Inc. at \$1.08 per pound. The second low bid was received from Atlantic Coast Polymers at \$1.19 per pound. Neither of these products performed as well as the Ashland FLX 274. Therefore, it was the recommendation that the City award the bid to Hercules Inc., Ashland Water Tech Division (now under the new vendor, Solenis LLC) for the FLX 274 based on the overall cost and performance.

A product trial has previously been conducted using one of Solenis' largest competitors where double the amount of neat Polymer had to be used and it still did not meet the same performance standards as the FLX 274.

The City Council approved the request to continue with the same product and vendor for the contracted pricing schedule for the period of January 1, 2022 to December 31, 2022. As the pricing for this product is unstable, the Community Services department is recommending a six-month guarantee on pricing with the vendor where the City will be able to review and assess conditions in December 2022. There had been no price increases for this product since July 2013 until the current fiscal year where the City saw a \$0.04 increase per pound from the previous year.

The City received and evaluated the new one-year rate of \$1.72 and is recommending award for 1/1/2023-12/31/2023.

Bid Information:

A sealed bid #B13052 was issued and received on April 16, 2013 at 2:00 p.m.

Award Information:

A purchase order will be issued to the vendor selected to authorize future expenditures.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	51	Number of Responses:	4 and 2 no bids
Warranty:	Per Manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	6 months (12/31/2022)	Estimated Delivery:	As Needed
Recommended Award to:	Solenis LLC	Fund:	WWTP, Sewer Fund
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.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R – 2022.12.14 – 227**
Resolution Re: B18013 Design Services for Community Trail Expansion
Phase IV Amendment One

- WHEREAS: In April 2017, the city entered into a Transportation Alternatives Program Project Agreement for the Community Trail Expansion and received a grant using Federal Highway funds in the amount of \$320,000. This original grant required a 20% city match making total \$400,000; and
- WHEREAS: A Sealed Request for Qualification B18013 was issued and received for Design Services for the Community Trail Expansion Phase IV on September 7, 2017 at 2:00 pm; and
- WHEREAS: Four firms submitted a response which were reviewed for necessary qualifications, experience, skills, project understanding, approach and ability to comply with proposed scope of services. The top ranking firm was selected and pricing was negotiated and awarded via [R-2019.08.14-125](#) to CDL/Fuss & O'Neill in the amount of \$112,314.00; and
- WHEREAS: The City has recently received an Amendment #1 adding \$48,813.00 for an Engineering Study to include consideration of an alternative to cross the Bellamy River dated August 22, 2022 from Fuss & O'Neill, Inc. The New Hampshire Department of Transportation (NHDOT) has approved the additional work in accordance with the requirements of the Local Public Agency Manual for the Development of Projects; 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 Amendment One to Fuss & O'Neill of York ME for design services for the Community Trail Expansion In the amount of \$48,813.00. 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
4019.1.180.43122.4715.03371.19	TIP Community Trail Improvements	373,296.00	287,686.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan Mistretta
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R – 2022.12.14 – 227**
Resolution Re: B18013 Design Services for Community Trail Expansion
Phase IV Amendment One

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.4.

Resolution Number: **R – 2022.12.14 – 227**
Resolution Re: B18013 Design Services for Community Trail Expansion
Phase IV Amendment One

RESOLUTION BACKGROUND MATERIAL:

Fuss & O'Neill has submitted a scope of work and fee proposal for an amendment to the Engineering Study efforts for the Dover Community Trail Phase IV to include consideration of an alternate to cross the Bellamy River. This alternate would follow the alignment previously proposed from Knox Marsh Road to the Bellamy Park Property. Once inside Bellamy Park, the trail alignment would turn toward and cross the Bellamy River on a new bridge and then generally follow the alignment of existing trails within the park to the upper parking lot. This alternate option would allow the Community Trail expansion to stay away from the Bellamy Disc Golf Course, be closer to the Middle and High schools, and have better parking and trailhead amenities.

Bid Information:

A Sealed Request for Qualification B18013 was issued and received for Design Services for the Community Trail Expansion Phase IV on September 7, 2017 at 2:00 pm.

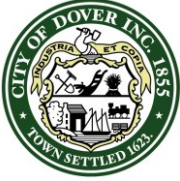
Award Information:

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 Emailed:	648	Number of Responses:	4
Warranty:	NA	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until Completed	Estimated Delivery:	As needed
Recommended Award to:	Fuss & O'Neill	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

[Bid Documents and Vendor Lists](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R – 2022.12.14 – 228**

Resolution Re: B20073 Design Consulting Services for the Lower Central Avenue Improvement Project – Add'l Scope of Work #2

WHEREAS: A sealed (RFQ) Request for Qualifications #B20073 was requested and received for work associated with the reconstruction of approximately 2,300 feet of Central Avenue from Silver Street to the intersection with Stark Avenue and East Watson Road on June 5, 2020 at 2:00 PM EST; and

WHEREAS: Seven proposals were received and reviewed for necessary qualifications, experience, skills, project understanding, approach and ability to comply with proposed scope of services. Sebago Technics, Inc.'s proposal was selected in the amount of \$316,000.00 which was approved via City Council resolution [R-2020.06.24-105](#); and

WHEREAS: The City received Additional Scope of Work #1 for a total of \$25,726.00 in conjunction with Design Consulting Services for the Lower Central Avenue Improvement RFQ #B20073 which was approved via Council approved via [R-2021.03.24-036](#); and

WHEREAS: The City recently received Additional Scope of Work #2 for an analysis for Central Ave & Silver St to support large vehicle movement, to addresses comments and final plans, updates to incorporate drainage connection to Union St, and updated construction cost estimates for a total of \$29,800.00 in conjunction with Design Consulting Services for the Lower Central Avenue Improvement RFQ #B20073; 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 for Additional Scope of Work #2 in conjunction with RFQ #B20073 to Sebago Technics, Inc. of South Portland, ME in the amount of \$29,800.00. 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
4021.1.300.43155.4715.03133.21	Stormwater Management Central Ave	\$802,925.00	\$802,925.00

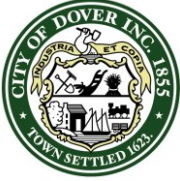
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan Mistretta
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R – 2022.12.14 – 228**

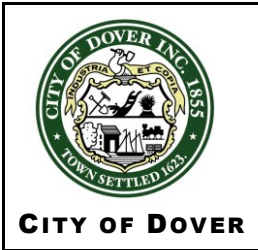
Resolution Re: B20073 Design Consulting Services for the Lower Central Avenue Improvement Project – Add'l Scope of Work #2

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 - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R – 2022.12.14 – 228**
Resolution Re: B20073 Design Consulting Services for the Lower Central Avenue Improvement Project – Add'l Scope of Work #2

RESOLUTION BACKGROUND MATERIAL:

The City requested proposals via sealed Request for Qualifications #B20073 from vendors to provide consulting services for the reconstruction of approximately 2,300 feet of Central Avenue from Silver Street to the intersection with Stark Avenue and East Watson Road. Sebago Technics, Inc. was selected on June 24, 2020 in the amount of \$316,000.00. In March 2021 the City received Additional Scope of Work #1 in the amount of \$25,726.00 as outlined below. New contract total \$341,726.00.

The City received Additional Scope of Work #2 in the amount of \$29,800.00 as outlined below. New contract total \$371,526.00.

Engineering staff have suggested proceeding with Amendment #2, as they've identified problems with the geometry at the intersection of Silver Street and Central Avenue. The goal is to look at possible modifications to improve vehicle flow, and accommodate all modes of transportation. Another key work task is to review drainage impacts to outlet stormwater flow down Union Street, which currently serves as the relief point for stormwater collected along a run of Central Avenue. Via a separate project, Court & Union Streets will be reconstructed as well, and engineers are reviewing flow capacity impacts of the existing infrastructure. And lastly, this project for Central Avenue was submitted for consideration of federal stimulus funding, or Congressionally-directed spending. There is still a potential to receive funds, so part of the added work is to revise and update the overall cost estimate.

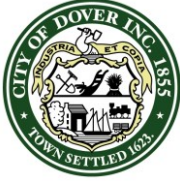
Award Information:

A purchase order will be issued to the Sebago Technics, Inc. to authorize expenditures as outlined in this resolution.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	367	Number of Responses:	7
Warranty:	n/a	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until complete	Estimated Delivery:	September 2021
Recommended Award to:	Sebago Technics, Inc.	Fund:	CIP
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.

[B20073 Bid Documents](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.6.

Resolution Number: **R – 2022.12.14 – 229**

Resolution Re: B21048-RFP22-001 Consulting Services for Henry Law Park
Best Management Practices

WHEREAS: A sealed (RFQ) Request for Qualifications #B21048 was solicited and received for on-call specialized municipal engineering services on an as-needed basis on May 13, 2021 at 3:00 p.m. On July 28, 2021, City Council approved to award to several vendors in various categories for on-call specialized engineering services via resolution [R-2021.07.28-135](#); and

WHEREAS: A project was identified meeting the criteria of RFQ #B21048, a sealed Request for Proposal #B21048-RFP22-001 was solicited and received from the three firms selected in the original RFQ#21048. Approval to award to Kleinfelder Northeast, Inc was received via resolution [R-2021.10.27-180](#) for Consulting Services for the Henry Law Avenue and River Street Reconstruction Project. This specific project included a Stormwater component, therefore when the city accepted an ARPA (American Rescue Plan Act) Grant & (CWSRF) Clean Water State Revolving Fund loan via resolution R-[2022.01.12-018](#), for Henry Law Park Stormwater Best Management Practices, it requested a scope of work from the awarded vendor, Kleinfelder Northeast Inc; and

WHEREAS: The City received the proposal for Henry Law Park Stormwater Best Management Practices and has reviewed with (NHDES) New Hampshire Department of Environmental Services for understanding of project, approach for completing the work, commitment to timeline and costs. It is the recommendation to accept the proposal submitted by Kleinfelder Northeast, Inc. in the amount not to exceed the awarded grant and loan amount of \$120,000.00; 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 Kleinfelder Northeast, Inc. of Manchester, NH for Consulting Design Services for the Henry Law Park Best Management Practices Project in the amount not to exceed \$120,000.00. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

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

Account	Description	Appropriation	Balance
TBD	Henry Law Park Stormwater Best Management Practices	120,000	120,000

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.6.

