



CITY OF DOVER

## CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, August 27, 2008**  
Meeting Time: **7:00pm**

1. **MOMENT OF SILENCE**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
  - A. **SELECTION OF DEPUTY MAYOR**
4. **PROCLAMATIONS – AWARDS**
5. **SUMMARY OF AGENDA**
6. **CITIZEN'S FORUM**

*Citizens are invited to speak on any issue pertaining to the business of the city of dover. Statements shall be limited to five minutes.*
7. **PUBLIC HEARINGS**
  - A. **RESOLUTION RE: NONE**
  - B. **ORDINANCE: NONE**
8. **CITY MANAGER'S REPORT**
9. **MINUTES**
  - A. **MINUTES FROM – AUGUST 6, 2008**
10. **MAYOR'S REPORT**
11. **UNFINISHED BUSINESS**
  - A. **ORDINANCES IN THE 2ND READING – None**
  - B. **ORDINANCES IN THE 3RD READING – None**
  - C. **RESOLUTIONS**
    1. **ECONOMIC DEVELOPMENT SERVICES AGREEMENT (TO BE REMOVED FROM TABLE AND AMENDED.**
12. **NEW BUSINESS**
  - A. **CONSENT CALENDAR**
    1. **RAFFLE – St. Charles Borromeo Church**
    2. **TAG PERMIT – Back River Farm Festival**
    3. **TAG PERMIT – Dover Little Green Football, Inc.**
    4. **TAG PERMIT – Prime Time All-Stars**
    5. **BLOCK PARTY – Dover Knights of Columbus**
    6. **ROAD TOLL -- Dover Professional Firefighters Association & Muscular Dystrophy Assoc. of NH**



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- 7. RESOLUTION RE: DEPOSITORIES FOR CITY FUNDS FOR FISCAL YEARS 2009 and 2010**  
SPONSORED BY MAYOR MYERS BY REQUEST
- 8. RESOLUTION RE: INCREASE IN PRICE FOR DOVER TRASH BAGS AND TAGS**  
SPONSORED BY COUNCILOR DEDE
- 9. RESOLUTION RE: POLICE CRUISER ACQUISITION STATE BID 79-08**  
SPONSORED BY MAYOR MYERS BY REQUEST

### COMMITTEE REPORTS

1. Appointments Committee
2. Arena Committee
3. Arts Commission
4. McConnell Center Committee
5. Planning Board – Councilor D. Trefethen
6. Cable Franchise Negotiations Committee
7. School Board Liaison
8. City / School Joint Service Committee
9. Solid Waste Advisory Committee
10. Transportation Advisory Committee
11. Joint Building Committee
12. Recreation Advisory Board
13. Coast Bus

### B. RESOLUTIONS

- 1. RESOLUTION RE: DIESEL FUEL B09004B RE-BID**  
SPONSORED BY MAYOR MYERS BY REQUEST
- 2. RESOLUTION RE: MUNICIPAL INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY**  
SPONSORED BY MAYOR MYERS
- 3. RESOLUTION RE: AMENDMENT TO COUNCIL RULES – RULE 10: FILING WITH CLERK**  
SPONSORED BY COUNCILOR CHENEY
- 4. RESOLUTION RE: AMENDMENT TO COUNCIL RULES – RULE 15 PROCEDURES AND FILING WITH THE COUNCIL**  
SPONSORED BY COUNCILOR CHENEY
- 5. RESOLUTION RE: AMENDMENT TO COUNCIL RULES – RULE 15.2 COLLECTIVE BARGAINING AGREEMENTS**  
SPONSORED BY COUNCILOR CHENEY
- 6. RESOLUTION RE: RELEASE OF AUGUST 15, 2008 CITY ATTORNEY OPINION**  
SPONSORED BY COUNCILOR SCOTT
- 7. RESOLUTION RE: FISCAL YEAR 2009 BUDGET – AMENDMENT #1 (TO BE REFERRED TO PUBLIC HEARING ON SEPTEMBER 10, 2008)**  
SPONSORED BY COUNCILOR MCCUSKER AND COUNCILOR TREFETHEN



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**8. RESOLUTION RE: DISSOLUTION OF ARENA FUND INTO GENERAL FUND –  
FY09 BUDGET AMENDMENT #2 (TO BE REFERRED TO PUBLIC HEARING ON  
SEPTEMBER 10, 2008)**

SPONSORED BY COUNCILOR TREFETHEN

**9. RESOLUTION RE: NAMING OF THE LIBERTY NORTH END FIRE STATION (TO  
BE REFERRED TO PUBLIC HEARING ON SEPTEMBER 10, 2008)**

SPONSORED BY MAYOR MYERS BY REQUEST

**C. ORDINANCES IN 1ST READING – None**

**D. COUNCIL CORRESPONDENCE**

**13. COUNCIL MATTERS OF INTEREST**

**14. ADJOURN**

# CITY MANAGER'S REPORT

August 27, 2008



Submitted by:

**J. Michael Joyal, Jr.**  
**City Manager**

288 Central Avenue  
Dover NH 03820  
603.516.6023

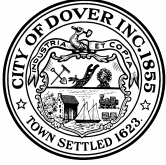
## **GENERAL SUMMARY OF MATTERS OFFICE OF THE CITY ATTORNEY**

The use of outside counsel to handle specialty matters continues and consists of counsel involved in environmental matters(Attorney Peltonen), labor negotiations(Attorney Broth and assistant ), cable and telecommunications(Attorney Ciandella), and zoning and assessing matters(Attorney Mitchell/Attorney Whitelaw). There are a small number of other attorneys hired on a variety of smaller matters.

### **SELECTED MATTERS FOR THE MONTH: July, 2008**

- Assistance to the Police Department regarding court proceedings; parking; ordinance revisions Chapter 166; prosecutorial charging decision
- Assistance to the Planning Department regarding conservation, roads, land use statutes and sign matter
- Litigation for Planning Board—2 cases
- Attendance at Purchasing seminar
- Review of contracts and policies for various departments and City projects
- Legislation overview provided to Chairs of all boards, commissions and committees
- Processing of RSA 91-A requests : 5 requests for the month of July  
Tax delinquents(3); DBIDA minutes; Urban Tree insurance/contract)
- Preparation for two real estate closings
- Assistance to Community Services regarding construction, tree, liability issues
- Assistance to Purchasing Agent and Planning Department regarding bid responses to RFP solicitations

- Assistance to the School Department regarding contractual matter
- Interviews of law firms for outside legal counsel labor and employment law services
- Assistance to Recreation Department regarding camp activities
- Review of FY '08 year to date (6/30/08)- Operating Budget spending for specialized outside legal counsel--\$66,712.33 ( Note: encumbrance for bond counsel excludes capital fund environmental law expenditures of \$23,023.63)



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## CITY COUNCIL – MINUTES

**DRAFT**

Meeting Type: Workshop  
Meeting Location: City Hall Auditorium-288 Central Ave, Dover, NH 03820  
Meeting Date: August 6, 2008  
Meeting Time: 7:00 pm

**Present:** Mayor Myers, Councilors Callaghan, Cheney, Dede, McCusker, Scott, Trefethen, Weston.  
**Also Present:** City Manager Joyal, City Attorney Krans, and City Clerk Lavertu.  
**Vacancy:** Ward 1 Councilor

### 1. PLEDGE OF ALLEGIANCE

Councilor Trefethen led the Pledge of Allegiance.

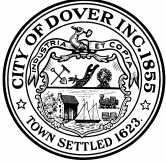
### 2. CITY MANAGER EVALUATION

Mayor Myers went over the background information for the Workshop. He said it was the end of a year-long process. The Council's goals for the City Manager are usually set in the fall, and they provide the City Manager with direction. He said the Council adopted the methodology being used to score the written comments, giving extra weighting to higher priorities. He said there were 17 goals passed that the Council evaluated, in four different sets of priorities. The first five goals are the highest priority, followed by three sets of four goals ranking 2, 3, and 4. He said each Councilor was given a scoring sheet. The scoring is based on a 1 to 10 point system, with 10 being the highest and 1 the lowest. He said the breakdown was: 1 to 4 would fall into the below expectations category, a 5 or 6 would fall into the meets expectations category, 7 or 8 would fall into the often exceeds expectations, a 9 means exceeds expectations, and a 10 would be consistently exceeds expectations. He said that additionally the Councilors were encouraged to submit written comments, either general in nature or specific to the goals. The combined Council score for the City Manager was 6.54, which falls in the higher end of meets expectations category, and the lower end of often exceeds expectations. Individual scores of Councilors were: Ward 2, Councilor DeDe, 8.56; Ward 3, Councilor Scott, 3.59; Ward 4, Councilor Trefethen, 8.76; Ward 5, Councilor Cheney, 4.52; Ward 6, Councilor Callaghan, 4.42; Councilor-At-Large Weston, 5.88; Councilor-At-Large McCusker, 9.21; and Mayor Myers, 7.39. His plan for the workshop was to go through the items in order of priority. The Council would discuss each item, and the City Manager would have an opportunity to respond. The Council would be able to amend their scores after hearing comments, but he felt it should be during the workshop session. He said he would have concerns if the amendments were given at a later time after the public hearing.

Mayor Myers started with the first goal of the highest priority: Develop an updated yearly master plan for road paving and sidewalk improvements, which would be a five-year plan, include variables such as costs, funding, and tie-ins with water, sewer, and drainage, and make this information easily accessible to the public. The Council score on this particular item was 6.13.

Councilor DeDe asked the Mayor to read each Councilor's score, so the public is made aware of them. Mayor Myers said he would read them in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers. He said the scores for this particular item were 9, 2, 8, 4, 4, 6, 10, and 6; with an average of 6.13. He said the Councilors' comment will be made public as a matter of record.

Mayor Myers moved on to the second item: Identify current outsourcing and potential future outsourcing opportunities, recommend efficiencies and savings as appropriate for either expanding outsourcing or bringing some tasks back in-house. Mayor Myers said in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers, the scores were:



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9, 3, 9, 3, 4, 7, 10, 7; with an average of 6.5, which falls in the higher end of meets expectations towards often exceed expectations.

Mayor Myers moved on to the third item: Work with the Dover Industrial Business Development Authority (DBIDA) to improve the opportunities to the City for economic development and business retention, and keep the Council updated with the role of the DBIDA Board. Mayor Myers said in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers, the scores were: 9, 1, 10, 2, 1, 5, 8, 8; with an average of 5.5, which falls in the meets expectations category.

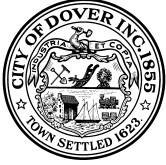
Mayor Myers moved on to the fourth item: Implement updated financial software and recommendations of both the Comprehensive Annual Financial Report (CAFR) and the most recent payroll audit to improve and correct noted issues. Mayor Myers said again in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers, the scores were: 8, 2, 6, 4, 2, 6, 10, and 7; with an average of 5.63, which falls in the meets expectation category. Councilor Trefethen had a question about one of the comments about including the SAU in this. He was under the impression that the SAU was going to convert to the new system when the City gets it. City Manager Joyal said he was working closely with the SAU office on this and they were involved in developing the RFP at this point.

Mayor Myers moved on to the next item: Provide a budget for the Council's guidance, such guidance to be given in the January – February timeframe. Mayor Myers said in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers, the scores were: 10, 2, 10, 1, 1, 4, 10, 10; with an average of 6.0.

Mayor Myers said he was surprised at the range of scores on this item. He said the City Manager had submitted a budget that met all the limitations of the Charter Amendment, in a timely manner that included the school and the county. He knew some on the Council were not happy with some of the proposed cuts, but ultimately that becomes the job of the Council to determine what stays in the budget and what comes out of the budget. He felt that the City Manager had additional information that included costs for particular programs so the Council could place some things back into the budget. He said providing a budget for Council guidance was exactly what the City Manager did. He said the Council should have provided additional guidance to tell him not to cut children's programs and safety programs.

Councilor Trefethen said he felt some Councilors were engaging in what they wished the guidance of the Council was, or what their personal thoughts were as opposed to what was actually passed by the Council. He said he knew not everyone was happy with the Resolution, but it was passed by an overwhelming majority of the Council. He said to turn around and again present the disagreement as if this was the guidance that was given was wrong, and it was not a reflection of what actually happened. He said the Council, not individual Councilors, gave direction to the City Manager. He said he would like to see where the City Manager did not do what the Council told him to do in that Resolution. He said the statements in the evaluation are a reflection of what some Councilors wished he didn't do, but not a reflection of the Resolution. He said some of the scores were vindictive.

Councilor Callaghan said these were supposed to be individual scores. He said the quality of the product was also built into that decision. He said the point of individual scoring is to put down your viewpoint and not second guess what other Councilors are thinking.



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Councilor DeDe said the rating should be objective as opposed to subjective. He said those who didn't recognize that the City Manager submitted exactly what the Council requested have just rated it incorrectly.

Councilor Cheney said she disagreed. She said the City Manager has been in this position since 2005. She said he has heard the same thing over and over again. She said she felt the message should have gotten across.

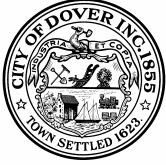
Councilor McCusker said his individual score was a 10 in this area and he felt it was for good reason. He said the history of presenting budgets in the City was completely erased when it came to this year's preparation as a result of the Tax Cap Ordinance. He said there were certain restrictions that were placed on the Council, the City Manager, and the Department Heads. He said each of the department heads were directed by the person they work for to prioritize, because the City can't exceed this budget limitation number. He said the City Manager looked at the City as a whole and said recreation is not on the priority scale, because the City needs public safety, schools, roads, to keep the infrastructure alive and well for the citizens. He said the City Manager can't say he doesn't want as much police enforcement in order to keep the pool open. He said the City Manager should not have been rated so low. He said the scores continue to prove how the Council is divided.

Councilor Weston said she disagreed with Councilor McCusker. She felt when the City Manager followed the Council's direction he should get a 5 or 6, meets expectations. To get 7 through 10, he had to go above and beyond to become creative. She said she gave him a 4 for two particular reasons. He did prepare the budget to fall under the tax cap, not only as a directive from the Council, but the taxpayers. During the budget process, when the City Manager came back to the Council to clarify the direction of the Council to find \$22,000 within the budget, he was specifically directed by the Council not to take it just from the Police Department. She said the next day the City Manager came back to the Council and said he took the funds from the Police Department only. She said the vote for that directive was 8/0. She found that to be disregard for the will of the Council. She said she emailed the City Manager about not following the will of the Council, and said she didn't even get a response.

Mayor Myers said he recalled that night the minutes were clarified. He said he believed it was Councilor Callaghan who made the original motion to cut the Police Department's budget \$22,000 in order to find this money for the Victim's Witness Advocate, but the Council wanted to give the City Manager the discretion to find it somewhere within the entire budget, but didn't preclude him from taking it from the Police Department's budget. He then spoke to Councilor Scott's comments regarding the \$1.8 million fiscal year 2008 surplus. He said he was concerned about misinformation going out, and that the City does not have a \$1.8 million surplus. He asked Councilor Scott why he keeps bringing that number up when it has been discussed several times that it is not accurate.

Councilor Scott said they were presented with some documents showing a comparison of what the budget expected for revenues and what actually came in. He said it looked to him like the City received about \$1 million more revenues than budgeted. He said there was also a second page which talked about expenses, and it seemed to him that expenses were \$800,000 less than budgeted. He said the only reply he received on his comments was that the City couldn't be certain about these figures until after the audit. He felt that was a bad excuse. He said if the audit shows a substantial difference it means the City has a problem in accounting. He said the City Manager should be able to have his fingers on the cash flow and know in March what the City is going to be running.

Mayor Myers said it was answered in the June and July meetings in much more detail than Councilor Scott's comments. He said he was concerned that there is still some misinformation coming forward on this in August.



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Councilor Scott said the answer was unacceptable and didn't make any accounting sense. Mayor Myers said he just wanted to go on the record that he found that misinformation continuing to come out to be unacceptable.

Councilor Scott said it was not misinformation. He said the City Manager should give the Council an idea of what the surplus will be for the year.

Councilor Trefethen continued with Councilor Scott's comments that if the City does have a surplus in 2008, then that money was available to spend in fiscal year 2009. He said that was a completely inaccurate statement. He said that was not what happens, has never happened, and will never happen. He said if it did happen it would be in violation of the spending ordinance, because it would be additional money that the City is spending that would be over and above the cap.

Councilor DeDe said he failed to see what Councilor Scott's comments about fiscal year 2008 had to do with the budget that was submitted for fiscal year 2009. He said it was irrelevant and doesn't even apply to this item for evaluation. He said this was again personal.

Councilor Callaghan said it appears the Council will have to agree to disagree on how the Council evaluates what is given to them. He said he felt bad that the City Manager has to take the hit for some of this. He said when the previous Council directed the City Manager for a budget they weren't just expecting a book. He said he expected a little more creativity.

