



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, April 12, 2023**
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. **REPROGRAM UNEXPENDED BOND PROCEEDS FOR SLUDGE DEWATERING PROJECT TO AERATION BLOWER REPLACEMENT (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL.) COUNCIL VOTE TO OCCUR ON APRIL 26, 2023.)**
SPONSORED BY MAYOR CARRIER BY REQUEST
 - B. **AUTHORIZATION FOR BONDING AND FY2024 CAPITAL IMPROVEMENTS APPROPRIATION FOR WATERFRONT TIF DEVELOPMENT SITE IMPROVEMENTS (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL.) (COUNCIL VOTE TO OCCUR ON APRIL 26, 2023.)**
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. **March 22, 2023 – Regular Meeting**
 - B. **March 29, 2023 – Special Meeting**
 - C. **March 29, 2023 – Workshop Session**
 - D. **April 5, 2023 – Workshop Session**
 - E. **April 5, 2023 – Special Meeting**
11. **MAYOR'S REPORT**
12. **UNFINISHED BUSINESS**
 - A. **ORDINANCES IN THE 2nd READING**
 - B. **ORDINANCES IN THE 3RD READING**
 - C. **RESOLUTIONS**
13. **NEW BUSINESS**
 - A. **CONSENT CALENDAR**
 1. **B14007 ADDITIONAL SCOPE OF WORK POLICE FACILITY UNFINISHED SPACE**
SPONSORED BY MAYOR CARRIER BY REQUEST



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2. **B21051 TRAFFIC CONTROL FLAGGING SERVICES YEAR 3 EXTENSION**
SPONSORED BY MAYOR CARRIER BY REQUEST
3. **B21065 CONSULTING DESIGN SERVICES FOR PORTLAND AVENUE RETAINING WALL AND SIDEWALKS IMPROVEMENT PROJECT AMENDMENT NO. 2**
SPONSORED BY MAYOR CARRIER BY REQUEST
4. **B23047 AWARD OF EVALUATION OF STRATEGIC PREVENTION FRAMEWORK PARTNERSHIP FOR SUCCESS GRANT**
SPONSORED BY MAYOR CARRIER BY REQUEST
5. **B23061 PAVEMENT AND CURBSIDE WEED CONTROL SERVICES**
SPONSORED BY MAYOR CARRIER BY REQUEST
6. **ACCEPTANCE OF EXPRESS DRAINAGE EASEMENTS FROM WESTFIELD, LLC (MAP C, LOT 2)**
SPONSORED BY MAYOR CARRIER BY REQUEST
7. **ACCEPTANCE OF UTILITY EASEMENT FROM ERIC AND ELIZABETH HAGMAN (MAP 13, LOT 12)**
SPONSORED BY MAYOR CARRIER BY REQUEST
8. **AUTHORIZATION TO ACCEPT AND EXPEND A GRANT FROM NH SOCIETY OF GENEALOGIST**
SPONSORED BY MAYOR CARRIER BY REQUEST
9. **AUTHORIZATION TO ACCEPT AND EXPEND DONATION FROM FRIENDS OF THE LIBRARY**
SPONSORED BY MAYOR CARRIER BY REQUEST
10. **AUTHORIZATION TO ACCEPT AND EXPEND A GRANT FROM THE ROTARY CLUB OF DOVER**
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. Committee for Racial Equity and Inclusion (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. Strafford Regional Planning Commission (Williams) |
| 14. Library Board of Trustees (Thibodeaux) | 29. Government Affairs (Carrier) |
| 15. McConnell Center Advisory Committee (Thibodeaux) | |

B. RESOLUTIONS

1. **AUTHORIZING LICENSE FOR BLACK HERITAGE TRAIL MARKER HONORING THE BROWN AND MITCHELL FAMILIES**
SPONSORED BY MAYOR CARRIER BY REQUEST



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, April 12, 2023**
Meeting Time: **7:00 pm**

2. APPROVAL OF PURCHASE AND SALE AGREEMENT BETWEEN CITY OF DOVER AND D. ANNE DICKERSON, TRUSTEE OF THE "D. ANNE DICKERSON REVOCABLE TRUST OF 2005"

SPONSORED BY MAYOR CARRIER BY REQUEST

3. DECLARING FIRST SETTLERS CEMETERY (ALSO KNOWN AS ROBERTS CEMETERY) ON DOVER POINT ROAD (TAX MAP L, LOT 93) ABANDONED (TO BE REFERRED TO A PUBLIC HEARING TO OCCUR AT LEAST SIXTY, BUT NO MORE THAN NINETY, DAYS AFTER PUBLICATION IN A NEWSPAPER IN ACCORDANCE WITH RSA 289:20.)

SPONSORED BY MAYOR CARRIER BY REQUEST

C. ORDINANCES IN 1ST READING

14. COUNCIL CORRESPONDENCE

15. COUNCIL MATTERS OF INTEREST

16. ADJOURN



CITY OF DOVER

CITY OF DOVER - RESOLUTION

**Agenda Item#: 7.A.
Public Hearing Only**

Resolution Number: **R – 2023.03.22 – 050**

Resolution Re: Reprogram Unexpended Bond Proceeds from Sludge
Dewatering Project to Aeration Blower Project

WHEREAS: On an annual basis the City Council adopts the Capital Improvements Program (CIP), which includes the Debt Financing authorization for certain CIP projects; and

WHEREAS: There is \$190,359.72 of unexpended bond proceeds from the Sludge Dewatering Improvements CIP project as it was completed under budget; and

WHEREAS: The City has identified the immediate need for additional funding for the Aeration Blower Retrofit CIP project; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The amount of \$190,359.72 of unexpended bond proceeds is hereby reprogrammed from the Sludge Dewatering Project to the Aeration Blower project as follows:

Project Number	Project Description	Available Balance	Reprogram Adjustment	Adjusted Balance
5320.1.300.43256.4741.04597.12.	Sludge Dewatering Project	190,359.72	(190,359.72)	0.00
5320.1.300.43250.4741.04593.12.	Aeration Blower Project	0.00	190,359.72	190,359.72
	Total Available Funding	190,359.72	0.00	190,359.72

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

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan Mistretta
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

**Agenda Item#: 7.A.
Public Hearing Only**

Resolution Number: **R – 2023.03.22 – 050**
Resolution Re: Reprogram Unexpended Bond Proceeds from Sludge
Dewatering Project to Aeration Blower Project

DOCUMENT HISTORY:

First Reading Date: 03/22/2023	Public Hearing Date: 04/12/2023
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.		

RESOLUTION BACKGROUND MATERIAL:

This resolution does not authorize any additional appropriation. The City Council previously authorized the appropriation for the Aeration Blower Retrofit project.

This resolution does not authorize an increase in the indebtedness of the City. The City Council previously authorized financing the Sludge Dewatering project. This resolution reprograms funding from Sludge Dewatering Project to the Aeration Blower project. On November 17, 2010 the City Council adopted the FY2012 Capital Improvements Plan (CIP) Authorization for bonding, which included \$4,000,000 for the Sludge Dewatering project. The project is now completed and there is \$190,359.72 of unexpended bond proceeds that can be reprogrammed to another City CIP project.

The Aeration Blower project is an approved FY2023 CIP Project and is currently an active project. The project has need for additional funding for the construction portion in conjunction with the purchase of the two blowers.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

**Agenda Item#: 7.B.
Public Hearing Only**

Resolution Number: **R – 2023.03.29- 051**
Resolution Re: **Authorization for Bonding and FY2024 Capital
Improvements Appropriation for Waterfront TIF
Development Site Improvements**

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

WHEREAS: On March 16, 2023 the City received bid responses for B23006 Cochecho Waterfront Improvement Construction; and

WHEREAS: Based on the bid results the City has determined that additional appropriations are required for the Waterfront Development project to proceed; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The following capital project funding is appropriated, with estimated useful lives in excess of the length indicated, as part of the FY2024 Capital Improvements Program:

Item #	Description	Proposed	Life/Yrs	Department	Fund
		Appropriation			
1	Waterfront Development Site Improvements	\$6,000,000	20	TIF - Waterfront	TIF
	Total	\$6,000,000			

AND FURTHER BE IT RESOLVED THAT:

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

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

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan Mistretta
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

**Agenda Item#: 7.B.
Public Hearing Only**

Resolution Number: **R – 2023.03.29- 051**
Resolution Re: **Authorization for Bonding and FY2024 Capital
Improvements Appropriation for Waterfront TIF
Development Site Improvements**

DOCUMENT HISTORY:

First Reading Date: 03/29/2023	Public Hearing Date: 04/12/2023
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#: 7.B.
Public Hearing Only**

Resolution Number: **R – 2023.03.29- 051**
Resolution Re: **Authorization for Bonding and FY2024 Capital
Improvements Appropriation for Waterfront TIF
Development Site Improvements**

RESOLUTION BACKGROUND MATERIAL:

This resolution makes appropriations for the Waterfront Development Site Improvement project as part of the FY2024 Capital Improvements Program financed by debt and authorizes the sale of bonds.

This resolution makes appropriations for the Waterfront Development project which is scheduled to be completed over multiple years. The Finance Department will coordinate with the department overseeing the project to submit cash flow requirements for the project. These cash flow projections are used to determine the amount for upcoming bond issuance. Those projects that are not financed or are only partially financed remain as authorized unissued debt and bonded (financed) when the cash need is determined.

Debt Authorization versus Debt Retirement

The following table compares the tentative authorization amount to the amount of debt being retired:

	Waterfront TIF
Description	Fund
Pending Authorization	6,000,000
Prior FY2024 CIP Authorization	4,000,000
FY2024 Principal Retirement	227,542
Net Change	9,772,458

Legal Debt Limits

The following table summarizes the amount of debt outstanding & authorized-unissued, as of March 29, 2023. Tax increment finance districts are exempt from statutory debt limits.

	Waterfront TIF
Description	Fund
Debt Outstanding	4,260,704
Authorized - Unissued	13,812,500
Total Issued & Unissued	18,073,204
This Authorization	6,000,000
Grand Total	24,073,204



CITY OF DOVER

CITY OF DOVER - RESOLUTION

**Agenda Item#: 7.B.
Public Hearing Only**

Resolution Number: **R – 2023.03.29- 051**
Resolution Re: **Authorization for Bonding and FY2024 Capital
Improvements Appropriation for Waterfront TIF
Development Site Improvements**

Waterfront Development Authorized-Unissued Debt and Available Appropriations

The following table summarizes the existing debt authorizations for the Waterfront Development project that are unissued at this time. This table also shows the available appropriations for those authorizations made for prior years' Capital Improvements Programs.

Description	Appropriations	Available Balance	Authorized Unissued Debt	CIP Authorization
Cochecho Riverbank Stabilization	\$ 600,000	\$ 599,500	\$ -	FY2017 CIP Appropriation
Cochecho Riverfront Park Development	1,412,500	1,324,464	1,412,500	FY2018 CIP Appropriation
Waterfront Development Site Improvements	8,400,000	8,239,736	8,400,000	FY2023 CIP Appropriation
Site Improvements - Waterfront	4,000,000	4,000,000	4,000,000	FY2024 CIP Appropriation
	\$ 14,412,500	\$14,163,700	\$ 13,812,500	

The repayment of the Waterfront TIF Fund debt obligations are to be funded through the Tax Increment retained in the TIF Fund. The Tax Increment to be retained in the TIF Fund will be generated from the growth in the retained captured assessed value resulting from the guaranteed assessed value established in the Waterfront Land Development agreement.

CITY MANAGER'S REPORT

April 12, 2023

Reporting On:
March 2023

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 March 2023:

	For Month	FY23	FY22	FY21	FY20	FY19
Legal Matters/Questions Handled	101	761	790	703	466	342
Review Existing Legal Contracts & Draft Memo	7	118	161	-	-	-
Legal Contracts/Memo Created	29	143	214	350	256	269
Right to Know Requests Processed	9	69	78	51	49	41
Resolutions	9	52	74	73	75	53
Ordinances	0	13	24	19	10	18
Leases	1	2	13	-	-	-
Primex Auto Claims Handled	14	71	46	-	-	-
Primex Liability Claims Handled	9	53	70	-	-	-
Primex Property Claims Handled	5	46	68	-	-	-

Right to Know Requests

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

- NH Voter Integrity Group – Request for November 8, 2022 State election documents.
- Boomerang Data – Request from Finance Department for uncashed checks older than six (6) months.
- CBF2, LLC – Third request for documents relating to Middle Road
- Steptoe & Johnson – 432 Sixth Street – Request for certificate of Occupancy for K9 Kaos.
- Michael Guglielmo – Request of video and preservation of video from the School Board meeting of March 13, 2023.
- SmartProcure – Request of School purchasing records from September 30, 2022 through present.
- NH Public Radio – Request for PA34 Form for 49 Sandy Lane.
- R. Craig Williams – 105 Middle Road – Request of all documents and correspondence between Thomas Torr, Trustee of the Helen F. Preston Trust from September 2016 forward.
- Granite State News Collaborative – Request for City of Dover GIS zoning data.

Assistance to City Departments

City Council & City Boards	Attention to resolutions and ordinances as needed.
Community Services	Assisted with procurement of conservation land; assisted with environmental compliance issues; assisted with enforcement matters; assisted with review of State road project tasks; assisted with multiple cellular tower inquiries; assistance with issues relating to Pudding Hill treatment plan; review of procurement contract provisions for certain projects; review of new proposed environmental regulations; review property rights and title questions as requested; drafting deeds as requested
Executive	Assisted Business Development with Waterfront Project bidding/procurement, as well as amendment to existing development agreement; assisted by offering legislative testimony on certain pending bills; assisted with other development agreements; reviewing general Primex coverages;
Finance	Assisted with numerous foreclosure notices; assisted with issues related to investment fees; review of property rights inquiries relating to invoices; assisted with potential lease of tower space.
Fire & Rescue	Assisted with issues arising out of purchase of new ambulance;
Planning	Assisted with purchase of conservation easement and donation of separate conservation easement assisted CDBG program's development of certain standard contract provisions; review of site and subdivision plan conditions as requested; assist with plan review as requested;
Police	Review potentially relevant judicial decision;
Public Library	Assisted with procurement of architect for renovation;
Public Welfare	No assistance needed.
Recreation	No assistance needed.
School	Assisted with Book Review policy; assisted with book review request; assisted with compliance inquiries; assisted with contract reviews; assist with public meetings;

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, but is expected to be the subject of a motion to continue filed by the plaintiff. Summary judgment motion filed by the City in January 2023 is fully briefed and awaiting decision.

-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. A new briefing schedule recently issued. The appellants' brief is due May 15, 2023. Opposing briefs are due on or before Jun 29, 2023.

-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 filed a brief surreply memorandum. Case has not yet been scheduled for discovery. A hearing on the motion to dismiss has been scheduled in May 2023

-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. Mr. Strahan did not file a brief with the U.S. First Circuit on the due date for same.

-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 and other respondent have filed an answer. The City filed a certified record. The final hearing was held on March 22, 2023 and the appellants and the City each filed a memorandum with the 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 office and the City of Dover. In December 2022, the City and co-defendant filed answers to the Complaint. Case is now in general discovery.

-Tibbett v. City of Dover - The City was notified in January 2023 of an appeal to Superior Court of a subdivision approval in November. In February 2023, the City filed a certified record and answer to the complaint. A hearing on the merits is scheduled for May 1, 2023.

