



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, January 28, 2009**
Meeting Time: **7:00pm**

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PROCLAMATIONS – AWARDS

5. APPROVAL 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 – NONE

8. CITY MANAGER'S REPORT

9. MINUTES

A. MINUTES

1. January 7, 2009
2. January 14, 2009

10. MAYOR'S REPORT

11. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING-NONE

B. ORDINANCES IN THE 3rd READING

1. **ORDINANCE: CHAPTER 3, ARTICLE IV, BOARDS AND COMMISSIONS – PARKING COMMISSION (TO BE REMOVED FROM TABLE AND SUBSTITUTED BY AMENDMENT)**
SPONSORED BY MAYOR SCOTT MYERS

C. ORDINANCES IN THE 5TH READING

1. **ORDINANCE: CHAPTER 137, POLITICAL EXPENDITURES AND CONTRIBUTIONS (TO BE REMOVED FROM TABLE)**
SPONSORED BY MAYOR SCOTT MYERS BY REQUEST

D. RESOLUTIONS

1. **RESOLUTION: ESTABLISHMENT OF RECREATION FACILITIES CAPITAL RESERVE FUND**



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SPONSORED BY MAYOR SCOTT MYERS BY REQUEST

2. RESOLUTION: ESTABLISHMENT OF FIRE & RESCUE FACILITIES CAPITAL RESERVE FUND

SPONSORED BY MAYOR SCOTT MYERS BY REQUEST

3. RESOLUTION: ESTABLISHMENT OF POLICE FACILITIES CAPITAL RESERVE FUND

SPONSORED BY MAYOR SCOTT MYERS BY REQUEST

4. RESOLUTION: SETTING OF PROPERTY TAX VETERANS CREDIT FOR FY2010.

SPONSORED BY DEPUTY MAYOR DEAN TREFETHEN

12. NEW BUSINESS

A. CONSENT CALENDAR

- 1. TAG – Dover Southside Little League**
- 2. RAFFLE – Dover Main Street**
- 3. ROAD RACE-Moms On The Run**

4. RESOLUTION; CHANGE ORDER TO NORTH END FIRE STATION PO 22-249298
SPONSORED BY MAYOR SCOTT MYERS BY REQUEST

5. RESOLUTION: B08039 ELECTRICAL SERVICES CONTRACTOR YEAR 2 RENEWAL

SPONSORED BY MAYOR SCOTT MYERS BY REQUEST

COMMITTEE REPORTS

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

B. RESOLUTIONS

1. RESOLUTION; LEGISLATIVE MESSAGE TO DISCOURAGE DOWNSHIFTING TO TAX PAYERS

SPONSORED BY MAYOR MYERS



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2. RESOLUTION: SUPPLEMENTAL APPROPRIATION FOR LIBRARY ROOF REPAIRS AND AUTHORIZATION FOR BONDING (TO BE REFERRED TO PUBLIC HEARING FEBRUARY 11, 2009)
SPONSORED BY COUNCILOR RICHARD CALLAGHAN

3. RESOLUTION: REPROGRAMMING BOND PROCEEDS SEWER FUND FY99-FY06 CIP APPROPRIATION (TO BE REFERRED TO PUBLIC HEARING FEBRUARY 11, 2009)
SPONSORED BY MAYOR MYERS BY REQUEST

C. ORDINANCES IN 1ST READING –

1. ORDINANCE: HENRY LAW PARKING (TO BE REFERRED TO PUBLIC HEARING FEBRUARY 11, 2009)
SPONSORED BY COUNCILOR KAREN WESTON

D. COUNCIL CORRESPONDENCE

1. LETTER FROM DOVER PROFESSIONAL FIRE OFFICERS ASSOCIATION

13. COUNCIL MATTERS OF INTEREST

14. ADJOURN

CITY MANAGER'S REPORT

January 28, 2009



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: December 2008

- Presentations to boards, commissions and committees regarding the new Acceptable Use Policy
- Assistance to the Planning Department regarding Henry Law Avenue matter; Day Conservation Easement
- Assistance to the Police Department regarding RSA 91-A; Parade Permits
- Review of cable matters
- Review of the ESCO agreement; draft recycling agreement
- Review of Term Sheet matter; draft extension
- Assistance to the City Council; ordinance revisions
- Drafts and preparation of construction contracts
- Assistance to Community Services relative to 28 private road matters; construction contracts; recycling contract
- Assistance to the Finance Department; Ferrellgas matter
- Processing of three (3) RSA 91-A requests;
- Outside legal counsel expense for FY'09 is \$63,846.63 including environmental (as of 12.31.08). Bond counsel bill of \$28,500 was received.



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CITY COUNCIL - MINUTES

Meeting Type: Workshop
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Meeting Time: **7:00pm**

Present: Mayor Myers, Deputy Mayor Trefethen, Councilors Callaghan, Carrier, Cheney, DeDe, McCusker, Scott and Weston.

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

Councilor McCusker led the Pledge of Allegiance.

Mayor Myers wished everyone a Happy New Year. He also wanted everyone to know that Strafford County has released their proposed budget, and will be holding a public hearing on Thursday, January 15, 2009, at 7:00 pm, in the County Justice Administration Building, with a snow date of Saturday, January 17, 2009, at 9:00 am. He said the City of Dover cut a check in December for \$6.7 million to the County, which was from taxpayer dollars, and the public hearing gives an opportunity to let the citizens' voices be heard. He said the budget was posted on the County and City websites.

1. Status of Cochecho River Dredge Cell Project

Mayor Myers asked the City Manager to address the dredge cell issue.

City Manager Joyal said he wanted to give the Council an overview of the Cochecho River Dredge Cell Project, the status of the dredge, and what the options were for the closure of the dredge cell. He said the dredging has not been completed to the extent that it was supposed to be. The options include: 1. Waiting to see if the City can get additional Federal funding. 2. Capping the cell. 3. Keeping the cell open in anticipation of getting additional Federal funds, but also to receive some additional materials to put in the dredge cell, so that the City can generate some revenue to offset the costs. He asked Dean Peschel, Project Manager, to give his presentation on the status of the Cochecho River dredge cell project.

Mr. Peschel gave a presentation to the Council on the status of the Cochecho River dredge cell project. He referred to the handout of answers to questions from Councilor Weston. (The presentation and Councilor Weston's handout have been archived with these minutes.)

Deputy Mayor Trefethen asked what the annual cost was for the water treatment.

Mr. Peschel said there was some labor cost to process the water, but the biggest cost was \$260,000, at \$60,000 a year, for water treatment, which was based on the sewer rate.

Deputy Mayor Trefethen asked if that included a pump.

Mr. Peschel said that was correct. He said the City purchased a \$20,000 pump.

Deputy Mayor Trefethen asked when the City will know if there were additional funds coming from Congress.

Mr. Peschel said mid-summer.

Deputy Mayor Trefethen asked if there was a demand for dredge fill space.

Mr. Peschel said he noticed a marked difference in the NHDES response to requests to put non-dredge materials into a site, and that it is much harder to get approval. He said there wasn't much demand for dredge fill space.

Deputy Mayor Trefethen asked if the non-dredge material from the waterfront will be accepted by NHDES to be put into the dredge cell.

Mr. Peschel said he was hopeful. He said they were allowed to put a significant amount of fill from the waterfront site into the cell in 2006 and 2007. He said the change was recent, but he is optimistic that the material will be allowed, but there was no guarantee.



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Councilor Cheney said the City has the money to close the dredge cell.

Mr. Peschel said that was correct. He said the Army Corps of Engineers has the money, which all the federal money goes to. He said the Army Corps was open to using the \$1.9 million that was left to close the cell, if no additional funding came through.

Councilor Cheney said the City did ask for \$2.8 million and received \$900,000.

Mr. Peschel said the City asked for \$3.8 million and received \$2.8 million.

Councilor Cheney asked about the \$900,000.

Mr. Peschel said the \$900,000 was money that was owed to the City for disposal from the second dredge season.

Councilor Cheney asked if the \$900,000 belonged to the City, and if the \$1.9 million were separate funds that the Army Corps has.

Mr. Peschel said it was all part of the \$2.8 million, and the \$1.9 million is what is left.

Councilor Cheney asked if the City still wanted to dredge, how much was left to dredge?

Mr. Peschel said there were still roughly 12,000 to 16,000 more cubic yards to dredge to complete the project, depending on how deep it went.

Councilor Cheney asked, if the City received the funds, could the dredging be done in the next season?

Mr. Peschel said that was correct. He said if they find out later, the dredging could be done in 2010 and 2011.

Councilor Cheney asked if the dredge cell could be left open until then.

Mr. Peschel said it wasn't desirable, but the decision will have to be made to finish the project.

Councilor Weston asked if the cell could be closed and reopened, and what the estimate for costs would be to do that.

Mr. Peschel said they would be adding another cap to cover the new material. He said if they know the funds were available it wouldn't be worth it to temporarily cap it now. He said the cost of the additional capping would far outweigh the water treatment costs.

City Manager Joyal said one way to look at it is like a bathtub where the back half is full. They could cap the back half and leave the other part open to be available to be filled. Once that was filled it could be capped at that time. He said there would be additional costs in doing it that way. He said the preferred way to do it is to fill it in and cap the whole area at once.

Councilor Weston said hopefully by the middle of next summer the City will know whether or not we're receiving the funds to complete the project.

Mr. Peschel said that was correct. He said if they find out in the fall, then the dredging couldn't be done until the following fall.

Councilor Carrier asked if the dredging that was completed was a waste because the project hasn't been completed.

Mr. Peschel said the Army Corps feels that way. He said the shallowest part of the river is still there and therefore it hasn't improved navigability of the channel at all.

Mayor Myers said this is still very tied into what is going on with Congress. He said the first time it was delayed because Congress was nominating a Supreme Court Justice, and the second time there was an ethical situation with the Speaker of the House. He said by the time the money came through it was too late to do it that year, and the contractor wasn't going to hold the bid price for the next year, because everything went up in costs, which meant there wasn't enough money to complete the project, causing a vicious cycle.



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City Manager Joyal said if the City knows they will be getting the federal funds in time for this year, they will continue with dredging and follow through with capping the cell next year. He said if it looks like the funding will take some time, they will consider capping half of the dredge cell, which allows the City to use the open half for a snow dump during the winter months, and they will be looking at recreation uses for the area during the summer months.

2. Discussion of the Parking Commission Ordinance

Mayor Myers said the Council hasn't taken any action on this Ordinance, and there would be a public hearing regarding this Ordinance on January 14, 2009. He asked the Councilors if they had any comments.

Councilor Callaghan said he had a concern about the makeup of the members for the commission. He said the way the Ordinance was written, only two members were required to be residents. He felt every member should be a resident. He also felt it was too heavily weighted to the downtown area, and felt it was wrong for the board only to have representation from that area. He said the members appointed by the Transportation Advisory Commission (TAC), Planning Board, Dover Chamber of Commerce, and Dover Main Street could all be business owners. He said the City Councilor that sits on the board should not be appointed by the Mayor, but by the Council. He said he felt the definition of member should be a resident of Dover and appointed by the City Council.

Mayor Myers said it was his understanding that the members appointed by TAC and the Planning Board were already members of those boards, and they were residents of Dover. He said he didn't agree with all the members being residents, but didn't have a problem with making it a super-majority being residents.

Councilor Callaghan said he felt strongly that they all had to be residents. He also felt some representation was needed by people who weren't directly concerned with the parking garage and didn't live in the central business district. He said he has received a number of complaints from his constituents regarding the parking meters in the downtown area, and that they won't come to downtown businesses if they have to pay for parking.

Mayor Myers said this commission isn't just for the parking garage. He said it was an advisory board and would have no authority to make changes or spend money without City Council approval.

Councilor Callaghan said if all the members want the parking garage and the designated parking areas within the City, then the recommendations from the commission would be biased. He said the Council needed recommendations that represented everybody that lived in the City. Councilor Cheney said she also felt the members should be residents, and 11 members was too large a number. She felt it would be easy to find residents to fill this commission. She questioned the Dover Main Street representative.

Councilor McCusker said he didn't see the logic that the members had to be residents. Some business owners are also property owners and pay taxes. He said the Council shouldn't limit people's participation for volunteering. He said the business owners' sole interest isn't to make sure that they have a parking spot when they come to work, but for people to have a parking spot when they want to use the services of that business. He said he wouldn't support a change that said a member had to be a resident.