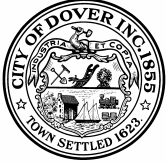
City Manager Joyal thanked the Council for taking the time to put their comments down. He said it was important for him to hear their feedback on these items. He said Councilor Callaghan just alluded to what is very important in this evaluation process; he needed to hear from each of the Councilors what their expectations were. He said there are eight different people sitting around the room, that he is trying to get a sense of what they want and where they want the City to go. He said ultimately the Council is who he takes direction from. He said once a decision is made he will do his best to get done what needs to be done. He spoke on the budget surplus issue and said the Council needs to be cognizant of the fact that the Council represent the citizens of Dover and provides information to them. He said when misinformation gets put out there, for whatever purpose, it is not serving the public. He said it shouldn't be the Council against the City Manager, but the Council and City Manager hand in hand explaining to the citizens what the \$1.8 million is. He said it has been explained many times, and he needs to know what to do to get the Council to understand it. He asked Councilor Scott how he can explain it so he could understand that is not a \$1.8 million surplus that flows into the general fund.

Councilor Scott said if the City Manager followed generally accepted accounting principles, and sees that the revenue was underestimated by \$1 million for the fiscal year 2008 and the expenses were overestimated by \$800,000, he asked how the City Manager doesn't come up with the \$1.8 million surplus. He said the City Manager's explanation was unacceptable.

City Manager Joyal said he understood the addition and subtraction of revenues and expenditures, but said Councilor Scott needed to understand the bigger picture of what those numbers represent. He said in the scheme of balancing the general fund budget, the numbers presented in the City Manager's Report were a snapshot of the general fund budget. They do not represent a surplus. He said simply adding one and subtracting the other is doing a disservice and misinforming the citizens.

Councilor Scott said he wanted a written explanation of the \$1 million of more revenue and \$800,000 less spending, and why that doesn't add up to \$1.8 million of extra money.

Mayor Myers said they will try to come up with something that will get the point across to everybody.



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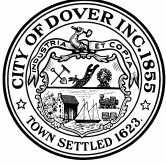
Mayor Myers continued to the first item in the second tier of goals: Henry Law Avenue reconstruction, expedite resolution to property abutters so that this could occur in the spring. Update Council, as needed, as to any legal road blocks that prevent this from occurring.

Councilor Trefethen said he had to be careful what he says, because a lot of the background information was done in Executive Session, because it pertained to legal matters. He said comments from three Councilors try to indicate that the City Manager and his staff were the ones that pursued eminent domain. He said that was absolutely false. He said the items were discussed in Executive Session and the Council gave direction. The end result of that was the resolution and that was done by the direction of the Council. He said anyone remembering it differently was not remembering it correctly. He told the Council to think about it, and in light of that different scores would be appropriate. Mayor Myers said he had similar thoughts. He read Councilor Callaghan's comment that the City Manager brought forward a resolution to take land by eminent domain. He read Councilor Cheney's comment that there was quite a controversy started when the City allowed a vote to come forward to take land from an abutter, and saying luckily that failed. He said he asked the City Manager to find the dates that the Council had non-public meetings. There were three: December 13, 2006, June 27, 2007, and September 12, 2007. He said three Councilors present weren't a part of those meetings, because they weren't Councilors at that time. He said there were five current Councilors present at those meetings. He said he was going to be coming forward with a resolution to release those non-public meeting minutes, so the record can be set straight, because he felt the comments were far out of line in blaming the City Manager.

Councilor Scott said the Henry Law Avenue construction goes through Wards 2 and 3. He said the residents were concerned that the construction could produce a high-speed road that would be dangerous to dogs, children, and the people who like to walk and run. The second area which many people are quite sensitive to is the trees, which make a beautiful arbor in color in the fall. He said it was mentioned in the City Manager's Report that the Council was advised of the tree cutting, and he didn't remember that. He has asked which of the trees need to be cut, and would like to see a report on that to advise the people in Ward 3 that these trees are marked for extinction.

Councilor DeDe said that he believed what was said was that there needed to be neighborhood meetings, so the problems that had occurred earlier would not occur this time around. He said the easements have not been a problem with just the farm, but with two other locations as well. He said once the road is paved and smooth, instead of rough like a washboard, it is probable that people will drive faster. He said the speed limit is posted. He said the City Manager has done everything possible in order to get Henry Law Avenue Reconstruction underway. He said there have been all kinds of snags; none of them are the City Manager's fault. He said most of the snags are problems with easements that the homeowners have to agree to, and he said the City Manager shouldn't be held accountable. He said the resolution to take the land by eminent domain wasn't something that the City Manager did. The original meeting that took place involved a lot of residents who wanted sidewalks, and when the issue came up to vote not one person who wanted those sidewalks showed up. He said prior to the vote he was ready to vote to take the land by eminent domain, but because nobody showed up to support it, it didn't make any sense to support it; otherwise it probably would have been considered.

Mayor Myers said he failed to read the scores into the record. Mayor Myers said in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers; the scores were: 10, 3, 10, 4, 5, 6, 9, and 8.



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Councilor McCusker said as he went through this evaluation he gave scores based on what he knew of those areas. He said this situation happened before he became a Councilor. He said he knew about Henry Law Avenue through the CIP process. He said anything that happened one or two years ago in Executive Session he wouldn't be privy to. He said if he was to make a comment on something that happened in the Executive Session, someone would have had to tell him about it, and he said the Council knows that doesn't happen. He said Councilor Callaghan made comments that meant he had privileged information that the other new councilors didn't have. He felt that his grading on this particular item should have been limited, because they have only been councilors for seven months. Councilor Scott said the report that came from the City Manager with the evaluation said the Council was advised of the tree cutting. He wanted someone to go down and mark the trees that are going to be cut so people can see which of their trees are going to be cut. He said it was better to do it now, instead of after they have been cut. He asked the City Manager to mark the trees and give the Council a report.

City Manager Joyal said he remembered responding to Councilor Scott's comments that the trees would be marked. He said any property owner that abutted a tree that was going to be trimmed or cut down received notification from the City, and the City received a release from the property owner before the tree was removed. He said the only exception would be due to an eminent threat to public safety because of disease or storm damage. He said all of the residents have been provided this information. He said it was a time-consuming process that the City has to go through. He said this has all been presented to the Council. He said it has been in his City Manager's Report. He asked again what he could do differently to get the information across.

Councilor Scott asked if he could assume that every tree that is to be cut has been marked.

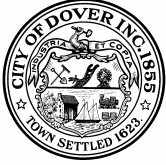
City Manager Joyal said he couldn't assume that, because there are still more fail conditions that they are going to run into. The roots might extend into the roadway and may get damaged and affect the tree, and they would contact the property owner and advise them that it might be better to take down the tree now during the construction instead of coming back later. He said the answer is no, he shouldn't assume that the cutting is done.

Councilor Scott asked if it was possible to tell the people which trees might be cut, so the people know. City Manager Joyal reiterated that every tree that has already been identified for cutting has been marked. He said if it hasn't already been cut, there are discussions ongoing with the property owners to get their approval or compensate them for that tree being removed. He said it wouldn't be doing anyone a service by telling the property owners that a tree might be taken down.

Councilor Scott said it was, because there are beautiful trees there that people want to know if they're going to be cut down.

City Manager Joyal said Councilor Scott should be telling his constituents that the City wants to limit any reduction of any treescape on any street, but we also have to balance that with the need to put through a roadway, within the right of way, that is going to be safe and designed on current engineering standards.

Councilor Callaghan said he wanted to respond to Councilor McCusker's statements, which he found indicative of trying to say that he got some information illegally or wrongfully. He said eminent domain has been a serious issue in the United States. He said the New Hampshire's Justice went to the Supreme Court, Suter, and immediately ruled on eminent domain rules. He said that since then it has been an extremely hot topic. He said when the resolution came before the Council it was something he didn't forget. He said that information was public in a resolution.



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Councilor Trefethen said he wanted to state that the resolution originated by the Council, was dealt with by the Council, and it was a unanimous vote “no” on the resolution. He said he fails to see why it is a knock against the City Manager.

Councilor Callaghan said it may not be. He has heard new information that may change his position on it. He was curious why the City Council told the City Manager to go ahead and do this, and then would shoot it down in the resolution.

Councilor Trefethen said Councilor DeDe explained that. He said again he just didn’t see why it was a knock against the City Manager.

Councilor Callaghan said he would possibly change his scoring once he saw the documentation that supports this discussion.

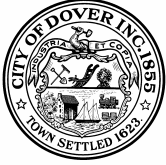
City Manager Joyal said Councilor Callaghan contacted him about the details of this, and he would like it to be known that historically it has been the City’s approach not to use eminent domain to acquire land, but in fact to negotiate to extremes to acquire property or easements that are needed for public projects. It is his own professional position that the City should avoid at all costs using eminent domain. He said he has consistently communicated that to the Council and anyone else that has asked. He said there may be times where the City would have to do it, key words “have to”, but it shouldn’t be done and the City should find ways around it.

Mayor Myers continued on to the next item: Establish formalized department head goals and present with annual budget submission. Mayor Myers said in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers, the scores were: 7, 4, 7, 6, 7, 7, 10, and 5.

Mayor Myers said he felt the goals the City Manager presented to the Council for department heads were fairly comprehensive. He said they laid out specific goals for departments and laid out general goals as far as how we approach the business of the City. He said in that sense they were good. He thought the process could be improved where some of the goals are tied into the budget issues, and felt by knowing the impact to the department, whether it was new financial software, transitions of buildings, consolidation of offices – he would like to know how they impact the budget decisions. He felt there should be draft goals submitted with the budget, so when the Council is discussing certain spending issues, the City Manager can revise the goals based on decisions that the Council makes and have the final goals put in place going forward. Then have another preliminary report next budget time, on what was accomplished with the new goals and how the Council’s decision impacted them.

Councilor Callaghan read the comments by the other Councilors. He said it was a real eye-opener. He felt the Council should have a workshop to approve them.

Mayor Myers said department head goals were not the goals that the Council can approve. These are employees of the City Manager. He said it is not the place of the Council to approve goals that the City Manager has set. He said he would like to see them presented with the budget, so when he is requesting that the City buy new financial software, it shows that it is a goal of the finance department to integrate this software within this timeframe. Or it is the goal of the combined office of the City Clerk and Tax Collection, to make the transition and cross-train, but the Council needs appropriate funds to make the consolidation. He said the Council has a piece in this as to what the City Manager is setting for goals for his department heads. He said if the Council is not going to fund something, then the City Manager has to change his goals that he is setting forward. He said it needs a preliminary step, a final step, and then an evaluation that the City Manager does based on performance, without violating personnel issues.



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Councilor Callaghan asked if there was a system that the Council can implement that assists the City Manager in getting goals together that the Council agrees with. He suggested a workshop for the benefit of the City Manager to get some direction.

Mayor Myers said he thought it could be done, but the Council would have to walk a very fine line, but he would defer to the City Manager on that.

City Manager Joyal said the bigger issue was about setting policy and goals for the upcoming year. He said his contract requires him to do this goals setting process, and suspects that it will continue in September. He told the Council to set those as goals and objectives, and it is up to him to assign them to the department heads. He said the Council wouldn't necessarily approve the department head goals per se, but give him direction.

Councilor Trefethen said when the Council sets the goals for itself; the Council can't do anything in reality. He said the Council relies on the City Manager and his staff to reach the goals. He said the Council thinks we have power that we don't have. He said it is part of that learning curve for new councilors that they have to go through. He said he felt some councilors are embellishing what this goal means. He said the goal was: Do you have department head goals? The answer was, yes, he does. That part was met 100%. The second part was to submit them with an annual budget, and he said to the best of his knowledge that did not happen. He said his score reflected that. He agreed with the Mayor that it would be much more useful to have the formalized department head goals when the Council gets the budget, so he could see what the City Manager was expecting his department heads to do, and determine if the Council is supporting that with appropriations. He said some of the comments lead him to believe that some of the Councilors believe there is a lot more going on with this goal than there is.

Councilor Callaghan said the goals could be to buy all new cars, let's have several company-paid Christmas parties, let's open up all the bars on the City's tab for a couple hours each month. He said the Council would have nothing to say about that and it is the Council's mission to make sure the City Manager gets the money to do that. He told Councilor Trefethen that was what he just said to him.

Councilor Trefethen said that is not what he just said. He used the Mayor's example; if one of the goals of the Finance Director is to choose and implement a new accounting software package, and the Council votes no to buy that software, how does that happen?

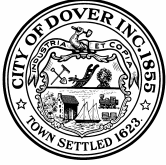
Councilor Callaghan asked if Councilor Trefethen cared what the financial software does.

Councilor Trefethen said he does, but that was a separate issue.

Councilor Callaghan said he disagreed. Councilor Callaghan said the department head goals need to be quality goals, they need to address the needs that the Council thinks need to be addressed and they have to be consistent with the Council's expectation of the City Manager.

Councilor Trefethen said when the Council meets in a few weeks to make up next year's goals for the City Manager he can state it that way, and that is what the Council will rate the City Manager on. He said to rate the City Manager on something that is not stated in the goal is – he said in a year and half from now you're setting goals that the next council will have to rate the City Manager on. He said that is just the way it works.

Mayor Myers said if Councilor Callaghan is dissatisfied with the way the City is going, then it becomes a problem between the Council and the City Manager. He said the Council certainly has opportunities to voice their concerns with the City Manager in a number of areas, and not just once a year. The Council ultimately certainly has opportunity for input, while not having specific authorization of department head goals.



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Councilor Scott said when goals are set for department managers it is sometimes difficult to put numbers in there. He used an example of a Public Works possible objective of lowering heating costs by 5%. He said he would like to see goals where department heads have to stretch. He said he would like to see some numbers in the goals. He said that was why he didn't give it a high grade. He said it wasn't just projects, but projects and how they use the City's money.

Mayor Myers also reminded Councilor Scott that specific concerns like that can be looked at at the next goal-setting workshop in late August, early September, for the City Manager. He said that was not part of the goal last time when the goals were set. He said a Councilor can bring that forward, and if it gets majority support from the Council it will become a goal for next time.

Mayor Myers went on to the next item: Establish quarterly public open forums with opportunities for public comments and questions, continue to hold topic specific forums as needed. Mayor Myers said in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers, the scores were: 5, 5, 8, 5, 4, 4, 6, and 6; averaging 5.38.

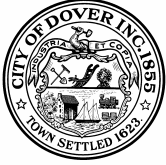
Councilor Scott said his evaluation was in the middle of those numbers. He said he had both a positive and a negative comment there. Positive: He said there was a very good meeting in Ward 3 attended by over 50 people regarding the Applevale Road/Hawthorn Road problem, and people were able to voice their problems and there was progress. Negative: He said in connection with the Henry Law Avenue project, there were several people on the bend there who complained that there was never any meeting to discuss widening the road. He said there should have been a meeting, because this is an important issue to people. He said when it looks like a neighborhood is going to be impacted, it is essential for the City Manager to hold a public forum to explain what he wants to do, and give people a chance to reply.

Councilor Cheney gave the City Manager a score that he met the requirements, because she felt the City Manager has been to most of the meetings she has ever attended. If he wasn't it was because he was at another meeting and can't be in two places at one time. He is always at these public forums and people can talk to him if they want to. She said they still needed the quarterly public question-and-answer forum. She feels that the City Manager is everywhere and feels confident in the City Manager. She has never seen him not want to be at these meetings or among the public.

Mayor Myers went on to the next item: Complete Route 108 sidewalk improvement project. Mayor Myers said in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers, the scores were: 10, 6, 10, 6, 6, 5, 8, and 8; averaging 7.38.

Councilor Trefethen read the comment that said: "This project is not complete and may be as a result of poor planning, resource utilization, or prioritization of the City Manager." He said that wasn't true. He said this project has been delayed for two principle reasons. One has been the State, which we don't control. Second was the Ward 6 Councilor's repeated assurance that everyone up there wanted this done and done quickly, and there were several landowners that dragged their feet or refused to give easements to make this happen. He said that wasn't the City Manager's fault. He said the comment may have been made because they were unaware, and he said they are aware now.

Mayor Myers started with the third tier, first highest priority: Present, revise an abbreviated budget summary along with the budget, approximately 20 to 30 pages. Mayor Myers said in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers, the scores were: 9, 6, 6, 5, 5, 6, 10, and 5; averaging 6.50.



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Councilor Trefethen said his interpretation of this goal was that the budget book was huge and complicated. He said what was needed was a summary that was short and concise with the important information, and he felt the intention was for it to be a separate publication. Mayor Myers agreed with Councilor Trefethen.