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
December 2022	16	31	14
January 2023	24	28	11
February 2023	19	23	10
March 2023	51	23	42



New Business / Commercial Development / Downtown Updates

- ★ Dover Retailers have worked together to organize the Dover Spring Fling shopping event that will take place May 6th- 7th . Both the Dover Main Street and Dover 400 organizations will be assisting with marketing and collaboration efforts.
- ★ Several applications are currently in review for the 2023 outdoor dining season, which starts on April 15th. The process has been streamlined and updated, utilizing the online portal, to make the process easier for businesses to submit applications.
- ★ Downtown businesses are reporting a slower Spring than previous years, with many citing the economy and inflation as the reason. Multiple businesses did report an increase in sales during the Dover Pub Crawl, which was organized by Dover Main Street.
- ★ A new barbershop opened at 364 Central Avenue.

Economic Activity

- ✚ Regional retail and restaurant sales in Q1 were higher than seasonal expectations following the holidays, but did not necessarily result in increased profits due to other ancillary costs.
- ✚ The manufacturing industry saw modest growth in Q1. Prices and wages remain high, but price and wage inflation was far more moderate than 2022 and supply chain issues improved.
- ✚ Commercial real estate has been relatively stable in Q1 2023 with low vacancy rates and high leasing demand overall. Office demand remains weak, whereas demand for industrial properties is expected to continue to outperform other sectors.
- ✚ Overall regional hiring patterns were steady, with attrition in some industries offset by continued difficulty hiring for in demand roles such as light industry and construction. Some firms have opted to hire temporary positions rather than direct full time due to fears of recession, but currently there do not appear to be plans for large scale layoffs.
- ✚ Nonlabor price pressures continue to ease as shipping costs, food prices, and credit card fees have stabilized, but firms continue to expect some degree of price increases in 2023.

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

Housing metrics obtained from NHAR-Strafford County.



Waterfront - Update:

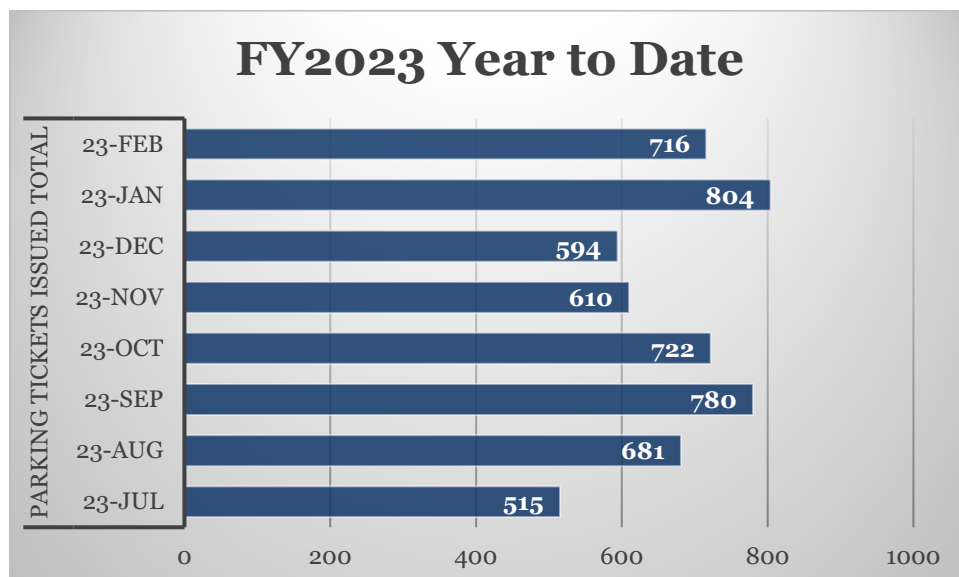
Waterfront/Shoreland Stabilization/Site Preparation:

- Business Development and Planning and Community Development staff continued to assist the Cochecho Waterfront Development Advisory Committee in its pursuit of developing the City's River Street parcel. Project Manager Bird had three online meetings during March with staff from Horsley Witten and Ironwood to discuss preparing re-bid documents.
- Project Manager Bird:
 - Held online meetings on March 1, 7, 10 & 22 with Horsley-Witten, Ironwood and Community Services staff to discuss rebid addendums and bid results.
 - Met with the Deputy City Manager two times during March to provide project updates.
 - Spoke on telephone with Deputy Finance Director on March 1 to discuss addendum transmittal issues.
 - Held online meeting on March 7 with CJ Architects to preview various park building sketches.
 - Held an online meeting on March 8 with Deputy City Manager, Deputy Finance Director and Jon Ford of Horsley Witten to discuss budget status and invoices.
 - Prepared for and attended a Park Sub-committee meeting on March 8 to meet with CJ Architects.
 - Attended a bid opening on March 16 to review the two bid packages received with the Deputy Finance Director.
 - Spoke on the telephone on March 6 and 29 with Dover Rotary member about future speaking dates.
 - Had a meeting on March 20 with Finance Director and Deputy City Manager to discuss bid results and waterfront funding.
 - Held meeting on March 20 to discuss bid results with Deputy City Manager and Community Services staff.

- Held meeting on March 21 with Northeast Earth representatives and Community Services staff.
- Had phone calls with CWDAC Chair on March 10, 14, 17 & 23 to discuss bid results, Rotary meeting, CWDAC meeting and Park Sub-committee meeting.
- Had phone calls with CWDAC member on March 20 & 27 to discuss bid results and the deduct list.
- Had phone calls with Cathartes Project Manager on March 10, 14, 16 & 21 to provide an update on rebid results and discuss pad ready issues and LDA amendments.
- Held online meetings on March 23, 24, 27 & 29 with City Attorney and Deputy City Manager to discuss LDA amendments.
- Attended City Council meeting on March 29 to discuss funding request.
- Held an online meeting on March 30 with Cathartes Project Manager, Cathartes Attorney, City Attorney and Deputy City Manager to discuss LDA amendments.

Parking Division

	Feb-23	Feb-22	Feb-21	Fiscal YTD 2023	Fiscal Year 2022	Fiscal Year 2021
Meter Activity - Total						
Meter Transactions	38,646	34,360	26,093	334,233	485,571	385,006
Income at Meters	\$79,292	\$69,581	\$49,931	\$652,075	\$911,476	\$676,715
Active Meter Days	23	23	23	197	301	302
Average Daily Meter Transactions	1,680	1,494	1,134	1,697	1,613	1,275
Meter Activity - Parking Garage						
Meter Transactions	2,812	3,168	2,765	21,977	31,151	11,463
Income from Meters	\$8,042	\$10,474	\$7,247	\$60,771	\$89,464	\$62,637
Active Meter Days	23	23	23	197	301	302
Average Daily Meter Transactions	122	138	115	112	103	74
Parking Permit Activity						
Total Parking Permits Issued	816	763	783	6,313	9,232	8,756
Residential Permits Issued	19	38	45	199	420	473
Business Permits Issued	797	725	738	6,114	8,812	8,283
Permit Income	\$23,409	\$18,570	\$17,548	\$267,544	\$344,367	\$265,168
Parking Ticket Activity						
Total Parking Tickets Issued	716	746	772	5,544	8,460	6,588
Accessible Space Tickets Issued	3	1	1	40	41	21
Winter Restriction Tickets Issued	101	180	320	348	495	486
Parking Ticket Income	\$25,417	\$20,328	\$15,247	\$131,152	\$197,012	\$160,519
Electric Vehicle Charging Stations						
Number of times Stations Used	39	8	4	440	316	100
Charging Station Income	\$264	\$83	\$32	\$3,725	\$2,660	\$571



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
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
November 2022	3,350	2,829	1,190	192
December 2022	3,111	2,532	1,271	183
January 2023	2,864	2,445	1,227	163
February 2023	3,152	2,480	1,344	149

J. MICHAEL JOYAL, JR.
CITY MANAGER



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, March 22, 2023**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Deputy Mayor Shanahan 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 Thibodeaux, and Councilor Williams.

Absent: Councilor Nemeth.

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

5. PROCLAMATIONS/AWARDS

Mayor Carrier read and presented a proclamation to the Dover High School Varsity Hockey Team.

Mayor Carrier read and presented a proclamation to the Dover High School Varsity Cheerleading Squad.

6. APPROVAL OF AGENDA

Deputy Mayor Shanahan moved to approve the Agenda; seconded by Councilor Cullen.
Vote: 8/0.

7. PUBLIC HEARINGS

A. FISCAL YEAR 2024 BUDGET APPROPRIATIONS, FEES AND CAPITAL IMPROVEMENTS PROGRAM – CITY PORTION ONLY SPONSORED BY MAYOR CARRIER BY REQUEST

Philip Hatcher, 9 Woodland Road: He spoke in support of the \$25,000 in the proposed budget for elections regarding the purchase of electronic poll books.

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

B. AUTHORIZATION TO ACCEPT AND EXPEND THE NEW HAMPSHIRE CHARITABLE FOUNDATION GRANT SPONSORED BY MAYOR CARRIER BY REQUEST

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

C. AUTHORIZATION TO ACCEPT AND EXPEND LEAD SERVICE INVESTIGATION AGREEMENT GRANT 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.

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



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, March 22, 2023**
Meeting Time: **7:00 pm**

9. CITY MANAGER'S REPORT

City Manager Joyal presented his report in writing. He highlighted a few items for the Council. He asked for the Council's approval to hang the Greek flag this weekend, and to allow this to be done every year to recognize Greek Independence Day. He spoke about an upcoming event, "Coffee with a Cop".

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

Vote: 8/0.

10. APPROVAL OF MINUTES

- A. March 8, 2023 – Workshop Session**
- B. March 8, 2023 – Regular Meeting**
- C. March 15, 2023 – Special Meeting**
- D. March 15, 2023 – Workshop Session**

Deputy Mayor Shanahan moved to approve the Minutes; seconded by Councilor Muffett-Lipinski.
Vote: 8/0.

11. MAYOR'S REPORT

Mayor Carrier invited Executive Councilor Joseph Kenney to speak to the Council.

Executive Councilor Kenney introduced himself to the Council and gave an overview of his position with the State of New Hampshire.

Mayor Carrier spoke about the successful Run Before You Crawl Road Race

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

12. UNFINISHED BUSINESS

- A. ORDINANCES IN THE 2nd READING**
- B. ORDINANCES IN THE 3RD READING**
- C. RESOLUTIONS**

- 1. AUTHORIZATION TO ACCEPT AND EXPEND THE NEW HAMPSHIRE CHARITABLE FOUNDATION GRANT**
SPONSORED BY MAYOR CARRIER BY REQUEST

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



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, March 22, 2023**
Meeting Time: **7:00 pm**

2. AUTHORIZATION TO ACCEPT AND EXPEND LEAD SERVICE INVESTIGATION AGREEMENT GRANT

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: 8/0.

13. NEW BUSINESS

A. CONSENT CALENDAR

1. B23013 FIRE INSPECTION SERVICES

SPONSORED BY MAYOR CARRIER BY REQUEST

2. B23052 GENERAL CARPENTRY, SHEETROCK & PAINTING SERVICES

SPONSORED BY MAYOR CARRIER BY REQUEST

3. APPROVAL OF REVISED SUB-LEASE TO BUBBY'S DELICATESSEN, LLC (DOVER TRANSPORTATION CENTER)

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. Committee for Racial Equity and Inclusion (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. Strafford Regional Planning Commission (Williams) |
| 14. Library Board of Trustees (Thibodeaux) | 29. Government Affairs (Carrier) |
| 15. McConnell Center Advisory Committee (Thibodeaux) | |

Deputy Mayor Shanahan moved for the adoption of the Consent Calendar; seconded by Councilor Muffett-Lipinski.

Mayor Carrier asked the Council if they had items they would like pulled for further discussion.
Councilor Cullen pulled Item #13.A.1.

Mayor Carrier asked for a roll call vote on the remaining items on the Consent Calendar.
Roll Call Vote: 8/0.

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

Councilor Williams gave an overview of the Appointments Commission Report and made the following recommendations for appointment:

New Appointments:

Jan Nedelka to the Heritage Committee and Chris Straub to the Open Lands Committee.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, March 22, 2023**
Meeting Time: **7:00 pm**

Committee for Racial Equity and Inclusion:

Linnea Nemeth as the City Council Member, Maggie Fogarty as the School Board Member, Kathleen Blake, Rita Braceland, Cora Quisumbing-King, Sophia Robison, and Lina Shayo.

Reappointments:

Larry Raiche – Arena Commission

Nancy Vawter – Arts Commission

Brenda Labourdette – Cemetery Board

Amy Kramer-Perry – Conservation Commission

Mary Beth Rudolph – Open Lands Committee

Karen Weston – Dover Business and Industrial Development Authority

Douglas Glennon – Dover Downtown TIF Advisory Committee

William Baber, Walter King, and Susan Smith to the Energy Commission.

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

Vote: 8/0.

Councilor Muffett-Lipinski gave an overview of the Solid Waste Advisory Committee Report to the Council.

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

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

Mayor Carrier gave an overview of the Government Affairs Report to the Council.

B. RESOLUTIONS

1. B22013 CONSTRUCTION OF THE PUDDING HILL WATER TREATMENT FACILITY AMENDMENT NO. 7 PENTA CORPORATION SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved for its adoption; seconded by Councilor Muffett-Lipinski. Community Services Director Storer gave an overview of the resolution to the Council.
Roll Call Vote: 8/0.

2. B22040 HVAC PREVENTIVE MAINTENANCE AND REPAIR SERVICES 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: 8/0.

3. PROFESSIONAL ENGINEERING SERVICES FOR THE CONSTRUCTION OF THE PUDDING HILL WATER TREATMENT FACILITY, AMENDMENT NO. 2 – UNDERWOOD ENGINEERS 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: 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, March 22, 2023**
Meeting Time: **7:00 pm**

- 4. REPROGRAM UNEXPENDED BOND PROCEEDS FOR SLUDGE DEWATERING PROJECT TO AERATION BLOWER REPLACEMENT (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL.) (TO BE REFERRED TO A PUBLIC HEARING ON APRIL 12, 2023, WITH A COUNCIL VOTE TO OCCUR ON APRIL 26, 2023.)**
SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved to refer to a public hearing on April 12, 2023; seconded by Councilor Hinkel.
Roll Call Vote: 8/0.

C. ORDINANCES IN 1ST READING

14. COUNCIL CORRESPONDENCE

15. COUNCIL MATTERS OF INTEREST

City Manager Joyal spoke about the bids for the Waterfront Project.

Councilor Hackett said she didn't like the phrase "Coffee with a Cop".

16. ADJOURN

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



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Special Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, March 29, 2023**
Meeting Time: **6:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Thibodeaux 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, Deputy City Attorney Perez, and City Clerk Mistretta.

5. PUBLIC FORUM

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

Norm Fracassa, 1 Penny Lane: He urged the Council to support the Resolution.

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

6. NEW BUSINESS

**A. AUTHORIZATION FOR BONDING AND FY2024 CAPITAL IMPROVEMENTS
APPROPRIATION FOR WATERFRONT TIF DEVELOPMENT SITE IMPROVEMENTS
(REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL.)
(TO BE REFERRED TO A PUBLIC HEARING ON APRIL 12, 2023, WITH A COUNCIL
VOTE TO OCCUR ON APRIL 26, 2023.)
SPONSORED BY MAYOR CARRIER BY REQUEST**

Deputy Mayor Shanahan moved to refer to a Public Hearing on April 12, 2023; seconded by Councilor Williams.
Roll Call Vote: 9/0.