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Councilor Cheney said most of the board and commission members have to be residents, and she felt it has to be that way with this commission.

Councilor Carrier said if it was restricted to residents only, and a business owner has an employee who is a resident of Dover who gets appointed to the commission, that employee would lobby for the business owner, thus coming in through the back door.

Mayor Myers referred to Councilor Cheney's comment that 11 members was too many, and said he agreed with that. He suggested 9 members as follows:

- 1 member of Dover Main Street and nominated by the City Council.
- 1 member of Dover Chamber of Commerce and nominated by the City Council.
- 1 Transportation Advisory Committee member.
- 1 Local business representative within the central business district, who may or may not be a citizen of Dover.
- 1 Commercial Property owner within the central business district, who may or may not be a citizen of Dover.
- 4 residents of the City of Dover.

He suggested that the Planning Board representative be stricken, because the State statute states that members of the Planning Board can only serve on certain other committees.

He suggested that the City Council be stricken, because it's an advisory board and they have to come before the Council anyway. He said at least 7 out of the 9 would be Dover residents.

City Attorney Krans said the Planning Board members can additionally serve only on the Zoning Board of Adjustment (ZBA), Conservation Commission, Heritage Commission, Historical District Commission, Agricultural, and Housing.

Deputy Mayor Trefethen said that he had a problem with the number of members from day one. He had a different way of reducing the membership. He suggested eliminating the Dover Chamber of Commerce and Dover Main Street representatives. He said the City Councilor, Transportation Advisory Committee, and Planning Board representative are by default residents. He felt that one of the two commercial property owners and two local business representatives could be residents. He said he could support the Mayor's recommendations just as easily. He said large committees generally have a hard time getting work done. He also felt that they didn't have to be residents. He said the parking garage will only work if the employees that work for the businesses in the downtown area are using the garage. He said they don't limit the Citizens Forum to just residents.

Councilor DeDe agreed that limiting the membership to residents was inappropriate. He mentioned the large commercial property owners that support the City. He also mentioned that the commission would not just be dealing with a garage, but with the parking issues throughout the City. He did agree with reducing the number of members and liked the Mayor's approach.

Councilor Weston agreed that the number of members was too many. She felt it should be six, seven, or nine members with two year terms.

Councilor Scott said the number of 5 or 6 makes sense, and they should be residents.

Councilor Cheney said seven was an appropriate number, especially with tiebreakers.

Councilor Weston said she was open to the number of members, and they would have to go before the Appointments Committee and explain why they should be on the commission.



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Deputy Mayor Trefethen said this Ordinance wasn't voted on previously because the Council didn't agree on the makeup of the commission. He asked for a consensus on the three or four proposals brought forward, to see where this Ordinance was going.

Mayor Myers asked for the different scenarios.

Deputy Mayor Trefethen said there was the Mayor's proposal, and Councilor Weston's proposal of having six or seven members, with the Council deciding who they are.

Councilor DeDe asked for a straw poll from the Council about whether or not the members of the commission should be a Dover resident.

Mayor Myers asked for a straw poll. Members should be a Dover resident: 3. Members may or may not be a resident: 5. Councilor Weston said she was on the fence.

Councilor Carrier said he preferred Councilor Weston's idea, with 9 members.

Councilor Weston said she prefers 6 members.

Councilor Carrier said there are always people who don't show up.

Councilor DeDe said he understood Councilor Weston's proposal to be 7 members who had to be residents.

Councilor Weston said that was correct.

Councilor DeDe said the Council's straw poll eliminated the resident part. He asked Councilor Weston if she wanted to amend her proposal.

Councilor Weston said she would remove the residency requirement.

Deputy Mayor Trefethen said the proposal would be 7 members; 5 residents and 2 business/property owners, with Council approval. He said not all residents pay taxes.

Mayor Myers said the residents could also be a business/commercial property owner.

Councilor DeDe said he felt the Mayor's proposal would be more structured and be more productive.

Mayor Myers asked if there was consensus for a 7 member commission; who are a resident, business owner, or property owner in the City of Dover, which are the criteria for Citizens' Forum. A minimum of 5 members on the board must be residents. He said he saw 6 Councilors who said yes, and 3 Councilors who said no.

Mayor Myers asked the City Manager and City Attorney to draw up a substitute Ordinance for January 14, 2009, and the Council will work on it then.

3. Discussion of the Political Contributions Ordinance

Mayor Myers asked the City Attorney to give a brief overview of the changes to the Ordinance.

City Attorney Krans explained the strikeouts and changes to the Ordinance, Chapter 137.

Councilor Cheney felt the changes were more than housekeeping, and should not have been done just by the City Attorney. She had a problem with the definition of Election.

City Attorney Krans said Ward Offices and Charter Commission could be included.

Mayor Myers said the recommended change would be: "Election" shall mean any election to the City Council, School Board, Charter Commission, Ward Offices, or other elective municipal office in the City of Dover.

Deputy Mayor Trefethen said he understood the intent of that change, but the Council needs to decide if they really want to impose this on every elected position. He said the Council is trying to solve a problem that isn't a problem.



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City Attorney Krans said the Council could do one of two things: eliminate Ward Offices, or put a floor on contributions of \$100, so they wouldn't have to file any statements.

Councilor DeDe agreed with Deputy Mayor Trefethen.

Councilor Scott agreed with Councilor Cheney's comment that this Ordinance should not have been changed by an employee. He doesn't think there should be a limit on contributions as long as they are reported.

Mayor Myers asked the City Attorney if it was true that contribution limits have not held up in court.

City Attorney Krans said that was correct.

Mayor Myers asked if the changes to the Ordinance eliminated contribution limits.

City Attorney Krans said that was correct.

Mayor Myers said he didn't know of any Councilor that would have gone through this Ordinance and know the case law that would make it not enforceable.

Councilor Scott said he had no objection to the City Attorney, but it should have been initiated by the Council.

Mayor Myers said he brought it to the Council at the City Attorney's request.

Councilor Scott asked the Mayor if he was the one sponsoring this Ordinance.

Mayor Myers said yes, but he didn't do any of the work on it. He said the Council had to rely on the City Attorney's advice on what is enforceable.

Councilor Scott said he would change the pre-filing requirement to 20 days, because 10 days wasn't enough.

Mayor Myers asked if there was support for a filing time period of 11 to 15 days before the election.

Councilor Cheney said there can't be any anonymous contributors.

City Attorney Krans said all disclosures shall include full name and address of contributors.

Mayor Myers asked the Council if there was agreement to just add Charter Commission to the definition of Election. He asked the City Attorney to file a substitute Ordinance for the January 14, 2009 meeting.

Deputy Mayor Trefethen made a motion to adjourn; seconded by Councilor Weston.

Vote: 9/0.



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Audio and DVD recording of this meeting failed

1. MOMENT OF SILENCE

2. **PLEDGE OF ALLEGIANCE** –The Pledge of Allegiance was led by Councilor Carrier.

3. **ROLL CALL - Present:** Mayor Myers, Deputy Mayor Trefethen, Councilors Callaghan, Carrier, Cheney, McCusker, Scott, and Weston. **Absent:** Councilor DeDe
Also Present: City Manager Joyal, City Attorney Krans and City Clerk Lavertu.

4. PROCLAMATIONS – AWARDS – NONE

5. **APPROVAL OF AGENDA-** Deputy Mayor Trefethen noted that 2 of the items being substituted were already in the packet. The Third, Political Expenditures is at the Councilors desks and is also being substituted in whole. A legislative report is being submitted by Councilor DeDe. Finally, items 12A3 and 12A7 are being pulled from the agenda. Motion to approve the agenda as changed by Deputy Mayor Trefethen seconded by Councilor Weston passed 8/0

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.

Don Medbury, 3 Cover Bridge Lane: Asked the Council why it has taken so much time to change the political expenditures rules. Fosters runs a campaign supporting certain candidates. For the Special election they abused media power and had unbalanced coverage. This resolution should not be considered. Secondly, DeDe garbage law. I received a small postcard in the mail that that property owners next to an area with garbage left out are responsible for cost of removal. Community Services should get a proof reader. I see bins left out long after approved time. This is a stupid law. Finally, the shoveled sidewalks law needs to be addressed because the disabled and elderly can not afford to have this service and expect their taxes to pay for these types of services. Councilors look down at us from the North End and Councilors should spend time on resolutions that make the community better.

Lee Skanner, Knottsville Dr: Here to discuss the County budget which is a great victory for taxpayers as it went up 2.8% however it is a proposed budget. Most line items have constituents that are impacted. If you eliminate these line items then the constituents will appear and write letters to the editors and be at the public hearing tomorrow. Humane Society, Meals on Wheels, job losses are all impacted. Their budget went up a lot more every year and with just 1 year of slow down they are in financial chaos. I will be at the public hearing tomorrow to encourage the County to limit spending to what our incomes are doing. I also encourage the Councilors to go as tax payers and speak out as stewards of City budget.

Anna Boudreau, 9 Northam Dr: Here to discuss County budget as well. Local budget for Cooperative Extension eliminates \$200,000. This impacts 4 youth programs, master gardening program, water resource protection, food and nutrition safety training and cooperative extension which has 300 volunteers. I volunteer on the Open Lands Committee and many grants were obtained because of the assistance of the Cooperative Extension.



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This tax would come to \$5.00 per household in Dover and is a cost effective program and a good return on investment.

John Scruton, 99 Sixth St: for 30 years I have ordered trees through Cooperative Extension and have taken many classes. I also use their recommended slow grow grass. They also give answers on low maintenance.

Harvey Turner, 4 Auburn St: May not be here for item 11-4. With approval of the Arts resolution will have advisory capabilities for the City. Look forward to answering any questions you have.

Sharon Reynolds: Attended TAC last month and have worked on Barrington Committees. Look forward to possibly joining TAC.

Mary Heberd, Spruce Lane: Upset about Appointments Committee. Rick wants to be reappointed to DUC. DeDe and Myers are preventing this. He brings seniority, experience and challenges the status quo. He was only absent from 2 consecutive meetings and missed 2 meetings that did not have a quorum. The rules state 4 consecutive meetings must be missed before the Chair notifies the City Council. Gary Green contacted the Mayor. This was not discussed in Executive Session of the DUC. Discussions about behavior issues are not true. Attorney Krans inserted himself into this matter and Rick claimed that the City Attorney lied. Chair Green did not like hearing Krans lied. The rules state that the City Clerk must notify the applicant and we never received a letter. We also asked her what the process would be since he was not renewed and she said she did not know as it had not happened since she has been here. 2 interviews were conducted and Rick was ambushed about trying to be reappointed. DeDe was uncomfortable and there is no actual proof, no documentation in either minutes or audio. Chair Green is hand picking candidates for DUC. I urge you not to participate in this process as he should not be treated this way. Reappoint Rick.

Peter Schmidt, Ward 1 and 2 State House Representative: Hope people will come to County budget hearing tomorrow night. Not a zero sum game. Eliminated expenditures will get passed onto Cities and Towns. These services are not easily removed.

Linda Merullo, Sandy Lane: Speaking for those who can't speak- the animals of Dover at the Cocheco Valley Humane Society. Please adopt or give money to them.

7. PUBLIC HEARINGS

A. RESOLUTION: ESTABLISHMENT OF RECREATION FACILITIES CAPITAL RESERVE FUND

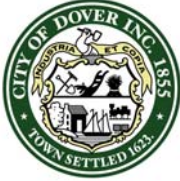
SPONSORED BY MAYOR SCOTT MYERS BY REQUEST

Seeing no one wishing to speak this Public Hearing was closed.

B. RESOLUTION: ESTABLISHMENT OF FIRE & RESCUE FACILITIES CAPITAL RESERVE FUND

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D. ORDINANCE: CHAPTER 3, ARTICLE IV, BOARDS AND COMMISSIONS – PARKING COMMISSION

SPONSORED BY MAYOR SCOTT MYERS

Seeing no one wishing to speak this Public Hearing was closed.