Mayor Myers went on to the next item: Continue to work with the Willand Pond Ad-Hoc Committee, DES, Somersworth, Strafford Regional Planning, and others, to find and attain solutions to both short and long term issues of the high water table at Willand Pond. Mayor Myers said in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers, the scores were: 10, 4, 10, 6, 7, 8, 10, and 10; averaging 8.12.

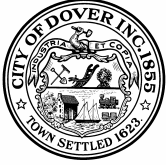
Councilor Trefethen said the one thing he has heard about the Willand Pond issue is, why can't they just dig a drainage ditch where the drainage used to be? He said there was nobody that would be more than happy to do it than himself, but unfortunately that is not the way things are done. He said that they need DES approval and other things that have to occur. He said he understood the frustration level, but it is evident from every report that they have received, including from the Willand Pond Ad-Hoc Committee, that the City is doing everything that it can to do this. He said we complicated the matter when this Council didn't want to appropriate any money to do it, because we wanted to point the finger over the City line. He said again that this is not the City Manager's fault, but the Council's. He said the Council compounded the problem, but he said the delay problem is really DES. He said DES was top dog and there was nothing the Council could do to change that.

Mayor Myers went on to the next item: Complete consolidation of City Clerk/Tax Collection functions, continue to work overall space needs for the remainder of City Hall and Police Department. Mayor Myers said in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers, the scores were: 9, 4, 7, 4, 4, 5, 10, and 7; averaging 6.25.

Mayor Myers mentioned one of the comments that the Council hasn't received any information on how much this is going to save the City, and tying in that this consolidation leads to a \$10 million capital project for the City Hall and the construction of a new police station. Again, he said there were 5 councilors out of the eight present who went through the variety of options that were made during the space needs presentation. He said those Councilors chose the minimalist choice, knowing the SAU was moving to the McConnell Center and freeing up space, knowing we wanted to make the first floor areas more customer service friendly and efficient for the public, and put less publicly used offices up on the second floor. He said everything that was laid out has been moved forward by the City Manager. He said the City has Karen Lavertu, who has the combined function of City Clerk and Tax Collector. He said there was an analysis given to the Council as to the savings for a 10-year period if the two offices are in the same physical space.

City Manager Joyal said it was just shy of \$1 million in savings, which includes the funding that was allocated to make the changes.

Mayor Myers said the focus of improving customer service has already been enhanced on a level of 10 with the offices still being separate, because the staff has been cross-trained. He said they have gone to more part-time personnel, which cuts down on benefits and retirement contributions. He said the Council needs to fund the office furniture, to make the office efficient and put the savings into place, along with giving better customer service at the same time. He said this is something that he blames the Council for not completing. He felt there was nothing that said the Council was doing a \$10 million renovation and building a police station, which is what Councilor Scott had in his comments. He said



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there is a reworked resolution that will be coming before the Council to go forward with the office furniture purchase. He said that it was not, as one comment suggested, that the City Manager was taking the opportunity with this objective to embellish the City Hall with thousands of dollars in furniture. He said it was to make the City more efficient and save \$1 million over ten years.

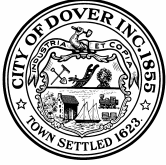
Councilor Scott asked for a copy of the report that showed the City would save \$1 million over 10 years. City Manager Joyal said he provided a copy to all of the Councilors at the last meeting which discussed the furniture, but he would get him another copy. He said it listed the weighed savings by consolidating the offices for cross-training and scheduling flexibility and the cost of the renovations and furnishing, with a net savings of \$990,000 over ten years.

Councilor McCusker said he remembered the conversation regarding the furnishings. He said the combination of the City Clerk and Tax Collector's Office meant reconfiguring space. He said this was part of the plan. He said it wasn't consolidating the offices and by the way we need new furniture. He said he remembered so much discussion over furniture that the City Manager said he could hire a tax collector if the objective wasn't going to get completed. He referred to Councilor Callaghan's comments that said when the City Manager didn't get permission from the current Council to expend the funds for furnishing, he indicated that he would hire a tax collector, and that was a vindictive and subordinate act. He said he knew a lot of this is based on objectivity and perspective, but there was an hour and a half discussion on furnishings that night and he felt the City Manager was frustrated and asked the Council if they wanted to go backwards to the way things were. He said that was how he understood the situation, and felt to say that he was insubordinate and vindictive was out of line.

City Manager Joyal said he was frustrated, but his comment about hiring a tax collector was more towards the offices being separated and a lot of administrative activities, supervisory activities, internal control processes that are essentially in limbo right now. He said they're doing the best that they can, with Karen literally running between offices. He said there is a physical need to bring those offices and functions together in order for those procedures and controls to work the way they are supposed to. Councilor Weston said she wanted to clarify to Councilor McCusker that she did not vote against the consolidation. She said the debate was over giving the City Manager a blank check for the purchase of office furniture. She said the Council requested the City Manager to come back with a list and to put it out to bid.

Councilor DeDe said in a subsequent conversation with Dr. O'Connor, the methodology that was approached over at the SAU offices was that the staff basically set up the office and picked out the furniture. He said there are areas that subsequently, he has come to the conclusion that he would have been better off just spending the money to have a consultant design the offices. He felt that was what the Council should be instructing the City Manager to do. He said the characterization of the City Manager's comments as insubordinate is a stretch. He said someone has already alluded to the fact that you can't be in two places at the same time, but that is exactly what is being requested of Karen Lavertu at this point, because she has two separate areas to supervise. He said the Council has been dragging its feet on this, and the Council needs to help the City Manager get this done.

Councilor Cheney said she rated this 4, and she put her reason in a few other places in the evaluation. She said if the City is changing City Hall it should be more user friendly for the people who it belongs to. Mayor Myers said he knows the furniture is not the whole issue, but he was disappointed when the Council didn't approve the furniture to make this consolidation work. He looked at what the JBC did, which has City Councilors on it, when they outfitted the offices at Woodman Park School. He said they went with local vendors and a State bid, and didn't go out to bid. He said the minutes also reflected the



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same trend for the SAU offices at the McConnell Center. He said he felt it should have been a very easy experience to piggyback on what the schools did, with the Councilors on the JBC.

Mayor Myers continued to the next item: Continue to expand City website offerings to also include a more friendly email for Councilors (Outlook). Mayor Myers said in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers, the scores were: 5, 1, 10, 1, 1, 6, 10, and 7; averaging 5.12.

Councilor Callaghan referred to Mayor Myers comment that the City Manager implemented Microsoft Outlook. He said that is not what happened and referred the Mayor to his comment where the goal was to interface the email through Microsoft Outlook; it does not. The next one says it interfaces through Microsoft Exchange; which is a significantly inferior product and which is also substantially inferior to Microsoft Outlook Express. He said the goal says Outlook. He said he didn't know the Mayor's intent, but there are significant differences between the Outlooks.

Mayor Myers asked the City Manager what the City uses.

City Manager Joyal said Microsoft Outlook is the user interface, and Microsoft Exchange is the server application that runs behind the scenes. He said Microsoft Outlook works on personal computers and doesn't need a server. He said the City needs a server-based application, which is Microsoft Exchange, and Microsoft Outlook hooks into it, which provides a web access platform. He said Councilor Cheney was very critical of the web-mail application, because it was open ended and insecure. He said Councilor Turner was familiar with the functionality of Outlook with calendaring, contacts, tasks, and led to the City getting away from the prior application, which was web-mail. Councilor Cheney said she liked web-mail, because it was UNIX-based. She said it was free, easy, flexible, and let her do whatever she wanted. She said she realized at the time that the Council thought an Outlook interface would have been easier.

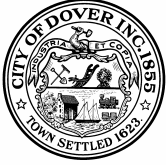
Councilor Trefethen thanked Councilor Cheney for her last comment, because that was exactly the point he wanted to make. He said the Council made the decision to change the email system. He said the City Manager didn't want to do it. Councilor Trefethen said he hated the new system and was perfectly happy with the old one. He said he gave the City Manager a 10, because he did what the Council asked him to do.

Councilor Scott spoke on the changes to the City website and all the complaints he has had about getting the agenda. He spoke on the IT budget and how it has doubled, and the website seems to get worse.

Mayor Myers said this was explained during the budget process. The Council talked about the franchise fee, the internet tax, hiring people to enhance the website, and adding cable access channels. He said this has been discussed, and he was surprised to see the same comments. He said that Councilor Scott wrote it like it has never been answered. He said the City Manager and Annie Dove, IT Director, answered this question. He said the Council has talked about the enhancements that are coming. The City has just started collecting the franchise fee.

Councilor DeDe said the Council asked for this change, and the City Manager arranged for this change, but three people said he didn't do anything and rated him below expectations. He said whether the Councilors like it or not, it is what they asked for. At least meets expectations is a 5 or 6, but a 1 is a fairy tale.

Councilor Callaghan said the Council didn't get what they asked for. The product the Council asked for was Outlook, and that isn't what the Council received. The other issue is how has the city website



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improved. He said the city website has a lot more information on it, but you have to be a genius to get through it.

Councilor Cheney said it was not totally the City Manager's fault; however, he is the one who has to meet expectations. She said there is an overzealous attempt to streamline everything, but the City needs to draw on the knowledge that we have.

Councilor McCusker asked the City Manager how many citizens call and speak to IT, his office, the Clerk's office, and complain about the user friendliness of the website.

City Manager Joyal said he can't say there is a lot. He does occasionally get emails about where to find information. He said they know that the volume of information that is available on the website is a problem, and he said it is difficult to figure out the best way to guide people. He said he wasn't hearing much except from councilors, who complained about changes to the agenda, which if anybody has looked recently, we have some additional changes.

Councilor McCusker asked if the City Manager considered the website to be a major issue for the IT staff day to day.

City Manager Joyal said he did consider it a major issue, because he is focusing on getting as much information to the public as possible. He said there is so much out there, and we're working on helping people find it. He said the website was developed 13 years ago by self-taught staff, and it wasn't until six months ago that the City hired a professional to update the website. He said it may not be the best right now, but he is proud of his staff with their accomplishments.

Mayor Myers continued to the final level of goals. The first is: Complete, update public, private wage and benefits analysis for Dover area labor force. Mayor Myers said in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers, the scores were: 10, 3, 10, 5, 4, 5, 8, and 7; averaging 6.50.

Councilor Scott said he had one constituent ask where he could view this survey on the website.

Councilor DeDe it was distributed to the Council.

Councilor Scott asked if it was on the website.

Councilor DeDe said yes, it was.

Councilor Scott asked where it was on the website.

City Manager Joyal said it was on the City Manager's Page. He said it was part of a comprehensive package of collective bargaining and comparative wage data.

City Manager Joyal asked Councilor Scott where he would like it posted.

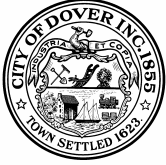
Mayor Myers said it was in the appropriate place.

Mayor Myers went on to the next item: Maintain accessibility to the public and visibility at public events in Dover. Mayor Myers said in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers, the scores were: 8, 7, 10, 9, 8, 9, 8, and 9; averaging 8.50.

Mayor Myers went on to the next item: Provide quarterly updates on Tolend Road Landfill, Turnkey Odor Issues and Dover Ice Arenas. Mayor Myers said in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers, the scores were: 8, 2, 10, 6, 6, 6, 10, and 9; averaging 7.13.

Councilor Scott asked how people find the Tolend Summary on the website.

City Manager Joyal said he believed there was a link for projects on the front page.



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City Clerk Lavertu said it was on the front page at the very bottom, where there is a link for Major Projects.

Councilor DeDe said it was also in the City Manager's Report every month.

City Manager Joyal said the website does have a Search field that works very well.

Councilor Callaghan said sometimes the Search doesn't work, but Google is great and it sometimes works on that and brings you to the Dover website.

Mayor Myers said he wanted to comment on the Arena and the Turnkey Odor Issue. He said the Council gets a monthly report on the Arena. He said a few people have commented on not hearing anything about the Turnkey Odor Issue, and he felt that was a good thing. He said the fact that the Council isn't getting complaints means the system is working.

Mayor Myers moved on to the final item: Establish a crosswalk plan to review appropriate numbers and locations, prioritize maintenance and painting twice a year. Mayor Myers said in the order of Ward 2 through Ward 6, Councilor-At-Large Weston, Councilor-At-Large McCusker, and Mayor Myers, the scores were: 10, 5, 8, 5, 5, 5, 10, and 7; averaging 6.88.

Mayor Myers said the Transportation Advisory Committee hasn't completed their part of it. He said the painting is completed twice a year. He said he was concerned when they ran out of paint in February – March. He said the City has to investigate why it didn't last longer.

Councilor Trefethen said he was on Indian Brook Drive and said the heat-applied plastic markings held up better than the painting the City did in the spring. He said Massachusetts uses the same method and they don't paint every year. He said he knew it was very expensive, but it can last more than two years. He said it was probably worth doing, and something the Council should look at.

Mayor Myers asked the Council if they had any further comments on the issues before going into general comments.

Councilor Callaghan said he would be willing to review the scores.

Councilor Cheney asked what the process would be to make any changes to the scoring.

Mayor Myers felt the changes should happen in a public forum, but it would be the will of the Council to dictate what happens next.

Councilor Scott said he found this to be a very useful experience. He said he has learned a lot. He said he found Councilor Trefethen's comments to be very good, and even some of Councilor DeDe's comments were useful. He said he would like the opportunity to revise and extend his comments based on what he heard, and get back to the Mayor in a few days. He said this was the most important job of the Council, and suspects the comments that the Council made were helpful to the City Manager. Councilor Callaghan said he wanted to see the minutes from the Executive Session before he amended his score.

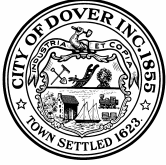
Mayor Myers said he wasn't comfortable with waiting a couple weeks to finalize this, but he doesn't speak for the Council.

Councilor Callaghan asked if the evaluation had to be approved in a Regular Session.

Mayor Myers said he didn't think so, because the evaluation was completed and numbers put in.

Councilor Callaghan asked for another workshop where they can revise their evaluation, and the City Manager has an opportunity to respond to the Council.

Councilor Cheney asked if they could submit changes to the Mayor and he could compile them for a vote or approval of the Council.



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**Meeting Date:** August 6, 2008  
**Meeting Time:** 7:00 pm

Mayor Myers said in past years the evaluation was done in a non-public session at the request of the Council, as the City Manager agreed to do, because it is his prerogative to request this be done in public.

Councilor DeDe said this was a process that is governed by the Charter and State Law. Since the City Manager has opted to have this evaluation done in public, and anything that happens after this is non-public, therefore, he submitted to the Council that this is it.

Councilor Callaghan felt the City Manager should have time to respond.

Councilor Trefethen said that could happen, but it, the Council, was done tonight.

Mayor Myers said the City Manager gave a self-evaluation.

Councilor Callaghan said it was a report on his accomplishments.

City Manager Joyal said he appreciated the comments and he was willing to go through them with the Council.

Councilor Trefethen asked the Council what they should expect to do with these numbers. Perhaps there may be a change of heart on some points by some people, which can be addressed tonight.

Mayor Myers said it probably wouldn't change the score too much.

Councilor Trefethen asked if the comments were going to made public.

Mayor Myers said it was a public meeting and it will be made public.

Councilor Trefethen referred the Council to page 17, and said the general comment concerned him greatly. He said the comment was: "He went as far as to try to prevent the City Council from attending the funeral of Councilor Keays." He said it was in relation to a 91.A comment.

Councilor Cheney said it was her comment.

Councilor Trefethen said he knew that, and that he was trying to be nice. He said he felt that was an absolutely false statement. He said his recollection of what occurred going up to Councilor Keays' funeral was this: There was a suggestion made by a Councilor that in respect to Councilor Keays that the Council should go to the wake together, and also to go together to the funeral as a body, as an official City Council act. He said the City Manager's response to that, in relation to the 91.A., was that it would have to be posted as a public meeting. He said that was his response, and not to prevent the Council from attending the funeral. He did arrange for the Council to have a pew in the church so the Council could sit together. He said he was trying to reconcile this statement with the reality, and it does not jive.

Councilor Cheney said she would reconsider the statement, but reading it she still knows a social gathering ----

Councilor Trefethen interrupted by saying a social gathering is not, but the wake was posted in the obituaries, and if the Council made plans to meet and go in together, then that is not a chance social gathering.

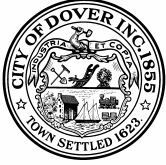
Councilor Weston asked Attorney Krans to clarify the law on this issue.

City Attorney Krans said the law does specifically say that chance social occasions are exempted. He said it really was a judgment call. He said people are going to have differing opinions on that and the City Manager had one.

City Manager Joyal said he had a suggestion. He said he was insulted by that statement. He said a lot of effort was made by himself, the staff, and Councilor Keays' family to make sure he received the proper acknowledgment for his service to the community.

Councilor Cheney said she was going to withdraw this statement from the review.

