



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, June 23, 2010**
Meeting Time: **7:00pm**

1. **CALL TO ORDER**
2. **MOMENT OF SILENCE**
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL ATTENDANCE**
5. **PROCLAMATIONS/AWARDS – None**
6. **APPROVAL OF AGENDA**
7. **PUBLIC HEARINGS – None**
8. **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.

9. **CITY MANAGER’S REPORT**
10. **APPROVAL OF MINUTES**
 - A. **June 2, 2010 – Workshop**
 - B. **June 2, 2010 – Special Meeting**
 - C. **June 9, 2010 – Regular Meeting**

11. **MAYOR’S REPORT**

12. **UNFINISHED BUSINESS**

- A. **ORDINANCES IN THE 2nd READING – None**
- B. **ORDINANCES IN THE 3rd READING – None**

1. **CHAPTER 3, FORMATION OF POOL ADVISORY COMMITTEE
(TO BE REMOVED FROM THE TABLE)
SPONSORED BY MAYOR MYERS BY REQUEST**

- C. **RESOLUTIONS – None**



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, June 23, 2010**
Meeting Time: **7:00pm**

13. NEW BUSINESS

A. CONSENT CALENDAR

1. **FIREWORKS – City of Dover Recreation Department**
2. **RAFFLE – City of Dover Recreation Department**
3. **TAG - Dover Little Green Football**

4. **RESOLUTION: B07061 TAX ASSESSING AND DATA COLLECTION SERVICES**
SPONSORED BY MAYOR MYERS BY REQUEST

5. **RESOLUTION: B10004 CHANGE ORDER III HYDROGEOLOGICAL SERVICES**
FOR THE WILLAND POND WELL
SPONSORED BY MAYOR MYERS BY REQUEST

6. **RESOLUTION: B07052 ROOT CONTROL SERVICES**
SPONSORED BY MAYOR MYERS BY REQUEST

7. **RESOLUTION: B10034 AMENDMENT 1: MUNICIPAL STORMWATER UTILITY**
FEASIBILITY STUDY
SPONSORED BY MAYOR MYERS BY REQUEST

8. **RESOLUTION: B10079 VARIOUS CHEMICALS FOR RECREATION AND**
COMMUNITY SERVICES DEPARTMENTS
SPONSORED BY MAYOR MYERS BY REQUEST

9. **RESOLUTION: B10081 WOOD ASH FOR WWTP**
SPONSORED BY MAYOR MYERS BY REQUEST

10. **RESOLUTION: B10083 BITUMINOUS CONCRETE PICKED UP**
SPONSORED BY MAYOR MYERS BY REQUEST

11. **RESOLUTION: B10086 SPECIALIZED MUNICIPAL LEGAL SERVICES**
SPONSORED BY MAYOR MYERS BY REQUEST

12. **RESOLUTION: AWARD OF MAINTENANCE AGREEMENT TO**
SOUTHWORTH/MILTON CAT FOR GENERATOR MAINTENANCE
SPONSORED BY MAYOR MYERS BY REQUEST



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, June 23, 2010**
Meeting Time: **7:00pm**

COMMITTEE REPORTS

1. **School Board Liaison**
2. Planning Board
3. Appointments Committee
4. Recreation Advisory Committee
5. McConnell Center Advisory Committee
6. Arts Commission
7. Solid Waste Advisory Commission
8. Transportation Advisory Commission
9. Joint Building Committee – Horne Street
10. **Joint Building Committee – Media Access**
11. Joint Building Committee – Woodman Park
12. Legislative Liaison

B. RESOLUTIONS

1. **B10068 FIRE & RESCUE APPARATUS PURCHASE**
SPONSORED BY MAYOR MYERS BY REQUEST
2. **FINAL ACCEPTANCE WOODMAN PARK ELEMENTARY SCHOOL ADDITION AND RENOVATIONS**
SPONSORED BY COUNCILOR CHENEY AND COUNCILOR WESTON
3. **REPROGRAMMING OF UNEXPENDED BOND PROCEEDS AND APPROPRIATIONS FOR CERTAIN CIP PROJECTS (TO BE REFERRED TO A PUBLIC HEARING ON JULY 14, 2010)**
SPONSORED BY COUNCILOR WESTON AND COUNCILOR GARRISON

C. ORDINANCES IN 1ST READING

1. **CHAPTER 3: ADMINISTRATIVE CODE (TO BE REFERRED TO A PUBLIC HEARING ON JULY 14, 2010)**
SPONSORED BY MAYOR MYERS BY REQUEST
2. **CHAPTER 5: BOARDS, COMMISSIONS, AND COMMITTEES (TO BE REFERRED TO A PUBLIC HEARING ON JULY 14, 2010)**
SPONSORED BY MAYOR MYERS BY REQUEST
3. **CHAPTER 152: STREETS AND SIDEWALKS (TO BE REFERRED TO A PUBLIC HEARING ON JULY 14, 2010)**
SPONSORED BY MAYOR MYERS BY REQUEST

14. **COUNCIL CORRESPONDENCE**

15. **COUNCIL MATTERS OF INTEREST**

16. **ADJOURNMENT**

City Manager's Report

June 23, 2010

s



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: May 2010

The role of the Office of the City Attorney is to represent the corporation as a whole including the City Council, the City Manager and the Departments. The focus of the Office of City Attorney is to avoid legal problems for the City by advising staff members, reviewing legal documents, addressing citizen concerns proactively, providing guidance to the boards, commissions and committees of the City and assisting City Councilors in the performance of their duties. The goal is to save money for the taxpayers and the City of Dover. A further role of the City Attorney is to respond to matters involving litigation. This role involves contacts with opposing legal counsel on a regular basis, the attendance at hearings and the trial of matters before the Courts.

- **Assistance to the City Council: drafting/review of resolutions and ordinance revisions; attendance at meetings; non-public session**
- **Assistance to the Community Services Department: sewer billing; DUC matters; sewer enforcement; environmental matter; engineering contract; liability claim;**
- **Assistance to the Planning Department: review of notice requirements; subdivision matter; review of zoning enforcement matter;**
- **Assistance to the Finance Department: contract reviews and preparations; purchasing matters; contract for trash/recycling**
- **Assistance to the Recreation Department: review of leases; pool matter;**
- **Assistance to the Police: sidewalk obstruction matters**
- **Assistance to the City Manager: review of documents for signature; review of New Hampshire Supreme Court cases; review of litigation; review of budget issue**
- **Processing five (5) requests made pursuant to RSA 91-A(31 requests in 2010);**
- **Expenses for outside legal ending 6.1.10 for FY'10 Operating Budget are \$70,615.03 (excluding environmental of \$12,238.72)**

Dover Business & Industrial Development Authority

Economic Development Overview

Dan Barufaldi

1. Sector Review:

Retail: Some slight decline in retail sales in the last month while the consumer confidence index improved marginally. Consumers sensed that things were improving, but not enough to start spending more money. Private sector fear of unemployment sustained even as unemployment in Dover dropped another tenth of a percent to 6.4 % as national unemployment dropped back two tenths of a percent to 9.7%.

Restaurants: Fast food sales are up due to price cut “specials”. Other breakfast and lunch sales continue to improve marginally. Dinner sales at higher end restaurants remain flat. “Dover Dines” week of price fixed meals attracted a good turnout.

Hotels/Motels: Sales activity is highly location sensitive, but off significantly. Weekend sales remain below former rates, but show some improvement. Our downtown hotel continues to record high occupancy levels, but at slim margins. The Microtel at Weeks Crossing is back in operation under new ownership and was advertising weekend specials recently and their occupancy rates are improving. Weekday occupancy rates at the other Week’s Crossing hotels are off as business travel is reduced by the slow economy and the advent of electronic meetings. Local hotel competition is aggressive enough to induce complaints about competitors’ signage.

Services: Financial services are improving significantly as investors indulge in market timing investments in volatile markets. Services connected to project work are off markedly. Travel (seasonal), cleaners, and cleaning services sales remain soft, but are now stabilizing. Software sales are rising steeply. Educational services continue to grow. Healthcare services continue to grow. Services utilization of temporary help continues to grow. Services related to construction (architects, engineers) remain off.

Construction: Some residential construction improvement with 14 projects before the Planning Board recently. A second wave of foreclosures has begun due to the backlog of delinquent mortgages not yet foreclosed upon and the pressure on banks to clear their delinquent mortgages. There will be only a moderate local effect as long as our low local unemployment rate sustains. Commercial activity exists, particularly in building rehab, but continues to decline overall. Lower rehab costs for existing and available commercial/ industrial buildings and lack of financing availability make new construction difficult. Inquiries on Enterprise Park land have picked up as more companies are now looking at sites there. Companies waiting on the sidelines now want to get started while low property values and low mortgage rates are still available.

Manufacturing: Routine, high labor content manufacturing has gone offshore and is not coming back. Knowledge based, high tech, high quality and precision niche manufacturing is somewhat stressed but stable with certain sectors in growth mode. Electronic assembly is experiencing an uptick with rush delivery requests common. Volatility of demand remains a problem. Food manufacturing and electronic recycling are showing growth signs locally. New car inventories are still above normal. Car sales, recovering smartly in the first quarter, continue to improve, but at a reduced rate. The Toyota recall and lost confidence in the quality and reliability of the brand have had a serious short term effect on their sales across multiple product lines. This effect has now been overcome in the marketplace, buoyed by heavy rebate programs from all manufacturers. Some bright spots exist at specific brand outlets like Toyota, Ford and VW. GM sales are now beginning to rise smartly while Chrysler enjoyed a sharp percentage increase following a severe loss of market share.

Healthcare: Still in a growth mode, but uninsured unemployed patients are avoiding services unless conditions are painful or life threatening. Medicare/ Medicaid payment uncertainty and the political/economic quandary of healthcare reform/ insurance programs will mitigate some expansion. Doctor and hospital visits are off slightly and emergency room activity is increasing enormously as health insurance is often lost due to unemployment. Passage of the healthcare reform bill has had little effect on day-to-day healthcare so far.