City Manager Joyal introduced the Waterfront Development Project Manager, Steve Bird, to the Council.

Project Manager Bird gave an overview of the project to the Council.

7. ADJOURNMENT

Deputy Mayor Shanahan moved to adjourn; seconded by Councilor Hinkel.
Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: City Hall, Council Conference Room
Meeting Date: **Wednesday, March 29, 2023**
Meeting Time: **Immediately following Special Meeting**

1. CALL TO ORDER

2. ~~MOMENT OF SILENCE~~

3. ~~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, Deputy City Attorney Perez, and City Clerk Mistretta.

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. BUDGET PRESENTATION

1. COMMUNITY SERVICES

Community Services Director Storer gave a PowerPoint presentation to the Council regarding the proposed budget for the Community Services Department.

City Manager Joyal provided an overview of the handouts distributed tonight.

The Council had a general discussion regarding the proposed 2024 budget.

7. ADJOURNMENT

Councilor Muffett-Lipinski moved to adjourn; seconded by Councilor Hinkel.

Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: City Hall, Council Conference Room
Meeting Date: **Wednesday, April 5, 2023**
Meeting Time: **6:00 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 Hinkel, Councilor Muffett-Lipinski, Councilor Nemeth, and Councilor Williams. Councilor Thibodeaux arrived at 6:08 pm.

Also Present: City Manager Joyal, Finance Director Lynch, and City Clerk Mistretta.

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. BUDGET PRESENTATIONS

1. GENERAL BUDGET DISCUSSION

The Council went over the worksheet and had the following consensus.

General Government Operations

A.1. Yes.

A.2. Yes.

A.3. No.

A.4. No.

A.5. Yes.

A.6. No.

A.7. Yes.

A.8. No.

Police Operations

B.1. No.

Fire & Rescue Operations

C.1. No.

C.2. No.

C.3. No.

C.4. No.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: City Hall, Council Conference Room
Meeting Date: **Wednesday, April 5, 2023**
Meeting Time: **6:00 pm**

C.5. Yes.

C.6. Yes.

C.7. No.

Community Services Operations

D.1. No.

D.2. No.

D.3. No.

D.4. No.

D.5. Yes.

D.6. No.

D.7. Amended to \$50,000 – Yes.

D.8. No.

D.9. No.

Recreation Operations

E.1. No.

E.2. No.

E.3. No.

Library Operations

F.1. No.

Public Welfare

G.1. No.

G.2. Yes.

Finance Director Lynch updated the Council that the City's portion of the budget is now under the tax cap by \$249,462, which changes the amount over the tax cap to \$263,438.

School Operations

H.1. Just a placeholder to show tax impact.

H.2. Amended to \$263,438 – No.

H.3. No.

Added by Councilor Nemeth.

H.4. Reduction of \$390,000 to the proposed School Department budget – Yes.

The Council recessed for five minutes.

City Manager Joyal stated the final calculations are as follows:

Net Reduction in the proposed budget of \$565,142.00.

City Portion – 175,142

School Portion - \$390,000

The calculations are now below the tax cap and will require a simple majority of the Council to pass the budget.

5.3% increase to the tax rate.

Councilor Cullen moved to adjourn; seconded by Councilor Muffett-Lipinski.

Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Special Meeting
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, April 5, 2023**
Meeting Time: **To follow Workshop Session**

1. CALL TO ORDER

2. ~~MOMENT OF SILENCE~~

3. ~~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, Finance Director Lynch, and City Clerk Mistretta.

5. PUBLIC FORUM

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

Deputy Mayor Shanahan moved to suspend the rules to allow a non-resident, Lisa Dillingham, to speak to the Council; seconded by Councilor Thibodeaux.

Roll Call Vote: 9/0.

Lisa Dillingham, Dover Teachers' Union President: She spoke in favor of the proposed School Department budget and was discouraged that the Council was going to lower it. She feared what was added to help the students will be eliminated.

Micaela Demeter, 33A Piscataqua Road: She urged the Council to vote in a tax cap budget.

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

6. OLD BUSINESS

A. FISCAL YEAR 2024 BUDGET APPROPRIATIONS, FEES AND CAPITAL IMPROVEMENTS PROGRAM

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved for its adoption; seconded by Councilor Muffett-Lipinski. Councilor Thibodeaux voiced her opinion.

City Manager Joyal went over the proposed amendments determined through the Workshop and went over the amendment needed to the Resolution.

Page 1, Item 1.

- General Fund for Revenue and Appropriations amended to \$146,159,594.

- Total for Revenue and Appropriations updated to be \$183,275,839

Page 2, Item 2, Last sentence: "General Fund Appropriations include \$51,052,194 for City operations, \$71,650,446 for School Department operations..."



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Special Meeting
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, April 5, 2023**
Meeting Time: **To follow Workshop Session**

Deputy Mayor Shanahan moved to amend the Resolution as follows:

Page 1, Item 1.

- General Fund for Revenue and Appropriations amended to \$146,159,594.
- Total for Revenue and Appropriations updated to be \$183,275,839

Page 2, Item 2, Last sentence: "General Fund Appropriations include \$51,052,194 for City operations, \$71,650,446 for School Department operations..."

Councilor Muffett-Lipinski seconded the motion.

Roll Call Vote: 7/2; Passed. Councilor Hinkel and Councilor Thibodeaux were opposed.

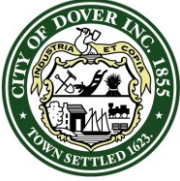
Mayor Carrier asked for a roll call vote on the amended Resolution.

Roll Call Vote: 6/3; Passed. Councilor Hackett, Councilor Hinkel, and Councilor Thibodeaux were opposed.

7. ADJOURNMENT

Councilor Muffett-Lipinski moved to adjourn; seconded by Councilor Nemeth.

Vote: 9/0.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.1.

Resolution Number: **R - 2023.04.12 – 052**

Resolution Re: B14007 Additional Scope of Work Police Facility
Unfinished Space - Harvey Construction Corporation

WHEREAS: A sealed Request for Qualifications #B14007 was issued and received for construction management services of a new police facility on September 30, 2013 @ 2:00pm and was approved by City Council via [R-2014.01.22-006](#). The City subsequently entered into a contract with Harvey Construction Corporation to serve as construction manager for the project. Harvey Construction coordinated and hired specific subcontractors who followed specific engineering and design specifications; and

WHEREAS: Since the completion of the Dover Police Facility in 2016, the Dover Police Department has expanded services in the area of Community Outreach, specifically the department has added social workers, problem-oriented police officers, and has expanded prevention programming staff. The Dover Police Department seeks to complete an unfinished space consisting of approximately 625 square feet into appropriate work area for the department's Outreach Bureau staff; and

WHEREAS: Harvey Construction Corporation has submitted a proposal and has agreed to complete the unfinished space utilizing the same sub-contractors and following the specific engineering and design specifications followed during original constitution. Doing so will ensure that systems such as the HVAC system integrate properly with current systems. By utilizing the same construction management firm, the City will realize a cost savings that would be required for design and engineering fees; and

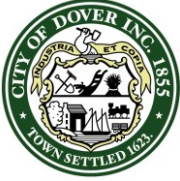
WHEREAS: Per 5-28.B. Competitive Bidding Purchases; Waiver. Competitive bidding may be waived by a majority vote of the City Council; and

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 Harvey Construction Corporation of Bedford, NH for construction management services for the completion of unfished space within the Dover Police Facility in the amount of \$135,000.00. 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
1000.1.210.42170.4725.00000.00	Police Facilities Building Improvements	135,000.00	135,000.00



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.1.

Resolution Number: **R - 2023.04.12 – 052**
Resolution Re: B14007 Additional Scope of Work Police Facility
Unfinished Space - Harvey Construction Corporation

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

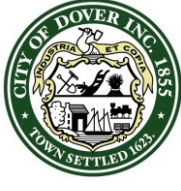
Recorded by: Susan M. Mistretta
City Clerk

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.		

 CITY OF DOVER	CITY OF DOVER - RESOLUTION Agenda Item#: 13.A.1. Resolution Number: R - 2023.04.12 – 052 Resolution Re: B14007 Additional Scope of Work Police Facility Unfinished Space - Harvey Construction Corporation
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RESOLUTION BACKGROUND MATERIAL:

In September of 2013 per request for qualifications #B13057 the City of Dover solicited professional Construction Management services for the construction of the Dover Police facility and public parking garage. After a review of submitted proposals and interviews of firms, the Police Facility and Parking Garage Building Committee selected Harvey Construction of Bedford, New Hampshire. Between 2014 and 2016, Harvey Construction oversaw the construction of both buildings, which included hiring of sub-contractors and ensuring adherence to design and engineering standards. In March of 2016, the project was completed on-schedule and under the proposed budget. The police facility was originally constructed with future expansion space, consisting in part of an unfinished room that is approximately 625 square feet.

Since 2016, the Dover Police Department has expanded services in the area of Community Outreach, specifically the department has added social workers, and problem-oriented police officers, and has expanded prevention programming staff. Currently, this staff is intermingled in various parts of the police station. Completing the unfinished space would move the social work staff as well as officers assigned to the Community Outreach Bureau into one area, increasing efficiency and information sharing.

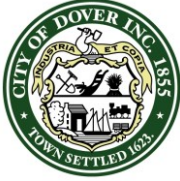
Harvey Construction has agreed to oversee construction of the space using all of the original sub-contractors who will follow the original design and engineering specifications. This will ensure that various systems will properly integrate and that finishes will match. It is estimated that doing so will save approximately \$30,000 in design and engineering fees and allow for a shorter time to project completion.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	198	Number of Responses:	9
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until completed	Estimated Delivery:	
Recommended Award to:	Harvey Construction Corporation	Fund:	Police
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

[B14007 Bid Documents](#)

Document Created by: Purchasing Document Posted on: April 7, 2023	R-2023.04.12 B14007 Additional Scope of Work Police Facility Unfinished Space.docx Page 3 of 3
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CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.2.

Resolution Number: **R – 2023.04.12 – 053**
Resolution Re: **B21051 Traffic Control/Flagging Services Year 3 Extension**

- WHEREAS: A sealed Request for Proposal #B21051 was issued and received for as-needed Traffic Control/Flagging Services on March 18, 2021 at 2:00 PM; and
- WHEREAS: Two replies were received and the low bid meeting specifications was submitted by Project Flagging, Inc. with hourly rates for straight time, overtime and emergency call out services; and
- WHEREAS: Rates were to hold for one year with the option to renew for two additional one-year terms. Increases, if any, for additional years were listed as “not to exceed CPI (Boston)”, which currently is 6.4%. Project Flagging, Inc. rates submitted for the 2023 season has a 7% hourly rate increase; and
- WHEREAS: The City is requesting approval to award to Project Flagging, Inc. of Brunswick, ME for Traffic Control/Flagging Services for the 2023 construction season; 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 Project Flagging Inc. of Brunswick, ME for as-needed traffic control/flagging services at rates provided in conjunction with Bid #B21051. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

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

Financing

Account	Description	Appropriation	Balance
xxxx.1.300.xxxxx.4715.xxxxx.xx	Various CS Streets Land Improv	5,144,775.00	877,576.00

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 – 2023.04.12 – 053**
Resolution Re: **B21051 Traffic Control/Flagging Services Year 3 Extension**

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 – 2023.04.12 – 053**
Resolution Re: **B21051 Traffic Control/Flagging Services Year 3 Extension**

RESOLUTION BACKGROUND MATERIAL:

The Community Services Department has construction projects upcoming this year for which there will likely be the need for traffic control/flagging services.

Depending upon the specific need at a certain time and availability of the vendor, the City will utilize Project Flagging, Inc. for as needed traffic control/flagging services. In addition to the rates Project Flagging, Inc. submitted which exceed the 6.4% CPI (Boston), it is possible that the 2023 season will exceed the \$25,000 threshold, therefore requiring City Council approval.

Bid Information:

A sealed Request for Proposal #B21051 was issued and received for Traffic Control / Flagging services on March 18, 2021 at 2:00 PM.

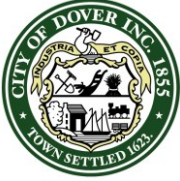
Award Information:

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 Mailed:	28	Number of Responses:	2
Warranty:	N/A	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	2023 Construction Season	Estimated Delivery:	As Needed
Recommended Award to:	Project Flagging, Inc.	Fund:	Various CIP
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase may exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation.

[B21051 Bid Documents and Vendor List](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

Resolution Number: **R – 2023.04.12 – 054**

Resolution Re: B21065 Consulting Design Services for the Portland Avenue Retaining Wall & Sidewalk Improvements Project Amendment No. 2

WHEREAS: A sealed Request for Qualifications #B21065 was issued and received for Consulting Design Services for the Portland Avenue Retaining Wall and Sidewalk Improvements Project on April 12, 2021 at 2:00 PM; and

WHEREAS: The City received four bid replies which were reviewed. Of the four bid replies, the selection committee identified three submissions as finalists and cost proposals were opened and reviewed. It was the recommendation to accept the proposal deemed most advantageous and with lowest offered rates submitted by Wright-Pierce of Portsmouth, NH in the amount not to exceed \$79,900.00 and was approved via [R-2021.05.26-177](#); and

WHEREAS: In August 2022, the city received Amendment No. 1 adding \$13,700.00 of additional costs for city requested additional design and specification services related to ornamental lighting and change in grading based off abutters preferences; and

WHEREAS: The city received Amendment No. 2 adding \$40,385.00 of additional costs related to a revised design and bid phase services as listed in the background of this resolution; 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 revision to Wright-Pierce of Portsmouth, NH for Consulting Design Services for the Portland Avenue Retaining Wall and Sidewalk Improvements Project in the amount not to exceed \$40,385.00. 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
4022.1.300.43121.4751.03158.2	PW - Portland Avenue Retaining Wall	250,000	137,208

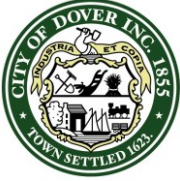
AUTHORIZATION

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.3.

Resolution Number: **R – 2023.04.12 – 054**

Resolution Re: B21065 Consulting Design Services for the Portland
Avenue Retaining Wall & Sidewalk Improvements Project
Amendment No. 2

DOCUMENT HISTORY:

First Reading Date:

Public Hearing Date:

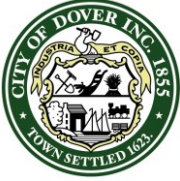
Approved Date:

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

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

Resolution Number: **R – 2023.04.12 – 054**
Resolution Re: B21065 Consulting Design Services for the Portland
Avenue Retaining Wall & Sidewalk Improvements Project
Amendment No. 2

RESOLUTION BACKGROUND MATERIAL:

The original scope of work includes survey of existing conditions, evaluating retaining wall and sidewalk improvements, sewer and drainage utility assessment, investigation of existing ledge and soil issues by borings or test-pits, development of various concept ideas to facilitate public discussion, acceptance and available options, work with property owner(s) to identify any trees that may be impacted or removed, develop a final plan and profile stamped by a Professional Engineer with preliminary opinion of cost, and bid specifications, assistance and award, as well as final opinion of cost in the total amount of \$79,900.00.

