



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, January 10, 2024**
Meeting Time: **7:00 pm**

1. **CALL TO ORDER**
2. **MOMENT OF SILENCE**
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL ATTENDANCE**
5. **PROCLAMATIONS/AWARDS – CARYS FENNESSY RECOGNITION**
6. **APPROVAL OF AGENDA**
7. **PUBLIC HEARINGS**
 - A. **VEHICLES AND TRAFFIC, CHAPTER 141, SECTION 30**
SPONSORED BY MAYOR CARRIER BY REQUEST
 - B. **AUTHORIZATION TO ACCEPT AND EXPEND THE FEDERAL HIGHWAY ADMINISTRATION NATIONAL CULVERT REMOVAL, REPLACEMENT & RESTORATION GRANT**
SPONSORED BY MAYOR CARRIER BY REQUEST
 - C. **AUTHORIZATION TO ACCEPT AND EXPEND FEDERAL LAND AND WATER CONSERVATION FUND COCHECHO RIVER PARK II SUB-RECIPIENT GRANT**
SPONSORED BY MAYOR CARRIER BY REQUEST
 - D. **AUTHORIZATION TO ACCEPT AND EXPEND MASS GENERAL BRIGHAM WENTWORTH-DOUGLASS HOSPITAL COMMUNITY BENEFIT GRANT**
SPONSORED BY MAYOR CARRIER BY REQUEST
 - E. **REPROGRAM UNEXPENDED BOND PROCEEDS FROM RIVER STREET PUMP STATION PROJECT TO AERATION BLOWER PROJECT**
(VOTE TO OCCUR ON JANUARY 24, 2024)
(REQUIRES 2/3 FAVORABLE VOTE OF ALL MEMBERS FOR PASSAGE)
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. **December 6, 2023 – Workshop & Special Meeting**
 - B. **December 13, 2023 – Regular Meeting**
11. **MAYOR'S REPORT**
12. **UNFINISHED BUSINESS**



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A. ORDINANCES IN THE 2ND READING

1. **VEHICLES AND TRAFFIC, CHAPTER 141, SECTION 30**
SPONSORED BY MAYOR CARRIER BY REQUEST

B. ORDINANCES IN THE 3RD READING

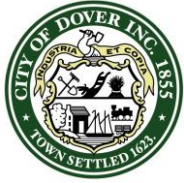
C. RESOLUTIONS

1. **AUTHORIZATION TO ACCEPT AND EXPEND THE FEDERAL HIGHWAY ADMINISTRATION NATIONAL CULVERT REMOVAL, REPLACEMENT, & RESTORATION GRANT**
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13. NEW BUSINESS

A. CONSENT CALENDAR

1. **B23006 ADDITIONAL SCOPE OF WORK FOR COCHECHO WATERFRONT PUBLIC IMPROVEMENTS CONSTRUCTION**
SPONSORED BY MAYOR CARRIER BY REQUEST
2. **UNITIL LICENSE**
SPONSORED BY MAYOR CARRIER BY REQUEST
3. **HIGH PERFORMANCE COLD PATCH AND/OR HOT PATCH**
SPONSORED BY MAYOR CARRIER BY REQUEST
4. **TIRE, ELECTRONICS, AND PROPANE TANK RECYCLING SERVICES**
SPONSORED BY MAYOR CARRIER BY REQUEST
5. **PURCHASE OF AUTOLOAD STRETCHER – STRYKER MEDICAL SOLE SOURCE**
SPONSORED BY MAYOR CARRIER BY REQUEST
6. **APPROVAL OF HOUSING COMMISSION OPERATING RULES**
SPONSORED BY MAYOR CARRIER BY REQUEST



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7. APPROVAL OF AMENDMENT TO THE OPERATING RULES FOR THE COMMITTEE FOR RACIAL EQUITY AND INCLUSION
SPONSORED BY MAYOR CARRIER BY REQUEST

COMMITTEE REPORTS

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

B. RESOLUTIONS

1. **OPPOSING LOBBYING BILL (NEW HAMPSHIRE MUNICIPAL ASSOCIATION)**
SPONSORED BY MAYOR CARRIER BY REQUEST
2. **TECHNOLOGY CATALOG SOLUTIONS – SOURCEWELL CONTRACT 081419CDGW-G**
SPONSORED BY MAYOR CARRIER BY REQUEST

C. ORDINANCES IN 1ST READING

14. COUNCIL CORRESPONDENCE
15. COUNCIL MATTERS OF INTEREST
16. ADJOURN



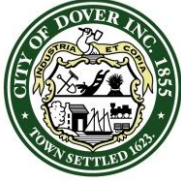
PROCLAMATION

- WHEREAS:** The City of Dover takes immense pride in recognizing and celebrating exceptional achievements of its residents; and
- WHEREAS:** We are delighted to acknowledge the extraordinary accomplishments of Carys Fennessy, a shining example of dedication and excellence in the realm of golf; and
- WHEREAS:** Carys Fennessy has showcased unparalleled skill and prowess, securing victory in the 2023 State Girls Golf Championship for the third consecutive time with a remarkable two-day total of even par; and
- WHEREAS:** She further demonstrated her prowess by triumphing in the 2023 New England Girls High School Championship, achieving a phenomenal 5-under-par 67; and
- WHEREAS:** Carys Fennessy's dedication and hard work are evident in her outstanding performance throughout the year, clinching victory in a total of 8 tournaments; and
- WHEREAS:** Her scoring average of 73.5 across all events attests to her consistent excellence and unwavering commitment to the sport; and
- WHEREAS:** The City of Dover is elated to learn that Carys Fennessy has committed to attending the College of Charleston in South Carolina, where she will continue to showcase her talents as a collegiate golfer;

NOW, THEREFORE, I, Robert Carrier, Mayor of the City of Dover, New Hampshire, and the entire Dover City Council, do hereby proclaim that the City of Dover extends its heartfelt congratulations and commendation to Carys Fennessy for her exceptional achievements in the field of golf. We recognize and celebrate her as an inspiration to our community, embodying the values of hard work, dedication, and sportsmanship. May her success serve as a beacon of pride for the City of Dover.

IN WITNESS WHEREOF, I have here unto set my hand and caused the Seal of the City of Dover to be affixed this 13th Day of December, 2023.

Robert Carrier, Mayor
City of Dover, New Hampshire



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 7.E.

Resolution Number: **R – 2023.12.13 - 208**
Resolution Re: Reprogram Unexpended Bond Proceeds from River St
Pump Station Project to Aeration Blower Project

- WHEREAS: On an annual basis the City Council adopts the Capital Improvements Program (CIP), which includes the Debt Financing authorization for certain CIP projects; and
- WHEREAS: Due to lower than anticipated project costs there is an excess \$200,000 of unexpended bond proceeds from the River St Pump Station Improvements CIP budget; and
- WHEREAS: The City has identified the immediate need for additional funding for the Aeration Blower Retrofit CIP project; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The amount of \$200,000 of unexpended bond proceeds is hereby reprogrammed from the River St Pump Station Project to the Aeration Blower project as follows:

Project Number	Project Description	Available Balance	Reprogram Adjustment	Adjusted Balance
5320.1.300.43250.4741.04594.24	River St Pump Station	1,948,754.	(200,000)	1,748,754
5320.1.300.43250.4741.04593.24	Aeration Blower Project	0.00	200,000	200,000
	Total Available Funding	1,948,754	0.00	1,948,754

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

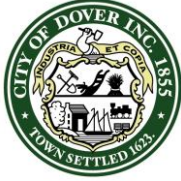
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Jerrica Vansylyvong-
Bizier
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 7.E.

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Resolution Re: Reprogram Unexpended Bond Proceeds from River St
Pump Station Project to Aeration Blower Project

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor S. April Richer, Ward 1		
Councilor Robert Warach, Ward 2		
Councilor Anthony Retrosi, Ward 3		
Councilor Debra Hackett, Ward 4		
Councilor Fergus Cullen, Ward 6		
Councilor Linnea Nemeth, At Large		
Councilor Lindsey Williams, At Large		
Total Votes:		
Resolution does does not pass.		

RESOLUTION BACKGROUND MATERIAL:

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

This resolution does not authorize an increase in the indebtedness of the City. The City Council previously authorized financing the River St Pump Station project. This resolution reprograms funding from River St Pump Station project to the Aeration Blower project. On October 26, 2022 the City Council adopted the FY2024 Capital Improvements Plan (CIP) Authorization for bonding, which included \$4,500,000 for the River St Pump Station project. The project is now in progress and there is \$200,000.00 of unexpended bond proceeds that can be reprogrammed to another City CIP project.

The Aeration Blower project is an approved CIP Project and is currently an active project. The City Council previously authorized \$750,000 Aeration Blower Project on November 10, 2021 as part of the FY2023 CIP. The project has need for additional funding for the construction portion in conjunction with the construction oversight for the installation of the aeration blowers.

Document Created by: Finance Department Document Posted on: January 5, 2024	R-2023.12.13 Reprogram Unexpended Bond Proceeds from River St Pump Station Project to Aeration Blower Project	Page 2 of 2
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CITY MANAGER'S REPORT

January 10, 2024

Reporting On:
December 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.”

TRACKED UTILIZATION DATA FOR THE MONTH OF December 2023

	For Month	FY24 FYTD	FY23	FY22	FY21	FY20	FY19
Legal Matters/Questions Handled	64	519	1,061	790	703	466	342
Review Existing Legal Contracts & Draft Memo	6	72	153	161	-	-	-
Legal Contracts/Memo Created	19	90	201	214	350	256	269
Right to Know Requests Processed	7	34	100	78	51	49	41
Resolutions	4	30	70	74	73	75	53
Ordinances	1	10	17	24	19	10	18
Leases	0	1	4	14	-	-	-
Primex Auto Claims Handled	5	19	80	46	-	-	-
Primex Liability Claims Handled	6	35	67	70	-	-	-
Primex Property Claims Handled	9	30	54	68	-	-	-

Right to Know Requests

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

Parks Christenson – Request for documentation regarding the Warming Center contract

Joe Futima – Request for disciplinary records of former City of Dover employee

ACLU – Request for loitering and prowling enforcement information

NH Public Radio (Sarah Gibson) – Request for documents concerning January 30, 2023 meeting at the Department of Education

International Association of Firefighters – Request for public records and email correspondence regarding promotional processes

Robert Gagnon – Request related to calls made to the Dover Police Department on October 5, 2023

Julie P – Request for documents regarding MAAM creation/contract

Goals & General Activities

The City Attorney's Office supported Council and Master Plan goals by handling the following:

Attainable housing (Vision): research and review impact fees and possible updates to same.

Natural resource preservation (Vision; Stewardship of Resources): Review and assist with addressing various ongoing stormwater/drainage issues within the City.

Conservation: Assisted with ongoing efforts to acquire priority conservation areas.

City Inclusivity/Welcoming: Assisted with adoption of foraging policy. Assisted with CDBG project supporting local nonprofit services.

Resiliency: Review local site regulations addressing stormwater

Diversity/Attainability: See above with respect to review of impact fees.

Goals and General Activities of the Office of the City Attorney:

The Office undertook normal review of relevant professional literature. The Office reviewed decisions of the New Hampshire Supreme Court, the United States District Court for the District of New Hampshire, and the United States First Circuit of Appeals. The Office also reviewed case highlights provided by the International Municipal Lawyers Association. The Office receives and reviews professional journals, as well as undertakes periodic review of federal legal developments in the field of education, labor, and other matters.

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. The Office of the City Attorney also serves as staff liaison for the Ethics Committee.

Other activities of potential interest in November 20231:

Dover School District: Assistance with issues related to book acquisition/review. Assist with review of various contracts. Assist with review of policy amendments. Assist with RSA 91-A requests and inquiries.

Executive Department: Assist with outdoor dining preparation,

Community Services: Assist with Cocheco Outfall project. Assist with utility license. Assist with enforcement issues. Review of developer bond form letter. Research tree ownership. Review reinterment issue related to cemetery. Preliminary review of proposed "green burials."

Finance Department: Assist with water/sewer collection efforts. Assist with Ward 4 special election planning. Review class action notices. Assist with abatement review.

Library: Review of construction manager procurement and engagement.

Planning: Assist with certain plan reviews and planning board matters. Assist with code enforcement.

Police: Assist with parking ordinance.

Recreation: Assist with lease for proposed new tenancy.

Welfare: Answer compliance questions.

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.

Most recent developments bolded.

Maloney v. City of Dover –

Case is pending with Rockingham Superior Court. In July 2023, the trial court granted the City summary judgment. Plaintiff thereafter filed a motion for reconsideration, which the Court has now denied. Plaintiff filed an appeal, which is currently undergoing scheduling.

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; following a Second Circuit appeal ruling, the United States trustee has filed a motion to stay while seeking a writ of certiorari (i.e., acceptance of a discretionary appeal) **from the United States Supreme Court. The United States Supreme Court has now granted certiorari and the appeal is believed to be in the briefing process.**
- Endo companies: Claims in bankruptcy, though a potential settlement 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: Has now filed bankruptcy and this Office is working with the City's outside counsel to determine response options.

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

Complaint and counterclaims concerning Old Garrison Road and Sprue Lane. 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 Hebbards filed an appeal brief in June 2023. The City and other parties submitted opposing briefs in August 2023. The Hebbards have filed a reply brief, which the City moved to strike portions of and the Court has not yet ruled upon. **No appeal decision has been received. Case has still not yet been scheduled for oral argument.**

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 or should be 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. **To summarize, as of end of December 2023, the Hebbards have not yet fulfilled all of their obligations under the earlier stipulation, and the "damages" matter has been briefed and is still awaiting decision, which includes the City's motion requesting an award attorney's fees (and/or used to setoff of any "damages" found to be due to Mr. and Mrs. Hebbard).**

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. The City recently filed a motion to dismiss. The Commission recently granted the motion to dismiss the Complaint with respect to state law (New Hampshire), and transferred the matter/complaint to the U.S. Equal Employment Opportunity Commission ("EEOC") for further administrative agency review under federal law. **The EEOC has recently requested additional records and information from the City, which the City provided to the EEOC in December 2023. The EEOC has not yet rendered any decision on the referred matter.**

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. In June 2023, the Superior Court (Howard, J.) issued an Order denying the defendants' motion to dismiss. Thereafter, the defendants moved for reconsideration, which the Court denied. In August 2023, the defendants filed an answer to the complaint. In October 2023, with the parties unable to agree on case scheduling, the Court conducted a structuring conference and issued a scheduling order. **A deposition of the plaintiffs' expert occurred in December 2023. Summary judgment briefing on the merits is expected to occur in early 2024. The trial court has scheduled a four-hour summary judgment hearing on February 7, 2024.**

Richard Strahan v. William McNamara -

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 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. The First Circuit later dismissed the interlocutory appeal. Plaintiff moved to amend to assert claim against presiding judge. The United States District Court for New Hampshire has denied the motion to amend and has granted a motion to dismiss Chief Breault as a party. **No appeal has been filed.**

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. In October 2023, the trial court issued an Order on the merits affirming the decision of Dover's ZBA. Mr. and Mrs. Lane have now appealed to the New Hampshire Supreme Court. **A briefing schedule has not yet been established.**

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. In October 2023, defendants filed a motion for summary judgment. Plaintiffs have objected. Defendants filed a summary judgment reply memorandum, to which the plaintiffs responded by reply in December 2023. **No summary judgment hearing has yet been ordered or scheduled.**

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. By Order dated June 27, 2023, the Superior Court (Will, J.) affirmed the decision by the Dover Planning Board. A motion for reconsideration was thereafter filed by the party/petitioner who filed the Court appeal. By Order dated September 20, 2023 the Court denied the motion for reconsideration. The petitioner has now filed an appeal with the NH Supreme Court. **The parties have opted into appellate mediation, which is expected to occur in 2024 and which has the effect of pausing the appellate process.**

Liberty Mutual v. City of Dover -

A taxpayer has filed a property tax abatement lawsuit with the Strafford County Superior Court. City has accepted service. In October 2023, the City filed an answer. **Case has now been structured and is in general discovery.**

Franklin Square Apartments, LLC v. City of Dover -

A taxpayer has filed a property tax abatement action with the Board of Tax and Land Appeals. The City Attorney and Deputy City Attorney have filed appearances. **Case remains in a mandated settlement discussion period lasting into February 2024.**

Essential Properties, LLC v. City of Dover -

A taxpayer has filed a property tax abatement action with the Strafford Superior Court. **In December 2023, the City Attorney filed an appearance and answer. Case is undergoing structuring/scheduling.**

NH Real Estate Comm. V. NE Coast to Country Realty Investments, LLC et al -

In December 2023, the City received a notice of a new civil receivership action commenced by the State through its Real Estate Commission. The Court has appointed a receiver to take over the assets of a real estate agency who allegedly committed various unlawful acts. The City appears to have received the notification because one possible real estate asset of the company's principal is owned in Dover, for which water/sewer liens have been perfected. The City Attorney filed an appearance and is monitoring the docket.