Commercial Real Estate Space: A large office space inventory continues to drive prices downward. Lower cost mill space is doing better than higher cost mill office space currently. The WDH Exit 9 Medical Practice Building is now occupied, releasing selected office leased space near the WDH main campus. WDH has removed one floor from their main campus expansion plans. One of our major mills is only 43% occupied and has lost three large tenants to another Dover location with door side parking. Lack of proximate parking remains a serious deterrent. *Undercurrents*, located in the Washington Mill has closed. A new company employing 180 is looking for 30,000 sq. ft. of leased space in either the Cocheco Falls Mill or the Goss building. Another 40,000 sq. ft. tenant is exploring the whole second floor of the Moore Building or space at Goss. A micro brewery is interested in substantial square footage in the Moore building.

2. Local Business Retention Contacts:

Real Estate Agents: Commercial agents contacted all have high inventories, few new build sales, and expect that commercial real estate is still early in its decline cycle, following residential real estate by about 18 months on average. Portsmouth Brokerage houses are expressing increased interest in Dover, have requested presentations on Dover activities, and are moving assets to Dover in anticipation of increased activity here as the economy recovers. Unsold/ unleased commercial property inventories continue to grow.

Developers/Builders: A lot of rehab of leasable office space, manufacturing, and warehouse space is underway, including the Goss Building, Moore Building, Collins & Aikman and Prime Leather. More new office/warehouse leases are being sold at this time, but space is being leased at reduced prices short term to gain longer term commitments. One firm is looking at a potential new build of 30,000-40,000 sq. ft. in Enterprise Park.

Mills: AT&T call center space is still not leased to a new tenant. Loss of three significant leased office space tenants to another Dover location has occurred. Lack of on-site parking is a continuing problem. Other mill space has some prospects as a children's restaurant on the ground floor opposite the Children's Museum is still being contemplated in addition to the 30,000 sq. ft. prospect mentioned above.

Another Mill now has less than 12,000 sq. ft. unoccupied and has prospects for a baked goods manufacturing operation and a deli/bakery restaurant coffee shop, but is losing a discount retailer.

Downtown: Three spaces are open currently, but several small businesses selling both discretionary and necessary products and services are at risk due to the unavailability of credit and a lack of curbside parking. DBIDA is working with BFA, SEDC and DRED to explore the possibilities to help these businesses, and is also reviewing business models to uncover opportunities for increased revenues and/or reduced expenses. Credit card companies and banks have cut or eliminated the credit lines traditionally used by small business people to bridge seasonal and/or receivable/payable time lags. Other SBA loan programs are being accessed, and are now easier to access. A new Fed stimulus program aimed at providing credit to small businesses through the SBA has been announced, but local banks do not have enough details on the program to start lending at this time. Another Federal stimulus program dedicating \$135 million to NH small businesses and administrated through the NH BFA has been announced for businesses in ERZ Districts. This program would make tax exempt bonds available through local banks. Unfortunately, the extremely tight window for application effectively limited the program to projects already to go and excluded refinancing as eligible. Dialogue with the Dover Economic Loan Program Administrator has

been initiated for small local businesses needing a startup loan or secondary next step financing. Three applications are in place. One such loan for \$150,000 closed last month.

Start up financing through banks is virtually non-existent. A few downtown businesses with limited resources, heavy debt loads, old business models and slow adaptability have now closed. A meeting with Congresswoman Shea-Porter and a local bank has been held to discuss the SBA program changes needed for local banks to get SBA loans to Dover small businesses.

3. Unemployment: (Non-Seasonalized) NH Employment Security, Economic and Labor Market Information Bureau:

Dover: Currently at 5.4%, an improvement back to early, 2009 levels.

Portsmouth: 5.2%

Rochester: 6.7%

Somersworth: 6.5%

Manchester: 7.2%

Concord: 5.5%

New Hampshire: 6.3%

Maine: 8.4%

Massachusetts: 9.1%

Rhode Island: 12.4%

Vermont: 6.7%

New England: 8.8%

U.S.: Currently at 9.5%. Most recent BLS figures state U.S. unemployment at 9.7%, but this is due to an anomaly in their survey technique and the algorithm used in their seasonalization technique that distorts results in a declining employment context. U.S. unseasonalized unemployment is expected to continue to hover around 10% through year end.

4. Incentive Activity:

ERZ Districts (3) Progress: Four new businesses so far have moved into ERZ locations in Dover. ERZ District availability has positively influenced four move-in companies to date representing 146-200 jobs. These include 120 at URT Corporation (adding 60 more by mid 2010), 49 at VXI Corporation, and 7 at RKG Consultants. Agility manufacturing has formally applied for the ERZ tax exemption with DBIDA assistance. URT Corporation and HEI are currently being assisted to make ERZ applications.

5. Outreach/Attraction:

Enterprise Park: Preliminary interest in Enterprise Park land for a New England distribution hub has faded with a change in the company's wish to build new, and to instead rehab and expand an existing building. Recent contacts indicate the firm has, for the time being, decided to do nothing. Dover ERZ benefits and owner indemnification offers are still on the table and being considered.

ITACONIX has decided to slow their phased build out in their own building until their hardwood biomass feedstock is tested at scale. They will take 12,000 sq.ft. of leased space at Pease for a year or so and then consider building at Enterprise Park. They still prefer a Dover location. We are beginning discussions re another local location with enhanced water supply and cost numbers and they have expressed interest in pursuing that possibility. Their original timetable has extended.

We are working with the agent for the Fosters building and property at Enterprise Park that is up for sale or lease and possible subdivision of the property for development. Fosters will outsource their printing and distribution functions and move their office staff to their downtown offices in Dover.

A developer looking at an Enterprise Park lot for an 11,000 sq. ft. four unit spec building for office warehouse applications has delayed his build plans for one year and may now consider one of the Fosters property subdivided lots for his building.

The Fosters property at Enterprise Park is for sale with the prospect of subdivision of the 30.85 acre property that could accommodate three more building pads.

A new prospect for a 30,000-40,000 sq. ft. building at Enterprise Park for a company with 50 jobs is under negotiation re financing options.

Preliminaries are underway to form an Enterprise Park Tenants Association to handle future public area maintenance and other Park issues and governance. Legal Dept. has now completed a set of draft by-laws and association agreement to facilitate this. Review and approval by the DBIDA Executive Committee is now complete. An Enterprise Park tenant is being considered for DBIDA Board membership to help facilitate this process. This process is still awaiting appointment completion. A dialogue will then ensue with the Park tenants to finalize the Association Agreement and by-laws.

Industrial Park Drive: The URT Corporation has leased 80,000 sq. ft. and has added 20,000 more for a total of 100,000 sq. ft. They are about to lease an additional 20,000 sq. ft. in another Industrial Park Drive Building to house their asset management activities.

They currently have hired 120 employees and expect to expand to two full shifts and employ 200 by early next year. They are an electronic components recycler with headquarters in Janesville, WI, a large facility in Las Vegas, NV, another in Alabama, and two more about to be located in the SE and SW of the country shortly. The Governor came to Dover to officially open the facility. ERZ status helped their decision to locate in Dover. A local “opening” was held with the Mayor, City Council, City Manager, and DBIDA Board members for a ceremony and plant tour on March 24th.

The Moore Building: VXI, head set designer and distributor, (manufacturing is in China) has moved in and will bring 49 jobs. Since they are coming from Rollinsford, they will have a mix of Dover and other local employees. HE Innovations, LLC is now in the Moore Building with 4 employees and Southside Fitness, LLC is moving into 5,600 sq. ft. in the Moore Building shortly with 2 employees, growing to 4 as classes are set up.

Rt. 1 and Mast Rd.: Mixed use development incorporating a senior facility, 56 unit housing development, a Hannaford market, and possible restaurant. So far zoning and density compliance looks good. A public announcement with on-line plans is now available.

“Design By You” a household design and furnishings company has moved into the former gallery space on Central Ave.

Economic Development Resource Guide: This important outreach tool is now available and distribution to selected venues for use has commenced. Feedback on the quality and usefulness of the piece has been very positive. It will be well used in the Ambassador Program for economic development outreach to relocation candidate companies.

6. Public Activities:

Parking Commission Meetings (2) Garage Presentation.

Twenty-five Parking Garage related meetings with developers, finance entities, engineering firms, parking facilities firms re information gathering for eventual RFP issuance conforming to the requirements of the City Manager, the Parking Commission, DBIDA and the City Council.

Kent Creative meetings (3)

DRED Meetings (2):

Tourism Leadership Partner meetings (2)

DBIDA Board meeting

NHCIBOR Quarterly meeting, Bedford, NH

NHCIBOR Marketing meeting, Concord, NH

CIBOR Seacoast Meeting

Monthly Networking Leads Group 2nd Tuesdays

Presentation to Portsmouth Prudential-Verani Realty Groups

City Council meetings

Office Interiors contact/VXI Loan Program for furniture

UNH/ DoverTech Meeting

Development Issues Meeting/Planning

Tourism Partners Meeting

CIBOR Seacoast Marketing Meeting: Pease

Ambassador Program meetings (3)

Agway meeting

UNH liaison meeting: Dr. John Carroll, Durham Selectman, Diana Carroll

Governor's Tourism Conference Portsmouth: Exhibited

TRC meetings (3)

SEDC meeting

Kane Realty meeting

TIFF Meeting

Woodman Institute Museum meeting

Legislative Reception

Agility Mfg. meetings (2)

HEI Meetings (2)

Government Affairs Committee meeting

Cochecho Falls Mill meeting with client

Land, Sea, Space Museum Update Meeting

Prospects meetings (3)

Prospects Financial Review Mtgs. (2)



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, June 2, 2010**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Weston led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Myers, Deputy Mayor Trefethen, Councilor Carrier, Councilor Cheney, Councilor Cruikshank, Councilor Garrison, Councilor Hooper, Councilor Nedelka, Councilor Weston.

Also present: City Manager Joyal, Finance Director Lynch, and City Clerk Lavertu.

Councilor Cheney moved to suspend the rules to move Citizen's Forum to beginning of the Workshop; seconded by Councilor Weston.

Roll Call Vote: 5/4; Passed. Mayor Myers, Deputy Mayor Trefethen, Councilor Garrison, and Councilor Nedelka were opposed.