Resolution Number: **R – 2022.12.14 – 229**
Resolution Re: B21048-RFP22-001 Consulting Services for Henry Law Park
Best Management Practices

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.		

RESOLUTION BACKGROUND MATERIAL:

The City solicited a Statement of Qualifications and Proposals [#B21048](#) from engineering firms, following the guidelines set forth by Purchasing Code 5-41 Professional Services, to establish on-call agreements with firms for the various engineering service areas. On July 28, 2021, City Council approved via resolution [R-2021.07.28-135](#), several firms in various consulting services.

On September 3, 2021, the City requested proposals via RFP#B21048-RFP22-001 for consulting services for the Henry Law Avenue & River Street Reconstruction Project from the three firms selected for Highway/Transportation Engineering. The RFP requested to incorporate innovative and easily maintainable low impact development stormwater management practices as part of the roadway improvements where feasible and project was awarded to Kleinfelder Northeast Inc.

In an effort to maximize the use of knowledge already obtained by Kleinfelder Northeast Inc, in regards to stormwater in the said area, the city requested and received proposal from this firm and has reviewed with (NHDES) New Hampshire Department of Environmental Services for understanding of project, approach for completing the work, commitment to timeline and costs. It is the recommendation to accept the proposal submitted by Kleinfelder Northeast, Inc. in the amount not to exceed the awarded grant and loan amount of \$120,000.00. The scope includes Flow Data Analysis \$15,000/Preliminary Design Stormwater BMP & Diversion Structures \$65,000/Meetings & Agency Coordination \$20,000.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.6.

Resolution Number: **R – 2022.12.14 – 229**

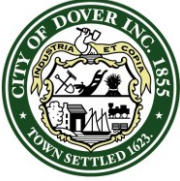
Resolution Re: B21048-RFP22-001 Consulting Services for Henry Law Park
Best Management Practices

The intention of the work is to evaluate options and prepare conceptual designs for large-scale stormwater treatment options (BMP's – best-management-practices). While the current design work for Henry Law will address water, sewer, and storm drainage piping, in conjunction with full street reconstruction and new sidewalks, the creation of a large-scale BMP for Henry Law is a project on its own. The contributing upstream flow area is approximately 120 acres, so the creation of large-scale BMP's could help reduce nutrient and pollutant loading to the Cochecho River. The City has applied to the Clean Water SRF Program for possible funding for actual construction of a large-scale BMP

Purchasing Information:

Type:	Purchase Order	Advertised:	No/RFQ#B21048
Invitations Mailed:	3	Number of Responses:	3
Warranty:	N/A	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until Completion	Estimated Delivery:	As Needed
Recommended Award to:	Kleinfelder Northeast, Inc.	Fund:	ARPA Grant and CWSRF
Other Approvals Required:	Yes	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.

[B21048-RFP22-001 Bid Documents](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R - 2022.12.14 – 230**
Resolution Re: B23007 Award of Bid to for Eleven Multifunctional
Printer, Copier and Fax/Scanning Units

- WHEREAS: A sealed Request for Proposal #B23007 was issued August 31, 2022 for Multifunctional Printer, Copier & Fax, and received on September 20, 2022 at 2:00 p.m; and
- WHEREAS: The request required pricing and availability of Eleven (11) (MFP) Multifunctional Printers, Copiers & Fax/Scanner for multiple locations throughout the city. The current vendor providing, maintaining and supporting existing MFPs is no longer in business; and
- WHEREAS: Eight bid responses were received and reviewed for necessary qualifications, experience, understanding of project scope, approach for completing the work, certification to design, deliver, support and manage proposed solution and the offer deemed most advantageous came from the low bidder Toshiba Business Solutions. It is the recommendation to award to Toshiba regarding the supply, service and maintenance of eleven (11) MFPs for a 60-month rental charge of \$416.61 per month and an additional maintenance charge of \$103.00 per month for a total monthly charge of \$519.61 for all eleven units; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The Purchasing Agent is hereby authorized to issue an annual purchase orders to Toshiba Business Solutions in the amount of \$6,235.32 over the next five years for the supply, service and maintenance of eleven (11) MFP's for a total cost of \$31,176.60. 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.xxx.xxxxx.4443.00000.00	Rental of Equipment - Various Departments	285,360.00	95,658.00

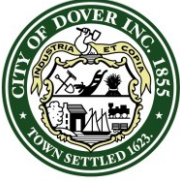
AUTHORIZATION

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.

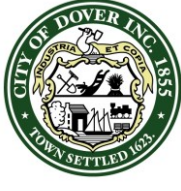
Resolution Number: **R - 2022.12.14 – 230**
Resolution Re: B23007 Award of Bid to for Eleven Multifunctional
Printer, Copier and Fax/Scanning Units

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.7. Resolution Number: R - 2022.12.14 – 230 Resolution Re: B23007 Award of Bid to for Eleven Multifunctional Printer, Copier and Fax/Scanning Units
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RESOLUTION BACKGROUND MATERIAL:

The City of Dover has the need for 11 Multifunctional Printer, Copier and Fax's. Toshiba Business Solutions will haul away existing printers at no cost. The average monthly usage of all combined copiers is 25,200 pages. Toshiba Business Solutions also recently was awarded a State of NH Contract 8003148 for printers.

Rental of 11 Units Monthly	\$416.61
Maintenance of 11 Units Monthly	\$103.00
Total Monthly	\$519.61
Total Annual	\$6,235.32
Total Contract	\$31,176.60

Bid Information:

A sealed Request for Proposal #B23007 was issued August 31, 2022 for Multifunctional Printer, Copier & Fax, and received on September 20, 2022 at 2:00 p.m.

Award Information:

A purchase order will be issued to the vendor selected to authorize future expenditures.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	187	Number of Responses:	8
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	60 months	Estimated Delivery:	asap
Recommended Award to:	Toshiba Business Solutions	Fund:	Multiple
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	No	Reason for Council Approval:	Purchase to exceed the \$25,000

[B23007 Bid Documents](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R – 2022.12.14 – 231**

Resolution Re: B23032 Professional Consulting Services – Consultant for Developing Impact Fee Methodologies

WHEREAS: A Sealed Request for Bid B23032 was issued and received for Professional Consulting Services - Consultant for Developing Impact Fee Methodologies on November 9, 2022 @ at 2:00 pm; and

WHEREAS: The City of Dover is seeking a qualified planning firm or consultant to develop a scientific and supportable methodology for the reassessment of impact fees for selected municipal facilities that are impacted by growth and development; and

WHEREAS: The city received one bid response which was reviewed for necessary qualifications, experience, understanding of project scope, approach for completing the work, which came from Fougere Planning & Development, Inc of Milford, NH. The bid totaled \$30,000.00. The City is recommending award of the project in the total amount, not to exceed, \$30,000 to Fougere Planning & Development, Inc.; 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 Fougere Planning & Development, Inc of Milford, NH for Consulting services for the Planning Department at rates provided in conjunction with Bid B23032. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

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

Financing

Account	Description	Appropriation	Balance
1000.1.190.41991.4840.00000	Misc. Gen Gov Contingency	\$284,711.00	\$276,267.00

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.8.

Resolution Number: **R – 2022.12.14 – 231**

Resolution Re: B23032 Professional Consulting Services – Consultant for Developing Impact Fee Methodologies

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.8.

Resolution Number: **R – 2022.12.14 – 231**

Resolution Re: B23032 Professional Consulting Services – Consultant for Developing Impact Fee Methodologies

RESOLUTION BACKGROUND MATERIAL:

The City of Dover, New Hampshire adopted an Impact Fee Ordinance as part of the Zoning Ordinance on January 22, 2003. This enabling ordinance gave the authority for the Planning Board to assess impact fees to new development for their proportional share of capital facilities required to service new development. The Planning Board is required to prepare reports or studies that define a methodology for impact fee assessment for public capital facilities. On February 25, 2003, the Planning Board adopted a fee schedule for a public-school impact fee that was based on a methodology study prepared by a consultant hired by the City. On October 14, 2008, the Planning Board adopted a fee schedule for new recreation, police and fire impact fees and an updated school impact fee. In 2017, the impact fees were reassessed to reflect updated valuations and demographic information.

Bid Information:

The selected consultant will work with City staff and the Planning Board to update the methodology for impact fees for:

- Public school facilities;
- Fire and Police facilities; and
- Public Recreational facilities not including public open space.

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 Emailed:	202	Number of Responses:	1
Warranty:	N/A	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	May 31, 2023	Estimated Delivery:	Per schedule outlined in bid
Recommended Award to:	Fougere Planning & Development	Fund:	Misc Gen Gov Contingency
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

[B23032 Bid Documents](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.9.

Resolution Number: **R – 2022.12.14 – 232**

Resolution Re: B23039 High Performance Cold Patch and/or Hot Patch

WHEREAS: A sealed Request for Proposal #B23039 was issued and received for as-needed High-Performance Cold Patch and/or Hot Patch on December 5th, 2022 @ 2:30 p.m. with rates to hold for the 2022-2023 winter season; and

WHEREAS: The City received one (1) bid reply. It is the recommendation to accept the proposal meeting specifications submitted by Brox Industries, Inc. of Dracut, MA for as-needed high-performance cold patch at \$150.00/ton picked up and \$165.00/ton delivered by trailer or \$166.00/ton delivered by tri-axle and hot patch at \$121.15/ton picked up; 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 Brox Industries, Inc. of Dracut, MA at rates provided in conjunction with Request for Proposal #B23039 for as-needed high-performance cold patch and/or hot patch. 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
1000.1.300.43121.4652.00000.00	Streets - Maint Supplies - Impr o/t Building	50,808	12,591
5300.1.300.43320.4652.00000.00	CS-Water - Maint Supplies	127,264	6,309
5320.1.300.43250.4652.00000.00	CS-Sewer-Maint Supplies	132,202	50,042

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.9.

Resolution Number: **R – 2022.12.14 – 232**

Resolution Re: B23039 High Performance Cold Patch and/or Hot Patch

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:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.9.