E. ORDINANCE: CHAPTER 79, CITY PROPERTY

SPONSORED BY COUNCILORS DOUG DEDE AND ROBERT CARRIER

Don Medbury, 3 Coverbridge Lane: There are contradictions in this Ordinance. Councilor DeDe missing tonight. As the sponsor should explain details. I would like Councilor Carrier to go line by line to discuss changes as co sponsor. Mayor Myers stated that no comments can be made at this time by Councilors.

F. ORDINANCE: CHAPTER 137, POLITICAL EXPENDITURES AND CONTRIBUTIONS

SPONSORED BY MAYOR MYERS BY REQUEST

Seeing no one wishing to speak this Public Hearing was closed.

8. CITY MANAGER'S REPORT- 1. There was an inquiry about tax collection. The due date was 12/1/08. as of 12/31 29 million billed and 1.6 million not collected (approximately 5.7%). Compared with last year which was 7.2 % uncollected. Motor vehicles and real estate activity are trending down. Motor vehicle registrations have decreased by 3% and 474 less vehicles=\$15,000 less revenue. Construction activity is the same level of activity in terms of numbers but projects are smaller. Foreclosures have doubled in past calendar year: year 06 was 9, year 07 was 24, and year 08 was 52.

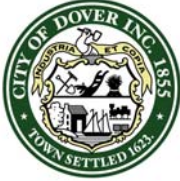
2. Ice storm clean up: City wide clean up not completed because of snow. Trying to get additional funding for Spring clean up. Any business of individual impacted by the storm should contact the Fire Department as some assistance may be available.

3. Snow removal underway. See page 21. By the end of December we had 10 different weather events with a total cost of \$177,000. The total snow budget is \$293,000 so I expect snow overages.

4. Dover discussions: Chance for the public to come out and informally meet with the City manager. It will be next Thursday at 6:30 pm in the McConnell Center cafeteria.

5. Comcast: Franchise agreement had a requirement to extend cable service to residential areas in the city. Gulf Rd, Bear Rd, three Rivers Farm, Jewell Rd, and Glenn Hill Rd in particular were to be done by November 08. This has not happened. We will send a letter to Comcast about the noncompliance and may then initiate failure to comply proceedings. Will need a public hearing for this.

Councilor Callaghan discussed page 10/37-Willand Pond Information. There was a January meeting with DES at Pease. It was requested that Dean Peschel come up and discuss this meeting. Dean Peschel said that the meeting was called by DES for high water level. The consultant presented alternative to allow water flow to Salmon Fall River. Sewer line, water line,



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, January 14, 2009**
Meeting Time: **7:00pm**

and storm water detention pond caused blockages. Wetlands permit expiring soon and additional review of connector road needs to take place. Councilor Callaghan stated that the DES confirmed that permitting was correct. Dean Peschel stated that the elevation of pond needs to be determined. 188 feet is being suggested however the proposed solution will not get elevation to 188 feet but it will help.

Councilor Weston stated she had received emails about the Franchise agreement and requested the City Manager give examples of default options. City Manager Joyal stated that he would not want to give examples of legal strategy however the contract was specific. We hope to resolve this before it goes too far. Councilor Weston asked about page 23/37-bid report. Are the dates of masonry correct? and does it authorize spending? City Manager Joyal stated no, it is just acknowledging I gave you report.

Councilor Cheney wanted everyone to know that the EPA is meeting on January 29th for public information meeting on Tolend.

Mayor Myers requested that Arena fund show up separately. Motion to accept City managers report by Deputy Mayor Trefethen seconded by Councilor McCusker passed 8/0

Mayor Myers requested that we suspend the rules and move to the Arts resolution as several people are waiting. Motion to suspend by Councilor Cheney seconded by Councilor Weston passed 8/0 roll call vote

9. MINUTES

A. MINUTES

1. **December 10, 2008**

2. **December 17, 2008**

Motion to accept minutes by Deputy Mayor Trefethen seconded by Councilor McCusker.

Councilor Cheney requested that second sentence be removed on page 3/6 of the 12/17 minutes. Motion to approve with changes by Deputy Mayor Trefethen seconded by Councilor Callaghan passed 8/0.

10. **MAYOR'S REPORT** There was a holiday reading with Dover Main Street.

The McConnell Center Advisory Board needs a member from the Recreation Committee.

Brenda Smith has agreed to sit on that Board.

I met with Congress woman Carol Shea Porter to discuss projects that may qualify for stimulus funds: streets, highway, bridge, schools, transportation, and infrastructure/energy savings would most likely be considered. There was also a follow up on dredge money and she is fighting for our share of federal money.

There was a dedication of the Butterfield gym last Saturday.

DBIDA has gone through the applications for the Economic Development Position and are planning in person interviews.

The County budget public hearing is tomorrow night

Councilor Weston asked how many applications had been received and Mayor Myers stated 30- I did not sit on the original interview but will sit for the full board interviews. Motion to accept by Deputy Mayor Trefethen seconded by Councilor Cheney passed 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, January 14, 2009**
Meeting Time: **7:00pm**

11. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

1. ORDINANCE: CHAPTER 3, ARTICLE IV, BOARDS AND COMMISSIONS – PARKING COMMISSION (TO BE SUBSTITUTED BY AMENDMENT) SPONSORED BY MAYOR SCOTT MYERS

Original and substituted versions were part of Friday packet. Motion to substitute by Deputy Mayor Trefethen seconded by Councilor Weston. The membership was changed to 7 members. Motion by Trefethen seconded by Weston to make membership 2 Dover businesses passed 8/0. Councilor Callaghan suggested Dover property or business owner. Deputy mayor Trefethen suggested Dover commercial property or business owners. Councilor McCusker thought it should be for taxpayers. Amendment to change to Dover commercial property or business made by Deputy Mayor Trefethen seconded by Councilor Weston. This amendment passed 5/3 with Councilors Cheney, Callaghan and Scott opposed.

Councilor Weston felt that it should be an even number membership and recommended 6 members. 1. Change membership to 6 members and change breakdown accordingly.

Councilor McCusker state that he was in favor of 9 and it went to 7. Run a risk of some people not attending and having a lack of quorum.

Councilor Carrier also stated that he liked 9 members. Mayor Myers felt he could support 6 or 7 as it was more important to start the committee. Amendment passed 6/2 with McCusker and Carrier opposed.

Councilor Weston suggested that the language 'may or may not be Dover residents' be struck, seconded by Councilor Cheney.

Councilor Callaghan felt that who lives here should determine membership.

Councilor Cheney stated that she favored it must be a resident unless overridden by the City Council and this was supported by Councilor Scott.

Mayor Myers stated that he did not agree -5 have to be residents is clear and by recognizing this language it gives direction to future City Councils.

Councilor McCusker stated that there are many active business owners who do not live in Dover but may actually have more at stake and will look out for the best interest of downtown.

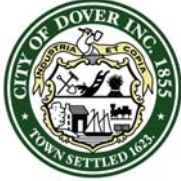
Excluding them sends a poor message and shows we are not interested in their opinions.

Councilor Cheney disagreed and stated she wants Dover residents on the committee. Councilors Callaghan and Weston both stated that they could still attend meetings and speak at Citizens Forum where they would be heard.

City Attorney Krans stated that Chapter 3-52 D needs to be addressed along with this Ordinance. Deputy Mayor Trefethen stated that some Councilors seem to now only want Dover residents however that was not the consensus a week ago.

City Manager Joyal suggested that they focus on what they want to do and not worry about word smithing. Mayor Myers wanted an unbinding vote an how many want this to be 100% Dover residents without exception-2: Councilors Scott and Callaghan. How many want 100% resident with stipulation that 1 or 2 own a business or property-none. How many want 6 members 4 residents, 2 commercial property business owners in Dover with flexibility of 3-52D-5 responded. Mayor Myers stated that it remains an option that they may not be a resident.

Motion to strike ii passed 7/1 with Callaghan opposed.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
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2. ORDINANCE: CHAPTER 79, CITY PROPERTY SPONSORED BY COUNCILORS DOUG DEDE AND ROBERT CARRIER

Motion to approve by Councilor Carrier seconded by Councilor Weston. Councilor Carrier stated major change is use of auditorium and conference rooms in City Hall. This would help us get revenue. The rest of the changes are housekeeping in nature. City Attorney Krans stated the initial request was for removing the restriction of use of the auditorium for political events. The naming of a building is the responsibility of the City Council after a public Hearing. The tax lien list is provided annually to the City Council and the City Manager recommends whether we should sell.

Councilor Weston had questions on; private work discussed on page 4/13. City Manager Joyal explained that 1 example was after the floods we sent our vacuum truck to assist and it was rented by property owner. Fee is set by Council. Only exception is Fleet Services because their tools are kept in the City garage.

Councilor Weston then questioned surplus discussed on page 5/13. City Manager Joyal gave an example of bicycles.

Councilor Callaghan had questions concerning naming on page 5/13. What about park, conservation land easements? Amendment by Councilor Callaghan to add City real property seconded by Councilor Cheney passed 8/0. Discussion then continued about the definition of appraiser and when a waiver would be allowable.

Motion by Councilor Cheney to suspend rules to finish agenda seconded by Councilor Scott passed 5/3 with Councilors Callaghan, McCusker, and Trefethen opposed.

After discussion continued about Councilor Scott called for a vote seconded by Councilor Callaghan failed 3/5 with Councils Callaghan, Cheney, and Scott in favor. Deputy Mayor Trefethen made a motion to table to workshop seconded by Carrier passed 8/0

B. ORDINANCES IN THE 3rd READING - None

C. ORDINANCES IN THE 4TH READING

- 1. ORDINANCE: CHAPTER 137, POLITICAL EXPENDITURES AND CONTRIBUTIONS (TO BE REMOVED FROM TABLE AND SUBSTITUTED BY AMENDMENT)
SPONSORED BY MAYOR SCOTT MYERS BY REQUEST**

D. RESOLUTIONS

- 1. RESOLUTION: ESTABLISHMENT OF RECREATION FACILITIES CAPITAL RESERVE FUND
SPONSORED BY MAYOR SCOTT MYERS BY REQUEST**



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, January 14, 2009**
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- 2. RESOLUTION: ESTABLISHMENT OF FIRE & RESCUE FACILITIES CAPITAL RESERVE FUND**
SPONSORED BY MAYOR SCOTT MYERS BY REQUEST
- 3. RESOLUTION: ESTABLISHMENT OF POLICE FACILITIES CAPITAL RESERVE FUND**
SPONSORED BY MAYOR SCOTT MYERS BY REQUEST
- 4. RESOLUTION: PUBLIC ARTS AQUISITION POLICY (TO BE REMOVED FROM TABLE AND SUBSTITUTED BY AMENDMENT)**
SPONSORED BY MAYOR SCOTT MYERS BY REQUEST

Mayor Myers requested that we suspend the rules and move to the Arts resolution as several people are waiting. Motion to suspend by Cheney seconded by Weston passed 8/0 roll call vote. Motion to adopt by Trefethen seconded by McCusker passed 8/0.

Mayor Myers stated that the original resolution and the substituted language were given out in the packet on Friday. This resolution has been before the City Council several times for revision. An amendment was suggested by Mayor Myers: page 4/5 proposed Schools, Diver library and interior of leased space located within city buildings. Motion made by Trefethen seconded by Weston. Library has an extensive collection of their own. The City also has leased space and we can not control their interior walls. Amendment passed 8/0. Councilor Cheney thanked everyone for there work on this and questioned page 5/5 are possible for care and handling. Mayor Myers explained that 1 is advisory on accepting the other is maintenance. Resolution passed 8/0 as amended.

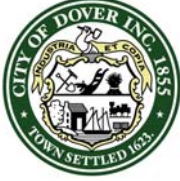
12. NEW BUSINESS

Motion made by Deputy Mayor Trefethen to suspend rules to complete time sensitive portions of the agenda seconded by Councilor Carrier passed 8/0.

A. CONSENT CALENDAR

The consent calendar was amended to include 12a 1, 12a 2, 12a 4, 12a 6 and 12b 2 passed 8/0.