CITIZEN'S FORUM

Robert Lewis, 16 Whittier Street: He said he voted for the tax cap because he felt the expenditures needed to be controlled. He said the City's operating costs are increasing while revenues are decreasing. He said he understood that the State wasn't helping with their continuance of downshifting to the City. He said he did vote for the tax cap because of the override provision possibility. He said if the Council decided to override the tax cap he hoped they would establish some criteria regarding needs and desires before they filter their way through the budget. He listed a few areas for the Council to consider: Health, safety, security, crime, roads/infrastructure, and education.

Dona Layton, 161 Back River Road, Open Lands Committee Chairperson: She asked the Council to restore the City Planner position to the Planning Department. She said Mr. Bird's absence would have an impact on the Open Lands Committee. She said the Open Lands Committee supported the idea that 20% of Mr. Bird's salary come out of the Conservation Fund. She referred to RSA 36-A, which specifically states that the Conservation Commission can appoint employees.

Dawn Haines, 17 Elm Street: She gave the Council an update from the SOS Committee, which will continue to meet weekly until the formation of the Pool Advisory Committee. She told the Council about the generous donation of Peter Marcos, and the establishment of the Dover Pool Endowment Fund. She said Jenny Thompson is committed to an annual fundraiser, and is working on a triathlon event.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, June 2, 2010**
Meeting Time: **7:00 pm**

Carol Boc, 8 Arch Street: She said the tax cap override provision clearly authorizes the Council to take the steps that are needed to preserve the community.

William McCann, 20 Fisher Street, Conservation Commission Chairperson: He said he agreed with Dona Layton's comments about restoring Mr. Bird's position as City Planner. He said the Conservation Commission has met and more than a majority of the members are in favor of the proposal for the expenditure of money from the Conservation Fund for the next three years to pay for the position.

Thomas Lamy, 9 Deepwood Drive: He said he was not in favor of a tax cap override. He felt that the City didn't need to lose services, because there was other money in other areas that could be tapped. He said the State will be coming to the City and saying we need to kick in a couple more million. He said he and other people are sick of the taxes going up and up. He asked the Council if they have looked at everything.

David Scott, 220 Back Road: He told the story of the first tax cap signing on June 10, 1215 by King John, the Magna Carta. He said the City voted in the Magna Carta in November of 2007. He said the City Manager, Mayor, and many others were against the tax cap and want to override. He said the tax cap was not a reason to eliminate funding for the pools. He said the priorities are wrong. He said the City Manager and Mayor are the problem. He spoke about the unused Parking Fund, and how it benefitted three property owners in getting a parking garage. He said the pools are used by 3,000 children. He spoke about the City's Computer Department and their enormous budget. He said if the garage is eliminated and the Computer Department level funded then there will be enough money to fund both pools. He spoke about the City's \$5 million in Fund Balance, stating that the bonding agencies tell us the City needs \$4.2 million in cash balances to maintain the AA bond rating. He said the problem is poor spending decisions, and not the tax cap. He asked the Council to hold more public hearings and hold off their voting on the budget. He asked the Council to reject the budget and vote no to an override.

Edward Bleiler, 28 Isaac Lucas Circle: He said he has spoken to the Council time and time again to request that the Council not override the spending cap. He said he believed that there were excess funds in the Reserve Fund that were to be used for a Rainy Day. He believed this was a rainy day. He asked the Council not to break their promise to their constituents.

Ronald Huml, 199 Mast Road: He said he felt a majority of the Council will vote for an override, but he hoped they would treat it as a loan instead of an override. He said the override this year should be deducted from the percentage of increase next year.

Donald Medbery, 3 Covered Bridge Lane: He said the Council has made up its mind, and felt some of the Councilors lied when they were running for office. He said he wondered how many people couldn't pay their taxes on June 1st. He said it is the first time in history where government workers have exceeded private jobs.

Timothy Provencal, 16 Florence Street: He said for the sake of fully funding the schools he supported an override of the tax cap.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, June 2, 2010**
Meeting Time: **7:00 pm**

Paul Haas, 401 Old Garrison Road: He said the tax cap discussions have increased citizens' awareness. He said it says a lot to see so many people come before the Council to ask for an override. He said he is aware that in asking for an override that his taxes will go up. He said he doesn't feel that the City wastes money. He said the State of New Hampshire is one of the least taxed states in the country. He said Dover has great services, and the citizens want them maintained. He said he wasn't asking for an excessive override. He said it was explained in 2007 that there was this override provision in the tax cap, and it was not stated that it was for emergency use only.

Mayor Myers, seeing no one else wishing to speak, closed the Citizen's Forum.

5. FISCAL YEAR 2011 BUDGET OVERVIEW

A. GENERAL BUDGET DISCUSSIONS

Deputy Mayor Trefethen asked about looking at where they were going to get revenues first, so they can see what they have to spend before they start adding things into the budget. He felt it would be disingenuous for a Councilor to vote to put something back into the budget without a revenue source for it, unless they were willing to vote for an override. He spoke about the Council's wish to restore the Fire Department, Police Department, and Recreation Department, and how there were no other big areas in the budget to cover these restorations. He said he would be willing to taking some money from the Sand & Gravel Fund, Conservation Fund, and a few other sources to help offset any type of override the Council may vote on.

Mayor Myers referred to the 3 page handout, and went over it with the Council for clarification.

Councilor Cheney said she would like to look at what they want to put back into the budget to get an amount, and then figure out what amount from the funds need to be used.

Councilor Garrison referred to Item #4, and said it was his understanding that they don't need the full \$261,780 to fund what is in the CIP; two sidewalk plows and a firetruck.

Mayor Myers said \$220,000 or \$230,000 allowed for the purchases and left a minimal amount in the fund.

Councilor Hooper said she wanted to see what they have to work with before they try to figure out what to put back into the budget.

Councilor Weston said she agreed with looking at any forms of revenues first.

Councilor Carrier said he would appreciate starting with revenues.

Mayor Myers started with strictly revenue sources:

- 11.b. Recognize savings to be realized from bond refunding
The consensus of the Council was to capture the \$20,000.
- 12. Add One-Time Gravel Fund Revenues
The consensus of the Council was to capture \$100,000.
- 13. Adjust Health Inspection Services
The consensus of the Council was to accept the position reduction and capture the \$33,120.
- 14. Add VIN Check Charges
The consensus of the Council was to capture \$3,000.
- 15. Add Ambulance Rate Increase



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, June 2, 2010**
Meeting Time: **7:00 pm**

The consensus of the Council was to capture \$97,000.

- 16. Update Net Assessed New Value per Assessor
The consensus of the Council was to capture \$112,700 for the City side of the budget, and \$120,000 for the School side of the budget.
- 17. Add Recycling Center Rate Increase
Councilor Carrier discussed charging for the Recycling Center stickers.
Consensus of the Council was to have a lower minimum rate of \$25, capturing \$25,000. The consensus of the Council was to increase \$.01 per pound for construction debris for both residential and commercial rates, capturing \$20,060.
- 19. Remove and Reallocate Contingency Items
The consensus of the Council was not to use any of the contingency items.
- 20. DoverNet Fund reduction
The consensus of the Council was not to reduce the amount in the DoverNet Fund.

Mayor Myers asked the City Manager for a tally on additional revenues.

City Manager Joyal said there was an additional \$530,880 in revenues, which included the \$120,000 for the School side of the budget.

Mayor Myers said there was \$410,880 in revenues for the City side of the budget.

Councilor Weston spoke about the CIP Item list that was sent to the Council, referring to the #3. Northend Fire Station, Traffic Light Install Reprogram \$12,024. She referred the Council to Page 265 of the Budget book, and mentioned the \$10,000 item for maintenance charges for the repair of the floor and the drains. She said since the \$12,024 will be reappropriated, then that will leave the \$10,000 in the Operating Budget to be used.

The consensus of the Council was to capture the \$10,000.

Mayor Myers referred to the list and started a discussion on what the Council would like to restore to the budget.

- 1. Restore Fire Department Funding
The consensus of the Council was to fully restore the Fire Department, with a net impact of \$338,969.
- 2. Restore Police Department Funding
 - a. Restore funds for the Downtown Patrol
The consensus of the Council was to restore the Downtown Patrol, with a net impact of \$167,800.
 - b. Restore funds for the Outreach Programming
The consensus of the Council was to restore the Outreach Programming, with a net impact of \$44,769.
 - c. Restore funds for Dispatch service
The consensus of the Council was not to restore funds for the dispatch service.
- 3. Restore Planning Department Funding
 - a. Restore funds to Planning Department = FT Planner
 - b. Utilize Conservation fund offset = 20% Planner cost
 - c. Reduce unemployment allocation



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, June 2, 2010**
Meeting Time: **7:00 pm**

The consensus of the Council was to restore the Planner position, with a net impact of \$70,634.

d. Add Funds to Planning Department = PT Zoning Administrator
The consensus of the Council was not to add these funds.

- 4. Restore Capital Reserve Funding
City Manager Joyal said to purchase a fire truck and two sidewalk plows they would need \$245,213, but there was approximately \$88,000 currently in the budget. He said the net difference was \$156,993.
The consensus of the Council was to restore the Capital Reserve Funding, with a tentative net impact of \$156,993 at this point. The Council agreed to come back to it.
- 5. Restore Street Repair Funding
The consensus of the Council was not to restore this funding.
- 6. Restore Pool Funding
City Manager Joyal referred to the handout and said the net amount needed was \$268,753. Mayor Myers said he backed \$50,000 out of the amount, with hope they will get commitments from other communities.
The consensus of the Council was to restore funding to both pools, with a net impact of \$218,753.
- 7. Restore City Hall, Library and Arena Hours of Operation
 - a. Restore funding to City Hall Departments = no position elimination/hours reductions
 - b. Restore funding to Library = no position reductions and restore Saturday afternoon hours
 - c. Restore funding to Arena = no position elimination/reduction
 - d. Accept City Hall, Library, Arena employees continued wage freezeThe consensus of the Council was to restore funding to a, b, c, and d, with a net impact of \$47,302.
 - e. Add Library funding = Wednesday evening hoursThe consensus of the Council was not to restore this funding.
- 8. Restore Main Street Funding
The consensus of the Council was to restore this funding, with a net impact of \$12,000.
- 9. Restore Recycling Center Hours of Operation
The consensus of the Council not to restore this funding.
- 10. Restore Recreation Programs Special Events Funding
The consensus of the Council was not to restore this funding.
- 11. Recognize Previously Approved Items Impacting FY2011 Budget
The consensus of the Council was to recognize the additional Children's Center subsidy, with an impact of \$19,871, and recognize savings to be realized from bond refunding of \$20,000. This would have no impact on the budget.