Resolution Number: **R – 2022.12.14 – 232**

Resolution Re: B23039 High Performance Cold Patch and/or Hot Patch

RESOLUTION BACKGROUND MATERIAL:

The City spent an estimated \$30,000.00 on the acquisition of hot patch and high performance, long lasting asphalt cold patch during the 2021-2022 winter season. Through the bid solicitation, the City identified one vendor from whom to acquire the desired hot patch and high-performance cold patch on an as-needed basis for the 2022-2023 winter season at rates indicated below.

Pricing per ton, picked up by the City:

Vendor	High Performance Cold Patch	Hot Patch
Brox Industries, Inc.	\$150.00 per ton	\$121.15 per ton

Pricing per ton, delivered by the Vendor:

Vendor	High Performance Cold Patch	Hot Patch
Brox Industries, Inc.	\$165.00 (trailer) \$166.00 (tri-axle)	No Bid

As the estimated expense may exceed the \$25,000.00 threshold, Council approval is required.

Bid Information:

A sealed Request for Proposal #B23039 was issued and received for as-needed High-Performance Cold Patch and/or Hot Patch on December 5, 2022 @ 2:30 p.m.

Award Information:

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

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	158	Number of Responses:	1
Warranty:	n/a	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	2022-2023 winter season	Estimated Delivery:	As Needed
Recommended Award to:	Brox Industries, 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.

[B23039 Bid Documents](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10.

Resolution Number: **R – 2022.12.14 – 233**
Resolution Re: Dover Citywide Aquifer Management Planning - Emery & Garrett Groundwater Investigations Amendment One

- WHEREAS: Emery and Garrett Groundwater Investigations (EGGI) was the awarded firm through [Sealed Bid B13043](#) for hydrogeological consulting services exploration and development of replacement groundwater supply. EGGI has been the ongoing consultant for various other groundwater projects for the City throughout the years; and
- WHEREAS: As part of the ongoing work, EGGI had prepared a proposal for Aquifer Management Planning services associated with the City's four gravel-overburden Aquifers, Pudding Hill, Barbadoes Pond, Hoppers and Willand Pond in the amount of \$98,800.00 which was approved by council via [R-2021.05.26-079](#). The tasks are outlined in the background section and which is primarily the development of a Citywide Groundwater Resource/Aquifer Management Strategy and review of the City's Mapped Aquifer Protection Areas and Aquifer Protection Ordinance and other regulatory policies to identify potential options to further protect the City's groundwater resources; and
- WHEREAS: The city recently received Amendment One to increase task 3 for Aquifer/Production well water quality monitoring instrumentation in the amount of \$26,652.00 for a new total of task 3 to be \$38,152.00. The city has received a Local Source Water Protection Grant in the amount of \$20,652.00 that will cover the purchase of the sondes; and
- WHEREAS: Per 5-28.B. Competitive bidding may be waived by the majority vote of the City Council.

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

The Purchasing Agent is hereby authorized to issue a purchase order revision to Emery & Garrett Groundwater Investigations for Dover Citywide Aquifer Management Planning in the amount not to exceed \$26,652.00. The City Manager, or designee, is hereby authorized to finalize and enter into an agreement 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
tbd	Local Source Water Protection Grant	20,652.00	20,652.00
5300.1.300.43320.4757.03574.11	Water - Wellhead Protection	67,917.00	51,637.00



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10.

Resolution Number: **R – 2022.12.14 – 233**
Resolution Re: Dover Citywide Aquifer Management Planning - Emery & Garrett Groundwater Investigations Amendment One

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

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.10.

Resolution Number: **R – 2022.12.14 – 233**
Resolution Re: Dover Citywide Aquifer Management Planning - Emery & Garrett Groundwater Investigations Amendment One

RESOLUTION BACKGROUND MATERIAL:

The original proposed scope of work included production well testing to provide field verification of well yield for each production well, enhancement of the groundwater level monitoring program to further evaluate aquifer water levels/availability, enhancement of groundwater quality monitoring to further evaluate groundwater quality within each Aquifer, generate a salt mitigation plan that can be used near the Smith and Cummings Wells, but also be developed to be used in other sensitive recharge areas that contribute to the City's Aquifers, development of a Citywide Groundwater Resource/Aquifer Management Strategy that can be used for current and future land use planning, and review of the City's Mapped Aquifer Protection Areas and Aquifer Protection Ordinance and regulatory policies to identify potential options to further protect the City's groundwater resources.

The Amendment One will add \$26,652 to the contract pricing and includes equipment and installation of up to three additional multiparameter sondes which include data logging equipment. The goal is to expand real-time monitoring of chloride levels in the aquifers, as chloride levels have been rising, likely due to winter salt-operations. The results are expected to help guide future sanding/salting operations to minimize any potential impacts to the water supply aquifers.

Proposed fee schedule is as follows.

Task Description	Estimated Cost
Task 1 – Production Well Testing & Asset Documentation	\$15,000.00
Task 2 – Additional Aquifer Evaluation & Monitoring	\$44,000.00
Subtask 2.1 – Aquifer Monitoring Network Evaluation	\$5,000.00
Subtask 2.2 – Piezometer/Monitoring Well Installation	\$30,000.00
Subtask 2.3 – Monitoring Equipment Installation	\$9,000.00
Task 3 – Aquifer/Production Well Water Quality Monitoring Instrumentation	\$11,500.00
Task 3 Amendment One Aquifer/Production Well Water Quality Monitoring Instrumentation	\$26,652.00
Task 4 – Ordinance Review	\$9,800.00
Task 5 – Aquifer Management Planning	\$18,500.00
Total Cost	\$125,452.00

Award Information:

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R – 2022.12.14 – 234**
Resolution Re: Purchase of two (2) Allen-Bradley (VFD) Variable
Frequency Drives for the Aeration Blower Upgrade Project

WHEREAS: On February 14, 2018, City Council approved the purchase of an Aerzen Hybrid Screw Blower for the wastewater treatment plant in the amount of \$108,753.00. The treatment is equipped with 3 blowers, and one unit had failed and the units are a critical part of the biological wastewater treatment process. Money was subsequently appropriated in the CIP to allow for replacement of the remaining 2 blowers; and

WHEREAS: On May 11, 2022, City Council approved the purchase of two (2) Aerzen Hybrid Blower Model D98S via resolution [R-2022.05.11-103](#) in the amount of \$261,279.00, which are the same as the unit purchased in 2018; and

WHEREAS: In November 2022, the City in conjunction with Wright-Pierce, received a proposal from Aerzen USA Corporation for the purchase of two (2) Allen-Bradley (VFD) Variable Frequency Drives for the two blowers in the total amount of \$115,497.00. The Aerzen blowers utilize Allen-Bradley programmable logic controllers (PLC's) to control operation. In an effort to maintain consistency, it is the recommendation to accept the proposal from Aerzen USA Corporation, which has been thoroughly evaluated by Wright-Pierce and the Community Services Department; and

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

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

The Purchasing Agent is hereby authorized to issue a purchase order to Aerzen USA Corporation in the total amount of \$115,497.00 for two (2) Allen-Bradley VFD for the Aeration Blower 1 & 2 Upgrade Project. 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
5320.1.300.43250.4741.04593.23.	WWTP-Aeration Blower Retrofit	750,000.00	444,633.00

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R – 2022.12.14 – 234**
Resolution Re: Purchase of two (2) Allen-Bradley (VFD) Variable
Frequency Drives for the Aeration Blower Upgrade Project

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.11.

Resolution Number: **R – 2022.12.14 – 234**
Resolution Re: Purchase of two (2) Allen-Bradley (VFD) Variable
Frequency Drives for the Aeration Blower Upgrade Project

RESOLUTION BACKGROUND MATERIAL:

The Waste Water Treatment Plant was constructed in 1991 and is a plug flow style activated sludge plant designed to achieve typical secondary treatment standards and designed for an average flow of 4.7 MGD. Current flows average 2.7 MGD. Wright-Pierce completed a Comprehensive Wastewater Treatment Facilities Plan for the City in March 2012. The plan was necessary as the Wastewater Facility went on line in June of 1991, and although the facility has been maintained extremely well, many of the operating components of the facility need an upgrade.

On May 11, 2022, City Council approved the purchase of two (2) Aerzen Hybrid Blower Model D98S via resolution [R-2022.05.11-103](#) in the amount of \$261,279.00, which are the same as an emergency replacement unit that was purchased in 2018.

In November 2022, the City in conjunction with Wright-Pierce, received a proposal from Aerzen USA Corporation for the purchase of two (2) Allen-Bradley (VFD) Variable Frequency Drives for the two blowers in the total amount of \$115,497.00. Each Aerzen blower utilizes Allen-Bradley 1100 programmable logic controllers (PLC's) to monitor and control the blower operations. Aerzen has a factory connection with Allen-Bradley, so in an effort to maintain consistency, it is the recommendation to accept the proposal from Aerzen USA Corporation, which has been thoroughly evaluated by Wright-Pierce and the Department.

Due to the current supply chain constraints on VFDs and electrical gear, lead times are from 6 months to over a year. As a result, for this project we recommended direct purchasing the equipment before construction to limit any potential delays to the construction project. Furthermore, by direct purchasing the equipment you avoid any mark-up costs associated with the purchase.

Bid Information:

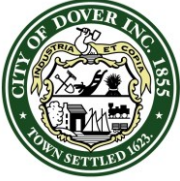
Per 5-28.B. Competitive Bidding Purchases; Waiver. Competitive bidding may be waived by a majority vote of the City Council.

Award Information:

A purchase order will be issued to Aerzen USA Corporation to authorize future expenditures.

Purchasing Information:

Type:	Purchase Order	Advertised:	N/A
Invitations Mailed:	N/A	Number of Responses:	N/A
Warranty:	Per Manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	No
Prices will hold for:	N/A – purchase as needed	Estimated Delivery:	2022
Recommended Award to:	Aerzen USA Corporation	Fund:	5320 - Sewer
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Competitive Bidding Waiver.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.12.