- 1. RAFFLE – St. Mary’s Academy**
- 2. TAG – Dover Baseball**
- 3. RESOLUTION: ACCEPTANCE OF EXTENSION OF WOODLAND ROAD-pulled**
SPONSORED BY MAYOR SCOTT MYERS BY REQUEST
- 4. RESOLUTION: B09024 ADDITIONAL VENDORS AS NEEDED FOR SNOW PLOWING/HAULING SERVICES FOR CITY STREET/PARKING LOTS**
SPONSORED BY MAYOR SCOTT MYERS BY REQUEST
- 5. RESOLUTION: B08039 ELECTRICAL SERVICES CONTRACTOR YEAR 2 RENEWAL**
SPONSORED BY MAYOR SCOTT MYERS BY REQUEST



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, January 14, 2009**
Meeting Time: **7:00pm**

6. RESOLUTION: B09034 COCHECO RIVERBANK RESTORATION CHANGE ORDER #1

SPONSORED BY MAYOR SCOTT MYERS BY REQUEST

7. RESOLUTION: AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH EASTER SEALS ADULT DAY PROGRAM-pulled

SPONSORED BY MAYOR SCOTT MYERS BY REQUEST

COMMITTEE REPORTS

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

B. RESOLUTIONS – NONE

1. RESOLUTION: SETTING OF PROPERTY TAX VETERANS CREDIT FOR FY2010.

SPONSORED BY DEPUTY MAYOR DEAN TREFETHEN

2. REPROGRAMMING OF UNEXPENDED BOND PROCEEDS – CIP APPROPRIATIONS FROM FY2000 THROUGH FY 2008 PROJECTS

SPONSORED BY MAYOR SCOTT MYERS BY REQUEST

C. ORDINANCES IN 1ST READING - NONE

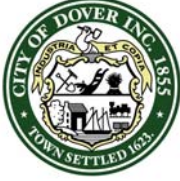
D. COUNCIL CORRESPONDENCE

13. COUNCIL MATTERS OF INTEREST

Councilor Callaghan remarked on the recent Appointments Committee meeting and the non-reappointment of DUC Vice Chair. The vote was 2:1 to not reappoint and Councilor Callaghan was opposed. He requested that people please listen to the audio out on the web.

Motion to adjourn by Deputy Mayor Trefethen seconded by Councilor Weston passed 8/0

14. ADJOURN



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Ordinance Number:

Ordinance Title:

Chapter:

O – 2008.12.10 1

Chapter 3, Article IV, Boards and Commissions – Parking Commission

Agenda Item#:

11B1

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 3, Article IV entitled “Boards and Commissions” of the City of Dover, 1983, by creating a new Section 3-73 to be entitled “Parking Commission”

2. AMENDMENT

Chapter 3, Article IV entitled “Boards and Commissions” of the City of Dover, 1983, is hereby amended by creating a new Section 3-73, entitled “Parking Commission” as follows:

“3-73. PARKING COMMISSION

A. MEMBERSHIP: The Parking Commission shall consist of six (6) members appointed by the City Council, with representation as follows:

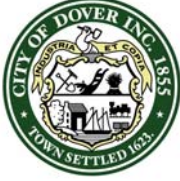
- i. Four (4) Dover residents; and
- ii. Two (2) Dover commercial property or business owners.

B. TERMS OF MEMBERS: All commission members shall be appointed for a term of three (3) years.

- i. The length of terms for the initial appointments shall be two members with three (3) year terms, two members with two (2) year terms and two members with one (1) year terms thereby allowing for subsequent appointments to occur on a three (3) year staggered basis.

C. AUTHORITY AND DUTIES: The Parking Commission shall serve in an advisory capacity to the City Council and City Manager (or his/her designee) assisting with the development, implementation and continued monitoring of a comprehensive public parking system throughout the City. The Parking Commission shall review and develop recommendations for the ongoing financing and operation of public parking services and facilities to include:

- i. Making recommendations to the City Council and City Manager for the maintenance and implementation of an overall public parking plan that defines goals, policies, regulations and their enforcement.
- ii. Making recommendations to the City Council and City Manager with respect to funding for a parking activity fund.
- iii. Making recommendations to the Planning Board, the City Council and City Manager with respect to capital improvement programming as it relates to public parking facilities.
- iv. Making recommendations to the City Council and City Manager with respect to special parking districts, related maintenance programs and their funding and management.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

**Agenda Item#:
11B1**

Ordinance Number:
Ordinance Title: **O – 2008.12.10 1**
Chapter: Chapter 3, Article IV, Boards and Commissions – Parking Commission

- v. Promoting communication and the exchange of ideas and concerns between users of public parking, property owners, merchants, and City agencies.
- vi. Acting to promote public awareness of public parking areas in the city.

3. TAKES EFFECT

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

4. RECOMMENDATION

The City Manager recommends | does not recommend that this Ordinance be adopted.

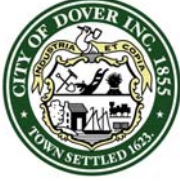
AUTHORIZATION

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 - ORDINANCE

**Agenda Item#:
11B1**

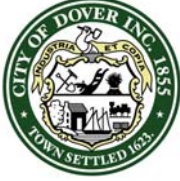
Ordinance Number:
Ordinance Title: **O – 2008.12.10 1**
Chapter: Chapter 3, Article IV, Boards and Commissions – Parking Commission

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, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
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 - ORDINANCE

**Agenda Item#:
11B1**

Ordinance Number:
Ordinance Title: **O – 2008.12.10 1**
Chapter: Chapter 3, Article IV, Boards and Commissions – Parking
Commission

ORDINANCE BACKGROUND MATERIAL:

The creation of the Parking Commission is recommended by the Downtown Parking Facility and System Report prepared by the City of Dover Downtown Parking Facility Ad Hoc Committee dated September 16, 2008.

The purpose of the ad hoc committee was to investigate and recommend financing options for the construction of a public parking facility and other related improvements to the parking system in the City of Dover.

This ordinance will establish a standing 7 member Parking Commission to review and make ongoing recommendations ensuring the effective implementation and ongoing operation of a comprehensive public parking system.

Ordinance Number:

Ordinance Title:

O – 2008.10.22 #18

Chapter:

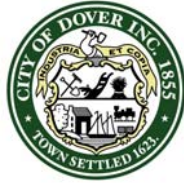
Chapter 137, Political Expenditures and Contributions

The City of Dover

Ordains:

1. PURPOSE

The purpose
Expenditures



of this ordinance is to amend Chapter 137, entitled “Political and Contributions” of the Code of the City of Dover, 1983.

2. AMENDMENT

Chapter 137 entitled “Political Expenditures and Contributions” is hereby amended by revising the entire Chapter as attached.

3. TAKES EFFECT

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

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

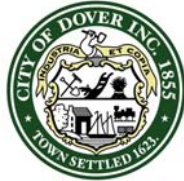
Sponsored by: Mayor Scott Myers
By Request

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

Recorded by: Karen Lavertu
City Clerk

Agenda Item#: **11C1**

Ordinance Number:
 Ordinance Title: **O – 2008.10.22 #18**
 Chapter: Chapter 137, Political Expenditures and Contributions

DOCUMENT HISTORY:

First Reading Date:
 Approved Date:

Public Hearing Date:
 Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor Trefethen		
Councilor 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.		

POLITICAL CONTRIBUTIONS AND EXPENDITURES

Chapter 137

137-1. Definitions.

137-2. Reporting political contributions and expenditures; limitations.

~~137-3. Solicitation restricted.~~

137-3. Political expenditures; limitations; reports required.

~~137-5. Complaints; investigations.~~

~~137-6. Proceedings in Superior Court.~~

137-4. Violations and penalties.

[HISTORY: Adopted by the City Council of the City of Dover 12-14-77*. Amendments noted where applicable.]

137-1. Definitions.

As used in this chapter, the following terms shall have the following meanings indicated:

(A) "Candidate" shall mean any person for whom votes are sought in an election.

(B) "Contribution" shall mean any payment, gift or loan to a candidate or political committee made for the purpose of influencing the election of any candidate. Contributions shall include the use of any thing of value, but shall not include the services of volunteers who receive no compensation.

(C) "Committee" shall mean any organization of ~~one (1)~~ two (2) or more persons acting in behalf of a candidate for the purpose of promoting the success or defeat of any candidate.

(D) "Election" shall mean any general biennial election for to the City Council, Councilor or School Board, Charter Commission or other elective municipal offices when voters cast ballots. Committee in the City of Dover.

POLITICAL CONTRIBUTIONS AND EXPENDITURES

~~THING OF VALUE—Does not include services of volunteers who receive no pay therefor.~~

***Editor's Note: Provisions of this chapter are derived from Ch. 7 of the former Code, adopted 12-14-77.**

137-1

137-2

137-3

137-2. Reporting political contributions and expenditures; limitations.

~~No gifts, payment or contributions of money or thing of value, whether tangible or intangible, shall be made to a candidate or a committee organized in behalf of a candidate, directly or indirectly, for the purpose of promoting the success or defeat of any candidate:~~

~~A. [Repealed 08-20-03 by Ord. No. 11-2003]~~

~~B. By any partnership as such or by any partner acting in behalf of such partnership.~~

~~C. By any labor union or group of labor unions or by any officer, director, executive, agent or employee acting in behalf of such union or group of unions or by any officer, director, executive agent or employee acting in behalf of such organization.~~

~~D. By any person employed in the classified service of the city.~~

~~E. By any person: [Added 08-20-03 by Ord. No. 11-2003]~~

~~(1) If in excess of two hundred fifty dollars (\$250.) in value, except for contributions made by a candidate on behalf of his own candidacy.~~

~~(2) If made anonymously or under a name not that of donor.~~

~~(3) If made in the guise of a loan.~~

~~(4) If in any manner concealed.~~

~~(5) If made without the knowledge and written consent of the candidate or his committee, a committee or its treasurer or not to any one (1) of the same.~~

(A) Each candidate and each committee shall file with the City Clerk an itemized, signed and sworn statement disclosing contributions and

DOVER CODE

expenditures no sooner than fifteen (15) days prior to an election and no later than eleven (11) days prior to an election reflecting the current status of contributions and expenditures as of the date of filing. A final up-to-date itemized, signed and sworn disclosure of contributions and expenditures shall be filed by all candidates and every committee within ten (10) days after an election. All disclosures shall include the full name and address of contributors and recipients of expenditures. Ward moderators, supervisors and selectmen shall not be required to file disclosure statements.

(B) Compliance with this section shall be a qualification for office. No candidate shall assume his or her office until all disclosure statements are filed.

137-3. Solicitation restricted.

~~No candidate or his committee thereof nor any other person shall solicit or accept any contribution: prohibited by 137-2.~~

137-2

137-4

137-4

137-3. Political expenditures; limitations; ~~reports required.~~

No expenditure, contract therefor or use of a contribution of money or thing of value, tangible or intangible, shall be made for the purpose of promoting the success or default of any person:

~~A. By a candidate or in his behalf, a sum not to exceed that amount determined in the following manner: A candidate for the office of Ward Councilman or Ward School Board member, fifty cents (\$0.50) for each voter in the respective ward as shown on the checklist of the ward for the last municipal election; a candidate for the office of Mayor, Councilman at Large or School Board member at large,~~

POLITICAL CONTRIBUTIONS AND EXPENDITURES

~~_____ checklists of the city for the last municipal election. In determining whether a candidate has exceeded the sum fixed in this subsection, no account shall be taken of the following items: The candidate's filing fee or his expenditures for personal travel and subsistence expenses. The sums fixed in this subsection shall include all expenditures, contracts therefor and use of contributions of money or things of value, tangible or intangible, by a candidate or by others, including committees, in his behalf and with his knowledge during the period of time he or others in his behalf and with his knowledge seek votes for him to and including the date of election, and the sums fixed in this subsection shall also include as expenditures any payments, distributions, loans, advances, deposits or gifts of money and shall include any contracts, promises or agreements, whether or not legally enforceable, to make expenditures by a candidate or by others, including committees, in his behalf for the same period of time. [Amended 08-20-03 by Ord. No. 11-2003]~~

- A. By a committee without the knowledge and written consent of the candidate.
- ~~C. By or on behalf of any candidate for advertising space in the printed programs for meetings or conventions of business organizations, labor organizations, agricultural organizations, veterans' organizations, religious organizations, fraternal organizations, lodges, secret societies, clubs, schools, fairs or similar groups.~~
- B. By a committee, unless the committee files, with the City Clerk, a statement of the purpose for which the committee is organized and a statement of the name and address of its chairman, treasurer and other officers. The statements shall be filed not later than sixty (60) days prior to election. A member of the committee shall not do any act **on behalf of the committee** as a ~~committeeman~~ to promote the success or defeat of a candidate, until the statements required by this subsection are filed. A committee to promote the election of a candidate may not be organized within sixty (60) days of an election.