Councilor Hooper moved to suspend the rules to complete the Workshop and Special Meeting; seconded by Councilor Weston.

Roll Call Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, June 2, 2010**
Meeting Time: **7:00 pm**

City Manager Joyal said the net impact added into the City side of the budget is \$437,458 at this point. He said that would impact the tax rate by \$.12, or \$28 on the average \$225,000 home. The budget already has a \$29 impact, making the total impact \$57 on the average \$225,000 home.

Mayor Myers asked about the new assessments and the \$233,000 being added back into the budget, and lowering the net impact on the City side of the budget by \$112,700. He said the amount the Council is considering to override is approximately \$325,000 for the City side at this point.

Mayor Myers called for a five minutes recess. He asked the City Manager and Finance Director to check their figures.

City Manager Joyal said with all the additions and subtractions that the Council has had consensus for at this point, including the \$120,000 for the School, puts the Council at an override of \$656,211. He said that would add \$.25 to the tax rate, or \$57 for the average home. Mayor Myers referred to the \$29 impact already in the budget, and said the total impact to the taxpayer will be \$86 on the average home.

- **18. Restore School Department Funding**

Mayor Myers said the School Department is receiving \$120,000 from new assessments. The consensus of the Council was to restore \$130,000 to the School Department.

Councilor Weston referred to the \$1,000 donation that was received, and asked to have it added to unanticipated revenue.

Mayor Myers said a motion can be made during the Special Meeting.

6. CITIZEN'S FORUM

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

Council suspended the rules to move Citizen's Forum to after Roll Call on the Agenda.

7. ADJOURNMENT

Councilor Garrison moved to adjourn to the Special Meeting; seconded by Councilor Weston. Vote: 8/1; Passed. Councilor Cheney was opposed.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Special Meeting
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, June 2, 2010**
Meeting Time: **Immediately following Workshop**

1. CALL TO ORDER

2. MOMENT OF SILENCE

Moment of Silence was held during the Workshop Session.

3. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was held during the Workshop Session.

4. ROLL CALL ATTENDANCE

Present: Mayor Myers, Deputy Mayor Trefethen, Councilor Carrier, Councilor Cheney, Councilor Cruikshank, Councilor Garrison, Councilor Hooper, Councilor Nedelka, Councilor Weston.

Also present: City Manager Joyal, Finance Director Lynch, and City Clerk Lavertu.

5. PUBLIC HEARINGS

6. CITIZEN'S FORUM

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

Mayor Myers, seeing no one wishing to speak, closed the Citizen's Forum.

7. UNFINISHED BUSINESS

A. RESOLUTIONS

1. FISCAL YEAR 2011 BUDGET APPROPRIATIONS, FEES AND CAPITAL IMPROVEMENTS PROGRAM

SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its adoption; seconded by Councilor Weston.

Mayor Myers asked the Council to go through the handout and make amendments to get to the consensus amounts that were reached during the Workshop of \$656,211 for the City side of the budget and \$130,000 for the School side of the budget. He said they can have further discussions on each item after the motions have been made.

Deputy Mayor Trefethen moved to amend the budget to restore full shift staffing for the Fire Department with \$384,000 expenditure, minus \$45,031 for a wage freeze concession, for a net expense of \$338,969; seconded by Councilor Hooper.

Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Special Meeting
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, June 2, 2010**
Meeting Time: **Immediately following Workshop**

Deputy Mayor Trefethen moved to amend the budget to restore funding for the downtown patrol coverage with \$167,800 expenditure; seconded by Councilor Hooper.

Vote: 9/0.

Deputy Mayor Trefethen moved to amend the budget to restore funding for outreach programming with \$44,769 expenditure; seconded by Councilor Cheney.

Vote: 7/2; Passed. Councilors Hooper and Weston were opposed.

Deputy Mayor Trefethen moved to amend the budget to restore funding to the Planning Department for a full-time Planner with a \$113,292 expenditure, minus revenue of \$22,658 and \$20,000, for a net expense of \$70,634; seconded by Councilor Garrison.

Vote: 8/1; Passed. Councilor Weston was opposed.

Deputy Mayor Trefethen moved to amend the budget to restore the Capital Reserve Funding for a total of \$156,993; seconded by Councilor Cruikshank.

Vote: 7/2; Passed. Councilors Cheney and Garrison were opposed.

Deputy Mayor Trefethen moved to amend the budget to restore full-year operation for the outdoor and indoor pools, recognize all proposed revenues, and also an additional \$50,000, for a net expense of \$218,753; seconded by Councilor Garrison.

Vote: 9/0.

Deputy Mayor Trefethen moved to amend the budget to restore funding to City Hall Department so there will be no position eliminations or hours reductions with an expenditure of \$36,705, restore funding to Library so there will be no position reductions and restore Saturday afternoon hours at the Library with an expense of \$32,009, restore funding to Arena so there will be no position elimination or reductions with an expense of \$14,594, and accept a wage freeze concession of \$36,006 from the City Hall, Library, and Arena employees, with a net expense of \$47,302; seconded by Councilor Hooper.

Vote: 7/2; Passed. Councilors Cheney and Weston were opposed.

Deputy Mayor Trefethen moved to amend the budget to restore the Main Street funding with an expense of \$12,000; seconded by Councilor Carrier.

Vote: 8/1; Passed. Councilor Cheney was opposed.

Deputy Mayor Trefethen moved to amend the budget to recognize the additional Children Center subsidy at the McConnell Center for \$19,871; seconded by Councilor Cruikshank.

Vote: 8/1; Passed. Councilor Cheney was opposed.

Councilor Nedelka moved to amend the budget to recognize the savings to be realized from bond refunding at \$20,000; seconded by Councilor Cheney.

Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Special Meeting
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, June 2, 2010**
Meeting Time: **Immediately following Workshop**

Councilor Nedelka moved to amend the budget to relieve the existing gravel revenue related to appropriation for Thompson Pool Bath House and utilize \$100,000; seconded by Councilor Carrier.

Vote: 6/3; Passed. Deputy Mayor Trefethen, Councilor Cheney and Councilor Garrison were opposed.

Councilor Nedelka moved to amend the budget to reduce Inspecting funding from a full-time health inspector to part-time due to attrition, \$33,120; seconded by Councilor Weston.

Vote: 8/1; Passed. Deputy Mayor Trefethen was opposed.

Councilor Nedelka moved to amend the budget to add VIN check service revenue totaling \$15,000; seconded by Deputy Mayor Trefethen.

Vote: 9/0.

Councilor Nedelka moved to amend the budget to add an Ambulance rate increase from Medicare + 40% to Medicare + 100%, for estimated revenue of \$75,000; seconded by Councilor Cruikshank.

Vote: 9/0.

Councilor Nedelka moved to amend the budget to recognize health care legislation's 2% Medicare increase for \$22,000; seconded by Councilor Cruikshank.

Vote: 9/0.

Councilor Nedelka moved to amend the budget to add construction and debris disposal minimum charge of \$25 for anticipated revenue of \$25,000; seconded by Councilor Carrier.

Vote: 9/0.

Councilor Nedelka moved to amend the budget to increase the construction and debris disposal rate by \$.01 per pound for both commercial and residential with anticipated revenue of \$20,060; seconded by Councilor Cruikshank.

Vote: 9/0.

Councilor Weston moved to reduce the budget by \$10,000 from Page 265 of the Budget book, Account #4431; seconded by Councilor Cruikshank.

Vote: 9/0.

Councilor Weston moved to amend Miscellaneous General Revenue by \$1,000; seconded by Councilor Hooper.

Vote: 9/0.

Deputy Mayor Trefethen moved to recognize the \$10 million in additional assessed value to be applied to the budget at the tax cap calculation; seconded by Councilor Weston.

Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Special Meeting
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, June 2, 2010**
Meeting Time: **Immediately following Workshop**

Councilor Hooper moved to amend the budget to restore \$130,000, along with the \$120,000 from the new assessed values, totaling \$250,000 to the School Department; seconded by Councilor Carrier.

Vote: 4/5; Failed. Mayor Myers, Councilors Carrier, Hooper, and Nedelka voted in favor.

Councilor Hooper moved to amend the budget to recognize the \$120,000 in new assessed values to be applied to the School Department; seconded by Councilor Weston.

Vote: 9/0.

Mayor Myers asked the City Manager for an update on the numbers.

City Manager Joyal said the additions and subtractions amount to a net adjustment of \$655,211, adding \$.25 to the tax rate, and \$57 to the average home. He said the total impact will be a \$.38 increase to the tax rate, or \$86 on the average home.

Councilor Garrison moved to amend the budget to restore \$230,000 to the School Department; seconded by Councilor Nedelka.

Vote: 3/6; Failed. Councilors Cheney, Garrison, and Nedelka voted in favor.

Deputy Mayor Trefethen moved to amend the budget to restore \$130,000 to the School Department; seconded by Councilor Hooper.

Vote: 7/2; Passed. Councilors Carrier and Garrison were opposed.

Mayor Myers said that that changes the total to \$785,211.

City Manager Joyal said the total impact would be \$.43, which was \$97 on the average home.

Councilor Cheney moved to offset the budget with the use of the contingency funds, \$100,000 from DoverNet, \$228,902 from Parking, and \$100,000 from Miscellaneous Government, and \$90,000 from Recreation, for a total of \$518,902.

This motion was not seconded.

Councilor Nedelka moved to amend the budget to change the construction debris disposal rates by \$.02 per pound, instead of the earlier proposed \$.01 per pound; seconded by Councilor Weston.

Councilor Garrison said the Solid Waste Advisory Commission did not want to raise rates at all.

Vote: 2/7; Failed. Councilors Nedelka and Weston voted in favor.