Mayor Myers said the City Manager could respond since the statement was out there publicly.



CITY OF DOVER

## CITY COUNCIL – MINUTES

**DRAFT**

**Meeting Type:** Workshop  
**Meeting Location:** City Hall Auditorium-288 Central Ave,Dover,NH 03820  
**Meeting Date:** August 6, 2008  
**Meeting Time:** 7:00 pm

City Manager Joyal said he did not in any way prevent the Council from attending Councilor Keays' funeral. He said if the Council reads the email again, which is on the website, he just suggested that some folks are sensitive to the details of 91.A. and the Council should be careful with that. He said he felt it better to be safe than sorry.

Councilor Cheney said she would withdraw the statement and had a comment to put in its place "it would probably be an asset and better working condition for both the City Manager and Council if he upgraded his knowledge of 91.A. and legal operations in which the Council is involved." She felt it was part of his responsibility to understand the law.

Councilor Weston said the Council is often accused of shooting from the hip, and felt it would be fairer to the City Manager to be able to clean up their statements and present a final draft. She wasn't sure on how to proceed.

Councilor Callaghan said he agreed with Councilor Cheney that the City Manager needed to clarify 91.A, because he felt the Council was handling it wrong.

Councilor DeDe said the City Manager had a good handle on 91.A. and could give any of the councilors a lesson. He said the City Manager would go to the City Attorney for any clarifications that he felt might be needed. He referred to Councilor Cheney's second paragraph: "I still see Mike being involved in the decision-making process to the extent where he vies for people to come out for his causes, or" and he said this was particularly heinous, "has the City Attorney write opinions to affect our considerations." He said that implies that the City Manager is forcing the City Attorney to write things that support things that he wants to happen. He said he was here to tell the Council that that is bull, and Councilor Cheney deserves censure for writing it down. "I feel he would do best to submit to the will of the Council and do the best job he can for the City of Dover, not just a few, but all citizens." He said that was again heinous. He said the City Manager works diligently on behalf of the entire City. He said maybe it wasn't good enough to please Councilor Cheney, but he would tell the Council that it is his experience, five years, that the City Manager works for the entire city and he works tirelessly at it. "Council continues to let the City Manager know what the citizen's want, and he should be able to deliver this, and should have some intuitive feelings as to what our general view is as a community after he has been our City Manager since 2005." He said the City Manager does understand what the citizens want. He also went on to say that some individual councilors think that they represent what all of the citizens want. He said the Council knew that wasn't true, not for anyone on the Council. He told Councilor Cheney that her general comments were worthy of censure.

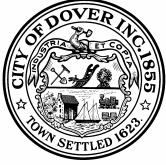
Councilor McCusker addressed the 91.A. comments. He said he would certainly want the warning rather than not know about it. He said he completely agreed with Councilor Weston, and that there needs to be some digestion of this information. He discussed the merits of having time to change scores and comments. He asked the Council for direction.

Mayor Myers said this was workshop material and these comments don't disappear. He said if it is the will of the Council to amend the evaluation they can, but the original documents for the workshop have to remain public.

Councilor DeDe call for a point of order. He said he felt this needed to be referred to the City Attorney. He said the City Manager asked that this be public and to let it go beyond the public's view is not complying with the Charter or the City Manager's rights.

Mayor Myers asked the City Attorney to give his legal opinion on the point of order. He asked if it needed to end here tonight, or if it can continue on.

City Attorney Krans said this was really a personnel matter between the Council and its one employee. He said evaluations usually happen in one event, but there are occasions where that doesn't occur.



CITY OF DOVER

## CITY COUNCIL – MINUTES

**DRAFT**

**Meeting Type:** Workshop  
**Meeting Location:** City Hall Auditorium-288 Central Ave,Dover,NH 03820  
**Meeting Date:** August 6, 2008  
**Meeting Time:** 7:00 pm

He said there had been some discussion that the Council hasn't heard from the employee, but he felt that the employee didn't have to respond. He didn't think he would find anywhere in the law that it had to be completed in one occasion.

Mayor Myers said if the Council wished to have something else go into the record to go along with these workshop materials, then they could discuss it during Council Matters of Interest. He asked the Council if they were agreeable to that.

Councilor Callaghan said the problem with that is that the Council is closing this workshop. He said he wanted to go back and reconsider his scoring, but he was not going to do it now. He said the Council is the employer and can decide that they are not done. He said they should be able to come back and complete his evaluation and not an amended one.

Mayor Myers said the documents for tonight's meeting don't go away.

Councilor Callaghan said he understood that.

Mayor Myers asked if the Council was agreeable to have it under Council Matters of Interest.

Councilor Callaghan said he would prefer a workshop session prior to the next regular meeting.

Councilor Weston asked if the Workshop could be extended to a date certain.

City Manager Joyal said the Council could do that.

Councilor Weston asked if what was submitted at that point would be the final evaluation.

City Clerk Lavertu said the present evaluation still has to go in, because there are minutes for this workshop.

Councilor Weston said she wanted to be fair to the City Manager.

City Manager Joyal said this doesn't have to be so difficult. The vote can be a resolution on the final evaluation.

Mayor Myers said he would not compile the numbers this time around.

Councilor Trefethen said the meeting should be recessed, and then the minutes will be for one meeting.

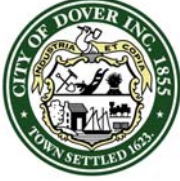
Mayor Myers said the City Clerk is Clerk of the Council, and asked the Council to send her their changes by 4:00 pm, Friday, August 8, 2008.

Councilor Callaghan asked if he could have the minutes for the Executive Session meetings.

City Manager Joyal said the councilors would have them in their mailboxes by 12:00 noontime, on August 7, 2008.

Councilor Callaghan made a motion to recess the Workshop until 6:30 pm, Wednesday, August 13, 2008, seconded by Councilor Weston.

Vote: 7/1; Passed. Councilor DeDe opposed.



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 11.C.1.

Resolution Number: **R – 2008.08.27 - 131**  
Resolution Re: **ECONOMIC DEVELOPMENT SERVICES AGREEMENT**

WHEREAS: The Dover Business and Industrial Development Authority (DBIDA) is a development corporation engaged in economic development for the City of Dover. DBIDA recently presented a Strategic Action Plan for FY 2008-2011 to the City Council to promote economic development for the City on behalf of the citizens of Dover;

WHEREAS: DBIDA seeks a three-year commitment from the City Council to allow the hiring of a skilled and knowledgeable Economic Development Director to implement the Strategic Action Plan.

WHEREAS: A three-year commitment will increase the chances of the successful implementation of the Strategic Action Plan

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

The City Manager is authorized to sign the attached Agreement with DBIDA to provide for a 3 year funding commitment for the provision of economic development services.

### Financing

Account	Description	Appropriation	Balance	Charge
1000-46510-4835-0000-0000-13	Grants/Subsidy			80,000
			<b>Total</b>	

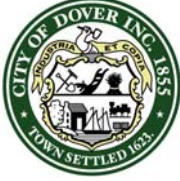
### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Scott Myers

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 11.C.1.

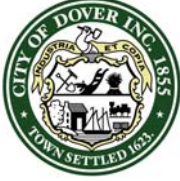
Resolution Number: **R – 2008.08.27 - 131**  
Resolution Re: **ECONOMIC DEVELOPMENT SERVICES AGREEMENT**

## DOCUMENT HISTORY:

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

## DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor*	n/a	n/a
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Dean Trefethen, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		
* Deputy Mayor not elected at time of vote.		



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 11.C.1.

Resolution Number: **R – 2008.08.27 - 131**  
Resolution Re: **ECONOMIC DEVELOPMENT SERVICES  
AGREEMENT**

### RESOLUTION BACKGROUND MATERIAL:

#### **DOVER BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY FUNDING AGREEMENT**

**NOW COMES, the DOVER BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY, a business and industrial authority established pursuant to the terms of RSA 162-G located at 288 Central Avenue, New Hampshire 03820 (hereinafter referred to as ‘DBIDA’) and the CITY OF DOVER, a municipal corporation located at 288 Central Avenue, Dover, New Hampshire 03820 (hereinafter referred to as “City of Dover”) who hereby agree as follows:**

**WHEREAS, the City of Dover requires the services and efforts of DBIDA to assist prospective and existing businesses who engage in, or desire to engage in, business activities within the City of Dover; and**

**WHEREAS, DBIDA consists of volunteer citizens and business leaders who have expertise to conduct an economic development program and to recruit, hire and supervise an Economic Development Director to assist the community with economic development; and**

**WHEREAS, an Economic Summit was attended by a diverse group of Dover citizens and business leaders who heard representatives of DBIDA advocate for the establishment of an economic development program and the employment of a “quarterback” to lead Dover in the area of economic development; and**

#### **IT IS AGREED:**

- 1. FUNDING: The City of Dover through funding approved by the City Council in its adoption of an annual budget shall provide funding for three (3) successive years in the amount of ~~One hundred thirty thousand (\$130,000.00) dollars per year for the employment by DBIDA of an~~ to DBIDA for providing an economic development program utilizing the services of ~~through the employment of an~~ Economic Development Director. Funding shall begin with the adoption of the annual budget for the Fiscal Year 2009 budget in June, 2008. The funding shall consist of:
  - a. Fiscal Year 2009--\$80,000**
  - b. Fiscal Year 2010--\$130,000**
  - c. Fiscal Year 2011--\$130,000****



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 11.C.1.

Resolution Number: R – 2008.08.27 - 131  
Resolution Re: ECONOMIC DEVELOPMENT SERVICES  
AGREEMENT

2. **EMPLOYMENT RELATIONSHIP:** DBIDA shall employ a full-time Economic Development Director ~~to assist the City of Dover in efforts to encourage business and industrial development in the City of Dover and to achieve the goals of the economic development program.~~ **The Economic Development Director shall be an employee of DBIDA upon terms and conditions determined by DBIDA. DBIDA shall supervise the performance of the Economic Development Director and perform periodic evaluations as determined by DBIDA. DBIDA may supply benefits including but not limited to insurance coverages to its employee in its discretion. Insurance programs may be available through the City of Dover. If insurance coverages are obtained through the City of Dover, DBIDA shall reimburse the City for the costs for such coverages. The City of Dover shall supply payroll services. DBIDA shall reimburse the City for all payroll taxes, employment taxes and worker's compensation payments made by the City.**
  
3. **GOALS:** The goals of the economic development program shall include:
  - a. Stimulation of a diversified and strong economic climate in Dover that ensures job opportunities, an enhanced tax base and a superior quality of life for the citizens of Dover
  - b. Encourage local economic development and growth by interacting with local businesses and industries on issues pertinent to continued success
  - c. Recruitment of new businesses and industries
  - d. Retention of existing businesses
  - e. Continuation of a cooperative and coordinated partnership with the area economic leaders
  - f. Continuation and enhancement of communication between existing businesses and industries and the City of Dover
  - g. Working with local businesses and schools to insure Dover students have skills required to enter the work force
  
4. **REPORTS:** DBIDA shall submit a written report to the Dover City Council on a quarterly basis starting immediately to inform the Dover City Council of the **economic development efforts** of DBIDA and the Economic Development Director. The report shall include, but not be limited to, an accounting of activities and business visits performed by the Economic Development Director, a report on the local economic trends and conditions and the Economic Development Director's attendance at local, regional and national business events. **The purpose of the written report is to provide information about economic development to the City Council. The City Council shall submit the requested format of the written report to the DBIDA within thirty (30) days after the Economic Development Director starts**



CITY OF DOVER

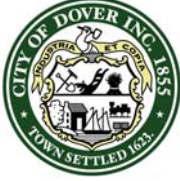
## CITY OF DOVER - RESOLUTION

Agenda Item#: 11.C.1.

Resolution Number: R – 2008.08.27 - 131  
Resolution Re: ECONOMIC DEVELOPMENT SERVICES  
AGREEMENT

**working. The City Council may amend the format of the report at any time to meet the information needs of the City Council.**

5. **SCHEDULE/RECOMMENDATION FOR EXTENSION:** DBIDA shall use its best efforts to meet the goals of the economic development program by hiring the Economic Development Director within ninety (90) days of the signing of this agreement. ~~The Economic Development Director shall be an employee of DBIDA upon terms and conditions determined by DBIDA. DBIDA shall supervise the performance of the Economic Development Director and perform periodic evaluations at least on an annual basis.~~ One year prior to the expiration of this agreement, At the end of the second full year of employment, DBIDA shall provide a recommendation to the City Council for extending the term of this agreement.
6. **ADMINSTRATIVE SUPPORT:** The City of Dover shall provide administrative support to DBIDA for the economic development program effort and employment of the Economic Development Director including, but not limited to, office space, telephone, fax, payroll and computer services. All expenses for administrative support shall be funded pursuant to Paragraph 2 of this agreement so as not to increase spending for the function of economic development. DBIDA shall reimburse to the City the costs for administrative support.
7. **PERFORMANCE MEASURES:** DBIDA shall establish with the Economic Development Director written performance measures that are attainable and measurable to assist all parties in achieving a positive result regarding the economic development program. The written performance measures for DBIDA shall be presented to the City Council for information purposes within ninety (90) days after the Economic Development Director starts working.
8. **PRE-EMPLOYMENT MEASURES:** DBIDA shall perform all standard pre-employment measures including but not limited to a criminal background check, motor vehicle record check, and contacting references for all employees.
9. **INSURANCE:** DBIDA shall require the Economic Development Director to maintain automobile liability insurance protection in the amount of One million (\$1,000,000) dollars.
10. **INDEMNIFICATION:** DBIDA agrees to indemnify the City of Dover for all claims paid as the result of negligence of the employee of DBIDA.



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 11.C.1.

Resolution Number: R – 2008.08.27 - 131  
Resolution Re: ECONOMIC DEVELOPMENT SERVICES AGREEMENT

- 11. DBIDA ACCOUNTABILITY TO THE CITY COUNCIL: The parties acknowledge this agreement is designed to fund an economic development program and to achieve the goals of the program. DBIDA is accountable to the City Council to periodically report as provided in Paragraph 3 and to provide information and evidence of successful progress toward performance measures. Failure of DBIDA to provide reports and other information as requested may form the basis for rejection of future funding requests.**
- 12. DBIDA EMPLOYEE RESPONSIBILITY TO THE CITY COUNCIL: Due to the employment relationship of the Economic Development Director as an employee of DBIDA, there is no direct responsibility of the Economic Development Director to the City Council. The parties acknowledge the ability of the City Council to determine future funding of DBIDA. Day to day supervision of the Economic Development Director shall be conducted by DBIDA.**
- 13. TERMINATION AND SEPARATION: If the Economic Development Director initially selected by DBIDA terminates employment or otherwise separates, DBIDA shall solicit and replace the position within a reasonable time frame.**
- 14. DISPUTE RESOLUTION: All disputes between the parties regarding performance of the terms of this agreement shall be addressed in workshop session to allow the parties to thoroughly explore areas of concern. DBIDA shall address personnel matters pursuant to the provisions of New Hampshire law.**
- 15. COPY TO EMPLOYEE: DBIDA shall supply a copy of this agreement to the person employed by DBIDA as the Economic Development Director.**

APPROVED BY THE DOVER CITY COUNCIL AT ITS REGULAR MEETING ON \_\_\_\_\_.

APPROVED BY THE DBIDA AT ITS MEETING ON \_\_\_\_\_.

DATE: \_\_\_\_\_

\_\_\_\_\_  
DOVER BUSINESS AND INDUSTRIAL DEVELOPMENT  
AUTHORITY, By it authorized representative

DATE: \_\_\_\_\_

\_\_\_\_\_  
Witness

DATE: \_\_\_\_\_

\_\_\_\_\_  
CITY OF DOVER  
J. Michael Joyal, City Manager

DATE: \_\_\_\_\_

\_\_\_\_\_  
Witness



RECEIVED  
DOVER CITY CLERK  
DOVER, NH

2008 AUG -8 A 10: 20

# APPLICATION CITY OF DOVER, NEW HAMPSHIRE

RAFFLE\* ..... TAG\* ..... PARADE\*\* ..... BLOCK PARTY\*\* ..... ROAD TOLL\*\*\* .....

Fill In Completely and Return To City Clerk NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: ST. CHARLES BORROMEIO CHURCH

Federal Tax ID number for Organization: \_\_\_\_\_

Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: RACHEL PELCZAR Day Time Telephone: 603-742-1905

Address: 150 CENTRAL AVE. DOVER, NH Email Address OFFICE@STJDOVERNH.ORG

Purpose of Permit: ST. CHARLES 1000+ CLUBS DRAWING

Date of Event: JAN-DEC., 2009 Specific Time: \_\_\_\_\_

Location of Event: ST. JOSEPH CHURCH, 150 CENTRAL AVE, DOVER, NH

*(Raffle Permit only)*

Prize (s) To Be Awarded: WEEK 1 - \$500, WK 2-25 - \$100, WK 26 - \$500, WK 27-51 - \$100, WK 52 - \$1000.00

Amount of Donation: \$20 Per. Tix Date of Drawing: WEEKLY 2009 Specific Time: \_\_\_\_\_

Place of Drawing: 150 CENTRAL AVE, DOVER, NH

**\* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS:** Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited information on these requirements may be found at [http://doj.nh.gov/publications/charitable\\_forms.html](http://doj.nh.gov/publications/charitable_forms.html).