DOVER CODE

137-4

137-7

~~E. Each candidate who, or a committee in behalf of a candidate, which has expended a sum in excess of one hundred dollars (\$100.) shall, not later than 12:00 noon Monday, the day prior to the election, file with the City Clerk an itemized statement signed and sworn by him and his committee's treasurer, showing each of the receipts with full names and post office addresses of the contributors in alphabetical order, with the amount of the contribution and the amount of each expenditure or contracts calling for expenditures with the full name and address of person, corporations, committees or to whomever paid or to be paid in alphabetical order, with a specific nature and amount of each expenditure since the date of the last election.~~

~~137-5. Complaints; investigations.~~

~~Any person voted for at an election for any office or any voter may make complaint, in writing, to the City Attorney of any violation of any of the provisions of this chapter.~~

~~A. Upon receipt of such complaint, it shall be the duty of the City Attorney or some other representative to investigate the complaint, and, if sufficient cause for a prosecution is found, to prosecute to final judgement.~~

~~B. It shall be the duty of the City Attorney to examine the returns of elections receipts and expenditures which are made to the City Clerk and to compel such returns be made to comply with the law. In the exercise of his powers and duties under this chapter, the City Attorney is authorized to require the appearance of individuals and to secure testimony and evidence by use of a subpoena duces tecum.~~

~~137-6. Proceedings in Superior Court.~~

~~Any person who alleges that any of the provisions of this chapter relating to the election have been violated by or in behalf of a candidate with his knowledge and consent may, not later than the third Tuesday following said election, bring a proceeding in equity in the Strafford County Superior Court against the candidate alleged to have violated said provisions in such manner. To this proceeding, the City Clerk shall be made a party defendant, the Superior Court shall hear such proceedings and make final decision thereof, and, if the court shall find that the defendant has thus violated any of such provisions, a decree shall be entered disqualifying the defendant from taking office, and the vacancy thereby caused shall be filled as provided by law.~~

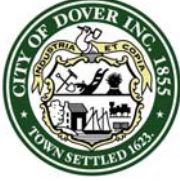
~~137-4. Violations and penalties.~~

~~A. No candidate shall be entitled to the nomination or election until the sworn itemized statements required to be filed by him or in his behalf have been filed as hereinbefore required.~~

POLITICAL CONTRIBUTIONS AND EXPENDITURES

~~B. Any person who violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.).~~ ~~137-4~~

(A) Failure of any candidate or member of a committee to comply with the provisions of this ordinance shall be a violation under New Hampshire law. Failure of the candidate to file on a continuing basis after notice of a violation of this ordinance shall constitute a continuing offense resulting in daily violations and daily fines until the disclosure statement is properly filed.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 11.D.1.

Resolution Number: **R – 2008.12.10 - 13**

Resolution Re: Establishment of Recreation Facilities Capital Reserve Fund

- WHEREAS: The City council adopted an ordinance for the establishment of Impact Fees; and
- WHEREAS: On October 14, 2008, the Planning Board established an Impact Fee related to Recreation capital facilities; and
- WHEREAS: The City Council desires to establish a capital reserve trust fund to hold and invest the amounts so designated until such time as the funds are needed;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
 In accordance with NH RSA 34, a capital reserve fund is established titled Recreation Facilities Capital Reserve for the deposit of Recreation Impact Fees, with said funds to be held in custody by the Board of Trustees of the Trust Funds. The funds are to be used for the purpose of expansion of infrastructure and/or equipment of the Recreation Department that has been identified as a project within the City's Capital Improvements Program.

AND, FURTHER BE IT RESOLVED;
 The City Manager is designated as the agent to carry out the purposes of the reserves, only after approval of a 2/3 majority vote of the City Council to expend funds for each project as identified within the City's Capital Improvements Program.

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

NOTE: This resolution requires a majority favorable vote for passage after a public hearing.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 11.D.1.

Resolution Number: **R – 2008.12.10 - 13**

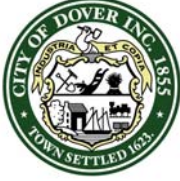
Resolution Re: Establishment of Recreation Facilities Capital Reserve Fund

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, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
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

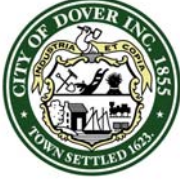
Agenda Item#: 11.D.1.

Resolution Number: **R – 2008.12.10 - 13**

Resolution Re: Establishment of Recreation Facilities Capital Reserve Fund

RESOLUTION BACKGROUND MATERIAL:

On October 14, 2008 the City of Dover Planning Board held a public hearing and voted to approve the establishment of an impact fee for Recreation capital facilities. NH RSA 674:21-I authorizes impact fees to be collected to pay for the impacts to capital facilities caused by development.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 11.D.2

Resolution Number: **R – 2008.12.10 - 12**
Resolution Re: Establishment of Fire & Rescue Facilities Capital Reserve Fund

- WHEREAS: The City council adopted an ordinance for the establishment of Impact Fees; and
- WHEREAS: On October 14, 2008, the Planning Board established an Impact Fee related to Fire & Rescue capital facilities; and
- WHEREAS: The City Council desires to establish a capital reserve trust fund to hold and invest the amounts so designated until such time as the funds are needed;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
In accordance with NH RSA 34, a capital reserve fund is established titled Fire & Rescue Facilities Capital Reserve for the deposit of Fire & Rescue Impact Fees, with said funds to be held in custody by the Board of Trustees of the Trust Funds. The funds are to be used for the purpose of expansion of infrastructure and/or equipment of the Fire & Rescue Department that has been identified as a project within the City's Capital Improvements Program.

AND, FURTHER BE IT RESOLVED;
The City Manager is designated as the agent to carry out the purposes of the reserves, only after approval of a 2/3 majority vote of the City Council to expend funds for each project as identified within the City's Capital Improvements Program.

AUTHORIZATION

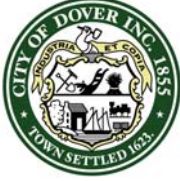
Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

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

Recorded by: Karen Lavertu
City Clerk

NOTE: This resolution requires a majority favorable vote for passage after a public hearing.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 11.D.2

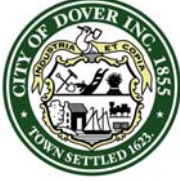
Resolution Number: **R – 2008.12.10 - 12**
Resolution Re: Establishment of Fire & Rescue Facilities Capital Reserve Fund

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, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
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#: 11.D.2

Resolution Number: **R – 2008.12.10 - 12**

Resolution Re: Establishment of Fire & Rescue Facilities Capital Reserve Fund

RESOLUTION BACKGROUND MATERIAL:

On October 14, 2008 the City of Dover Planning Board held a public hearing and voted to approve the establishment of an impact fee for Fire & Rescue capital facilities. NH RSA 674:21-I authorizes impact fees to be collected to pay for the impacts to capital facilities caused by development.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 11.D.3.

Resolution Number: **R – 2008.12.10 - 11**

Resolution Re: Establishment of Police Facilities Capital Reserve Fund

- WHEREAS: The City council adopted an ordinance for the establishment of Impact Fees; and
- WHEREAS: On October 14, 2008, the Planning Board established an Impact Fee related to Police capital facilities; and
- WHEREAS: The City Council desires to establish a capital reserve trust fund to hold and invest the amounts so designated until such time as the funds are needed;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
In accordance with NH RSA 34, a capital reserve fund is established titled Police Facilities Capital Reserve for the deposit of Police Impact Fees, with said funds to be held in custody by the Board of Trustees of the Trust Funds. The funds are to be used for the purpose of expansion of infrastructure and/or equipment of the Police Department that has been identified as a project within the City's Capital Improvements Program.

AND, FURTHER BE IT RESOLVED;

The City Manager is designated as the agent to carry out the purposes of the reserves, only after approval of a 2/3 majority vote of the City Council to expend funds for each project as identified within the City's Capital Improvements Program.

AUTHORIZATION

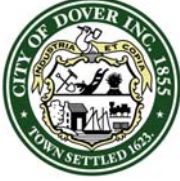
Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

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

Recorded by: Karen Lavertu
City Clerk

NOTE: This resolution requires a majority favorable vote for passage after a public hearing.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 11.D.3.

Resolution Number: **R – 2008.12.10 - 11**

Resolution Re: Establishment of Police Facilities Capital Reserve Fund

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, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
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.		

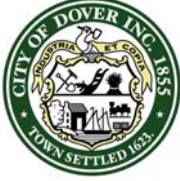
2008.12.10_establishment_of_police_facilities_capital_reserve_fund

Document Created by: Finance Department

.doc

Document Posted on: January 23, 2009

Page 2 of 3



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 11.D.3.

Resolution Number: **R – 2008.12.10 - 11**

Resolution Re: Establishment of Police Facilities Capital Reserve Fund

RESOLUTION BACKGROUND MATERIAL:

On October 14, 2008 the City of Dover Planning Board held a public hearing and voted to approve the establishment of an impact fee for Police capital facilities. NH RSA 674:21-I authorizes impact fees to be collected to pay for the impacts to capital facilities caused by development.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:

Resolution Number: R - 2009.01.14
Resolution Re: Setting of Property Tax Veterans Credit for FY10

- WHEREAS: The City Council adopted new property tax exemption and credit levels and qualifying criteria for FY2008 and
- WHEREAS: Due to the changing market values of properties, the levels of exemptions and credits and the qualifying criteria need to be reviewed periodically; and
- WHEREAS: The City Council desires to continue increases in tax relief to veterans through higher tax credits.

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

Under the provisions of RSA 72:27- the amount of tax credited for veterans are changed as follows:

Description	Type	Current	Proposed	Change
Veteran	Tax Credit	\$ 400	\$ 450	\$ 50

The intent of the previous City Council was that each year the Veteran Tax Credit would be increased an additional \$50 until the Veteran Tax Credit reaches \$500. The level of credit is effective for the property tax amounts due for Fiscal Year 2010 (due in December 2009 and June 2010).

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Deputy Mayor Dean
Trefethen
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#:

Resolution Number: R - 2009.01.14
Resolution Re: Setting of Property Tax Veterans Credit for FY10

RESOLUTION BACKGROUND MATERIAL:

The resolution increases the amount of the tax credit received for veterans by \$50.00. State law allows for veteran credits up to \$500. The previous City Council voted to increase the veteran credit \$50 per year until it reaches \$500.

In order to become effective for the taxes due in December 2009, this resolution must be passed before April 1, 2009.

Credit Application Filing

All applications for credits must be made to the local assessing officials by April 15th, prior to the setting of the tax rates in October 2009.

TAX CREDITS:

Tax Credit for Veterans

RSA 72:28 To qualify for a tax credit for a veteran a person must have provided the necessary documents to prove they served not less than 90 days in the armed forces of the US or its allies in any qualifying war or armed conflict and was honorably discharged or an officer honorably separated or the spouse or surviving spouse of such a resident. Also eligible are residents who were terminated because of service-connected disability, or the spouse of such a resident, or the surviving spouse of any resident who suffered a service connected death.

Tax Credit for Surviving Spouse

RSA 72:29-a To qualify for a tax credit for a surviving spouse a person's spouse must have died while on active duty in the armed forces of the US or its allies in conflicts delineated for veteran's credits. The credit can apply to residential or non-residential property in the municipality where the surviving spouse lives.