Councilor Garrison moved to amend the budget to restore \$165,000 to Street Repairs funding; seconded by Councilor Cruikshank.

Councilor Weston referred to leftover funds from completed CIP projects and asked if it could be used to restore Street Repairs funding.

Mayor Myers said that can't be done during this meeting.

Vote: 3/6; Failed. Councilors Cruikshank, Garrison, and Nedelka voted in favor.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Special Meeting
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, June 2, 2010**
Meeting Time: **Immediately following Workshop**

Councilor Nedelka moved to amend the budget to restore \$230,000 to the Capital Reserve Funding, instead of the \$156,933 proposed earlier; seconded by Councilor Garrison.
Vote: 3/6; Failed. Councilors Cruikshank, Garrison, and Nedelka voted in favor.

Councilor Weston referred to the Bellamy Park CIP project that has been put on hold, and asked if the money has been bonded yet. She asked, if it was bonded, if it could be used somewhere else in the budget such as Street Repairs.
City Manager Joyal said he believed it has been bonded, but it would have to be reprogrammed for a similar project. He said he would get back to the Council on whether it has been bonded.

Councilor Nedelka moved to amend the budget to restore \$10,000 to the Cochecho Arts Festival; seconded by Councilor Garrison.
Councilor Nedelka said this was for the whole summer season.
Vote: 3/6; Failed. Councilors Cruikshank, Garrison, and Nedelka voted in favor.

Councilor Carrier moved to amend the budget to restore \$5,000 to the Cochecho Arts Festival; seconded by Councilor Nedelka.
Vote: 5/4; Passed. Mayor Myers, Councilors Cheney, Hooper, and Weston were opposed.

Deputy Mayor Trefethen moved to approve Fiscal Year 2011 Budget Appropriations, Fees and Capital Improvements Program as amended; and the budgeting restrictions of the Dover Charter provision C6-3.1e; regarding total expenditures are hereby overridden for the adoption of the annual fiscal year 2011 budget.
City Manager asked that they amend the Resolution first.

Deputy Mayor Trefethen moved to amend the budgeting restrictions of the Dover Charter provision C6-3.1e; total expenditures are hereby overridden for the adoption of the annual fiscal year 2011 budget; seconded by Councilor Cruikshank.
Vote: 8/1; Passed. Councilor Cheney was opposed.

Deputy Mayor Trefethen moved to approve Fiscal Year 2011 Budget Appropriations, Fees and Capital Improvements Program as amended; seconded by Councilor Cruikshank.
City Manager Joyal said the final adjustment total is \$790,211, which reflects an estimated tax rate increase of \$.43, or an average tax bill increase of \$98.
Councilor Weston said she will find it difficult to vote yes, because the economy is terrible. She said she felt most do not want an override. She said she would have entertained an override for just the Police and Fire Departments.
Councilor Cheney said she has received a lot of calls from people who do not want an override of the spending cap. She said the Council has chosen not to use contingency funds which are just sitting there. She said she would be voting no on this Resolution
Deputy Mayor Trefethen said it has been a difficult decision for the whole Council. He said he was trying to do the best for everyone in Dover. He said he voted for the tax cap with the knowledge that the Council could override. He spoke about his personal employment problems and his priorities for the City. He said \$98.00 per year for all these services is worth it.
Councilor Hooper said they owe it to the City to get this in place.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Special Meeting
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, June 2, 2010**
Meeting Time: **Immediately following Workshop**

Councilor Nedelka said the original number to fully restore the budget was \$3.3 million. He said the Council has proposed an increase of \$790,000.

Councilor Cruikshank said the Council owes it to the taxpayer to look at what was more cost-efficient long term. She said she would vote to override the budget.

Councilor Carrier said the Council has done a good job. He spoke about depleting the reserve funds and how it takes away the future for the City. He said no one knows what's coming with the State, and more changes may have to be made.

Councilor Weston spoke about using more of the Sand & Gravel Fund, and making less of an impact on the taxpayers.

Mayor Myers thanked the City Council, City Manager, Finance Director, and Department Heads for all their hard work. He said he was within \$4,000 of the amount for an override. He said his priorities were different, because his priorities were for the long term.

Roll Call Vote: 6/3; Passed. Mayor Myers, Councilors Cheney and Weston were opposed.

8. NEW BUSINESS

A. RESOLUTIONS

1. ESTABLISHMENT OF DOVER POOLS ENDOWMENT FUND SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Garrison.
Vote: 9/0.

B. ORDINANCES

1. CHAPTER 3, FORMATION OF POOL ADVISORY COMMITTEE (TO BE REFERRED TO A PUBLIC HEARING ON JUNE 9, 2010) SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved to refer this to a public hearing on June 9, 2010; seconded by Councilor Cruikshank.
Vote: 9/0.

9. ADJOURNMENT

Deputy Mayor Trefethen moved to adjourn; seconded by Councilor Weston.
Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, June 9, 2010**
Meeting Time: **7:00pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Hooper led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Myers, Deputy Mayor Trefethen, Councilor Carrier, Councilor Cheney, Councilor Cruikshank, Councilor Garrison, Councilor Hooper, Councilor Nedelka, Councilor Weston.

Also present: City Manager Joyal, City Attorney Krans, and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS

6. APPROVAL OF AGENDA

Deputy Mayor Trefethen moved to add the Appointments Committee Report to the Consent Calendar; seconded by Councilor Cruikshank.

Vote: 9/0.

Councilor Nedelka moved to accept the Agenda as amended; seconded by Councilor Carrier.

Vote: 9/0.

7. PUBLIC HEARINGS

**A. RESOLUTION: REQUEST TO REPROGRAM CIP FUNDS FROM HIGH SCHOOL ROOF PROJECT TO HIGH SCHOOL ADDITION MASONRY REPLACEMENT (REQUIRES 2/3 MAJORITY VOTE)
SPONSORED BY MAYOR MYERS BY REQUEST**

Dr. John O'Connor, Superintendent of Schools: He said the Resolution is asking the Council to approve the reprogramming of the \$120,000 that was left over from the Dover High School roof project, which was completed last year, and put it towards a masonry project. He said he was present to answer any questions the Council may have.

**B. ORDINANCE: CHAPTER 3, FORMATION OF POOL ADVISORY COMMITTEE
SPONSORED BY MAYOR MYERS BY REQUEST**

Richard Arnold, 8 Alder Lane: He spoke about committees that fail because they can't get to decision makers. He proposed to have the committee accountable to the City Council and asked to have a representative from the Council to work with the committee.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, June 9, 2010**
Meeting Time: **7:00pm**

Timothy Paiva, 4 Cailey Anna Lane, President of the Seacoast Swim Team: He urged the Council to vote yes on the formation of the Pool Advisory Committee.

Dawn Haines, 17 Elm Street, SOS Committee: She said the committee met last Monday and they all agree with the formation of the Pool Advisory Committee with a Council liaison. She said Councilor Cheney attended the meeting and offered to be the Council liaison. She mentioned that new rates will be starting in July that are more affordable, and said the City should do some advertising regarding the rate changes.

Mayor Myers asked Ms. Haines to keep her comments to the subject matter of the Public Hearing. He said any other comments can be spoken to during Citizen's Forum.

Suzanne Medbery, 3 Covered Bridge Lane: She said she was an avid swimmer and supporter. She said she was one of the applicants for membership on the Committee, and she would represent the seniors who use the pools for physical therapy.

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

8. 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.

Dawn Haines, 17 Elm Street, SOS Committee: She said the SOS Committee had a lot of ideas for fundraising and marketing. She said they are going forward with a fundraiser that Jenny Thompson is spearheading. She said there was talk about an outdoor concert for a second fundraiser near the end of the summer.

Carolyn Mebert, 254 Dover Point Road, School Board Chairperson: She spoke about the resolution for reprogramming funds at the high school. She said it was a safety problem that needed to be addressed. She asked the Council to support the resolution.

Mayor Myers, seeing no one else wishing to speak, closed the Citizen's Forum.

9. CITY MANAGER'S REPORT

City Manager Joyal said he had two items he wished to speak about with the Council: 1. He said he hasn't received any updates from the State Legislature, who met in special session earlier in the day. 2. He referred to an email he received from Willand Pond residents about activity going on. He referred to a Council Workshop where one of the recommendations was to reactivate the aquifer. He said the studies show that this may be feasible, but they have to do another round of testing. He went over the process that will be conducted to get this started. He said the pumps will be running 24/7 for the next few months and they will be monitoring it to make sure it does not have an adverse effect. He said if all goes well they will seek permitting through the Department of Environmental Services (DES) to reactivate the well in conjunction



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, June 9, 2010**
Meeting Time: **7:00pm**

with the City's water system. He said pumping should start by the end of June, but it might be delayed by the installation of higher grade electrical lines and potential problems with connecting it to the storm water system.

Deputy Mayor Trefethen asked if they have to wait until July 1st for the new pool fee schedule. City Manager Joyal said the new rates take effect on July 1st, and the Council would have to take special action to have the fees adjusted before then. He explained the process for a budget amendment, which would take longer than July 1st.

Councilor Cheney referred to Page 6/33, and asked about the illegal dumping of waste. City Manager Joyal said the City has been receiving complaints about illegal dumping on the side of the road.

Councilor Cheney referred to Page 8/33, and asked about gravel pit operations.

City Manager Joyal said the Planning Department permits the excavation properties each year. He said new requirements were put in place; all parties have met their obligations and were permitted.

Councilor Cheney asked about fees for renting the City facilities. Referring to the City Hall, and asked to see how much revenue this has brought in.

City Manager Joyal said he would get her those numbers.

Councilor Cheney referred to the Planning Board holding a public hearing on June 22nd regarding zoning changes, and asked how it would affect residents.

Deputy Mayor Trefethen said there was a City-wide mailing with complete details.

Councilor Cheney asked for a breakdown on the Irish Festival.

City Manager Joyal said all expenses are incurred by the Greater Dover Chamber of Commerce and Dover Main Street. He said if it was the will of the Council, he could generate a report of all invoices and put in the Councilors' mailboxes. He said it would require staff time to provide this. There was no consensus.

Councilor Weston asked the City Manager about the blue striping on Tolend Road.