Resolution Number: **R – 2022.12.14 – 235**

Resolution Re: Approval of Director of Information Technology of the
City of Dover Employment Agreement

WHEREAS: Anne L. Dove (“Employee”) has been appointed as Director of Information Technology of the City of Dover by the City Manager; and

WHEREAS: It is the desire of the City Manager, in accordance with the Dover City Charter and the Laws of the State of New Hampshire, to establish compensation, benefits, and other working conditions for the employment of the Employee; and

WHEREAS: It is the desire of the City Manager to ensure the commitment and full productivity of the Employee in providing service to the City as Director of Information Technology; and

WHEREAS: It is the desire of the City Manager to provide inducement for the Employee to remain in service to the City while also ensuring a just means for the termination of employment at such time as may be required; and

WHEREAS: Employee agrees to accept employment as Director of Information Technology of said City.

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

The City Manager is hereby authorized to enter into the attached Employment Agreement.

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.12.	
Resolution Number: R – 2022.12.14 – 235 Resolution Re: Approval of Director of Information Technology of the City of Dover Employment Agreement		

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 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.		

RESOLUTION BACKGROUND MATERIAL:

See attached Employment Agreement. This Resolution shall ratify the attached Employment Agreement related to the employment of Anne L. Dove as Director of Information Technology of the City of Dover. The Agreement outlines wages, benefits, and other conditions of employment.

**EMPLOYMENT AGREEMENT
BETWEEN THE CITY OF DOVER, NH
AND
ANNE L. DOVE**

This Agreement made and entered into this ____ day of ____, 2022 by and between the CITY OF DOVER, a municipal corporation within the County of Strafford and the State of New Hampshire (hereinafter called the “CITY”), as party of the first part and ANNE L. DOVE, of the Town of Eliot, County of York, and State of Maine (hereinafter called “EMPLOYEE”), as party of the second part;

WITNESETH:

WHEREAS, the City desires to employ the services of the Employee as Director of Information Technology of the City of Dover.

WHEREAS, it is the desire of the City Manager, in accordance with the Dover City Charter and the Laws of the State of New Hampshire, to establish compensation, benefits, and other working conditions for the employment of the Employee; and

WHEREAS, it is the desire of the City Manager to ensure the commitment and full productivity of the Employee in providing service to the City as Director of Information Technology; and

WHEREAS, it is the desire of the City Manager to provide inducement for the Employee to remain in service to the City while also ensuring a just means for the termination of employment at such time as may be required; and

WHEREAS, Employee agrees to accept employment as Director of Information Technology of said City.

NOW, THEREFORE, in consideration of the promises and mutual covenants contained herein, the parties agree as follows:

SECTION 1 – DUTIES AND AUTHORITY

City hereby agrees to employ ANNE L. DOVE as Director of Information Technology of said City. Employee accepts such employment and agrees to perform the functions and duties specified in the City Ordinances, and the Laws of the State of New Hampshire, and to perform such other legally permissible and proper duties, and reasonable functions as the City Manager shall from time-to-time assign.

SECTION 2 – TERM

This Agreement shall remain in full force and effect from _____, 2022 until employment is terminated by the City or Employee as provided in Section 3 of this Agreement. Solely for the purposes of benefit eligibility, Employee’s anniversary date of employment with the City shall remain June 17, 2003.

SECTION 3 – TERMINATION OF EMPLOYMENT AND SEVERANCE

- A. The City Manager, at any time, may terminate the employment of the Employee for cause after thirty (30) days written notice of the basis for the termination.
- B. In the event the Employee is terminated by the City Manager with cause, the City agrees that it shall pay to the Employee all unused, accrued vacation leave said amount to be paid to the Employee on or before the effective date of termination of his employment.

- C. In the event the City in any fiscal year intentionally reduces the base salary, compensation or any other financial benefit of the Employee in a percentage greater than is applied in an across the board reduction in the same fiscal year applicable to all other employees of the City, or in the event that the City refuses, following a thirty (30) day period after receipt of written notice delivered to the City Manager, to comply with any of the financial provisions benefiting the Employee set forth herein, or if the City abolishes the position of Director of Information Technology without establishment of the position under a different title with substantially similar duties and responsibilities or similar action, the Employee may, at their option, deem to have been terminated without cause as of the date of such reduction or refusal to comply with the provision herein claimed to have been violated.
- D. In the event the Employee is terminated without cause, the City agrees that it shall pay to the Employee all unused, accrued vacation leave, together with a lump sum severance payment equal to one (1) month aggregate salary for each year of completed service as Director of Information Technology, not to exceed six (6) months total, said amount to be paid to the Employee on or before the effective date of termination of his employment.
- E. In the event the Employee voluntarily resigns their position with the City, the Employee shall give the City thirty (30) days written notice in advance, unless the parties agree otherwise. Such notice of resignation shall be directed to the City Manager. If the Employee voluntarily resigns, they shall not be entitled to salary after the date of resignation or to the severance benefits specified in this Section except they shall be paid for all unused, accrued vacation leave not to exceed thirty (30) days.

SECTION 4 – SALARY

- A. The City agrees to pay the Employee for services rendered under this Agreement, an annual base salary of \$ 136,199.07, subject to applicable withholdings and deductions, payable in installments at the same time as other employees in the City are paid.
- B. Effective the first full pay period following Employee's anniversary date and each year thereafter, the City agrees the Employee shall be awarded a merit increase following completion of an evaluation of their performance as specified by Section 5 of this Agreement. Such increase is only to be applied to the Employee's base salary up to the maximum amount specified in the Class and Pay Plans attached to the City's Merit Plan after which such increase may be paid as a single lump sum merit bonus. The amount of the merit increase shall be determined by the City Manager at his sole discretion, but shall not be more than 5% per annum subject to a satisfactory performance review.

SECTION 5 – PERFORMANCE EVALUATION

- A. The City Manager shall review and evaluate the Employee's performance as Director of Information Technology at least once every year, provided, at a minimum, one performance evaluation occurs within forty-five (45) days of the Employee's anniversary date each year. Said review and evaluation shall be based on the goals and objectives developed by the City Manager and the Employee in accordance with paragraph B of this Section. Upon completing the evaluation, the City Manager shall provide the Employee with a written copy of the City Manager's remarks. There shall be an adequate opportunity for the Employee to discuss the evaluation with the City Manager.
- B. Annually during the month of July, or such other month as may be mutually agreed upon, the City Manager and the Employee shall define goals and objectives which they determine necessary for the proper operation of the City and the attainment of the City Manager's policy objectives, said goals and objectives to be reduced to writing. They shall generally be attainable within the time limits specified and within the annual operating and capital budgets and appropriations provided by the City and the events that have occurred during the year.

SECTION 6 – HOURS OF WORK

- A. The Employee will devote full time and attention to the business of the City and will not engage in any other business during office hours, except with the approval of the City Manager.
- B. It is recognized that the Employee must devote a great deal of time outside the normal office hours to the business of the City, and to that end the Employee will be allowed to have flexibility in scheduling his time.

SECTION 7 – PAID LEAVE AND HOLIDAYS

- A. The Employee shall accrue twenty (20) days paid vacation leave per year which shall be awarded annually on the Employee's anniversary date. To limit excessive accruals, up to thirty (30) days of accrued unused vacation leave may be carried over from year to year. Employee may opt to be paid for any portion of accrued and unused vacation leave not used during the year.
- B. The Employee will be eligible for ten (10) sick days per fiscal year prorated in the first year from the Employee's anniversary date to the end of the fiscal year. Sick days are only available to be utilized in the fiscal year awarded and shall not accrue or otherwise accumulate from year to year.
- C. The Employee shall be responsible for accurately recording leave usage which shall be verified and approved by the City Manager.
- D. The Employee is entitled to time off for the holidays currently recognized by the City on the day they are observed.
- E. All previously accrued and unused leave as of the effective date of this Agreement shall remain available for use by the Employee or to be paid subject to the accrual and use limitations specified above.

SECTION 8 – INSURANCE BENEFITS

Insurance benefits, including health, dental, life and disability insurances provided to City employees as part of its Flexible Benefits Program will be made available to the Employee and paid by the City excepting the Employee shall pay twenty percent (20%) and the City will pay eighty percent (80%) of the applicable premiums for the Employee's chosen health insurance plan and, further, the City shall pay an amount up to and not exceeding the cost for two (2) person base dental coverage with Employee paying the difference for any higher cost plan and/or coverage levels. The Employee health contribution may be subject to change as applicable to other City Employees. The employee shall receive a buy back for health and/or dental insurance coverages as applicable to other City Employees provided Employee presents evidence of satisfactory coverage from another source acceptable to the City.

SECTION 9 – RETIREMENT BENEFITS

- A. The Employee shall be allowed to participate in the NH Retirement System per the requirements established by State of New Hampshire Retirement System.
- B. The Employee may enroll in the City's 457 Deferred Compensation Plan and will remain eligible to receive a matching City contribution as applicable to other City employees.

SECTION 10 – CITY BUSINESS RELATED EXPENSES

- A. The Employee shall be reimbursed for all reasonable business-related expenses incurred in the performance of their duties.

SECTION 11 – PROFESSIONAL DEVELOPMENT

- A. A. The City shall pay for the Employee's individual membership dues and assessments for a related state/regional professional association and a related national professional association as mutually agreed and approved by the City Manager.
- B. The City agrees to purchase subscriptions, books, training materials, course tuition and other professional association memberships for the Employee dependent upon budget availability.
- B. The City agrees to pay the expenses associated with the Employee's attendance at the annual conference of either a related state/regional association or a related national professional association or, subject to prior approval, both annual conferences.

SECTION 12 – INDEMNIFICATION/THIRD PARTY CLAIMS

- A. The City agrees to indemnify and hold harmless the Employee from any and all losses, including Employee's reasonable attorney's fees and other expenses of defense, in connection with any claim, demand, action, or suit, or judgment arising out of any act or omission of the Employee if at the time of the act or omission, the Employee was acting within the scope of his employment and without malice or bad faith.
- B. The City agrees to provide liability coverage for the Employee against third party claims through the City's public employee insurance coverage.

SECTION 13 – BONDING

The City shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance.