Tax Credit for Service-Connected Total Disability

RSA 72:35 To qualify for a tax credit for service connected disability a person must be honorably separated from the military service of the US and who has been totally and permanently disabled or a double amputee or a paraplegic because of a service connected injury. The surviving spouse of such a person is also eligible to receive this credit. The credit applies to the person's residential property.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:

Resolution Number: R - 2009.01.14
 Resolution Re: Setting of Property Tax Veterans Credit for FY10

Current and Proposed Tax Credit Levels

Veterans Credits

Level	Current			Proposed			Change
	Act #	Levels	Total	Act #	Levels	Total	
Veterans	938	400	375,200	938	450	422,100	46,900
Veterans - Spouse	65	400	26,000	65	450	29,250	3,250
Veterans - Surv Spouse	212	400	84,800	212	450	95,400	10,600
Veterans - 1/2 Owner	10	200	2,000	10	225	2,250	250
Veterans - 1/2 Owner Surv Spouse	6	200	1,200	6	225	1,350	150
Veterans - 1/4 Owner Surv Spouse	1	100	100	1	113	113	13
Veterans - 1/3 Owner	4	134	536	4	151	604	68
Veterans - 1/3 Spouse	1	134	134	1	151	151	17
Veterans - 1/7 Owner	1	57	57	1	65	65	8
Total	1,238		490,027	1,238		551,283	61,256

Estimated Tax Rate Impact	0.177	0.199	0.022
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It is estimated that the tax increase in the Veteran Tax Credit will be \$61,256 and would have an effect on the tax rate by about \$.02.

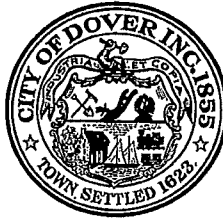
Taxpayer Impact

The effect of granting credits is that the taxpayer receiving the credit has a reduction in taxes; however, the taxes are paid by other taxpayers. The following table reflects the tax impact to taxpayers at varying levels of assessment for the FY10 proposed tax credit levels based on the FY09 estimated assessed valuation.

Assessed Value	Impact from Credits	
\$ 100,000	\$ 19.90	
\$ 200,000	\$ 39.80	
\$ 300,000	\$ 59.70	Total Impact
\$ 400,000	\$ 79.60	
\$ 500,000	\$ 99.50	
\$ 1,000,000	\$ 199.00	

The following table reflects the estimated incremental increase to taxpayers in FY10 from tax credits due to the proposed changes.

Assessed Value	Impact from Credits	
\$ 100,000	\$ 2.20	
\$ 200,000	\$ 4.40	
\$ 300,000	\$ 6.60	Impact of Change
\$ 400,000	\$ 8.80	
\$ 500,000	\$ 11.00	
\$ 1,000,000	\$ 22.00	



RECEIVED
DOVER CITY CLERK
1/10/09

2009 JAN -6 A 9:42

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 MAIN STREET

Federal Tax ID number for Organization: 002-9043

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

Contact Person: MICHAEL PRADT Day Time Telephone: 603-781-7116

Address: 288 CENTRAL AVENUE Email Address: DOVERMAINST@CI.DOVER.NH.US

Purpose of Permit: TASTE OF DOVER EVENT - RAFFLE - DOLL PRIZES - ENTERTAINING

Date of Event: FRIDAY JAN 30 Specific Time: 5-11 PM

Location of Event: MILLWOLVES CAFE 383 CENTRAL AVE

(Raffle Permit only)

Prize (s) To Be Awarded: 50/50 + SPORT TICKETS

Amount of Donation: 50/50 Date of Drawing: 1/30/08 Specific Time: 8:00 PM

Place of Drawing: MILLWOLVES CAFE 383 CENTRAL AVENUE

* 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.

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

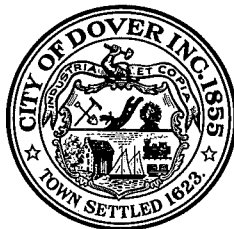
***NOTE: SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT

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: Michael A. Pradt Date: 1/6/08

Licensing Board approval [Signature] Date: 1/21/09
Revised 03/17/08

*OK
W/perm*



RECEIVED
DOVER CITY CLERK
DATE

2009 JUN 16 P 3:01

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: Moms on the Run Mother's Day 5K run/walk 3rd Annual

Federal Tax ID number for Organization: _____

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

Contact Person: Nicole Kurr Day Time Telephone: 742.6350

Address: P.O. Box 1408 ; Dover, NH 03820 Email Address kurr4@comcast.net

Purpose of Permit: road race / This year we will be benefiting Dover Womenaid (local non profit)

Date of Event: Sunday May 10th, 2009 Specific Time: 8:30 a.m.

Location of Event: Dover High School / Begin at Dover High; take right onto Bellamy; right onto Catecraft Ave.

(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.

**** 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: Nicole Kurr Date: 9/8/08

Licensing Board approval (APC) Date: 11/5/09
Revised 03/17/08

[Handwritten signatures and date 11/4/09]

LETTER OF DONATION INTENT

FOR: Dover Womenaid

BY: **Moms on the Run**
P.O. Box 1408
Dover, NH 03820

EVENT: **Moms on the Run~ Mother's Day 5K Run/Walk**
Sunday May 10th 2009
Dover High School

Responsibilities asked of: Dover Womenaid

- Usage of their non-profit tax id # for our financial sponsors (see attached forms).
- 12-20 Dover Womenaid volunteers for the race on May 10th 2009.

All other event and race responsibilities will be decided and organized by **Moms on the Run** Director and Asst. Director.

It is understood that **Moms on the Run** is a separate entity to Dover Womenaid. It is also understood that *Dover Womenaid* will be the sole beneficiary for the **2008 Moms on the Run Event**.

Nicole Kurr
Nicole Kurr - Moms on the Run

09.22.08 appeared before me
Nicole Kurr:
Cathy Tangle

Janet M Gnall
Janet Gnall - Moms on the Run

Kristina Silveira - Dover Womenaid
Dover Womenaid (president)

STATE OF NEW HAMPSHIRE
DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
REGISTER OF CHARITABLE TRUSTS

NOTICE OF CHARITABLE SALES PROMOTION

THIS NOTICE OF CHARITABLE SALES PROMOTION MUST BE FILED WITH THE DEPARTMENT OF THE ATTORNEY GENERAL, CHARITABLE TRUSTS UNIT PRIOR TO THE COMMENCEMENT OF A CHARITABLE SALES PROMOTION. MAIL OR DELIVER COMPLETED NOTICE TO THE DEPARTMENT OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL, CHARITABLE TRUSTS UNIT, 33 CAPITOL STREET, CONCORD, NH 03301-6397.

1. Name and address of charitable organization:

Moms on the Run
P.O. Box 1408
Dover, NH 03820

2. Name and address of commercial co-venturer:

Dover Womenaid
P.O. Box 1840
Dover, NH 03820

3. Date charitable sales promotion will commence: Sunday May 10th, 2009

4. Does your contract with the commercial co-venturer comply with the statutory requirements for charitable sales promotions contracts set out in RSA 7:28-d in the following respects?

	Yes	No
(a) Is it in writing?	[<input checked="" type="checkbox"/>]	[<input type="checkbox"/>]
(b) Is it signed by the charity?	[<input checked="" type="checkbox"/>]	[<input type="checkbox"/>]
(c) Is it signed by the commercial co-venturer?	[<input checked="" type="checkbox"/>]	[<input type="checkbox"/>]
(d) Does it describe the goods or services to be offered?	[<input checked="" type="checkbox"/>]	[<input type="checkbox"/>]
(e) Does it state the geographic area where the offer will be made?	[<input checked="" type="checkbox"/>]	[<input type="checkbox"/>]
(f) Does it state the beginning and ending date?	[<input checked="" type="checkbox"/>]	[<input type="checkbox"/>]

- | | Yes | No |
|--|-----|-----|
| (g) Does it state the amount per unit to be donated to your organization? | [] | [] |
| (h) Does it state the limit, if any, on the amount of benefit to your organization? | [] | [] |
| (i) Does it state the estimated number of units to be sold? | [] | [] |
| (j) Does it require the commercial co-venturer to make a final accounting to you by a date certain? | [] | [] |
| (k) Does it require the commercial co-venturer to disclose in its advertising the dollar amount or percent per unit which shall benefit your organization? | [] | [] |

5. Date of this notice: Sept. 22, 2008

6. Signature of duly authorized representative of charity:

Kristina Silverio - Dover Women's
UPRESIDENT

7. Signature of duly authorized representative of commercial co-venturer:

09-22-08 - appeared before me:
 Nicole KERR:
[Signature]

Nicole KERR - Moms on the Run - Race Director

For Register's Use Only:

Date Received: _____

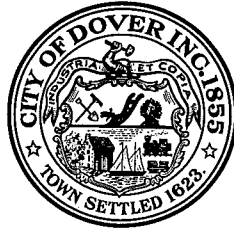
Approved: _____

Date: _____

Disapproved: _____

Date: _____

Reasons:



RECEIVED
DOVER CITY CLERK
JAN 22 2009

2009 JAN 22 A 8:01

APPLICATION CITY OF DOVER, NEW HAMPSHIRE

RAFFLE*.....TAG*~~f~~.....PARADE**..... BLOCK PARTY**..... ROAD TOLL***.....

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

Organization Name: Dover Southside Little League

Federal Tax ID number for Organization: _____

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

Contact Person: Ronan O'Sherity Day Time Telephone: 612-0215

Address: PO Box 1738, Dover, NH 03820 Email Address president@dovsll.org

Purpose of Permit: Tag Day Fundraiser

Date of Event: April 30 / May 1 + 2nd Specific Time: 8:00am - 8pm

Location of Event: Various locations in the City

(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://doi.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: Ronan O'Sherity Date: 1/22/09

Licensing Board approval [Signature] Date: 1/22/09
Acting
Revised 03/17/08



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.4.

Resolution Number: **R – 2009.01.28 - 14**

Resolution Re: Change order to North End Fire Station po 22-249298

WHEREAS: On November 26, 2007, Ricci Construction Co. Inc. was awarded bid B07076 for the construction of the North End Fire Station via City Council Resolution; and

WHEREAS: To ensure the project was completed on schedule and within allotted budget The City of Dover North End Building Committee and the City of Dover Fire & Rescue Service aggressively managed funds and change orders throughout the process that included both increase and decreases; and.

WHEREAS: The most significant changes occurred when large amounts of ledge were encountered while installing water and sewer lines and slope changes were required by NHDES in order to obtain approval of required permits. Other changes included curbing and construction changes and additional fees to PSNH. A detailed list is outlined in the background section of this resolution.

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

The purchasing agent is hereby authorized to issue a Change Order to PO 22-249298 to **Ricci Construction Co., Inc.** for changes at the North End Fire Station in the amount of **\$107,149.76**. The amount of this authorization shall be limited so as not to exceed available funding.

Financing			
Account	Description	Appropriation	Balance
4008-42280-4720-2202-08-22	Fire Station North End-Construction	2,950,000.00	160,056.15

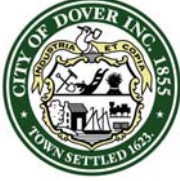
AUTHORIZATION

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.4.

Resolution Number: **R – 2009.01.28 - 14**

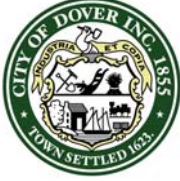
Resolution Re: Change order to North End Fire Station po 22-249298

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, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
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.A.4.

Resolution Number: **R – 2009.01.28 - 14**

Resolution Re: Change order to North End Fire Station po 22-249298

RESOLUTION BACKGROUND MATERIAL:

The North End Fire Station project has been thoroughly discussed and studied over the past 25 years and has appeared as a priority in the last two City Master Plans. On January 24, 2007, the City Council approved the funding of \$2,950,000 for a new North End Fire Station project. In April of 2007, the Mayor appointed a North End Building Committee to oversee the project.

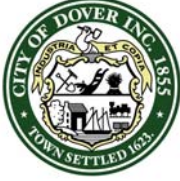
Over the past the past year the committee has been diligently working on the project, to ensure on time completion and within budget. To ensure the entire North End Fire Station project was completed on budget the department and the committee aggressively managed the allotted funds. The following represents decisions that the department and the committee made throughout the project based on the budget approved during the CIP process. In spite of numerous required changes, the project was delivered on time and within budget. This resolution is NOT asking for additional funds, it is simply asking for approval to pay Ricci Construction the balance owed based on the previously approved CIP budget. This is required to come before the City Council because the disbursement exceeds \$25,000.

The list of items includes three significant changes which include, a large amount of ledge encountered while installing the waterline and sewer line, required slope changes to meet State DES site slope changes needed to obtain approval and required permits as well as curb changes requested by the previous Council and City of Dover Engineering Department.

