



CITY OF DOVER

CITY COUNCIL - AGENDA

REVISED

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, June 14, 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. AUTHORIZATION TO ACCEPT AND EXPEND INVESTNH MUNICIPAL DEMOLITION GRANT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.)**
SPONSORED BY MAYOR CARRIER BY REQUEST
 - B. FY2023 GENERAL FUND UNASSIGNED FUND BALANCE TRANSFERS TO CERTAIN SPECIAL REVENUE FUNDS AND CAPITAL PROJECT FUNDS TO ADDRESS FUND DEFICITS (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.)**
SPONSORED BY MAYOR CARRIER BY REQUEST
 - C. DISSOLUTION OF CERTAIN SPECIAL REVENUE FUNDS AND CAPITAL PROJECT FUNDS INTO THE GENERAL FUND (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.)**
SPONSORED BY MAYOR CARRIER BY REQUEST
 - D. FY2024 CIP APPROPRIATION FOR DOVER MIDDLE SCHOOL HVAC AND AUTHORIZATION FOR BONDING (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.) (CITY COUNCIL VOTE TO OCCUR ON JUNE 28, 2023.)**
SPONSORED BY MAYOR CARRIER BY REQUEST
 - E. FY2024 CIP APPROPRIATION FOR DOVER SCHOOLS LED LIGHTING UPGRADES AND AUTHORIZATION FOR BONDING. (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.) (CITY COUNCIL VOTE TO OCCUR ON JUNE 28, 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. May 24, 2023 – Regular Meeting**
 - B. June 7, 2023 – Workshop Session**
- 11. MAYOR'S REPORT**



CITY OF DOVER

CITY COUNCIL - AGENDA

REVISED

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, June 14, 2023**
Meeting Time: **7:00 pm**

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

B. ORDINANCES IN THE 3RD READING

C. RESOLUTIONS

1. **AUTHORIZATION TO ACCEPT AND EXPEND INVESTNH MUNICIPAL DEMOLITION GRANT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.)**
(TO BE REFERRED TO A PUBLIC HEARING ON JUNE 14, 2023.)
SPONSORED BY MAYOR CARRIER BY REQUEST
2. **FY2023 GENERAL FUND UNASSIGNED FUND BALANCE TRANSFERS TO CERTAIN SPECIAL REVENUE FUNDS AND CAPITAL PROJECT FUNDS TO ADDRESS FUND DEFICITS**
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.)
(TO BE REFERRED TO A PUBLIC HEARING ON JUNE 14, 2023.)
SPONSORED BY MAYOR CARRIER BY REQUEST
3. **DISSOLUTION OF CERTAIN SPECIAL REVENUE FUNDS AND CAPITAL PROJECT FUNDS INTO THE GENERAL FUND**
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.)
(TO BE REFERRED TO A PUBLIC HEARING ON JUNE 14, 2023.)
SPONSORED BY MAYOR CARRIER BY REQUEST

13. NEW BUSINESS

A. CONSENT CALENDAR

1. **B23074 AWARD BID FOR LANDSCAPING SERVICES AT FISH LADDER PARK**
SPONSORED BY MAYOR CARRIER BY REQUEST
2. **B23082 AWARD OF BID FOR MINI SWAT ROBOT OR DOCUMENTED EQUAL**
SPONSORED BY MAYOR CARRIER BY REQUEST
3. **LIBRARY BOOKS & MEDIA PURCHASES BAKER TAYLOR INC**
SPONSORED BY MAYOR CARRIER BY REQUEST
4. **ACKNOWLEDGMENT OF REQUEST FOR REVIEW OF WATER/SEWER ABATEMENT APPEAL FOR PROPERTY AT 28-30 SECOND STREET REVIEW AND REFERRAL OF SAME FOR REVIEW**
SPONSORED BY MAYOR CARRIER BY REQUEST
5. **APPROVAL OF AMENDMENTS TO THE OPERATIONAL RULES FOR THE COMMITTEE FOR RACIAL EQUITY AND INCLUSION**
SPONSORED BY MAYOR CARRIER BY REQUEST
6. **AUTHORIZATION TO JOIN AND SEEK APPROVAL OF LOT LINE ADJUSTMENT APPLICATIONS WITH RESPECT TO DOVER TAX MAP 40, LOT 17, DOVER TAX MAP 40, LOTS 18, 18-B, 18-C, 18-D, 18-E, AND 18-F, SOMERSWORTH TAX MAP 41, LOT 9, AND SOMERSWORTH TAX MAP 64, LOT 1**
SPONSORED BY MAYOR CARRIER BY REQUEST



CITY OF DOVER

CITY COUNCIL - AGENDA

REVISED

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, June 14, 2023**
Meeting Time: **7:00 pm**

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. Cochecho 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. **COLLECTIVE BARGAINING AGREEMENT – DOVER TEACHERS' UNION (DTU)**
SPONSORED BY MAYOR CARRIER BY REQUEST
2. **COLLECTIVE BARGAINING AGREEMENT – DOVER EDUCATIONAL OFFICE PERSONNEL UNION (DEOP)**
SPONSORED BY MAYOR CARRIER BY REQUEST
3. **ACKNOWLEDGMENT AND ACCEPTANCE OF DONATION BY NORTHEAST COLOR FOR WORK AND SUPPLIES IMPROVING THE COMMUNITY TRAIL**
SPONSORED BY MAYOR CARRIER BY REQUEST
4. **DENOUNCING UNCONSTITUTIONAL BOOK CENSORSHIP AT PUBLIC LIBRARIES**
SPONSORED BY COUNCILOR HINKEL AND COUNCILOR THIBODEAUX

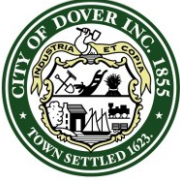
C. ORDINANCES IN 1ST READING

1. **CHAPTER 5, SECTIONS 8, 10, and 15**
(TO BE REFERRED TO A PUBLIC HEARING ON JULY 12, 2023.)
SPONSORED BY MAYOR CARRIER BY REQUEST
2. **CHAPTER 81, SECTION 20**
(TO BE REFERRED TO A PUBLIC HEARING ON JULY 12, 2023.)
SPONSORED BY MAYOR CARRIER BY REQUEST

14. COUNCIL CORRESPONDENCE

15. COUNCIL MATTERS OF INTEREST

16. ADJOURN



CITY OF DOVER

CITY OF DOVER - RESOLUTION

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

Resolution Number: **R - 2023.05.24 – 090**
Resolution Re: FY2024 CIP Appropriation for Dover Middle School
HVAC and Authorization for Bonding

- WHEREAS: The City Council desires to make public improvements and to finance these improvements with the sale of general obligation bonds; and
- WHEREAS: The Dover School department obtained a cost proposal for the Middle School HVAC upgrades in the total amount of \$4,900,000.00, and as part of the FY2024 CIP there is \$650,000.00 appropriated for Middle School roof replacement; and
- WHEREAS: The Dover School Board has identified a priority need for additional funding for completing the HVAC upgrades at Dover Middle School in the amount of \$4,250,000.00 and at the May 8, 2023 meeting of the School Board they voted to request the additional funding; and

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

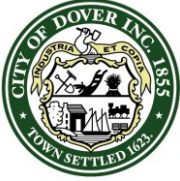
The amount of \$4,250,000.00 is hereby appropriated for the Middle School HVAC upgrades capital project with an estimated useful life in excess of the life indicated:

Item #	Description	Proposed	Life/Yrs	Department	Fund
		Appropriation			
1	Dover Middle School HVAC Upgrades	\$4,250,000	20	Education	General
	Total	\$4,250,000			

AND, FURTHER BE IT RESOLVED;

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 not to exceed 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.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

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

Resolution Number: **R - 2023.05.24 – 090**
Resolution Re: FY2024 CIP Appropriation for Dover Middle School
HVAC and Authorization for Bonding

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

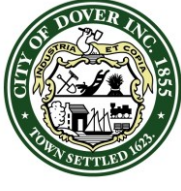
Recorded by: Susan M. Mistretta
City Clerk

DOCUMENT HISTORY:

First Reading Date: 05/24/2023	Public Hearing Date: 06/14/2023
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.D. Public Hearing Only Resolution Number: R - 2023.05.24 – 090 Resolution Re: FY2024 CIP Appropriation for Dover Middle School HVAC and Authorization for Bonding
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RESOLUTION BACKGROUND MATERIAL:

This resolution makes an appropriation for a FY2024 Capital Improvements Program project in the amount of \$4,250,000 for the Dover Middle School HVAC Upgrades. This project is to be financed through the sale of General Obligation bonds. The resolution authorizes the City to issue bonds to finance the project.

The \$650,000 appropriated as part of the FY2024 CIP Non-Debt Financed projects resolution approved by City Council on October 26, 2022, is to be financed through the School Facilities Capital Reserve Fund.

This project will provide HVAC upgrades at the Dover Middle School and also includes the replacement of the existing EPDM roof.

Debt Authorization versus Debt Retirement

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

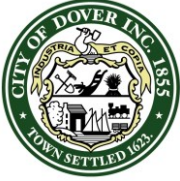
	School
Description	General Fund
Pending Authorization	4,250,000
Prior FY2024 CIP Authorization	0
FY2024 Principal Retirement	3,457,160
Net Change	792,840

Legal Debt Limits

The following table summarizes the amount of debt outstanding & authorized-unissued, as of June 30, 2023 and this authorization, against the statutory debt limit and policy debt limit.

	School		School
Description	General Fund	Description	General Fund
Debt Outstanding	79,439,386	Debt Outstanding	79,439,386
Authorized - Unissued	1,106,000	Authorized - Unissued	1,106,000
Total Issued & Unissued	80,545,386	Total Issued & Unissued	80,545,386
This Authorization	4,250,000	This Authorization	4,250,000
Grand Total	84,795,386	Grand Total	84,795,386
Legal Debt Limit	405,280,193	Policy Debt Limit	113,478,454
Under (Over) Legal Limit	320,484,807	Under (Over) Policy Limit	28,683,068
Percent Under (Over)	79.1%	Percent Under (Over)	25.3%

Notes: Legal debt limit for School is based on 7% percent of equalized assessed value. Policy debt limit for School is based on 28% of legal debt limit.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

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

Resolution Number: **R - 2023.05.24 – 090**
Resolution Re: FY2024 CIP Appropriation for Dover Middle School
HVAC and Authorization for Bonding

Budgetary and Rate Impacts

The \$4,250,000 debt obligation is expected to be paid back over a 20-year period. Principal repayments would be \$212,500 per year. The annual impact to the General Fund budget is based upon annual principal and interest repayment. The interest that would accrue on outstanding principal balances over the 20-year period, based on an interest rate of 3.44%, is estimated to be a total of \$1,681,300 impact to the General Fund budget. The annual impact for interest in Year 1 would be approximately \$146,200 and appropriately decrease annually over the 20-year repayment period. The combined principal and interest repayment for the debt financing in Year 1 would be a budgetary impact of \$358,700 (\$212,500 + \$146,200). The impact on the school portion of the property tax rate would be \$0.07 per \$1,000 of assessed property value. For an average single family home for taxes, based on the FY2023 assessed value at \$471,406, the property tax impact would be \$32.99 for Year 1.

RESOLUTION

RE: TRANSFER FUNDS TO THE ELEMENTARY SCHOOL HVAC UPGRADE CIP PROJECT AND TO MAKE AN ADDITIONAL APPROPRIATION FOR THE ELEMENTARY SCHOOL HVAC UPGRADE CIP PROJECT

WHEREAS: On an annual basis the City Council adopts the Capital Improvements Program (CIP), which include the Capital Reserve (Non-Debt) Financing authorization for certain School funded CIP projects; and

WHEREAS: There is \$400,000 of unexpended appropriations in School Maintenance and Repair Improvement CIP projects and \$17,970 in the Bellamy Academy CIP project; and

WHEREAS: The Dover School Board has identified the need for additional funding for completing the elementary schools' HVAC upgrades at Woodman Park Elementary School and Frances G. Hopkins Elementary School at Horne Street in the amount of \$600,000; and

NOW, THEREFORE, BE IT RESOLVED THAT HEREIN IS A FORMAL REQUEST FROM THE DOVER SCHOOL BOARD TO THE MAYOR AND DOVER CITY COUNCIL THAT:

The amount of \$417,970 of unexpended appropriations from School Maintenance and Repair Improvement CIP projects and the Bellamy Academy CIP project is hereby reprogrammed to the Elementary School HVAC Upgrade CIP project; and

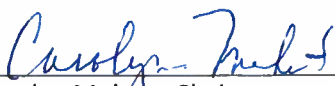
Account Number	Account Description	Available Balance	Reprogram Adjustment	Adjusted Balance
4024.1.600.46900.4430.07111.24.	Repairs and Maintenance Services	\$100,000.00	-(\$100,000.00)	\$0.00
4023.1.600.46900.4430.07111.23.	Repairs and Maintenance Services	\$100,000.00	-(\$100,000.00)	\$0.00
4022.1.600.46900.4725.07111.22.	School Facilities - Maintenance & Repairs	\$100,000.00	-(\$100,000.00)	\$0.00
4021.1.600.46900.4725.07111.21.	Building Improvements	\$100,000.00	-(\$100,000.00)	\$0.00
4019.1.600.46900.4725.07109.19.	Building Improvements	\$17,970.00	-(\$17,970.00)	\$0.00
4024.1.600.46900.4725.07119.24.	Elementary School Building Improvements - HVAC	\$0.00	\$100,000.00	\$100,000.00
4023.1.600.46900.4725.07119.23.	Elementary School Building Improvements - HVAC	\$0.00	\$100,000.00	\$100,000.00
4022.1.600.46900.4725.07119.22.	Elementary School Building Improvements - HVAC	\$0.00	\$100,000.00	\$100,000.00
4021.1.600.46900.4725.07119.21.	Elementary School Building Improvements - HVAC	\$0.00	\$100,000.00	\$100,000.00
4019.1.600.46900.4725.07119.19.	Elementary School Building Improvements - HVAC	\$0.00	\$17,970.00	\$17,970.00
	Total Available Funding	\$417,970.00	\$0.00	\$417,970.00

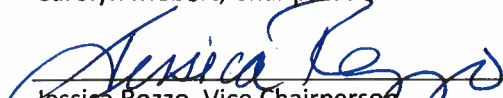
FURTHER BE IT RESOLVED THAT:

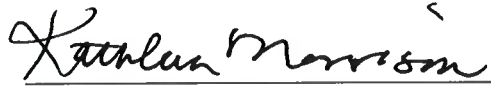
The amount of \$182,030 to be appropriated for the Elementary School HVAC Upgrade CIP project and the financing source to be from the School Facilities Capital Reserve Fund.