Professional Development:



The Office of the City Attorney places significant importance on professional development in areas germane to the City's needs. In December 2023, the City Attorney attended online, free continuing legal education classes provided by the International Municipal Lawyers Association concerning

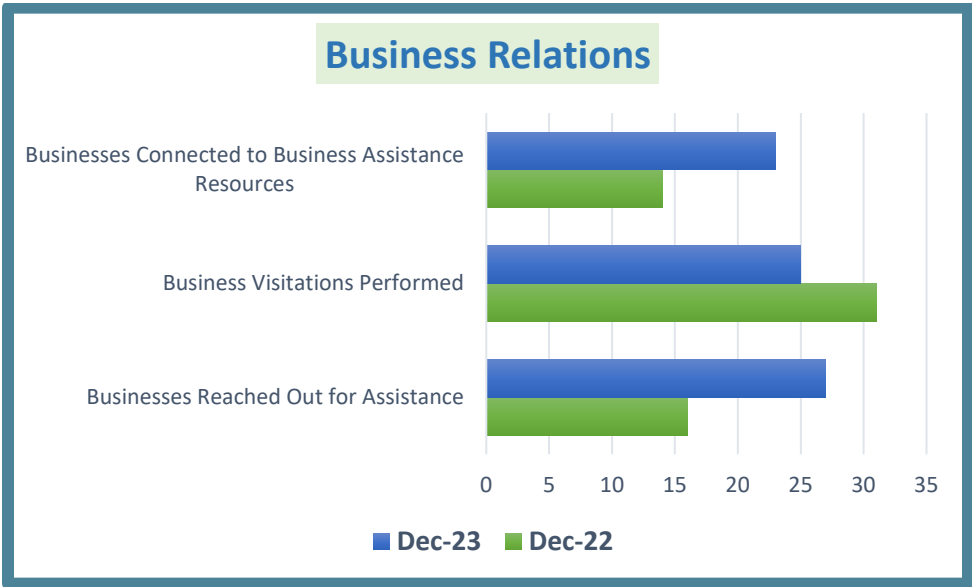
First Amendment Audits as well as constitutional provisions implicated in public comment sessions before public bodies. The City Attorney continues to serve on a bar committee investigating generative artificial intelligence and its impact on the practice of law. The Deputy City Attorney attends monthly meetings for the bar's Law Related Education Committee and is a member of the Inns of Court and participates in monthly networking and continuing education meetings. In December 2023, the Deputy City Attorney participated as a judge for the We the People High School competition.

Concluding Remarks:

The Office continues its efforts to be more forward looking where possible, with the goal of increasing transparency and preventing problems or disagreements to the extent possible. The Office has increased its efforts to develop and use collaboratively created templates, “best practice” checklists, documented workflows, development of information sheets for legal issues of current public concern or attention, and dissemination of decision-making information to City staff and board members. City Code supplements are continuing on a quarterly update schedule. The recodification of the City’s zoning ordinance continues—General Code has provided the proposed, recodified version of Chapter 170, and the Office of City Attorney is working with Planning to review that draft and, if in order, to bring it forward in the form of an ordinance in the near future.

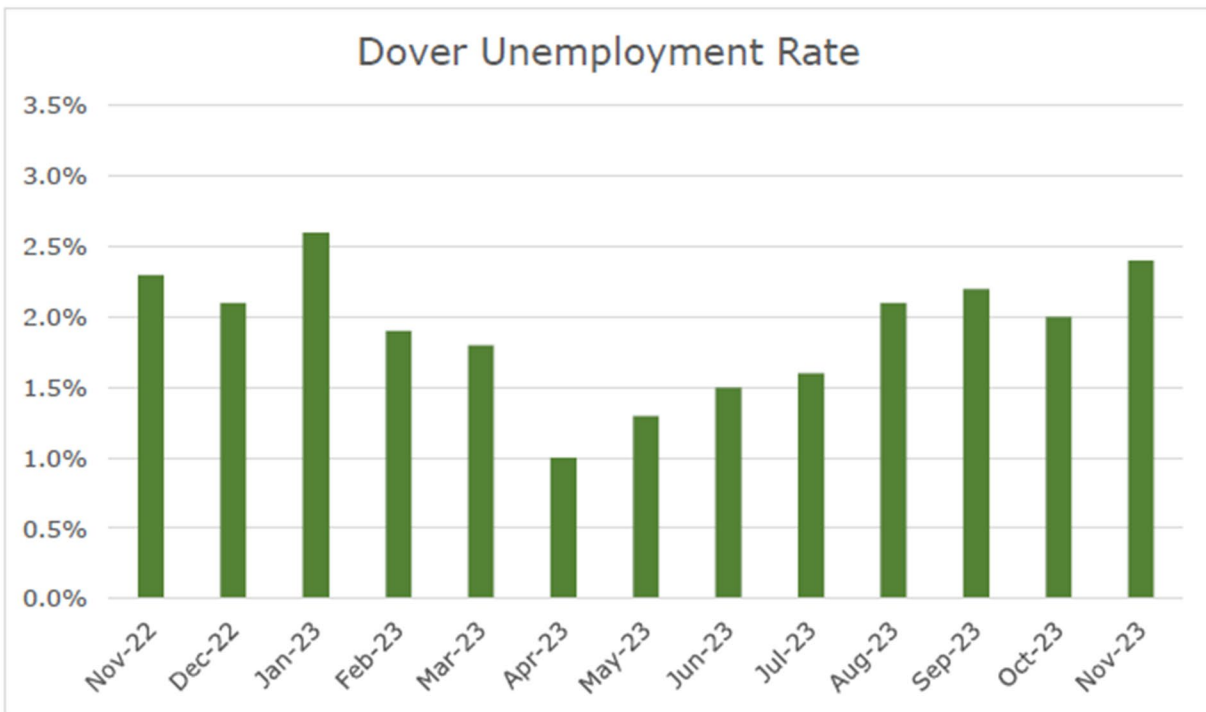
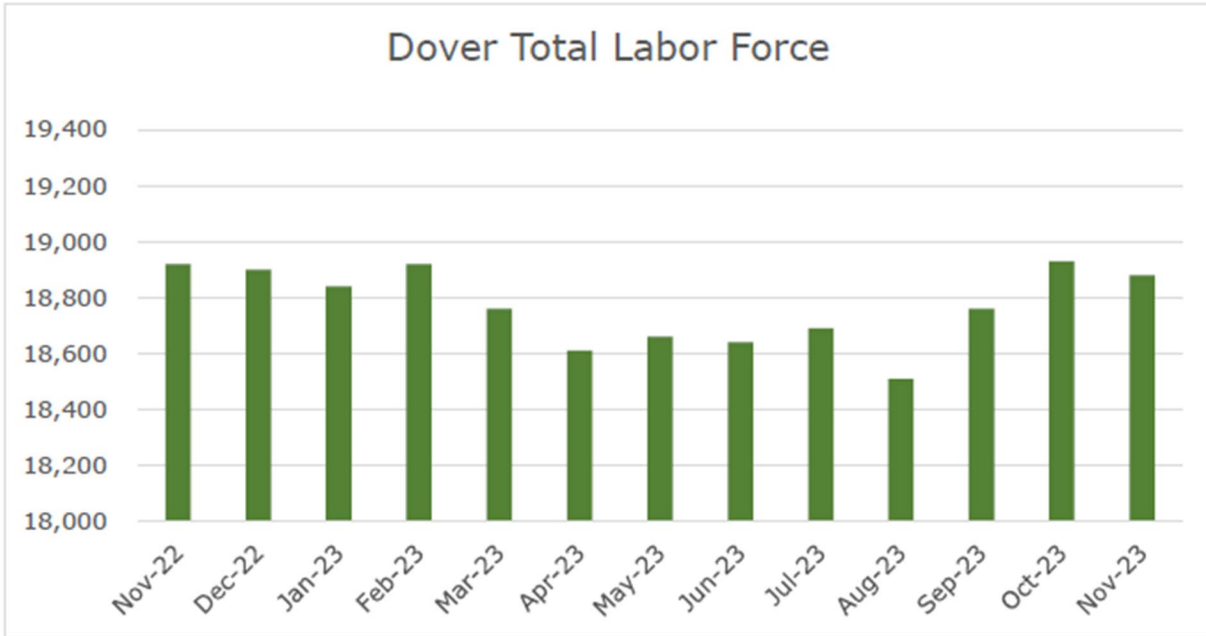
Business Development

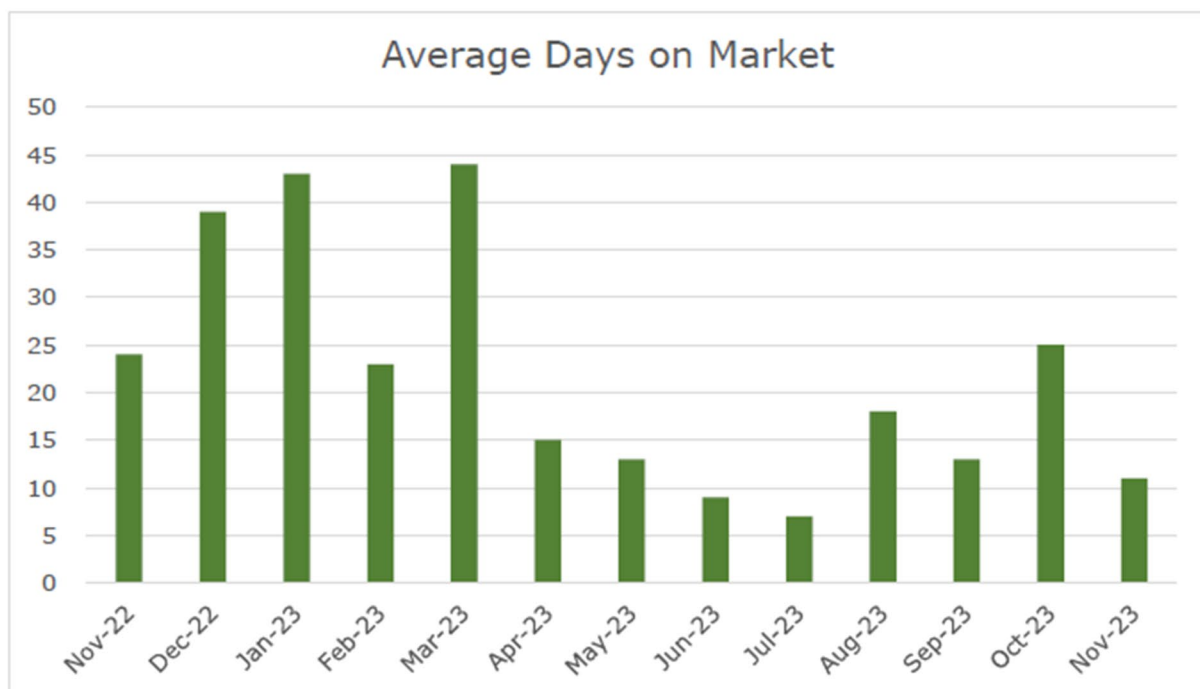
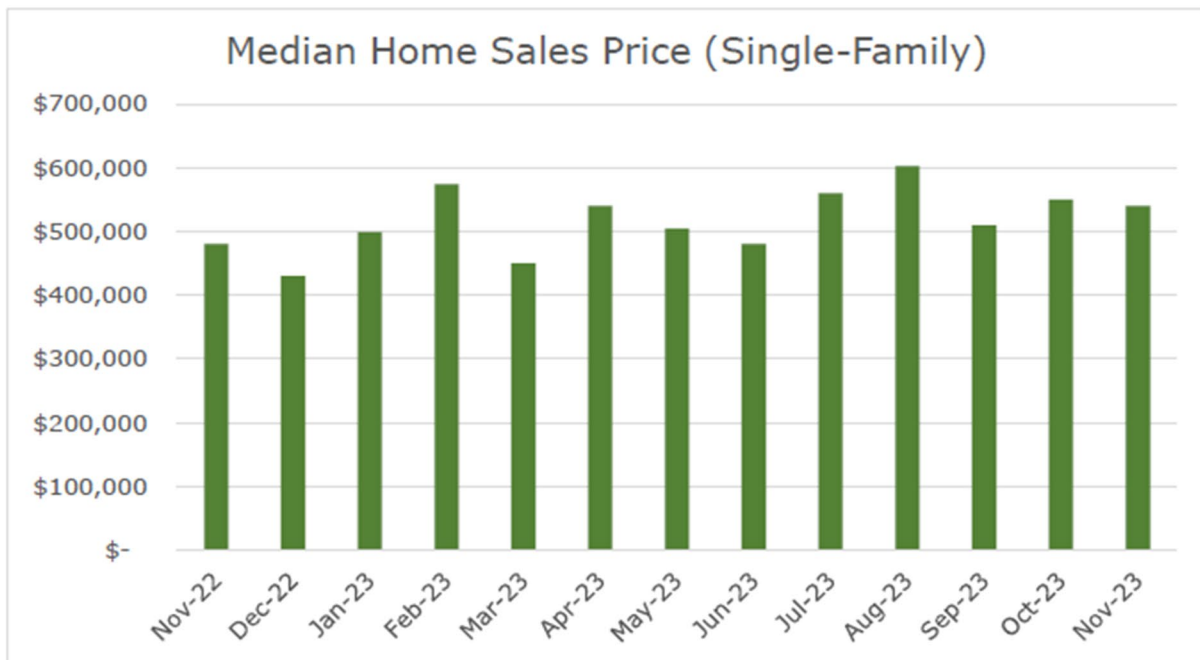
by Christopher Parker, Deputy City Manager



Labor & Home Sales

	November-22	November-23	12-Mo. Avg.
Dover Labor Force	18,920	18,880	18,768
Dover Unemployment Rate	2.3%	2.4%	1.9%
Median Home Sales-Single Family	\$480,000	\$540,000	\$ 520,083
Average Days on Market	24	11	22





New Business / Commercial Development / Downtown Updates

- ★ A strong holiday sales season has been reported by numerous retailers, indicating stable household finances and sustained consumer spending.
- ★ Dover's interconnected business ecosystem was highlighted by collaborative events including the Dover Holiday Stroll and Dover After Dark shopping events.
- ★ Restaurants experienced higher sales in 2023 compared to 2022. There has been a significant rise in applicants for restaurant positions signifying growth potential.
- ★ A downtown breakfast/lunch restaurant opened in December, receiving a positive reception and accolades.
- ★ The Office of Business Development has seen a surge in requests from businesses seeking to locate, relocate, or expand in Dover. These requests are indicative of confidence in Dover's local business economy.
- ★ A local event venue hosted 79 events in 2023, marking its most profitable year.
- ★ Employers are reassessing workforce size with an eye on slower, consistent growth, and employees are showing increased job loyalty, staying with current employers.
- ★ Almost all business owners who were contacted conveyed overall optimism regarding long term sales growth prospects for 2024.

Economic Activity

- ✚ Overall employment throughout New England remained stable, but some companies have reported reduced hiring plans or occasional layoffs. The resulting increase in labor supply has eased wage growth and made signing or retention bonuses less common as a result.
- ✚ Unseasonably warm weather may have contributed to delays in common winter purchases. Pre-holiday retail analyses provide some evidence for a consumer shift towards discount goods.
- ✚ Commercial real estate analysis for the Greater Boston region suggests continued challenges for the office market and an oversupply of life sciences facilities in 2024, with somewhat stronger prospects for retail and industrial users. Sales and leasing activity for both commercial and residential properties are seen as heavily dependent on changes in interest rates in 2024.
- ✚ Four states in New England will see minimum wage increases effective January 1, 2024. It remains to be seen whether competition from these states will have a noticeable impact on the cost or availability of labor in 2024.

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

Housing metrics obtained from NHAR-Strafford County.



Waterfront - Update:



Granite being used to build shoreline stabilizing wall.

In December, Northeast Earth Mechanics (NEEM) continued to mobilize additional equipment and construction materials/components daily. Staff is pleased to see that more crew are brought to the site with as many as 20 crew members on site distributed working on multiple tasks in unison.

The granite stockpile has been relocated to the area north of the bulkhead along the immediate shoreline and is being utilized within the stabilization efforts, which commenced and is tended by 3 crew members on any given day. Approximately 125' of the shoreline is sheathed. The stumping and grubbing process has begun and is expected to proceed from the area up stream of the kayak launch/bulkhead area.

Regarding public utilities, to date there been approximately 375 feet of 8 inch water main, 810' of sewer main line as well as installation of associated infrastructure (manholes etc). Finally, 210' of stormwater mainline and associated manholes and catch basins have been installed. Regarding private utilities, approximately 3,500 feet of 5 inch conduit for Eversource has been formed and poured with concrete encasement.

Much of the month was focused on obstruction removal and the backfill process. This has been completed in their entirety on both known 60' clarifiers, the former Wastewater

treatment facility itself is being reviewed and elements are being removed.

The team has developed a plan for obstruction removal with in the footprints of buildings C&D. This work includes a test pit pattern which commenced towards the end of the month and will continue into January.

Once drainage work is connected to our work limits in the southern area of the dredge cell NEEM will be able to remove an active 24" corrugated galvanized drain that spans the site

Finally, the crushing process has commenced once again in an effort to make sure there is needed material for replenishment of onsite stone products to continue subsurface utility work.



A view of the current progress on Waterfront.