**\*\* NOTE:** ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA

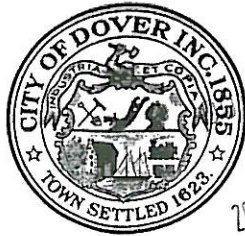
**\*\*\*NOTE:** SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.  
I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A, RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: [Signature] Date: 8/4/08

Licensing Board approval \_\_\_\_\_ Date: \_\_\_\_\_  
Revised 03/17/08

Festival



RECEIVED  
CITY CLERK  
DOVER, NH

2008 AUG -8 P 1:50

### APPLICATION CITY OF DOVER, NEW HAMPSHIRE

RAFFLE\* ..... TAG\* / ..... PARADE\*\* ..... BLOCK PARTY\*\* ..... ROAD TOLL\*\*\* .....

Fill In Completely and Return To City Clerk NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: Back River Farm Fest

Federal Tax ID number for Organization: \_\_\_\_\_

Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: Robert Huggins Day Time Telephone: 603 978 1774

Address: 111 Bayview Rd Dover NH Email Address Backriverfarmfest @ G-Mail .com

Purpose of Permit: music festival to raise money for Pennies for Poverty (unicoff)

Date of Event: Sept 13. 08 Specific Time: 10 Am to 10 pm

Location of Event: Back River Farm 111 Bay View Rd. Dover NH

\*\*\*\*\*

(Raffle Permit only)

Prize (s) To Be Awarded: \_\_\_\_\_

Amount of Donation: \_\_\_\_\_ Date of Drawing: \_\_\_\_\_ Specific Time: \_\_\_\_\_

Place of Drawing: \_\_\_\_\_

**\* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS: Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited Information on these requirements may be found at [http://doj.nh.gov/publications/charitable\\_forms.html](http://doj.nh.gov/publications/charitable_forms.html).**

**\*\* NOTE: ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA**

**\*\*\*NOTE: SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT**

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.  
I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A , RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: Robert Huggins Date: Aug 8. 08

Licensing Board approval \_\_\_\_\_ Date: \_\_\_\_\_



RECEIVED  
DOVER CITY CLERK  
DOVER, NH

2008 AUG 20 P 4: 12

# APPLICATION CITY OF DOVER, NEW HAMPSHIRE

RAFFLE\*.....TAG\*.....PARADE\*\*..... BLOCK PARTY\*\*..... ROAD TOLL\*\*\*.....

Fill In Completely and Return To City Clerk NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: Dover Little Green Football, Inc.

Federal Tax ID number for Organization: 20-4182689

Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: David Akridge Day Time Telephone: 603-781-4453

Address: 38 Watson Rd Dover NH Email Address DAkridgeoh@aol.com

Purpose of Permit: Cash Calendar

Date of Event: Sell Sept-20 / Awards - Month of October Specific Time: \_\_\_\_\_

Location of Event: In and around Dover

\*\*\*\*\*

(Raffle Permit only)

Prize (s) To Be Awarded: Cash

Amount of Donation: Total \$1,000 Date of Drawing: Month of October Specific Time: Month of October

Place of Drawing: Dover Little Green Football Practice Field

\* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS: Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited Information on these requirements may be found at [http://doj.nh.gov/publications/charitable\\_forms.html](http://doj.nh.gov/publications/charitable_forms.html).

\*\* NOTE: ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA

\*\*\*NOTE: SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.  
I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A, RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: [Signature] Date: 8/19/08

Licensing Board approval \_\_\_\_\_ Date: \_\_\_\_\_



RECEIVED  
DOVER CITY CLERK  
DOVER, NH

2008 AUG -6 A 10: 37

### APPLICATION CITY OF DOVER, NEW HAMPSHIRE

RAFFLE\*.....TAG\*.....PARADE\*\*..... BLOCK PARTY\*\*..... ROAD TOLL\*\*\*.....

Fill In Completely and Return To City Clerk NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: Prime Time All-stars Boosters

Federal Tax ID number for Organization: Ein - 11-3779471 -

Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: Debbie Garretson Day Time Telephone: 603-659-4121

Address: 81 Lady Slipper Drive Newmarket, NH 03857  
Email Address: DebbieGarretson65@yahoo.com

Purpose of Permit: Tagging

Date of Event: Sept. 26 27 28 Specific Time: See attached

Location of Event: See attached

*(Raffle Permit only)*

Prize (s) To Be Awarded: \_\_\_\_\_

Amount of Donation: \_\_\_\_\_ Date of Drawing: \_\_\_\_\_ Specific Time: \_\_\_\_\_

Place of Drawing: \_\_\_\_\_

**\* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS: Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited Information on these requirements may be found at [http://doj.nh.gov/publications/charitable\\_forms.html](http://doj.nh.gov/publications/charitable_forms.html).**

**\*\* NOTE: ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA**

**\*\*\*NOTE: SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT**

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.  
I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A, RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: Debbie Garretson Date: 7/31/08

Licensing Board approval: (Signature) Date: 8/11/08  
*Revised 03/17/08*

Prime Time All-stars Boosters  
PO Box 239  
Dover, NH 03821

*(Handwritten signature)*

## Tagging in Dover

September 26, 27, 28 2008

Dates	Places	Times
September 27 (Saturday)	Dunkin Donuts - Central Avenue	9 am - 11 am
September 27 (Saturday)	Dunkin Donuts - Downtown	9 am - 11 am
September 28 (Sunday)	Dunkin Donuts - Central Avenue	9 am - 11 am
September 28 (Sunday)	Dunkin Donuts - Downtown	9 am - 11 am
September 26 (Friday)	Store 24 - Downtown	4 pm - 6 pm
September 26 (Friday)	Store 24 - Back River Road	6 pm - 8 pm
September 27 (Saturday)	Store 24 - Downtown	4 pm - 6 pm
September 27 (Saturday)	Store 24 - Downtown	6 pm - 8 pm
September 27 (Saturday)	Store 24 - Downtown	11 am - 1 pm
September 27 (Saturday)	Store 24 - Downtown	1 pm - 3 pm
September 27 (Saturday)	Store 24 - Downtown	3 pm - 5 pm
September 27 (Saturday)	Store 24 - Back River Road	11 am - 1 pm
September 27 (Saturday)	Store 24 - Back River Road	1 pm - 3 pm
September 27 (Saturday)	Store 24 - Back River Road	3 pm - 5 pm
September 28 (Sunday)	Store 24 - Downtown	11 am - 1 pm
September 28 (Sunday)	Store 24 - Downtown	1 pm - 3 pm
September 28 (Sunday)	Store 24 - Downtown	3 pm - 5 pm
September 28 (Sunday)	Store 24 - Back River Road	11 am - 1 pm
September 28 (Sunday)	Store 24 - Back River Road	1 pm - 3 pm
September 28 (Sunday)	Store 24 - Back River Road	3 pm - 5 pm
September 26 (Friday)	Liquor Store	4 pm - 6 pm
September 26 (Friday)	Liquor Store	6 pm - 8 pm
September 27 (Saturday)	Shaw's	9 am - 11 am
September 27 (Saturday)	Shaw's	11 am - 1 pm
September 28 (Sunday)	Shaw's	9 am - 11 am
September 28 (Sunday)	Shaw's	11 am - 1 pm
September 26 (Friday)	Irving on Route 155	4 pm - 6 pm
September 26 (Friday)	Irving on Route 155	6 pm - 8 pm
September 27 (Saturday)	Irving on Route 155	9 am - 11 am
September 27 (Saturday)	Irving on Route 155	11 am - 1 pm
September 27 (Saturday)	Irving on Route 155	1 pm - 3 pm
September 27 (Saturday)	Irving on Route 155	3 pm - 5 pm
September 28 (Sunday)	Irving on Route 155	9 am - 11 am
September 28 (Sunday)	Irving on Route 155	11 am - 1 pm
September 28 (Sunday)	Irving on Route 155	1 pm - 3 pm
September 28 (Sunday)	Irving on Route 155	3 pm - 5 pm
September 27 (Saturday)	Fiddlehead Farms	11 am - 1 pm
September 27 (Saturday)	Fiddlehead Farms	1 pm - 3 pm
September 27 (Saturday)	Fiddlehead Farms	3 pm - 5 pm
September 28 (Sunday)	Fiddlehead Farms	11 am - 1 pm
September 28 (Sunday)	Fiddlehead Farms	1 pm - 3 pm
September 28 (Sunday)	Fiddlehead Farms	3 pm - 5 pm

RECEIVED  
DOVER CITY CLERK  
DOVER, NH



2008 AUG 12 A 11:57

### APPLICATION CITY OF DOVER, NEW HAMPSHIRE

RAFFLE\*.....TAG\*.....PARADE\*\*..... BLOCK PARTY\*\*..... ROAD TOLL\*\*\*.....

Fill In Completely and Return To City Clerk NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: DOVER KNIGHTS OF COLUMBUS

Federal Tax ID number for Organization: \_\_\_\_\_

Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: PAUL K. MCMANUS Day Time Telephone: (603) 742-3748

Address: 5 ANNOBROOK RD. DOVER, NH 03820 Email Address SURFERBUZZ@COMCAST.NET

Purpose of Permit: TO HOLD: a.) A ROSARY IN PUBLIC b.) TO HOLD A SILENT PRAYERFUL DEMONSTRATION TO DEFEND LIFE

Date of Event: OCT. 05, 2008 Specific Time: 1:25 PM - 3 PM

Location of Event: JUST NORTH OF WEEK'S INTERSECTION NEAR SOMERSWORTH TOWN LINE  
\*\*\*\*\*  
IN FRONT OF BANK

(Raffle Permit only)

Prize (s) To Be Awarded: \_\_\_\_\_

Amount of Donation: \_\_\_\_\_ Date of Drawing: \_\_\_\_\_ Specific Time: \_\_\_\_\_

Place of Drawing: \_\_\_\_\_

**\* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS:** Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited Information on these requirements may be found at [http://doj.nh.gov/publications/charitable\\_forms.html](http://doj.nh.gov/publications/charitable_forms.html).

**\*\* NOTE:** ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA

**\*\*\*NOTE:** SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.  
I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A , RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: Paul K. McManus Date: 8/12/08

Licensing Board approval \_\_\_\_\_ Date: \_\_\_\_\_  
Revised 03/17/08



Craig Groteau  
xt 6155  
will beat  
station  
Wed 13th

# APPLICATION CITY OF DOVER, NEW HAMPSHIRE

RAFFLE\*.....TAG\*.....PARADE\*\*..... BLOCK PARTY\*\*..... ROAD TOLL\*\*\*.....

Fill In Completely and Return To City Clerk NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: Dover Professional Firefighters Assoc. & Muscular Dystrophy Assoc. of NH

Federal Tax ID number for Organization: 02-6013092 TIN# 131665552

Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: Chris Jacques Day Time Telephone: 603-743-6155

Address: P.O. Box 1004 Email Address: c.jacques@ci.dover.nh.us

Purpose of Permit: Voluntary Road Toll to Benefit Muscular Dystrophy of NH

Date of Event: August 30, 2008 Specific Time: 0900-1600

Location of Event: Central Avenue @ Oak St.

*(Raffle Permit only)*

Prize (s) To Be Awarded: \_\_\_\_\_

Amount of Donation: \_\_\_\_\_ Date of Drawing: \_\_\_\_\_ Specific Time: \_\_\_\_\_

Place of Drawing: \_\_\_\_\_

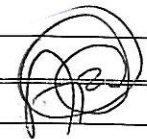
**\* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS:** Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The police department may contact you to obtain additional information. Please provide a way for us to contact you during the day so the request can expedited. Information on these requirements may be found at [http://doj.nh.gov/publications/charitable\\_forms.html](http://doj.nh.gov/publications/charitable_forms.html).

**\*\* NOTE:** ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA


**\*\*\*NOTE:** SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT

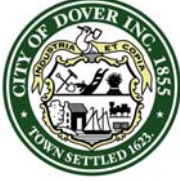
I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.  
I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A, RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Licensing Board approval  Date: 8/11/08

Revised 03/17/08

MDA is in compliance  
Ok.  
Letter of Agreement MDA -> DPPP required.  




CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.7.

Resolution Number: **R – 2008.08.27 - 132**  
Resolution Re: DEPOSITORIES FOR CITY FUNDS FOR FISCAL  
YEARS 2009 and 2010

WHEREAS: New Hampshire RSA 48:16 designates the statutory duties and responsibilities of City Treasurers; and

WHEREAS: The City Charter C6-11 requires the City Council to designate the depositories for the City; and

WHEREAS: The City Administrative Code and City Investment Policies and Procedures for City Funds designates the duties and responsibilities of the City of Dover Treasurer; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:  
The Finance Director/Treasurer is hereby authorized to establish and maintain accounts for deposit or safekeeping as deemed necessary for efficient cash management and investment of City funds for Fiscal Years 2009 and 2010 in accordance with RSA 48:16 and the City’s administrative code and investment policies and procedures.

AND, FURTHER BE IT RESOLVED;  
The City Manager and Finance Director/Treasurer is hereby authorized to enter into a two - year agreement with Citizens Bank to provide cash management, banking, and investment services for the period October 1, 2008 through September 31, 2010.

## AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Scott Myers  
By request

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.7.

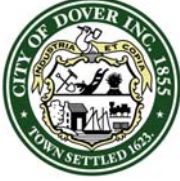
Resolution Number: **R – 2008.08.27 - 132**  
Resolution Re: DEPOSITORIES FOR CITY FUNDS FOR FISCAL  
YEARS 2009 and 2010

## DOCUMENT HISTORY:

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

## DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor*	n/a	n/a
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Dean Trefethen, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		
* Deputy Mayor not elected at time of vote.		



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.7.

Resolution Number: **R – 2008.08.27 - 132**  
Resolution Re: DEPOSITORIES FOR CITY FUNDS FOR FISCAL  
YEARS 2009 and 2010

### RESOLUTION BACKGROUND MATERIAL:

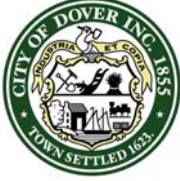
This resolution authorizes the City's depositories for the coming year. RSA 48:16 allows for deposit and investment of City funds with banks within the state, US Government Obligations and the Public Deposit Investment Pool. Deposits with banks outside the state are allowed only if the accounts are fully collateralized by U.S. Government and Agency Obligations or State of New Hampshire Securities.

The City's Investment Policies and Procedures for City Funds establishes the criteria for financial institutions consisting of the following:

- Minimum total assets of \$100 million
- Minimum of an average rating by bank rating service
- Minimum ratio of equity capital to total assets of 5%
- Maximum ratio of nonperforming assets to equity of 20%

Exceptions to the above can be made on a prudent and reasonable basis.

The Finance Director/Treasurer has negotiated an agreement with Citizens Bank to provide cash management, banking, and investment services for a two-year period to be effective October 1, 2008 through September 31, 2010. Citizens Bank has proposed service fees that are competitive with other local banking institutions.



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.7.

Resolution Number: **R – 2008.08.27 - 132**  
Resolution Re: DEPOSITORIES FOR CITY FUNDS FOR FISCAL YEARS 2009 and 2010

## Additional Background:

The goal of the City’s investment policy, in order of priority, is to preserve principal (safety), keep funds available for disbursement (liquidity) and seek a reasonable return of income (yield). This resolution sets the criteria for financial institutions where City funds are kept. Included in the criteria are four major items, each of which is explained below:

**Minimum Assets** – This criterion looks at the total value of a financial institution’s assets. This includes the current assets such as cash and receivables to the fixed assets of property, plant and equipment. This measurement is important as the City does not want its deposits to be too large a percentage of a bank’s total assets.

**Minimum of an average rating by bank rating service** – The City subscribes to the Bank Financial Quarterly, published by IDC Financial Publishing, Inc. IDC analyzes each financial institution using numerous ratios to arrive at a numeric rating from 1 to 300. The City only uses financial institutions meeting at least the average rating. These institutions meet industry capital standards, but may have a low operating profit margin.