Description	Appropriation	Funding	Fund
Elementary School HVAC Upgrade Project	\$182,030.00	School Facilities Capital Reserve	Trust

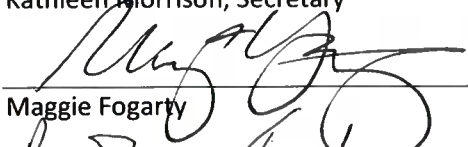
SUBMITTED BY:


Carolyn Mebert, Chairperson

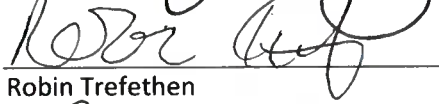

Jessica Rozzo, Vice Chairperson



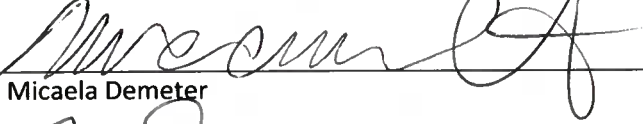
Kathleen Morrison, Secretary



Maggie Fogarty



Robin Trefethen

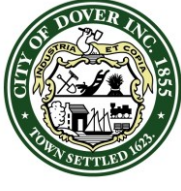


Micaela Demeter



Michelle Clancy

April 10, 2023

 CITY OF DOVER	CITY OF DOVER - RESOLUTION Agenda Item#: 7.E. Public Hearing Only Resolution Number: R - 2023.05.24 – 091 Resolution Re: FY2024 CIP Appropriation for Dover Schools LED Lighting Upgrades and Authorization for Bonding
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WHEREAS: The City Council desires to make public improvements and to finance these improvements with the sale of general obligation bonds; and

WHEREAS: The Dover School department obtained a cost proposal for the Dover Schools LED Lighting upgrades in the total amount of \$1,305,100.00; and

WHEREAS: The Dover School Board has identified a priority need for funding for completing the LED Lighting upgrades at Dover Schools in the amount of \$1,305,100.00, and at the May 8, 2023 meeting of the School Board they voted to request the additional funding; and

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

The amount of \$1,305,100.00 is hereby appropriated for the Dover Schools LED Lighting upgrades capital project with an estimated useful life in excess of the life indicated:

Item #	Description	Proposed	Life/Yrs	Department	Fund
		Appropriation			
1	Dover Schools LED Lighting Upgrades	\$1,305,100	20	Education	General
	Total	\$1,305,100			

AND, FURTHER BE IT RESOLVED;

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 not to exceed 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:

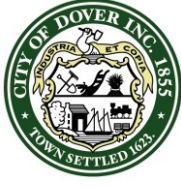
Mayor Robert Carrier
By Request

Approved as to Legal
Form and Compliance:

Joshua M. Wyatt
City Attorney

Recorded by:

Susan M. Mistretta
City Clerk

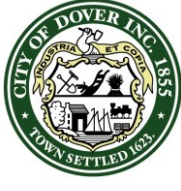
 CITY OF DOVER	CITY OF DOVER - RESOLUTION Agenda Item#: 7.E. Public Hearing Only Resolution Number: R - 2023.05.24 – 091 Resolution Re: FY2024 CIP Appropriation for Dover Schools LED Lighting Upgrades and Authorization for Bonding
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DOCUMENT HISTORY:

First Reading Date: 05/24/2023	Public Hearing Date: 06/14/2023
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.E. Public Hearing Only Resolution Number: R - 2023.05.24 – 091 Resolution Re: FY2024 CIP Appropriation for Dover Schools LED Lighting Upgrades and Authorization for Bonding
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RESOLUTION BACKGROUND MATERIAL:

This resolution makes an appropriation for a FY2024 Capital Improvements Program project in the amount of \$1,305,100 for the Dover Schools LED Lighting Upgrades. This project is to be financed through the sale of General Obligation bonds. The resolution authorizes the City to issue bonds to finance the project.

This project will provide LED Lighting upgrades at Bellamy Academy, Dover Middle School, Woodman Park Elementary School, Garrison Elementary School and Frances G. Hopkins Elementary School at Horne Street. The project is eligible for incentive awards in the amount of \$115,099 and is estimated to result in annual savings of \$150,000 in utility expense.

Debt Authorization versus Debt Retirement

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

	School
Description	General Fund
Pending Authorization	1,305,100
Prior FY2024 CIP Authorization	4,250,000
FY2024 Principal Retirement	3,457,160
Net Change	2,097,940

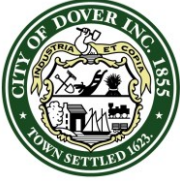
Legal Debt Limits

The following table summarizes the amount of debt outstanding & authorized-unissued, as of June 30, 2023 and this authorization, against the statutory debt limit and policy debt limit.

	School		School
Description	General Fund	Description	General Fund
Debt Outstanding	79,439,386	Debt Outstanding	79,439,386
Authorized - Unissued	5,356,000	Authorized - Unissued	5,356,000
Total Issued & Unissued	84,795,386	Total Issued & Unissued	84,795,386
This Authorization	1,305,100	This Authorization	1,305,100
Grand Total	86,100,486	Grand Total	86,100,486
Legal Debt Limit	405,280,193	Policy Debt Limit	113,478,454
Under (Over) Legal Limit	319,179,707	Under (Over) Policy Limit	27,377,968
Percent Under (Over)	78.7%	Percent Under (Over)	24.1%

Notes: Legal debt limit for School is based on 7% percent of equalized assessed value. Policy debt limit for School is based on 28% of legal debt limit.

Document Created by: Finance Department Document Posted on: June 6, 2023	R-2023.05.24 FY2024 CIP Appropriation for Dover Schools LED Lighting Upgrades and Authorization for Bonding Page 3 of 4
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CITY OF DOVER

CITY OF DOVER - RESOLUTION

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

Resolution Number: **R - 2023.05.24 – 091**

Resolution Re: FY2024 CIP Appropriation for Dover Schools LED
Lighting Upgrades and Authorization for Bonding

Budgetary and Rate Impacts

The \$1,305,100 debt obligation is expected to be paid back over a 20-year period. Principal repayments would be \$65,255 per year. The annual impact to the General Fund budget is based upon annual principal and interest repayment. The interest that would accrue on outstanding principal balances over the 20-year period, based on an interest rate of 3.44%, is estimated to be a total of \$516,297 impact to the General Fund budget. The annual impact for interest in Year 1 would be approximately \$44,895 and appropriately decrease annually over the 20-year repayment period. The combined principal and interest repayment for the debt financing in Year 1 would be a budgetary impact of \$110,150 (\$65,255 + \$44,895). The impact on the school portion of the property tax rate would be \$0.02 per \$1,000 of assessed property value. For an average single family home for taxes, based on the FY23 assessed value at \$471,406, the property tax impact would be \$9.43 for Year 1.

RESOLUTION

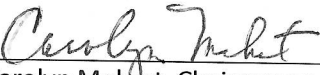
RE: DOVER SCHOOLS LED LIGHTING UPGRADE AND AUTHORIZATION FOR BONDING

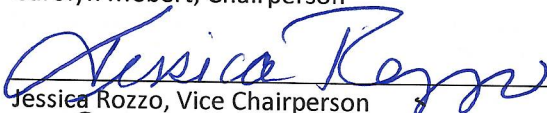
- WHEREAS: The City of Dover solicited and awarded a bid to Affinity LED Lighting, a Dover based business, via City Council Resolution [R-2015.03.11-027](#), to install LED lighting on any City property; and
- WHEREAS: Affinity LED Lighting submitted a proposal to the school district for LED lighting upgrades at Bellamy Academy, Dover Middle School, Woodman Park Elementary School, Garrison Elementary School and Frances G. Hopkins Elementary School at Horne Street in the amount of \$1,305,100 and which is eligible for incentive awards in the amount of \$115,099; and
- WHEREAS: It is anticipated that the conversion to LED lighting will save the school district an estimated annual amount of \$150,000 in utility expense; and

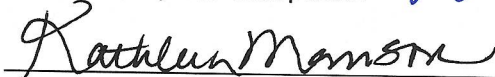
NOW, THEREFORE, BE IT RESOLVED THAT HEREIN IS A FORMAL REQUEST FROM THE DOVER SCHOOL BOARD TO THE MAYOR AND DOVER CITY COUNCIL THAT:

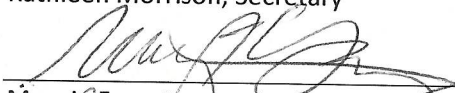
The amount of \$1,305,100 to be appropriated for the Dover schools' LED Lighting Project and to be financed through the issuance of bonds.

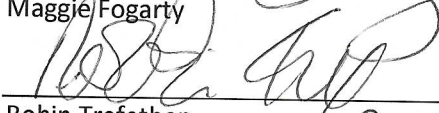
SUBMITTED BY:

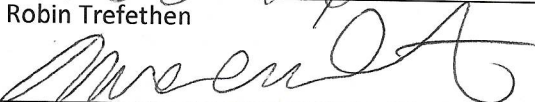

Carolyn Mebert, Chairperson

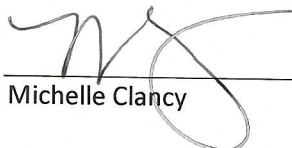

Jessica Rozzo, Vice Chairperson


Kathleen Morrison, Secretary


Maggie Fogarty


Robin Trefethen


Micaela Demeter


Michelle Clancy

May 8, 2023

CITY MANAGER'S REPORT

June 14, 2023

Reporting On:
May 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 May 2023:

	For Month	FY23	FY22	FY21	FY20	FY19
Legal Matters/Questions Handled	118	973	790	703	466	342
Review Existing Legal Contracts & Draft Memo	10	141	161	-	-	-
Legal Contracts/Memo Created	23	182	214	350	256	269
Right to Know Requests Processed	12	89	78	51	49	41
Resolutions	7	63	74	73	75	53
Ordinances	2	16	24	19	10	18
Leases	1	4	13	-	-	-
Primex Auto Claims Handled	1	74	46	-	-	-
Primex Liability Claims Handled	8	67	70	-	-	-
Primex Property Claims Handled	2	52	68	-	-	-

Right to Know Requests

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

- ★ Armada Analytics – Request for Inspection Services documents for 30 Holiday Drive
- ★ Matthews Engineering LLC – Request for Inspection Services documents for 30 Holiday Drive
- ★ Ballot Ready – Request for City Council District Maps for the 2020 census
- ★ The Bolous Company – Request for Inspection Services documents for 67 Venture Drive
- ★ The Boston Globe – Request for documentation from Dover Police Department regarding police presence at St. Thomas Aquinas School
- ★ Julie P – Request for correspondence/emails between school district official and Foster's Daily Democrat
- ★ New England Innocence Program – Request for Dover Police Department records/reports regarding any service calls/911 calls to 47 Pleasant View Circle between 01/01/1989 – 12/31/1992
- ★ Cronin, Bisson & Zalinsky – Request for Dover Fire & Rescue for call logs re: 887B Central Avenue for last three years
- ★ Driscoll Law Office – Request for Dover Fire Department for records/medical bills regarding a L. Forbes from 01/01/2023 – 05/16/2023
- ★ Fosters Daily Democrat – Request for 2022 employee salary list for City and Dover School District
- ★ XAP Software—Request for bidders' submissions to the Dover School District relating to Career Pathways Software.
- ★ Southwest Foodservice Excellence—Request for bidders' submissions to the Dover School District relating to food services.

Goals & General Activities

The Office assisted with monitoring newly passed legislation;

The Office reviewed published decisions of the New Hampshire Supreme Court, the United States District Court for the District of New Hampshire, and other potentially relevant cases.

The Office continues conducting an internal review of its processes and possibilities to standardize same and continue quality assurance.

The Office currently has no written, comprehensive strategic plan. In May 2023, the Office began reviewing and possibly undertaking the drafting of a strategic plan.

In addition to the regular duties of the Office, the City Attorney serves as the chair of the City's Records Committee (as the City Manager appointee), the Office of the City Attorney assists the Ordinance Committee as staff liaison, and also serves as staff liaison for the Ethics Committee.

Assisted the Executive Department with review of Fair Labor Standards Act overtime calculations. In a separate matter, assisted with obtaining a waiver from the New Hampshire Retirement System.

Assisted Community Services with potential tower lease. Assisted with enforcement activities. Assisted with deed and related research concerning property rights. Assisted with discussions between communities, Conservation Law Foundation, and the United States Environmental Protection Agency concerning a pending petition for residual designation of the Great Bay Estuary. Assisted with employment matters. Assisted with handover of a public road by NHDOT. Assisted with donation of truck.

Assisted the Finance Department with review of tax exemption issues. Assisted with tax collection and deeding issues. Assisted with collections issues.

Worked with the Fire and Rescue Department with a procurement contract for the new ambulance.

Assisted the Planning & Community Development with review of a noise control regulation inquiry. Also assisted with certain plan reviews and with compliance inquiries.

Assisted the Police Department with document retention by the Parking Division.

Assisted the Public Library with code of conduct.

Assisted the Dover School District with library materials reconsideration policy and implementation of same. Assisted with public records requests, purchases and contracts. Also with certain employment inquiries.

Due to the nature of the services being rendered, some information cannot be provided or may only generally be described or discussed.

Pending Civil Litigation Update:

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. A hearing has been scheduled in June 2023.

Opioid Epidemic Litigation –

Retained services of Robbins Geller of Boca Raton, Florida for fraudulent marketing practices of pharmaceutical manufacturers. Suit filed in USDC in Concord. Case has been transferred to federal court in Ohio as part of a multi-district litigation consolidation. In 2021, the City received its first payment from the State of New Hampshire pursuant to RSA 126-A:83, II, by virtue of an opioid-related settlement entered into by the State of New Hampshire. A national settlement as to certain defendants was accepted in January 2022. Settlements or other payments in satisfaction of City claims may be forthcoming from other defendants, but would be required to be tendered to the State's Opioid Abatement Trust Fund per RSA 126-A:83, I. Certain of the City's opioid claims have become part of bankruptcy proceedings. Following is a list of remaining defendants with a brief note about status of each case:

- Purdue companies: Claims in bankruptcy awaiting decision of the Second Circuit, reviewing whether to reverse the district court's denial of the bankruptcy plan;
- Endo companies: Claims in bankruptcy, though understand a potential settlement resolution may be underway.
- Mallinckrodt: Claims in bankruptcy, but money appears to have been distributed to the State of New Hampshire in January 2023.
- Sacklers (Individuals): See Purdue update above.
- Rite-Aid: Possible bankruptcy filing.

Mary Hebbard v. City of Dover, John & Karen Brough and Ryan Colbath -

Partial summary judgment rulings received in February 2021. Following trial in 2021, a final trial order was issued by the Court on April 1, 2022, finding in favor of the City on the width of Spruce Lane, the location of Old Garrison Road, several disputed issues of law concerning allowable uses on public roads, and issuing an injunction requiring remedial action. The Hebbards filed a motion for reconsideration, which the Court denied. The case was then appealed by Mr. and Mrs. Hebbard. The Court vacated the prior briefing schedule. The parties are awaiting a new briefing schedule. The New Hampshire Municipal Association moved to participate in the appeal as amicus curiae.

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 occurred on Friday, May 5, 2023, but as of this update no decision has issued from the Court. The parties are exploring a possible stipulation of facts.

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 had stayed further proceedings at this time pending resolution of the interlocutory appeal. The First Circuit has now dismissed the interlocutory appeal, meaning case activity at the district court level will presumably resume.

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. The intervenor filed a post-hearing memorandum and the appellants filed a reply to same. Case is awaiting decision by 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 officer 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. The City filed a memorandum

of law and a hearing on the merits was held on May 1, 2023. Case has been submitted for decision.

Professional Development:

The Office of the City Attorney places significant importance on professional development in areas germane to the City's needs. The Deputy City Attorney attends monthly meetings for the Law Related Education Committee and the Inns of Court. This month the Deputy City Attorney attended an update in Ethics CLE. The City Attorney continues to serve as a member of the New Hampshire Bar Board of Governors.



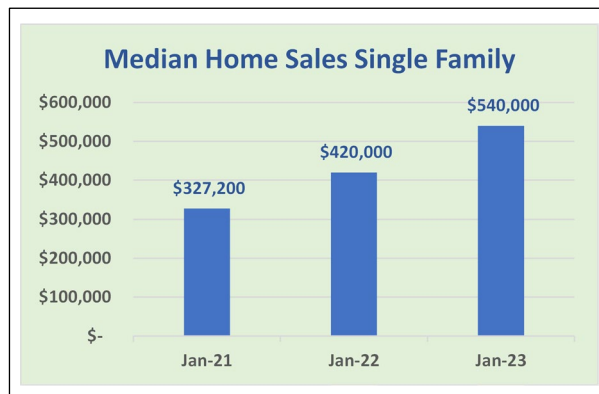
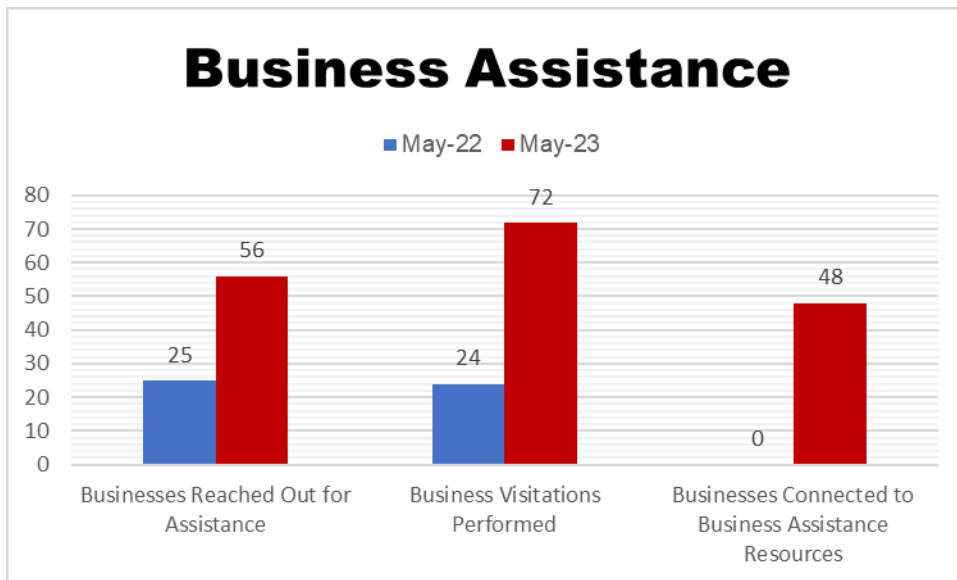
Concluding Remarks:

The City Attorney continues to work on implementing the City's Code adopted in February 2020. Code supplements are continuing on a quarterly update schedule. The recodification of the City's zoning ordinance continues, but may be brought forward in the near future (later in 2023).