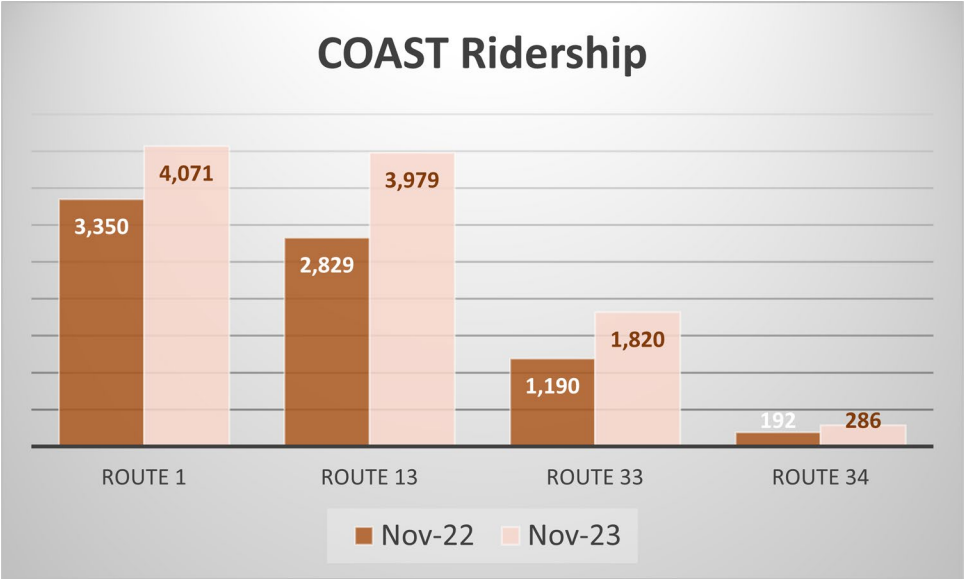
Parking Division

Nov-23	Difference November 2023 vs November 2022	Nov-23	Nov-22	Nov-21	Fiscal YTD 2024	FY 2023	FY 2022
Meter Activity - Total							
Meter Transactions	102.08%	37,739	36,969	35,318	220,743	522,502	485,571
Income at Meters	109.17%	\$78,483	\$71,893	\$65,830	\$446,820	\$1,028,074	\$911,476
Active Meter Days		22	22	22	124	301	301
Average Daily Meter Transactions		1,715	1,680	1,605	1,780	1,736	1,613
Meter Activity - Parking Garage							
Meter Transactions	82.60%	2,321	2,810	2,370	11,946	32,802	31,151
Income from Meters	89.65%	\$6,359	\$7,093	\$6,313	\$33,958	\$92,896	\$89,464
Active Meter Days		29	29	29	152	365	365
Average Daily Meter Transactions		80	97	82	79	109	103
Parking Permit Activity							
Total Parking Permits Issued	103.32%	808	782	708	3,931	9,420	9,232
Permit Income	101.64%	\$19,188	\$18,878	\$25,116	\$175,209	\$362,741	\$344,367
Parking Ticket Activity							
Total Parking Tickets Issued	105.90%	646	610	573	3,105	8,445	8,460
Winter Restriction Tickets Issued		0	0	0	0	525	495
Parking Ticket Income	74.47%	\$15,172	\$20,373	\$17,225	\$69,265	\$207,626	\$197,012
Electric Vehicle Charging Stations							
Number of times Stations Used	131.91%	62	47	27	293	693	316
Charging Station Income	144.61%	\$496	\$343	\$266	\$2,262	\$5,042	\$2,660

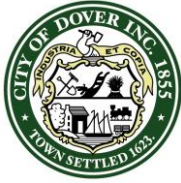
Residential permit numbers now fall into the all-inclusive permit totals.

COAST

Ridership Activity



J. MICHAEL JOYAL, JR.
CITY MANAGER



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Special Meeting
Meeting Location: City Hall, Council Conference Room
Meeting Date: **Wednesday, December 6, 2023**
Meeting Time: **6:30 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 Cullen, Councilor Hackett, Councilor Nemeth, Councilor Williams, and Councilor Thibodeaux.

Absent: Councilor Muffett-Lipinski, Councilor Warach

Also Present: City Manager Joyal, City Attorney Wyatt, City Clerk Jerrica Vansylyvong-Bizier, Director of Finance Dan Lynch, Community Services Director John Storer, Director of Planning and Community Development Donna Benton and Deputy City Manager Christopher Parker

5. CITIZEN'S FORUM

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

Peter Wotton, 12 Apache St, Athletic Director for the district asked for board support for the Dunaway track and field complex renovation proposed. He noted all of the different groups who will benefit from it.

Justin Crowley, 51 Glen Hill Rd, high school coach and football director noted the current issues with the field which are in need of repair.

Nick Piatti, 13 Elmview Cir, Cross country and track and field coach spoke about the state of the track which needs to be resurfaced. It's used by many groups and community members.

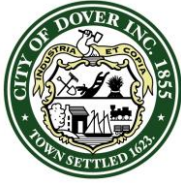
Jeff Sanborn, 30 Silver St, Assistant coach gave examples of the hardships dealing with the current field and need for a new one.

6. PUBLIC HEARINGS

A. ADOPTION OF FY2025-FY2030 CAPITAL IMPROVEMENTS PLAN. THIS RESOLUTION REQUIRES A DULY ADVERTISED PUBLIC HEARING. (VOTE TO OCCUR ON DECEMBER 13, 2023)

SPONSORED BY MAYOR CARRIER BY REQUEST

Public Comment
None



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Special Meeting
Meeting Location: City Hall, Council Conference Room
Meeting Date: **Wednesday, December 6, 2023**
Meeting Time: **6:30 pm**

B. APPROPRIATION FOR FY2025 CAPITAL IMPROVEMENTS PROGRAM AND AUTHORIZATION FOR BONDING. 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. (VOTE TO OCCUR ON DECEMBER 13, 2023)

SPONSORED BY MAYOR CARRIER BY REQUEST

Public Comment
None

C. APPROPRIATION FOR FY2025 CAPITAL IMPROVEMENTS PROGRAM – NONDEBT FINANCED PROJECTS. THIS RESOLUTION REQUIRES A PUBLIC HEARING AND A 2/3 MAJORITY VOTE ACCORDING TO C6-6 OF THE CHARTER. (VOTE TO OCCUR ON DECEMBER 13, 2023)

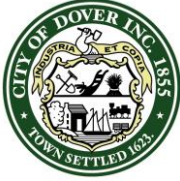
SPONSORED BY MAYOR CARRIER BY REQUEST

Public Comment
None

City Manager Joyal noted these resolutions will be on the next meeting agenda December 13th. Staff will be present to answer questions.

7. ADJOURNMENT

Councilor Thibodeaux moved to adjourn. Seconded by Councilor Nemeth. Vote: All in favor



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: City Hall, Council Conference Room
Meeting Date: **Wednesday, December 6, 2023**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

Took place prior to meeting start

3. PLEDGE OF ALLEGIANCE

Took place prior to meeting start

4. ATTENDANCE

Councilors Present: Mayor Carrier, Deputy Mayor Shanahan, Councilor Cullen, Councilor Hackett, Councilor Nemeth, Councilor Thibodeaux, Councilor Elect Retrosi, Councilor Williams

Absent: Councilor Warach, Councilor Muffett-Lipinski

School Board Present: Robin Trefethen Ward 2, Kathleen Morrison At Large, Michelle Clancy Ward 6, Jessica Rozzo Vice Chair and Ward 5, Craig ____ Ward 5 Elect, and Micaela Demeter Ward 4

Absent: Carolyn Mebert Chairperson and Ward 3 and Maggie Fogarty Ward 1

Also Present: City Manager Joyal, City Attorney Wyatt, City Clerk Jerrica Vansylvong-Bizier, Superintendent Bill Harbron, Michael Limanni School Financial Officer, Assistant Superintendent Christine Boston, Director of Finance Dan Lynch, Community Services Director John Storer, Director of Planning and Community Development Donna Benton and Deputy City Manager Christopher Parker

5. PUBLIC FORUM

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

Marianne Cooper, Dover spoke about new housing going in on Fisher st near where she lives. She requested the boards only spend money on what is really needed.

6. DISCUSSIONS

A. PRELIMINARY FY2025 BUDGET DISCUSSION

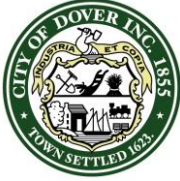
City Manager Joyal noted this is a preliminary discussion ahead of a proposed budget being presented. The tax cap calculation will be discussed and explained tonight for clarity. He gave details on how the budget vote will need to be taken in April based on the results of the tax cap calculation.

This meeting is part of the required Finance policies of the City. Following this meeting, a resolution will be put together and presented at the next Council meeting for adoption to provide guidance for budget planning.

Director of Finance Dan Lynch presented the tax cap calculation form provided.

Questions were asked and addressed by appropriate staff members regarding:

- SWET funding
- County budget timeline



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: City Hall, Council Conference Room
Meeting Date: **Wednesday, December 6, 2023**
Meeting Time: **7:00 pm**

City Manager Joyal provided preliminary budget estimates for City and School portions which are based on requests and have not yet been reviewed by all parties.

Superintendent Bill Harbron and School Financial Officer Michael Limanni presented the most updated school budget plans for FY25. They reviewed the projected revenues, expenses, enrollments and student/teacher ratios.

Various comments and questions and responses occurred as part of the discussion after looking at the numbers presented.

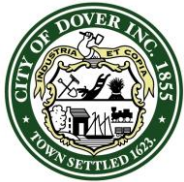
City Manager Joyal gave an overview of what is driving the City portion of the projected budget.

Sentiments were expressed by several noting the appreciation of the cooperative and collaborative nature of these boards working together on the budget. The discussions are informative and having another one prior to the final budget presentation might be beneficial.

City Manager Joyal noted the upcoming Council meeting topics and budget process schedule.

7. ADJOURNMENT

Councilor Nemeth moved to adjourn. Seconded by Councilor Thibodeaux. Vote: All in favor.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, December 13, 2023**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Williams led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

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

Absent: None

Also Present: City Manager Joyal, City Attorney Wyatt, City Clerk Jerrica Vansylyvong-Bizier

5. PROCLAMATIONS/AWARDS – CARYS FENNESSY RECOGNITION

None

6. APPROVAL OF AGENDA

Deputy Mayor Shanahan noted item 13 B 3 will be removed from tonight's agenda.

Deputy Mayor Shanahan moved to approve the agenda as amended. Seconded by Councilor Muffett-Lipinski. Vote: 9-0.

Mayor Carrier asked Commissioner George Maglaras to give a summary of the warming center which he did. He noted next Wednesday night the County Delegation is scheduled to meet with the Board of Commissioners to take a vote whether to construct a new nursing home in Strafford County. He gave details about the financing and operations projections.

7. PUBLIC HEARINGS

A. MUNICIPAL STORMWATER UTILITY, CHAPTER 123

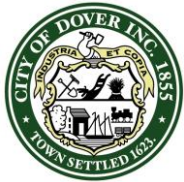
SPONSORED BY MAYOR CARRIER BY REQUEST

Public Comment:

Linda Merullo, 21 Sandy Ln expressed concerns about \$3.9M and \$207,000 for salaries and the double billing that will occur and the extra expenses being added to the taxpayers. She also addressed paying for the new nursing home and the stormwater runoff. She urged the board to vote no tonight and believes there needs to be additional informational sessions.

Abe Maguire, 44 Ayers Ln is concerned about the additional costs to taxpayers and lack of information in the community about this. Notice could have gone out with the most recent utility bill. It's a confusing process to figure out the math for each resident and there are no estimates available. He is opposed to the resolution.

John Donais, 16 Durham Rd is concerned about the additional increases to various taxes. The implementation of this will be very difficult to determine for each home. He explained the actions he has taken on his property to mitigate runoff. He is concerned about the lack of information sent out to residents.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, December 13, 2023**
Meeting Time: **7:00 pm**

Abigail Lyon, 20 Back Rd noted she has supported part of the development of this ordinance. She spoke in support of the utility itemizing many facets it addresses along with giving residents the opportunity to take ownership of stormwater on their properties. This is proactive and responsible of our community to adopt. She urged the board to vote in support of the ordinance.

Rachel Dagget, Vada Wellness, 660 Central Ave spoke on behalf of local small business owners. She highlighted programs she runs and expressed concerns about the additional costs. She asked the board to vote no on this item. She is still recovering from the financial loss from the pandemic.

David Whitney, 10 Cherokee St is opposed to the ordinance and would like more information and facts.

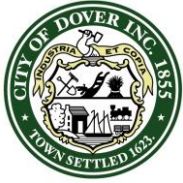
Linda Moore, 15 Westwood Cir commented if the board believes this is important, take the money from the general fund. This proposal is not efficient to create a new fee structure, calculations and staff which will cost money. If it is really needed, take more out of taxes.

Bill Baber, 5 Gerrys Ln explained the City was aware this would be a difficult change so in 2020 created a committee to study storm water solutions. He explained the diversity of the committee members and the various properties they own. There were 14 public meetings over the two-year timeframe. Much information was researched and reviewed and discussed. By the end of the process, they came to a unanimous agreement of this proposed ordinance. He read some of the key findings and noted the committee reports and meetings are available online. He urged the board to support the recommended ordinance.

Charlie Reed, 262 Gulf Rd, business owner noted he did not receive calls back from Councilors and Mayor's office. He spoke with people on the stormwater commission and received varying opinions on the ordinance. He expressed concerns about the increased costs. All of his properties are on state highways and drainage is maintained by the state. He gave details of the stormwater mitigation system on his business property and believes those with approved systems should receive 100% credit. Prior to a vote he asks for the strength of the credit system to be increased, a 30-day appeal period, a completed stormwater credit manual available and to send residents an example copy.

Brian Gennaco, 19 Tuttle Ln is an oyster farmer and runoff shuts down his business and wreaks havoc on the animals. This is not the solution. Costs are already too high in Dover for his age and income bracket. Something needs to be done about stormwater. Find the money elsewhere. Credits could be given now as an incentive for lower taxes. The costs are going to be a burden to the people with older structures who can't afford to upgrade. More thought is required before a vote.

Chris Jacques, 55 Grandview Dr is opposed to the ordinance. He said there are no drains anywhere near his property and he uses runoff on site. He wondered what the fees and credits will be on his property. He would like to see this on a ballot so the residents can vote or entrust the City to find the money elsewhere.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, December 13, 2023**
Meeting Time: **7:00 pm**

Noelle Lazarus, 5 Gilman St reviewed the difference between fees and taxes. She expressed concerns about increased taxes and difficulties retirees have. She doesn't know much about this proposal but likes some of the ideas expressed by others who spoke.

Tori Banford, 18 Wellington Ave noted health is directly related to our water. Runoff affects all of this and the entire watershed all the way to the ocean. Implementing this utility provides us funding for flood resilient projects as we see increased storms and precipitation. She urged the board to vote yes for the utility.

Matt Pepler, 6 Landing Way noted finding information has been difficult. He was told it was only online. The residents need more education on the subject. He made comments about the drug epidemic as a higher priority. Costs will affect businesses and costs will be passed on to customers.

Christina Rowe, 227 Spruce Ln Ext commented on the cost of living and necessity for numerous jobs by each person these days. Additional taxes and fees are not the way to find funds. She wants the City to look from within and accused staff of slacking in their job duties. She believes staff is going to come to the property to assess for credits and is not in favor of that. There are a lot of properties that don't use utilities.

Mary Hebbard, 97 Spruce Ln agreed there is not enough information and education out about this and agreed to have it on a ballot. The ordinance has been changed since it originally came on the Council agenda in November and there hasn't been information put out about the changes with enough time for folks to understand. She highlighted some of the changes and encouraged a no vote.

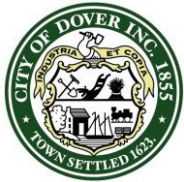
Wallace Stevens, 49 Back River Rd would like the board to vote no to this. There seems to be a lot of unanswered questions. He suggested making Dover a salt-free community to help mitigate pollution.

Rick Hebbard, 97 Spruce Ln noted residents had a lot of good ideas tonight and many folks aren't educated enough about this topic yet. He spoke about smart uses and prevention of nitrogen.

Matt Hawkins, owner of 20 buildings in Dover represented businesses and tenants. No information has gone out about this with utility or tax bills. This will change a lot for a lot of people. Rents will be increased. He asked to look at it again and get notification out to everyone.

Rowe, 227 Spruce Ln Ext encouraged the folks in the audience against the ordinance to raise their hands.

Steve Brown, 229 Tolend Rd noted the investment in infrastructure to mitigate stormwater is crucial for our business and for flexibility for the City moving forward. It will allow the City to prioritize spending of funds for such items as increased public safety. He appreciates the work the committee did to look carefully at the options. He has been able to find the information online and has been able to speak with his Councilor and City staff about it. He urged the board to vote in favor.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, December 13, 2023**
Meeting Time: **7:00 pm**

B. AUTHORIZATION TO ACCEPT AND EXPEND INVESTNH MUNICIPAL PER UNIT PROGRAM GRANT

SPONSORED BY MAYOR CARRIER BY REQUEST

No comments

C. FISCAL YEAR 2024 BUDGET AMENDMENT FOR ADDITIONAL APPROPRIATION FOR FLEET MAINTENANCE FUND (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)

SPONSORED BY MAYOR CARRIER BY REQUEST

Public Comment:

One resident noted there needs to be better notification and transparency in getting information out to the public.