Amendment No. 1 added \$13,700.00 of additional costs for city requested additional design and specification services related to ornamental lighting and change in grading based off abutters preferences for a new contract amount of \$93,600.00

Amendment No. 2 is adding \$40,385.00 of additional costs related to a revised design and bid phase services for a new contract amount of \$133,985.00. The project was previously bid in October 2022, in which one bid was received that was beyond the allocated funding. Amendment No. 2 incorporates modifications to the design plans with than anticipation that potential bids will be lower. Design modification include revising the wall location to reduce quantities, allowing alternative materials for the wall that may be more cost effective, and modifying the temporary traffic control plan to allow a partial road closure.

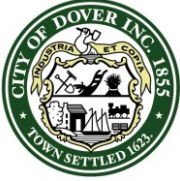
Bid Information:

A sealed Request for Qualifications #B21065 was issued and received for Consulting Design Services for the Portland Avenue Retaining Wall and Sidewalk Improvements Project on April 12, 2021 at 2:00 PM.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	366	Number of Responses:	4
Warranty:	N/A	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until Complete	Estimated Delivery:	As Needed
Recommended Award to:	Wright-Pierce	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.

[B21065 Bid Documents and Vendor List](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R - 2023.04.12 – 055**
Resolution Re: B23047 Award for Evaluation of Strategic Prevention
Framework Partnership for Success Grant

WHEREAS: A sealed Request for Qualifications #B23047 was issued and received for Strategic Prevention Framework Partnership for Success Grant on February 22, 2023 at 2:00 pm; and

WHEREAS: The Dover Police Department applied for this Partnership for Success Grant funded by the US Substance Abuse and Mental Health Services Administration (SAMHSA) in the amount of \$375,000 each year for five years for a total of \$1,875,000 and was approved by City Council via [R-2022.10.26-220](#); and

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

WHEREAS: The City of Dover qualifications and proposals for a contracted epidemiologist to oversee the evaluation of the Strategic Prevention Framework Partnership for Success Grant. The initial term is from early 2023 through the end of the first grant fiscal year (September 30, 2023). The city also requested the option to renew for an additional four (4) one-year terms contingent upon funding availability and vendor satisfaction; and

WHEREAS: Four responses were received, reviewed and scored for necessary qualifications, experience, understanding of project scope, approach for completing the work, delivery, support and manage proposed solution. The firm ranking most qualified and the offer deemed most advantageous came from OMNI Institute of Denver CO. The City seeks to award up to \$30,000.00 annually for the full term of the grant; 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 OMNI Institute of Denver CO of up to \$30,000.00 for year one. The City Manager, or designee, is hereby authorized to contract with the vendor consistent with the Purchase Order authorized herein.

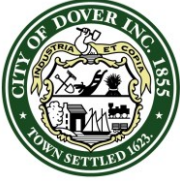
AND, FURTHER BE IT RESOLVED THAT:

The Purchasing Agent is hereby authorized to extend agreement with OMNI Institute of Denver CO, for up to four additional one-year terms at cost of up to \$30,000.00 annually, per #B23047 contingent upon funding and vendor satisfaction.

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

Financing

Account	Description	Appropriation	Balance
2245.1.210.42150.4339.02388.23	Consulting Services	30,000.00	30,000.00



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R - 2023.04.12 – 055**
Resolution Re: B23047 Award for Evaluation of Strategic Prevention
Framework Partnership for Success Grant

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

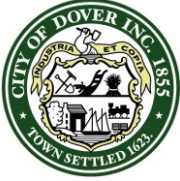
Recorded by: Susan M. Mistretta
City Clerk

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.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R - 2023.04.12 – 055**
Resolution Re: B23047 Award for Evaluation of Strategic Prevention
Framework Partnership for Success Grant

RESOLUTION BACKGROUND MATERIAL:

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

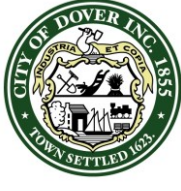
All data resulting from these outcomes will be measured in order to determine their effectiveness. This is a requirement of the grant. This contract provides for an epidemiologist to work closely with police department staff to conduct evaluation and grant reporting tasks. The contracted epidemiologist will have regular meetings with the police department's prevention programmer and work in collaboration to create a data collection, analysis and quality improvement plan and ensure the grant plans are implemented. The contracted epidemiologist will provide oversight to ensure data is collected in a valid manner that will reduce biases. Complex analyses will be aggregated and analyzed by the contracted epidemiologist for review by parties involved in the planning and implementation of applicable grant and community activities. The contracted epidemiologist will also assist periodically with data collection, data analysis, data cleaning, and data interpretation.

Bid Information:

A sealed Request for Qualifications #B23047 was issued and received for Strategic Prevention Framework Partnership for Success Grant on February 22, 2023 at 2:00 p.m.

Award Information:

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

 CITY OF DOVER	CITY OF DOVER - RESOLUTION Agenda Item#: 13.A.4. Resolution Number: R - 2023.04.12 – 055 Resolution Re: B23047 Award for Evaluation of Strategic Prevention Framework Partnership for Success Grant
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Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	67	Number of Responses:	4
Warranty:	NA	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until completed	Estimated Delivery:	asap
Recommended Award to:	OMNI Institute	Fund:	Grant
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

[B23047 Bid Documents](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R – 2023.04.12 – 056**

Resolution Re: **B23061 Pavement and Curbside Weed Control Services**

WHEREAS: A Sealed Request for Proposal #B23061 was issued and received for Pavement and Curbside Weed Control Services for the 2023 season on March 23, 2023 @ 2:00 p.m.; and

WHEREAS: One response was received from Municipal Pest Management Services, Inc. and reviewed for necessary qualifications, experience, skills, project understanding, approach and ability to comply with proposed scope of services; and,

WHEREAS: Three Options were requested for Complete Weed Control – all crack and crevice pavement weeds: Option A- pre-emergent herbicide services (Non-glyphosate product); Option B- mechanical removal or non-spray alternative, i.e. weed-whacking or hand-pulling); Option C- Fees for requested services (organic-based alternative); and

WHEREAS: The city received a scope of services for Option A using a single treatment of the pre-emergent herbicide Esplanade 200 SC, which was recommended by the vendor, with follow-up treatments of Finalsan, which was also recommended by the vendor (as necessary) in the amount of \$45,978; and

WHEREAS: The city received a scope of services for Option C using up to 8 treatments of the post-emergent herbicide Finalsan (vendor recommended product) in the amount of \$55,960; 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 Municipal Pest Management Services, Inc., of Newington, NH for pavement and curbside weed control services at rates provided in conjunction with proposal #B23061 for Option A or Option C. 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
1000.1.300.43121.4432.00000.	Maint Chrgs - Impr o/t Buildings	278,867	227,746

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan Mistretta
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R – 2023.04.12 – 056**

Resolution Re: **B23061 Pavement and Curbside Weed Control Services**

DOCUMENT HISTORY:

First Reading Date:

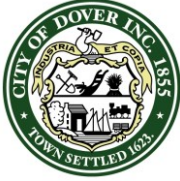
Public Hearing Date:

Approved Date:

Effective Date:

DOCUMENT ACTIONS:

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R – 2023.04.12 – 056**

Resolution Re: **B23061 Pavement and Curbside Weed Control Services**

RESOLUTION BACKGROUND MATERIAL:

Vendors were requested to provide pricing options for at least two of the following options:

- Option A – pre-emergent herbicide (non-glyphosate product) – no products were specified by city.
- Option B - Mechanical removal – No-Bid
- Option C - Organic-based herbicide, no products were specified, but city requested OMRI-listed product (Organics Materials Review Institute).

Municipal Pest Management Services, Inc. was the only bidder and provided pricing and a scope of services for Option A, \$45,978 total; and for Option C, \$55,960 total.

For Option A the proposed product was Esplanade 200 SC (single treatment), with possible follow-up treatments of the post-emergent organic herbicide Finalsan, as necessary. The minimum recommended application rate of the herbicide is 3.5 ounces per acre. The projected volumetric use would be 14 ounces to treat up to 33 linear miles of curblane. The acute toxicity: LD₅₀ (oral) (rat) >2000 mg/kg.

For Option C, the proposed product was Finalsan (which has been used in the City the last couple of years). The product is OMRI-listed. The proposed treatment process would provide for up to 8 different treatments throughout the growing season of May thru October. The minimum recommended application rate of the herbicide is 2 gallons per 1,000 square-feet. The projected volumetric use of the course of a season would be 27 gallons to treat up to 33 linear miles of curblane. The acute toxicity: LD₅₀ (oral) (rat) >5000 mg/kg.

With Option C we would also recommend supplemental crack & crevice filling at a rate of \$49.25 per 100 linear feet, with an allowance of \$5,000 to cover up to 10,000 linear feet.

The City Council may elect to make an award for services under either Option A or C. Staff recommendation is to try Option A, as we've not been very satisfied with the effectiveness of the Finalsan only treatments, and Option C proposes 8 separate treatments over the course of a season, using a significantly higher volume of herbicide than proposed Option A.

The proposed FY24 Streets Budget includes an allocation of \$65,000 for anticipated curbside weed control services. Recent budget amounts for prior years were: FY 23 \$62,000; FY 22 \$40,000; FY21 \$37,800; FY20 \$0 (experimented with steam treatment); FY19 - \$8,400; and FY18 - \$8,000.

Bid Information:

A Sealed Request for Proposal #B23061 was issued and received for curbside weed control services for the 2023 season on March 23, 2023 @ 2:00 p.m.

Award Information:

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

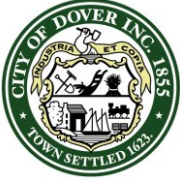
Resolution Number: **R – 2023.04.12 – 056**

Resolution Re: **B23061 Pavement and Curbside Weed Control Services**

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Emailed:	228	Number of Responses:	1
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	2023 service completion	Estimated Delivery:	As needed
Recommended Award to:	Municipal Pest Management Services	Fund:	CS - Streets
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	One vendor has previously worked for the City.	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

[B23061 Bid Documents](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.6.

Resolution Number: **R – 2023.04.12 – 057**

Resolution Re: Acceptance of Express Drainage Easements from
Westfield, LLC (Map C, Lot 2)

WHEREAS: Westfield, LLC, owner of Map C, Lot 2, has offered to grant the City of Dover three express drainage easements, as well as amend and enlarge a fourth existing easement area on Map C, Lot 2, in connection with drainage in the vicinity of Industrial Park Road and Littleworth Road;

WHEREAS: The easement areas correspond with an existing network of drainage ditches.

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

The City Manager is hereby authorized to negotiate, finalize, sign, acquire, and accept three new express drainage easements, and one amended and enlarged drainage easement, from Westfield, LLC, the owner of Map C, Lot 2, and to take any necessary steps to record said easement at the Strafford County Registry of Deeds.

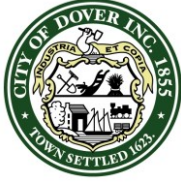
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan M. Mistretta
City Clerk

 CITY OF DOVER	CITY OF DOVER - RESOLUTION Agenda Item#: 13.A.6. Resolution Number: R – 2023.04.12 – 057 Resolution Re: Acceptance of Express Drainage Easements from Westfield, LLC (Map C, Lot 2)
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DOCUMENT HISTORY:

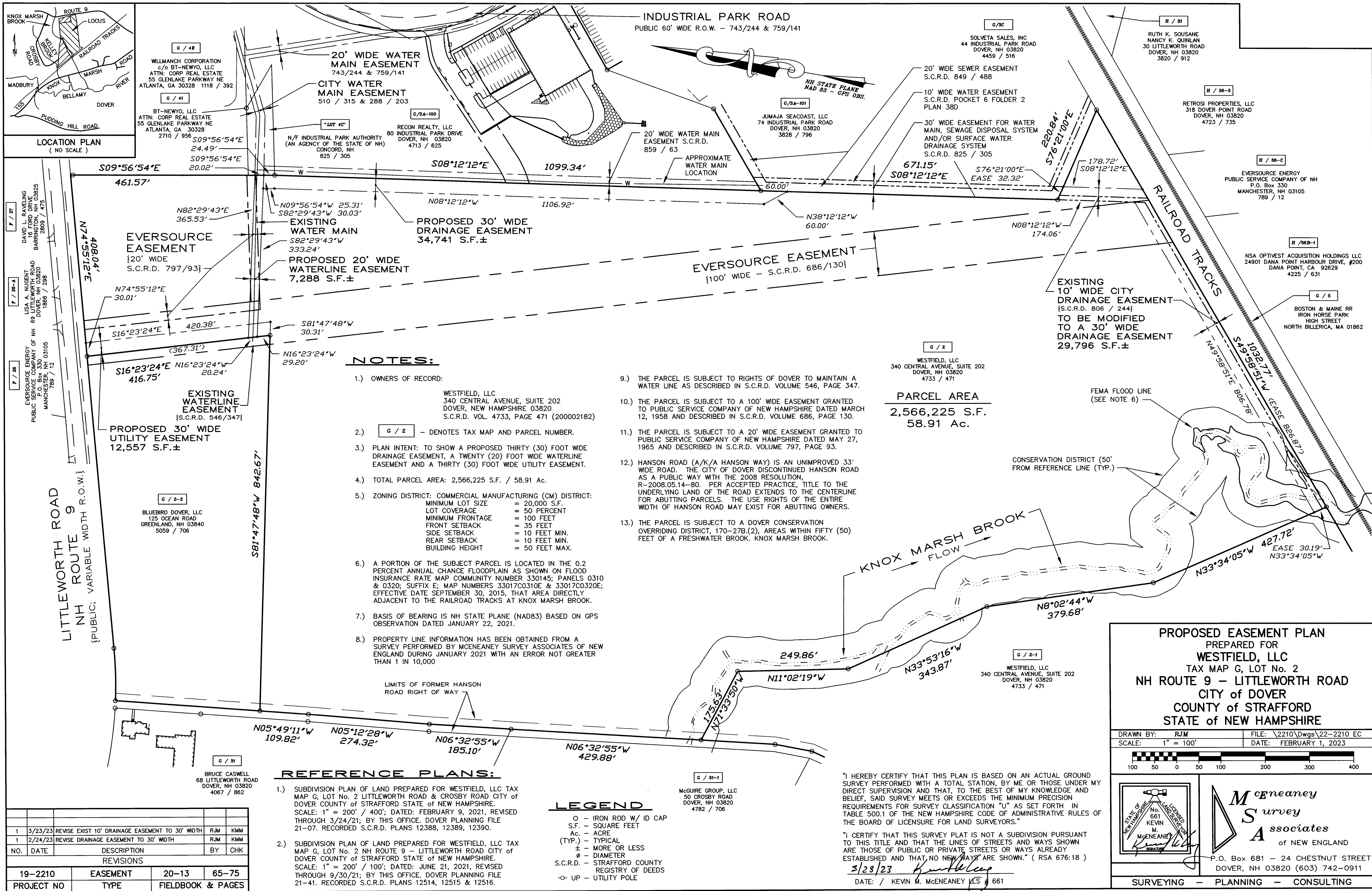
First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

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

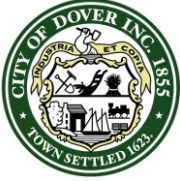
RESOLUTION BACKGROUND MATERIAL:

Attached is an easement plan showing the four proposed easement areas to be expressly conveyed to the City of Dover by deed from Westfield, LLC. Three of the express easements are new, and the fourth easement (abutting the railroad tracks) would be amended and enlarged.