Business Development

by Christopher Parker, Deputy City Manager

Month	Businesses Reached Out for Assistance	Business Visitations Performed	Businesses Connected to Business Assistance Resources
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
April 2023	47	36	41
May 2023	56	72	48



New Business / Commercial Development / Downtown Updates

- ★ The Dover Business and Industrial Development Authority (DBIDA) continues to be more actively engaged with the business visitation program. Board member feedback has resulted in easier-managed follow-ups with businesses needing assistance.
- ★ A new brewpub has opened on Pierce Street. This is the second location for the business owner, and he is now looking into outdoor dining options for his space.
- ★ A new entertainment lounge and restaurant will be opening on Third Street, in the next few weeks. The business owner is actively engaged in the community and is looking to make an impact with her new business.
- ★ A juice bar & café is reopening on Third Street after some flood-damaged caused them to close for a few months. After a very successful campaign and the help of neighborhood businesses, the owners have raised funds to finish up their project and reopen.

Economic Activity

- ✚ New England labor market demand has slowed for a variety of industries, with some firms reducing hiring plans but not yet planning major layoffs. Wage growth remains stable, but is expected to ease. However, some positions (e.g. restaurant kitchen staff) continue to be highly competitive for available workers, and job candidates for all industries continue to struggle with barriers such as childcare, housing/transportation availability, and health challenges.
- ✚ Overall cost pressures have eased somewhat, with wholesale food prices leveling out and shipping costs declining, but costs for rent, utilities, and insurance continue to rise on average.
- ✚ A *BIA Report on Consumer Confidence* conducted by the UNH Survey Center in May indicated growing economic concern among New Hampshire residents. Only 16 percent of respondents expecting their household financial conditions to be better a year from now, and the percentage of respondents anticipating bad business conditions in the next twelve months (27%) increased noticeably since a similar poll in February. https://scholars.unh.edu/survey_center_polls/744/

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 with developing the City's River Street parcel. Project Manager Bird had two online meetings during May with staff from Horsley Witten and Ironwood to discuss construction administration and value engineering.
- Project Manager Bird:
 - Met with the Deputy City Manager two times during May to provide project updates.
 - Prepared for and attended CWDAC meeting on May 2 to review and approve the amendments to the LDA.
 - Prepared for and attended a Park Sub-committee meeting on May 3 to meet with CJ Architects.
 - Attended a meeting on May 4 with Recreation Director, Parking Manager, Community Services staff and the Deputy City Manager to discuss issues related to the beginning of construction on the waterfront.
 - Attended the Dover Chamber of Commerce Gala on May 4 to honor CWDAC member Dana Lynch as Volunteer of the Year.
 - Attended a meeting on May 8 with Deputy City Manager, Community Services staff and Waterfront Construction Manager to discuss consultant contracts and construction administration and inspections.
 - Attended a meeting on May 10 with Jeff Johnston and the Deputy City Manager to do a podcast on the waterfront project.
 - Held pre-construction meeting on May 11 with NE Earth, Deputy City Manager, Building Official, Construction Manager, and Community Services staff.
 - Had phone calls with CWDAC Chair on May 3 & 17 to discuss Rotary meeting, CWDAC meeting and Park Sub-committee meeting.
 - Made a presentation to the Dover Rotary on May 17 with the CWDAC Chair to provide an update on the waterfront project recent accomplishments.
 - Held online meeting with Cathartes Project Manager, Tighe & Bond and Community Services staff on May 18 to discuss construction issues.
 - Held online meeting on May 22 with Deputy City Manager and Community Services staff to discuss construction issues.

- Held online meeting on May 22 with representatives from Great Bay Rowing and Deputy City Manager to discuss steps necessary to move the crew building project forward and to review impacts of construction on their programs.
- Met with representative of Horsley Witten, Deputy City Manager, Community Services staff, and the Construction Manager on May 23 to discuss contract obligations, work tasks related to construction administration and extension of their contract.
- Held a meeting on May 31 with representatives from Great Bay Rowing, Community Services staff, Construction Manager and Deputy City Manager to discuss options for access to the dock during construction.

Parking Division

	Apr-23	Apr-22	Apr-21	Fiscal YTD 2023	Fiscal Year 2022	Fiscal Year 2021
Meter Activity - Total						
Meter Transactions	46,054	47,295	37,592	427,038	485,571	385,006
Income at Meters	\$89,903	\$89,951	\$68,082	\$838,531	\$911,476	\$676,715
Active Meter Days	25	26	26	249	301	302
Average Daily Meter Transactions	1,842	1,819	1,446	1,715	1,613	1,275
Meter Activity - Parking Garage						
Meter Transactions	2,412	2,658	2,126	27,720	31,151	11,463
Income from Meters	\$6,888	\$7,141	\$6,163	\$78,750	\$89,464	\$62,637
Active Meter Days	25	26	26	249	301	302
Average Daily Meter Transactions	96	102	84	111	103	74
Parking Permit Activity						
Total Parking Permits Issued	772	754	756	7,879	9,232	8,756
Residential Permits Issued	14	29	39	228	420	473
Business Permits Issued	758	725	717	7,651	8,812	8,283
Permit Income	\$22,246	\$18,894	\$21,338	\$329,176	\$344,367	\$265,168
Parking Ticket Activity						
Total Parking Tickets Issued	778	715	573	7,151	8,460	6,588
Accessible Space Tickets Issued	6	6	2	51	41	21
Winter Restriction Tickets Issued	0	0	0	525	495	486
Parking Ticket Income	\$15,807	\$20,875	\$13,357	\$174,033	\$197,012	\$160,519
Electric Vehicle Charging Stations						
Number of times Stations Used	54	28	10	575	316	100
Charging Station Income	\$340	\$249	\$48	\$4,603	\$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
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
March 2023	3,474	3,222	1,484	168
April 2023	3,495	3,051	1,403	194

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, May 24, 2023**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Nemeth led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

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

Absent: Councilor Cullen, Councilor Muffett-Lipinski, and Councilor Williams.

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

5. PROCLAMATIONS/AWARDS

Mayor Carrier presented a proclamation to Commander Robert Lane of the USS Greeneville.

6. APPROVAL OF AGENDA

Deputy Mayor Shanahan moved to add Item 13.B.9.

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

Vote: 6/0.

7. PUBLIC HEARINGS

A. CHAPTER 5, ADMINISTRATIVE CODE: SECTIONS 18, 19, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 40, 41

SPONSORED BY MAYOR CARRIER BY REQUEST

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

B. AUTHORIZATION TO ACCEPT AND EXPEND THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES CYBERSECURITY IMPLEMENTATION GRANT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.)

SPONSORED BY MAYOR CARRIER BY REQUEST

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

C. AUTHORIZATION TO ACCEPT AND EXPEND THE MASS GENERAL BRIGHAM WENTWORTH-DOUGLASS HOSPITAL COMMUNITY BENEFIT GRANT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.)

SPONSORED BY MAYOR CARRIER BY REQUEST

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



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, May 24, 2023**
Meeting Time: **7:00 pm**

8. PUBLIC FORUM

Taxpayers, Business owners, and Residents are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

William DeGrandpre, 21 Danielle Lane: He spoke about the water restrictions from previous years, and asked that it be more consistent if there is a water shortage this season.

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

9. CITY MANAGER'S REPORT

City Manager Joyal submitted his report in writing, providing highlights on projects City staff has been working on. He recognized Community Services staff for their immediate response to River Street Pump Station.

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

Vote: 6/0.

10. APPROVAL OF MINUTES

A. May 10, 2023 – Regular Meeting

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

Vote: 6/0.

11. MAYOR'S REPORT

Mayor Carrier gave an overview of events and meeting he has attended the past two weeks.

Deputy Mayor Shanahan motioned to accept the Mayor's Report, endorsing June as Pride Month and recognizing Juneteenth; seconded by Councilor Hinkel.

Vote: 6/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2ND READING

1. CHAPTER 5, ADMINISTRATIVE CODE: SECTIONS 18, 19, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 40, 41

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 Ordinance to the Council.

Roll Call Vote: 6/0.

B. ORDINANCES IN THE 3RD READING



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, May 24, 2023**
Meeting Time: **7:00 pm**

C. RESOLUTIONS

- 1. AUTHORIZATION TO ACCEPT AND EXPEND THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES CYBERSECURITY IMPLEMENTATION GRANT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.)**
SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved for its adoption; seconded by Councilor Hackett.
City Manager Joyal gave an overview of the Resolution to the Council.
Roll Call Vote: 6/0.

- 2. AUTHORIZATION TO ACCEPT AND EXPEND THE MASS GENERAL BRIGHAM WENTWORTH-DOUGLASS HOSPITAL COMMUNITY BENEFIT GRANT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.)**
SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved for its adoption; seconded by Councilor Hackett.
City Manager Joyal gave an overview of the Resolution to the Council.
Roll Call Vote: 6/0.

- 3. AUTHORIZING THE CITY MANAGER TO EXECUTE COMMUNITY POWER COALITION OF NEW HAMPSHIRE ("CPCNH") COST SHARING AGREEMENT AND MEMBER SERVICES CONTRACT AND APPROVING CPCNH'S POLICIES CONCERNING DATA SECURITY AND PRIVACY AS WELL AS ENERGY PORTFOLIO RISK MANAGEMENT, RETAIL RATES, AND FINANCIAL RESERVES POLICIES (RENEWED MOTION TO APPROVE.)**
SPONSORED BY MAYOR CARRIER BY REQUEST

Councilor Nemeth made a motion to renew; seconded by Deputy Mayor Shanahan.
Roll Call Vote: 6/0.

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

City Manager Joyal gave an overview of the Resolution to the Council and explained why he brought it forward again to the Council. He asked for amendments be made to the resolution for the City to continue to participate in the Community Power Coalition, and to roll out the program in the future.

City Manager Joyal referred to the 3rd Whereas, he said to strike "expecting to begin in June 2023"

Councilor Nemeth motioned to make the recommended amendment; seconded by Councilor Hinkel.

Roll Call Vote: 6/0.

City Manager Joyal referred to first Now, Therefore, he said to strike "as part of, or".

Councilor Hinkel motioned to make the recommended amendment; seconded by Councilor Nemeth.

Roll Call Vote: 6/0.

City Manager Joyal asked for a vote on the amended resolution

Deputy Mayor Shanahan moved for the adoption of the amended resolution; seconded by Councilor Hinkel.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, May 24, 2023**
Meeting Time: **7:00 pm**

Councilor Thibodeaux asked to speak.

Deputy Mayor Shanahan retracted his motion. Councilor Hinkel retracted his second. Councilor Thibodeaux referred to the 3rd Whereas, and moved to change "can" to "will or shall".

Councilor Hackett asked for a specific date for 2024.

City Planner Kaspari gave an overview of the program and why a specific date is not possible.

City Manager Joyal asked the Council if they could motion to add "shall be no later than May 2024".

Deputy Mayor Shanahan moved to amend the resolution by adding the sentence to the 3rd Whereas, "The City shall participate at the next feasible opportunity targeting no later than May 2024"; seconded by Councilor Hinkel.

Roll Call Vote: 6/0.

Deputy Mayor Shanahan moved for the adoption of the amended resolution; seconded by Councilor Nemeth.

Roll Call Vote: 6/0.

13. NEW BUSINESS

A. CONSENT CALENDAR

1. B23066 CATCH BASIN CLEANING SERVICES

SPONSORED BY MAYOR CARRIER BY REQUEST

2. B23076 PURCHASE OF 2023 VEHICLES – STATE OF NH CONTRACTS

SPONSORED BY MAYOR CARRIER BY REQUEST

3. MERIT PLAN

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

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

Roll Call Vote: 6/0.

John O'Connor gave an overview of the Dover Main Street Report to the Council.

Councilor Hackett gave an overview of upcoming Dover Arena events to the Council.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, May 24, 2023**
Meeting Time: **7:00 pm**

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

Rick Mikulus, Graffiti Management Ad-Hoc Committee member, gave a final report for the Graffiti Management Ad-Hoc Committee to the Council.

Councilor Nemeth asked for consensus from the Council to bring forward a resolution to make this Ad-Hoc Committee a stand-alone committee.

Deputy Mayor Shanahan moved to consider amended Chapter 5 with an ordinance to make the Graffiti Management a standing committee, and a second motion to accept the report; seconded by Councilor Nemeth.

Vote: 6/0.

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

B. RESOLUTIONS

1. FORMATION OF AD HOC HOUSING COMMITTEE TO ADDRESS COMMUNITY HOUSING NEEDS

SPONSORED BY MAYOR CARRIER BY REQUEST

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

Deputy City Manager Parker gave an overview of the Resolution to the Council.

Roll Call Vote: 6/0.

2. B23069 COURT STREET EMERGENCY SEWER PROJECT

SPONSORED BY MAYOR CARRIER BY REQUEST

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

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

Roll Call Vote: 6/0.

3. AUTHORIZATION TO ACCEPT AND EXPEND INVESTNH MUNICIPAL DEMOLITION GRANT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.) (TO BE REFERRED TO A PUBLIC HEARING ON JUNE 14, 2023.)

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved to refer to a public hearing on June 14, 2023; seconded by Councilor Hinkel.

4. FY2023 TRANSFER OF APPROPRIATION – GENERAL FUND CITY DEPARTMENTS

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.

Vote: 6/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, May 24, 2023**
Meeting Time: **7:00 pm**

- 5. FY2023 GENERAL FUND UNASSIGNED FUND BALANCE TRANSFERS TO CERTAIN SPECIAL REVENUE FUNDS AND CAPITAL PROJECT FUNDS TO ADDRESS FUND DEFICITS
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.)
(TO BE REFERRED TO A PUBLIC HEARING ON JUNE 14, 2023.)
SPONSORED BY MAYOR CARRIER BY REQUEST**

Deputy Mayor Shanahan moved to refer to a public hearing on June 14, 2023; seconded by Councilor Nemeth.

Vote: 6/0.

- 6. DISSOLUTION OF CERTAIN SPECIAL REVENUE FUNDS AND CAPITAL PROJECT FUNDS INTO THE GENERAL FUND
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.)
(TO BE REFERRED TO A PUBLIC HEARING ON JUNE 14, 2023.)
SPONSORED BY MAYOR CARRIER BY REQUEST**

Deputy Mayor Shanahan moved to refer to a public hearing on June 14, 2023; seconded by Councilor Nemeth.

Vote: 6/0.

- 7. FY2024 CIP APPROPRIATION FOR DOVER MIDDLE SCHOOL HVAC AND AUTHORIZATION FOR BONDING
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.)
(TO BE REFERRED TO A PUBLIC HEARING ON JUNE 14, 2023, AND CITY COUNCIL VOTE TO OCCUR ON JUNE 28, 2023.)
SPONSORED BY MAYOR CARRIER BY REQUEST**

Deputy Mayor Shanahan moved to refer to a public hearing on June 14, 2023; seconded by Councilor Hackett.

Vote: 6/0.