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.

Public Comment:

Mary Hebbard, 97 Spruce Ln continued with some comments about the stormwater utility relating to credits, changes to the ordinance, City practices that affect this runoff, surplus funds, estimates, inspections.

John Donais, 16 Durham Rd wants to know how the City will determine the runoff for each property.

Abe Maguire, 44 Ayers Ln spoke about rights to inspect properties.

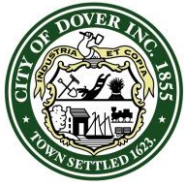
Deputy Mayor Shanahan moved to suspend the rules to allow a nonresident to speak. Seconded by Councilor Hackett. Roll Call Vote: 9-0

Melissa Paley Great Bay Piscataqua Waterkeeper (Office in Portsmouth) appreciates the work of the City staff and committees who have been looking into this for years. Dover has been challenging the EPA for 10-15 years on ways to regulate and improve water quality. The EPA has given the City a permit that gives flexibility to the community where to invest the funds in the way that will best benefit the community. Staff and volunteers have come up with this method as the best option. Stormwater is now the largest pollutant in the Great Bay Estuary. If we can't make headway in stormwater management, much more money will be needed for an upgraded treatment facility.

Matt Hawkins, owner of 20 buildings in Dover commented about the lack of notification about this issue to the citizens.

Matt Pepler, 6 Landing Way was concerned about a nonresident speaking. He asked for a response from the board and was informed public forum is not a back-and-forth conversation. Mayor Carrier noted due to her expertise on the matter, the board voted to allow her to speak.

Chris Jacques, 55 Grandview Dr thinks this is about wants vs needs and believes if this is needed, it should come through the general fund or CIP. He thinks this is a slush fund and shell game.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, December 13, 2023**
Meeting Time: **7:00 pm**

Rick Hebbard, 97 Spruce Ln mentioned lawsuits against the City and finances spent on them. He thinks this will be another lawsuit if it goes forward.

Noelle Lazarus, 5 Gilman St wondered if there would be an end to the utility if/when nitrogen goals are met and if people on the edge of Dover who tap into the sewer system, will also be charged?

Rachel Dagget, Vada Wellness, 660 Central Ave noted Dover has many small businesses. Great affluency is coming to the City, but they are not part of the workforce.

9. CITY MANAGER'S REPORT

City Manager Joyal noted he submitted his report in writing which includes information about City Attorneys office, economic activities and statistics on parking and transportation.

Deputy Mayor Shanahan moved to accept the City Manager's Report. Seconded by Councilor Muffett-Lipinski. Vote: 9-0.

10. APPROVAL OF MINUTES

A. November 8, 2023 – Regular Meeting

B. November 15, 2023 – Workshop & Special Meeting

C. November 29, 2023 – Workshop & Special Meeting

Deputy Mayor Shanahan moved to approve the three sets of minutes as submitted. Seconded by Councilor Hackett. Vote: 9-0

Deputy Mayor Shanahan moved to hear item 12 A 1 next on the agenda. Seconded by Councilor Thibodeaux. Roll Call Vote: 9-0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

1. MUNICIPAL STORMWATER UTILITY, CHAPTER 123

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved to approve. Seconded by Councilor Thibodeaux.

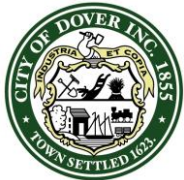
Councilors discussed the item at length.

Nemeth

- It is unfortunate that so many people expressed they are in the dark about this as there have been years of public meetings. We need to do better about that communication in the future. In hindsight, we should have done better notification about the ordinance. She has concerns about how the costs will be passed to local businesses, pulling funds away from tax rate visibility, and how to staff the program when current staff needs can't be met. She is in favor of funding stormwater management but is not in favor of this manner.

Thibodeaux

- Noted she is a scientist with special interest in microbiology and immunology and agrees with the waterkeeper. This has not crept up on us- we have known for a while the issues with stormwater. She spoke about various updates to different aspects of the City which people didn't understand at the time, but now allow for funds to be spent elsewhere. We have 400 year old systems that will fail. We have to account for these things.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, December 13, 2023**
Meeting Time: **7:00 pm**

- City Manager Joyal addressed what changes have been made to the ordinance as discussed at the Council Workshop.
- City Manager Joyal addressed the details of mailing this proposal
 - City -wide mailing is \$3000\$-4000 for single sheet
 - Social Media/ online has the largest reach
 - State law does not allow tax bills to be sent with fliers about other issues
 - Including it in the utility bill is a good idea

Muffet-Lapinski

- Apologized for not getting the word out to the public
- Due to the lack of transparency, she will not be voting in favor tonight

Hackett

- Equity is the issue. Even with a mailing, there is no mailing that could be done to give every individual an accurate snapshot of their anticipated fee.
- She can't answer the questions herself yet in relation to the utility affect on her own property or her neighbors or businesses and everyone, so will be voting no tonight

Shanahan

- There was extensive effort by City staff and consultants on outreach. He listed some of the media outreach.
- He highlighted what is before the board tonight and what the ordinance does
 - Changing the funding practice for the same amount of stormwater expenses
 - The cost about a wash for a single family home
 - Older, large commercial properties and non-profits will see a large fee
 - The increase to 1600 sq ft does not eliminate HOAs from having to pay. It eliminates a small home on a rented lot from having to pay (though not the HOA)
 - We are in the Great Bay Watershed which is being affected by Dover's actions

Thibodeaux

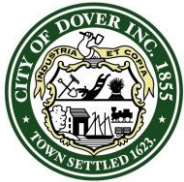
- Wondered how much time would be needed to brainstorm another option and if we should table this item to that time
 - Shanahan would not suggest tabling. It would probably have to start the whole process over

Warach

- Many concerns about the utility
- Next review should have two-way public sessions along with a committee review

Williams

- Understands the concerns but believes this is the best path forward for Dover
- There were many interactive sessions
- Many individuals are taking positive actions and could take advantage of the credits offered for doing so
- There is a lot of concerns that wouldn't actually bear out
- One of the goals of this method proposed is to honor community actions towards these efforts
- Urged people to think about what a utility could accomplish for our community and how it could address issues that were brought up this evening
- The proposal would not have the financial implications that were brought up by residents



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, December 13, 2023**
Meeting Time: **7:00 pm**

Carrier

- The Council is transparent
- No slush funds are created
- Understands that people want to know how it will affect them individually
- Will vote no tonight

Roll Call Vote: 3-6. Motion does not pass

Councilor Nemeth moved to take a short recess. Vote: 9-0.

The Council recessed at 9:18pm

The Council resumed the meeting at 9:28pm.

11. MAYOR'S REPORT

Mayor Carrier highlighted the following events:

- Santa Clause drive by
- Leadership Academy
- Christmas Parade
- Veterans Day Ceremony
- Tree Lighting

Rabbi Barry of the Jewish Seacoast Community presented the Mayor with a beautiful menorah. He explained more about the presentation given.

Councilor Warach gave additional information about Hanukkah practices.

Deputy Mayor Shanahan moved to accept the Mayor's Report. Seconded by Councilor Muffett-Lipinski. Vote: 9-0.

12. UNFINISHED BUSINESS

B. ORDINANCES IN THE 3RD READING

None

C. RESOLUTIONS

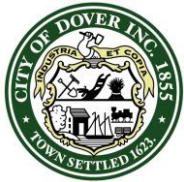
1. ADOPTION OF FY2025-FY2030 CAPITAL IMPROVEMENTS PLAN. THIS RESOLUTION REQUIRES A DULY ADVERTISED PUBLIC HEARING.

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved to approve the resolution. Seconded by Councilor Muffett-Lipinski. City Manager Joyal gave an overview of the Resolution to the Council.

Deputy Mayor Shanahan asked to review parking this year at a workshop. He also asked about the increase to debt service costs which City Manager Joyal addressed.

Councilor Hackett addressed some concerns about the artificial turf proposed for the athletic renovations. Councilor Cullen gave opinions on the cost of that renovation proposed as too low. City Manager Joyal addressed the financial timeline aspects of the project.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, December 13, 2023**
Meeting Time: **7:00 pm**

Mayor Carrier gave some historical information about the project.
Brief continued discussion about timeline and increasing the funding.

Roll Call Vote: 9-0

2. APPROPRIATION FOR FY2025 CAPITAL IMPROVEMENTS PROGRAM AND AUTHORIZATION FOR BONDING. 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.
SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved to approve the resolution. Seconded by Councilor Hackett. City Manager Joyal gave an overview of the Resolution to the Council.
Roll Call Vote: 9-0

3. APPROPRIATION FOR FY2025 CAPITAL IMPROVEMENTS PROGRAM – NON – DEBT FINANCED PROJECTS. THIS RESOLUTION REQUIRES A PUBLIC HEARING AND A 2/3 MAJORITY VOTE ACCORDING TO C6-6 OF THE CHARTER.
SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved to approve the resolution. Seconded by Councilor Muffett-Lipinski. City Manager Joyal gave an overview of the Resolution to the Council and gave details on the importance and process of capital reserve funding.
Roll Call Vote: 9-0

4. AUTHORIZATION TO ACCEPT AND EXPEND INVESTNH MUNICIPAL PER UNIT PROGRAM GRANT
SPONSORED BY MAYOR CARRIER BY REQUEST

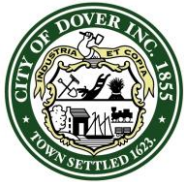
Deputy Mayor Shanahan moved to approve the resolution. Seconded by Councilor Nemeth. Director of Planning and Community Development D. Benton explained the funding source and plans for it.
Roll Call Vote: 9-0

5. FISCAL YEAR 2024 BUDGET AMENDMENT FOR ADDITIONAL APPROPRIATION FOR FLEET MAINTENANCE FUND (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved to approve the resolution. Seconded by Councilor Muffett-Lipinski. City Manager Joyal gave an overview of the Resolution to the Council.

Deputy Mayor Shanahan asked some clarifying questions which City Manager Joyal addressed.

Roll Call Vote: 9-0



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, December 13, 2023**
Meeting Time: **7:00 pm**

13. NEW BUSINESS

A. CONSENT CALENDAR

1. SETTING VOTING HOURS FOR THE JANUARY 23, 2024 PRESIDENTIAL PRIMARY, SPECIAL STATE PRIMARY, AND SPECIAL STATE ELECTION
SPONSORED BY MAYOR CARRIER BY REQUEST

2. CANVASS OF VOTES – NOVEMBER 7, 2023 MUNICIPAL ELECTION
SPONSORED BY MAYOR CARRIER BY REQUEST

3. ADDITIONAL SCOPE OF WORK FOR DREDGE CELL CLOSURE – VERDANTAS LLC
SPONSORED BY MAYOR CARRIER BY REQUEST

4. AUTHORIZATION TO AWARD ARPA CHAPEL ST RAVINE STORMWATER TREATMENT SYSTEM PROPERTY ASSESSMENT TO KLEINFELDER NORTHEAST INC.
SPONSORED BY MAYOR CARRIER BY REQUEST

5. B13052 EMULSION POLYMER EXTENSION WITH SOLENIS LLC
SPONSORED BY MAYOR CARRIER BY REQUEST

6. B20026 ADDITIONAL SCOPE OF WORK DESIGN-BUILD CUSTOM IN-CAST CONCRETE SKATE PARK
SPONSORED BY MAYOR CARRIER BY REQUEST

7. B21048-RFP24-002 MILL STREET PUMP STATION EVALUATION
SPONSORED BY MAYOR CARRIER BY REQUEST

8. B24020 REPLACEMENT OF BOILERS AT LIBRARY
SPONSORED BY MAYOR CARRIER BY REQUEST

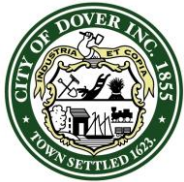
9. B24025 PROFESSIONAL CONSULTING SERVICES – CONSERVATION AND OPEN SPACE CHAPTER OF THE MASTER PLAN
SPONSORED BY MAYOR CARRIER BY REQUEST

10. B24029 WINTER SAND AS NEEDED
SPONSORED BY MAYOR CARRIER BY REQUEST

11. 2024 FORD F-150 LIGHTNING – SOURCEWELL CONTRACT 091521-NAF
SPONSORED BY MAYOR CARRIER BY REQUEST

12. 2024 FORD TRANSIT CARGO VAN – SOURCEWELL CONTRACT 091521-NAF
SPONSORED BY MAYOR CARRIER BY REQUEST

13. PROFESSIONAL SUPPORT SERVICES FOR (SCADA) SUPERVISORY CONTROL AND DATA ACQUISITION – WOODARD & CURRAN
SPONSORED BY MAYOR CARRIER BY REQUEST



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, December 13, 2023**
Meeting Time: **7:00 pm**

**14. ACCEPTANCE OF DRAINAGE EASEMENT FROM OWNER OF TAX MAP J2, LOT 4
(136 GARRISON ROAD)**

SPONSORED BY MAYOR CARRIER BY REQUEST

15. B23024 ADDITIONAL DESIGN SERVICES – WATERFRONT PARK BUILDING

SPONSORED BY MAYOR CARRIER BY REQUEST

**16. B23078 ADDITIONAL SCOPE OF WORK FOR DESIGN BUILD FOR INSPECTION
SERVICES BUILDING**

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved to approve the consent calendar. Seconded by Councilor Muffett-Lipinski.

Councilors Cullen, Hackett and Deputy Mayor Shanahan asked to remove items 13.A.1; 13.A.3; 13.A.6; 13.A.16

Roll Call Vote for items 13.A.2,4,5,7,8,9,10,11,12,13,14,15: 9-0.

Deputy Mayor Shanahan moved to approve item 13.A.1. Seconded by Councilor Muffett-Lipinski.

Councilor Hackett expressed concerns about the Ward 4 vote on a school day. City Manager Joyal explained the plans to work with the Superintendent.

Roll Call Vote: 9-0

Deputy Mayor Shanahan moved to approve item 13.A.3. Seconded by Councilor Muffett-Lipinski.

City Manager Joyal anticipates some additional engineering work will be required as part of the project. He asked the board to either A) increase the authorization by \$300,000 for a total of \$412,300 or B) he will come back to the board with a change order request in the spring.

Discussion occurred for clarity. Finance Director Lynch addressed financial questions.

Deputy Mayor Shanahan moved to revise the cost from \$112,300 to \$412,300 and to add the appropriate finance account mentioned. Seconded by Councilor Hackett.

Roll Call Vote: 9-0

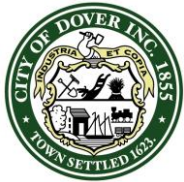
Deputy Mayor Shanahan moved to approve item 13.A.6. Seconded by Councilor Hackett.

Councilor Cullen asked for clarifications regarding the additional funding needed. Recreation Director G. Bannon addressed the questions.

Roll Call Vote: 8-1 with Councilor Cullen opposed

Deputy Mayor Shanahan moved to approve item 13.A.16. Seconded by Councilor Muffett-Lipinski.

Councilor Cullen asked for clarification as to the parameters of the project. Roll Call Vote: 9-0



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, December 13, 2023**
Meeting Time: **7:00 pm**

COMMITTEE REPORTS

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

Councilor Williams listed the Appointments Committee recommendations which include one resignation and three appointments.

Deputy Mayor Shanahan moved to accept the report and the nominations. Seconded by Councilor Hackett. Vote: 9-0.

Councilor Muffett-Lipinski noted her last meeting for Solid Waste Advisory Commission is tomorrow, though she looks forward to keeping abreast of the feasibility study and the results.

Councilor Williams reported Transportation Advisory Commission heard some speed concerns and crosswalk requests from residents.

Deputy Mayor Shanahan noted the Waterfront TIF Advisory Board will meet in February.

Deputy Mayor Shanahan noted COAST met this morning and he sent out an impact statement. They also focused on the key points to improve their financial standing.

Mayor Carrier gave an update on the Government Affairs meeting.

B. RESOLUTIONS

1. FY2025 BUDGET GUIDANCE

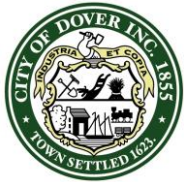
SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved to approve the resolution. Seconded by Councilor Thibodeaux. City Manager Joyal explained the resolution. Vote: 9-0

2. RECOGNIZING TRADITIONAL FORAGING RIGHTS ON CITY OF DOVER PUBLIC CONSERVATION LANDS

SPONSORED BY COUNCILOR NEMETH AND COUNCILOR WILLIAMS BY REQUEST

Deputy Mayor Shanahan moved to approve the resolution. Seconded by Councilor Nemeth.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, December 13, 2023**
Meeting Time: **7:00 pm**

Councilor Nemeth explained the resolution noting it came from both Conservation Commission and the Committee for Racial Equity and Inclusion. Vote: 9-0

3. B24005 AWARD OF CONSTRUCTION MANAGEMENT SERVICE FOR DOVER LIBRARY

SPONSORED BY MAYOR CARRIER BY REQUEST

Removed from tonight's agenda.