Rank	Category	Description
200 to 300	Superior	Best by all measures
165 to 199	Excellent	Strong institutions
125 to 164	Average	Meet capital standards
75 to 124	Below Average	Institutions under strain
2 to 74	Lowest Ratios	Less than minimum capital
1	Rank of One	Highest probability of failure

**Minimum ratio of equity capital to total assets** – This ratio compares the amount of equity of a financial institution to its total assets. The higher the ratio, the better the capital position. A ratio of 4% is considered adequate. It is important to make sure that although an institution’s total assets may qualify, the institution must have a reasonable amount of equity in those assets to be considered financially sound.

**Maximum ratio of nonperforming assets to equity** – This ratio compares the amount of bad loans and repossessed property to the total equity of the financial institution. This considers how much of an institution’s equity is affected by



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.7.

Resolution Number: **R – 2008.08.27 - 132**  
Resolution Re: DEPOSITORIES FOR CITY FUNDS FOR FISCAL  
YEARS 2009 and 2010

nonperforming assets. The higher the ratio is, the worse the impact on an institution's financial position.

In addition to these measures of an institution's financial position, the City collateralizes its investments at its primary depository with US Government and Agency Obligations, with the securities held in joint custody at the Federal Reserve Bank. Collateral is held at a level of at least 100% of the investment amount. Balances at the Public Deposit Investment Pool are 100% collateralized, securities held in third party trust, and are also 100% insured by MBIA, Inc., which carries an A2 Moody's rating.



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.8.

Resolution Number: **R - 2008.08.27 - 133**

Resolution Re: Increase in Price for Dover Trash Bags and Tags

WHEREAS: The Bag and Tag Program began in October 1991, and fees for purchasing City trash bags are charged to cover costs; and

WHEREAS: Now, due to the increased contractual cost to the City for Solid Waste/Recycling removal and disposal, the bag prices sold by the City of Dover, need to be increased from \$1.31 to \$1.41 for 15-gallon bags, from \$1.96 to \$2.11 for 30-gallon bags and from \$3.96 to \$4.96 for bulky item tags; and

WHEREAS: The Solid Waste Advisory Commission has recommended this increase at their meeting in July, 2008.

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

The City Council approves the recommendations of the Solid Waste Advisory Commission to set the sale prices for the City of Dover Trash Bags, sold by the City of Dover, at \$1.41 for 15-gallon bags and \$2.11 for 30-gallon bags, and \$4.96 for bulky item tags, with a suggested retail price of \$1.45, \$2.15 and \$5.00, respectively.

### AUTHORIZATION

Approved as to Funding: Daniel R Lynch  
Finance Director

Sponsored by: Doug DeDe  
Councilor Ward 2

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.8.

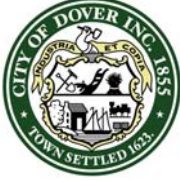
Resolution Number: **R - 2008.08.27 - 133**  
Resolution Re: Increase in Price for Dover Trash Bags and Tags

## DOCUMENT HISTORY:

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

## DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor*	n/a	n/a
Councilor, Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Dean Trefethen, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		
* Deputy Mayor not elected at time of vote.		



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.8.

Resolution Number: **R - 2008.08.27 - 133**  
Resolution Re: Increase in Price for Dover Trash Bags and Tags

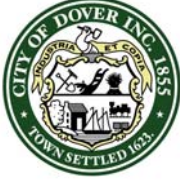
### RESOLUTION BACKGROUND MATERIAL:

The Bag and Tag Program began in October 1991, and fees for City trash bags charged to cover costs. Due to the increased cost to the City for Solid Waste/Recycling removal and disposal, the bag prices sold by the City of Dover, need to be increased:

from \$1.31 to \$1.41 for 15-gallon bags  
from \$1.96 to \$2.11 for 30-gallon bags  
from \$3.96 to \$4.96 for bulky item tags

with a suggested retail price of \$1.45, \$2.15 and \$5.00, respectively.

The Solid Waste Advisory Commission has recommended this increase at their meeting in July 2008.



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.9.

Resolution Number: **R - 2008.08.27 - 134**  
Resolution Re: Police Cruiser Acquisition State Bid 79-08

WHEREAS: Hillsboro Ford of Hillsboro, NH has been awarded the State of New Hampshire vehicle contract via bid 79-08 for Crown Victoria Police Interceptors; and

WHEREAS: It appears to be in the City's best financial interest to take advantage of the state bid solicitation and place an order for (4) four cruisers to be delivered in a timely manor. The city will realize saving from on-going maintenance costs associated with keeping older vehicles in service; and

WHEREAS: The Police Department wishes to acquire four (4) 2009 police interceptors at a Base cost of \$19,999.00 plus options bringing total each to \$21,524.00.

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

Per 3-36B, Optional Purchasing, 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

The Purchasing Agent is hereby authorized to issue a Purchase Order to Hillsboro Ford of Hillsboro, NH for (4) Police Cruisers at the State of NH contract base rate of \$19,999.00 each and corresponding rates in NH contract for additional options in the amount of \$1,525.00 for a total of \$21,524.00 each. This amount of authorization shall be limited so as not to exceed available funding.

### Financing

Account	Description	Appropriation	Balance
1000-42120-4742-0000-00-21	Police Light Vehicles	\$90,000.00	\$90,000.00

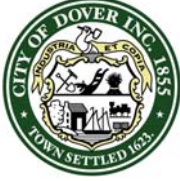
### AUTHORIZATION

Approved as to Funding: Daniel R Lynch  
Finance Director

Sponsored by: Mayor Scott Myers  
By request

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.9.

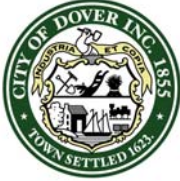
Resolution Number: **R - 2008.08.27 - 134**  
Resolution Re: Police Cruiser Acquisition State Bid 79-08

## DOCUMENT HISTORY:

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

## DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor*	n/a	n/a
Councilor, Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Dean Trefethen, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		
* Deputy Mayor not elected at time of vote.		



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.9.

Resolution Number: **R - 2008.08.27 - 134**

Resolution Re: Police Cruiser Acquisition State Bid 79-08

### RESOLUTION BACKGROUND MATERIAL:

A sealed bid was solicited last year by the State of New Hampshire to identify a qualified vendor to provide Ford crown Victoria police cruiser interceptors. The successful vendor from this bid was Hillsboro Ford of Hillsboro NH. The city wishes to piggy back off this state contract and take advantage of pricing structure for the Ford Crown Victoria Police Interceptor.

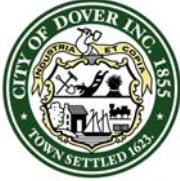
Base \$19,999.00, limited slip differential \$468.00, power seats \$484.00, courtesy lamp disable \$120.00, spot lamp \$293.00, rear door locks inoperable \$85.00 and body molding uninstalled in trunk \$75.00 for a total of \$21,524.00 each

### Award Information:

A purchase orders will be issued to authorize future expenditures.

### Purchasing Information:

<b>Type:</b>	Purchase Order	<b>Advertised:</b>	No
<b>Invitations Mailed:</b>	NA	<b>Number of Responses:</b>	NA
<b>Warranty:</b>	Per Manufacture	<b>Terms:</b>	Net 30, FOB Dover
<b>Work Bonded:</b>	No	<b>Contract:</b>	No
<b>Prices will hold for:</b>	Until vehicles no longer available	<b>Estimated Delivery:</b>	120 days from order
<b>Recommended Award to:</b>	Hillsboro Ford	<b>Fund:</b>	Gf
<b>Other Approvals Required:</b>	Yes State NH	<b>References Checked:</b>	Satisfactory
<b>Previously Worked for City:</b>	Yes	<b>Reason for Council Approval:</b>	State bid – Cost exceeds \$10,000.00



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.1

Resolution Number: **R - 2008.08.27 - 135**  
Resolution Re: Diesel Fuel B09004B Re-bid

WHEREAS: Bid B09004 was requested and received for Diesel Fuel on July 09, 2008 at 3:00 pm for a one year agreement with only one response. A re-bid was sent and received back on August 13, 2008 @ 3:00 with bid for locked in rate of \$3.699 from Downeast Energy; and

WHEREAS: After speaking with Downeast Energy on August 14<sup>th</sup>, it was discovered that an error had been made on the bid submitted to the city. Given the fact that reasonable notice was provided to the city, the city is unable to hold the vendor to the bid price submitted therefore, another bid was solicited and is due back on August 27, 2008 @ 2:00pm.

WHEREAS: The city has five locations where diesel fuel is utilized and supplied on an “as needed” or pre-arranged schedule. Based on last years usage the bid indicated a need for approximately 15,200 gallons to be purchased from September 1, 2008 to August 31, 2009.

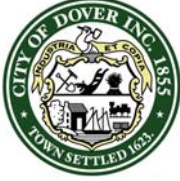
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Purchasing Agent is hereby authorized to issue a Blanket Purchase Order to (vendor to be determined), as needed, given the rate of (to be determined) provided 8/27/08. The amount of this authorization shall be limited so as not to exceed available funding.

## Financing

Account	Description	Appropriation	Balance
5320-43256-4626-0000-00-30	wwtp vehicle fuels	7,000.00	7,000.00
5320-43250-4626-0000-00-30	sewer vehicle fuels	15,000.00	15,000.00
6310-49200-4626-0000-00-55	fleet services vehicle fuels	5,000.00	3,397.22
1000-43121-4626-0000-00-30	Street vechile fuels	28,600.00	28,600.00
5300-43320-4626-0000-00-30	Water Vehicle Fuel	24,750.00	24,750.00
	total	80,350.00	78,747.00

*Note: Substitute resolution will be provided on Wednesday night August 27, 2008 containing bid results and recommendations.*



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.1

Resolution Number: **R - 2008.08.27 - 135**  
Resolution Re: Diesel Fuel B09004B Re-bid

## AUTHORIZATION

Approved as to Funding: Daniel R Lynch  
Finance Director

Sponsored by: Mayor Scott Myers  
By request

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk

## DOCUMENT HISTORY:

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

## DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor*	n/a	n/a
Councilor, Robert Currier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Dean Trefethen, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		
* Deputy Mayor not elected at time of vote.		



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.1

Resolution Number: **R - 2008.08.27 - 135**  
Resolution Re: Diesel Fuel B09004B Re-bid

### RESOLUTION BACKGROUND MATERIAL:

Bid B09004 was requested and received for Diesel fuel on July 09, 2008 at 3:00 pm. With only one reply at an Over Rack Price. A re-bid was solicited and received back on August 13, 2008 with one reply for a locked in rate of \$3.699 from Downeast Energy. After speaking with Downeast Energy on August 14<sup>th</sup>, it was discovered that an error had been made on the bid submitted to the city. Given the fact that reasonable notice was provided to the city, the city is unable to hold the vendor to the bid price, therefore, another bid was solicited and is due back 8/27/08 with results to follow.

The city has five locations where diesel fuel is utilized and supplied on an “as needed” or pre-arranged schedule. Based on last years usage the bid indicated a need for approximately 15,200 gallons to be purchased at a guaranteed rate from September 1, 2008 to August 31, 2009. Last year a bid went out for one year with option to renew for additional year and was awarded to Dennis K. Burke Inc of Chelsea MA with the terminal location in Portsmouth NH. In an effort to get the best pricing the city is soliciting bids again this year. The city will receive the bids on the afternoon of August 27, 2008 and forward these results and recommendation to the council on that evening for approval.

### Award Information:

A purchase order will be issued to authorize this expenditure.

### Purchasing Information:

<b>Type:</b>	Purchase order	<b>Advertised:</b>	Yes
<b>Invitations Mailed:</b>	16	<b>Number of Responses:</b>	
<b>Warranty:</b>	Meets Specifications	<b>Terms:</b>	Net 30, FOB Dover
<b>Work Bonded:</b>	No	<b>Contract:</b>	Yes
<b>Prices will hold for:</b>	Until 8/31/09	<b>Estimated Delivery:</b>	As needed
<b>Recommended Award to:</b>		<b>Fund:</b>	various
<b>Other Approvals Required:</b>	No	<b>References Checked:</b>	Satisfactory
<b>Previously Worked for City:</b>	Yes	<b>Reason for Council Approval:</b>	Cost estimated at \$25,000 or greater



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.1

Resolution Number: **R - 2008.08.27 - 135**  
Resolution Re: Diesel Fuel B09004B Re-bid

### Vendor List

Irving Oil Co.  
3000 Lafayette Road  
Portsmouth, NH 03802-0177

Downeast Energy Steve  
63 Fourth Street  
Dover, NH 03820

Hanscom's Truck Stop Attn:  
Sam  
500 Maplewood Avenue  
Portsmouth, NH 03801

Dennis K. Burke Joe Cote  
284 Eastern Avenue  
Chelsea, MA 02150

Simply Green Bio Fuel  
12 Richard Road  
Rye, NH 03870

DF Richard Rick Card  
PO Box 669  
Dover, NH 03820

Home Town Oil, LLC  
755 Banfield Road  
Portsmouth, NH 03801

Total Energy Solutions  
195 Hanover Street  
Suite 24  
Portsmouth, NH 03801

Hartmann Oil Company, Inc.  
P. O. Box 1068  
Exeter, NH 03833-1068

Fortier and Sons  
216 Green Street  
Somersworth, NH 03878

Eastern Propane & Oil  
PO Box 1800  
Rochester, NH 03866

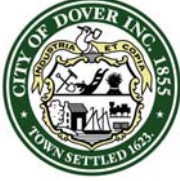
Borderline Fuels, Inc.  
Frank Amedeo  
35 Centre Road  
Somersworth, NH 03878

Dead River Co.  
100 West Road, Suite #2  
Portsmouth, NH 03801

Save on Fuel  
11 Pond Road  
South Berwick, ME 03908

H & H Oil Co.  
437 Portsmouth Ave.  
Greenland, NH 03840

Proulx Oil and Propane  
Jim Proulx  
PO Box 1  
Simons Lane  
Newmarket NH 03857



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.1

Resolution Number: **R - 2008.08.27 - 135**  
Resolution Re: Diesel Fuel B09004B Re-bid

**RESULTS**  
**Re-Bid B09004B**  
**Diesel Fuel**



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.2

Resolution Number: **R – 2008.08.27 - 136**  
Resolution Re: **MUNICIPAL INFORMATION TECHNOLOGY  
ACCEPTABLE USE POLICY**

WHEREAS: The City of Dover has an extensive municipal information technology system for use by city staff, elected officials and volunteers for the boards, commissions and committees of the City of Dover to perform functions required by their positions and functions performed on behalf of the citizens of Dover;

WHEREAS: The citizens of Dover expect and deserve the municipal information technology system will be used for acceptable uses to accomplish the business of the City of Dover and its citizens;

WHEREAS: The Acceptable Use Policy articulates the parameters of acceptable and prohibited uses.

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

The attached Acceptable Use Policy is adopted by the Dover City Council

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Scott Myers

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.2

Resolution Number: R - 2008.08.27 - 136  
Resolution Re: MUNICIPAL INFORMATION TECHNOLOGY  
ACCEPTABLE USE POLICY

### DOCUMENT HISTORY:

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

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor*	n/a	n/a
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Dean Trefethen, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		
* Deputy Mayor not elected at time of vote.		



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.2

Resolution Number: **R – 2008.08.27 - 136**  
Resolution Re: **MUNICIPAL INFORMATION TECHNOLOGY  
ACCEPTABLE USE POLICY**

## RESOLUTION BACKGROUND MATERIAL:



### City of Dover, New Hampshire Acceptable Use of Municipal Information Technology Systems and Services

The purpose of this document is to establish the acceptable use of Municipal Information Technology Systems and Services (hereinafter referred to as "MITSS") by Users and to acknowledge privacy, security and legal issues.

MITSS is defined as voice, data, video and other information technology systems and services provided and owned by the City of Dover including but not limited to Internet access, municipal network access, e-mail, telephone, voicemail, fax, imaging devices, cellular phones and two-way radios.

"Users" shall mean all municipal employees, members of all boards, commissions and committees, elected officials, vendors and other persons accessing MITSS. Employees and vendors are responsible for reviewing and following the City's Administrative Regulation 2-805 Use of Communication Systems.

#### Using MITSS:

Users shall only use MITSS for acceptable uses and to achieve the goals of MITSS.. Acceptable uses are uses relating to municipal business. The goals of MITSS are to provide effective means to communicate, to increase productivity, to perform research, to obtain information, and to assist Users in performing municipal function-related tasks. Only persons who have signed this document shall be permitted access to and use of MITSS.

#### Acceptable Uses

Examples of acceptable uses of MITSS include, but are not limited to:

- Communicating with colleagues, customers and citizens on municipal business matters, whether a one-to-one, committee, seminar or conference environment.
- Performance of municipal function-related tasks.
- Conducting research on the Internet to find and use online resources, problem-solve, stay current in one's municipal function.
- Accessing data (ex: State of New Hampshire applications) for which authorized access has been approved by both internal and external parties.