- 8. FY2024 CIP APPROPRIATION FOR DOVER SCHOOLS LED LIGHTING UPGRADES AND AUTHORIZATION FOR BONDING.
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL.)
(TO BE REFERRED TO A PUBLIC HEARING ON JUNE 14, 2023, AND CITY COUNCIL VOTE TO OCCUR ON JUNE 28, 2023.)
SPONSORED BY MAYOR CARRIER BY REQUEST**

Deputy Mayor Shanahan moved to refer to a public hearing on June 14, 2023; seconded by Councilor Hinkel.

Vote: 6/0.

- 9. B23085 HOUGH STREET CULVERT REPLACEMENT – EMERGENCY PURCHASE
SPONSORED BY MAYOR CARRIER BY REQUEST**

Deputy Mayor Shanahan moved for its adoption; seconded by Councilor Thibodeaux.
City Manager Joyal gave an overview of the Resolution to the Council.

Roll Call Vote: 6/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, May 24, 2023**
Meeting Time: **7:00 pm**

C. ORDINANCES IN 1ST READING

14. COUNCIL CORRESPONDENCE

15. COUNCIL MATTERS OF INTEREST

Councilor Hackett recognized Chief Breault for “walking the beat”.

16. ADJOURN

Councilor Hinkel moved to adjourn; seconded by Councilor Nemeth.
Vote: 6/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: City Hall, Council Conference Room
Meeting Date: **Wednesday, June 7, 2023**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Hackett led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

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

Absent: Councilor Hinkel, Councilor Muffett-Lipinski, and Councilor Thibodeaux.

Also Present: City Manager Joyal, City Attorney Wyatt, 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. INSPECTION SERVICES ORGANIZATION AND SPACE NEEDS UPDATE

City Manager Joyal presented an overview of the proposed organizational change, which involved relocating Inspection Services from the Fire Department to the Planning Department, alongside the introduction of a new additional secretarial position to support Inspection Services.

Deputy City Manager Parker gave a quick overview of the workshop presentation.

Information Technology Director Dove gave a PowerPoint presentation regarding the EPL Lean Project, an online permitting system.

Deputy City Manager Parker gave a walkthrough of the proposed location change of Inspection Services.

7. ADJOURNMENT

Councilor Williams moved to adjourn; seconded by Councilor Hackett.

Vote: 6/0.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2023.05.24 – 086**

Resolution Re: Authorization to Accept and Expend the InvestNH
Municipal Demolition Grant from NH Department of
Business and Economic Affairs

WHEREAS: The City has received notice from the NH Department of Business and Economic Affairs (BEA) of and award of the InvestNH Municipal Demolition Grant in the amount of \$138,760.00 for the purpose of funding municipalities for demolition of vacant or dilapidated buildings as part of larger community revitalization strategies that will positively impact the current housing shortage in New Hampshire; and

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

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

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

AND, FURTHER BE IT RESOLVED THAT:

In expending funds for eligible costs identified in the grant, the Purchasing Agent is hereby authorized to issue Purchase Orders as set forth in the duties and responsibilities of Dover Code Chapter V, Purchasing Procedure. The amount of this authorization shall be limited so as not to exceed available funding.

Financing			
Account	Description	Appropriation	Balance
TBD	InvestNH Municipal Demolition Grant	138,760.00	138,760.00

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2023.05.24 – 086**
Resolution Re: Authorization to Accept and Expend the InvestNH
Municipal Demolition Grant from NH Department of
Business and Economic Affairs

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan Mistretta
City Clerk

DOCUMENT HISTORY:

First Reading Date: 05/24/2023
Approved Date:

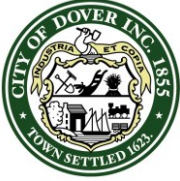
Public Hearing Date: 06/14/2023
Effective Date:

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:

NH Business and Economic Affairs' InvestNH program had an option for municipalities to apply for funding towards demolishing vacant or dilapidated buildings to increase the housing supply. Dover Coast, LLC asked the Planning Department to apply for their buildings at 725-727 Central Ave and 4 Brick Road. The applicant went through the Planning Board process and received site plan approval for a new building on Central to have 14 2-bedroom units with associated parking and the home at 10 Brick to become a duplex with a parking lot to serve both buildings. The applicant also has received the demolition permits from Inspection Services.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2023.05.24 – 088**

Resolution Re: FY2023 General Fund Unassigned Fund Balance Transfers to Certain Special Revenue and Capital Project Funds to Address Fund Deficits

WHEREAS: The City Council has adopted the creation of Special Revenue Funds to account for specific sources of revenue and account for the expenditure of those revenues for said purpose; and

WHEREAS: On an annual basis the City Council adopts the City's six-year Capital Improvements Plan and in conjunction adopts appropriations for projects to be debt financed or reserved financed, with a capital project fund being created for each annual adoption of appropriations; and

WHEREAS: Due to extraordinary circumstances certain Special Revenue Funds have an existing fund deficit; and upon completion of projects within certain Capital Project funds anticipated revenues are actually less than planned resulting in fund deficits; and

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

To address the following Special Revenue and Capital Project Funds existing and projected Fiscal Year 2023 fund deficits, the following amounts are to be transferred from General Fund Unassigned Fund Balance.

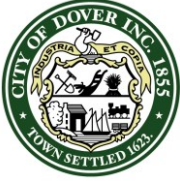
		Fund	Transfer
		Deficit	From
Fund	Description	Deficit	General Fund
3415	Recreation Field Maintenance Fund	(14,746)	14,746
4320	Tolend Road Landfill Closure Fund	(276,782)	276,782
	Total Transfer to Capital Project Funds		291,528

AND FURTHER BE IT RESOLVED:

The following Special Revenue Funds and Capital Projects Funds will be closed out as of June 30, 2023:

Fund	Description
3415	Recreation Field Maintenance Fund

Note: This resolution requires a public hearing and a 2/3 majority vote according to C6-6 of the charter.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2023.05.24 – 088**
Resolution Re: FY2023 General Fund Unassigned Fund Balance Transfers to Certain Special Revenue and Capital Project Funds to Address Fund Deficits

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

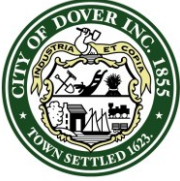
Recorded by: Susan M. Mistretta
City Clerk

DOCUMENT HISTORY:

First Reading Date: 05/24/2023	Public Hearing Date: 06/14/2023
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#: 12.C.2.

Resolution Number: **R – 2023.05.24 – 088**
Resolution Re: FY2023 General Fund Unassigned Fund Balance Transfers to Certain Special Revenue and Capital Project Funds to Address Fund Deficits

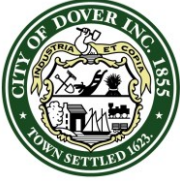
RESOLUTION BACKGROUND MATERIAL:

The Tolend Road Landfill Fund was established by City Council to track the expenditures incurred for closure and post closure maintenance of the former landfill. The City debt financed the closure costs and post closure costs had been debt financed as well. Starting in FY2017 the City began financing post closure costs through annual operating budget transfers into the Tolend Road Landfill Fund.

Upon EPA completing the Five Year Review of the landfill post closure operations, recommendations for additional work at the former landfill including the Eastern Plume, and additional work for the Southern Plume were issued by EPA. Two new contaminants are a national concern for EPA and sampling is being required for these contaminants in the landfill and in the two extended plumes. The FY2023 City operating budget reflected an annual operating budget transfer of \$529,044 to the Tolend Road Landfill Fund to finance the estimated annual operations and maintenance costs. However, cost increases in FY2023 resulted in the Tolend Road Landfill fund deficit for FY2023. The annual operations and maintenance costs are \$805,826 in FY2023 for the City's obligations. This results in a fund deficit of \$276,782.

On September 9, 1998 the City Council created the Recreation Field Maintenance Fund as a Special Revenue Fund to account for the receipt of revenues from the sale of gravel funds from the City owned gravel deposits on Mast Road. The Recreation Field Maintenance Fund received 10% of the gravel sale revenue and 90% of the gravel sale revenue went to the Recreation Field Construction Fund.

The Recreation Field Maintenance Fund has a fund deficit of \$14,746. The Fund can be dissolved as the City no longer sells gravel deposits from Mast Road parcel. The City last receipted revenues from the sale of gravel deposit in fiscal year 2016. All the sale of gravel deposit revenue received into the Recreation Field Maintenance Fund has been expended.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.3.

Resolution Number: **R – 2023.05.24 – 089**

Resolution Re: Dissolution of Certain Special Revenue Funds and Capital Project Funds into the General Fund

WHEREAS: On an annual basis the City Council adopts the City's six-year Capital Improvements Plan and in conjunction adopts appropriations for projects to be debt financed or reserved financed; and

WHEREAS: On an annual basis a Capital Project fund is being created for each annual adoption of appropriations; and

WHEREAS: Due to extraordinary circumstances certain Capital Project Funds have an existing fund balance and upon completion of projects within certain Capital Project funds revenues are actually greater than expenditures resulting in fund balances; and

WHEREAS: City Council has adopted various Special Revenue Funds to account for specific sources of revenues and the expenditure of those revenues; and

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

The following Special Revenue Funds and Capital Project Funds, with fund balances, are hereby dissolved and will be closed out into the General Fund as of June 30, 2023.

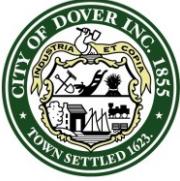
			Transfer
		Fund	Into
Fund	Description	Balance	General Fund
4510	Recreation Field Construction Fund	2,612	2,612
	Total Transfer to General Fund		2,612

AND FURTHER BE IT RESOLVED:

The following Capital Projects Funds will be closed out as of June 30, 2023:

Fund	Description
4014	Capital Improvements Projects Fund FY2014

Note: This resolution requires a public hearing and a 2/3 majority vote according to C6-6 of the charter.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.3.

Resolution Number: **R – 2023.05.24 – 089**

Resolution Re: Dissolution of Certain Special Revenue Funds and Capital
Project Funds into the General Fund

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

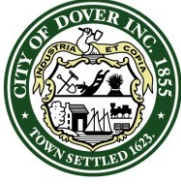
Recorded by: Susan M. Mistretta
City Clerk

DOCUMENT HISTORY:

First Reading Date: 05/24/2023	Public Hearing Date: 06/14/2023
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#: 12.C.3. Resolution Number: R – 2023.05.24 – 089 Resolution Re: Dissolution of Certain Special Revenue Funds and Capital Project Funds into the General Fund
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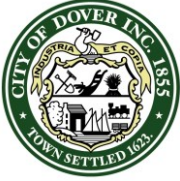
RESOLUTION BACKGROUND MATERIAL:

On September 9, 1998 the City Council created the Recreation Field Construction Fund as a Special Revenue Fund to account for the receipt of revenues from the sale of gravel funds from the City owned gravel deposits on Mast Road. The Recreation Field Construction Fund received 90% of the gravel sale revenue and 10% of the gravel sale revenue went to the Recreation Field Maintenance Fund.

The Recreation Field Construction Fund has a fund balance of \$2,612. The Fund can be dissolved as the City no longer sells gravel deposits from Mast Road parcel. The City last receipted revenues from the sale of gravel deposit in fiscal year 2016. All but \$2,612 of the sale of gravel deposit revenue received into the Recreation Field Construction Fund has been expended.

A Capital Improvements Project fund is created to account for the appropriations adopted on an annual basis as part of the Capital Improvements Plan. This annual fund is put in place to account for appropriations to be debt or reserve financed consistent with the resolutions adopted by City Council. The Capital Project funds listed in this resolution are ready to be closed out as the projects have been completed, yet the funds have existing fund balances. A portion of these balances could have been created due to posting of revenues to the incorrect capital project year, resulting in revenues greater than expenditures.

Capital Improvements Project Fund 4014 has no fund balance or fund deficit. The City Council adopted resolution R 2022.05.11-107 on June 8, 2022 to make a transfer into this CIP Fund from the General Fund to resolve a fund deficit for the Capital Improvements Project Fund 4014. This resolution is now authorizing the close out of this fund.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.1.

Resolution Number: **R – 2023.06.14 – 093**
Resolution Re: B23074 Award Bid for Landscaping Services at Fish
Ladder Park

WHEREAS: A sealed Request for Bid #B23074 was issued and received for Landscaping for Fish Ladder Park on May 17, 2023 at 2:30 p.m.; and

WHEREAS: Two (2) bid responses were received and reviewed for necessary qualifications, experience, skills, project understanding, approach and ability to comply with proposed scope of services. It is the recommendation by the Community Services Department, to award to York River Landscaping of York, Maine the low bidder not to exceed \$78,659.00; and

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

The Purchasing Agent is hereby authorized to issue a purchase order to York Landscaping of York, Maine of the rates provided in conjunction with B23074, not to exceed \$78,659.00. The City Manager, or designee, is hereby authorized to contract with the vendor consistent with the Purchase Order authorized herein.

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

Account	Description	Appropriation	Balance
1009.1.300.43180.4730.00000.22.000.000.700	Improvements o/ t Building	35,000.00	29,000.00
1009.1.300.43180.4730.00000.21.000.000.700	Improvements o/ t Building	35,000.00	35,000.00
4019.1.300.43150.4754.01103.20.000.000.700	Waterways	29,139.48	14,659.00
	Total		\$78,659.00

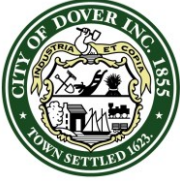
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan M. Mistretta
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.1.

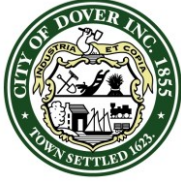
Resolution Number: **R – 2023.06.14 – 093**
Resolution Re: B23074 Award Bid for Landscaping Services at Fish
Ladder Park

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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

 CITY OF DOVER	CITY OF DOVER - RESOLUTION Agenda Item#: 13.A.1. Resolution Number: R – 2023.06.14 – 093 Resolution Re: B23074 Award Bid for Landscaping Services at Fish Ladder Park
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RESOLUTION BACKGROUND MATERIAL:

The current proposal is to restore a small park and seating area that had been located at the head of a structural retaining wall abutting the falls along the Cocheco River. The City of Dover owns Central Falls Dam in downtown Dover, originally built for powering the mills. The City had to replace a failing a brick and granite wall on the southern shore of the Cocheco River located directly along Fish Ladder Park in the downtown and replace it with a new retaining wall structure. The old wall was determined to be in danger of failure.

The wall that was replaced is approximately 160 feet long with heights varying from 15 feet to over 40 feet. There used to be a small public park at the top of the wall, which was called Fish Ladder Park. The construction plans for the retaining wall called for restoration of grass and vegetation at the old park location, with an understanding a separate would follow to restore a small park with some type of tribute to the historical nature of the area. Some volunteers got engaged with conceptual planning, and it was recommended that the City salvage an old gear/wheel that was discovered during construction of the wall replacement. A historical placard would also be placed showing photos of prior buildings and use at the site. Unfortunately, the COVID-19 pandemic interrupted the progress of the volunteer committee, but the City is now prepared to restore the park area per a general layout and design donated by Fraccasa Designworks.

The City has partnered and developed an agreement with Chinburg Properties to provide electricity for lighting the park. Work includes basic hardscaping and landscaping plantings. The City will follow construction with installation of its standard benches and a trash receptacle.

The project will require the following scope of work:

Walkways – excavate, install brick pavers and fill joints

Garden – removal and replacement of soil for planting, loam area, install sleeves for irrigation

Planting – planting of trees and shrubs

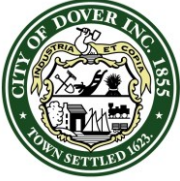
Bid Information:

A sealed Request for Proposal #B23074 was issued and received for Landscaping at Fish Ladder Park on May 17, 2023 @ 2:30 p.m.

Award Information:

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

Document Created by: Purchasing Document Posted on: June 9, 2023	R-2023.06.14 B23074 Landscaping for Fish Ladder Park.docx Page 3 of 4
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CITY OF DOVER

CITY OF DOVER - RESOLUTION

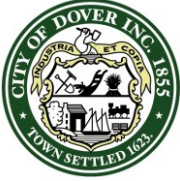
Agenda Item#: 13.A.1.