4. AUTHORIZATION TO ACCEPT AND EXPEND THE FHWA NATIONAL CULVERT REMOVAL, REPLACEMENT & RESTORATION GRANT (TO BE REFERRED TO A PUBLIC HEARING AND VOTE TO OCCUR ON JANUARY 10, 2024)

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved to refer to a public hearing January 10th. Seconded by Councilor Warach. Vote: 9-0

5. AUTHORIZATION TO ACCEPT AND EXPEND LWCF COCHECO RIVER PARK II SUBRECIPIENT GRANT (TO BE REFERRED TO A PUBLIC HEARING AND VOTE TO OCCUR ON JANUARY 10, 2024.)

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved to refer to a public hearing January 10th. Seconded by Councilor Muffett-Lipinski. Vote: 9-0

6. AUTHORIZATION TO ACCEPT AND EXPEND MASS GENERAL BRIGHAM WENTWORTH-DOUGLASS HOSPITAL COMMUNITY BENEFIT GRANT (TO BE REFERRED TO A PUBLIC HEARING AND VOTE TO OCCUR ON JANUARY 10, 2024)

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved to refer to a public hearing January 10th. Seconded by Councilor Warach. Vote: 9-0

7. REPROGRAM UNEXPENDED BOND PROCEEDS FROM RIVER ST PUMP STATION PROJECT TO AERATION BLOWER PROJECT (TO BE REFERRED TO A PUBLIC HEARING ON JANUARY 10, 2024 AND VOTE TO OCCUR ON JANUARY 24, 2024)

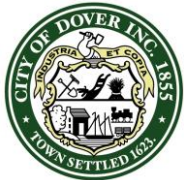
SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Shanahan moved to refer to a public hearing January 10th. Seconded by Councilor Muffett-Lipinski. Roll Call Vote: 9-0

C. ORDINANCES IN 1ST READING

1. VEHICLES AND TRAFFIC, CHAPTER 141, SECTION 30

SPONSORED BY MAYOR CARRIER BY REQUEST



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, December 13, 2023**
Meeting Time: **7:00 pm**

Deputy Mayor Shanahan moved to refer to a public hearing January 10th. Seconded by Councilor Warach. Vote: 9-0

14. COUNCIL CORRESPONDENCE

A. Letter from Comcast, dated November 6, 2023

B. Letter from Xfinity, dated November 17, 2023

Deputy Mayor Shanahan moved to accept the correspondence. Seconded by Councilor Thibodeaux. Vote: 9-0

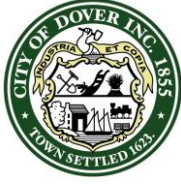
15. COUNCIL MATTERS OF INTEREST

Mayor Carrier noted it's the last meeting with both Councilors Thibodeaux and Muffet-Lipinski and gave additional comments and thanks.
Other Councilors also thanked them for their efforts.

Councilors Muffet-Lipinski and Thibodeaux made their own comments.

16. ADJOURN

Councilor Muffett-Lipinski moved to adjourn. Seconded by Councilor Warach. Vote: 9-0

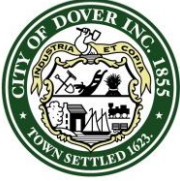
 CITY OF DOVER	CITY OF DOVER - ORDINANCE Agenda Item#: 12.A.1. Ordinance Number: O – 2023.12.13 - 17 Ordinance Title: Vehicles and Traffic Chapter: 141 Section: 30 Hours of operations and rates
---	---

The City of Dover Ordains:

1. **PURPOSE**
The purpose of this ordinance is to amend Chapter 141 of the Dover Code to codify certain recommended ordinance amendments by the City’s Parking Commission.
2. **AMENDMENT**
Chapter 141 entitled “Vehicles and Traffic” is hereby amended by revising Section 141-30, “Hours of operation and rates”, as follows:
 - a. **THE FOLLOWING ARE AMENDED:**

§ 141-30 **Hours of operation and rates.**

- A. Paid parking shall be required daily between the hours of 9:00 a.m. and 8:00 p.m., except on Sundays, with the exception of:
 - (1) The Orchard Street Parking Garage where designated as metered or paid parking shall also be required as paid parking at all times, 24 hours a day and seven days a week.
 - (2) The following holidays: January 1; the third Monday in January, known as Martin Luther King, Jr. Civil Rights Day; the third Monday in February, known as Washington's Birthday; the last Monday in May, known as Memorial Day, or on a date to coincide with the federal observance if it is held on a different day; July 4; the first Monday in September, known as Labor Day; the second Monday in October, known in Dover as Indigenous People's Day; November 11, known as Veterans Day; Thanksgiving Day; the Friday after Thanksgiving; and Christmas Day. When one of the listed holidays falls on a Sunday, the Monday after shall be observed as a holiday.
 - (3) Any vehicle bearing the following special New Hampshire license plates and in use by the person qualifying for said special plates shall be entitled to free parking in metered spaces for no more than three hours each day: Purple Heart (including Purple Heart-Vanity), Gold Star, Prisoner of War, and Pearl Harbor Survivor (including Pearl Harbor Survivor-Vanity). Any vehicle with license plates from another state or United States territory bearing substantially equivalent governmental license plates shall, provided the vehicle is in use by the person qualifying for said special license plates, likewise be entitled to no more than three hours each day of free parking in metered spaces.
 - (4) The Dover Transportation Center Parking Lot where designated as metered or paid parking shall also be required as paid parking at all times, 24 hours a day and seven days a week.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number: **O – 2023.12.13 - 17**
Ordinance Title: Vehicles and Traffic
Chapter: 141
Section: 30 Hours of operations and rates

- B. Parking meter rates shall be set forth in the annual Fee Schedule adopted by the City Council.
- C. For good cause, the Chief of Police, upon recommendation of the Parking Commission, shall have the authority to temporarily suspend the provisions of this section for specified dates and times.
- D. Free parking permitted for persons with a walking disability under RSA 265:74 shall be limited to a maximum of three hours.

3. TAKES EFFECT

This ordinance shall take effect upon passage. The City Clerk shall cause publication of notice as required by RSA 47:18.

REQUIRES PUBLIC HEARING

TO BE REFERRED TO PUBLIC HEARING ON JANUARY 10, 2024

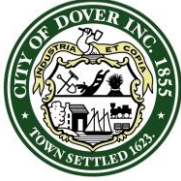
AUTHORIZATION

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: Jerrica Vanslyvong-
Bizier
City Clerk

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Agenda Item#: 12.A.1.	
	Ordinance Number:	O – 2023.12.13 - 17
	Ordinance Title:	Vehicles and Traffic
	Chapter:	141
Section:	30 Hours of operations and rates	

DOCUMENT HISTORY:

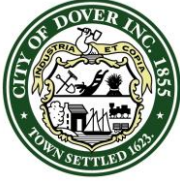
First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor S. April Richer, Ward 1		
Councilor Robert Warach, Ward 2		
Councilor Anthony Retrosi, 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:

The City’s lease for the Transportation Center Parking Lot with Cocheco Mills Holdings (Chinburg Builders) contains a provision allowing Cocheco Mills Holdings to designate parking areas within the lot for their exclusive use. That provision has been invoked by Cocheco Mills Holdings and executed for 96 spaces, in anticipation of the opening of the Old Court House development. The City also has 114 other current monthly permit holders, as well as short-term use by downtown visitors and commuters. To properly manage the lot and its varied users, the Parking Manager has recommended, and the Parking Commission unanimously approved on November 21, 2023, that the Dover Transportation Center Parking Lot become metered parking at all times. This will be especially important during designated winter parking ban nights. No changes to parking rates are being proposed.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2023.12.13 - 205**

Resolution Re: Authorization to Accept and Expend the FHWA National Culvert Removal, Replacement & Restoration Grant

WHEREAS: The City has received notice from the Federal Highway Administrations (FHWA) and the State of New Hampshire Department of Transportation of an award in the amount of \$553,350 in grant funds for the purpose of funding the advance of the restoration project and development for the upgrades to the Bellamy Road Culvert; and

WHEREAS: This federal pass through assistance grant requires a city match of \$26,350 and non-city match of \$105,400 to come from the State of NH Charitable Foundation. The FHWA amount is \$421,600 for a total project of \$553,350; 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:

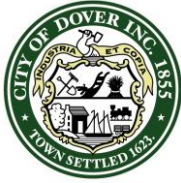
In accordance with NH RSA 31:95-b and RSA 21-P:43, the City Manager is authorized to apply for, accept, and expend grant funds allocated to the City of Dover on behalf of the Federal Highway Administrations (FHWA) and the State of New Hampshire Department of Transportation, and any funding received is 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	FHWA Bellamy Rd Culvert AOP Program	421,600.00	421,600.00
City Payroll	City Match In Kind City Staff Time	26,350.00	26,350.00
TBD	NH Charitable Foundation	105,400.00	105,400.00

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 – 2023.12.13 - 205**

Resolution Re: Authorization to Accept and Expend the FHWA National
Culvert Removal, Replacement & Restoration Grant

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

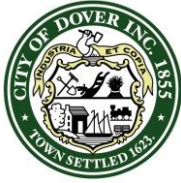
Recorded by: Jerrica Vansylyvong-
Bizier, City Clerk

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 S. April Richer, Ward 1		
Councilor Robert Warach, Ward 2		
Councilor Anthony Retrosi, 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.1.

Resolution Number: **R – 2023.12.13 - 205**

Resolution Re: Authorization to Accept and Expend the FHWA National Culvert Removal, Replacement & Restoration Grant

RESOLUTION BACKGROUND MATERIAL:

The City of Dover partnered with the New Hampshire Department of Environmental Services to apply to the FHWA National Culvert Removal, Replacement, and Restoration Grant Program (Culvert AOP Program) for the design and permitting of the replacement of the Bellamy Road Bridge that conveys the Bellamy River.

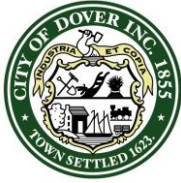
The existing crossing was constructed in 1967 and consists of corrugated metal plate (CMP) culvert. The New Hampshire Department of Transportation (NHDOT) issued a Critical Bridge Deficiency letter in July 2003 to the City recommending the culvert be posted to restrict loading to a maximum of 6 tons as a result of the culvert's severe deterioration. In the fall of 2004, a temporary reinforced concrete liner was constructed along the invert of the culvert to improve the bridge's structural capacity and avoid the change in load classification. The concrete invert contributes to the structure being perched above downstream water surface elevation, which is prohibitive to aquatic organism passage. In 2007, the Bellamy Road was overtopped by flood flows produced during the Patriots Day storm, which caused significant scour along the downstream embankment and road profile. While the structure was not affected, emergency action was required to re-build the road embankment slope on the downstream side with rip rap.

Over the past 20 years, NH Restoration partners have completed 3 dam removal projects along the lower Bellamy River, which has restored aquatic connectivity from Great Bay to an additional 1 mile of freshwater riverine habitat. In order to restore an additional 5.2 miles of stream habitat connectivity for anadromous River Herring, NH Restoration Partners are now focused on resolving a series of stream barriers that contribute to poor aquatic organism passage from river mile 5.1 to 5.3, including the Bellamy Road Culvert (river mile 5.2). The requested funding from the FHWA Culvert AOP Grant will enable the City of Dover to partner with NH Department of Environmental Services - Coastal Program (NHCP) and NH Fish and Game Department – Marine Division (NHF&G) to advance critical next steps of Bellamy River Fish Passage Restoration Project.

The design process will be guided by the following design objectives:

- to meet transportation needs, including accommodating anticipated vehicles and loadings.
- to optimize fish passage conditions through project reach for anadromous fish
- to safely accommodate flood flows with adequate freeboard
- to incorporate climate change considerations in all design elements
- to adhere to regulatory guidance and rule

The City will use the requested grant funding to hire a consulting engineer to perform design, engineering, and permitting with the abject of achieving 'shovel ready status' within the proposed 3-year grant duration.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2023.12.13 - 206**

Resolution Re: Authorization to Apply and Accept LWCF Cochecho River
Park II Sub-Recipient Grant

WHEREAS: The City has received notice from the Federal Land and Water Conservation Fund (LWCF) and the State of New Hampshire Department of Natural and Cultural Resources Division of Parks and Recreation of the opportunity of a \$500,000 grant for the purpose of supporting preservations, access to, and development of land to be dedicated to outdoor recreations use; and

WHEREAS: This federal pass through assistance grant requires a 50% city match which is reflected in the FY25 CIP and is contingent upon Governor and Council Approval; 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 and accept grant funds allocated to the City of Dover on behalf of the Federal Land and Water Conservation Fund 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.

Financing			
Account	Description	Appropriation	Balance
TBD	LWCF Grant Cochecho River Park II	500,000.00	500,000.00
TBD	City Match Cochecho River Development	500,000.00	500,000.00

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

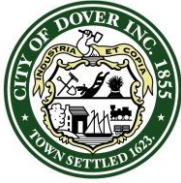
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Jerrica Vansylyvong-
Bizier, City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2023.12.13 - 206**
Resolution Re: Authorization to Apply and Accept LWCF Cochecho River
Park II Sub-Recipient Grant

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 S. April Richer, Ward 1		
Councilor Robert Warach, Ward 2		
Councilor Anthony Retrosi, 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:

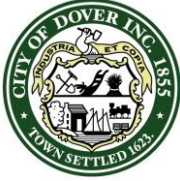
In 2015, the City of Dover applied for and received a \$150,000.00 grant through the Federal Land and Water Conservation Fund (“LWCF”) Program. This program is intended for the procurement, preservation, access to and development of land which will be kept in recreation use for perpetuity. Grant opportunities are available annually and is locally administered by through the State of New Hampshire Parks and Recreation Division. More information about the LWCF program can be found at this link:

<https://www.nhstateparks.org/about-us/community-recreation/land-water-conservation-fund-grant>

The purpose of the grant referenced in this resolution was for the purchase and installation of a Park Pavilion on the Cochecho River specifically to provide a covered space for visitors to the new Waterfront Park to enjoy views of the river. The pavilion will be a centerpiece of the park and will provide shelter and a space for information kiosks, be the focal point for social gatherings, and be tied into the overall park and walkway network which will stretch from Henry Law Park through Maglaras Park.

The pavilion will be located on property owned by the City of Dover along the Cochecho River and adjacent to the waterfront development project currently underway. The pavilion will be adjacent to and support the paddle sports dock.

Document Created by: Finance	R-2023.12.13 Authorization to Apply and Accept a LWCF
Document Posted on: January 5, 2024	Cochecho River Park II Sub-Recipient Grant (3)
	Page 2 of 3



CITY OF DOVER

CITY OF DOVER - RESOLUTION

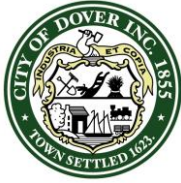
Agenda Item#: 12.C.2.

Resolution Number: **R – 2023.12.13 - 206**

Resolution Re: Authorization to Apply and Accept LWCF Cochecho River
Park II Sub-Recipient Grant

One significant requirement of the LWCF grant program is that property improvements and projects funded will be required to designate an agreed upon area to remain as public park land for recreational use in perpetuity. In this instance, the new waterfront park, proposed to be called Cochecho River Park, is to be substantially designated as the parkland that is protected under what is called the 6(f)(3) provision of the Land and Water Conservation Fund Act of 1965.

In order to close out the grant agreement with the State of New Hampshire and the Federal government the City has to provide documentation of that designation being officially approved with a signed property map and a signed and recorded notice of grant requirements for the registry of deeds. City staff have engaged a land surveyor and coordinated with State representatives to arrive at final, proposed versions of the property map and notice of grant requirements being provided with this resolution.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.3.

Resolution Number: **R – 2023.12.13 - 207**

Resolution Re: Authorization to Accept and Expend the Mass General Brigham Wentworth-Douglass Hospital Community Benefit Grant

WHEREAS: The City has received notice from the Mass General Brigham Wentworth-Douglass Hospital Community Benefit Grant of an award of \$150,000 of grant funds for the purpose of funding City of Dover Police Department community outreach and substance misuse prevention programs for healthier youth and families in Dover; 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 Mass General Brigham Wentworth-Douglass Hospital Community Benefit Grant, 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	Mass General Brigham Wentworth-Douglass Hospital Community Benefit Grant	150,000.00	150,000.00

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

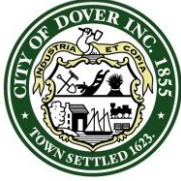
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Jerrica Vansylyvong-
Bizier, City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.3.

Resolution Number: **R – 2023.12.13 - 207**

Resolution Re: Authorization to Accept and Expend the Mass General Brigham Wentworth-Douglass Hospital Community Benefit Grant

DOCUMENT HISTORY:

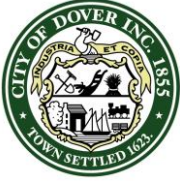
First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor S. April Richer, Ward 1		
Councilor Robert Warach, Ward 2		
Councilor Anthony Retrosi, 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 Police Department has received funding from Wentworth-Douglass Hospital to help support the department's community outreach and youth substance use prevention efforts for many years. This funding has continued since the hospital became part of the Mass General Brigham system. The proposal submitted in October 2023 requested funding to help support the activities of the Dover Police Department's Youth to Youth program and the Dover Coalition for Youth as well as funding for the department's homelessness outreach social worker. On November 8, 2023, the police department was notified that the funding was approved at the requested amount of \$150,000.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.1.