1	3/23/23	REVISE EXIST 10' DRAINAGE EASEMENT TO 30' WIDTH	RJM	KMM	
	1/24/23	REVISE DRAINAGE EASEMENT TO 30' WIDTH	RJM	KMM	
NO.	DATE	DESCRIPTION	BY	CHK	
REVISIONS					
19-2210		EASEMENT	20-13	65-75	
PROJECT NO		TYPE	FIELDBOOK	& PAGES	

19-2210	EASEMENT	20-13	65-75
PROJECT NO	TYPE	FIELDBOOK & PAGES	



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R – 2023.04.12 – 058**

Resolution Re: Acceptance of Utility Easement from Eric and Elizabeth Hagman (Map 13, Lot 12)

WHEREAS: Eric and Elizabeth Hagman, the owners of Map 13, Lot 12, are proposing to acquire a portion of land abutting their property from the New Hampshire Department of Transportation; and

WHEREAS: As ownership would be changing from the State to private for this portion of land, Mr. and Mrs. Hagman have offered to grant the City of Dover an express easement for any City-installed utility infrastructure on their property.

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

The City Manager is hereby authorized to negotiate, finalize, sign, acquire, and accept a permanent easement granted to the City for installed utility infrastructure from Eric and Elizabeth Hagman, the owners of Map 13, Lot 12, and to take any necessary steps to record said easement at the Strafford County Registry of Deeds.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan M. Mistretta
City Clerk

 CITY OF DOVER	CITY OF DOVER - RESOLUTION	
	Agenda Item#: 13.A.7.	
Resolution Number: R – 2023.04.12 – 058 Resolution Re: Acceptance of Utility Easement from Eric and Elizabeth Hagman (Map 13, Lot 12)		

DOCUMENT HISTORY:

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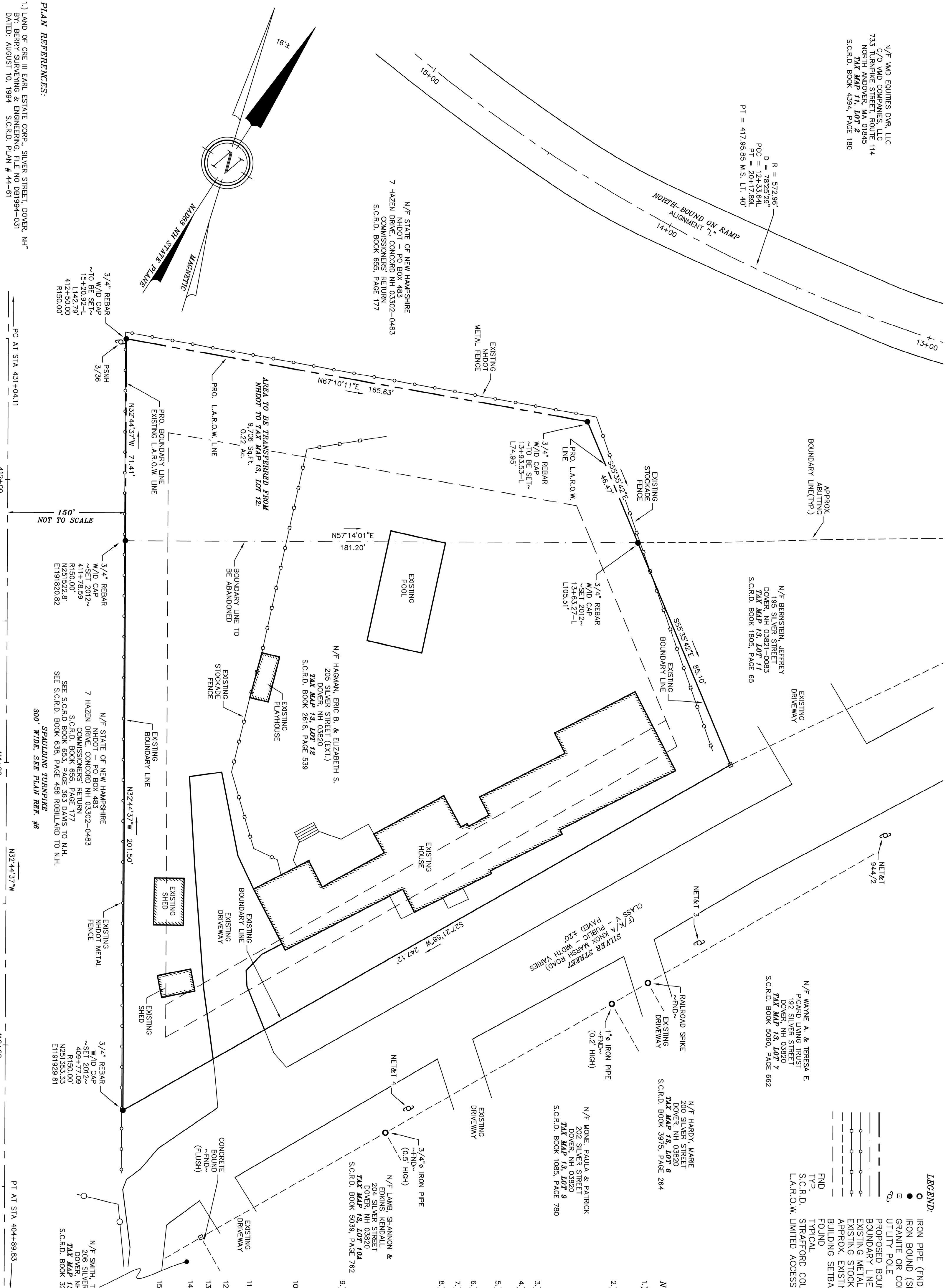
DOCUMENT ACTIONS:

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:

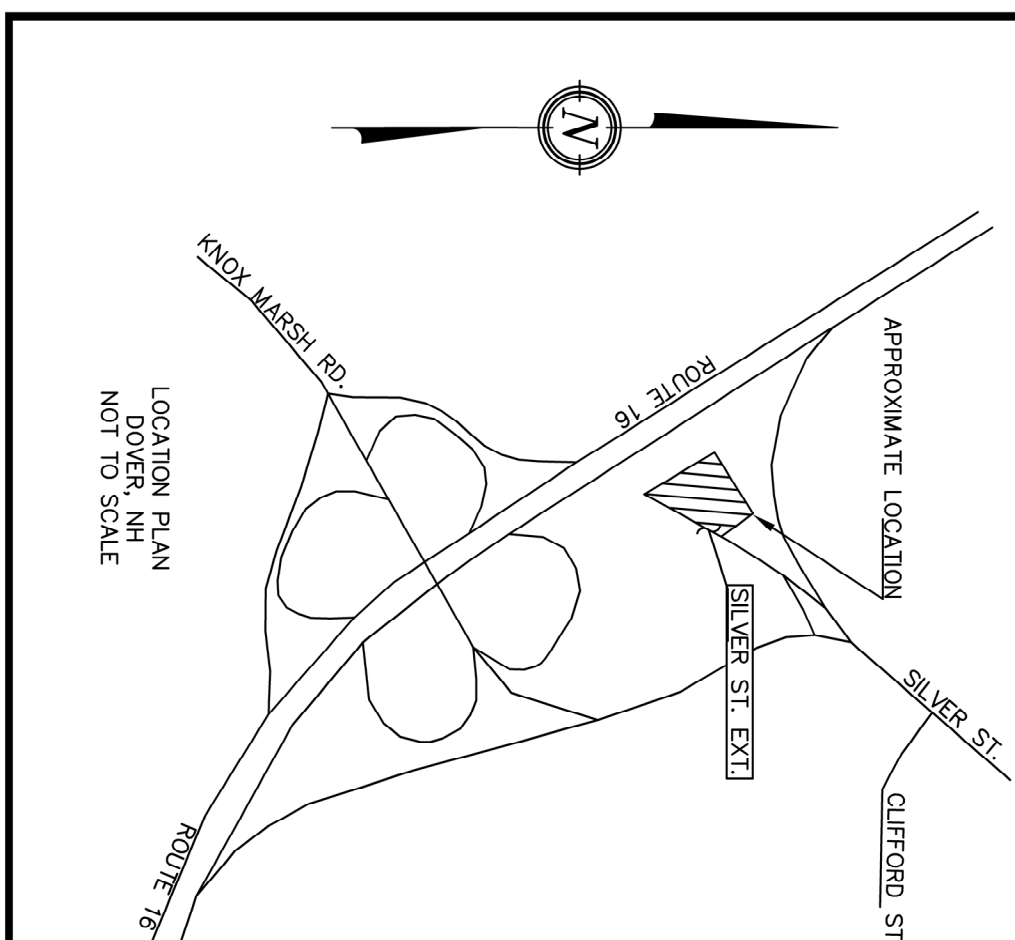
Attached is a copy of a lot line revision plan showing the property in question and the area Mr. and Mrs. Hagman intend to acquire from the New Hampshire Department of Transportation (“NHDOT”). The area is owned by NHDOT in connection with the Spaulding Turnpike, but NHDOT appears to have determined it no longer requires ownership of that portion of land. The City’s records show installed (or likely installed) utility infrastructure on the parcel, as shown in the second attachment to this resolution.

N/F VMD EQUITIES DVR, LLC
C/O VMD COMPANIES, LLC
733 TURNPIKE STREET, ROUTE 114
NORTH ANDOVER, MA 01845
TAX MAP 11, LOT 2
S.C.R.D. BOOK 4394, PAGE 180



LEGEND:

- IRON PIPE (FND)
- IRON BOUND (SET OR TO BE SET)
- GRANITE OR CONCRETE BOUND (FND)
- UTILITY POLE
- PROPOSED BOUNDARY LINE (L.A.R.O.W.)
- BOUNDARY LINE TO BE ABANDONED
- EXISTING METAL FENCE
- EXISTING STAKE FENCE
- APPROX. EXISTING ABUTTING PROPERTY LINE
- BUILDING SETBACK / BUILD-TO-LINES
- FND
- TYPICAL
- STRAFFORD COUNTY REGISTRY OF DEEDS
- L.A.R.O.W. LIMITED ACCESS RIGHT OF WAY



NOTES:

- 1.) PLAN INTENT: THE INTENT OF THIS PLAN IS TO OWNERS OF TAX MAP 13, LOT 12 TO ENLARGE L AND EXECUTIVE COUNCIL.
- 2.) OWNER / ERIC B. & ELIZABETH S. HAGMAN
 APPLICANT: 205 SLIVER STREET
 DOVER, NH 03820

AUTHORIZED SIGNATURE – ERIC B. HAGMAN

- 3.) DOVER TAX MAP 13, LOT 12
 - 4.) EXISTING AREA: 28,692 SQ. FT., 0.66 AC
PROPOSED AREA: 38,398 SQ. FT., 0.88 AC
 - 5.) S.C.R.D. : BOOK 2818, PAGE 539 (HAGMAN)
S.C.R.D. : BOOK 655, PAGE 177-178 (WHODD) (SPALDING TURNPIKE)
 - 6.) SEE REFERENCE PLANS BELOW.
- 7.) THERE ARE NO KNOWN RIGHTS-OF-WAY.

- | MINIMUM AREA: 12,000 SQ. FT. (0.28 AC) | 28,938 SQ. FT. (0.66 AC) |
|---|--|
| MIN. FRONTAGE: 100' | 247.12' |
| MINIMUM YARD SETBACKS / BUILD-TO-LINES | |
| FRONT BUILD-TO LINE - 15' MINIMUM - 25' MAXIMUM | SEE EXISTING NON-CONFORMING - SEE VARIANCE |
| REAR - 30' | 30' |
| ABUT-A-STREET - 15' MINIMUM - 25' MAXIMUM | |
| MAXIMUM LOT COVERAGE: 30% | 10.9% |
| MAXIMUM BUILDING HEIGHT: 30' | 10' |
| THIS PROPERTY FALLS WITHIN THE FOLLOWING ZONING OVERLAY DISTRICTS: (NONE KNOWN) | |

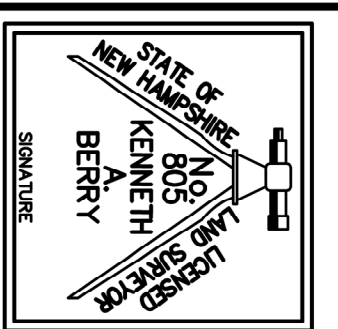
- 10) PROPERTY LINE INFORMATION HAD BEEN OBTAINED FROM A SURVEY PERFORMED BY KENNETH A. BERRY, L.S. BERRY SURVEYING & ENGINEERING, DATED NOVEMBER 12, 2012, WITH AN ERROR OF CLOSURE BETTER THAN 1 IN 10,000. HORIZONTAL COORDINATES BASED ON GPS DATA COLLECTED BY CARLSON BRXT RECEIVERS AND ON NA803 DATUM. VERTICAL DATUM IS NA803. THERE COULD BE DIFFERENCES GENERATE A DIFFERENCE IN ORIENTATION THAN PREVIOUS ITERATION OF THIS PLAN BY THIS OFFICE WHICH WERE BASED ON MAGNETIC NORTH AND RANDOM DATA.
- 11) SUBJECT PARCEL IS NOT LOCATED WITH A FEDERALLY DESIGNATED FLOOD HAZARD AREA (COMMUNITY PANEL NUMBER 330145 PANEL NUMBER 330170030302E DATED SEPTEMBER 30, 2015.
- 12) THE SUBJECT PARCEL IS SERVED BY MUNICIPAL WATER AND SEWER.
- 13) SEE NORTH ARROW FOR BASIS OF BEARING, COORDINATES DETERMINED BY CARLSON BRXT GPS RECEIVERS.
- 14) UTILITY EASEMENT: UPON ACQUIRING THE PARCEL FROM THE STATE OF NEW HAMPSHIRE TO ENLARGE THEIR PARCEL, THE APPLICANT WILL GRANT AN EASEMENT ON, UNDER, ACROSS, AND WITHIN THE SAME PARCEL TO THE CITY OF DOVER FOR EXISTING INFRASTRUCTURE AND APUR TENANCES.
- 15) THE PURPOSE OF THIS PLAN IS TO DISCONTINUE A PORTION OF OLD LITTLETON ROAD. THIS AREA IS AS SHOWN ON N 1 PLAN VIEW AND WILL BE DISCONTINUED PURSUANT TO RSA 230:95 OR APPROPRIATE STATUTORY PROCESS.