SECTION 14 – OTHER TERMS AND CONDITIONS

The City Manager may fix such other reasonable terms and conditions of employment, as he may determine from time to time, relating to the performance of the Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the City Merit Plan, the City Charter, or any other Federal or State law.

SECTION 15 – SEVERABILITY

If any provisions, or provision thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement or portion thereof, shall be deemed severable and shall not be affected and shall remain in full force and effect.

SECTION 16 – MERGER

The text of this written Agreement and any amendments approved and executed by the City Manager and the Employee constitute the entire understanding between the parties with respect to the employment of ANNIE L. DOVE as the Director of Information Technology of the City of Dover.

SECTION 17 – NOTICES

Notices pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service, postage prepaid, addressed as follows:

City: THE CITY MANAGER
City of Dover, NH
288 Central Avenue

Dover, NH 03820

Employee: ANNE L. DOVE, Director of Information Technology
City of Dover, NH
288 Central Avenue
Dover, NH 03820

Alternatively, notices required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission in the United States Postal Service.

SECTION 18 – GENERAL PROVISIONS

- A. This Agreement shall be binding upon the City and Employee, as well as their heirs, assigns, executors, personal representatives and successors in interest.
- B. This Agreement shall become effective upon execution.

IN WITNESS WHEREOF, the City of Dover has caused this Agreement to be signed and executed in its behalf by the City Manager, and the Employee has signed and executed this Agreement, all in duplicate, as of the day and year first above written.

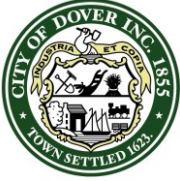
Dated: _____

CITY OF DOVER, NEW HAMPSHIRE

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

EMPLOYEE

By: _____
ANNE L. DOVE



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.13.

Resolution Number: **R – 2022.12.14 – 236**

Resolution Re: Approval of Director of Media Services of the City of
Dover Employment Agreement

WHEREAS: Michael P. Gillis (“Employee”) has been appointed as Director of Media Services of the City of Dover by the City Manager; and

WHEREAS: It is the desire of the City Manager, in accordance with the Dover City Charter and the Laws of the State of New Hampshire, to establish compensation, benefits, and other working conditions for the employment of the Employee; and

WHEREAS: It is the desire of the City Manager to ensure the commitment and full productivity of the Employee in providing service to the City as Director of Media Services; and

WHEREAS: It is the desire of the City Manager to provide inducement for the Employee to remain in service to the City while also ensuring a just means for the termination of employment at such time as may be required; and

WHEREAS: Employee agrees to accept employment as Director of Media Services of said City.

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

The City Manager is hereby authorized to enter into the attached Employment Agreement.

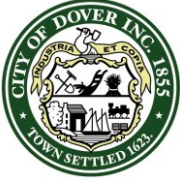
AUTHORIZATION

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.13.

Resolution Number: **R – 2022.12.14 – 236**

Resolution Re: Approval of Director of Media Services of the City of
Dover Employment Agreement

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.		

RESOLUTION BACKGROUND MATERIAL:

See attached Employment Agreement. This Resolution shall ratify the attached Employment Agreement related to the employment of Michael P. Gillis as Director of Media Services of the City of Dover. The Agreement outlines wages, benefits, and other conditions of employment.

**EMPLOYMENT AGREEMENT
BETWEEN THE CITY OF DOVER, NH
AND
MICHAEL P. GILLIS**

This Agreement made and entered into this ____ day of ____, 2022 by and between the CITY OF DOVER, a municipal corporation within the County of Strafford and the State of New Hampshire (hereinafter called the “CITY”), as party of the first part and MICHAEL P. GILLIS, of the Town of Rollinsford, County of Strafford, and State of New Hampshire (hereinafter called “EMPLOYEE”), as party of the second part;

WITNESETH:

WHEREAS, the City desires to employ the services of the Employee as Director of Media Services of the City of Dover.

WHEREAS, it is the desire of the City Manager, in accordance with the Dover City Charter and the Laws of the State of New Hampshire, to establish compensation, benefits, and other working conditions for the employment of the Employee; and

WHEREAS, it is the desire of the City Manager to ensure the commitment and full productivity of the Employee in providing service to the City as Director of Media Services; and

WHEREAS, it is the desire of the City Manager to provide inducement for the Employee to remain in service to the City while also ensuring a just means for the termination of employment at such time as may be required; and

WHEREAS, Employee agrees to accept employment as Director of Media Services of said City.

NOW, THEREFORE, in consideration of the promises and mutual covenants contained herein, the parties agree as follows:

SECTION 1 – DUTIES AND AUTHORITY

City hereby agrees to employ Michael P. Gillis as Director of Media Services of said City. Employee accepts such employment and agrees to perform the functions and duties specified in the City Ordinances, and the Laws of the State of New Hampshire, and to perform such other legally permissible and proper duties, and reasonable functions as the City Manager shall from time-to-time assign.

SECTION 2 – TERM

This Agreement shall remain in full force and effect from December 15, 2022 until employment is terminated by the City or Employee as provided in Section 3 of this Agreement. Solely for the purposes of benefit eligibility, Employee’s anniversary date of employment with the City shall remain February 1, 2010.

SECTION 3 – TERMINATION OF EMPLOYMENT AND SEVERANCE

- A. The City Manager, at any time, may terminate the employment of the Employee for cause after thirty (30) days written notice of the basis for the termination.
- B. In the event the Employee is terminated by the City Manager with cause, the City agrees that it shall pay to the Employee all unused, accrued vacation leave said amount to be paid to the Employee on or before the effective date of termination of his employment.

- C. In the event the City in any fiscal year intentionally reduces the base salary, compensation or any other financial benefit of the Employee in a percentage greater than is applied in an across the board reduction in the same fiscal year applicable to all other employees of the City, or in the event that the City refuses, following a thirty (30) day period after receipt of written notice delivered to the City Manager, to comply with any of the financial provisions benefiting the Employee set forth herein, or if the City abolishes the position of Director of Media Services without establishment of the position under a different title with substantially similar duties and responsibilities or similar action, the Employee may, at his option, deem to have been terminated without cause as of the date of such reduction or refusal to comply with the provision herein claimed to have been violated.
- D. In the event the Employee is terminated without cause, the City agrees that it shall pay to the Employee all unused, accrued vacation leave, together with a lump sum severance payment equal to one (1) month aggregate salary for each year of completed service as Director of Media Services, not to exceed six (6) months total, said amount to be paid to the Employee on or before the effective date of termination of his employment.
- E. In the event the Employee voluntarily resigns his position with the City, the Employee shall give the City thirty (30) days written notice in advance, unless the parties agree otherwise. Such notice of resignation shall be directed to the City Manager. If the Employee voluntarily resigns, he shall not be entitled to salary after the date of resignation or to the severance benefits specified in this Section except he shall be paid for all unused, accrued vacation leave not to exceed thirty (30) days.

SECTION 4 – SALARY

- A. The City agrees to pay the Employee for services rendered under this Agreement, an annual base salary of \$ 100,214.72, subject to applicable withholdings and deductions, payable in installments at the same time as other employees in the City are paid.
- B. Effective the first full pay period following Employee's anniversary date and each year thereafter, the City agrees the Employee shall be awarded a merit increase following completion of an evaluation of his performance as specified by Section 5 of this Agreement. Such increase is only to be applied to the Employee's base salary up to the maximum amount specified in the Class and Pay Plans attached to the City's Merit Plan after which such increase may be paid as a single lump sum merit bonus. The amount of the merit increase shall be determined by the City Manager at his sole discretion, but shall not be more than 5% per annum subject to a satisfactory performance review.

SECTION 5 – PERFORMANCE EVALUATION

- A. The City Manager shall review and evaluate the Employee's performance as Director of Media Services at least once every year, provided, at a minimum, one performance evaluation occurs within forty-five (45) days of the Employee's anniversary date each year. Said review and evaluation shall be based on the goals and objectives developed by the City Manager and the Employee in accordance with paragraph B of this Section. Upon completing the evaluation, the City Manager shall provide the Employee with a written copy of the City Manager's remarks. There shall be an adequate opportunity for the Employee to discuss the evaluation with the City Manager.
- B. Annually during the month of July, or such other month as may be mutually agreed upon, the City Manager and the Employee shall define goals and objectives which they determine necessary for the proper operation of the City and the attainment of the City Manager's policy objectives, said goals and objectives to be reduced to writing. They shall generally be attainable within the time limits specified and within the annual operating and capital budgets and appropriations provided by the City and the events that have occurred during the year.

SECTION 6 – HOURS OF WORK

- A. The Employee will devote full time and attention to the business of the City and will not engage in any other business during office hours, except with the approval of the City Manager.
- B. It is recognized that the Employee must devote a great deal of time outside the normal office hours to the business of the City, and to that end the Employee will be allowed to have flexibility in scheduling his time.

SECTION 7 – PAID LEAVE AND HOLIDAYS

- A. The Employee shall accrue twenty (20) days paid vacation leave per year which shall be awarded annually on the Employee's anniversary date. To limit excessive accruals, up to thirty (30) days of accrued unused vacation leave may be carried over from year to year. Employee may opt to be paid for any portion of accrued and unused vacation leave not used during the year.
- B. The Employee will be eligible for ten (10) sick days per fiscal year prorated in the first year from the Employee's anniversary date to the end of the fiscal year. Sick days are only available to be utilized in the fiscal year awarded and shall not accrue or otherwise accumulate from year to year.
- C. The Employee shall be responsible for accurately recording leave usage which shall be verified and approved by the City Manager.
- D. The Employee is entitled to time off for the holidays currently recognized by the City on the day they are observed.
- E. All previously accrued and unused leave as of the effective date of this Agreement shall remain available for use by the Employee subject to the accrual and use limitations specified above.

SECTION 8 – INSURANCE BENEFITS

Insurance benefits, including health, dental, life and disability insurances provided to City employees as part of its Flexible Benefits Program will be made available to the Employee and paid by the City excepting the Employee shall pay twenty percent (20%) and the City will pay eighty percent (80%) of the applicable premiums for the Employee's chosen health insurance plan and, further, the City shall pay an amount up to and not exceeding the cost for two (2) person base dental coverage with Employee paying the difference for any higher cost plan and/or coverage levels. The Employee health contribution may be subject to change as applicable to other City Employees. The employee shall receive a buy back for health and/or dental insurance coverages as applicable to other City Employees provided Employee presents evidence of satisfactory coverage from another source acceptable to the City.