Resolution Number: **R – 2024.01.10 - 1**
Resolution Re: Additional SOW for B23006 Cochecho Waterfront Public Improvements Construction

WHEREAS: In January 2023 the Re-Bid of #B23006 Cochecho Waterfront Public Improvement Construction was issued and a prebid meeting was conducted on February 2, 2023 with all four firms attending with proposals due on March 16, 2023 at 2:00pm; and

WHEREAS: Two bid responses were received and reviewed for understanding of project scope, approach for completing the work, certification to design, deliver, support and manage proposed solution and the offer deemed most advantageous, approved by council via [R-2023.04.26-066](#), was awarded to Northeast Earth Mechanics, LLC in the amount of \$19,532,250.00; and

WHEREAS: On 11/16/23, the City received a proposal for additional scope of work, not to exceed \$80,665.00; and

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

The Purchasing Agent is hereby authorized to issue a change order to Northeast Earth Mechanics of Pittsfield NH in the amount of \$80,665.00 for the Cochecho Waterfront Public Improvement Construction. 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
4325.1.300.43230.4757.03190.22	Cochecho Dredge Cell Closure	3,300,000	3,300,000

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

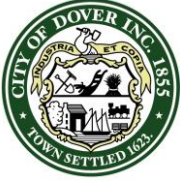
Approved as to Legal
Form and Compliance: Joshua M. Wyatt
City Attorney

Recorded by: Jerrica Vanslyvong-
Bizier
City Clerk

DOCUMENT HISTORY:

Document Created by: Purchasing
Document Posted on: January 5, 2024

R-2024-01.10 B23006 Additional SOW Cochecho
Waterfront Public Improvements Construction
Page 1 of 3



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.1.

Resolution Number: **R – 2024.01.10 - 1**

Resolution Re: Additional SOW for B23006 Cochecho Waterfront Public Improvements Construction

First Reading Date:

Approved Date:

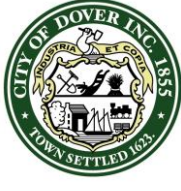
Public Hearing Date:

Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD

Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor S. April Richer, Ward 1		
Councilor Robert Warach, Ward 2		
Councilor Anthony Retrosi, 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 – 2024.01.10 - 1 Resolution Re: Additional SOW for B23006 Cochecho Waterfront Public Improvements Construction
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RESOLUTION BACKGROUND MATERIAL:

The City Solicited a Re-Bid of B23006 Cochecho Waterfront Public Improvements Construction to four prequalified construction firms with two replies being submitted. The city requested base bid pricing with a list of deduction alternate items that it may or may not remove from the bid price. The base bid pricing received from low bidder Northeast Earth Mechanics (NEEM) for a total amount of \$19,532,250.00 and approved by council.

The contract documents specify that contaminated materials and surplus material can be taken to the dredge cell area. The dredge cell area needs to be prepared prior to storing materials from the Waterfront Project, which was not part of the original scope of work. Work associated with preparing the dredge cell area includes leveling existing contaminated soils in the dredge cell, clearing trees/vegetation around the dredge cell area for surplus material storage, and erosion and sediment controls to be placed around stored material piles. On 11/16/2023, the city received a proposal from NEEM for this scope of work broken down as such: Leveling of dredge cell in the amount of \$28,000, clearing of and around the dredge cell in the amount of \$21,000 and erosion and sediment controls of \$31,665 for a total amount of \$80,665.00.

Bid Information:

A sealed Request for Proposal Re-Bid #B23006 Cochecho Waterfront Public Improvement Construction was issued and received on March 16, 2023 at 2:30 p.m.

Award Information:

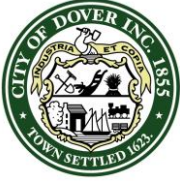
A purchase order will be issued to the vendor selected to authorize future expenditures.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	4 pre-qualified firms	Number of Responses:	2
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	Yes	Contract:	Yes
Prices will hold for:	Until Complete	Estimated Delivery:	
Recommended Award to:	Northeast Earth Mechanics LLC	Fund:	CIP
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

[B23006 Rebid - Bid Documents](#)

Document Created by: Purchasing Document Posted on: January 5, 2024	R-2024-01.10 B23006 Additional SOW Cochecho Waterfront Public Improvements Construction Page 3 of 3
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CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.2.

Resolution Number: **R - 2024.01.10 - 2**

Resolution Re: Authorizing License to Unitil for Tax Map M-47-B (87A Gerrish Road)

WHEREAS: Granite State Gas Transmission, Inc. d/b/a Unitil (“Unitil”) has requested a license agreement allowing Unitil to pass and re-pass over an existing driveway from Gerrish Road to the City-owned property at Tax Map M-47-B (87A Gerrish Road), as well as construct and operate a new gravel accessway to an existing Unitil easement.

WHEREAS: An explanatory draft plan and license agreement reviewed by City staff accompany this resolution.

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

Subject to any land use approval or other permitting requirement in applicable law that Unitil may be required to obtain, the City Manager is authorized to negotiate, finalize, sign, and grant a license agreement with and to Unitil for its proposed uses and activities on Tax Map M-47-B (87A Gerrish Road).

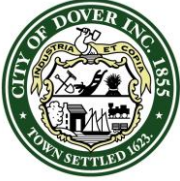
AUTHORIZATION

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: Jerrica Vansylyvong-
Bizier
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.2.

Resolution Number: **R - 2024.01.10 - 2**

Resolution Re: Authorizing License to Unutil for Tax Map M-47-B (87A Gerrish Road)

DOCUMENT HISTORY:

First Reading Date:
Approved Date:

Public Hearing Date:
Effective Date:

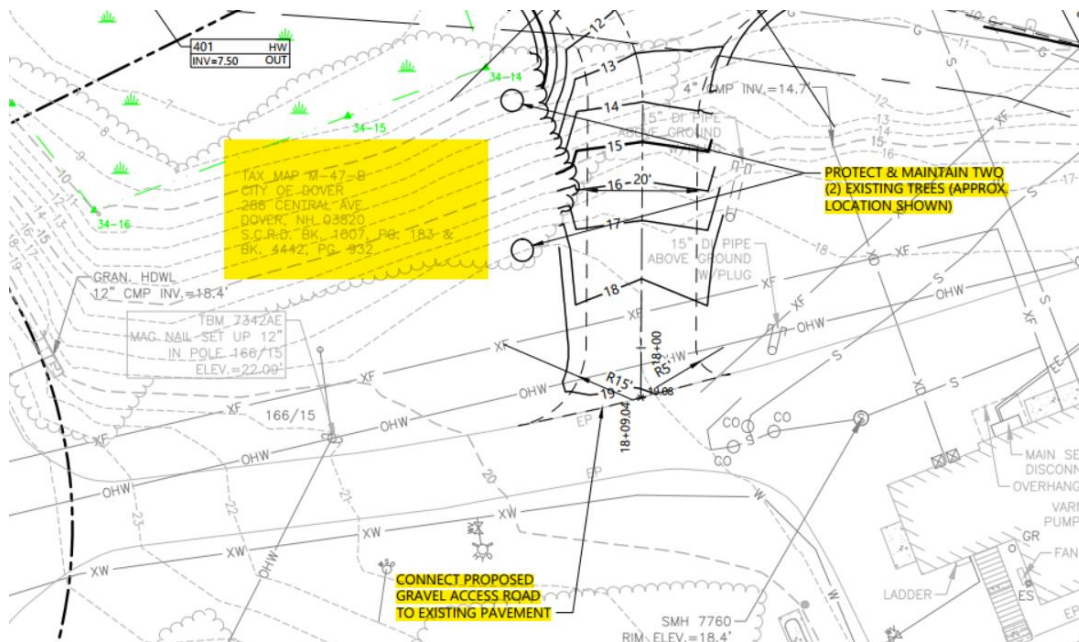
DOCUMENT ACTIONS:

VOTING RECORD

Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor S. April Richer, Ward 1		
Councilor Robert Warach, Ward 2		
Councilor Anthony Retrosi, 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:

A copy of the current draft license agreement, along with the plan referenced within, accompany this resolution. A plan excerpt with yellow highlighting appears below:



LICENSE AGREEMENT

This LICENSE AGREEMENT ("**LICENSE**"), is made as of the _____ day of _____, 2023 by and between the **CITY OF DOVER, NEW HAMPSHIRE**, a New Hampshire municipal corporation having offices at 288 Central Avenue, Dover, New Hampshire 03820 ("**City**"), and GRANITE STATE GAS TRANSMISSION dba UNITIL with its principal offices at 6 Liberty Lane West, Hampton, NH 03842 ("GSGT" or "Licensee") ("**Licensee**").

RECITALS

- A. CITY is the owner of a certain parcel of land and acquired fee simple title to the property TAX MAP M-47-B, 87A GERRISH ROAD DOVER NH as identified in Book 1007 page 183 and Book 4442 Page 932, County of Strafford, State of New Hampshire, (hereinafter "the City Property"). Known as the Dover Sewer pumping Station.
- B. Licensee (or related entities) is/are the owner of a certain easement for a gas transmission pipe line as identified in Book 666 Page 313 City of Dover, County of Strafford and State of New Hampshire
- C. Licensee has requested a license to pass and repass over and across the existing driveway from Gerrish Road. Also, to construct, operate and maintain a new gravel ACCESSWAY from the existing driveway to the existing pipeline easement area in order to access the existing Gas Easement to perform pipeline maintenance to and all the infrastructure, including the Varney Brook Station. The area is shown on the attached plan titled Varney Brook Access Road Gerrish Road Dover NH dated July 13, 2023 by VHB Engineering for GSGT, (License Area) and the City agrees to issue such license pursuant to the terms and conditions as more fully set forth in this license

LICENSE

Now therefore, in consideration of the mutual covenants herein set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Licensee hereby agree as follows:

1. **License.** The City hereby grants to Licensee, and Licensee accepts from the City, a license **to pass and repass over**, across and through **the existing driveway from Gerrish**

Road on the City Property. Also granting to Licensee and Licensee hereby accepts, a license to construct, operate and maintain on a portion of the City Property a new gravel ACCESSWAY from the existing driveway to the existing pipeline, which licensed area is that shown on a plan titled Varney Brook Access Road Gerrish Road, Dover, NH, dated July 13, 2023, by VHB Engineering for GSGT, including without limitation, Licensee's obligation to perform maintenance and snow removal over the gravel accessway. In the event that the City requires access to any below-ground utilities in the aforesaid license areas, Licensee shall be responsible for repairing and replacing any disturbed land surface to its prior condition, at Licensee's cost, and Licensee shall repair and replace the landscaping and improvements made by Licensee in the License Area at the expense of the Licensee. No work of the Licensee pursuant to the rights granted under this License shall interfere with the City's use of the City Property (or any existing improvements, structures, and/or uses on the City Property). This License is intended to satisfy the excavation permit requirement of the City of Dover's Code.

2. **Term.** The term of this License is twenty- five (25) years. Notwithstanding the foregoing, in the event the City determines, in its reasonable discretion, that the public good requires termination of this License or other reasonable public safety grounds exist that would justify revoking the License, then the City may at any time terminate the License and release the Licensee's rights under this License, or request the Licensee modify its rights under this License in order to remedy the public safety issue. This License shall automatically renew for successive twenty-five (25) year terms, unless terminated in writing by either party at least thirty (30) days prior to the expiration of the current term.

3. **Maintenance.** Licensee shall maintain and keep the License Area in a good state of repair, and shall repair any damage to the License Area, including any condition that endangers or may endanger safety or public safety.

4. **Insurance.** At all times this agreement is in effect, Licensee shall procure and maintain, at Licensee's sole cost, one or more general liability insurance policy or policies. The coverage of said insurance policy shall be in an amount of not less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) in the aggregate. An insurance certificate shall be supplied to the City of Dover by the Licensee, as well as proof of an endorsement or policy additional insured provisions confirming the City of Dover's additional insured status. The City of Dover shall be named as an additional insured on the Licensee's general liability insurance policy, which coverage shall apply on a primary and noncontributory basis, and, subject to the dollar amounts specified above, cover the City of Dover with the same scope of coverage provided to the Licensee under the general liability policy without subjecting the City of Dover to any different or additional terms, conditions, limitations or exclusions. The City of Dover shall receive at least thirty (30) days prior to cancellation of any policy. The Licensee shall also provide the City of Dover certificates of renewal no later than ten (10) business days prior to the expiration of any renewing and/or expiring policy. The City may require new or additional insurance coverage at points in the future, to account for inflation or other such factors over time.

5. **Indemnification.** Licensee shall defend (with counsel acceptable to the City) and indemnify the City against alleged or actual claims and demands for injuries, damages,

other damages to person or property, costs, expenses (including reasonable attorneys' fees and costs), arising out of or in relation to Licensee's exercise of its rights hereunder, except if caused by the sole negligence or misconduct of the City, its contractors, subcontractors and/or employees. Notwithstanding any provision contained in this License to the contrary, no member, manager, officer, or employee of Licensee shall have any personal liability hereunder.

6. Transferability and Assignment. This License is not transferable or assignable without the prior written consent of the City

7. Notice. Any notice required to be given under this License shall be in writing, and shall be deemed properly served if delivered in person, or by overnight mail by a commercially recognized carrier, or on the third (3rd) day after deposit in the United States mail, as certified or registered mail, return receipt requested, postage prepaid, and sent as follows:

If to Licensee, at: GRANITE STATE GAS TRANSMISSION dba UNITIL
 Attention Roger Barham
 6 Liberty Lane West
 Hampton, NH 03842

And if to the Licensors, at: City of Dover
 288 Central Avenue
 Dover, NH 03820
 Attention: City Manager and Director of Community
 Services

8. Governing Law. This License shall be governed and construed in accordance with the laws of the State of New Hampshire.

9. Real Property Taxes. Pursuant to RSA 72:23, I, Licensee agrees to pay all properly assessed current and potential real and personal property taxes for the portion of the City Property used, no later than the due date. Licensee is obligated by the foregoing to pay real and personal property taxes on structures or improvements added by the Licensee. Failure of the Licensee to pay the duly assessed personal and real estate taxes when due shall be cause to terminate said Lease by the City.

10. Council Authorization. This License was authorized by vote of the Dover City Council on _____.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the parties hereto have caused this License to be executed by their duly authorized representatives on the date first above written.

CITY OF DOVER, NEW HAMPSHIRE

Witness
Print Name: _____

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

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD

On this, the _____ of _____, 2023, before me, the undersigned Officer, personally appeared J. Michael Joyal, Jr., who acknowledged himself to be the City Manager of the City of Dover, and that he, as such City Manager, being authorized to do so, executed the foregoing instrument for the purposes therein contained and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act of the City of Dover.

Notary Public
My Commission Expires: _____

LICENSEE:

GRANITE STATE GAS TRANSMISSION
dba UNITIL

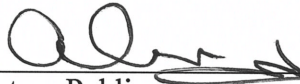


Witness
Print Name: _____

By: Christopher LeBlanc
Its: Vice President

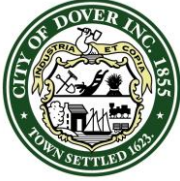
STATE OF New Hampshire COUNTY OF Rockingham

On this, the 22 of December, 2023, before me, the undersigned
Officer, personally appeared Christopher LeBlanc who acknowledge himself to be the Vice
President of Granite State Gas Transmission dba Unitil a New Hampshire Corporation and
executed the foregoing instrument for the purposes contained herein and acknowledged the
foregoing instrument to be his free act and deed in his said capacities and the free act and
deed Granite State Gas Transmission dba Unitil , .



Notary Public
My Commission Expires: _____

Celine P. Cote
Notary Public
State of New Hampshire
My Commission Expires
June 14, 2028



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

Resolution Number: **R – 2024.01.10 - 3**

Resolution Re: B24033 High Performance Cold Patch and/or Hot Patch

WHEREAS: A sealed Request for Proposal #B24033 was issued and received for as-needed High-Performance Cold Patch and/or Hot Patch on December 19, 2023 @ 2:00 p.m. with rates to hold for the 2023-2043 winter season; and

WHEREAS: The City received two (2) bid replies. It is the recommendation to accept the proposal meeting specifications submitted by Brox Industries, Inc. of Dracut, MA for as-needed high-performance cold patch at \$155.00/ton picked up and \$172.00/ton delivered and hot patch at \$130.50/ton picked up; and

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

The Purchasing Agent is hereby authorized to issue purchase orders to Brox Industries, Inc. of Dracut, MA at rates provided in conjunction with Request for Proposal #B24033 for as-needed high-performance cold patch and/or hot patch. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

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

Financing

Account	Description	Appropriation	Balance
1000.1.300.43121.4652.00000.00	Streets - Maint Supplies - Impr o/t Building	53,094	20,883
5300.1.300.43320.4652.00000.00	CS-Water - Maint Supplies	131,747	25,735
5320.1.300.43250.4652.00000.00	CS-Sewer-Maint Supplies	35,735	7,221

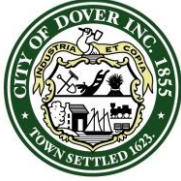
AUTHORIZATION

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: Jerrica Vanslyvong-
Bizier
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

Resolution Number: **R – 2024.01.10 - 3**

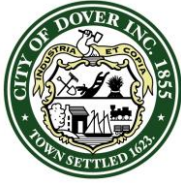
Resolution Re: B24033 High Performance Cold Patch and/or Hot Patch

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor S. April Richer, Ward 1		
Councilor Robert Warach, Ward 2		
Councilor Anthony Retrosi, 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 – 2024.01.10 - 3**

Resolution Re: B24033 High Performance Cold Patch and/or Hot Patch

RESOLUTION BACKGROUND MATERIAL:

The City historically spends approximately \$30,000.00 on the acquisition of hot patch and high performance and/or long lasting asphalt cold patch during the winter seasons. Through the bid solicitation, the City identified one vendor from whom to acquire the desired hot patch and high-performance cold patch on an as-needed basis for the 2023-2024 winter season at rates indicated below.