Resolution Number: **R – 2023.06.14 – 093**
Resolution Re: B23074 Award Bid for Landscaping Services at Fish
Ladder Park

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	315	Number of Responses:	2
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until completed	Estimated Delivery:	asap
Recommended Award to:	York Landscaping	Fund:	Community Services
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

[B23074 Bid Documents](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

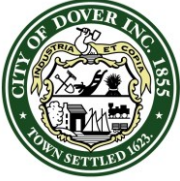
Agenda Item#: 13.A.2.

Resolution Number: **R - 2023.06.14 – 094**
Resolution Re: B23082 Award of Bid for Mini SWAT Robot or Documented Equal

- WHEREAS: The City of Dover Police Department is a contributing member of the Strafford County Regional Tactical Operations Unit (SCRTOU), and
- WHEREAS: The SCRTOU has received funding through the State Department of Homeland Security and Emergency Management for the purchase of tactical team equipment, and
- WHEREAS: The City of Dover has acted as the fiscal agent for the SCRTOU for Homeland Security Funding for well over 10 years, and
- WHEREAS: A sealed Request for Proposal #B23082 was issued and received for the purchase of a Mini SWAT Robot or a documented equal on June 6, 2023 at 2:00 pm, and
- WHEREAS: The City sought pricing and availability of one Mini SWAT Robot or documented equal requesting vendors to provide specification pages for any other unit submitted in order to allow city staff the ability to compare. Additional Options Requested:
- The city is also seeking pricing for 2nd Generation Mini Claw Kit
 - The city is also seeking pricing for a 5 year warranty for parts and labor
 - The city is also seeking pricing for an annual maintenance agreement (if available)
- WHEREAS: One bid response was received and reviewed for necessary qualifications, experience, understanding of scope, approach for completing deliver, support and manage proposed solution. It is the recommendation to award to ICOR Technology, Inc. in the amount of \$61,775.00; and
- NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The Purchasing Agent is hereby authorized to issue a purchase order to ICOR Technologies Inc. of Ottawa Canada in the amount of \$61,775.00. 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
2215.1.220.42220.4741.02362.23	Search & Rescue Grant	39,390.24	23,754.68
TBD	Search & Rescue Grant FY23	43,183.87	43,183.87



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.2.

Resolution Number: **R - 2023.06.14 – 094**
Resolution Re: B23082 Award of Bid for Mini SWAT Robot or Documented Equal

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

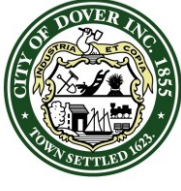
Recorded by: Susan M. Mistretta
City Clerk

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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

 CITY OF DOVER	CITY OF DOVER - RESOLUTION Agenda Item#: 13.A.2. Resolution Number: R - 2023.06.14 – 094 Resolution Re: B23082 Award of Bid for Mini SWAT Robot or Documented Equal
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RESOLUTION BACKGROUND MATERIAL:

In March of 2023, the State Department of Homeland Security and Emergency Management released funding to each of the state's tactical teams for the purchase of equipment. The Strafford County Regional Tactical Operations Unit (SCRTOU) received an allocation of \$43,183.87 which, when combined with leftover funding from the prior year's grant funding of \$23,754.91, equals a total of \$66,938.78 of available funding. The City of Dover has acted as the fiscal agent for the SCRTOU for Homeland Security Funding for well over 10 years.

The SCRTOU conducted a needs assessment and determined that a tactical robot would fill a search and rescue gap that the team currently had. Part of the research included consultation with other teams that had already purchased a robot, specifically the Manchester Police Department's SWAT Team and the Southern New Hampshire Special Operations Unit. Both teams reported improved abilities to safely approach unsafe or unknown areas in order to locate suspects or victims without putting officers at risk. Both teams currently use the ICOR mini robot.

During the bidding process, the City requested pricing for this robot or its documented equivalent as well as a mini claw kit, and an annual maintenance agreement if offered. The bid went out to 191 different vendors who have signed up to receive police and fire equipment bid requests and the City received one reply. The City has opted not to purchase the maintenance agreement which was \$17,370.

The total cost for the proposed purchase is \$61,775. This includes, (1) Mini Robot \$56,020.00 (2) Mini Claw Kit \$4,805.00 (3) Shipping & Handling \$950.00. This purchase is fully grant funded.

Bid Information:

A sealed Request for Proposal #B23082 was issued and received for the purchase of a Mini SWAT Robot or a documented equal on June 6, 2023 at 2:00 p.m.

Award Information:

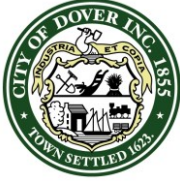
A purchase order will be issued to the vendor selected to authorize future expenditures.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	191	Number of Responses:	1
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until completed	Estimated Delivery:	asap
Recommended Award to:	ICOR Technologies Inc	Fund:	Grant
Other Approvals Required:	Yes, NHDOS Grant	References Checked:	Satisfactory
Previously Worked for City:	No	Reason for Council Approval:	Purchase to exceed the \$25,000 amount n

[B22083 Bid Documents](#)

Document Created by: Purchasing Document Posted on: June 9, 2023	R-2023.06.14 B23082 Homeland Security Grant Mini SWAT Robot.docx Page 3 of 3
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CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

Resolution Number: **R – 2023.06.14 – 095**
Resolution Re: **Library Books & Media Purchases Baker Taylor Inc**

- WHEREAS: The City of Dover NH Public Library is a member of the New Hampshire State Library's Book Purchasing Co-Op; and
- WHEREAS: The New Hampshire State Library has identified Baker and Taylor, Inc. as the book wholesaler most advantageous in terms of service and pricing for various children and adult books, CDs and DVDs; and
- WHEREAS: The City can take advantage of the substantial savings realized by using Baker and Taylor, Inc., as their book jobber; and
- WHEREAS: Exemptions to Competitive Bidding of the Dover Purchasing Procedure, the Purchasing Agent may, with approval of the City Manager, waive bidding procedures when purchasing through the State of New Hampshire or at State bid prices, other governmental agencies or cooperative buying groups; and

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

The Purchasing Agent is hereby authorized to issue a purchase order to Baker and Taylor, Inc., of Philadelphia, PA in an amount not to exceed \$80,000.00 for continued book, CD and DVD purchases. 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 to not exceed available funding.

Financing

Account	Description	FY24 Appropriation	Balance
1000.1.390.45500.4748.00000.00	Public Library - Books and Collections	133,118.00	133,118.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan Mistretta
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

Resolution Number: **R – 2023.06.14 – 095**
Resolution Re: Library Books & Media Purchases Baker Taylor Inc

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

Resolution Number: **R – 2023.06.14 – 095**
Resolution Re: Library Books & Media Purchases Baker Taylor Inc

RESOLUTION BACKGROUND MATERIAL:

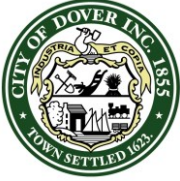
The City of Dover continues to use a book jobber, originally identified a number of years ago by the New Hampshire State Library, to provide large quantities and various types of books and other medial materials as needed. The City of Dover receives the same pricing schedule as other members of this Co-Op organization.

Award Information:

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

Purchasing Information:

Type:	Purchase Order	Advertised:	N/A
Invitations Mailed:	N/A	Number of Responses:	N/A
Warranty:	Per Manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	As contracted	Estimated Delivery:	As Needed
Recommended Award to:	Baker and Taylor, Inc.	Fund:	Operating/Books and Collections
Other Approvals Required:	State of NH	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

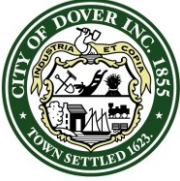
Resolution Number: **R - 2023.06.14 – 096**

Resolution Re: Acknowledgment of Request for Review of Water/Sewer Abatement Appeal for Property at 28-30 Second St. Review and Referral of Same for Review

- WHEREAS: On or about September 13, 2021, Reddy Infosys, Inc. (“Owner”), the owner of real property in Dover at 28-30 Second St., filed a Water/Sewer Abatement Request Form for an invoice dated September 1, 2021; and
- WHEREAS: On or about September 21, 2022, the Owner filed five additional Water/Sewer Abatement Request Forms, concerning invoices dated April 15, 2022, May 18, 2022, June 30, 2022; August 4, 2022, and September 2, 2022; and
- WHEREAS: On September 22, 2022, the Abatement Review Team considered and denied the abatement requests; and
- WHEREAS: On October 17, 2022, the Dover Utilities Commission (“DUC”) began reviewing an appeal of the abatement requests. After continuing the matter several times, on April 17, 2023, the DUC voted unanimously to deny the six abatement requests; and
- WHEREAS: The DUC’s rules and regulations provide that “an aggrieved customer may ask the City Council to review the proceedings for errors of law within thirty (30) days of the decision of the Dover Utilities Commission”, DUC Rules and Regulations § 3-3.4; and
- WHEREAS: On May 24, 2023, thirty-seven days after the April 17th vote of the DUC, a representative of the Owner sent an email to Dover City Councilors indicating that the Owner intended to ask the City Council to review some or all of the abatement denials; and
- WHEREAS: On May 26, 2023, the City Manager, on behalf of the City Council, replied to the Owner’s email and indicated the City Council would consider the request for review at the City Council’s meeting on June 14, 2023.

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

The Owner’s request for City Council review of the DUC and related abatement proceedings is untimely, as the Owner did not request City Council review within the thirty-day period allowed in the DUC Rules and Regulations. The untimeliness is not waived and may form a basis on which the request for review is disposed of at a later date. Nevertheless, the Owner’s request for City Council review is acknowledged and referred to the Office of the City Attorney for review pursuant to DUC Rules and Regulations § 3-3.4 and recommended disposition.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R - 2023.06.14 – 096**

Resolution Re: Acknowledgment of Request for Review of Water/Sewer Abatement Appeal for Property at 28-30 Second St. Review and Referral of Same for Review

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

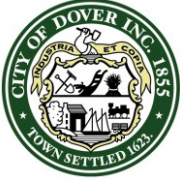
Recorded by: Susan M. Mistretta
City Clerk

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:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R - 2023.06.14 – 096**

Resolution Re: Acknowledgment of Request for Review of Water/Sewer Abatement Appeal for Property at 28-30 Second St. Review and Referral of Same for Review

RESOLUTION BACKGROUND MATERIAL:

Section 3-3.4.1 of the DUC's Rules and Regulations provides in full:

Any customer dissatisfied with the billing of his/her account, may seek a review of the bill through the Abatement Review Team. The Abatement Review Team shall consist of staff members of the Community Services Department appointed by the department director. After review by the Abatement Review Team, any customer may seek an abatement of the bill and appeal his/her bill to the Dover Utilities Commission within thirty (30) days of a written decision by the Abatement Review Team. The Dover Utilities Commission may grant extensions of the appeal period for good cause shown. After a decision has been reached by the Dover Utilities Commission, an aggrieved customer may ask the City Council to review the proceedings for errors of law within thirty (30) days of the decision of the Dover Utilities Commission, prior to exercising the right to appeal to a Superior Court, pursuant to RSA 149-I:15. The abatement process shall not include claims by Customers for property or economic damage as the result of breaks or malfunctions of the Municipal Water and Sewer Systems.

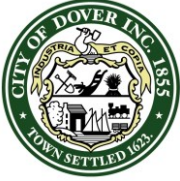
For reference, RSA 149-I:14 and RSA 149-I:15 provide as follows:

149-I:14 Correction of Assessments. –

I. If any error is made in any assessment under RSA 149-I:7 or RSA 149-I:8, it may be corrected by the mayor and aldermen by making an abatement and a new assessment, or either, as the case may require. The same lien, rights, liabilities and remedies shall attach to the new assessment as to the original.

II. If any error is made in any assessment under RSA 149-I:6-c or RSA 149-I:7, it may be corrected by the governing body by making an abatement or a new assessment, or both. The same lien, rights, liabilities, and remedies shall attach to the new assessment as to the original.

149-I:15 Petition to Court. – If the mayor and aldermen neglect or refuse to correct an assessment under RSA 149-I:14, any person aggrieved may apply by petition to the superior court for relief at any time within 90 days after notice of the assessment, and not afterwards. The court shall make such order thereon as justice may require.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R – 2023.06.14 – 097**

Resolution Re: Approval of Amendments to the Operational Rules for the Committee for Racial Equity and Inclusion

WHEREAS: By resolution passed on October 28, 2020 ([R-2020.10.20-181](#)), the City Council established the Ad-Hoc Committee for Racial Equity and Inclusion.

WHEREAS: By ordinance passed on February 8, 2023 ([O-2023.02.08 -002](#)), the City Council codified the Ad-Hoc Committee for Racial Equity and Inclusion as a standing committee of the Dover City Council.

WHEREAS: On May 25, 2023 the Committee for Racial Equity and Inclusion met and voted to amend its Operating Rules as set forth in the attachment to this resolution.

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

The City Council approves the amendments to the Operational Rules for the Committee for Racial Equity and Inclusion adopted on May 25, 2023.

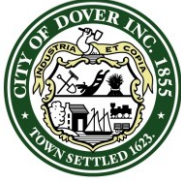
AUTHORIZATION

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.5. Resolution Number: R – 2023.06.14 – 097 Resolution Re: Approval of Amendments to the Operational Rules for the Committee for Racial Equity and Inclusion
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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:		
Resolution does does not pass.		

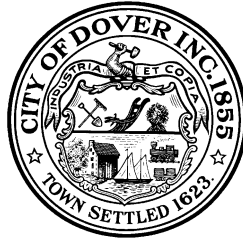
RESOLUTION BACKGROUND MATERIAL:

See attached amended Operational Rules for the Committee for Racial Equity and Inclusion, which were adopted by the committee on May 25, 2023

[Dover Code Section 9-1\(F\)](#) requires that the City Council approve committee rules.

Document Created by: Legal Document Posted on: June 9, 2023	R – 2023.06.14 - Approval of Amendments to the Operational Rules for the Committee for Racial Equity and Inclusion Page 2 of 2
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Joshua M. Wyatt
City Attorney
j.wyatt@dover.nh.gov



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Dover, New Hampshire 03820-4169
(603) 516-6520
Fax: (603) 516-6523
www.ci.dover.nh.gov

OPERATING RULES

COMMITTEE FOR RACIAL EQUITY AND INCLUSION

Article I. Name

The name of the Committee is the ~~Ad-Hoc~~ Committee for Racial Equity and Inclusion (hereinafter "Committee").

Article II. Purpose, Authority, Duties and Termination

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

Article III. Membership

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

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

B.C. Terms of Members. Members shall be appointed to terms of three years. Subsequent appointees shall be appointed to three-year terms or less, if necessary to achieve membership with staggered terms.

Article IV. Officers and Staffing

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

Article V. Procedures

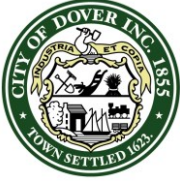
- A. **Meetings.** The Committee shall hold regular meetings as necessary at a time and place designated by a Co-Chair. The business of the public shall be conducted in public session unless otherwise permitted by state law. All meetings of the Committee and subcommittees shall be posted to comply with state law in accordance with procedures established by the City Clerk. State law requires all meetings to be posted in two (2) places with a minimum of twenty-four (24) hours notice.
- B. **Quorum.** ~~Six (6)~~ A majority (51%) of the active members, but not less than three (3), of the voting membership of the Committee shall constitute a quorum.
- C. **~~Parliamentary~~ Parliamentary Authority.** The parliamentary authority for the Committee is *Robert's Rules of Order Revised, 11th ed*, except as provided by these rules or local, state or federal

law.

- D. **Minutes.** Written minutes shall be kept for all meetings of the Committee. The minutes shall include the names of the members in attendance, all actions, motions and resolutions coming before the public body including the votes of the members, and a summary of all discussions. Draft minutes shall be provided to the City Clerk within five (5) business days of each meeting for posting on the city website in draft form. Draft minutes shall be clearly marked "DRAFT". Draft minutes with or without revisions shall be approved by the committee at the next meeting of the committee, or as soon as possible. Final approved minutes shall be provided to the City Clerk for posting on the city website
- E. **Recording of Meetings.** The Committee shall arrange for video or audio recording of all meetings consistent with the requirements of Dover's Code. All recordings shall be provided to the City Clerk within five (5) business days of the meeting.
- F. **E-mail accounts.** Committee members who do not already have a City of Dover e-mail address may obtain same to facilitate communications regarding meetings, agendas and the dissemination of information. Committee members shall refrain from using e-mail to discuss issues with other members where the e-mail discussion directly or indirectly involves a quorum of the committee. In addition, committee members shall refrain from conducting the official business of the Committee outside the view of the public and the news media unless permitted by state law.
- G. **Non-public meetings.** The Committee shall conduct only non-public meetings pursuant to the laws of the State of New Hampshire. The Chair shall conduct nonpublic meetings utilizing the Checklist prepared by the City Attorney for nonpublic meetings.
- H. **Amendment of Rules.** These rules may be repealed or amended by a vote of the Dover City Council based upon the recommendation of the Committee.