City Manager Joyal said it was engineering work.

Councilor Carrier started a discussion about moving the pedestrian bridge.

City Manager Joyal said the City facility rental revenue is \$895,000.

Councilor Cheney said she just wanted the City Hall amount.

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

Vote: 9/0.

10. APPROVAL OF MINUTES

- A. May 19, 2010 – Workshop**
- B. May 26, 2010 – Workshop**
- C. May 26, 2010 – Regular Meeting**

Deputy Mayor Trefethen moved to accept the Minutes; seconded by Councilor Weston.

Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, June 9, 2010**
Meeting Time: **7:00pm**

11. MAYOR'S REPORT

Mayor Myers referred to visitors' comments that Downtown Dover was pretty, and thanked Community Services, Clean-Up Day Crew, and Adopt-a-Spot sponsors for making Dover look good. He showed the thank you picture of handprints from the Dover Children's Center to the Council. He said he attended the Memorial Day ceremony.

Deputy Mayor Trefethen moved to accept the Mayor's Report; seconded by Councilor Carrier.
Vote: 9/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

1. CHAPTER 3, FORMATION OF POOL ADVISORY COMMITTEE SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Cruikshank.

Mayor Myers started a discussion on the language of the Ordinance and the work to make it consistent with other Boards and Commissions.

City Manager Joyal discussed the language and who the committee will be advising. He recommended that there be an amendment to reflect that it is the City Council and City Manager or designee.

Councilor Weston referred to the 3-year terms, and asked about staggering them so that they don't expire at the same time.

Councilor Cheney made a motion to amend 3.1: "To study, consider, recommend and serve in an advisory capacity to City Council and City Manager or designee;" seconded by Councilor Weston.

Vote: 9/0.

Councilor Cheney said a lot of boards appreciate a Councilor liaison, and she would be willing to be the Council representative.

Mayor Myers said as Council liaison they are there to listen and be a voice to the Council.

Deputy Mayor Trefethen asked the City Attorney about being a member versus being a liaison.

City Attorney Krans said it needed to be clear that any Councilor appointed is ex-officio, and it needs to be clear if they are voting or nonvoting. He recommended that the Councilors be strictly liaisons and not members.

Mayor Myers said the Council seems to have agreement to have a liaison, but he wanted to make sure they had the language right. He asked to table the Ordinance until the next meeting.

Discussion ensued on the consensus for changes: staggered terms, Council liaison, and the motion made to C.1.

Councilor Carrier moved to table the Ordinance until June 23, 2010; seconded by Councilor Cruikshank.

Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, June 9, 2010**
Meeting Time: **7:00pm**

B. ORDINANCES IN THE 3rd READING – None

C. RESOLUTIONS

1. REQUEST TO REPROGRAM CIP FUNDS FROM HIGH SCHOOL ROOF PROJECT TO HIGH SCHOOL ADDITION MASONRY REPLACEMENT (REQUIRES 2/3 MAJORITY VOTE)

SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Garrison. Councilor Garrison referred to the background materials, and asked about the drastic difference between the bids that were received. Superintendent O'Connor said the company was doing the labor with no fees. The cost was only for materials, engineering and architectural work.
Roll Call Vote: 9/0.

13. NEW BUSINESS

A. CONSENT CALENDAR

1. RESOLUTION: DOG WARRANT

SPONSORED BY MAYOR MYERS BY REQUEST

2. RESOLUTION: TROJAN UV3000 PLUS LAMPS

SPONSORED BY MAYOR MYERS BY REQUEST

3. RESOLUTION: TIRE AND ELECTRONICS RECYCLING SERVICES TRUST FUNDS

SPONSORED BY MAYOR MYERS BY REQUEST

COMMITTEE REPORTS

- | | |
|--|--|
| 1. School Board Liaison | 7. Solid Waste Advisory Commission |
| 2. Planning Board | 8. Transportation Advisory Commission |
| 3. Appointments Committee | 9. Joint Building Committee – Horne Street |
| 4. Recreation Advisory Committee | 10. Joint Building Committee – School Cable Studio |
| 5. McConnell Center Advisory Committee | 11. Joint Building Committee – Woodman Park |
| 6. Arts Commission | 12. Legislative Liaison |

Deputy Mayor Trefethen moved for approval of the Consent Calendar; seconded by Councilor Cruikshank.

Mayor Myers asked the Council if they had any items they would like pulled for further discussion.

Deputy Mayor Trefethen asked to pull the Appointments Committee Report.

Councilor Cheney asked to pull 13.A.1.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, June 9, 2010**
Meeting Time: **7:00pm**

Mayor Myers asked for a Roll Call Vote on the remaining items of the Consent Calendar.
Roll Call Vote: 9/0.

Deputy Mayor Trefethen moved for the approval of 13.A.1.; seconded by Councilor Garrison.
Councilor Cheney asked for clarification on the process.
City Clerk Lavertu explained the process to the Council.
Roll Call Vote: 9/0.

Deputy Mayor Trefethen reported on the Appointments Committee meeting that was held prior to the Council meeting. He said they had the following recommendations:

- Dover Industrial and Business Development Authority (DBIDA)
Jack Metee – term expiration 12/31/2010
Matt Sylvia – term expiration 12/31/2011
- Willand Pond Ad-Hoc Advisory Committee
Robin Therrien
Harvey Turner
Sherrie Bartlett
Norfolk Willard
Richard Callaghan
Jean Hausman
- Zoning Board of Adjustment
Otis Perry – moved from an alternate to a regular member

Vote: 9/0.

B. RESOLUTIONS

1. FY2010 TRANSFER OF APPROPRIATIONS – GENERAL FUND SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Weston.
Mayor Myers said this is Resolution balances the budget for the end of the fiscal year.
Councilor Cheney asked for a list of where funds are coming from and where they are going.
Roll Call Vote: 9/0.

C. ORDINANCES IN 1ST READING – None

14. COUNCIL CORRESPONDENCE

15. COUNCIL MATTERS OF INTEREST

16. ADJOURNMENT

Deputy Mayor Trefethen moved to adjourn to Non-public Session; seconded by Councilor Weston.

Vote: 9/0.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.B.1.

Ordinance Number:
Ordinance Title: **O – 2010.06.02 - 8**
Chapter: Chapter 3, Formation of the Pool Advisory Committee

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 3 entitled “Administrative Code” of the Code of the City of Dover 1983.

2. AMENDMENT

Chapter 3 entitled “Administrative Code” is hereby amended by adding a new Section 3-74, to be entitled “Dover Pool Advisory Committee”

3-74 Dover Pool Advisory Committee.

A. MEMBERSHIP: The Dover Pool Advisory Committee shall consist of seven (7) regular members and two (2) alternate members,

B. TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.

C. AUTHORITY AND DUTIES: The Dover Pool Advisory Committee shall perform the following functions:

1. Study, consider and recommend to the Recreation Director and the City Manager, general policies, present and future, for the operation of the Dover Pools.

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



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.B.1.

Ordinance Number:
Ordinance Title: **O – 2010.06.02 - 8**
Chapter: Chapter 3, Formation of the Pool Advisory Committee

DOCUMENT HISTORY:

First Reading Date: 2010.06.02	Public Hearing Date: 2010.06.09
Approved Date:	Effective Date:

DOCUMENT ACTIONS: on June 9, 2010 motion by Councilor Carrier to table Ordinance until next regular meeting; seconded by Councilor Cruikshank.

Vote: 9/0

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, Dean Trefethen, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.B.1.

Ordinance Number:

Ordinance Title: **O – 2010.06.02 - 8**

Chapter:

Chapter 3, Formation of the Pool Advisory Committee

ORDINANCE BACKGROUND MATERIAL:

Local resident Peter Markos has generously committed to making a \$5,000 donation to the City in order to off-set maintenance and non-employee costs relating to the pools. A committee needs to be established in order to oversee any funds donated and earmarked for pool purposes.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.B.1.

SUBSTITUTION

Ordinance Number: **O – 2010.06.02 - 8**
Ordinance Title: Chapter 3, Administrative Code

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 3 entitled “Administrative Code” of the Code of the City of Dover 1983.

2. AMENDMENT

Chapter 3 entitled “Administrative Code” is hereby amended by adding a new Section 3-74, to be entitled “Dover Pool Advisory Committee”

3-74 Dover Pool Advisory Committee.

A. MEMBERSHIP: The Dover Pool Advisory Committee shall consist of seven (7) members and two (2) alternate members. In addition, there shall be one city councilor appointed on an ex-officio non-voting basis.

B. TERMS OF MEMBERS: Initially, members shall be appointed to staggered terms with three (3) members appointed to three (3) years terms, two (2) members appointed to two (2) year terms and two (2) members appointed to one (1) year terms. Alternates shall be appointed to one (1) year terms. Subsequent appointees shall be appointed to three (3) year terms or less, if necessary, to achieve a membership with staggered terms.

C. AUTHORITY AND DUTIES: The Dover Pool Advisory Committee shall perform the following functions on an advisory basis:

1. Study, consider and recommend to the City Council and City Manager, or designee, general policies for the operation of the Dover Pools.

3. TAKES EFFECT

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

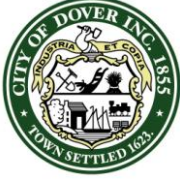
AUTHORIZATION

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



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.B.1.

SUBSTITUTION

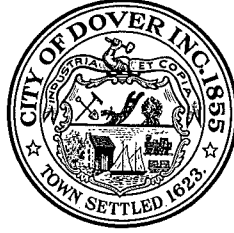
Ordinance Number: **O – 2010.06.02 - 8**
Ordinance Title: Chapter 3, Administrative Code

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, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothy Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



APPLICATION
CITY OF DOVER, NEW HAMPSHIRE

FIREWORKS X

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: City of Dover Recreation Department

Federal Tax ID number for Organization: 02-6000230

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

Contact Person: Gary S Bannon Day Time Telephone: 516-6410

Address: 61 Locust St, Suite 124, Dover, NH Email Address g.bannon@dover.nh.gov

Purpose of Permit: Fireworks Display

Date of Event: July 4, 2010 July 5, 2010 (Rain Date) Specific Time: Dusk

Location of Event: Maglaras Park

(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.