#### Prohibited Uses

Examples of prohibited uses of MITSS include, but are not limited to:

- Transmitting any information, message or material in violation of Federal, state, or local law.
- Accessing or distributing inappropriate, offensive or pornographic materials including jokes, slurs, etc. (Users who receive communications that may contain sexually, racially or ethnically inappropriate or offensive materials from other municipal Users should notify their immediate supervisor or the Human Resources Director if an employee or their staff liaison or City Manager if a non-employee. Users are prohibited from sending, forwarding or printing such communications, unless necessary to advise a supervisor, Human Resources Director, staff liaison or City Manager.)
- Storing in hard copy or electronic form any document, photo, video clip, audio file, executable file, etc., that may contain materials that would be considered sexually, racially or ethnically offensive. Storage of these types of materials for any reason other than official municipal business purposes is strictly prohibited.
- Intentional distribution of sensitive or confidential information to unauthorized persons.
- Distributing unauthorized broadcast messages or solicitations (SPAM).
- Using MITSS to accomplish personal business gain or to manage a business.
- Downloading, reproducing and/or distributing copyrighted materials not owned by the municipality, including software, photographs, music or any other media without appropriate authorization.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.2

Resolution Number: **R – 2008.08.27 - 136**

Resolution Re: **MUNICIPAL INFORMATION TECHNOLOGY  
ACCEPTABLE USE POLICY**

- Accessing or downloading any resource for which there is a fee without receiving the appropriate approval beforehand.
- Representing yourself as another User.
- Attempting to access any MITSS resource that a User is not authorized to access (hacking).
- Giving account information including username and password to anyone other than your department head, designated Information Technology administrators or the City Manager. (It is advised that you change your password immediately once maintenance or other tasks are complete.)
- Sending inappropriate communications from external accounts to any internal User account.
- Using MITSS for personal use during normal work hours except when such use is incidental to work related activities and infrequent.
- Transporting or copying municipal data on portable media or on a device not owned by the City of Dover unless expressly and properly authorized.

### **Software:**

Most information located on the Internet is software subject to the provisions of the Federal Copyright Law. Creating illegal copies of software or distributing software to third parties is not permitted. Users are responsible for using software in accordance with applicable license agreements.

### **Privacy:**

The computer hardware system, software, and e-mail system are owned by the City of Dover, and all messages or data composed, stored, sent, or received using MITSS are and remain the property of the City of Dover. Users should have *no expectation of privacy* in either sending or receiving communications and other information while using MITSS. All City of Dover data, including communications, may be accessed, viewed, and/or reproduced by designated information technology administrators while performing system maintenance, handling virus prevention, fulfilling content screening responsibilities or responding to legally required inquiries.

Electronic media, specifically the Internet and e-mail, are not a secure communication network. Personal or privileged information sent via these media could be read by individuals other than the desired recipients. E-mail messages transmitted via the Internet may be stored on non-municipal systems, and may be available for review and distribution even when the original message has been deleted from all municipal systems. User communications in the form of e-mail may be a governmental record subject to inspection and release under the New Hampshire Right to Know Law irrespective of the device or server used to send or receive the communication. Users agree to cooperate with all Right to Know requests. In the event the City receives a Right to Know request or other court discovery request, Users who forward or direct e-mail received on MITSS to non-city accounts, servers, devices or hardware agree to provide, at their expense, access (including but not limited to photocopying) to all e-mail relating to municipal business matters that is received, sent and/or stored by the non-city accounts, devices, hardware or servers. Users using electronic media have the responsibility to respect the privacy and rights of others, and should not intentionally seek information on, obtain copies of, or modify files, communications, passwords and other data that belong to other Users.

### **Monitoring:**

The municipality monitors the use of MITSS including, but not limited to, telephone call patterns and overall network and e-mail usage. The municipality occasionally accesses or views individual files, messages or attachments to protect the municipality against inappropriate use and/or to prevent the distribution and spread of viruses inside and outside the municipality's systems. Your use of MITSS owned and operated by the City of Dover may be monitored and is subject to release without prior notification. The municipality reserves the right to disclose the contents of any communication sent or received by any User, and will do so when it has a legitimate business need. Legitimate business needs may include, but are not limited to, the following:

- Investigation of suspected misuse of MITSS.
- Police investigations.
- Investigation related to pending or anticipated litigation.
- System administration and maintenance.
- Compliance with applicable laws, ordinances or court orders.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.2

Resolution Number: **R - 2008.08.27 - 136**  
Resolution Re: **MUNICIPAL INFORMATION TECHNOLOGY  
ACCEPTABLE USE POLICY**

### USER ACKNOWLEDGEMENT

You have been designated an authorized User of the MITSS owned and operated by the City of Dover. As an authorized User, you acknowledge your use will be related to legitimate City business in accordance with the Acceptable Use requirements. You are aware that prohibited and unacceptable use of MITSS by employees may result in disciplinary action up to and including discharge from employment. Prohibited and unacceptable use by non-employees may result in loss of privileges to use MITSS and other remedies as provided for in the City Charter, City Code or state law. Users shall bear their own legal expenses in defending against an alleged violation or provision of this policy. Your signature below indicates you have read, understand and agree to all of the above statements.

Print Name: \_\_\_\_\_  
Dept / Public Body /  
Vendor Name: \_\_\_\_\_  
Phone Number\*: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

Dept Head / City Clerk  
Print Name: \_\_\_\_\_  
Dept Head / City Clerk  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

\*Is voicemail secure at this number so that we may leave your login credentials?  Yes  No

#### **Routing Instructions:**

**Employees:** Completed by User and submitted to supervisor. Reviewed by supervisor and forwarded to Department Head for signature. A copy is provided to User with original sent to the Office of Information Technology for account creation. Original is maintained with official personnel file.

**City Council / Public Boards / Commissions:** Completed by User and submitted to the City Clerk or Board / Commission chair respectively. A copy is provided to User with original sent to the City Clerk for signature and then to the Office of Information Technology for account creation. Original is maintained in the Personnel Office.

**Vendors:** Completed by User and submitted to municipal liaison. Reviewed by municipal liaison and forwarded to Department Head for signature. A copy is provided to User with original sent to Office of Information Technology for account creation. Original is maintained in the Personnel Office.

Filename: 2008.08.11\_CityofDover.AcceptableUsePolicy.doc



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12B.3

Resolution Number: **R – 2008.08.27 - 137**  
Resolution Re: AMENDMENT TO COUNCIL RULES - RULE 10:  
FILING WITH CLERK

WHEREAS: In January 2008 the Dover City Council adopted Council Rules for the conduct of business of the City Council; and

WHEREAS: The efficiency of the conduct of City Council business will be enhanced with an amendment to the Council rules.

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

The Rules of the Dover City Council 2008-2009 are amended pertaining to Rule 10 as contained in the Background of this Resolution.

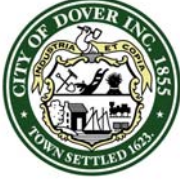
### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Councilor Catherine Cheney

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12B.3

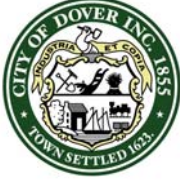
Resolution Number: **R – 2008.08.27 - 137**  
Resolution Re: AMENDMENT TO COUNCIL RULES - RULE 10:  
FILING WITH CLERK

## DOCUMENT HISTORY:

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

## DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor*	n/a	n/a
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Dean Trefethen, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		
* Deputy Mayor not elected at time of vote.		



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12B.3

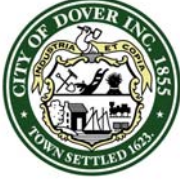
Resolution Number: **R – 2008.08.27 - 137**  
Resolution Re: **AMENDMENT TO COUNCIL RULES - RULE 10:  
FILING WITH CLERK**

### RESOLUTION BACKGROUND MATERIAL:

#### 10. FILING WITH THE CLERK

- A. Every ordinance, resolution, and document to come before the Council for consideration must be filed with the City Clerk, in compliance with guidelines established by the City Clerk and approved by the City Council, by noon on Wednesday before the week on which the Council meets.
- B. It shall be the duty of the City Clerk to have available for each Councilor and the public ~~on the next day (Thursday)~~ by noon on the Friday before each meeting a brief statement setting forth by number and full descriptive title, all ordinances, resolutions and documents to come before the Council for consideration in the form of an City Council Agenda.

1



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.4.

Resolution Number: **R – 2008.08.27 - 138**  
Resolution Re: **AMENDMENT TO COUNCIL RULES – RULE 15  
PROCEDURES AND FILING WITH THE COUNCIL**

WHEREAS: In January 2008 the Dover City Council adopted Council Rules for the conduct of business of the City Council; and

WHEREAS: The efficiency of the conduct of City Council business will be enhanced with an amendment to the Council rules.

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

The Rules of the Dover City Council 2008-2009 are amended pertaining to Rule 15-1.1 as contained in the Background of this Resolution.

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Councilor Catherine Cheney

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.4.

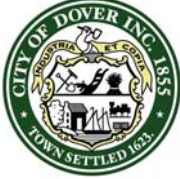
Resolution Number: **R – 2008.08.27 - 138**  
Resolution Re: AMENDMENT TO COUNCIL RULES – RULE 15  
PROCEDURES AND FILING WITH THE COUNCIL

## DOCUMENT HISTORY:

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

## DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor*	n/a	n/a
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Dean Trefethen, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		
* Deputy Mayor not elected at time of vote.		



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.4.

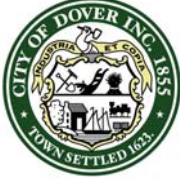
Resolution Number: **R – 2008.08.27 - 138**  
Resolution Re: AMENDMENT TO COUNCIL RULES – RULE 15  
PROCEDURES AND FILING WITH THE COUNCIL

### RESOLUTION BACKGROUND MATERIAL:

#### 15. PROCEDURES AND FILING WITH THE COUNCIL

##### 1.1 AVAILABILITY OF AGENDA AND WORKSHOP MATERIALS

- A. Purpose and Introduction – To establish time guidelines for distribution of materials to the Council to allow for review prior to consideration.
- B. If for any reason these parameters are not adhered to the Council may vote (simple majority present) for an extension for consideration of the item(s). Any materials, but particularly materials for subjects pertaining to significant projects and/or major financial commitments by the City, when not delivered by deadline, may be rescheduled for a subsequent workshop or meeting. The Council may not extend any dates where to do so would violate any local, state or federal deadline requirements.
- C. All supporting materials, handouts, resolutions for agenda items or workshop items should be placed in the City Councilors Mailbox in City Hall by noon on the Friday before the meeting.
- D. If the materials are not available by noon on the Friday before the meeting, the Councilors individually may opt to have the materials delivered to their homes.



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.5.

Resolution Number: **R – 2008.08.27 - 139**  
Resolution Re: AMENDMENT TO COUNCIL RULES – RULE 15.2  
COLLECTIVE BARGAINING AGREEMENTS

WHEREAS: In January 2008 the Dover City Council adopted Council Rules for the conduct of business of the City Council; and

WHEREAS: The efficiency of the conduct of City Council business will be enhanced with an amendment to the Council rules.

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

The Rules of the Dover City Council 2008-2009 are amended pertaining to Rule 15.2 as contained in the Background of this Resolution.

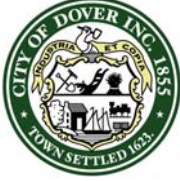
### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Councilor Catherine Cheney

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.5.

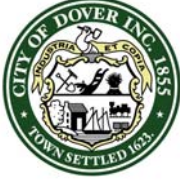
Resolution Number: **R – 2008.08.27 - 139**  
Resolution Re: AMENDMENT TO COUNCIL RULES – RULE 15.2  
COLLECTIVE BARGAINING AGREEMENTS

### DOCUMENT HISTORY:

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

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor*	n/a	n/a
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Dean Trefethen, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		
* Deputy Mayor not elected at time of vote.		



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

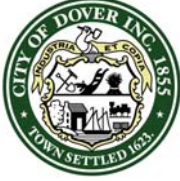
Agenda Item#: 12.B.5.

Resolution Number: **R – 2008.08.27 - 139**  
Resolution Re: AMENDMENT TO COUNCIL RULES – RULE 15.2  
COLLECTIVE BARGAINING AGREEMENTS

### RESOLUTION BACKGROUND MATERIAL:

#### 15.2 COLLECTIVE BARGAINING AGREEMENTS:

1. Purpose and Introduction – The purpose of this rule section is to establish time guidelines for distribution, review and discussion of the Tentative Agreement and to have periodic meetings for discussion regarding negotiations. This provides time for review of Tentative Agreements before scheduling a vote. All discussions, materials, information are confidential until the Council votes to approve the contract.
- B. Informing and Inclusion - The Council will meet periodically (every 2-3 months) during the negotiation process to discuss the status of the negotiations.
  1. Tentative Agreements will be delivered to the Council in Executive Session within 8 business days of ratification (acceptance) by Union Membership. This gives ample time for public notice of an Executive Session.
  2. The Tentative Agreement will be placed on the agenda for a subsequent Executive Session on the following week. The Tentative Agreement may be scheduled for a public vote for the following week.
  3. Using this schedule the maximum elapsed time should be:  
Executive Session Meeting 1: Council receives Tentative Agreement  
Executive Session Meeting 2: Council discusses Tentative Agreement  
(1 week has passed)  
Public Meeting 3: Council votes on Tentative Agreement  
(2 weeks have passed)
  4. If any of the above dates fall on a holiday the meeting will be scheduled for the following week.
  5. Contracts approved by the School Board will be delivered to the Council within one business day and be scheduled for a vote after one week from delivery to the Council.
  6. Exceptions shall only be allowed to assure compliance with RSA 273-A.



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.6.

Resolution Number: **R – 2008.08.27 - 140**  
Resolution Re: **RELEASE OF AUGUST 15, 2008 CITY ATTORNEY  
OPINION**

WHEREAS: On August 15, 2008, the City Attorney provided a confidential written legal opinion to each City Councilor; and,

WHEREAS: NH RSA 91-A:5 has specific provisions pertaining to when public documents are not required to be released to the public; and

WHEREAS: The NH Constitution Article 8 provides for the public's right to know "...Government, therefore, should be open, accessible, accountable and responsive..." ; and

WHEREAS: The City Council is empowered to release confidential material from the City Attorney

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

The Mayor and City Council of Dover, NH releases to the public the letter from the City Attorney dated August 15, 2008 pursuant to the NH "Right to Know Law" RSA 91-A and the NH State Constitution,

AND, FURTHER BE IT RESOLVED;

The letter from the City Attorney released as the result of this resolution shall be appended to and complete the Background contained in this resolution.

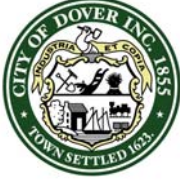
### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Councilor David Scott

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.6.

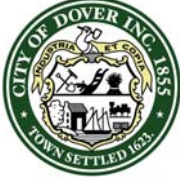
Resolution Number: **R – 2008.08.27 - 140**  
Resolution Re: **RELEASE OF AUGUST 15, 2008 CITY ATTORNEY OPINION**

## DOCUMENT HISTORY:

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

## DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor*	n/a	n/a
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Dean Trefethen, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		
* Deputy Mayor not elected at time of vote.		



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

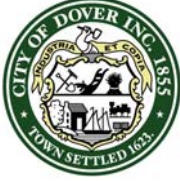
Agenda Item#: 12.B.6.

Resolution Number: **R – 2008.08.27 - 140**  
Resolution Re: RELEASE OF AUGUST 15, 2008 CITY ATTORNEY  
OPINION

### RESOLUTION BACKGROUND MATERIAL:

It is a matter of practice for the City Attorney to mark all correspondence to the City Council “Confidential”.

The City Council may consider the importance of keeping the contents of the letters of the City Attorney “Confidential” after it receives them.



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.7.

Resolution Number: **R – 2008.08.27 - 141**  
Resolution Re: **FISCAL YEAR 2009 BUDGET – AMENDMENT #1**

WHEREAS: The Strafford County Delegation approved the 2008 County budget on March 15, 2008; and

WHEREAS: The City of Dover Council approved the Fiscal Year 2009 City Budget on June 4, 2008 based on approved County budget; and

WHEREAS: The Strafford County Delegation approved a reduction to the amount of the 2008 County budget on August 20, 2008; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:  
The sum of \$64,949, representing the City of Dover’s portion of savings based on the revised 2008 budget of Strafford County, is hereby appropriated within the General Fund for the purpose of Capital Outlay - General Street & Sidewalk Improvements as follows:

Account	Description	Budget	Amendment	Revised
1000-48000-4990-0000-00-80	County Tax Apportionment	6,837,272	(64,949)	6,772,323
1000-43121-4715-0000-00-30	CS- Streets Capital Outlay			
	General Street & Sidewalk Imprv	670,000	64,949	734,949
	General Drainage Improvements	150,000	-	150,000
		<u>820,000</u>	<u>64,949</u>	<u>884,949</u>

**Note: Per City Charter C6-6 this resolution requires a public hearing and a 2/3 favorable vote for passage. To be referred to Public Hearing on September 10, 2008.**

### AUTHORIZATION

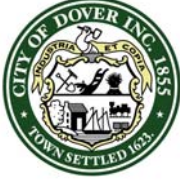
Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Steven McCusker  
Councilor at Large

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Dean Trefethen  
Councilor, Ward 4

Recorded by: Karen Lavertu  
City Clerk



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.7.