APPROVED AND RECOMMENDED BY THE COMMITTEE ON ~~December 16, 2020~~ May
25, 2023

APPROVED BY THE DOVER CITY COUNCIL ON ~~January 13, 2021~~ June 14, 2023



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.6.

Resolution Number: **R - 2023.06.14 – 098**

Resolution Re: Authorization to Join and Seek Approval of Lot Line Adjustment Applications with Respect to Dover Tax Map 40, Lot 17, Dover Tax Map 40, Lots 18, 18-B, 18-C, 18-D, 18-E, and 18-F, Somersworth Tax Map 41, Lot 9, and Somersworth Tax Map 64, Lot 1

WHEREAS: The City of Dover owns a parcel of real property on Route 108 identified as Dover Tax Map 40, Lot 17, together with an abutting lot located in the City of Somersworth and identified as Somersworth Tax Map 41, Lot 9 (collectively “City Parcels”); and

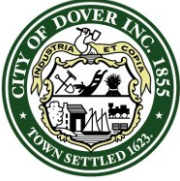
WHEREAS: Winchester Arms, LLC, owns a series of abutting parcels in Dover known as Tax Map 40, Lots 18, 18-B, 18-C, 18-D, 18-E, and 18-F (collectively “Winchester Parcels”). Winchester Arms, LLC discovered a possible title ambiguity or problem when a 2018 survey of the boundary between Dover and Somersworth in this area indicated that the actual City boundary line is slightly northeast of the location shown on a previous plan of record; and

WHEREAS: Winchester Arms, LLC has entered into a settlement agreement with Paul Garabedian, Jr., Trustee of the C.P.J. Trust, with respect to real property owned by that trust known as Somersworth Tax Map 64, Lot 1 (“Garabedian Property”); and

WHEREAS: As shown in an Amended Lot Line Adjustment plan accompanying this resolution prepared by McEneaney Survey Associates and dated January 6, 2023 (“Plan”), Winchester Arms, LLC has proposed filing and seeking approval of lot line adjustment applications in Dover and Somersworth, along with the City of Dover and authorized trustee(s) of the C.P.J. Trust as co-applicants, to formally clarify the boundaries to correspond with the correct Dover-Somersworth boundary line.

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

Consistent with the Plan, the City Manager is authorized, on behalf of the City of Dover, to execute and seek approval of lot line adjustments in the Cities of Dover and Somersworth with respect to the City Parcels, the Winchester Parcels, and the Garabedian Parcel, joining with Winchester Arms, LLC and the authorized trustee(s) of the C.P.J. Trust as co-applicants. The City Manager is also authorized, if and to the extent requested, execute and record with the registry of deeds any release or quitclaim or other deeds or instruments reasonably requested to clarify title and boundaries as shown on the aforesaid Plan.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.6.

Resolution Number: **R - 2023.06.14 – 098**

Resolution Re: Authorization to Join and Seek Approval of Lot Line Adjustment Applications with Respect to Dover Tax Map 40, Lot 17, Dover Tax Map 40, Lots 18, 18-B, 18-C, 18-D, 18-E, and 18-F, Somersworth Tax Map 41, Lot 9, and Somersworth Tax Map 64, Lot 1

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:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.6.

Resolution Number: **R - 2023.06.14 – 098**

Resolution Re: Authorization to Join and Seek Approval of Lot Line Adjustment Applications with Respect to Dover Tax Map 40, Lot 17, Dover Tax Map 40, Lots 18, 18-B, 18-C, 18-D, 18-E, and 18-F, Somersworth Tax Map 41, Lot 9, and Somersworth Tax Map 64, Lot 1

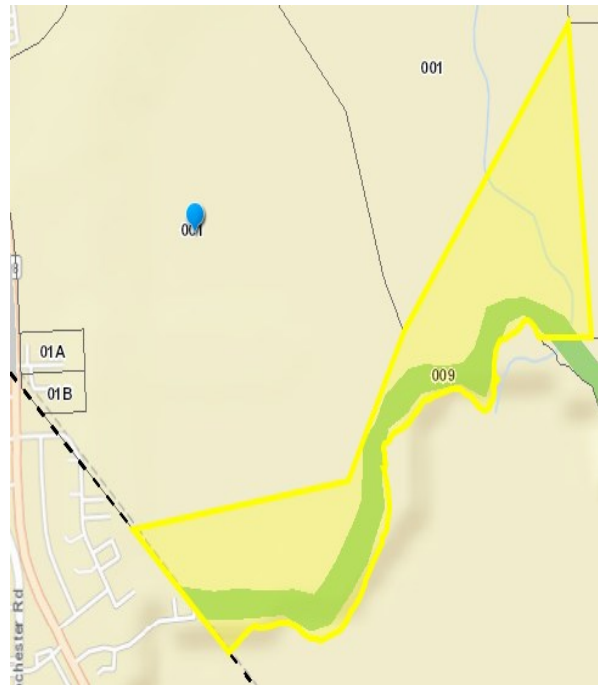
RESOLUTION BACKGROUND MATERIAL:

Attached is a plan prepared by McEneaney Survey Associates and dated January 6, 2023 and showing the proposed lot line adjustments. In short, areas A, B, C, D, E, F, and G on that plan show the individual areas impacted by shifting the City boundary slightly northeast, as determined in a 2018 survey performed by Tritech Engineering (recorded with the Strafford County Registry of Deeds as Plan # 117-037). The lot line adjustments would clarify that these areas belong to Winchester Arms, LLC, and fix the boundaries as shown on the accompanying plan. Deeds may also be requested to further address any ambiguities in title.

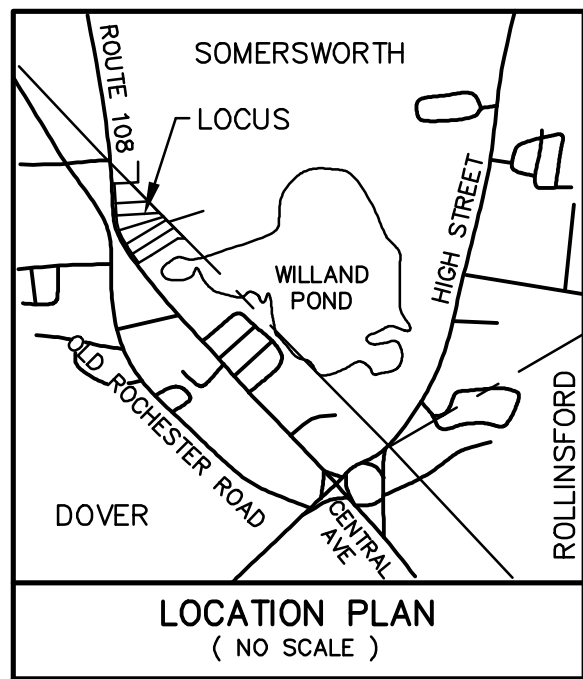
For reference, the first excerpt below is from the Dover tax map showing the relevant City-owned Dover parcel in yellow, the Winchester Arms, LLC parcels in green. The second excerpt below is from the Somersworth tax map showing the relevant City-owned Somersworth parcel shaded in yellow:



(Dover Tax Map Excerpt)



(Somersworth Tax Map Excerpt)



No.	Bearing	Distance
L1	S43°50'54"E	62.56'
L2	S43°50'54"E	44.37'
L3	S43°50'54"E	18.49'

No.	Central Angle	Radius	Arc Length	Chord Length	Chord Bearing
C1	01°06'16"	683.80	13.18	13.18	N03°30'24"W
C2	14°03'36"	683.80	167.80	167.38	N11°05'20"W
C3	14°19'11"	683.80	170.90	170.46	N25°16'43"W
C4	02°50'30"	683.80	33.92	33.91	N33°51'34"W

AREA CHART

PARCEL	AREA	FROM	TO
A	3,401 S.F.	64/1	40/18
B	3,551 S.F.	64/1	40/18B
C	1,672 S.F.	64/1	40/18C
D	1,318 S.F.	64/1	40/18D
E	346 S.F.	64/1	40/18E
F	3,406 S.F.	41/9	40/18E
G	5,218 S.F.	41/9	40/18F

41 / 9 SOMERSWORTH

CITY OF DOVER
288 CENTRAL AVENUE
DOVER, NH 03820
2286 / 232 & 4634 / 875

NOTES:

- OWNER OF RECORD:
WINCHESTER ARMS, LLC
176 CHURCH STREET
LOWELL, MASSACHUSETTS 01852
S.C.R.D. VOLUME 4625, PAGE 905
C.P.J. TRUST
CHARLES GARABEDIAN, TRUSTEE
352 SOUTH BROADWAY
SALEM, NEW HAMPSHIRE 03079
S.C.R.D. VOLUME 1207, PAGE 790
CITY OF DOVER
288 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
S.C.R.D. VOLUME 2286 PAGE 232
S.C.R.D. VOLUME 4634, PAGE 875
- 40 / 18 - DENOTES TAX MAP AND PARCEL NUMBER.
- PARCEL AREAS: (AS NOTED).
- THE INTENT OF THIS PLAN IS TO AMEND THE NORTHEASTERLY LOT LINES OF THE WINCHESTER ARMS PARCELS (TAX MAP 40, LOTS 18, 18B, 18C, 18D, 18E, 18F) AS SHOWN ON REFERENCE PLAN #0 TO RE-ESTABLISH THE NORTHEASTERLY LOT LINES TO BE ALONG THE DOVER-SOMERSWORTH TOWN LINE AS LOCATED BY THIS OFFICE ON OCTOBER 30, 2019.
- ZONING DISTRICT: THOROUGHFARE BUSINESS (B-3) DISTRICT
- DIMENSIONAL REQUIREMENTS:
MINIMUM LOT SIZE = 20,000 S.F.
MINIMUM LOT COVERAGE = 50 PERCENT
MINIMUM FRONTAGE = 125 FEET
BUILDING SETBACK REQUIREMENTS:
FRONT SETBACK = 30 FEET
SIDE SETBACK = 12 FEET
REAR SETBACK = 15 FEET
MAXIMUM BUILDING HEIGHT = 40 FEET MAXIMUM
- PARCELS 40 / 18, 40 / 18B, 40 / 18C, 40 / 18D & 40 / 18E ARE LOCATED OUTSIDE OF THE 0.2 PERCENT ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 145; PANEL 0310; SUFFIX E; MAP NUMBER 33017C0310E; EFFECTIVE DATE SEPTEMBER 30, 2015.
A PORTION OF PARCEL 40 / 18F IS LOCATED WITHIN THE SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1 PERCENT ANNUAL CHANCE FLOOD, ZONE A (BASE FLOOD ELEVATIONS NOT DETERMINED); AND AREAS DETERMINED TO BE INSIDE THE 0.2 PERCENT ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 145; PANEL 0310; SUFFIX E; MAP NUMBER 33017C0310E; EFFECTIVE DATE SEPTEMBER 30, 2015.
- BASIS OF BEARING IS NH STATE PLANE (NAD83) BASED ON GPS OBSERVATION DATED OCTOBER 30, 2019.
VERTICAL DATUM IS NH STATE PLANE (NAD83) BASED ON GPS OBSERVATION DATED OCTOBER 30, 2019.
- PARCELS 40 / 18, 18B, 18C, 18D, 18E & 18F ARE SUBJECT TO RIGHTS GRANTED TO NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY AT S.C.R.D. VOLUME 1594, PAGE 550 FOR THE INSTALLATION AND SUBSEQUENT MAINTENANCE OF LINES FOR TRANSMISSION OF INTELLIGENCE UPON, OVER AND UNDER THE SUBJECT PREMISES.
- REFERENCE IS MADE TO CERTAIN DRAINAGE AND SIDEWALK FEATURES CONSTRUCTED AS PART OF A CITY OF DOVER PROJECT DATED CIRCA 2007, SHOWN ON REFERENCE PLAN #8. NO RECORD OF EASEMENTS WAS FOUND AT S.C.R.D.
- PARCELS ARE SUBJECT TO A TWENTY (20) FOOT WIDE UTILITY EASEMENT AS SHOWN ON REFERENCE PLAN #1.

AMENDED LOT LINE ADJUSTMENT PLAN

PREPARED FOR

WINCHESTER ARMS, LLC

AND

CITY OF DOVER

AND

C.P.J. TRUST

DOVER TAX MAP 40, LOT Nos. 18,18B,18C,18D,18E & 18F

SOMERSWORTH TAX MAP 64, LOT No. 1 AND

SOMERSWORTH TAX MAP 41, LOT No. 9

45 NEW ROCHESTER ROAD, NH ROUTE 108

CITIES OF DOVER & SOMERSWORTH

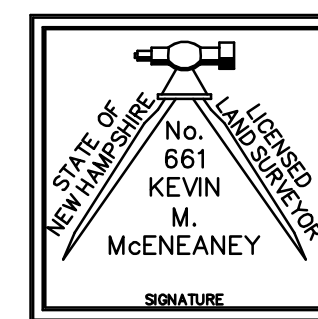
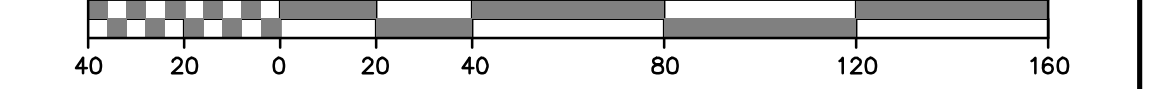
COUNTY of STRAFFORD

STATE of NEW HAMPSHIRE

DOVER PLANNING FILE No. P 23-

DRAWN BY: RJM / KJP FILE: \2244\DWGS\19-2244 LLADJ

SCALE: 1" = 40' DATE: JANUARY 6, 2023

McEneaney
Survey
Associates
of NEW ENGLANDP.O. Box 681 - 24 CHESTNUT STREET
DOVER, NH 03820 (603) 742-0911

SURVEYING - PLANNING - CONSULTING

LEGEND

- I.R.(TBS) O - IRON ROD W/ I.D. CAP (TO BE SET)
D.H.(TBS) O - DRILL HOLE (TO BE SET)
I.R.(FOUND) O - IRON ROD (FOUND)
S.C.R.D. - STRAFFORD COUNTY
REGISTRY OF DEEDS
S.F. - SQUARE FEET
Ac. - ACRE
(TYP.) - TYPICAL
Ø - DIAMETER
- UTILITY POLE
- CATCH BASIN
- DRAIN MANHOLE
- SEWER MANHOLE
- WATER GATE VALVE
- FIRE HYDRANT

REFERENCE PLANS:

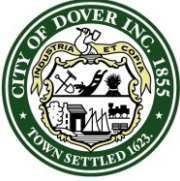
- MAP OF LAND - WINCHESTER ARMS - GILBERT CAMPBELL, INC. DOVER, NEW HAMPSHIRE. SCALE: 1" = 50'; DATED: SEPTEMBER 1971; BY: G.L. DAVIS & ASSOCIATES. RECORDED S.C.R.D. POCKET 12, FOLDER 1, PLAN 38.
- PRELIMINARY SUBDIVISION PLAN OF LAND IN SOMERSWORTH, N.H. DEVELOPERS GEORGE SALISBURY, 10 FIRST AVE. PEABODY, MASS. - C.J.P. CORPORATION 179 MAIN ST., SALEM, N.H. SCALE: 1" = 100'; DATED: AUGUST 4, 1972; BY: THOMAS F. MORAN, INC. RECORDED S.C.R.D. POCKET 12, FOLDER 2, PLAN 52.
- MINOR SUBDIVISION - LOTS A & B FOR GENE R. COHEN, DOVER / SOMERSWORTH, NH. SCALE: 1" = 20'; DATED: JUNE 1986; BY: ROBERT W. McCONE. RECORDED S.C.R.D. PLAN 29A-93.
- PLAN OF LAND OF CITY OF DOVER - SCALE 1" = 100. S.C.R.D. PLAN 9, POCKET 3, FOLDER 1.
- PLAN OF LAND PREPARED FOR THE CITY OF DOVER, NH ROUTE 108 - WILLAND POND, DOVER & SOMERSWORTH, NEW HAMPSHIRE. SCALE: 1" = 100'; DATED: JUNE 29, 1994; BY: McNEANEY SURVEY ASSOCIATES, INC. RECORDED S.C.R.D. PLAN 47-4.
- BOUNDARY LINE ADJUSTMENT PLAN - THE CITY OF DOVER AND C.P.J. TRUST - ROUTE #108, WILLAND DRIVE & COMMERCIAL DRIVE, SOMERSWORTH, NEW HAMPSHIRE, STRAFFORD COUNTY. SCALE: 1" = 200'; DATED: DECEMBER 6, 2017, REVISED THROUGH 2-22-18; BY: TRITECH ENGINEERING CORPORATION. RECORDED S.C.R.D. PLAN 116-10 & 116-11.
- BOUNDARY PLAN - C.P.J. TRUST - ROUTE #108, WILLAND DRIVE & COMMERCIAL DRIVE, SOMERSWORTH, NEW HAMPSHIRE, STRAFFORD COUNTY. SCALE: 1" = 100'; DATED: AUGUST 30, 2018; BY: TRITECH ENGINEERING CORPORATION. RECORDED S.C.R.D. PLAN 117-37.
- SIDEWALK PLAN AND PROFILE - STATE PROJECT NO. 12644/12808, NEW ROCHESTER RD / LONG HILL RD, DOVER, NEW HAMPSHIRE FOR THE CITY OF DOVER, DECEMBER 2007. ON FILE WITH CITY OF DOVER ENGINEERING DEPARTMENT.
- NEW ROCHESTER ROAD STA 32+50 TO STA 43+00 - WATER FACILITIES IMPROVEMENTS - PHASE 2, CONTRACT 1, TRANSMISSION MAIN. FOR CITY OF DOVER, NEW HAMPSHIRE. DATED: 10/19/18. ON FILE WITH CITY OF DOVER ENGINEERING DEPARTMENT.