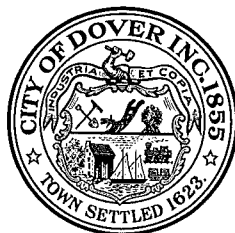
** NOTE: ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA

***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: [Handwritten Signature] Date: 6/17/10

Licensing Board approval Date:



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: City of Dover Recreation Department
Federal Tax ID number for Organization: 02-6000230
Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: Gary S Bannon Day Time Telephone: 516-6410

Address: 61 Locust Street, Suite 124, Dover, NH Email Address g.bannon@dover.nh.gov

Purpose of Permit: Fundraising/Donations

Date of Event: Varies Specific Time: July 1, 2010-June 30, 2011

Location of Event: Throughout Year-Playgrounds, 4th of July, Senior Center, Arena, etc.

(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: [Handwritten Signature] Date: 6/17/10

Licensing Board approval Date: Revised 03/17/08



APPLICATION
CITY OF DOVER, NEW HAMPSHIRE

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

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

Organization Name: Dover Little Green Football, Inc.

Federal Tax ID number for Organization: 20-4182629

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

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

Address: 38 Watson Rd Email Address: DAkridgeoh@aol.com
Dover, NH 03820

Purpose of Permit: Tag Permit - Fundraising

Date of Event: August 20th & 21st Specific Time: August 20th 5pm - 9pm
August 21st 8am - 2:00pm

Location of Event: Various Business in Dover with permission

(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: *David Akridge* Date: 6/1/10

Licensing Board approval: *[Signature]* Date: 6/1/10
Revised 03/17/08

OK W/fm



Department of the Treasury
Internal Revenue Service

P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248344558
Nov. 23, 2009 LTR 4168C E0
20-4182629 000000 00

00014547
BODC: TE

DOVER LITTLE GREEN FOOTBALL
% PAUL J CHALUE
38 WATSON RD
DOVER NH 03820-5801



016138

Employer Identification Number: 20-4182629
Person to Contact: Mr. Burns
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Nov. 12, 2009, request for information regarding your tax-exempt status.

Our records indicate that your organization was recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in August 2009.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section 509(a)(2).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Beginning with the organization's sixth taxable year and all succeeding years, it must meet one of the public support tests under section 170(b)(1)(A)(vi) or section 509(a)(2) as reported on Schedule A of the Form 990. If your organization does not meet the public support test for two consecutive years, it is required to file Form 990-PF, Return of Private Foundation, for the second tax year that the organization failed to meet the support test and will be reclassified as a private foundation.

If you have any questions, please call us at the telephone number shown in the heading of this letter.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R - 2010.06.23 - 74**

Resolution Re: B07061 Tax Assessing and Data Collection Services

WHEREAS: Request for proposal B07061 was solicited and received on June 18, 2007 @ 2:30PM. A mandatory pre-bid meeting was held on June 1, 2007 with three vendors attending. Also in attendance was City Manger; J. Michael Joyal, Interim Finance Director; Carol Cappola and Purchasing Agent; Ann Legere; and

WHEREAS: The sole response received came from Corcoran Consulting Associates, Inc for a three year fixed pricing agreement with the option for two additional one year terms at negotiated mutually agreed upon rate. Resolution R2007.06.27-081 12A7 recommending award to this vendor was passed subject to further council approval for the extension; and

WHEREAS: The two year extension rates negotiated with Corcoran Consulting Associates Inc is as follows: FY11 zero increase for the Assessor services and a 5% (\$2,300) increase for Data collection and FY12 a 3% increase for assessing services(\$2,565) and data collection (\$1,450). The slight increase is to ensure compliance with state requirements as well as address increases in site inspections.

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

The purchasing agent is herby authorized to issue a purchase order to Corcoran Consulting Associates Inc for FY11 in the amount of \$48,300 for Data Collection and the amount of \$85,500 for Assessors Fees. The City Manager is authorized to sign a contract containing the terms and conditions of the bid award.

Financing

Account	Description	Appropriation	Balance
1000.1.150.41513.4312.000000.000	Data Collection	48,300.00	48,300.00
1000.1.150.41513.4312.000000.000	Assessor Fees	85,500.00	85,500.00

AND, FURTHER BE IT RESOLVED THAT:

The purchasing agent is herby authorized to issue a purchase order to Corcoran Consulting Associates Inc for FY12 in the amount of \$49,750 for Data Collection and the amount of \$88,065 for Assessors Fees.

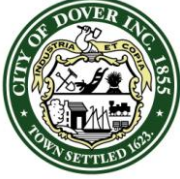
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved for Legal Compliance: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R - 2010.06.23 - 74**

Resolution Re: B07061 Tax Assessing and Data Collection Services

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, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison III, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R - 2010.06.23 - 74**

Resolution Re: B07061 Tax Assessing and Data Collection Services

RESOLUTION BACKGROUND MATERIAL:

Requests for Proposals #B07061 were solicited and received back on June 18, 2007 @ 2:30 pm. A mandatory pre-bid meeting was held on June 1, 2007 to discuss any questions vendors had regarding the RFP B07061. In attendance at the mandatory meeting were representative from three vendors J.F Ryan Associates Inc, Cross County Appraisal Group LLC and Corcoran Consulting Associates Inc. Also attending was City Manager; J. Michael Joyal, Interim Finance Director; Carol Coppola and Purchasing Agent; Ann Legere. The only response from RFP B07061 came from Corcoran Consulting Associates Inc. for a three year contract with provision to extend two additional years.

The two year extension rates negotiated with Corcoran Consulting Associates Inc is as follows: FY11 zero increase for the Assessor services and a 5% (\$2,300) increase for Data collection and FY12 a 3% increase for assessing services(\$2,565) and data collection (\$1,450). The slight increase is to ensure compliance with state requirements as well as address increases in site inspections.

Award Information:

A purchase order will be issued to authorize future expenditures.

Purchasing Information:

Type:	Purchase Order	Advertised:	No
Invitations Mailed:	15	Number of Responses:	1
Warranty:	Per contract	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	June 30, 2012	Estimated Delivery:	
Recommended Award to:	Corcoran Consulting Associates Inc	Fund:	GF
Other Approvals Required:	State of NH Department of Revenue Administration	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Annual Expenditures estimated at \$25,000 or greater



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R - 2010.06.23 - 74**

Resolution Re: B07061 Tax Assessing and Data Collection Services

Vendor List

Allied Municipal Services
Attn: Gordon W. Oakes,
CNHA
749 Hollis Street
Nashua, NH 03062

JF Ryan and Associates
143 Merrimack Street
Newburyport, MA 01950

Avitar Associates of N E
Attn: Gary Roberge
150 Suncook Valley Hwy
Chichester, NH 03238

Municipal Resources Inc.
295 N. Main Street
Salem, NH 03079

Cole-Layer-Trumble Company
Attn: Paul Flynn
12 Goose Lane
Tolland, CT 06084

New England Municipal
Attn: William J. Krajewski
4 Woodcrest Drive
W. Newbury, MA 01985

Commerford Nieder & Perkins
LLC
556 Pembroke Street STE 1
Pembroke, NH 03275

Brett S. Purvis & Associates
Attn: Brett Purvis
PO Box 767
Sanborneville, NH 03872

Corcoran Consulting
Associates, Inc.
Attn: Wil Corcoran
PO Box 1175
Wolfeboro Falls, NH 03896

Patriot Properties, Inc
330 Lynnway
Lynn, MA 01910

Cross Country Appraisal
Group, LLC
210 N. State Street
Concord, NH 03301

Vision Appraisal
Attn: Dick Romano
44 Bearfoot Road
Northboro, MA 01532-2128

Granite Hill Municipal Services
Attn: Todd Haywood
168 Hoit Road
Concord, NH 03301

Vincent Appraisal Associates,
LLC
Attn: Richard Vincent, CNHA
68 Currier Road
Hill, NH 03243

Granite State Municipal
Assessing & Consulting Svcs
Attn: Jim Rice
1 Arrowhead Drive
Bow, NH 03304



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R - 2010.06.23 - 74**

Resolution Re: B07061 Tax Assessing and Data Collection Services

Original bid Results #B07061

Tax Assessing Services for the City of Dover

Vendor	Option One Assessing	Option One Data Collection	Option Two
Corcoran Consulting Associates Inc PO Box 1175 Wolfeboro Falls NH 03896	1 st Yr \$77,500 2 nd Yr \$81,500 3 rd Yr \$85,500 provision included in RFP for two one year extensions	1 st yr \$42,000 2 nd Yr \$44,000 3 rd Yr \$46,000 provision included in RFP for two one year extensions	NB

Annual costs to the municipality include all labor, material, transportation costs, meals, lodging and other ancillary expenses.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R - 2010.06.23 – 75**

Resolution Re: B10004 Change Order III Hydrogeological Services for the Willand Pond Well

WHEREAS: Sealed requests for proposal #B10004 was requested and received for professional services in the field of Hydrogeological and engineering studies with experience in exploration, development and permitting of public water supply wells. Eight proposals were received on August 5, 2009 and five firms were selected for interviews. The consensus of the evaluating committee was to award to Emery & Garrett Groundwater Inc at a rate of \$21,500.00; and,

WHEREAS: Emery & Garrett identified five phases with multiple tasks in each phase. Council also approved change order I for Phase III at a fee of \$45,000.00. This work was to determine the condition and utility of the abandoned former supply well. The completion of the task determined that the condition and utility of the abandoned former supply well is good; and

WHEREAS: On May 12, 2010 council approved task of Phase III part II at a fee of \$110,000.00. The proposed work is a long term pump test. Dover met with NHDES and is preparing the necessary information to receive permission to move ahead. The long term pump test will provide important information regarding the aquifers response to pumping that would be used in the computer model. The model would then predict how much water would be able to be supplied, and how that rate of pumping would influence the pond level; and

WHEREAS: Due to drilling difficulties during Task I an increase in the amount of \$10,000 is being requested (page 1& 2 of change request). The vendor has secured pricing for the pump required to perform Phase III in the amount of \$12,030.00 (page 3) from Layne Christensen Company. The total change order will be \$22,030.00

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

The Purchasing Agent is hereby authorized to issue change order III to Emery Garrett Groundwater Inc PO2100151 for Change Order III given the amount of \$22,030. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance 6/14/2010
5300.1.300.43320.4331.03571.08	Water Exploration	100,000.00	81,472.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved for Legal Compliance: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk

Document Created by: Purchasing
Document Posted on: June 18, 2010

Willand Pond Well
Page 1 of 6
13.A.5.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R - 2010.06.23 – 75**

Resolution Re: B10004 Change Order III Hydrogeological Services for the Willand Pond Well

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, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison III, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R - 2010.06.23 – 75**

Resolution Re: B10004 Change Order III Hydrogeological Services for the Willand Pond Well

RESOLUTION BACKGROUND MATERIAL:

The Community Services Department issued an RFQ#10004 to identify a consultant who could help the City of Dover evaluate the potential of reestablishing a former public water supply well at Willand Pond. The project could potentially augment the City's water supply capacity and provide control of water levels in Willand Pond that has resulted from changes that have occurred during the last 20 years.