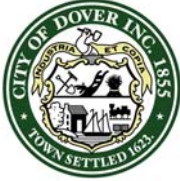
Resolution Number: **R – 2008.08.27 - 141**  
Resolution Re: **FISCAL YEAR 2009 BUDGET – AMENDMENT #1**

### DOCUMENT HISTORY:

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

### DOCUMENT ACTIONS:

<b>VOTING RECORD</b>		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor*	n/a	n/a
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Dean Trefethen, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		
* Deputy Mayor not elected at time of vote.		



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.7.

Resolution Number: **R – 2008.08.27 - 141**  
Resolution Re: **FISCAL YEAR 2009 BUDGET –  
AMENDMENT #1**

### RESOLUTION BACKGROUND MATERIAL:

On March 15, 2008 the Strafford County Delegation approved the 2008 Strafford County Budget. The approved 2008 County budget resulted in an amount to be raised by taxes of \$26,420,570.

The City of Dover's portion of the County Tax is based on the city's equalized assessed property valuation as a percentage of the total equalized assessed property valuation of all the communities within Strafford County. The NH Department of Revenue Administration (NH DRA) determines the equalized assessed property valuations for each community in the State of NH and based on this information determines the proportional share of each community's county tax allocation.

Based on the most recent equalized assessed property valuation data available from NH DRA for TY 2006 (FY 2007) the City's proportional share of the County tax was 25.8786%. This percentage was utilized to determine the amount budgeted in the FY 2009 City budget for County Tax Apportionment of \$6,837,272 ( $\$26,420,570 \times 25.8786\%$ ).

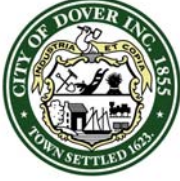
On June 4, 2008 the City Council approved the City of Dover's Fiscal Year 2009 budget. In the FY09 budget approved by the Council, budget function 48000-4990 County Tax Apportionment was budgeted at \$6,837,272.

In July 2008 Strafford County initiated discussions regarding the possibility of proposing a budget reduction. The Strafford County Delegation met on August 20, 2008 and approved a \$1,024,743 reduction to the County's 2008 budget. This \$1,024,743 reduction reduced the amount to be raised by taxes from \$26,420,570 to \$25,395,827.

NH DRA recently released County allocation data per TY 2007 (FY 2008) and the City of Dover's proportional share of the County tax is 26.6671%. The revised amount for the City's share of the County tax is \$6,772,323 ( $\$25,395,827 \times 26.6671\%$ ). This represents a \$64,949 reduction in the County tax apportionment as reflected in the City's FY 2009 approved budget ( $\$6,837,272 - \$6,772,323$ ).

In the FY 2009 budget approved by the City Council, budget function 43121-4715 Community Services Streets – Capital Outlay – General Street & Sidewalk Improvements is budgeted at \$670,000. In the 2009-2014 CIP approved by City Council, \$1,000,000 was planned to be budgeted in the General Fund for General Street & Sidewalk Improvements. The \$1,000,000 was reduced from planned levels to accommodate the expected County tax increase. There are still many more roads in the City of Dover that need immediate attention, the \$64,949 is funding that was originally intended for general street improvements and could still be used for this purpose. Paving costs have escalated significantly in recent months further limiting the amount of work to be completed in the absence of additional funds.

Re-allocating these funds from the County Tax line item to the General Street & Sidewalk Improvements line item does not affect the total budget amount previously approved by the City Council and does not violate the spending cap charter provisions.



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.8.

Resolution Number: **R – 2008.08.27 - 142**  
Resolution Re: **DISSOLUTION OF ARENA FUND INTO GENERAL FUND – FY09 BUDGET AMENDMENT #2**

WHEREAS: The City of Dover owns and operates the Dover Ice Arena to provide residents and non-residents of the City with recreational opportunities; and the operations of the Dover Ice Arena are accounted for through an enterprise fund known as the Arena Fund; and

WHEREAS: The Arena Fund revenues have come in-line with operating expenditures; and

WHEREAS: The Arena Fund has consistently relied upon an advance from the General Fund to address cash flow hardships; and the City wishes to take prudent action to address the fund deficit that exists in the Arena Fund and eliminate the cash advance that is currently a reserve of fund balance within the General Fund;

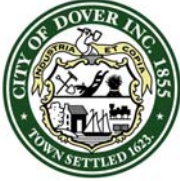
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The Arena Fund is hereby dissolved and absorbed into the City of Dover General Fund.

AND, FURTHER BE IT RESOLVED;

The budget amendment, to budget estimated revenues and expenditures for operations of the Arena for Fiscal Year 2009, is hereby appropriated within the General Fund as follows:

Account	Description	Budget	Amendment	Revised
1000-45149-3410-0000-00-35	Recreation - Arena Sales & Service Charges	-	1,116,932	1,116,932
1000-45149-3412-0000-00-35	Recreation - Arena Vending Machine Sales	-	4,100	4,100
1000-45149-3413-0000-00-35	Recreation - Arena Commissions	-	5,050	5,050
1000-45149-3441-0000-00-35	Recreation - Arena Pro Shop	-	15,000	15,000
1000-45149-3442-0000-00-35	Recreation - Arena Recreation Charge	-	354,894	354,894
1000-45149-3444-0000-00-35	Recreation - Arena Food Sales	-	69,500	69,500
1000-45149-3445-0000-00-35	Recreation - Arena Vending Sales	-	23,433	23,433
1000-45149-3599-0000-00-35	Recreation - Arena Misc. Revenue	-	600	600
1000-45149-3631-0000-00-35	Recreation - Arena Facilities Rental	-	29,664	29,664
<b>Total Revenue</b>		<b>-</b>	<b>1,619,173</b>	<b>1,619,173</b>



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.8.

Resolution Number: **R – 2008.08.27 - 142**  
Resolution Re: **DISSOLUTION OF ARENA FUND INTO GENERAL FUND – FY09 BUDGET AMENDMENT #2**

Account	Description	Budget	Amendment	Revised
1000-45149-4110-0000-00-35	Rec - Arena - Regular Salaried Employees	-	102,611	102,611
1000-45149-4115-0000-00-35	Rec - Arena-Regular Hourly Employees	-	123,247	123,247
1000-45149-4120-0000-00-35	Rec - Arena-Temporary Employees	-	167,393	167,393
1000-45149-4130-0000-00-35	Rec - Arena-Overtime Pay	-	10,000	10,000
1000-45149-4170-0000-00-35	Rec - Arena-Longevity Pay	-	2,800	2,800
1000-45149-4211-0000-00-35	Rec - Arena-Health Insurance	-	79,753	79,753
1000-45149-4212-0000-00-35	Rec - Arena-Dental Insurance	-	3,246	3,246
1000-45149-4213-0000-00-35	Rec - Arena-Life Insurance	-	542	542
1000-45149-4220-0000-00-35	Rec - Arena-FICA	-	24,315	24,315
1000-45149-4225-0000-00-35	Rec - Arena-Medicare	-	5,687	5,687
1000-45149-4230-0000-00-35	Rec - Arena-Retirement	-	20,802	20,802
1000-45149-4240-0000-00-35	Rec - Arena-Staff Development	-	1,500	1,500
1000-45149-4250-0000-00-35	Rec - Arena-Unemployment Benefits	-	200	200
1000-45149-4260-0000-00-35	Rec - Arena-Worker's Comp Insurance	-	2,155	2,155
1000-45149-4295-0000-00-35	Rec - Arena - Compensated Absences	-	2,000	2,000
1000-45149-4335-0000-00-35	Rec - Arena-Auditing Services	-	717	717
1000-45149-4336-0000-00-35	Rec - Arena - Medical Services	-	2,180	2,180
1000-45149-4411-0000-00-35	Rec - Arena-Water And Sewer Expense	-	13,500	13,500
1000-45149-4422-0000-00-35	Rec - Arena-Contract Snow Plowing	-	1,000	1,000
1000-45149-4431-0000-00-35	Rec - Arena-Maint Chrgs - Buildings	-	41,000	41,000
1000-45149-4432-0000-00-35	Rec - Arena - Maint Chrgs - Impr o/t Buildings	-	6,500	6,500
1000-45149-4433-0000-00-35	Rec - Arena-Maint Chrgs - Equipment	-	6,000	6,000
1000-45149-4435-0000-00-35	Rec - Arena-Maint Chrgs - Office Equip	-	12,331	12,331
1000-45149-4443-0000-00-35	Rec - Arena-Rental of Equipment	-	2,663	2,663
1000-45149-4521-0000-00-35	Rec - Arena-Property Insurance	-	4,343	4,343
1000-45149-4522-0000-00-35	Rec - Arena-Vehicle & Equip Insurance	-	380	380
1000-45149-4524-0000-00-35	Rec - Arena-Public Liab Insurance	-	7,079	7,079
1000-45149-4531-0000-00-35	Rec - Arena-Communications	-	9,330	9,330
1000-45149-4534-0000-00-35	Rec - Arena-Postage	-	500	500
1000-45149-4540-0000-00-35	Rec - Arena-Advertising	-	2,500	2,500
1000-45149-4550-0000-00-35	Rec - Printing & Binding	-	2,500	2,500
1000-45149-4580-0000-00-35	Rec - Arena-Travel Expense	-	750	750
1000-45149-4611-0000-00-35	Rec - Arena-Office Supplies	-	2,000	2,000
1000-45149-4612-0000-00-35	Rec - Arena-Operating Supplies	-	10,500	10,500
1000-45149-4615-0000-00-35	Rec - Arena-Clothing & Uniforms	-	5,900	5,900
1000-45149-4621-0000-00-35	Rec - Arena-Natural Gas	-	198,000	198,000
1000-45149-4622-0000-00-35	Rec - Arena-Electricity	-	197,000	197,000
1000-45149-4626-0000-00-35	Rec - Arena-Vehicle Fuels	-	10,500	10,500
1000-45149-4635-0000-00-35	Rec - Arena - Medicinal Supplies	-	200	200
1000-45149-4640-0000-00-35	Rec - Arena-Books & Publications	-	150	150
1000-45149-4651-0000-00-35	Rec - Arena-Maint Supplies - Buildings	-	9,000	9,000
1000-45149-4652-0000-00-35	Rec - Arena-Maint Supplies - Impr o/t Buildings	-	2,500	2,500
1000-45149-4653-0000-00-35	Rec - Arena-Maint Supplies - Equipment	-	4,500	4,500
1000-45149-4654-0000-00-35	Rec - Arena-Maint Supplies - Vehicles	-	2,800	2,800
1000-45149-4661-0000-00-35	Rec - Arena-Fleet Maintenance Charge	-	8,700	8,700
1000-45149-4681-0000-00-35	Rec - Arena-Minor Equipment & Tools	-	1,500	1,500
1000-45149-4810-0000-00-35	Rec - Arena-Membership Dues	-	600	600
1000-45149-4820-0000-00-35	Rec - Dept. Overhead Charges	-	30,000	30,000
1000-45149-4840-0000-00-35	Rec - Arena-Contingency	-	43,802	43,802
1000-45149-4895-0000-00-35	Rec - Arena-Cost of Sales	-	1,500	1,500
1000-45149-4896-0000-00-35	Rec - Arena - Cost of Sales - Food	-	38,000	38,000
1000-45149-4897-0000-00-35	Rec - Arena - Cost of Sales - Misc	-	25,000	25,000
1000-45149-4920-0000-00-35	Rec - Arena - Principal Payments	-	238,490	238,490
1000-45149-4921-0000-00-35	Rec - Arena-Interest - Bonds	-	129,007	129,007
<b>Total Appropriations</b>		<b>-</b>	<b>1,619,173</b>	<b>1,619,173</b>



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.8.

Resolution Number: **R – 2008.08.27 - 142**  
Resolution Re: **DISSOLUTION OF ARENA FUND INTO GENERAL  
FUND – FY09 BUDGET AMENDMENT #2**

**NOTE: Per City Charter C6-6 this resolution requires a public hearing and a 2/3 favorable vote for passage. To be referred to Public Hearing on September 10, 2008.**

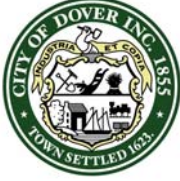
### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Dean Trefethen  
Councilor, Ward 4

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.8.

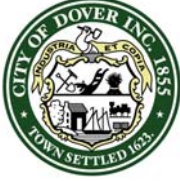
Resolution Number: **R – 2008.08.27 - 142**  
Resolution Re: **DISSOLUTION OF ARENA FUND INTO GENERAL FUND – FY09 BUDGET AMENDMENT #2**

## DOCUMENT HISTORY:

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

## DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor*	n/a	n/a
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Dean Trefethen, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		
* Deputy Mayor not elected at time of vote.		



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.8.

Resolution Number: **R – 2008.08.27 - 142**  
Resolution Re: **DISSOLUTION OF ARENA FUND INTO GENERAL FUND – FY09 BUDGET AMENDMENT #2**

### RESOLUTION BACKGROUND MATERIAL:

The City of Dover owns and operates the Dover Ice Arena to provide recreational opportunities to residents and non-residents of the City. The Arena facility generates significant economic activity supporting local businesses and their employees.

The operations of the Dover Ice Arena are accounted for through an enterprise fund. Enterprise Funds generally follow private-sector standards of accounting and financial reporting.

The Arena Fund has consistently relied upon an advance from the General Fund to address cash flow hardships. The City wishes to take prudent action to address the fund deficit that exists in the Arena Fund and eliminate the cash advance that is currently a reserve of fund balance within the General Fund. This change will allow the Arena's revenues and ongoing operating income to be absorbed directly into the General Fund eliminating the existing cash deficit and advance. Arena Fund revenues have come in-line with operating expenditures over the past year.

This action will address a blemish reflected in the City's financial statements by eliminating the Arena Fund deficit. This action has no direct impact on the City's General Fund since the advance to the Arena Fund is reported as a reserve against the fund balance of the General Fund.

The Arena Commission recommended taking this action.

The budget amendment is necessary to budget Arena operations within the General Fund and to properly budget funds for debt service principal payments related to the Arena. Enterprise Funds do not budget principal payments for debt service, although interest payments are a budgeted expense in an enterprise fund. An Enterprise Fund also budgets for depreciation expense, which is considered an operational cost. In the General Fund depreciation is not budgeted since expenditures are recorded when a liability is incurred and financial resources are utilized.

This action does not violate the spending cap charter provisions since the budget amendment does not require any increase in property tax levy.



CITY OF DOVER

# CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.9.

Resolution Number: **R - 2008.08.27 - 143**  
Resolution Re: Naming of the Liberty North End Fire Station

WHEREAS: The North End Fire Station advisory committee reached a consensus to recommend to the City Council the name of the new fire station as the “Liberty North End Fire Station”

WHEREAS: The new fire station is scheduled to open for operation on or about November 1, 2008

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:  
The new fire station located on Sixth Street shall be named “Liberty North End Fire Station”

**REQUIRES A PUBLIC HEARING PURSUANT TO DOVER ORDINANCE 79**

## AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Scott Myers  
By request

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

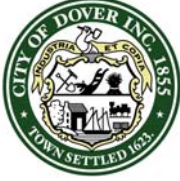
Recorded by: Karen Lavertu  
City Clerk

## DOCUMENT HISTORY:

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

## DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor*	n/a	n/a
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Dean Trefethen, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does   does not pass.		



CITY OF DOVER

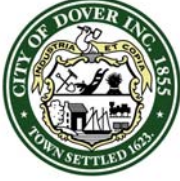
## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.9.

Resolution Number: **R - 2008.08.27 - 143**

Resolution Re: Naming of the Liberty North End Fire Station

\* Deputy Mayor not elected at time of vote.



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.9.

Resolution Number: **R - 2008.08.27 - 143**  
Resolution Re: Naming of the Liberty North End Fire Station

### RESOLUTION BACKGROUND MATERIAL:

The new fire station located on Sixth Street in the City of Dover is scheduled to open for operation on or about November 1, 2008.

Liberty Mutual Insurance Company donated the land on which the new fire station is located pursuant to an agreement entered into pursuant to Council approval in December 2005.

The North End Fire Station advisory committee recommends the name "Liberty North End Fire Station" and that the name be displayed with appropriate signage. Liberty Mutual also agrees with the selection of the name.