LOT LINE REVISION PLAN

REVISION	DATE	DESCRIPTION
#2 #1	3-21-23 2-22-23	REVISE PER MUNICIPAL APPLICATION REVISE PER NINDOT COMMENT

RIGHT OF WAY ADJUSTMENT AND DISCONTINUANCE PLAN
SHOWING LAND TO BE CONVEYED TO
ERIC B. & ELIZABETH S. HAGMAN

TAX MAP 13, LOT 18



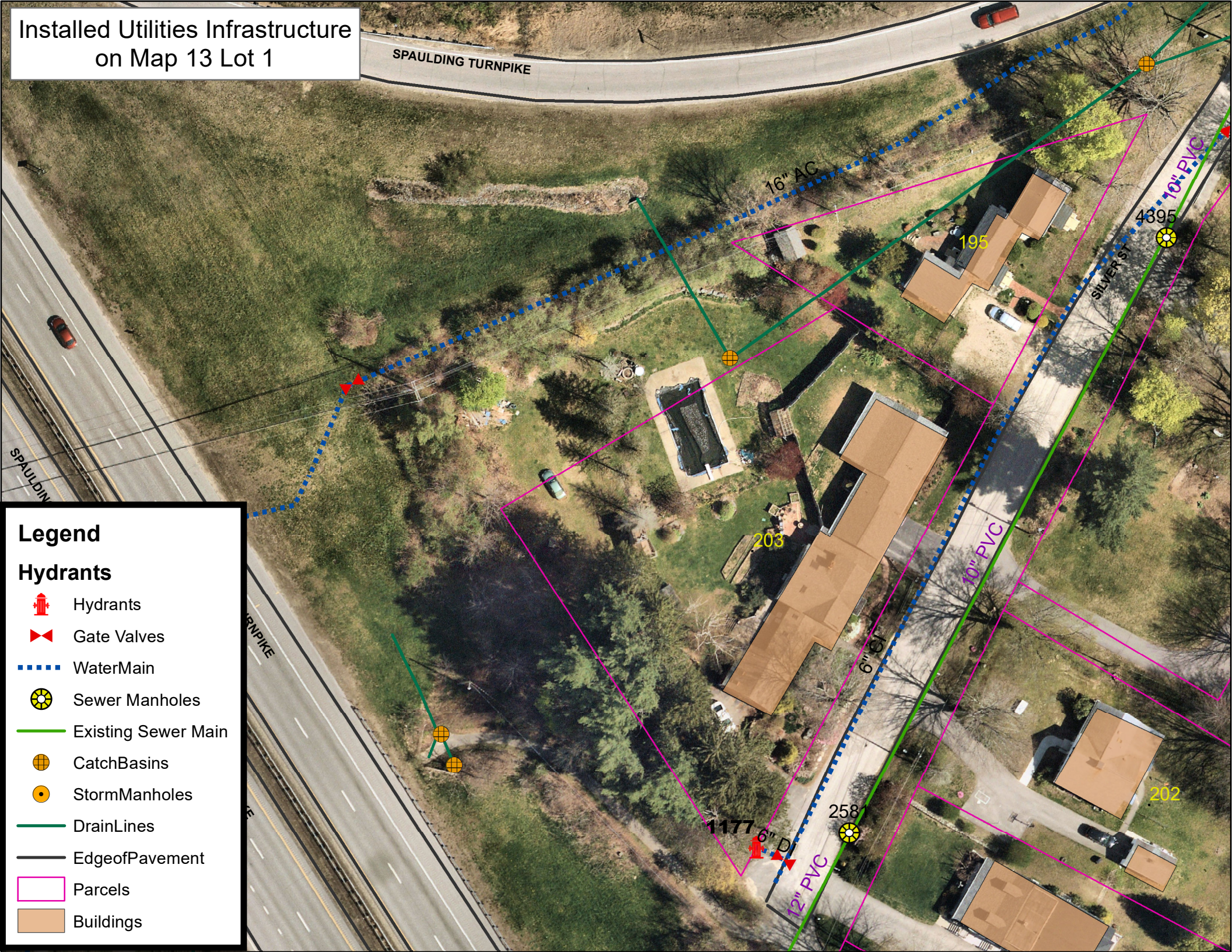
BERRY & SURVEYING—ENGINEER
335 SECOND CROWN POINT RD.
BARRINGTON, N.H. 332-2863

SCALE : 1 IN. EQUALS 20 FT

DATE : FEBRUARY 2, 2023

(IN FEET)

Installed Utilities Infrastructure on Map 13 Lot 1



Legend

Hydrants

Hydrants

Gate Valves

WaterMain

Sewer Manholes

Existing Sewer Main

CatchBasins

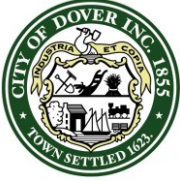
StormManholes

DrainLines

EdgeofPavement

Parcels

Buildings



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R - 2023.04.12 – 059**

Resolution Re: Authorization to Accept and Expend Grant from the NH Society of Genealogists

WHEREAS: The City of Dover received a \$1,000.00 grant from the NH Society of Genealogist for the purpose of funding for the Fosters Weekly Democrat 1894-1899 microfilm to be digitized and enters into a searchable database of Dover newspapers; and

WHEREAS: In adhering to the requirements established per NH RSA 31:95-b, Appropriations for Funds Made Available During Year (adopted via Resolution R-2022.03.23-072 Fiscal Year 2023 Budget Appropriations) authorization by the City Council to expend the donation for the purposes intended as needed; and

WHEREAS: In adhering to the requirements established per NH RSA 31:95-b Section IIIb; unanticipated fund amounts less than \$10,000.00 requires only City Council approval and not public hearing; and

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

In accordance with NH RSA 31:95-b, the City Manager is authorized to expend the donation to the City of Dover, and any funding received is hereby appropriated for said purposes.

AND, FURTHER BE IT RESOLVED THAT:

In expending funds for eligible purposes identified, 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	NH Society of Genealogists Grant	1,000.00	1,000.00

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.A.8.	
Resolution Number: R - 2023.04.12 – 059 Resolution Re: Authorization to Accept and Expend Grant from the NH Society of Genealogists		

DOCUMENT HISTORY:

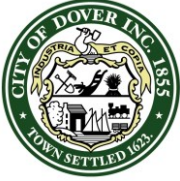
First Reading Date: _____ Approved Date: _____	Public Hearing Date: _____ Effective Date: _____
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DOCUMENT ACTIONS:

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:

The City of Dover received a \$1,000.00 grant from the NH Society of Genealogist for the purpose of funding for the Fosters Weekly Democrat 1894-1899 microfilm to be digitized and enters into a searchable database of Dover newspapers.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.9.

Resolution Number: **R - 2023.04.12 – 060**

Resolution Re: Authorization to Accept and Expend Donation from the Friends of the Library

WHEREAS: The City of Dover received a \$500.00 donation from the Friends of the Library Dover NH for the anticipated purchase of maker space crafting tools for the lending collection; and

WHEREAS: In adhering to the requirements established per NH RSA 31:95-b, Appropriations for Funds Made Available During Year (adopted in Resolution R-2022.03.23-072 Fiscal Year 2023 Budget Appropriations) authorization by the City Council to expend the donation for the purposes intended as needed; and

WHEREAS: In adhering to the requirements established per NH RSA 31:95-b Section IIIb; unanticipated fund amounts less than \$10,000.00 requires only City Council approval and not public hearing; and

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

In accordance with NH RSA 31:95-b, the City Manager is authorized to expend the donation to the City of Dover, and any funding received is hereby appropriated for said purposes.

AND, FURTHER BE IT RESOLVED THAT:

In expending funds for eligible purposes identified, 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	Friends of the Library Gifts	500.00	500.00

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.9.	
Resolution Number: R - 2023.04.12 – 060 Resolution Re: Authorization to Accept and Expend Donation from the Friends of the Library		

DOCUMENT HISTORY:

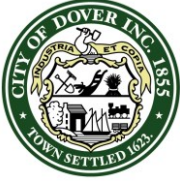
First Reading Date: _____ Approved Date: _____	Public Hearing Date: _____ Effective Date: _____
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DOCUMENT ACTIONS:

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:

The City of Dover received a \$500.00 donation from the Friends of the Library Dover NH for the anticipated purchase of maker space crafting tools for the lending collection.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10.

Resolution Number: **R - 2023.04.12 – 061**
Resolution Re: Authorization to Accept and Expend Donation from the Rotary Club of Dover

WHEREAS: The City of Dover received a \$1,196.00 donation from the Rotary Club of Dover NH for the anticipated purchase of summer badge books from Beanstack books; and

WHEREAS: In adhering to the requirements established per NH RSA 31:95-b, Appropriations for Funds Made Available During Year (adopted in Resolution R-2022.03.23-072 Fiscal Year 2023 Budget Appropriations) authorization by the City Council to expend the donation for the purposes intended as needed; and

WHEREAS: In adhering to the requirements established per NH RSA 31:95-b Section IIIb; unanticipated fund amounts less than \$10,000.00 requires only City Council approval and not public hearing; and

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

In accordance with NH RSA 31:95-b, the City Manager is authorized to expend the donation to the City of Dover, and any funding received is hereby appropriated for said purposes.

AND, FURTHER BE IT RESOLVED THAT:

In expending funds for eligible purposes identified, 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	Library Gifts	1,196.00	1,196.00

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.10.	
Resolution Number: R - 2023.04.12 – 061 Resolution Re: Authorization to Accept and Expend Donation from the Rotary Club of Dover		

DOCUMENT HISTORY:

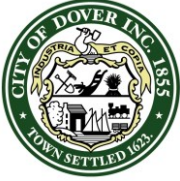
First Reading Date: Approved Date:	Public Hearing Date: Effective Date:
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DOCUMENT ACTIONS:

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:

The City of Dover received a \$1,196.00 donation from the Rotary Club of Dover NH for the anticipated purchase of summer badge books from Beanstack Books.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R - 2023.04.12 – 062**

Resolution Re: Authorizing License for Black Heritage Trail Marker
Honoring the Brown and Mitchell Families

- WHEREAS: Nellie Brown Mitchell, born and raised in Dover in the 1800s, was an accomplished musician remembered as the greatest African American singer of her era; and
- WHEREAS: Edward Everett Brown, Nellie's brother, was also born in Dover and served as the first Black justice of the peace in New Hampshire, was admitted to the bar in 1884, and was a civil rights activist with other notable accomplishments; and
- WHEREAS: These and other members of the Brown and Mitchell families are buried in Pine Hill Cemetery; and
- WHEREAS: Black Heritage Trail of New Hampshire, Inc., a nonprofit corporation promoting awareness and appreciation of African American history and culture in New Hampshire, has requested permission to install bronze plaque markers adjacent to the Pine Hill Cemetery commemorating the Brown and Mitchell families, with proposed text as outlined in the letter from the Honorable Senator David Watters accompanying this resolution.

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

The City Manager is authorized to draft, finalize, and execute a License Agreement with the Black Heritage Trail of New Hampshire, Inc. authorizing its placement of commemorative bronze plaque markers containing the text in the background of this resolution and placed adjacent to the Pine Hill Cemetery along Central Avenue.

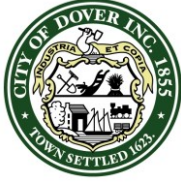
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan M. Mistretta
City Clerk

 CITY OF DOVER	CITY OF DOVER - RESOLUTION Agenda Item#: 13.B.1. Resolution Number: R - 2023.04.12 – 062 Resolution Re: Authorizing License for Black Heritage Trail Marker Honoring the Brown and Mitchell Families
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DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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

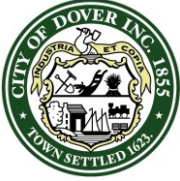
Attached is a letter from the Honorable Senator David Watters outlining the proposed bronze plaque markers and the extraordinary historical figures being commemorated. The letter encloses the specific text of the proposed plaques, which is also reproduced below:

Nellie Brown Mitchell (1845 - June 5, 1924)

Singer, Inventor, Activist

Raised in Dover by her parents, Martha A. (Runnels) Brown and Charles J. Brown, Nellie Brown Mitchell earned her diploma from the New England Conservatory of Music in 1879 and performed as soloist at William Lloyd Garrison's memorial service. She conducted a cantata for the Boston Centennial Festival, performed at Steinway Hall in New York City, served as musical director for the Bromfield Street Methodist Episcopal Church, and led the vocal department at the Hedding Chautauqua summer school in East

Document Created by: Legal	R-2023.04.12 Authorizing License for Black Heritage Trail
Document Posted on: April 7, 2023	Marker Honoring the Brown and Mitchell Families
	Page 2 of 3



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R - 2023.04.12 – 062**

Resolution Re: Authorizing License for Black Heritage Trail Marker
Honoring the Brown and Mitchell Families

Epping. In 1886, she founded the Nellie Brown Mitchell Concert Company which included her sister Edna Bagnell. She performed at the first meeting of the Negro Business League in 1900. She invented the “phoneterion” for vocal training. Nellie Brown married Capt. Charles Mitchell, a printer, civil rights activist, Civil War veteran, and one of the first two Black legislators in Massachusetts.

At the time of her death, she was remembered as the greatest African American singer of her era.

Edward Everett Brown (1858 - 1919)

Lawyer, Civil Rights Activist

Edward Everett Brown, Nellie’s brother, born in 1858 in Dover, was the first Black justice of the peace in New Hampshire.

Admitted to the bar in 1884, he joined the first Black law partnership in Massachusetts in 1888. A civil rights activist in his practice,

speeches, and writings, he supported the anti-lynching and anti-mob violence legislation introduced by Black US congressman

George Henry White in 1900. Active in numerous social and political organizations, Brown led the Crispus Attucks Club, Colored National League, Prince Hall Grand Lodge, and other Boston organizations. He was appointed Assistant Health

Commissioner of Boston in 1907.

Brown married fellow activist Katherine Brown of Portsmouth in 1888. They co-founded the Colored American magazine in 1899.

The family is buried in Pine Hill Cemetery.

Mayor Robert Carrier
Sharon Sirois, Facilities Grounds & Cemeteries Supt.
City of Dover, New Hampshire
288 Central Avenue
Dover, NH 03820

April 3, 2023

Dear Mayor Carrier and Superintendent Sirois,

I am writing on behalf of the Black Heritage Trail of New Hampshire to request the City's acceptance of the placement of a marker in Dover to commemorate the Brown and Mitchell family. The marker, with the text included below, will be placed at a suitable location, subject to the review and approval of city manager, on Central Avenue outside the entrance to Pine Hill Cemetery.

These extraordinary historic figures are buried in the Brown/Mitchell plot in Pine Hill Cemetery. After consultation with the Cemetery Board, the Black Heritage Trail of New Hampshire had an inscription engraved on the stone Nellie Brown Mitchell shared with her husband, as it had not been inscribed at the time of her death. All the family stones were cleaned at that time. The work was done by Tasker Funeral Home of Dover.

It is fitting that this family will be commemorated with the first Black Heritage Trail of New Hampshire marker for Dover. As Dover celebrates its 400th anniversary, we can bring before the public individuals whose names and stories may not be as well-known as those of some other notable Dover residents, but their accomplishments and historic firsts create a fuller picture of the meaning of Dover history, with particular relevance to today's society. The Trail continues research on other possible sites in Dover as it progresses on plans to place individual markers and to create municipal trails with several markers across the state. The Trail raises funds and in-kind contributions to support the marker program, and it has a permanent fund to cover the costs of future repair or maintenance of the markers.

Upon approval of this request, the Black Heritage Trail of New Hampshire will have the marker created and arrange with the city for the site work and other arrangements necessary for its placement. A celebration planning committee has been formed, including Counselor Nemeth, the Woodman Museum, Dover Friends Meeting, Dover High School Project Dream, and others, and the celebration events will be coordinated and planned with necessary City personnel. The date of July 15, 2023 has been targeted, in conjunction with Juneteenth celebration events that weekend in Portsmouth. If the City needs additional information prior to the Council meeting on April 12, 2023, please contact me.

Sincerely,



David Watters

Board of Trustees, Black Heritage Trail of New Hampshire

The bronze plaque, measuring 24x36", will be affixed vertically to a piece of granite, with the following information:

Nellie Brown Mitchell (1845 - June 5, 1924)

Singer, Inventor, Activist

Raised in Dover by her parents, Martha A. (Runnels) Brown and Charles J. Brown, Nellie Brown Mitchell earned her diploma from the New England Conservatory of Music in 1879 and performed as soloist at William Lloyd Garrison's memorial service. She conducted a cantata for the Boston Centennial Festival, performed at Steinway Hall in New York City, served as musical director for the Bromfield Street Methodist Episcopal Church, and led the vocal department at the Hedding Chautauqua summer school in East Epping. In 1886, she founded the Nellie Brown Mitchell Concert Company which included her sister Edna Bagnell. She performed at the first meeting of the Negro Business League in 1900. She invented the "phoneterion" for vocal training. Nellie Brown married Capt. Charles Mitchell, a printer, civil rights activist, Civil War veteran, and one of the first two Black legislators in Massachusetts.