SECTION 9 – RETIREMENT BENEFITS

- A. The Employee shall be allowed to participate in the NH Retirement System per the requirements established by State of New Hampshire Retirement System.
- B. The Employee may enroll in the City's 457 Deferred Compensation Plan and will remain eligible to receive a matching City contribution as applicable to other City employees.

SECTION 10 – CITY BUSINESS RELATED EXPENSES

- A. The Employee shall be reimbursed for all reasonable business-related expenses incurred in the performance of his duties.

SECTION 11 – PROFESSIONAL DEVELOPMENT

- A. The City shall pay for the Employee's individual membership dues and assessments by the New Hampshire Coalition for Community Media Association and the National Association of Telecommunications Officers.
- B. The City agrees to purchase subscriptions, books, training materials, course tuition and other professional association memberships for the Employee dependent upon budget availability.
- C. The City agrees to pay the expenses associated with the Employee's attendance at the annual conference of the National Association of Telecommunications Officers or, subject to prior approval, another related professional association.

SECTION 12 – INDEMNIFICATION/THIRD PARTY CLAIMS

- A. The City agrees to indemnify and hold harmless the Employee from any and all losses, including Employee's reasonable attorney's fees and other expenses of defense, in connection with any claim, demand, action, or suit, or judgment arising out of any act or omission of the Employee if at the time of the act or omission, the Employee was acting within the scope of his employment and without malice or bad faith.
- B. The City agrees to provide liability coverage for the Employee against third party claims through the City's public employee insurance coverage.

SECTION 13 – BONDING

The City shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance.

SECTION 14 – OTHER TERMS AND CONDITIONS

The City Manager may fix such other reasonable terms and conditions of employment, as he may determine from time to time, relating to the performance of the Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the City Merit Plan, the City Charter, or any other Federal or State law.

SECTION 15 – SEVERABILITY

If any provisions, or provision thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement or portion thereof, shall be deemed severable and shall not be affected and shall remain in full force and effect.

SECTION 16 – MERGER

The text of this written Agreement and any amendments approved and executed by the City Manager and the Employee constitute the entire understanding between the parties with respect to the employment of MICHAEL P. GILLIS as the Director of Media Services of the City of Dover.

SECTION 17 – NOTICES

Notices pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service, postage prepaid, addressed as follows:

City: THE CITY MANAGER
City of Dover, NH
288 Central Avenue

Dover, NH 03820

Employee: MICHAEL P. GILLIS, Director of Media Services
City of Dover, NH
288 Central Avenue
Dover, NH 03820

Alternatively, notices required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission in the United States Postal Service.

SECTION 18 – GENERAL PROVISIONS

- A. This Agreement shall be binding upon the City and Employee, as well as their heirs, assigns, executors, personal representatives and successors in interest.
- B. This Agreement shall become effective upon execution.

IN WITNESS WHEREOF, the City of Dover has caused this Agreement to be signed and executed in its behalf by the City Manager, and the Employee has signed and executed this Agreement, all in duplicate, as of the day and year first above written.

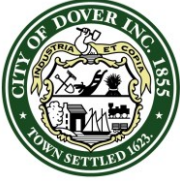
Dated: _____

CITY OF DOVER, NEW HAMPSHIRE

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

EMPLOYEE

By: _____
MICHAEL P. GILLIS



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.14.

Resolution Number: **R - 2022.12.14 – 237**

Resolution Re: Authorization to Execute Default Service Reimbursement Agreement Between Standard Power of America, Inc. and the City of Dover

WHEREAS: Earlier in 2022, the City's Resilience Coordinator identified an opportunity for the City to earn revenue while supporting clean, renewable energy in New Hampshire, resulting in a one-year net metering arrangement that has financially benefitted the City ([R-2022.01.26-024](#)); and

WHEREAS: Standard Power of America, Inc. has proposed to sign a new agreement for the meter-read dates January 2023 through December 2023; and

WHEREAS: The City's obligations remain generally limited to joining the net metering group and providing future information about the City's electric energy consumption. In return, the City would receive a periodic Default Service Reimbursement Payment based on the City's electric energy consumption in designated facilities.

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

On behalf of the City of Dover, the City Manager is authorized to execute another one-year Default Service Reimbursement Agreement between Standard Power of America, Inc. and the City of Dover, substantially in the form attached to this resolution. The City Managers is authorized to perform the City's obligations stated in the aforesaid agreement.

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.14.	
Resolution Number: R - 2022.12.14 – 237 Resolution Re: Authorization to Execute Default Service Reimbursement Agreement Between Standard Power of America, Inc. and the City of Dover		

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 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.		

RESOLUTION BACKGROUND MATERIAL:

Attached is a copy of a new one-year Default Service Reimbursement Agreement between Standard Power of America, Inc. and the City of Dover, running from January 2023 through December 2023.

In essence, the transaction contemplated by this agreement is the sale of certain attributes of the City's power consumption, that are of use and value to the net metering group. This agreement does not impact the City's current electricity supply contractual arrangements. This agreement would only monetize currently unused attributes of the City's power consumption.

This transaction is expected to continue supporting renewable sources of energy (hydro power) by resulting in additional revenue to local producers of such renewable energy.

To date, the current agreement has resulted in approximately \$10,000 a quarter in revenue to the City in 2022.

The counter party, Standard Power of America, Inc., is based in New Hampshire.

Document Created by: Legal Document Posted on: December 9, 2022	R-2022.12.14 Authorization to Execute Default Service Reimbursement Agreement Between Standard Power of America, Inc. and the City of Dover Page 2 of 2
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DEFAULT SERVICE REIMBURSEMENT AGREEMENT

This Default Service Reimbursement Agreement (this “Agreement”) is by and between **Standard Power of America, Inc.** (the “Administrator”) and the **City of Dover, NH** (the “Customer”) (together referred to as “Parties” and each individually as a “Party”) and is effective and binding on the Parties as of the date hereof.

Background

1. Seller is the Administrator of a group net metering arrangement (the “Group”), of which the Customer is a member.
2. Customer is an Eversource utility customer.
3. As a member of the Group, the Customer is entitled to a default service reimbursement payment (“Default Service Reimbursement Payment”) pursuant to the governing Group Net Metering Agreement.

N O W, T H E R E F O R E,

In consideration of the mutual covenants and agreements herein set forth, the Parties hereby agree as follows:

Section 1. **Term and Termination.** This Agreement will start on the January 2023 Utility meter read date and end on the December 2023 Utility meter read date. In addition; this Agreement can be terminated pursuant to this Section 1 (the “Term”). This Agreement can be terminated by either Party upon sixty (60) days prior notice. All payment obligations arising prior to the termination of this Agreement shall survive the termination thereof.

Section 2. **Obligation to Provide Default Service Reimbursement Amount.**

(a) In consideration of the Customer’s participation in the Group, the Administrator agrees to make, and the Customer agrees to accept, the Default Service Reimbursement Payment.

(b) The Default Service Reimbursement Payment shall be paid to the Customer within ten (10) days of the end of each calendar quarter during the Term. The Default Service Reimbursement Payment shall be calculated as follows (a) the rate shall be (\$0.005) (b) the Rate shall then be multiplied by the total kilowatt-hours (“kWh”) used by the Customer during that same quarter.

(c) In any quarter, the Administrator’s payment of the Default Service Reimbursement Payment to all members of the Group, including the Customer, shall be unconditionally limited by the amount of generation (kwh) produced by the facility during that same quarter. To the extent, there are kWh of excess generation from previous quarters that were not used to make Default Service Reimbursement Payments in those previous quarters; the Administrator shall provide additional kWh credits up to the amount that was not covered by the actual generation during the current quarter.

(d) The Administrator shall perform a true-up of annual generation from the facility to the Customer’s annual usage by January 15th of each year during the Term or, if the Term ends prior to January 15th, at the end of the Term. If, based on the annual true up, the Customer shall have received Default



Service Reimbursement Payments during the previous year for less than its full kWh usage during that year; the Administrator shall provide reimbursement for those kWh in the last annual payment or the last payment of term to the extent that that power has been generated.

Section 3. **Assignment.** The Customer may not assign or transfer this Agreement to any other person or entity without the other Administrator's prior written consent, and any attempted assignment or transfer without such consent shall be void. The Administrator may sell, transfer, pledge or assign this Agreement or any right herein in connection with any financing agreement or receivables purchase program, and may assign this Agreement to another energy supplier, energy Services Company or other entity as authorized by the New Hampshire Public Utilities Commission.

Section 4. **Access to Customer Usage Information.** Upon request by the Administrator, the Customer shall provide monthly invoices from Eversource to confirm usage information for accounts listed in Schedule A of the Group Net Metering Agreement.

Section 5. **Dispute Resolution.** The Parties shall attempt in good faith to resolve all disputes arising under or with respect to this Agreement promptly by negotiation. If the Parties cannot resolve the dispute in this manner, they shall refer the dispute to a mediator, whose costs shall be shared equally. Should mediation fail to resolve the dispute, the parties may pursue an action in any Court with jurisdiction..

Section 6. **Liability.** The remedy in any claim or suit by the Customer against the Administrator will be solely limited to direct actual damages (which will not exceed the amount of Customer's aggregated payments in the immediately preceding twelve (12) month period. All other remedies at law or in equity are hereby waived. In no event will either the Administrator or the Customer be liable for consequential, incidental, indirect, special or punitive damages. These limitations apply without regard to the cause of any liability or damages. There are no third-party beneficiaries to this Agreement.

Section 7. **Governing Law.** This Agreement shall be governed and construed in accordance with the laws of the State of New Hampshire, without giving effect to principles of conflict of laws that would require the application of any other law.

Section 8. **Taxes.** All taxes of whatsoever kind, nature and description due and payable with respect to service provided under this Agreement, other than taxes based on the Administrator's net income, shall be paid by the Customer, and Customer agrees to indemnify the Administrator and hold the Administrator harmless from and against any all such taxes.