Pricing per ton, picked up by the City:

Vendor	High Performance Cold Patch	Hot Patch
Brox Industries, Inc.	\$155.00 per ton	\$130.50 per ton

Pricing per ton, delivered by the Vendor:

Vendor	High Performance Cold Patch	Hot Patch
Brox Industries, Inc.	\$172.00 (10-wheel dump truck)	No Bid

Purchasing Agent did reach out to Pike Industries to see why they did not submit bid and the response was that they simply forgot to do so. They indicated that they would not miss the bid again in the future.

Bid Information:

A sealed Request for Proposal #B23039 was issued and received for as-needed High-Performance Cold Patch and/or Hot Patch on December 19, 2023 @ 2:00 p.m.

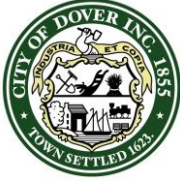
Award Information:

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

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	164	Number of Responses:	2
Warranty:	n/a	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	2023-2024 winter season	Estimated Delivery:	As Needed
Recommended Award to:	Brox Industries, Inc.	Fund:	Various
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation.

[B24033 Bid Documents](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R – 2024.01.11 - 4**

Resolution Re: Tire, Electronics and Propane Tank Recycling Services

WHEREAS: In 1981, four New Hampshire municipalities founded the Northeast Resource Recovery Association to provide a clearinghouse for current, up to date information and a source of technical and marketing assistance in the general areas of waste reduction and recycling. Membership has grown to over 300 municipalities. Dover has been a member of and has utilized these services for several years; and

WHEREAS: As a member of this organization, the City would like to continue to utilize Northeast Resource Recovery Association for its recycling needs. The estimated annual expenditure for 2024 is \$60,000 of which \$33,000 will be applied to the Vehicle Reclamation Trust (Fund 8933) and \$27,000 to the General Fund Community Services Recycling & Waste Management Budget; and

WHEREAS: Per 5-29A, Exemptions to Competitive Bidding of the Dover Purchasing Procedure, the Purchasing Agent may, with approval of the City Manager, waive bidding procedures when purchasing can be accomplished 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 Northeast Resource Recovery Association for continued as-needed recycling services at rates outlined in the background section for calendar year 2024. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Purchase Order authorized herein.

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

Financing

Account	Description	Appropriation	Balance
1000.1.300.43240.4421.00000.00	Recyding Mgmt-Waste Disp Svs	213,348.00	21,061.00
8933.1.300.43240.4831.00000.00	Vehide Redamation Trust		\$543,206.41

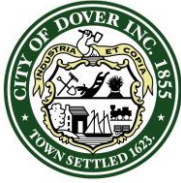
AUTHORIZATION

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: Jerrica Vansylyvong-
Bizier
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R – 2024.01.11 - 4**

Resolution Re: Tire, Electronics and Propane Tank Recycling Services

DOCUMENT HISTORY:

First Reading Date:

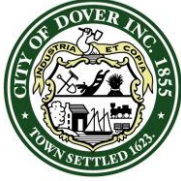
Public Hearing Date:

Approved Date:

Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor S. April Richer, Ward 1		
Councilor Robert Warach, Ward 2		
Councilor Anthony Retrosi, 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 – 2024.01.11 - 4**

Resolution Re: Tire, Electronics and Propane Tank Recycling Services

RESOLUTION BACKGROUND MATERIAL:

In 1981, four NH Municipalities founded the Northeast Resource Recovery Association (NRRA) to provide a clearinghouse for current, up to date information and a source of technical and marketing assistance in the general areas of waste reduction and recycling. Membership has grown to over 300 municipalities with goals such as maximizing recycling revenues, sharing cutting edge information, reducing disposal costs, reducing global warming emissions and access to expert technical assistance.

Dover is a member of this non-profit recycling cooperative and has utilized this program for many years. An annual resolution will be presented to the Board of Trustees of the Trust Funds documenting disbursement of funds from the Vehicle Reclamation Trust.

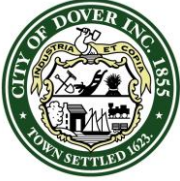
Electronic Recycling Services: NRRA will provide the City a closed container at the rate of \$120.00 per month, and a per pound fee of \$0.17 for mixed electronics and \$0.275 for projection and console televisions, as well as a commodity surcharge (subject to change) of \$0.03 per pound.

Tire Recycling Services: NRRA will supply a 20' on-site container at the rate of \$120.00 per month, as well as a per tire fee ranging from \$4.00/each for car tires (up to 19.5") to a fee of \$160.00/each for oversized 25" loader tires.

Propane Tank Services: NRRA will provide removal services of propane tanks in good or bad condition at rates ranging from \$1.00/each for 1 lb. tanks to \$1.25/each for 20 lb. tanks with bad OPD (overfill protection device) valves or \$0.50/each for 20 lb. tanks with good OPD valves. NRRA also accepts larger size tanks up to 100 lb. at the cost of \$2.25/each. In addition to the per unit recycling cost, NRRA has a trip charge of \$200.00 (estimate). The minimum pickup is 50 - 20 lb. tanks or 109 - 1 lb. tanks.

Purchasing Information:

Type:	Purchase Order	Advertised:	No
Invitations Mailed:	N/A	Number of Responses:	N/A
Warranty:	N/A	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	No
Prices will hold for:	One Year	Estimated Delivery:	As Needed
Recommended Award to:	Northeast Resource Recovery Association	Fund:	Trust / Recycling Disposal Services
Other Approvals Required:	Yes, Board of Trustees of the Trust Funds	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.5.

Resolution Number: **R – 2024.01.10 - 5**
Resolution Re: Purchase of Autoload Stretcher – Stryker Medical
Company - Sole Source

WHEREAS: In FY22 the City of Dover Fire & Rescue has received funds from the Federal Emergency Management Agency (FEMA) with the program objective of providing funding directly to fire departments and EMS organization for the purpose of protecting the health and safety of the public and first responder personnel. Through this program the city was able to purchase three powered stretcher loading systems through Stryker Medical Company; and

WHEREAS: The city received a quote from Stryker Medial Company to purchase another, of the same unit, at a discounted price of \$54,463.14 which represents a \$4,926.37 savings off the regular pricing. In order to take advantage of this discount, the order had to be placed before the end of the calendar year. For consistency and ease of use, as well as the unit being supplied by the sole source manufacturer Stryker Medical Company, the city is retroactively seeking the approval of this purchase. This unit will be used in conjunction with the new ambulance when it arrives and funded through the Dover Fire & Rescue department budget; and

WHEREAS: Per 5-29C Exemption from Competitive Bidding Procedure: Competitive bidding shall not apply to Sole Source purchases where the proposed purchase is manufactured or provided by only one entity, and/or the City has already committed to a certain product, manufacturer, brand or service provider; 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 Stryker Medical Company in the amount of \$54,463.14 as listed above. 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
1009.1.220.42220.4741.00000.22	F&R Machinery & Equipment	24,856.94	24,856.94
1009.1.220.42220.4741.00000.23	F&R Machinery & Equipment	335,300.00	335,300.00

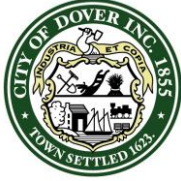
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Robert Carrier
By Request

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

Recorded by: Jerrica Vanslyvong-
Bizier
City Clerk

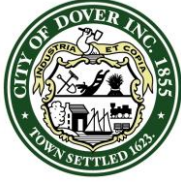
 CITY OF DOVER	CITY OF DOVER - RESOLUTION	
	Agenda Item#: 13.A.5.	
Resolution Number: R – 2024.01.10 - 5 Resolution Re: Purchase of Autoload Stretcher – Stryker Medical Company - Sole Source		

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 S. April Richer, Ward 1		
Councilor Robert Warach, Ward 2		
Councilor Anthony Retrosi, 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.5. Resolution Number: R – 2024.01.10 - 5 Resolution Re: Purchase of Autoload Stretcher – Stryker Medical Company - Sole Source
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RESOLUTION BACKGROUND MATERIAL:

The City of Dover Fire and Rescue already purchased a total of three powered stretcher loading systems for a portion of our ambulance fleet. Dover Fire & Rescue would be using the unit to outfit one new frontline ambulance with this powered stretcher loading systems.

Our request is based on a department wide risk analysis and is considered a high priority. The goal of this is to provide compliance with National Fire Protection Agency 1500 – Standard on Fire Department Occupational Safety, Health and Wellness Program for the safety of our responders and patients. This purchase will ensure safety standardization across the fleet and significantly reduce the risk of provider injury when a patient occupied stretcher is lifted into and out of an ambulance. Working as an EMS first responder is a demanding job, both physically and emotionally. The repetition of lifting stretchers in and out of an ambulance places our members at increased risk of back or spinal injury as well as other muscular-skeletal injuries.

City of Dover Fire & Rescue ambulances are projected to have completed 3,781 patient transports to EMS receiving facilities in calendar year 2023. For each patient transport, an ambulance stretcher will be loaded and unloaded two times each. An unoccupied stretcher weighs 125 pounds. On average, an occupied stretcher weighs between 275 pounds and 315 pounds. Considering calendar year 2023 is expected to realize 3,781 transports x 4 stretcher loads/unloads = 15,124 times a stretcher is lifted into and out of an ambulance per year. This total does not account for the number of times a stretcher is removed for EMS calls where the patient elects to not be transported, decontamination, maintenance, or training.

The Stryker Power-LOAD System and its components are covered under a 1-year warranty. Training for the new system is provided by the manufacturer at no cost to the organization. Following the warrantee period, a stretcher service agreement is recommended which is estimated (2023) at \$1,359 per year.

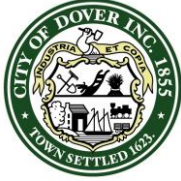
Bid Information:

This is a sole Source purchase per 5-29C Sole-source purchases where the proposed purchase is manufactured or provided by only one entity, and/or the City has already committed to a certain product, manufacturer, brand or service provider.

Award Information:

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

Document Created by: Purchasing Document Posted on: January 5, 2024	R-2024.01.10 Purchase of Autoload Stretcher Stryker Medical Company - Sole Source Page 3 of 3
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 CITY OF DOVER	CITY OF DOVER - RESOLUTION	
	Agenda Item#: 13.A.6.	
Resolution Number: R – 2024.01.10 - 6 Resolution Re: Approval of Operational Rules for the Committee to Address Community Housing Needs		

WHEREAS: By resolution passed on May 24, 2023 ([R-2023.05.24 - 084](#)), and amended on October 11, 2023 ([R-2023.10.11 – 170](#)), the City Council established the Ad-Hoc Committee to Address Community Housing Needs (the “Committee”); and

WHEREAS: On November 21, 2023 the Committee held a meeting and approved a set of Operating Rules as set forth in the attachment to this resolution.

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

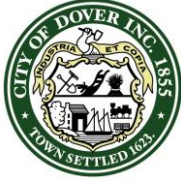
The City Council approves the Operational Rules for the Committee to Address Community Housing Needs adopted on November 21, 2023.

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:	Jerrica Vanslyvong- Bizier City Clerk		

DOCUMENT HISTORY:

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

 CITY OF DOVER	CITY OF DOVER - RESOLUTION Agenda Item#: 13.A.6. Resolution Number: R – 2024.01.10 - 6 Resolution Re: Approval of Operational Rules for the Committee to Address Community Housing Needs
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DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor S. April Richer, Ward 1		
Councilor Robert Warach, Ward 2		
Councilor Anthony Retrosi, 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 Operational Rules for the Committee to Address Community Housing Needs adopted on November 21, 2023.

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



CITY OF DOVER

AD-HOC COMMITTEE TO ADDRESS COMMUNITY HOUSING NEEDS – DRAFT MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Hall, Council Conference Room
Meeting Date: Tuesday, November 21, 2023
Meeting Time: 5:00 p.m.

Regular Members: 9

Mayor Robert Carrier, City Council, Chair
George DeBoer, Planning Board
Ryan Crosby, Dover Housing Authority
Betsey Andrews Parker, CAPSC, Vice-Chair
Robert Baldwin
Mark O'Dell
Dorothy Wagner
Ernie Clark
Krysta Gingue

Alternate Members: 3

Mark Speidel, Planning Board
Pam Lessard, Secretary
Leslie Michaud

1. CALL TO ORDER AND ROLL CALL

Mayor Carrier called the meeting to order at 5pm. Betsey Andrews-Parker conducted roll call:
Absent: Mark Speidel, Leslie Michaud
Additional Attendees: Staff Liaison – Housing Navigator Ryan Pope

2. CITIZEN'S FORUM

Mayor Carrier opened the Citizen's Forum. Citizen's Forum closed with no public comment.

3. APPROVAL OF ORGANIZATIONAL MEETING MINUTES OF OCTOBER 31, 2023

Motion by Dorothy Wagner to accept organizational meeting minutes. Second by Ryan Crosby.

Discussion of outstanding legal clarifications from prior meeting. Housing Navigator Pope updated Committee regarding Pam Lessard as Secretary, and that virtual meetings are not currently permissible. Pam Lessard requested clarification of minutes to amend passage of language regarding social media policy to exempt her vote as she did not vote in favor said amendment. Minutes amended to reflect a vote of 8-1 in favor social media communications policy. Vote to accept minutes as amended, 9-0, motion passed.

4. REVIEW AND ADOPTION OF COMMITTEE RULES

Housing Navigator Pope discussed proposed amendment to operating rules with changes to Article V.F-change of "Email" to "Communication Standards" with presentation of amended language from the City Attorney's office. Some discussion followed to further clarify communication standards regarding committee business. Motion to adopt operating rules as amended by Ryan Crosby, Krysta seconds. Vote 9-0. Motion passed.

5. HOUSING NAVIGATOR UPDATE

Navigator Pope provided the following updates:

- Housekeeping Items:
 - Pam Lessard confirmed as Secretary
 - City email address set-up process for committee members
- AbleNH: Met with AbleNH to better inform policy perspectives for those living with disabilities



CITY OF DOVER

AD-HOC COMMITTEE TO ADDRESS COMMUNITY HOUSING NEEDS – DRAFT MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Hall, Council Conference Room
Meeting Date: Tuesday, November 21, 2023
Meeting Time: 5:00 p.m.

- ADU financing: At least two local financial institutions have agreed to pilot a specialized loan program next year.
- Housing Opportunity Grant: The City has been awarded \$65,000 to address zoning policies. It has been bid out twice with no response and a third bid attempt is expected to be issued soon for consultant work.
- Upcoming Events:
 - Housing opportunity and navigator recipient community visit scheduled for November 29th from 2-6pm to include presentation and walking tour of downtown Dover.
 - The Workforce Housing Coalition will present the City of Dover with a Visionary Leadership award on November 30th at their annual awards dinner at The Brook in Seabrook at 5pm.
 - Presentation on December 8th at St. Anselm's College in Manchester to showcase recent development in Dover located at Sophie/Banner. Will follow up with Rob Baldwin following meeting to finalize talking points.
- Individual Meetings: Request for individual meetings with committee members. The group was in agreement.

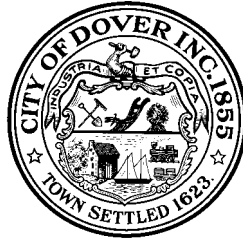
Group discussion followed regarding TDR (Transfer of Development Right) and examples in Dover. Rob Baldwin discussed financial implications and complexity of development in general. The group had some discussion about definitions of affordability terms, the acceptance of vouchers, and the need for mixed-income developments. The group agreed that a future meeting should include clarifications of housing terminology and the roles of agencies like CAPSC and DHA in providing housing and supportive services, stressing the importance of creating a common understanding for relaying the committee's efforts to the broader community. Additional conversation was had regarding the creation of subcommittees to ensure the committee was able to meet its charge of making recommendations to the City Council by September of 2024 and building relationships with other regional efforts and organizations report back on, with subcommittees identified during the December meeting.