APPROVED: SOMERSWORTH PLANNING BOARD

CHAIRPERSON

DATE

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2023.06.14 – 101**

Resolution Re: Collective Bargaining Agreement – Dover Teachers' Union (DTU)

WHEREAS: Representatives of the Dover School Board and the Dover Teachers' Union have been involved in negotiations for a Collective Bargaining Agreement to supersede the agreement expiring August 31, 2023; and

WHEREAS: Representatives of the Dover School Board and the Dover Teachers' Union reached a tentative Agreement as to the terms and conditions of a revised, three-year bargaining agreement, the cost items for which are outlined in the background of this resolution; and

WHEREAS: On May 22, 2023, the Dover School Board approved the three-year tentative Agreement with the Dover Teachers' Union.

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

The City Council ratifies the cost items within the three-year tentative Agreement with the Dover Teachers' Union approved by the Dover School Board on May 22, 2023. The Dover School Board is hereby authorized to execute a three-year Collective Bargaining Agreement commencing on September 1, 2023 and extending through August 31, 2026 with the Dover Teachers' Union.

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 – 2023.06.14 – 101 Resolution Re: Collective Bargaining Agreement – Dover Teachers’ Union (DTU)		

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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

RESOLUTION BACKGROUND MATERIAL:

The Dover School Board participated in negotiations with the Dover Teachers’ Union. These negotiations culminating in the tentative Agreement. The School Board approved the tentative agreement on May 22, 2023.

Attached to this resolution is the Dover School District—DTU (Dover Teachers’ Union) Tentative Agreement Cost Summary. The numbers in the costing summary are approximate and could vary due to retirements, resignations and new hires. The City’s FY 2024 budget has been adopted by the City Council, however, adoption of this resolution does not increase any appropriations for FY 2024 for year one costs of the agreement.

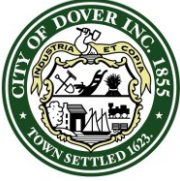
Dover School District

Summary of Change - DTU(Dover Teachers' Union) Tentative Agreement Cost Summary

DTU	Wage Amount	Dental	Medical	Retirement	Other Fringe	Total Fringe	Wage & Fringe	FY23		FY24+	
								FICA	NHRS	FICA	NHRS
								7.65%	21.02%	7.65%	19.64%
FY2023											
Contracted	23,036,153	1,295,554	7,591,385	4,842,199	1,762,266	15,491,404	38,527,557				
FY2024								Change from FY23		SQ Change from FY23 Actual	
Estimate	24,325,816	1,315,337	8,671,255	4,777,590	1,860,925	16,625,107	40,950,923	2,423,367	6.29%	1,438,317	3.73%
SQ	23,551,953	1,315,337	8,671,255	4,625,604	1,801,724	16,413,920	39,965,873				
FY2025								Change from FY24		SQ Change from FY24 SQ	
Estimate	25,593,356	1,328,490	9,278,243	5,026,535	1,957,892	17,591,160	43,184,516	2,233,593	5.45%	1,157,296	2.90%
SQ	23,973,946	1,328,490	9,278,243	4,708,483	1,834,007	17,149,223	41,123,170				
FY2026								Change from FY25		SQ Change from FY25 SQ	
Estimate	26,823,509	1,341,775	9,927,720	5,268,137	2,051,998	18,589,631	45,413,140	2,228,624	5.16%	1,163,206	2.83%
SQ	24,367,099	1,341,775	9,927,720	4,785,698	1,864,083	17,919,277	42,286,376				
TOT PROP	76,742,681	3,985,602	27,877,218	15,072,263	5,870,815	52,805,898	129,548,579				
TOT SQ	71,892,999	3,985,602	27,877,218	14,119,785	5,499,814	51,482,420	123,375,419				

Notes:

- FY24: Wage amount includes an estimate of base wages (Step + \$2,250), stipends, severance, insurance buyout, and longevity pay.
Dental, Health, and Retirement amounts are based on actual rates.
Other fringe includes estimated costs for Social Security and Medicare (FICA).
- FY25: Wage amount includes an estimate of base wages (Step + 3.5% COLA), stipends, severance, insurance buyout, and longevity pay.
Estimated increase of 1% for Dental and 7% for Health. Retirement based on actual rates.
Other fringe includes estimated costs for Social Security and Medicare (FICA).
- FY26: Wage amount includes an estimate of base wages (Step + 3.25% COLA), stipends, severance, insurance buyout, and longevity pay.
Estimated increase of 1% for Dental and 7% for Health. Retirement based on actual rates.
Other fringe includes estimated costs for Social Security and Medicare (FICA).
- SQ: The status quo wage calculation includes step increases but no cost of living increases (COLAs) per the District's past practice.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R - 2023.06.14 – 102**
Resolution Re: Collective Bargaining Agreement – Dover Educational
Office Personnel Union (DEOP)

WHEREAS: The Dover School Board and representatives of the Dover Educational Office Personnel Union have been involved in negotiations for a Collective Bargaining Agreement to supersede the Agreement which will expire on June 30, 2023; and

WHEREAS: The Dover School Board and Dover Educational Office Personnel Union reached a tentative agreement as to the terms and conditions of a revised bargaining agreement; and

WHEREAS: The Dover School Board approved the tentative Agreement on May 8, 2023; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The Dover School Board is hereby authorized to execute a three (3) year Collective Bargaining Agreement commencing on July 1, 2023 through June 30, 2026 with the Dover Educational Office Personnel Union.

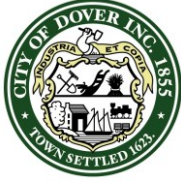
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan M. Mistretta
City Clerk

 CITY OF DOVER	CITY OF DOVER - RESOLUTION Agenda Item#: 13.B.2. Resolution Number: R - 2023.06.14 – 102 Resolution Re: Collective Bargaining Agreement – Dover Educational Office Personnel Union (DEOP)
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DOCUMENT HISTORY:

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

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:

The Dover School Board and representatives of the Dover Educational Office Personnel (DEOP) Union have been involved in negotiations. The Dover School Board and DEOP Union reached a tentative agreement, and the Dover School Board approved the tentative agreement on May 8, 2023.

Attached to this resolution is the Dover School District—DEOP (Dover Educational Office Personnel Union) Tentative Agreement Cost Summary. The numbers in the costing summary are approximate and could vary due to retirements, resignations and new hires. The City’s FY 2024 budget has been adopted by the City Council, however, adoption of this resolution does not increase any appropriations for FY 2024 for year one costs of the agreement.

This is a 3-year agreement effective as of July 1, 2023 and would continue in effect until and including June 30, 2026.

Dover School District

Summary of Change - DEOP(Dover Educational Office Personnel) Tentative Agreement Cost Summary

DEOP	Wage Amount	Dental	Medical	Retirement	Other Fringe	Total Fringe	Wage & Fringe	FY23		FY24+	
								FICA	NHRS	FICA	NHRS
								7.65%	14.06%	7.65%	13.53%
FY2023											
Contracted	902,690	12,207	451,551	126,918	69,056	659,732	1,562,422				
FY2024								Change from FY23		SQ Change from FY23	FY24 Status Quo
Estimate	960,064	12,394	515,792	129,897	73,445	731,527	1,691,592	129,170	8.27%	65,513	1,627,934
SQ	907,533	12,394	515,792	122,789	69,426	720,401	1,627,934				
FY2025								Change from FY24	SQ Change from FY24	FY25 Status Quo	
								Estimate	SQ		
Estimate	1,012,997	12,518	551,897	137,059	77,494	778,968	1,791,965	100,373	5.93%	56,822	1,684,756
SQ	924,526	12,518	551,897	125,088	70,726	760,230	1,684,756				
FY2026								Change from FY25	SQ Change from FY25	FY26 Status Quo	
								Estimate	SQ		
Estimate	1,066,048	12,643	590,530	144,236	81,553	828,962	1,895,010	103,044	5.75%	47,487	1,732,243
SQ	931,730	12,643	590,530	126,063	71,277	800,513	1,732,243				
TOT PROP	3,039,109	37,555	1,658,219	411,191	232,492	2,339,457	5,378,566				
TOT SQ	2,763,789	37,555	1,658,219	373,941	211,430	2,281,144	5,044,934				

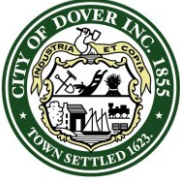
Notes:

FY24: Wage amount includes an estimate of base wages (step + 5% COLA), longevity pay, and a one-time wage reclassification for 2 positions totalling \$7,457. Dental, Health, and Retirement amounts are based on actual rates. Other fringe includes estimated costs for Social Security and Medicare.

FY25: Wage amount includes an estimate of base wages (step + 5% COLA) and longevity pay. Estimated increase of 1% for Dental and 7% for Health. Retirement based on actual rates. Other fringe includes estimated costs for Social Security and Medicare.

FY26: Wage amount includes an estimate of base wages (step + 5% COLA) and longevity pay. Estimated increase of 1% for Dental and 7% for Health. Retirement based on actual rates. Other fringe includes estimated costs for Social Security and Medicare.

SQ: The status quo wage calculation includes step increases but no cost of living increases (COLAs) per the District's past practice.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2023.06.14 – 099**

Resolution Re: **Acknowledgment and Acceptance of Donation by
Northeast Color for Work and Supplies Improving the
Community Trail**

WHEREAS: The City of Dover, through the Community Trail Advisory Committee and Arts Commission, is in the process of improving the existing Community Trail and other areas around the City, including the Garrison Hill Tower;

WHEREAS: Throughout the years, different organizations and groups offer to assist with cleaning up and maintaining these areas;

WHEREAS: On May 11, 2023, Northeast Color, a company headquartered in Dover focusing on custom signage and branding solutions, again volunteered its services, including assisting with repainting and refreshing the large mural within the Silver Street tunnel, as well as repainting the Garrison Hill Tower.

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

The generous donation of labor and materials on May 11, 2023 from Northeast Color is hereby acknowledged, appreciated, and accepted.

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 Mistretta City Clerk		

Document Created by: Legal

R-2023.06.14 Acknowledgment and Acceptance of Donation by
Northeast Color for Work and Supplies Improving Community Trail

Document Posted on: June 9, 2023

Page 1 of 2

 CITY OF DOVER	CITY OF DOVER - RESOLUTION	
	Agenda Item#: 13.B.3.	
Resolution Number: R – 2023.06.14 – 099 Resolution Re: Acknowledgment and Acceptance of Donation by Northeast Color for Work and Supplies Improving the Community Trail		

DOCUMENT HISTORY:

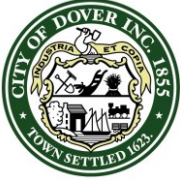
First Reading Date: Approved Date:	Public Hearing Date: Effective Date:
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DOCUMENT ACTIONS:

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:		
Resolution does does not pass.		

RESOLUTION BACKGROUND MATERIAL:

On May 11, 2023, the “Green Wave” mural on the inside of the Silver Street tunnel has been refreshed and all graffiti removed or painted over. On that same day, Northeast Color volunteers also repainted the Garrison Hill Tower. Northeast Color has also generously volunteered its services in the past for similar maintenance and improvements. More information about Northeast Color can be found at this link: <https://www.northeastcolor.com/aboutus>



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R - 2023.06.14 – 100**
Resolution Re: Denouncing Unconstitutional Book Censorship at Public Libraries

- WHEREAS: There is a nationwide, coordinated effort by some to deny the public access to ideas that these individuals disagree with on the basis of partisan, political or ideological reasons; and
- WHEREAS: Part II, Article 83 of the State Constitution provides: “Knowledge and learning, generally diffused through a community, ... [is] essential to the preservation of a free government”; and
- WHEREAS: The legislature has enacted New Hampshire RSA chapter 202-A to effectuate the State Constitution by providing for the creation and maintenance of public libraries, and requiring that “[e]very public library shall remain forever free to the use of every resident of the town wherein it is located”, RSA 202-A:5; and
- WHEREAS: The United States Supreme Court has held that “the right to receive information and ideas . . . is an inherent corollary of the rights of free speech and press that are guaranteed by the [Federal] Constitution.” *Bd. of Educ. v. Pico*, 457 U.S. 853, 867 (1982) (plurality); *see also id* at 879 (“our precedents command the conclusion that the State may not act to deny access to an idea simply because state officials disapprove of that idea for partisan or political reasons”) (Blackmun, J., concurring in part and dissenting in part); and
- WHEREAS: All public officials in the City of Dover, together with the City Manager and Department Heads, have each taken an oath to uphold the State and Federal Constitutions.

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

Censorship of ideas on the basis of partisan, political or ideological beliefs is anti-democratic, unconstitutional, and denounced in the City of Dover. All citizens’ rights under the First Amendment to the United States Constitution and Part I, Article 22 of the State Constitution shall be respected in accordance with applicable law. City resources, to include City funds and the time of the City’s professional staff, may not be used for the purpose of censoring library materials on the basis of political, partisan or ideological beliefs.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

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

Recorded by: Susan M. Mistretta
City Clerk

Co-Sponsored by: Councilor Robert Hinkel,
Ward 2
Councilor Deborah Thibodeaux
Ward 3

 CITY OF DOVER	CITY OF DOVER - RESOLUTION	
	Agenda Item#: 13.B.4.	
Resolution Number: R - 2023.06.14 – 100 Resolution Re: Denouncing Unconstitutional Book Censorship at Public Libraries		

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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

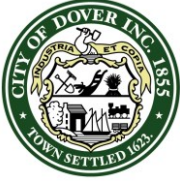
RESOLUTION BACKGROUND MATERIAL:

The American Library Association (“ALA”) released data in March 2023 finding 1,269 demands to censor books and resources in 2022. *See American Library Association reports record number of demands to censor library books and materials in 2022*, (March 22, 2023), available at (<https://www.ala.org/news/press-releases/2023/03/record-book-bans-2022>). The prior year saw only 729 challenges, in comparison. A common practice appears to be using a list of books compiled by one or more partisan, political or ideological organizations and making challenges to one or multiple of the listed books or materials (often without having even read the challenged book/material).