Ledge	\$ 47,086.10
3:1 to 1:1 Slope	\$ 13,333.00
Granite Curbing	<u>\$ 10,780.20</u>
Sub Total	\$71,199.30

Construction Changes:

- Mezzanine
- Skylights
- Training Room Partition
- Window Upgrade
- Sign Base
- Upgrade roofing paper
- Expanded exterior trim
- Upgrade Oil Separator
- Training Valve
- Finish Changes
- Addition Cabinets
- Additional Locks



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.4.

Resolution Number: **R – 2009.01.28 - 14**

Resolution Re: Change order to North End Fire Station po 22-249298

- Additional Bathroom Grab bars
- Flag Pole Light
- Wood Flooring to Mezzanine Training Area
- Volume Controls
- Crushed Stone
- Roof Hatch Ladder
- Move Thermostat
- Add Outlets
- Sign Lights
- Pocket Door Lock
- Kitchen Hood Controller

Subtotal \$33,423.76

Funds paid to PSNH **\$ 2,526.70**

By Ricci on behalf
of Dover Fire (pole)

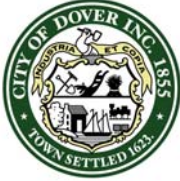
Total Changes \$ 107,149.76

Award Information:

A change order will be issued to Ricci Construction of 225 Banfield Rd Portsmouth NH to authorize expenditures for the construction of the North End Fire Station.

Purchasing Information:

Type:	Change Order to PO22-249298	Advertised:	na
Invitations Mailed:	na	Number of Responses:	na
Warranty:	Meet specification	Terms:	
Work Bonded:	Yes	Contract:	Yes
Prices will hold for:	Until Job Completion	Estimated Delivery:	As needed
Recommended Award to:	Ricci Construction Portsmouth NH	Fund:	CIP 08
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	expenses exceed the \$25,000 amount requiring Council approval



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.5

Resolution Number: **R - 2009.01.14 - 6**
Resolution Re: B08039 Electrical Services Contractor Year 2

WHEREAS: Requests for sealed Bid # B08039 was issued and received for an as needed Electrical Services contractor on **December 10, 2007** with rates to hold for (1) one year and with option to renew (2) two additional years subject to annual pricing review, funding availability and vendor satisfaction; and

WHEREAS: The bid response deemed most advantageous to the City was submitted by Ewing Electrical Company Inc with rates for services rendered as stated in the results section of this resolution. Award of this bid was approved by city council on January 9, 2008 resolution # 12A7; and.

WHEREAS: The City of Dover has found the current arrangement to be mutually satisfactory and financially beneficial and would like to extend the agreement for another year at the same rates as submitted in Bid B08039 by Ewing Electrical Company Inc for year two of possible three year arrangement.

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

The Purchasing Agent is hereby authorized to issue a Group Purchase Order to Ewing Electric Company Inc given rates provided December 10, 2007 and confirmed as unchanged for year two. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
Various	See table in background		

AND, FURTHER BE IT RESOLVED:

The Purchasing Agent is hereby authorized to offer year three extension contingent upon funding availability, negotiated rates, and satisfactory performance by Ewing Electric Company Inc and approval of Dover City Council.

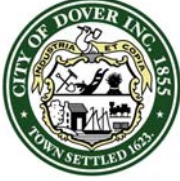
AUTHORIZATION

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.5

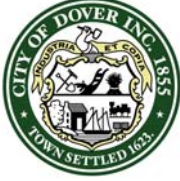
Resolution Number: **R - 2009.01.14 - 6**
Resolution Re: B08039 Electrical Services Contractor Year 2

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, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
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.A.5

Resolution Number: **R - 2009.01.14 - 6**
Resolution Re: B08039 Electrical Services Contractor Year 2

RESOLUTION BACKGROUND MATERIAL:

The electrical contractor must be licensed in the state of New Hampshire, and have general knowledge of residential and commercial electrical system, which would include pumps, motors, transfer switches, Variable Frequency Drives (VFD's), and instrumentation equipment such as Supervisory Control & Data Acquisition (SCADA) systems. The contractor must have their own vehicle, tools & meters. The contractor must be able to respond to emergencies within a 2-hour time frame. The successful bidder must have at least five (5) years experience in the field.

Rates are to be for a one (1) year period of time, to be renewed for each of two (2) additional years, subject to funding availability, annual pricing review and negotiations and council approval at the end of each yearly period.

Ewing Electric has offered a year two (2) arrangement with no rate increase. Year three (3) will be negotiated and presented to city council January 2010.

THE FOLLOWING TABLE IS A SUMMARY OF YEAR #1 EXPENSE AND ACCOUNTS USED. THESE MAY NOT BE SAME ACCOUNTS TO BE USED FOR YEAR #2 AS NEED IS UNKNOWN.

1st yr spent	account used	dept-description	appropriation	Balance In Account
		Gen Gov		
84.00	1000-41941-4531-0000-00-30	telecommunications	274	0
4,622.11	1000-41991-4529-0000-00-19	Insurance deductible	10,000	0
126.00	1000-42150-4651-0000-00-21	police buildings	7,216	5,788
42.00	1000-43160-4443-0000-00-30	Streets lighting	3,000	2,643
950.00	3381-41941-4431-0000-00-35	building maintenance	103,600	47,316
1,966.84	3381-41941-4433-0000-00-35	Equipment maint.	1,000	152
995.00	4005-45220-4681-5223-05-35	CIP Henry Law Ave	185,000	0
2,052.12	5300-43320-4432-0000-00-30	water- imp o/t bldg	91,498	28,202
1,147.10	5320-43250-4432-0000-00-30	sewer- imp o/t bldg	12,000	11,853
200.00	5500-45149-4433-0000-00-35	arena maintenance	6,000	0
770.00	6100-49200-4341-9100-00-55	admin technical	23,019	13,469
<u>12,955.17</u>			442,607	109,423

Award Information:

A purchase order will be issued to authorize this expenditure to be used by various city of Dover departments as needed.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.5

Resolution Number: **R - 2009.01.14 - 6**

Resolution Re: B08039 Electrical Services Contractor Year 2

Purchasing Information:

Type:	Purchase order	Advertised:	Yes
Invitations Mailed:	12	Number of Responses:	6
Warranty:	Meets professional standards	Terms:	Net 30, FOB
Work Bonded:	Cert of Insurance	Contract:	Yes
Prices will hold for:	One year	Estimated Delivery:	Immediately
Recommended Award to:	Ewing Electrical Co	Fund:	Various
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Agreement extension

Dec 2007 Vendor List

J & M Electric LLC
39 Littleworth Rd
Dover NH 03820

W. C. Colbath Electrical
211 Crosby Road
Dover NH 03820

Skip Powell
30 Lincoln Street
Dover NH 03820

Ayer Electric
3 Cherry Lane
Madbury NH 03820

Kohlhase Electric
121 Lafayette Road
N. Hampton NH 03862

Martineau Electrical
165 Industrial Park Drive
Dover NH 03820

RMS Electric
7 Stephen James Road
Barrington NH 03825

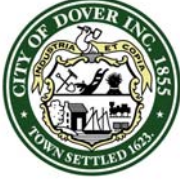
Scarponi Electric, LLC
45 Allen Street, Unit 5
Rochester, NH 03867

Yates Electrical Service
88A Dover Road
Durham, NH 03824

Ewing Electrical Co., Inc.
3 North Road
P. O. Box 370
Deerfield, NH 03037-0370

Rick Rines Electric
Main Street
New Durham, NH 03855

Giguere Electric
P. O. Box 1688
Laconia, NH 03247



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.5

Resolution Number: **R - 2009.01.14 - 6**

Resolution Re: B08039 Electrical Services Contractor Year 2

BID Results

Electrical Services

#B08039 Dec 2007

<i>Vendor</i>	<i>Rates 7am-3pm</i>	<i>After 3pm/weekends /holidays</i>	<i>Mark up On parts or supplies</i>
Ewing Electrical Co Inc PO Box 370 Deerfield NH 03037 Minimum 3 hour call out	Electrician \$42.00 Apprentice \$30.00	\$58.00 \$40.00	10%
J & M Electrical LLC Michael Dunphy 39 Littleworth Rd Dover NH 03820	Electrician \$45.00 Apprentice \$40.00	\$70.00 \$60.00	5%
RMS Electric LLC 7 Stephen James Rd Barrington NH 03825	Electrician \$50.00 Apprentice \$40.00	\$60.00 \$50.00	15%
Atrisan Electrical Contractors 155 Drew Rd Madbury NH 03821	Electrician \$50.00 Apprentice \$40.00	\$75.00 \$60.00	15%
Relico Kohlhasse Electric 121 Lafayette Rd No Hampton NH 03862	Electrician \$55.00 Apprentice \$48.00	\$82.50 \$72.00	25%
WC Colbath Electric 211 Crosby Rd Dover NH 03820	Electrician \$58.00 Plus \$7.00 per hr service truck. Total \$65.00	\$74.00 Plus \$7.00 per hr service truck. Total \$81.00	10% over trade service column 3 price
Notes: State law requires minimum of 3 hrs paid for call out labor.	Apprentice \$50.00 Minimum call rate for 1hr. or less \$80.00	\$65.00 Minimum call rate for 1hr or less \$120.00	

Appointments Committee Report

Prepared for City Council meeting agenda of January 28, 2009.

The Appointments Committee met in a public session on January 7, 2009 to interview some new candidates and to discuss filling vacancies on existing Boards/Commissions.

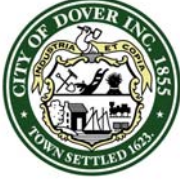
The Appointments Committee brings forth the following appointment recommendations for action by the City Council:

Shannon Hill to be appointed to the Dover Energy Advisory Committee.

Edward Spuler to be appointed to a regular seat on the Dover Utilities Commission.

Martin Coyle to be appointed to a regular seat, from his current alternate seat, on the Dover Utilities Commission.

Ted Mortner to be appointed to an alternate seat on the Dover Utilities Commission.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:
12B1

Resolution Number: **R – 2009.01.28-**
Resolution Re: **COUNCIL OPPOSITION TO DOWNSHIFTING OF
STATE OR COUNTY GOVERNMENT EXPENSES**

WHEREAS: State and County representatives are considering downshifting government expenses for government programs and services to the local level; and

WHEREAS: The Mayor and the Dover City Council want to establish a position regarding downshifting of government expenses.

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

The City Council of the City of Dover urges our Legislative Delegation to oppose all efforts to downshift government expenses from the state and county level to the local level.

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#: 12B1

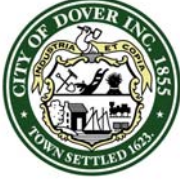
Resolution Number: **R – 2009.01.28-**
Resolution Re: COUNCIL OPPOSITION TO DOWNSHIFTING OF STATE OR COUNTY GOVERNMENT EXPENSES

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, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
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

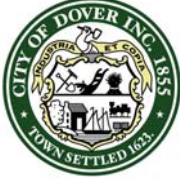
Agenda Item#:
12B1

Resolution Number: **R – 2009.01.28-**
Resolution Re: **COUNCIL OPPOSITION TO DOWNSHIFTING OF
STATE OR COUNTY GOVERNMENT EXPENSES**

RESOLUTION BACKGROUND MATERIAL:

Recent budget developments on the County and State level indicate a growing sentiment to transfer government costs for existing state and county programs to the local level. Hearings and discussions are currently being held regarding downshifting.

This resolution will establish the position of the Dover City Council regarding downshifting of costs to the local level.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.2

Resolution Number: **R - 2008.01.28 - 14**
Resolution Re: Supplemental Appropriation for Library Roof Repairs and Authorization for Bonding

WHEREAS: The Dover Public Library 1988 addition has roof leaks during special storm conditions which require the placement of buckets in various locations; and

WHEREAS: The Debt Financed Capital Improvements Projects recently approved by the City Council is \$49,247 less than the retired debt from the previous fiscal year.