Section 9. **Regulatory Change.** This Agreement is subject to present and future legislation, orders, rules, regulation or decision of a duly constituted governmental authority having jurisdiction over this Agreement or over the services to be provided hereunder. If at some future date there is a change in any law, rule, regulation, tariff or regulatory structure ("Regulatory Change") which impacts any term, condition or provision of this Agreement, including, but not limited to price, the Administrator shall have the right to modify this Agreement to reflect such Regulatory Change by providing thirty (30) days' written notice of such modification to the Customer.

[Signature Page Follows on Separate Page]



IN WITNESS WHEREOF, the Parties do hereby execute this Agreement as of the ____ day of _____, 2022.

ADMINISTRATOR:

Standard Power of America, Inc.

By: _____

Name: _____

Title: _____

CUSTOMER:

City of Dover, NH

By: _____

Name: _____

Title: _____

APPOINTMENTS COMMITTEE REPORT

December 14, 2022

New Appointments

Melina Gambino – Cemetery Board Alternate

Jake Geddes – Conservation Commission Alternate

Jacqueline Finnerty – Arts Commission Alternate

John Turner – Energy Commission Alternate

Kim Massaro – Graffiti Committee Alternate

Cliff Blake – Library Board of Trustees Alternate

Christina Lawrence – Open Lands Committee

Mikayla Jerominek – Planning Board Alternate and Racial Equity and Inclusion Alternate

Sophie Robison – Racial Equity and Inclusion Alternate and Strafford Regional Planning Commission

Sarah Tataczuk – Zoning Board of Adjustment Alternate

Change in Status – Alternate to Regular Member

Jacqueline Finnerty – Graffiti Management Committee

Reappointments:

Liz Goldman – Transportation Advisory Committee

Christophe Cloitre – Pool Advisory Committee

Lynn Peterson – Solid Waste Advisory Committee

David Dupont – Trustees of the Trust Fund

William Davis – Dover Utilities Commission

Openings on Boards/Commissions:

Library Board of Trustees – 1 alternate position

McConnell Center Advisory Committee – 1 alternate position

Open Lands Committee – 1 regular position

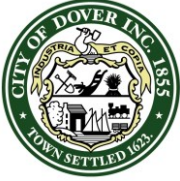
Planning Board – 1 alternate position

Pool Advisory Committee – 1 regular and 2 alternate vacancies

Racial Equity and Inclusion Ad-Hoc Committee – 2 alternates

Recreation Advisory Board – 1 regular opening and 2 alternates

Utilities Commission – 1 alternate position



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R - 2022.12.14 - 238**
Resolution Re: **FY2024 Budget Guidance**

- WHEREAS: The Dover School Board and City Manager are beginning to assemble the recommended budget for submission to the Dover City Council for Fiscal Year 2024; and,
- WHEREAS: A comprehensive series of financial policies have been established for the municipality to strengthen and sustain the financial health and long-term operational needs of the community; and,
- WHEREAS: In accordance with the City of Dover's adopted financial policies, the City Manager has provided to the City Council a preliminary budget estimate for FY 2024; and,
- WHEREAS: Following submission of the preliminary budget estimate, the adopted financial policies require the City Council to review and approve a preliminary budget resolution giving budgetary guidance to the City Manager and the School Department for development of the budget for the forthcoming fiscal year; and,
- WHEREAS: The three-year average in the Consumer Price Index for all consumers is projected as 3.83%, resulting in a preliminary tax cap analysis for the FY2024 budget estimating an allowed increase in the overall FY 2024 City and Local School tax levies of \$4,999,333.

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

The City Manager and School Board shall submit their recommended budgets for Fiscal Year 2024 pursuant to State law and the Dover City Charter and in accordance with the City of Dover's adopted Financial Policies.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier

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

Recorded by: Susan M. Mistretta
City Clerk



CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R - 2022.12.14 - 238**
Resolution Re: FY2024 Budget Guidance

CITY OF DOVER

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

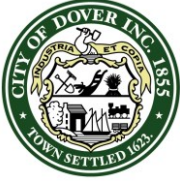
VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Robert Hinkel, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Debra Hackett, Ward 4		
Councilor Fergus Cullen, Ward 6		
Councilor Linnea Nemeth,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

RESOLUTION BACKGROUND MATERIAL:

This resolution requires the City Manager and School Board to submit their recommended budgets for FY2024 to the City Council in accordance with State Law, the City Charter and Dover’s adopted financial policies.

The CPI figure used above, and in the current tax cap analysis, is in part projected, as the final figure for the 2022 year has not yet been published. In addition, the net construction/demolition permit value is not finalized as December 2022 values are not complete at this time.

A preliminary tax cap analysis and a preliminary budget estimate were provided to at the Joint Meeting of City Council and School Board on December 7, 2022.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R - 2022.12.14 – 239**
Resolution Re: B23031 Award of Bridge Repairs – Chestnut Street Bridge
Over Cochecho River

- WHEREAS: A sealed Request for Proposal #B23031 Bridge Repairs - Chestnut Street Bridge over Cochecho River was issued and received on November 8, 2022 @ at 2:00 p.m. This request for bid is a modification of a previous proposal sent out in March of 2022; and
- WHEREAS: The scope of work is at the bridge (No. 128/122) crossing the Cochecho River on Chestnut Street in the City of Dover. The project consists of removing the pavement, membrane and sidewalks on the bridge, repairing deteriorated concrete in the bridge deck, cold planning approach pavement, reconstructing the bridge sidewalks, and installing new bridge membrane, new bridge pavement and new wearing course pavement; and
- WHEREAS: The city received one bid response which was reviewed for necessary qualifications, experience, understanding of project scope, approach for completing the work, which came from New England Infrastructures, LLC. The Base bid plus Alternates and contingency total \$2,100,000.0. The City is recommending award of the project in the total amount of \$2,100,000.00 with New England Infrastructures, LLC; 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 New England Infrastructures, LLC of Hudson, MA for Chestnut St. Bridge Repairs Over the Cochecho River in the amount of \$2,100,000.00. The City Manager, or designee, is hereby authorized to contract with the vendor consistent with the Purchase Order authorized herein.

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

Financing			
Account	Description	Appropriation	Balance
4022.1.300.43130.4752.03155.22	Chestnut St. Bridge Replacement	246,141.00	229,259.00
4024.1.300.43130.4752.03155.24	Chestnut St. Bridge Replacement	1,344,000.00	1,344,000.00
1009.1.300.43121.4752.00000.20	Bridges	99,999.10	99,999.10
1009.1.300.43121.4752.00000.21	Bridges	106,800.00	106,800.00
1009.1.300.43121.4752.00000.22	Bridges	160,000.00	160,000.00
1000.1.300.43121.4752.00000.00	Bridges	180,000.00	180,000.00

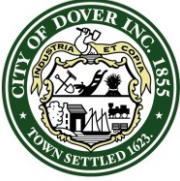
AUTHORIZATION

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.2.

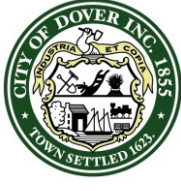
Resolution Number: **R - 2022.12.14 – 239**
Resolution Re: B23031 Award of Bridge Repairs – Chestnut Street Bridge
Over Cochecho River

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.B.2. Resolution Number: R - 2022.12.14 – 239 Resolution Re: B23031 Award of Bridge Repairs – Chestnut Street Bridge Over Cochecho River
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RESOLUTION BACKGROUND MATERIAL:

The project consists of removing the pavement, membrane and sidewalks on the bridge, repairing deteriorated concrete in the bridge deck, cold planning approach pavement, reconstructing the bridge sidewalks, and installing new bridge membrane, new bridge pavement and new wearing course pavement.

The Base bid totaled \$1,444,905.00, Alt# 1 Removal of Existing Structure & adding Concrete deck totaled \$479,595.00, Alt #2 Structural Steel Repairs totaled \$62,500.00 and contingency amount of \$113,000.00. The City is seeking to move forward with the base bid as well as Alt 1, Alt 2, and contingency for a total of \$2,100,000.00

The project was previously bid in March 2022, in which one bid was received that was beyond the allocated funding. The project was rebid with modifications to the temporary traffic control plan with the anticipation that potential bids would be lower. A bid analysis was performed on the current bid from New England Infrastructures, LLC and the bid appears to be fair. The bridge will continue to deteriorate, and delaying the project will risk increasing the amount of repair areas and consequently increase project costs.

Bid Information:

Request for Proposal #B23031 was issued and received on November 8, 2022 @ at 2:00 p.m.

Award Information:

A purchase order will be issued to the vendor selected to authorize future expenditures.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	530	Number of Responses:	1
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	Yes	Contract:	Yes
Prices will hold for:	Until completed	Estimated Delivery:	July 2023
Recommended Award to:	New England Infrastructure, LLC	Fund:	GF
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

[B23031 Bid Documents](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2022.12.14 - 240**

Resolution Re: B23043 Multihog CX75 Articulated Sidewalk Tractor with
Various Related Accessories – Sourcewell Contract 030619

WHEREAS: The City of Dover is a member of Sourcewell, formally the National Joint Powers Alliance (NJPA), a member-focused public cooperative of more than 50,000-member agencies throughout the United States and, therefore, may purchase utilizing any of their cooperative purchasing agreements. In April 2019, Sourcewell solicited RFP#030619 and entered into agreement with Multihog Limited Contract #030619-MUL for Airport Runway & Emergency Equipment with related accessories. Included are multipurpose tractors at a five percent discount off manufactures suggested retail price (MSRP) May 31, 2023; and

WHEREAS: The authorized distributor of Multihog Equipment for New Hampshire provided a quote #02-29164 for one Multihog CX75 Articulated Sidewalk Tractor with related equipment in the total amount of \$216,329.88. The itemized list of the unit along with accessories is outlined in the background section of this resolution. It is the recommendation to accept the proposal submitted by Equipment East of Bow NH in the amount of \$216,329.88; 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, other governmental agencies or cooperative buying groups; 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 Equipment East of Bow New Hampshire for the purchase of a new Multihog CX75 Articulated Sidewalk Tractor and related accessories in the amount of \$216,329.88. 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
4023.1.300.43121.4743.03110.23	FY23 CIP Heavy Vehicles	283,050.00	51,627.43
4024.1.300.43121.4743.03110.24	FY24 CIP Heavy Vehicles	500,000.00	500,000.00

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.B.3.