The book censorship movement has made its way to Dover. In 2023, the Dover School District has received several book reconsideration requests, all of which center upon sexuality, gender and race. One request was adjudicated by the School Board’s Book Review Committee (and rejected). The subject of book censorship frequently comes up during Public Forum before the School Board. The Dover Public Library has had patrons informally inquiring about removal of books. There is an ongoing risk that patrons may try to circumvent the reconsideration policy by simply checking out the book(s) indefinitely and depriving the public of their use.

The Dover Public Library, as well as the Dover School District, employ professional librarians who have education, expertise, and experience in developing a collection of materials for their libraries. If some book or other material has been acquired as part of the collection, the professional determination should in no be way partisan, political or ideological, but instead based purely on the informational value and potential interest of the book/material to the public generally and the marketplace of ideas. Both the Dover Public Library and

Document Created by: Department Document Posted on: June 9, 2023	R-2023.06.14 Denouncing Unconstitutional Book Censorship at Public Libraries Page 2 of 3
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CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R - 2023.06.14 – 100**

Resolution Re: Denouncing Unconstitutional Book Censorship at Public Libraries

the Dover School District have book review/reconsideration policies in place, but not for purposes of partisan, political, or ideological disagreement with the substance of materials. And, it bears noting, minors cannot obtain a library card to check out books at the Dover Public Library without parental/guardian consent.

There is a long history of book censorship as part of political movements, stretching back to antiquity. Large-scale book removal took place in the United States during the Cold War with respect to perceived Communist materials. As another example, the United States Holocaust Memorial Museum recounts as follows:

Beginning on May 10, 1933, Nazi-dominated student groups carried out public burnings of books they claimed were “un-German.” The book burnings took place in 34 university towns and cities. Works of prominent Jewish, liberal, and leftist writers ended up in the bonfires. The book burnings stood as a powerful symbol of Nazi intolerance and censorship.

(available at: <https://encyclopedia.ushmm.org/content/en/article/book-burning>).

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY OF DOVER - ORDINANCE</th></tr> <tr> <td colspan="2">Agenda Item#: 13.C.1.</td></tr> <tr> <td>Ordinance Number:</td><td>O – 2023.06.14 – 006</td></tr> <tr> <td>Ordinance Title:</td><td>Administrative Code</td></tr> <tr> <td>Chapter:</td><td>5</td></tr> <tr> <td>Section:</td><td>8 Executive Department 10 Fire and Rescue Department 15 Planning and Community Development Department</td></tr> </table>	CITY OF DOVER - ORDINANCE		Agenda Item#: 13.C.1.		Ordinance Number:	O – 2023.06.14 – 006	Ordinance Title:	Administrative Code	Chapter:	5	Section:	8 Executive Department 10 Fire and Rescue Department 15 Planning and Community Development Department
CITY OF DOVER - ORDINANCE													
Agenda Item#: 13.C.1.													
Ordinance Number:	O – 2023.06.14 – 006												
Ordinance Title:	Administrative Code												
Chapter:	5												
Section:	8 Executive Department 10 Fire and Rescue Department 15 Planning and Community Development Department												

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is make a technical update to the description of one function in the Executive Department and reorganize inspection functions from the Fire and Rescue Department to the Planning and Community Development Department.

2. AMENDMENT

Chapter 5 entitled “Administrative Code” is hereby amended by revising Section 5-8, “Executive Department”, as follows:

a. THE FOLLOWING ARE AMENDED:

§ 5-8 Executive Department.

A. There shall be an Executive Department, under the direct supervision of the City Manager, who shall be responsible for human resource, legal, economic development and information systems functions and who shall administer the functions of the Department with appropriate supervisory, clerical and labor staff.

B. The duties of the Executive Department shall include, but are not limited to:

(1) Human resource functions.

(a) Establish and operate a merit system of personnel administration, including a uniform classification and compensation plan, as prescribed by § **C7-2** of the City Charter.

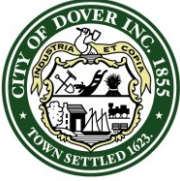
(b) Prepare and maintain all personnel records and systems and work to ensure compliance with all applicable federal and state laws.

(c) Establish and operate a risk management and safety program for all City employees.

(2) Legal functions.

(a) Represent the City in all matters in which the City has an interest coming before any court, tribunal, or quasi-judicial or legislative body, except in such cases as other arrangements may be specifically made by the City Manager and/or City Council.

(b) Advise the City Manager, Mayor, City Council and department heads in all cases when a legal opinion is required, in writing, insofar as practicable.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2023.06.14 – 006**
Ordinance Title: Administrative Code
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(c) Draft all deeds, leases, contracts, ordinances, and such other legal instruments as required on behalf of the City.

(d) Examine and approve all deeds, leases and other legal instruments tendered by the City prior to their acceptance.

(e) Call to the attention of the City Manager or City Council all matters of law affecting the City.

(f) Render legal counsel and service in person or by nominee as may be related to this office, upon direction of the City Manager.

(3) Economic-Business development functions.

(a) Coordinate and direct a program for the promotion of the development of industry and business in the City of Dover.

(b) Provide encouragement and assistance to new businesses and industries seeking to move to the City of Dover and work to promote and provide support for the retention of existing businesses and industries within the City.

(4) Information systems functions.

(a) Maintain close coordination with department heads to establish information technology requirements.

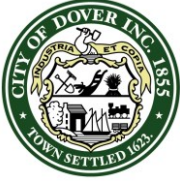
(b) Establish information technology procedures.

(c) Provide advice on feasibility of desired information technology products.

(d) Perform system analysis and design, establish and monitor information networks, write computer software, test and debug computer software and complete system documentation.

(e) Prepare and administer the DoverNet budget.

(f) Maintain the technical reference library.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2023.06.14 – 006**
Ordinance Title: Administrative Code
Chapter: 5
Section: 8 Executive Department
10 Fire and Rescue Department
15 Planning and Community Development Department

3. AMENDMENT

Chapter 5 entitled “Administrative Code” is hereby amended by revising Section 5-10, “Fire and Rescue Department”, as follows:

a. THE FOLLOWING ARE AMENDED:

§ 5-10 Fire and Rescue Department.

A. There shall be a Fire and Rescue Department, under the direct supervision of a Fire and Rescue Chief, who shall be responsible for fire and emergency medical services, and emergency management ~~and inspection~~ functions and who shall administer the functions of the Department with appropriate supervisory, clerical and labor staff. The Fire and Rescue Chief shall have all the powers conferred upon fire wardens and fire chiefs by law (see, e.g., RSA 154:2; 155-A:7, I), and may delegate inspections and enforcement functions and duties to duly authorized subordinates in the Planning and Community Development Department. The Fire and Rescue Chief shall be the Emergency Management Director, with all duties and powers associated with the position pursuant to state law.

B. The duties of the Fire and Rescue Department shall include, but are not limited to:

~~(1) — Fire, emergency medical services and emergency management functions.~~

~~(a)~~ Extinguish fires and endeavor to protect life and property against fires.

~~(b)~~ Provide emergency and nonemergency medical aid and transportation to local hospitals.

~~(c)~~ Plan, organize and direct matters related to emergency management and preparedness for natural and man-made disasters.

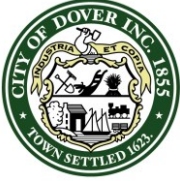
~~(d)~~ Prepare and maintain all Fire and Rescue Department records as required.

~~(e)~~ Mitigate minor hazardous materials leaks and spills, and coordinate the response to major hazardous material incidents.

~~(f)~~ Educate the public on matters related to fire and life safety along with self-preparedness for natural and man-made disasters.

~~(g)~~ Care for and maintain all property and equipment assigned to the Fire and Rescue Department.

~~(h)~~ Issue fire permits as necessary and appropriate.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

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15 Planning and Community Development Department

(~~9~~) Plan and carry out a training program of instruction for all regular and call fire and rescue personnel.

(~~10~~) Cooperate with surrounding communities through mutual-aid programs so that additional firefighting and emergency medical personnel and equipment may be made available when needed.

~~(2) — Inspection functions.~~

~~(a) — Enforce the building, electrical, plumbing and health codes of the City of Dover (see Chapter 57, Building Construction, Chapter 77, Electrical Standards, Chapter 113, Plumbing, and Chapter 89, Health and Sanitation, respectively).~~

~~(b) — Enforce all state laws and adopted codes, except as otherwise provided by law, relating to the construction, equipment, alteration, and condition of buildings within the City.~~

~~(c) — Review plans and specifications of proposed buildings, and issue building permits as necessary and appropriate.~~

~~(d) — Maintain a file of all applications for building permits, and provide copies for tax assessment purposes.~~

~~(e) — Inspect every structure upon which work is being done, where a permit is required, as often as necessary and appropriate given the nature and terms of the permit.~~

~~(f) — Investigate complaints regarding matters affecting public health.~~

~~(g) — Prepare and maintain all necessary records required by law.~~

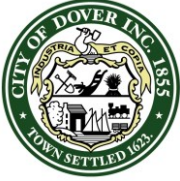
~~(h) — Procure, study, analyze and report data concerning public health.~~

~~(i) — Investigate complaints or issues regarding private water supplies and septic tanks.~~

~~(j) — Investigate communicable diseases and sanitary hazards, and enforce sanitary laws.~~

~~(k) — Issue burial permits.~~

~~(l) — Inspect restaurants, cafes, other eating places and vendors of food as required by law.~~



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2023.06.14 – 006**
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~~(m) — Issue licenses and perform any other functions required by law.~~

4. AMENDMENT

Chapter 5 entitled “Administrative Code” is hereby amended by revising Section 5-15, “Planning and Community Development Department”, as follows:

a. THE FOLLOWING ARE AMENDED:

§ 5-15 Planning and Community Development Department.

- A. There shall be a Planning and Community Development Department, under the direct supervision of a Director, who shall be responsible for planning functions, inspections functions to the extent delegated and duly authorized by the Fire and Rescue Chief, and community development functions, and who shall administer the functions of the Department with appropriate supervisory, clerical and labor staff. In performing any function involving delegated authority of and by the Fire and Rescue Chief, the employees within the Planning and Community Development Department to whom such authority has been delegated shall be considered subordinates of the Fire and Rescue Chief.
- B. The duties of the Planning and Community Development Department shall include, but are not limited to:

1. Land use and long range planning functions

~~(1a)~~ Advise the Planning Board, ~~and~~ the Zoning Board of Adjustment, and other land use boards and authorities of the City.

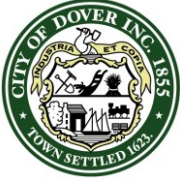
~~(2b)~~ Investigate, study, report and recommend on all matters relating to land use, zoning, traffic, parking, highways, public facilities, population, urban renewal, subdivisions, parks, playgrounds and other related phases of City planning.

~~(3c)~~ Revise the Zoning Map as changes are made therein by City ordinance.

~~(4d)~~ Develop and implement the various elements of a general Master Plan to be used as a guide for the development of the City.

~~(5e)~~ Perform all research work that might be assigned by the City Manager.

~~(6f)~~ Investigate, study and report on all matters relating to construction and use of municipal structures and buildings as necessary and appropriate.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2023.06.14 – 006**
Ordinance Title: Administrative Code
Chapter: 5
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10 Fire and Rescue Department
15 Planning and Community Development Department

2. Inspection functions

(a) Perform the duties stated within and enforce the building, electrical, plumbing and health codes of the City of Dover (see Chapter 57, Building Construction, Chapter 77, Electrical Standards, Chapter 113, Plumbing, and Chapter 89, Health and Sanitation, respectively).

(b) Enforce all state laws and adopted codes, except as otherwise provided by law, relating to the construction, equipment, alteration, and condition of buildings within the City.

(c) Review plans and specifications of proposed buildings, and issue building permits as necessary and appropriate.

(d) Maintain a file of all applications for building permits, and provide copies for tax assessment purposes.

(e) Inspect every structure upon which work is being done, where a permit is required, as often as necessary and appropriate given the nature and terms of the permit.

(f) Investigate complaints regarding matters affecting public health.

(g) Prepare and maintain all necessary records required by law.

(h) Procure, study, analyze and report data concerning public health.

(i) Investigate complaints or issues regarding private water supplies and septic tanks.

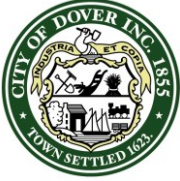
(j) Investigate communicable diseases and sanitary hazards, and enforce sanitary laws.

(k) Issue burial permits.

(l) Inspect restaurants, cafes, other eating places and vendors of food as required by law.

(m) Issue licenses and perform any other functions required by law.

(n) Perform all school building inspections and issue reports related to same as required by law (see RSA 153:14, II(b)).



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2023.06.14 – 006**
Ordinance Title: Administrative Code
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Section: 8 Executive Department
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3. Community Development Functions

- (a) Develop annual Community Development Block Grant application to the United States Department of Housing and Urban Development (“HUD”).
- (b) Work within the HUD framework to provide increased employment opportunities to low/moderate income persons through loans to local businesses
- (c) Investigate, study, report and recommend on all matters relating to community development, housing other related aspects of phases of providing opportunities to low/moderate income persons.
- (d) Create annual consolidated Plan Performance Report for HUD.

5. TAKES EFFECT

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

REQUIRES PUBLIC HEARING

TO BE REFERRED TO PUBLIC HEARING ON JULY 12, 2023

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan M. Mistretta
City Clerk

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 13.C.1. Ordinance Number: O – 2023.06.14 – 006 Ordinance Title: Administrative Code Chapter: 5 Section: 8 Executive Department 10 Fire and Rescue Department 15 Planning and Community Development Department
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DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

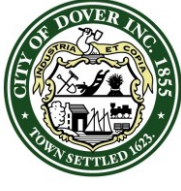
VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Robert Hinkel, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Debra Hackett, Ward 4		
Councilor Fergus Cullen, Ward 6		
Councilor Linnea Nemeth,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

ORDINANCE BACKGROUND MATERIAL:

This ordinance concerns the City’s administrative code. Changes to the administrative code are addressed in Dover’s Charter (C5-9) and RSA 49-C:21.

This ordinance first makes a technical correction to the previous “Economic development” functions, which are better described today as “Business development” functions.

This ordinance also relocates the City’s inspection functions to the Planning and Community Development Department and elaborates on certain defined functions and duties of that department. Experience has shown that much of the workflow of the City’s inspections department dovetails with investigations, reviews, and approvals by the Planning and Community Development Department. For reference, these changes were discussed at a workshop meeting on June 7, 2023.

 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 13.C.2. Ordinance Number: O – 2023.06.14 – 007 Ordinance Title: Fire Prevention and Life Safety Chapter: 81 Section: 20 Administration and enforcement
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The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to make a technical amendment corresponding to a separate ordinance relocation inspections functions from the Fire and Rescue Department to the Planning and Community Development Department.

2. AMENDMENT

Chapter 81 entitled “Fire Prevention and Life Safety” is hereby amended by revising Section 81-20, “Administration and enforcement”, as follows:

a. THE FOLLOWING ARE AMENDED:

§ 81-20 Administration and enforcement.

The authority having jurisdiction for the administration and enforcement of this article shall be the Inspection Services Division ~~within~~of the City of Dover Planning and Community Development~~Fire and Rescue~~ Department. Fees shall be charged for plan reviews, issuance of permits, and inspections. Fees shall be adopted by the City Council and published as an adopted Fee Schedule. No permits, reviews or inspections shall be issued or conducted until all outstanding fees owed by the applicant to the City of Dover have been paid.

3. TAKES EFFECT

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

REQUIRES PUBLIC HEARING
TO BE REFERRED TO PUBLIC HEARING ON JULY 12, 2023

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Susan M. Mistretta
City Clerk

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Agenda Item#: 13.C.2.	
	Ordinance Number:	O – 2023.06.14 – 007
	Ordinance Title:	Fire Prevention and Life Safety
	Chapter:	81
Section:	20 Administration and enforcement	

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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

ORDINANCE BACKGROUND MATERIAL:

This ordinance is a companion to another ordinance moving inspections functions from the Fire and Rescue Department to the Planning and Community Development Department. This ordinance contains a technical amendment to memorialize the correct department within which inspections functions will be located.