At the time of her death, she was remembered as the greatest

African American singer of her era.

Edward Everett Brown (1858 - 1919)

Lawyer, Civil Rights Activist

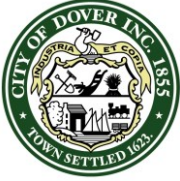
Edward Everett Brown, Nellie's brother, born in 1858 in Dover, was the first Black justice of the peace in New Hampshire. Admitted to the bar in 1884, he joined the first Black law partnership in Massachusetts in 1888. A civil rights activist in his practice, speeches, and writings, he supported the anti-lynching and

anti-mob violence legislation introduced by Black US congressman

George Henry White in 1900. Active in numerous social and political organizations, Brown led the Crispus Attucks Club, Colored National League, Prince Hall Grand Lodge, and other Boston organizations. He was appointed Assistant Health Commissioner of Boston in 1907.

Brown married fellow activist Katherine Brown of Portsmouth in 1888. They co-founded the Colored American magazine in 1899.

The family is buried in Pine Hill Cemetery.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R -2023.04.12 – 063**

Resolution Re: Approval of Purchase and Sale Agreement Between City of Dover and D. Anne Dickerson, Trustee of the “D. Anne Dickerson Revocable Trust of 2005”

WHEREAS: D. Anne Dickerson, Trustee of the “D. Anne Dickerson Revocable Trust of 2005” (“Dickerson”) owns a parcel of property in Madbury, NH known as Town of Madbury Tax Map 1, Lot 14A, consisting of 32 +/- acres (the “Property”); and

WHEREAS: The Property is down stream of the old Tolend Road landfill, as well as the Bellamy Reservoir; and

WHEREAS: The Property has significant conservation and water protection values, as well as potential opportunities for future public recreation; and

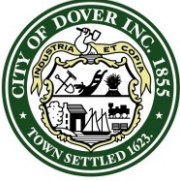
WHEREAS: The parties have come to an agreement whereby the City will purchase the Property from Dickerson for the price of \$52,800.00.

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

That the City Council approves and authorizes the City Manager to sign and fulfill the City’s obligations stated within a Purchase and Sale Agreement to be executed between the City of Dover and D. Anne Dickerson, Trustee of the “D. Anne Dickerson Revocable Trust of 2005” for the City’s purchase of the Property for the amount of \$52,800.00, as well as an authorization to incur an additional \$1,000 in anticipated closing costs. The City Manager, or designee, may incur costs related to title search, and may finalize and execute a Purchase and Sale Agreement and take all steps necessary to effectuate the transfer of the Property to the City and record all necessary documents in the Strafford County Registry of Deeds, including payment of any recording fees. The Purchasing Agent is authorized to issue a purchase order in the amount of \$52,800 for the purchase of the real property, as well as one or purchase orders as needed for closing costs, not to exceed \$1,000.

Financing

Account	Description	Appropriation	Balance	Charge
5300.1.300.43320.4757.03574.11	Water - Wellhead Protection	100,000.00	43,525.22	43,525.22
5300.1.300.43320.4757.03574.18	Water - Wellhead Protection	100,000.00	17,893.50	10,274.78
			Total	53,800.00



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R -2023.04.12 – 063**
Resolution Re: Approval of Purchase and Sale Agreement Between City of Dover and D. Anne Dickerson, Trustee of the “D. Anne Dickerson Revocable Trust of 2005”

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

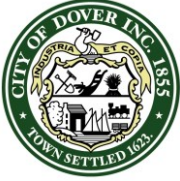
Recorded by: Susan M. Mistretta
City Clerk

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.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

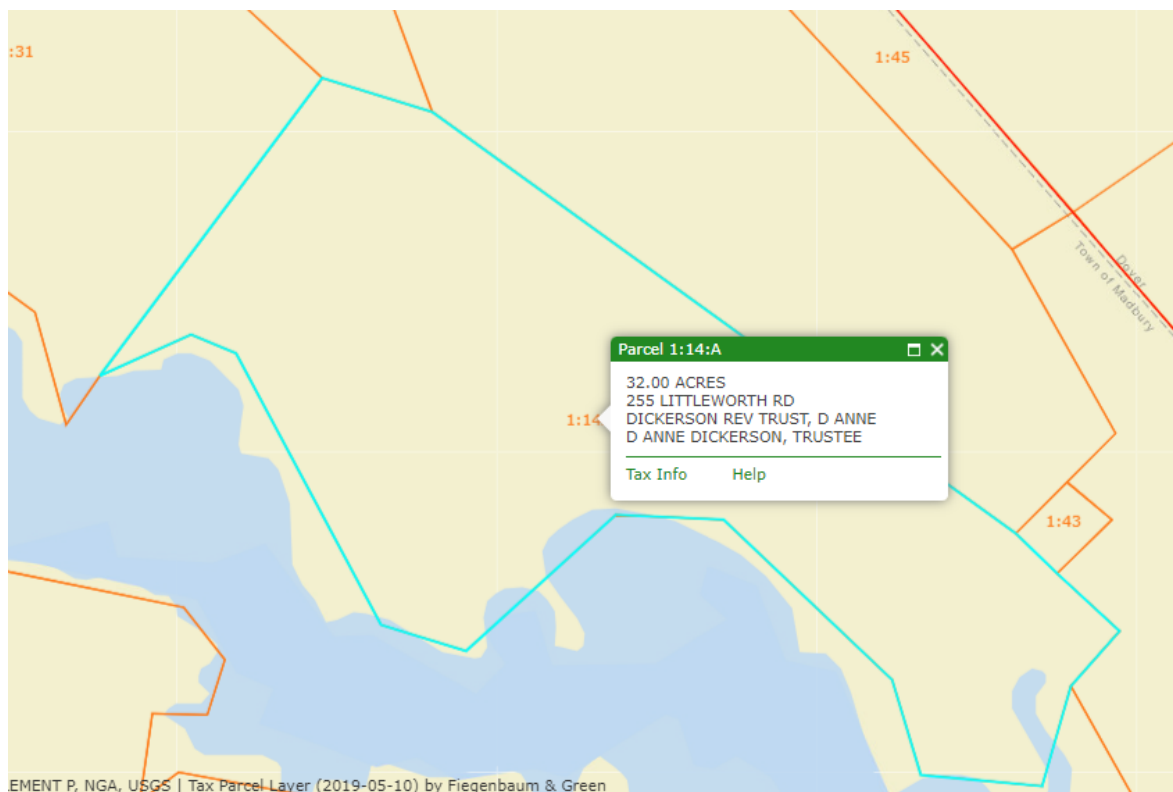
Resolution Number: **R -2023.04.12 – 063**
Resolution Re: Approval of Purchase and Sale Agreement Between City of Dover and D. Anne Dickerson, Trustee of the “D. Anne Dickerson Revocable Trust of 2005”

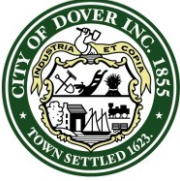
RESOLUTION BACKGROUND MATERIAL:

Attached is a draft Purchase and Sale Agreement between the City of Dover and D. Anne Dickerson, Trustee of the “D. Anne Dickerson Revocable Trust of 2005”. The City understands the seller finds this draft acceptable, though the parties have yet to execute a final Purchase and Sale Agreement.

Also included below are map excerpts showing the parcel to be purchased.

(Excerpt of Town of Madbury tax map)





CITY OF DOVER

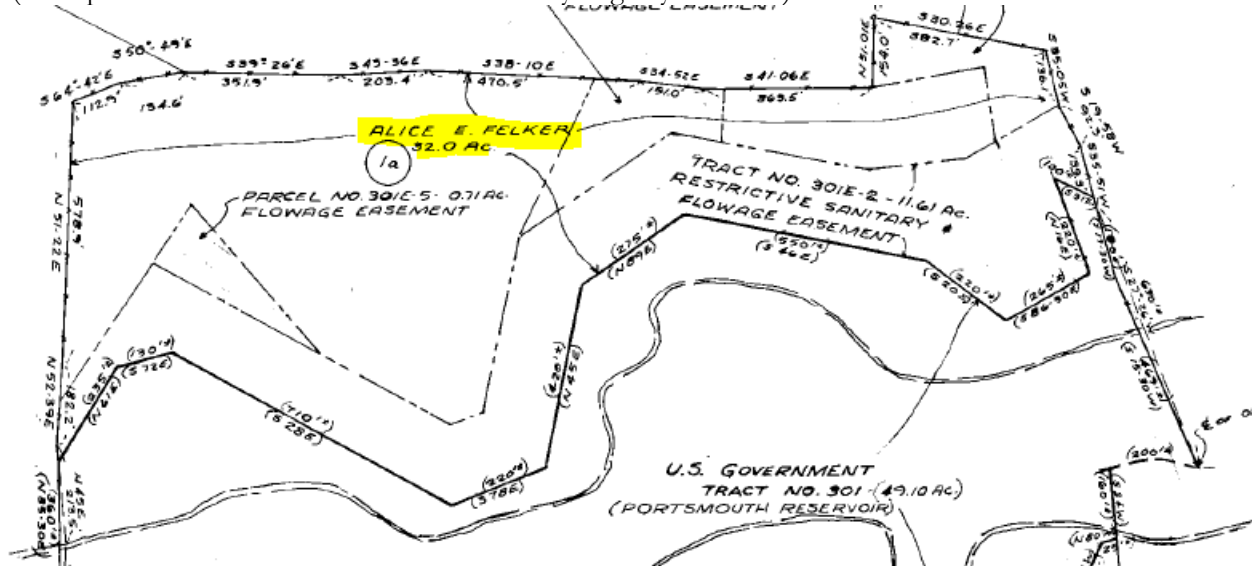
CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R -2023.04.12 – 063**

Resolution Re: Approval of Purchase and Sale Agreement Between City of Dover and D. Anne Dickerson, Trustee of the “D. Anne Dickerson Revocable Trust of 2005”

(Excerpt of P23A-9 recorded at Strafford County Registry of Deeds)



PURCHASE AND SALE AGREEMENT

On this ____ day of April, 2023, the City of Dover, a municipal corporation with a principal place of business at 288 Central Avenue, Dover, New Hampshire (hereinafter "City") and D. Anne Dickerson, Trustee of the "D. Anne Dickerson Revocable Trust of 2005" dated August 30, 2005, 255 Littleworth Road, Dover, NH 03820 (hereinafter "Dickerson") hereby enter into this agreement for the sale by Dickerson and purchase by the City of certain real estate (hereinafter "Agreement") under the terms and conditions described herein.

1. Premises: This Agreement addresses all of the real property and every collateral and subsidiary interest of any kind owned by Dickerson in the parcel of property in Madbury conveyed to her as Tract III within the deeds recorded at Book 4280, Page 415 and Book 4857, Page 568 of the Strafford County Registry of deeds, also shown as Tract 1a on a Plan of Subdivision of Land of Alice E. Felker, Littleworth Road, Madbury, New Hampshire, dated October 1981 and recorded with the Strafford County Registry of Deeds as Plan Number 23A-9 ("Felker Plan"), also known as Madbury Tax Map 1, Lot 14A, said property consisting of 32 acres more or less (hereinafter "Premises"). The Premises shall include all fee interest rights, appurtenant rights, related rights, and rights to standing timber as of the date of this Agreement, and no timber shall cut as of the date of this Agreement. The Premises are generally shown/designated on the attached **Exhibit A**.
2. Purchase Price: The total purchase price for the Premises shall be in the full amount of \$52,800 United States currency, payable by the City to Dickerson at closing. City promises to pay, and Dickerson promises to sell, the Premises for the foregoing agreed-upon purchase price, on the terms stated in this Agreement.
3. Closing: Closing shall occur on or before May 26, 2023, at a location in New Hampshire mutually agreed to by the parties. The parties may mutually agree in writing to extend the deadline for closing.
4. Deed/Warranties: Dickerson shall convey the Premises to the City by Warranty Deed, said deed to be prepared by the City or its designee. Dickerson represents and warrants that she has good, marketable, and insurable title to the Premises free of any encumbrances, claims, liens, mortgages, rights of first refusal, covenants, or other interests of any kind except for those matters shown on the Felker Plan. Dickerson further represents and warrants that the Premises, to the best of her knowledge, is not in violation of any federal, state or local law, ordinance or regulation, including but not limited to those concerning environmental contamination, on, under, or about the Premises, that there are no underground storage tanks current or previously situated on the Premises, and that there are no environmental tort liabilities existing on or under the Premises, and that neither Dickerson nor any other person has used the Premises to generate, manufacture, refine, produce, process, store, or dispose of on, or under, the Premises or transported to or from the Premises any hazardous materials, flammable explosives, radioactive materials, asbestos, petroleum, organic compounds known as polychlorinated biphenyls, chemicals known to cause cancer or reproductive toxicity, pollutants, contaminants, toxic substances and the like.
5. Risk of Loss: Until transfer of the title to the City the risk of loss or damage to all or any part of the Premises shall remain with Dickerson.

6. Taxes and Utilities: At closing, taxes and utilities, if any, shall be pro-rated between Dickerson and the City pursuant to the Strafford County Bar Association tax proration policy. The parties understand the Premises is in current use and the parties do not anticipate any change in use resulting from this purchase and sale.
7. Transfer, Recording Fees, Regulatory Filings: The City shall pay recording fees for the deed(s) to the Premises and the transfer taxes, if any, shall be paid as required by State law. That said, the City believes the transfer of the Premises to the City is exempt pursuant to NH RSA 78-B:2, I. City and Dickerson agree to cooperate with any regulatory or governmental filings necessary in connection with the transfer of the Premises, including but not limited to federal income tax filings/reports and/or any PA-34 filed with the Department of Revenue Administration.
8. Inspection/Title: Within 30 days of the date of this Agreement, the City and/or its consultants or contractors shall have the complete and unimpeded right to access, enter upon, and inspect the Premises for any purpose deemed appropriate by the City, at the City's sole cost. Such inspection shall include, but not be limited to, all environmental purposes. The City shall also (at the City's sole cost) have the right to research and inspect Dickerson's title, and to verify to the City's satisfaction that Dickerson has good, marketable, and insurable title to the Premises. If the result of any inspection is unsatisfactory to the City, then the City may declare this Agreement null and void by notifying Dickerson in writing that the results of the inspection were unsatisfactory and the reason(s) why. Dickerson shall have 30 calendar days to cure any unsatisfactory inspection result to meet the City's satisfaction, subject to the City's right to inspect such cure. Should the City fail to inspect the Premises and/or title to the Premises within 30 days of the date of this Agreement, such right of inspection is waived.
9. Occupants of Any Kind: Dickerson represents and warrants that she shall deliver the Premises to the City free and clear of all occupants and personal property of any kind.
10. Entire Agreement: This Agreement sets forth the entire agreement between the City and Dickerson.
11. Heirs and Assigns: This Agreement shall extend to and be binding upon the heirs, personal representatives, successors, and assigns of the City and Dickerson.
12. Counterparts: This Agreement may be executed in duplicate originals or counterparts, and a copy, facsimile, or pdf of this Agreement shall for all purposes be deemed an original.
13. Approvals: This Agreement is subject to and fully contingent upon the approval of the Dover City Council. The failure of the Council to approve this Agreement at a duly noticed public meeting of the Council shall render it null and void.
14. Authority. Dickerson represents and warrants that she has full power and authority to transfer the Premises and satisfy all obligations necessary to sell the Premises consistent with this Agreement. Within 15 days of this Agreement being fully executed, Dickerson shall provide a copy of the trust instrument (for the "D. Anne Dickerson Revocable Trust of 2005" dated August 30, 2005) and any/all amendments to same, together with any other instrument or document relied upon by Dickerson to establish authority to transfer the Premises to the City pursuant to

this Agreement. For reference, see Trustee Certificate dated November 4, 2016 and recorded with the Strafford County Registry of Deeds at Book 4434, Page 27.