Resolution Number: **R – 2022.12.14 - 240**
Resolution Re: B23043 Multihog CX75 Articulated Sidewalk Tractor with
Various Related Accessories – Sourcewell Contract 030619

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

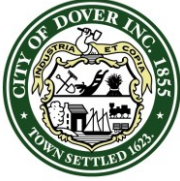
VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Robert Hinkel, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Debra Hackett, Ward 4		
Councilor Fergus Cullen, Ward 6		
Councilor Linnea Nemeth,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

RESOLUTION BACKGROUND MATERIAL:

The City is down to only 2 articulating sidewalk tractors that are equipped with drop-sanders for spreading sand or salt. The majority of snow removal along sidewalks occurs with skid-steer type of mini-tractors, so there is a priority to have reliable equipment with salting & sanding capability. The City's 2 current tractors are German manufactured, and we are experiencing up to a 9-month lead time for critical parts. The Fleet Supervisor suggests we will only be able to rely on 1 tractor this winter, as parts may have to be scavenged off the other unit.

MultiHog is an emerging manufacturer in this field. The City of Rochester has recently purchased 2 similar units, and we had a demonstration unit brought in last fall to allow operators to test the equipment and features. MultiHog indicates they have units currently available in their domestic inventory, so it's possible a new unit could arrive by late-January 2023, in time for significant use this coming winter.

	MSRP	Disc	Net
Multihog A75 tractor	146,903.62	5%	139,558.44
dump body & Spreader	10,000.00	5%	9,500.00
60" angle Plow w/carbide	11,076.00	5%	10,522.20
50" dual auger box snowblower	12,000.00	5%	11,400.00
60/48 V plow with carbide edge	18,495.00	5%	17,570.25
hydraulic sweeper/snow broom	12,012.00	5%	11,411.40
Weed Brush	17,229.04	5%	16,367.59



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2022.12.14 - 240**

Resolution Re: B23043 Multihog CX75 Articulated Sidewalk Tractor with
Various Related Accessories – Sourcewell Contract 030619

Extended warranty	6,703.00	5%	6,367.85
			222,697.73
delete extended warranty			(\$6,367.85)
		Net cost	216,329.88

Bid Information:

The City of Dover is a member of Sourcewell, formally the National Joint Powers Alliance (NJPA), a member-focused public cooperative of more than 50,000 member agencies throughout the United States and, therefore, may purchase utilizing any of their cooperative purchasing agreements. In May 2019, Sourcewell solicited RFP#030619 and entered into Contract #060619-MUL with Multihog Limited for various tractors with Related Attachments, Accessories and Supplies through May 31, 2023.

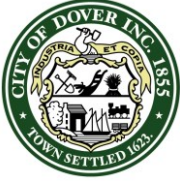
Award Information:

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

Purchasing Information:

Type:	Purchase Order	Advertised:	No
Invitations Emailed:	N/A	Number of Responses:	N/A
Warranty:	Per Manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until Complete	Estimated Delivery:	As needed
Recommended Award to:	Equipment East Bow NH	Fund:	CIP FY24
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.

[B23043 – Sourcewell RFP#030619 Results and Award](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R - 2022.12.14 – 241**
Resolution Re: Authorization to Accept and Expend the NHHFA
InvestNH Municipal Planning & Zoning Grant

WHEREAS: The City of Dover Planning Department is seeking approval to accept and expend a NHHFA administered InvestNH Municipal Planning & Zoning Grant (the Program) under contract with the NH Department of Business & Economic Affairs (BEA). BEA has established the Program using funds awarded or these purposed in the American Rescue Plan Act in the amount of \$250,000.00; and

WHEREAS: For this Grant, all funds must be dedicated and requested for disbursement no later than July 31, 2024. The Scope of Work is detailed in the background section of this resolution: 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:

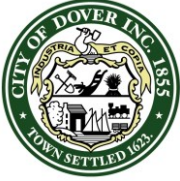
In expending funds for eligible costs identified in the grant, the Purchasing Agent is hereby authorized to issue Purchase Orders as set forth in the duties and responsibilities of Dover Code Chapter V, Purchasing Procedure. The City Manager, or designee, is hereby authorized to contract with vendors 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	NHHFA InvestNH Municipal Planning & Zoning	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.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R - 2022.12.14 – 241**
Resolution Re: Authorization to Accept and Expend the NHHFA
InvestNH Municipal Planning & Zoning Grant

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

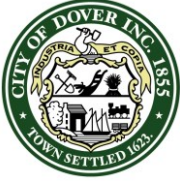
Recorded by: Susan M. Mistretta
City Clerk

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 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

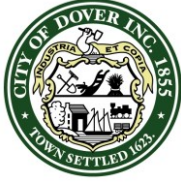
CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R - 2022.12.14 – 241**
Resolution Re: Authorization to Accept and Expend the NHHFA
InvestNH Municipal Planning & Zoning Grant

RESOLUTION BACKGROUND MATERIAL:

Task	Description	Cost
Task 1	Review of Dover's Housing Stock and Related Studies	48,000.00
Task 2	Public Outreach	30,000.00
Task 3a	Draft Amendments	30,000.00
Task 3b	Compile Public Material	60,000.00
Task 4	Present Amendments to Planning Board & City Council	21,000.00
Task 5	Present Amendments to the Public (if adopted)	48,000.00
All Tasks	Miscellaneous Expenses	13,000.00
		250,000.00

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 13.C.1. Ordinance Number: O – 2022.12.14 – 014 Ordinance Title: Boards, Commissions and Committee Chapter: 9 Section: 9-8 Planning Board
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The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to codify, confirm, and ratify the Planning Board’s ability to delegate site review powers and duties for minor site plans.

2. AMENDMENT

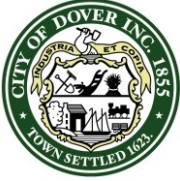
Chapter 9 entitled “Boards, Commissions, and Committees” is hereby amended by revising Section 9--8, “Planning Board”, as follows:

a. THE FOLLOWING ARE AMENDED:

§ 9-8 Planning Board.

Pursuant to the provisions of RSA 673:2, there is hereby created the City Planning Board, with the powers and duties specified in RSA 672 to 677 and this section.

- A. **Membership.** Pursuant to the provisions of RSA 673:2, I-a, and 673:6, the Planning Board shall consist of nine regular members and three alternates, as follows: the City Manager or designee, one administrative official of the municipality, who shall be selected by the City Manager, and a member of the City Council appointed by the City Council. All of the foregoing regular members shall be ex officio members with voting privileges. The remaining six regular members and the three alternate members shall be appointed by the City Council. Planning Board members may only serve on other municipal boards and commissions pursuant to RSA 673:7.
- B. **Terms of members.** Members shall be appointed to terms of three years consistent with the provisions of RSA 673:5, II. The terms for member appointments shall be made to allow for subsequent appointments to occur on a staggered basis. The ex officio Council member's term shall be the same as the Council term. The administration official shall be appointed by the City Manager. All other Board members' terms shall be for three years.
- C. **Chair.** The Planning Board shall elect a Chair and may create other officers it deems necessary. The term shall be for one year. The Chair is eligible for reelection. An ex officio member shall not serve as Chair.
- D. **Meetings.** The Planning Board shall hold at least one regular meeting per month. The Chair shall designate an alternate if a member is absent or disqualified. A majority of the members shall constitute a quorum.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2022.12.14 – 014**
Ordinance Title: Boards, Commissions and Committee
Chapter: 9
Section: 9-8 Planning Board

- E. Vacancy. The City Council shall fill any vacancy for the unexpired term, with the exception of a vacancy in the administration official position, which shall be filled by the City Manager.
 - F. Removal of members. In accordance with RSA 673:13, the City Council may remove any member, or alternate, after a public hearing and a written finding of inefficiency, neglect of duty, or malfeasance in office. The written reasons shall be filed with the City Clerk.
 - G. Disqualification. All members shall comply with relevant sections of the City Code of Ethics (Chapter **21**) concerning conflicts and disqualification rules pursuant to RSA 673:14.
 - H. Finances. Any Planning Board expenses shall be paid in accordance with RSA 673:16.
 - I. Bylaws. The Planning Board shall adopt rules of procedure for governing the conduct of meetings.
 - J. Authority and duties. The duties and authority of the Planning Board shall comply with RSA 672 to 677 and this section.
- (1) Pursuant to the provisions of RSA 674:43, the Planning Board is hereby authorized to require preliminary review of site plans and to review and approve or disapprove site plans for the development or change or expansion of use of tracts for nonresidential uses or for "multifamily dwelling units," which are defined as any structures containing more than four dwelling units, whether or not such development includes a subdivision or resubdivision of the site.
- (2) Pursuant to the provisions of RSA 674:43, III, the Planning Board may delegate its site review powers and duties in regard to minor site plans to a committee of technically qualified administrators chosen by the Planning Board from the Community Services Department, the Planning Department, and other similar departments in the City of Dover. Should the Planning Board elect to do so, the aforesaid committee of technically qualified administrators may be delegated final authority to approve or disapprove minor site plans.
- ~~(23)~~ Pursuant to RSA 674:35, the Planning Board is authorized to require preliminary review and approval of subdivisions, including the review and approval of plats, the grading of streets and the installation of utility structures.

3. TAKES EFFECT

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

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Agenda Item#: 13.C.1.	
	Ordinance Number:	O – 2022.12.14 – 014
	Ordinance Title:	Boards, Commissions and Committee
	Chapter:	9
Section:	9-8 Planning Board	

REQUIRES 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	

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.		

ORDINANCE BACKGROUND MATERIAL:

This ordinance is intended to make a technical update to Chapter 9, clarifying that the Planning Board may, as allowed by statute if authorized by City Council, delegate final site review powers and duties to the Technical Review Committee (or a similar committee authorized by RSA 674:43, III) for minor site plans.