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The following capital projects are appropriated with estimated useful lives in excess of the length indicated:

Description	Appropriation	Life/Years	Department	Fund
Library Flat EPDM Roof Repair	40,000	20	Public Library	General
Total	40,000			

AND, FURTHER BE IT RESOLVED;

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

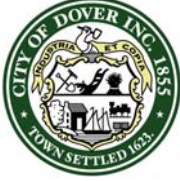
NOTE: This resolution requires a duly advertised public hearing and a 2/3 favorable vote of all members for passage with the vote deferred until at least three (3) days after the public hearing.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Richard Callaghan,
Councilor Ward 6

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.B.2

Resolution Number: **R - 2008.01.28 - 14**
Resolution Re: Supplemental Appropriation for Library Roof Repairs and Authorization for Bonding

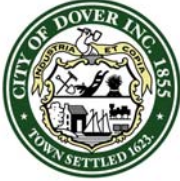
Recorded by: Karen Lavertu
City Clerk

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, Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
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.2

Resolution Number: **R - 2008.01.28 - 14**
Resolution Re: Supplemental Appropriation for Library Roof Repairs and Authorization for Bonding

RESOLUTION BACKGROUND MATERIAL:

Passing this resolution will not exceed expenditures beyond the retired debt of last year.

Passing this resolution will remove \$40,000.00 in Capital Reserve financed capital improvements in FY 2012.

The Dover Public Library is scheduled for new carpeting throughout as approved by the City Council and repairing the roof will be preventative to damages to the new carpet.

The random placement of buckets in the Dover Public Library is a safety hazard and will create trip and fall hazards for normal traffic and emergency egress. The water from the roof leak is a health hazard due to the increased potential for mold. The water from the roof leak can greatly increase the deterioration of the structural integrity of the building.

RATE IMPACTS:

The following table summarizes the impact of this authorization on the Property Tax Rate by year, and the total change after 3 years, for an average single family home, based on the FY09 assessed value at \$243,446. It is anticipated that the first year impact will be for a half year of interest only.

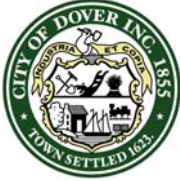
Impact to Average Single Family Home

	Yr1	Yr2	Yr3	Change After 3 Years
Property Tax	.16	.39	.38	.93

LEGAL DEBT LIMITS:

The following table summarizes the amount of debt outstanding and authorized-unissued, as of January 1, 2009 and this pending authorization, against legal debt limits.

Description	City	School	Water	DBIDA-IP	DBIDA-IB	Exempt	Total
Debt Outstanding	35,612,469	27,408,664	10,763,000	595,000	1,823,436	23,809,786	100,012,355
Authorized - Unissued	4,609,200	3,850,000	1,050,000	0	2,000,000	3,100,000	14,609,200
Total Issued & Unissued	40,221,669	31,258,664	11,813,000	595,000	3,823,436	26,909,786	114,621,555
This Authorization	40,000	0	0	0	0	0	40,000
Grand Total	40,261,669	31,258,664	11,813,000	595,000	3,823,436	26,909,786	114,661,555
Legal Debt Limit	91,808,810	214,220,556	306,029,366	4,000,000	NA	NA	
Unused Capacity	51,547,141	182,961,892	294,216,366	3,405,000			
Percent Unused	56.1%	85.4%	96.1%	85.1%			



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12B3

Resolution Number: **R – 2009.01.28 - 15**
Resolution Re: Reprogramming of Unexpended Bond Proceeds – Sewer CIP Appropriations FY1999 and FY2006 Projects

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

WHEREAS: There is unexpended bond proceeds available from the Varney Brook Sewer Main FY06 project and Wastewater Treatment Plant Blower Building FY99 project; and

WHEREAS: The River Street Pump Station Upgrade project and Utility Systems Replacement projects are capital improvement projects as approved in the Capital Improvements Program, which are estimated to have insufficient funding to complete the projects; and

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

The City Council approves reprogramming unexpended bond proceeds as detailed below:

Account	Description	Current Budget	Adjustment	Adjusted Budget
5320-43250-4757-4542-06-30	Sewer - Varney Brook Forcemain	2,100,000	(973,000)	1,127,000
5320-43250-4741-4572-06-30	Sewer - Pump Station Upgrade	0	973,000	973,000
5320-43250-4720-4584-99-30	Sewer - WWTP Blower Building	450,000	(11,855)	438,145
5320-43250-4757-4551-99-30	Sewer - Roberts Road - Utility System	0	11,855	11,855

In accordance with the NH Municipal Finance Act, RSA 33 and City Charter provisions C6-6 and C6-14 a PUBLIC HEARING IS REQUIRED for this resolution and must be approved by a 2/3 majority vote of the City Council.

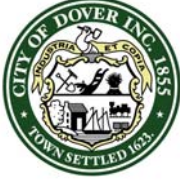
AUTHORIZATION

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#: 12B3

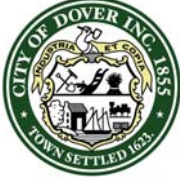
Resolution Number: **R – 2009.01.28 - 15**
Resolution Re: Reprogramming of Unexpended Bond Proceeds – Sewer CIP Appropriations FY1999 and FY2006 Projects

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEA	NAY
Mayor Scott Myers		
Deputy Mayor Dean Trefethen, Ward 4		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
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#: 12B3

Resolution Number: **R – 2009.01.28 - 15**
Resolution Re: Reprogramming of Unexpended Bond Proceeds – Sewer CIP Appropriations FY1999 and FY2006 Projects

RESOLUTION BACKGROUND MATERIAL:

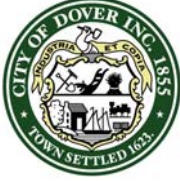
Annually, in accordance with City Charter, the City Manager shall prepare and submit for approval to the City Council a six-year capital improvements program (CIP). Annually the City Council has approved the CIP and an Authorization for Bonding to finance certain projects contained within the CIP.

In the Sewer Fund there are two CIP projects that have been completed, which have available unexpended bond proceeds due to the projects being completed under budget.

The River Street Pump Station Upgrade project is projected to cost \$2.4 million. In FY09, FY08, and FY07 the CIP has appropriated approximately \$500,000 - \$600,000 each year towards the River Street Pump Station Project. There is currently available funding of \$1.5 million. The Varney Brook Sewer Main project is completed and has available unexpended bond proceeds of \$973,000. Reprogramming the unexpended bond proceeds to the River Street Pump Station Upgrade project will provide the necessary funding estimated to complete the project.

The Utility Systems Replacement project is related to a situation on Roberts Road involving a sewer easement that goes under an existing water service to a residential property. Many years ago the city acquired the sewer easement and installed a sewer main under the existing water service. Over the years there have been sewer main breaks under the water service which has caused damage to the water service. Past repairs made to the water service, to repair damage caused from the sewer main breaks, have not been sufficient and have resulted in ongoing problems for the homeowner.

The homeowner on Roberts Road presented the situation to the Dover Utilities Commission (DUC). City personnel recommended that a new water service be pulled through the existing water line as the most effective way to resolve the problem. The DUC granted the homeowners requests and asked the City to install the new water line. The City solicited bids for the project, which resulted in a bid price of \$11,855. The Wastewater Treatment Plant Blower Building project is completed and has available unexpended bond proceeds of \$13,596. Reprogramming the unexpended bond proceeds to the Roberts Road project will provide the necessary funding required for the project.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.C1.

Ordinance Number: **O - 2009.01.28 - 2**
Ordinance Title: Henry Law Parking Restriction
Chapter: 166-57: Schedule I

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 166 of the Revised Code of the City of Dover, 1983, entitled Vehicles and Traffic, by adding language to 166-56, Schedule I – No Parking At Any Time in order to formalize a parking restriction on the recently reconstructed portion of Henry Law Avenue.

2. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by adding language to Section 166-56, “Schedule I – No Parking At Any Time”, as follows:

A. THE FOLLOWING LOCATION ARE ADDED:

STREET:

DIRECTION OF TRAVEL:

HENRY LAW AVENUE

WESTERLY SIDE, FROM THE INTERSECTION OF GEORGE STREET SOUTHERLY TO A POINT DIRECTLY ACROSS FROM THE MAGLARAS PARK ENTRANCE ROAD

HENRY LAW AVENUE

WESTERLY SIDE, FROM THE INTERSECTION OF BROWNING DRIVE NORTHERLY FOR A DISTANCE OF 75 FEET

HENRY LAW AVENUE

EASTERLY SIDE, FROM THE MAGLARAS PARK ENTRANCE ROAD TO BROWNING DRIVE

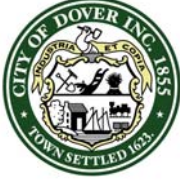
3. TAKES EFFECT

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

4. RECOMMENDATION

The City Manager recommends | does not recommend that this Ordinance be adopted.

AUTHORIZATION



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.C1.

Ordinance Number: **O - 2009.01.28 - 2**
Ordinance Title: Henry Law Parking Restriction
Chapter: 166-57: Schedule I

Approved as to Funding: Daniel Lynch
Finance Director

Sponsored by: Councilor Karen Weston
Representative to the
Transportation Advisory
Commission

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

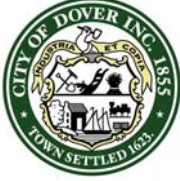
Recorded by: Karen Lavertu
City Clerk

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 Dean Trefethen		
Councilor Robert Carrier, Ward 1		
Councilor Douglas DeDe, Ward 2		
Councilor David Scott, Ward 3		
Councilor Catherine Cheney, Ward 5		
Councilor Richard Callaghan, Ward 6		
Councilor Steven McCusker, At Large		
Councilor Karen Weston, At Large		
Total Votes:		
Ordinance does does not pass.		



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.C1.

Ordinance Number: **O - 2009.01.28 - 2**
Ordinance Title: Henry Law Parking Restriction
Chapter: 166-57: Schedule I

ORDINANCE BACKGROUND MATERIAL:

This ordinance revision has been recommended by the Transportation Advisory Commission.

The affected areas named in this ordinance are already posted with parking restrictions, as part of the recently completed phase of the Henry Law Avenue construction between River Street and Browning Drive. This ordinance revision will formalize the restriction to ensure that it is enforceable pursuant to Dover City Code. Based in part on limitations to the right-of-way and on other factors, this section of the roadway was designed to accommodate parking on one side (easterly side).

This restriction was vetted in a number of neighborhood meetings prior to the commencement of the Henry Law project and has recently been vetted through the TAC with affected property owners. The TAC held a special meeting to perform a site walk. The resulting ordinance revision reflects an attempt to meet minimum traffic engineering standards while making some accommodation for property owners who were adversely affected by the parking restriction.



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January 14, 2009

The Honorable Scott Myers
City of Dover
288 Central Ave.
Dover, NH 03820-4169

Re: Dover Professional Fire Officers Association

Dear Mayor Myers:

I write you on behalf of the officers and members of the Dover Professional Fire Officers Association. My purpose in writing is to indicate to the City Council the Union's disappointment and frustration over the Council's decision to reject the tentative agreement reached between the Union and the City's negotiators.

Both parties negotiated in good faith for many months under what I am sure anyone would recognize were difficult conditions. Nonetheless, the parties were able to overcome these adversities and reached an agreement on July 22nd.

Given the terms of the agreement, which included a very small cost, the Union fully expected the Council to ratify the tentative agreement. Much to our surprise, instead, the Council rejected it not based on the terms of the cost items negotiated between the parties, but rather, based on a legislative act over which the parties have no control.

The imposition of additional cost to the City by the adoption of House Bill 1645 was not a subject matter of our negotiations and, even after July 1, was never even discussed. For the Council to hold our contract captive based on an issue that should be addressed by the City and the Legislature is patently unfair and outside of the Council's statutory duty to approve or reject contractual cost items. It is no less unfair to hold the Union responsible for costs imposed by the State on retirement benefits than it is to hold the Union responsible for other statutory costs such as unemployment or workers' compensation benefits. It is the State, not the Union, that mandates

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The Honorable Scott Myers
City of Dover
January 14, 2009
Page 2

these costs. We negotiated our contract within those parameters and others imposed by the City Charter. In 2008, we feel we did so in a responsible manner.

At this time, the Union membership has chosen to wait and see if the Legislature will deal with the retirement issue in a timely manner but feel it important to register with the Council its position that the Council's rejection of the contract was and is legally inappropriate. It is our sincere hope that in the very near future the Council will find it comfortable in approving this agreement.

We do want to acknowledge and thank City Manager Joyal and the City's negotiators for their continuing candor, cooperation and good faith.

Sincerely,
Dover Professional Fire Officers Association
Local 2909, IAFF
By their Counsel
Molan, Milner & Krupski, PLLC



By: Richard E. Molan

REM/tec