15. Agents/Commission: The parties represent and warrant that they are aware of no fee or commission due any real estate agent with respect to the sale of the Premises. Should any such fee or commission be due (or be discovered to be due), such commission shall be paid from the sale proceeds.
16. Choice of Law: This Agreement has been entered into in New Hampshire and shall be interpreted in accordance with New Hampshire law.
17. Survival: The representations and warranties of Dickerson stated in this Agreement shall survive the closing and transfer of the Premises.

CITY OF DOVER

J. Michael Joyal, Jr.
City Manager

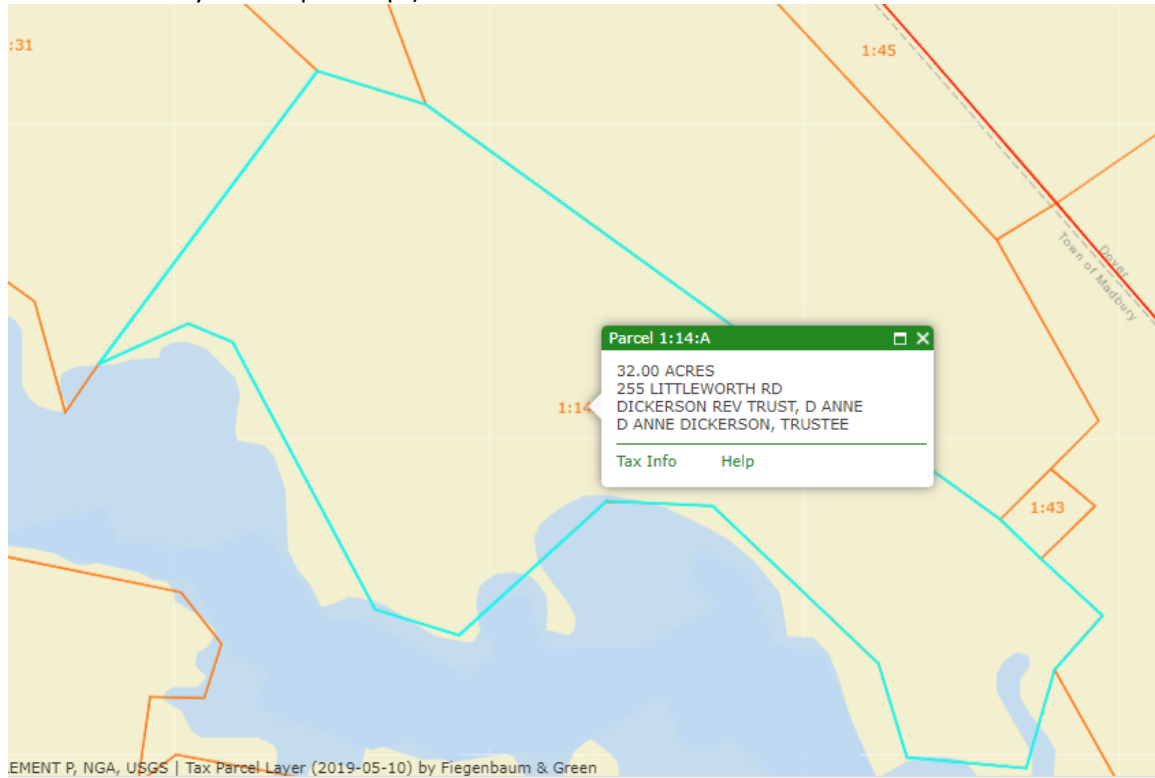
Date

D. Anne Dickerson, Trustee of the D. Anne
"Dickerson Revocable Trust of 2005" dated
August 30, 2005

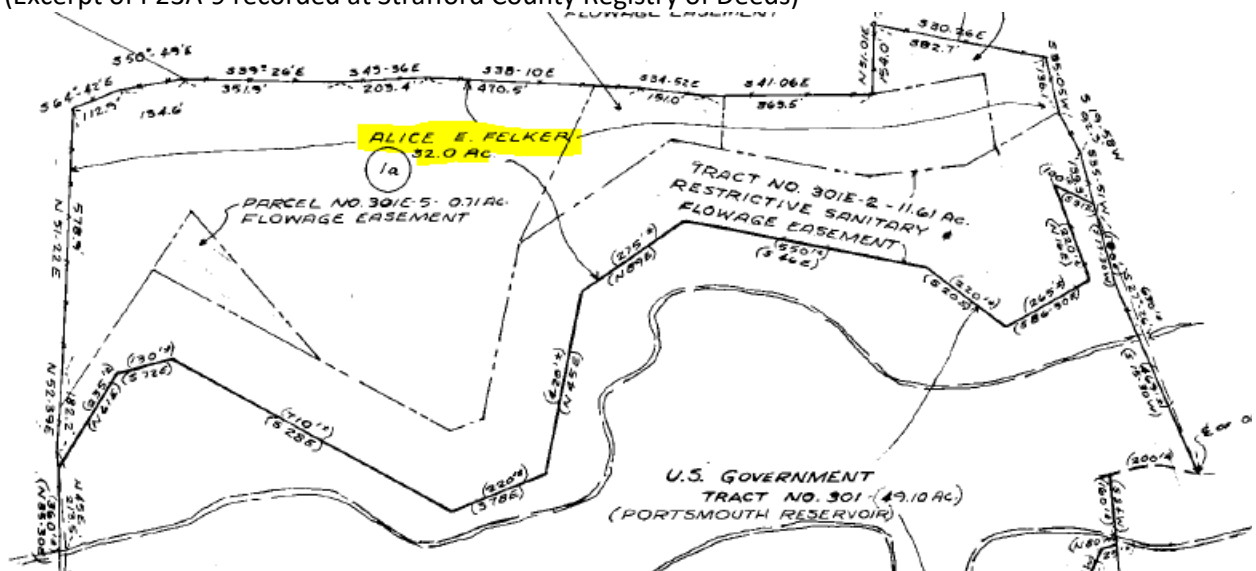
Date

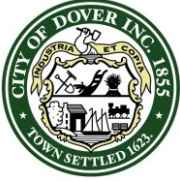
EXHIBIT A

(Town of Madbury Tax Map Excerpt)



(Excerpt of P23A-9 recorded at Strafford County Registry of Deeds)





CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R - 2023.04.12 – 064**

Resolution Re: Declaring the First Settlers Cemetery (also known as Roberts Cemetery) on Dover Point Road (Tax Map L, Lot 93) Abandoned

WHEREAS: There is an approximately .92 acre ancient burial ground in the City currently known as the “First Settlers Cemetery” (and also known as the “Roberts Cemetery”), located on Dover Point Road and identified as Tax Map L, Lot 93, and hereinafter referred to as the Cemetery; and

WHEREAS: The City has conducted a title search and attempted to reach heirs, but is unaware of any owner who can be located and is presently claiming ownership of the Cemetery; and

WHEREAS: RSA 289:20 prescribes a statutory procedure whereby the City may declare a cemetery abandoned by action of City Council; and

WHEREAS: On December 13, 2022, the Cemetery Board met, reviewed the issue, and concurred with declaring the Cemetery abandoned.

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

The Cemetery is hereby declared abandoned pursuant to RSA 289:20.

The issue of declaring the Cemetery abandoned is hereby referred to a future public hearing to occur at a public meeting of the City Council to occur least sixty days after, and no more than ninety days after, notice of the City’s intent to declare the aforesaid burial ground abandoned has been published in the newspaper. The City Clerk shall cause such notice of intent to be published in the newspaper in accordance with RSA 289:20, containing the information required by RSA 289:20 in said published notice.

TO BE REFERRED TO A PUBLIC HEARING TO OCCUR AT LEAST SIXTY, BUT NO MORE THAN NINETY, DAYS AFTER PUBLICATION IN A NEWSPAPER IN ACCORDANCE WITH RSA 289:20.

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.3.	
Resolution Number: R - 2023.04.12 – 064 Resolution Re: Declaring the First Settlers Cemetery (also known as Roberts Cemetery) on Dover Point Road (Tax Map L, Lot 93) Abandoned		

DOCUMENT HISTORY:

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

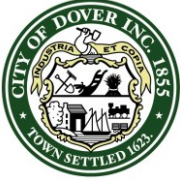
VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Robert Hinkel, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Debra Hackett, Ward 4		
Councilor Fergus Cullen, Ward 6		
Councilor Linnea Nemeth,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

RESOLUTION BACKGROUND MATERIAL:

The so-called “First Settlers Cemetery” is believed to be the burial ground of the earliest, or some of the earliest, English colonists to be buried in what is now the City of Dover. To better understand the property’s history, the City has engaged a title abstractor, who found researched information as to past ownership. However, attempts to contact the suspected heir have been unsuccessful to date. A copy of that title report accompanies this resolution.

At the public meeting this resolution is finally acted upon, the notice of intent published in the newspaper should be read aloud as required by RSA 289:20.

Below is an excerpt showing the location of the subject cemetery:



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R - 2023.04.12 – 064**

Resolution Re: Declaring the First Settlers Cemetery (also known as Roberts Cemetery) on Dover Point Road (Tax Map L, Lot 93) Abandoned



To declare a cemetery abandoned, RSA 289:20 requires the following process:

I. The municipality shall place an advertisement in at least one newspaper having general distribution in the municipality and surrounding area. The advertisement shall state the intent of the municipality, identifying the burial ground by name, if known, and by names and dates of the oldest stones in the burial ground, with a request for any direct descendant to contact the town selectmen's office, the town manager, or mayor, as applicable. If the burial ground contains no stones with legible inscriptions, the site may be identified by a detailed description of its location.

II. Not less than 60 days nor more than 90 days after the notice of the intent has been published, the notice shall be read at a regularly scheduled selectmen's meeting or in the case of a city, a city council meeting.

III. If any descendants were located and grant permission, or if no descendants were located, then, after a public hearing, the municipality may declare the burial ground abandoned by a majority vote of the selectmen or city councilmen present and voting.

RSA 289:20.

If and once a cemetery is declared abandoned, then the “cemetery shall become a municipal cemetery for management purposes” and the City will “assume all the authorization and rights of natural lineal descendants.” RSA 289:21.

COUTURE TITLE SERVICES, LLC

84 Stackpole Road
Somersworth, NH 03878-1610
(603) 692-4035 – Office
(603) 767-9083 - Cell
CoutureTitleServices@comcast.net

October 28, 2022

Joshua Wyatt, City Attorney
City of Dover, NH
288 Central Avenue
Dover, NH 03820-4169

Re: First Settlers Cemetery, Dover Point Road, Dover, NH

Dear Joshua:

I have spent a considerable amount of time researching the ownership of fee title to the First Settlers Cemetery located on the easterly side of Dover Point Road in Dover, New Hampshire identified by the City of Dover Assessor as Tax Map L, Lot 93 measuring .92 Acres. The cemetery in question is identified on Plan of Lot for Frank G. MacCausland Plan 19A-20 measuring roughly 220 feet along the road with a depth of 178 feet. It is also partly shown on Plan of Matt R. Jr. and Helen R. Williams Plan 44-72. I also provided a copy of the 1892 Atlas showing C. Roberts. The research was difficult due to lack of probate records or little information in the existing probate files. I perused the tombstones at the cemetery and took several pictures trying to ascertain the various members of the Roberts' family, as well as documenting their date of deaths. Numerous deeds dating back to the mid 1800's were reviewed in an attempt to piece together various parcels.

I was able to ascertain the area in question was known as the Hanson Roberts farm. It is possible the deed into Hanson may be from Joseph Roberts in 1840, recorded at Book 187, Page 295. Several deeds were exchanged between Hanson Roberts' children as Hanson and his wife, Lydia H. Roberts, carved up their farm conveying sections in this immediate vicinity to their sons, Howard M. Roberts and Charles W. Roberts. The records are very sketchy.

A clear conveyance of the precise acreage, of which the subject cemetery was a part of, is a deed from Charles R. Roberts to Charles W. Hayes dated 11/16/1898, recorded at Book 318, Page 229. This conveys a 17 1/2 Acre parcel on the easterly side of Dover Pont Road "reserving the burying ground". From probate court records, the site of ancestry.com, as well as the grave stones at the site, I was able to establish the ownership following the death of Charles S. Roberts. I have drawn up a chain of that lineage.

Charles S. Roberts died intestate in 1920 – Probate #X4759 survived by his wife, Ida F. Roberts, son, J. Frank Roberts a/k/a James Frank Roberts and daughter, Helen Roberts later known as Helen Roberts Snook. J. Frank Roberts died intestate in 1922 at the age of 26 survived by his mother, Ida F. Roberts and sister, Helen Roberts; Probate #X5421 There is no probate for Ida F. Roberts but a death certificate recorded at Book 1319, Page 776 states she died 4/7/1951. One large tombstone lists: Charles S. Roberts, wife, Ida F. Roberts, J. Frank Roberts and Helen Roberts Snook.

Charles S. Roberts' daughter, Helen Roberts Snook married late in life to John Edward Snook. She died testate 12/16/1982 according to probate File #A20264. Copies of Helen's will and other pleadings are included with this research. It appears Helen's husband predeceased her as she was listed as a "widow" in 1952 and as "single" in a 1972 deed. Under Helen's will, she left all her real estate on the easterly side of Dover Point Road in Dover, New Hampshire to her deceased cousin, George W. Roberts' widow, Jean Roberts with an address of 8 Whittier Place, Apartment 7B, Boston, MA. There is no Strafford County probate for Jean Roberts. I did not find a grave for either Jean or her husband George W. Roberts. Jean Roberts with the Massachusetts address conveyed acreage on Dover Point Road in 1983 to Matt R. Jr. and Helen R. Williams by deed recorded at Book 1119, Page 738.

David Nelson, a neighbor to this cemetery informed me that descendants of this Roberts' family own the Roberts Cove Basin and Marina located in Alton, New Hampshire. Contact information is P.O. Box 123, or 28 Basin Road, Alton, NH 03809; phone number is 603-569-6040. The automated message stated they were closed for the season. I left a message. There was also a site: marina@robertscovebasin.com. I sent a message to that site also. So far no answer.

In conclusion: Jean Roberts, widow of George W. Roberts, with a last known address in 1982 of Boston, MA. I sent messages to a few Jean Roberts that are on Facebook. It would seem to be looking for a needle in a haystack unless a Roberts' family member can shed some information of Jean's whereabouts or her heirs.

I will keep you informed if I receive any follow up information from these sources.

Sincerely,


Denise R. Couture