6. DISCUSSION OF SURVEY RESULTS & GOAL SETTING

The committee discussed survey results stressing the community's overwhelming desire for more affordable housing while considering the balance and prioritization of other themes and concerns raised in the responses. Mark O'Dell stressed that the need is being felt by area employers and that the broader economy will be impacted if action is not taken. Krysta Gingue shared that she utilized Chat GPT to assist her with analyzing survey responses and created an initial list of focus areas for the committee to consider for research and advocacy: Affordable & Inclusive Housing Models, Community Engagement & Communications, Zoning Policies & Regulatory Frameworks, Partnerships & Collaboration, and Financial Incentives & Support Programs. Betsey and Ryan agreed to connect between meetings to determine how best to educate the committee on terms and the work of CAPSC & DHA at December's meeting. Rob Baldwin asked that December's meeting also include some discussion of leveraging the City's survey system to poll the developer community. Krysta Gingue shared information about an upcoming UNH Connect event in Boston the evening of 11/29 focused on housing open to UNH alumni that she will attend.

7. ADJOURN

Motion to adjourn by Ryan Crosby, seconded by George DeBoer. Vote 9-0.



OPERATING RULES

AD-HOC COMMITTEE TO ADDRESS COMMUNITY HOUSING NEEDS

Article I. Name

The name of the Committee is the **Ad-Hoc Committee to Address Community Housing Needs** (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 encourage and incentivize thoughtful development to meet the housing needs of residents of all incomes, ages, and abilities. The Committee shall author and submit a final written report to City Council no later than September 30, 2024, summarizing its findings, potential solutions, and the Committee's ultimate recommendations.
- B. The Committee's authority and existence shall terminate on September 30, 2024, unless extended by the vote of the Dover City Council.

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;
 - b. One member of the Planning Board recommended by the City Council's appointments committee and ratified by City Council;
 - c. The Executive Director, or designee, of the Dover Housing Authority;
 - d. The Executive Director, or designee, of the Community Action Partnership of Strafford County;
 - e. One developer in Dover recommended by the City Council's appointments committee and ratified by City Council;
 - f. One business owner or representative recommended by the City Council's appointments committee and ratified by City Council;
 - g. One landlord or property manager in Dover recommended by the City Council's appointments committee and ratified by City Council;
 - h. One residential property owner in Dover recommended by the City Council's appointments committee and ratified by City Council;
 - i. One citizen at large representative of Dover's renter population recommended by the City Council's appointments committee and ratified by City Council;
 - j. Up to three (3) alternate members fulfilling any of the criteria above as recommended by the City Council's Appointments Committee and ratified by City Council.

- B. **Attendance, Vacancies and Removal.** Unless otherwise provided by the appointing authority, all appointments to the Committee shall serve for a term that is co-terminous with the member's term on their respective public body. Any appointments made to fill any vacancies shall be for 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 shall be defined by statute, ordinance, Charter, or common law.

Article IV. Officers and Staffing

- A. **Officers.** The officers consist of a Chair, Vice Chair, and Secretary, who shall be selected by the membership and who shall serve at the pleasure of the membership for one-year terms. Officers may be re-elected.
- B. **Duties of the Chair.** The Chair shall have general supervisory and directional powers over the Committee. The Chair shall preside at all Committee meetings and set the Committee's agenda. The Chair shall also be an ex-officio member of all subcommittees and shall be the sole spokesperson for the Committee, unless this responsibility is delegated in writing.
- C. **Vice Chair.** The Vice Chair shall execute all powers of the Chair in the absence of the Chair.
- D. **Secretary.** The Secretary shall take minutes of each meeting and transmit them to 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. All staff shall remain under the direction of the employer.

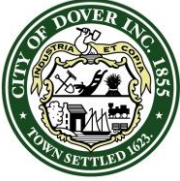
Article V. Procedures

- A. **Meetings.** The Committee shall hold regular meetings as necessary at a time and place designated by the 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. State law requires all meetings to be posted in two (2) places with a minimum of twenty-four (24) hours notice.
- B. **Quorum. A majority (51%)** of the active members, but not less than five (5), of the voting membership of the Committee shall constitute a quorum.
- C. **Parliamentary Authority.** The parliamentary authority for the Committee is *Robert's Rules of Order Revised, 12th ed*, except as provided by these rules or local, state or federal law.
- D. **Minutes.** 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. **Communication Standards.** 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 or social media to discuss issues with other members where the ~~e-mail-online~~ discussion directly or indirectly involves a quorum of the committee. Similarly, committee communication to the public shall be expressly approved by the committee, and no committee member may speak on behalf of the committee without the express authorization 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 press unless permitted by state law.
- G. **Nonpublic meetings.** The Committee shall only conduct ~~only~~ nonpublic 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 November 21, 2023

APPROVED BY THE DOVER CITY COUNCIL ON _____



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R – 2024.01.10 - 7**

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: The Operating Rules require amendment to accurately reflect the membership directed in the ordinance. The corrected Operating Rules are 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 as set forth in the attachment to this resolution.

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: Jerrica Vanslyvong-
Bizier
City Clerk

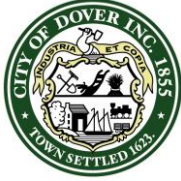
DOCUMENT HISTORY:

First Reading Date:

Public Hearing Date:

Approved Date:

Effective Date:

 CITY OF DOVER	CITY OF DOVER - RESOLUTION Agenda Item#: 13.A.7. Resolution Number: R – 2024.01.10 - 7 Resolution Re: Approval of Amendments to the Operational Rules for the Committee for Racial Equity and Inclusion
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DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor S. April Richer, Ward 1		
Councilor Robert Warach, Ward 2		
Councilor Anthony Retrosi, 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 the attached Operational Rules for the Committee for Racial Equity and Inclusion.



OPERATING RULES

COMMITTEE FOR RACIAL EQUITY AND INCLUSION

Article I. Name

The name of the Committee is the **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.

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~~ Seven 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.
- 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 a Chair, Vice Chair, and a 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 Chair.** The Chair shall have general supervisory and directional powers over the Committee. The Chair shall preside at all Committee meetings and, in consultation with the Vice Chair, shall set the Committee's agenda. The Chair 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 Chair in the absence of the Chair.
- D. **Secretary.** The 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

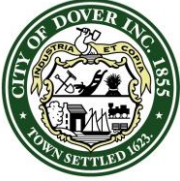
- A. **Meetings.** The Committee shall hold regular meetings as necessary at a time and place designated by the Chair. The business of the public shall be conducted in public session unless otherwise permitted by state law. All meetings of the Committee and subcommittees shall be posted to comply with 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. 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 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 May 25, 2023

APPROVED BY THE DOVER CITY COUNCIL ON June 14, 2023



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2024.01.10 - 8**

Resolution Re: City Council Opposition to Current Draft of House Bill
1479—Relative to Municipal Lobbying

WHEREAS: In the current legislative session, House Bill (“HB”) 1479 as currently drafted proposes to prohibit the use of public funds, including municipal funds, to influence legislation; and

WHEREAS: The New Hampshire Municipal Association (“NHMA”), of which the City of Dover is a member, routinely provides legislative input, and opposes HB 1479; and

WHEREAS: By way of comprehensive policies and principles, developed by representatives of the State’s cities and towns, municipal advocates such as the NHMA strive to maximize the City’s control over decisions that impact our citizens and businesses; and

WHEREAS: The legislative process, which routinely benefits from input from the NHMA and similar organizations, should remain open, fair, accessible, and receptive to all municipal input.

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

The Dover City Council opposes, and implores all members of the General Court to vote against, the current draft of House Bill 1479, “Relative to prohibiting the use of federal, state, or local funds for lobbying activities.” The City Manager is hereby authorized to provide a copy of this Resolution, including the background, to all members of the General Court.

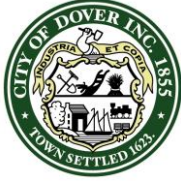
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Deputy Mayor Dennis
Shanahan

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

Recorded by: Jerrica Vansylyvong-
Bizier
City Clerk

 CITY OF DOVER	CITY OF DOVER - RESOLUTION	
	Agenda Item#: 13.B.1.	
Resolution Number: R – 2024.01.10 - 8 Resolution Re: City Council Opposition to Current Draft of House Bill 1479—Relative to Municipal Lobbying		

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 S. April Richer, Ward 1		
Councilor Robert Warach, Ward 2		
Councilor Anthony Retrosi, 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:

As the only statewide organization that provides cities and towns with legislative advocacy services, NHMA is a voluntary, member-founded, member-funded, member-governed organization that relies on local funds.

NHMA is one of many local government advocacy organizations that would be threatened by this bill. Many officials and employees in our City—and in municipalities across the state—are members of professional organizations that provide advocacy services, including but not limited to building officials, assessing officials, town and city clerks, planners, police officers, firefighters, public works employees, and school district officials.

Groups acting in the interest of the State’s cities and town, such as the NHMA, deliver valuable services outside their legislative advocacy that help local government operate. These services include training and educational opportunities, often in conjunction with state partners, to ensure their members understand the law and best practices.

A copy of House Bill 1479, as currently drafted, accompanies this resolution.

HB 1479-FN - AS INTRODUCED

2024 SESSION

24-2781

12/05

HOUSE BILL

1479-FN

AN ACT relative to prohibiting the use of federal, state, or local funds for lobbying activities.

SPONSORS: Rep. Yokela, Rock. 32; Rep. Ammon, Hills. 42; Rep. Soti, Rock. 35

COMMITTEE: Legislative Administration

ANALYSIS

This bill regulates the use of public funds for lobbying activities and establishes certain additional enforcement mechanisms.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to prohibiting the use of federal, state, or local funds for lobbying activities.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Lobbyists; Prohibited Activities. RSA 15:5 is repealed and reenacted to read as follows:

2 15:5 Prohibited Lobbyist Activities.

3 I. In this section, "public funds" means a grant or appropriation of a state, county, town,
4 city, village district, unincorporated place, or school district.

5 II. No public funds shall be used to lobby, attempt to influence legislation, participate in
6 political activity, or contribute funds to any entity for the purpose of engaging in the same.

7 III. Any recipient of public funds that wishes to engage in any of the activities which would
8 require registration as a lobbyist under RSA 15:1, shall segregate public funds in such a manner
9 that such funds are physically and financially separate from any other funds that may be used for
10 any of these purposes. Mere bookkeeping separation of the public funds from other monies shall not
11 be sufficient.

12 IV. If an entity engages in an activity prohibited in paragraph II, a taxpayer or resident of
13 this state is entitled to appropriate injunctive relief to prevent further activity prohibited by that
14 paragraph and to prevent further payment of public funds related to that activity. A taxpayer or
15 resident who prevails in such an action is entitled to recover from the entity the taxpayer's or
16 resident's reasonable attorney's fees and costs incurred in bringing the action.

17 V. Notwithstanding any other provision of law, any person who knowingly authorizes
18 spending of public funds in violation of this section shall be guilty of a Class A misdemeanor
19 and personally liable for an amount equal to 3 times the amount wrongfully paid or expended,
20 divided equally to the county, town, city, village district, unincorporated place, or school district
21 which provided the grants or appropriations.

22 VI. A knowing violation of this section is grounds for discharge of an employee.

23 VII. Nothing in this section shall be construed to limit an entity's ability to provide
24 information which does not advocate for or against political candidates or legislation.

25 2 Applicability. This act applies only to an expenditure or payment of public funds as defined in
26 RSA 15:5, I, that is made on or after the effective date of this act, including an expenditure or
27 payment of public funds that is made under a contract entered into before, on, or after the effective
28 date of this act.

29 3 Effective Date. This act shall take effect January 1, 2025.

**HB 1479-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to prohibiting the use of federal, state, or local funds for lobbying activities.

FISCAL IMPACT: ☒ State ☒ County ☒ Local ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

Estimated Political Subdivision Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

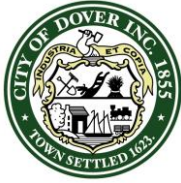
The bill also provides for civil remedies. There is no way to predict how many such actions would occur, but the Judicial Branch has provided average cost information for civil cases in the Superior Court:

Superior Court	FY 2024	FY 2025
Complex Civil Case	\$1,321	\$1,347

Routine Civil Case	\$494	\$504
Superior Court Fees	As of 1/12/2020	
Original Entry Fee	\$280	
Third-Party Claim	\$280	
Motion to Reopen	\$160	

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2024.01.10 - 9**

Resolution Re: Technology Catalog Solutions -Sourcewell Contract 081419-
CDW Government LLC

WHEREAS: The City of Dover is a member of Sourcewell, formally the National Joint Powers Alliance (NJPA), a member-focused public cooperative of more than 50,000-member agencies throughout the United States and, therefore, may purchase utilizing any of their cooperative purchasing agreements. In August 2019 Sourcewell solicited RFP#081419 for Technology Catalog Solutions which included a wide variety of hardware, peripherals, software, and technical support. Included are equipment and services to protect against malicious exfiltration, destruction and or irreversible encryption of data; and

WHEREAS: The Sourcewell Group selected three firms with the top ranked firm being CDW Government LLC as well as the company with the biggest discount off the cybersecurity services being requested by the City of Dover Office of Information Technology. The city received a quote #NRLW703 on December 20, 2023 in the amount of \$184,854.38 which represents discounts off manufactures suggested retail price (MSRP) ranging from 9.23% to 72.59%. The quote will provide the following cybersecurity services over a thirty-six (36) month term; managed endpoint security/extended detection and response (XDR), threat hunting services, vulnerability detection and identity threat protection for municipal client and server systems and municipal accounts. Additional information on the services requested can be found in the background section of this resolution. It is the recommendation to accept the proposal submitted as outlined; and

WHEREAS: Per 5-29A, 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

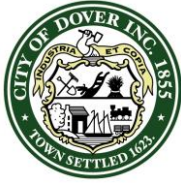
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue a Purchase Order to CDW Government, LLC of Vernon Hills IL for the purchase of an Identity Threat Protection Application and related accessories in the amount of \$184,854.38. 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
2110.1.190.41991.4745.01150.00	ARPA Computers and Communication	184,855.00	184,855.00



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2024.01.10 - 9**

Resolution Re: Technology Catalog Solutions -Sourcewell Contract 081419-
CDW Government LLC

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: Jerrica Vansylyvong-
Bizier, City Clerk

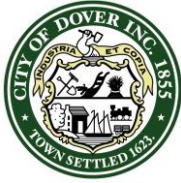
DOCUMENT HISTORY:

First Reading Date:
Approved Date:

Public Hearing Date:
Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor S. April Richer, Ward 1		
Councilor Robert Warach, Ward 2		
Councilor Anthony Retrosi, 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.B.2.

Resolution Number: **R – 2024.01.10 - 9**

Resolution Re: Technology Catalog Solutions -Sourcewell Contract 081419-
CDW Government LLC

RESOLUTION BACKGROUND MATERIAL:

The City of Dover has completed Center for Internet Security's annual Nationwide Cybersecurity Review (NCSR) which informs areas of growth since 2020. The City of Dover Office of Information Technology (IT) identified a set of actions that would improve its cybersecurity posture in the fall of 2021. The purchase of a suite of cybersecurity services as presented in this resolution supports multiple cybersecurity improvement goals identified in that plan; improve device endpoint protection using automated detection and response for client, server, mobile endpoints (XDR) and provide vulnerability detection for the business network. This solution also delivers quick response services performed by cybersecurity professional 7x24x365, threat protection of identity accounts, access to training courses for six Office of IT staff and a breach prevention warranty.



City of Dover will receive this service utilizing government cloud services that are Federal Risk and Authorization Management Program (FedRAMP) authorized. Services can support CJIS in states that have executed a CJIS Security Agreement with vendor in GovCloud. The application has been independently validated to assist healthcare organizations achieve compliance with HIPAA. The services provided are effective in addressing the system protection and monitoring controls identified in NIST SP 800-53 Rev. 5. The vendor is compliant with Service Organization Control 2 standards and provides its customers with a SOC 2® report. The Type 2 report addresses the suitability of design and the operating effectiveness of the controls.

Once FedRAMP validation is complete in summer 2024, the City of Dover will request to add centralized logging to the suite of services selected above. These services will enhance what is effectively a System Information and Event Management (SIEM) solution already in place using the platform above. Services will inform municipal staff on the cybersecurity status not only of devices that can run the vendor application but also by ingesting logs of various platforms, with the primary target of incorporating our firewall technology.

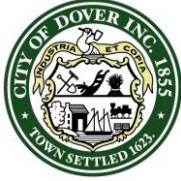
The City of Dover deployed a subset of this solution, mobile device protection for a 12-month term, in August 2023. The City of Dover would look to co-term those services at time of renewal in August 2024. Please note, as this platform is cloud-based and reliant on Internet connectivity, it will not be utilized in our operating technology environment.

Bid Information:

The City of Dover is a member of Sourcewell, formally the National Joint Powers Alliance (NJPA), a member-focused public cooperative of more than 50,000-member agencies throughout the United States and, therefore, may purchase utilizing any of their cooperative purchasing agreements.

Award Information:

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2024.01.10 - 9**

Resolution Re: Technology Catalog Solutions -Sourcewell Contract 081419-
CDW Government LLC

Purchasing Information:

Type:	Purchase Order	Advertised:	N/A
Invitations Emailed:	N/A	Number of Responses:	N/A
Warranty:	Manufacturers	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	36 months	Estimated Delivery:	In stock
Recommended Award to:	CDW Government LLC	Fund:	ARPA Grant
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed \$25,000, thereby requirement council approval

[Sourcewell RFP#081419](#)