The RFQ requested that qualified firms structure their proposals such that the work tasks are phased and if it became apparent at any point the project was not feasible the work would be terminated.

Eight proposals were received and five consultants were interviewed. Emery and Garrett Groundwater Inc (EGGI) was selected for the project. EGGI identified five phases with multiple tasks within each phase. A purchase order was issued in September to Emery Garrett to perform Phase I, a preliminary assessment of all the available information, and Phase II, the preparation of a computer model of the aquifer.

Emery and Garrett made a detailed presentation in April at a City Council workshop explaining what has been learned to date and defining the details of next steps to be taken. As explained in the workshop, the completion of the initial task of Phase III determined that the condition and utility of the abandoned former supply well is good. A successful step test of the well enables the use of the existing well for the next phase of the project, a long term pump test. We have met with NHDES and are preparing the necessary information to receive permission to move ahead. The long term pump test will provide important information regarding the aquifers response to pumping that would be used in the computer model. The model would then predict how much water would be able to be supplied, and how that rate of pumping would influence the pond level.

The long term pump test includes the installation and monitoring of existing and proposed new monitoring wells, water quality sampling, and reporting of the data collected. The installation of a discharge line will be undertaken by the City for the pump test which will be available for continued pumping of the well after the test to lower the water table and pond levels. The pump test will begin in late May to early June.

Due to drilling difficulties during Task I an increase in the amount of \$10,000 is being requested (page 1 & 2 of change request). The vendor has secured pricing for the pump required to perform Phase III in the amount of \$12,030.00 (page 3) from Layne Christensen Company. The total change order will be \$22,030.00

Bid Information:

B10004 Hydrogeological Services August 5, 2009 @ 2:00pm

Document Created by: Purchasing
Document Posted on: June 18, 2010

Willand Pond Well
Page 3 of 6
13.A.5.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R - 2010.06.23 – 75**

Resolution Re: B10004 Change Order III Hydrogeological Services for the Willand Pond Well

Award Information:

A change order will be issued to the Emery and Garrett Groundwater Inc to authorize future expenditures.

Purchasing Information:

Type:	Change Order III	Advertised:	No
Invitations Mailed:	40	Number of Responses:	8 and 1 nb
Warranty:	na	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until Completion	Estimated Delivery:	As needed
Recommended Award to:	Emery & Garrett	Fund:	Water
Other Approvals Required:	Yes State NH	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

Vendor Solicitation List:

XDD LLC
Dennis Keane
22 Marion Way Unit 3
Stratham NH 03885

Golder Associates
400 Commercial Street
Manchester, NH 03101

S.W. Cole Engineering, Inc.
33 Londonderry Road # 6
Londonderry, NH 03053

John Turner Consulting, Inc.
19 Dover Street
Dover, NH 023820

Great Works Test Boring, Inc.
PO Box 491
Rollinsford, MH 03869

WH Shurtleff Co.
One Runway Road, Suite B
South Portland, ME 04106

Maguire Group, Inc.
110 Corporate Drive, Suite 6
Portsmouth, NH 03802-6619

ATC Associates, Inc.
150 Zachary Road
Manchester, NH 03103

JGI Eastern, Inc.
77 Sundial Avenue
Suite 401 W
Manchester, NH 03103

RW Gillespie & Assoc.
86 Industrial Park Road Suite 4
Saco, ME 04073

Clough Harbour & Assoc.
11 King Court
Keene NH 03431

Stevens Associates
60 Northrp Dr
Brentwood NH 03833

CLD
Park Pl Corporate Center
York ME 03909

Underwood Engineers
25 Vaughan Mall
Portsmouth NH 03801

Roaring Brook Consultants
15 Sewall Rd
So Berwick ME 03908



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R - 2010.06.23 – 75**

Resolution Re: B10004 Change Order III Hydrogeological Services for the Willand Pond Well

Tri Tech Engineers
755 Central Ave
Dover NH 03820

Civilworks Inc
PO Box 1166
Dover NH 03820

Appledore Engineering
15 Dye St
Portsmouth NH 03801

Aries Engineering Inc.
Attn: Peter McGlew
46 South Main Street
Concord, NH 03301

Jacques Whitford
27 Congress Street
Portsmouth, NH 03801

Hydro Source Associates
26 Winter Street
Ashland, NH 03217

Exeter Environmental Associates
1 Oak Hill Lane
Exeter, NH 03833

Miller Engineering
100 Sheffield Road
P.O. Box 4776
Manchester, NH 03108

N.E. Environmental Assoc.
P.O. Box 2394
Concord, NH 03302-2394

Aqua Terra Environmental
Consultants, Inc.
P.O. Box 4247
Portsmouth, NH 03802

GeoInsight Inc.
25 Sundial Avenue
Suite 515W
Manchester, NH 03103-7244

Earth Tech
300 Baker Avenue
Concord, MA 01742

ESC Marin
722 Route 3A, Ste #3
Bow, NH 03304

Thomas R. Fargo
14 Cobble Hill Drive
Dover, NH 03820

ENSR International
171 Daniel Webster Highway
Belmont NH 03220

Wright Pierce
135 Commerce Way
Portsmouth, NH 03801

Haley & Aldrich
340 Granite Street
Manchester, NH 03102

Emery & Garrett Groundwater
P. O. Box 1578
Meredith, NH 03253

Weston Solutions, Inc
Attn: Bette Nowack
1 Wall St
Manchester, NH 03101

Ransom Environmental
Attn: Steve Rickenrich
195 Commerce Way Ste D
Portsmouth, NH 03801

Haley & Aldrich
Attn: Jim Griswald
340 Granite St 3rd Fl
Manchester, NH 03102

CEI
Attn: Eileen Paniteer
21 Depot St
Merrimack, NH 03054

Aries Engineering Inc.
Attn: Peter McGlew
46 South Main St
Concord, NH 03301

Woodward & Curran
Attn: Greg Cataldo
41 Hutchins Dr
Portland, ME 04102



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R - 2010.06.23 – 75**

Resolution Re: B10004 Change Order III Hydrogeological Services for the Willand Pond Well

GZA
380 Harvey Rd
Manchester, NH 03103

Bid Results & Short listed for Interviews

Hydro-Geological Services Public Well Supply

<i>Vendor</i>	<i>Fee Schedule</i>
Weston & Sampson Engineers Inc 100 International Dr Ste 152 Portsmouth NH 03801	\$35,100.00 Excludes Pumping tests or Laboratory costs
Emery & Garrett Groundwater Inc 56 Main St PO Box 1578 Meredith NH 03253	Phase I \$5,000.00 Phase II \$16,000.00
AECOM Environmental 171 Daniel Webster Hwy Ste 11 Belmont NH 03220	\$58,365.00
Wright Pierce Engineering 230 Commerce Way Ste 302 Portsmouth NH 03801	\$19,400.00
HydroSource Associates 50 Winter St Ashland NH 03217	\$39,750.00
Stantec 5 Dartmouth Dr Ste 101 Auburn NH 03032	
Hoyle Tanner Associates Inc 150 Dow St Manchester NH 03101	
GZA GeoEnvironmental Inc 380 Harvey Rd Manchester NH 03103	
Civil Works Inc Dover NH	No Bid

Emery & Garrett Groundwater, Inc.

***56 Main Street • P.O. Box 1578
Meredith, New Hampshire 03253
www.eggi.com***

(603) 279-4425

Fax (603) 279-8717

June 11, 2010 (revised)

Mr. Dean Peschel
Environmental Projects Coordinator
City of Dover
288 Central Avenue
Dover, NH 03820-4169

Re: Change Order for Dover Willand Pond Project

Hi Dean,

Pursuant to our recent discussions, I have provided herein information pertaining to a Change Order for additional work to be performed at the Dover Willand Pond Project. This Change Order reflects changes in work efforts in accordance with the following two components:

Task 1 -- Expansion of Monitoring Well Drilling Program

In an effort to address NHDES concerns, along with those expressed by the local citizens, Emery & Garrett Groundwater, Inc. (EGGI) has proceeded to implement a comprehensive groundwater monitoring program. The drilling program will now include the installation of more than 20 wells and piezometers and has incurred additional costs. These costs are associated with all of the following:

- Difficulty in drilling, which required additional days of drilling. (For example, one well took 1.5 days instead of 0.5 days to drill due to the interception of boulders and its depth [DWP-MW4]);
- Numerous wells were significantly deeper than we anticipated based upon the review of local well logs (i.e., Wells MW1, MW2, MW16, and MW4, etc.);
- EGGI also determined that it was necessary to install a series of stacked pairs of wells at certain strategic locations due to the presence of clay layers/boundaries that were intercepted where it was necessary to understand what influences would occur above and below these clay layers during the extended pumping period; and
- EGGI has exerted much more effort than we anticipated working with landowners and resolving numerous land access issues. This work was not included in the original work scope.

Task 1 Estimated Additional Cost:

\$10,000

Task 1 -- Monitoring Well Installation and Associated Costs**Original Estimated Cost: \$46,000**

Estimate =	1,000 feet of drilling and installation of 2-inch monitoring wells @ \$12/foot ¹ =	\$12,000
	+ 90 feet of 3-inch well @ \$22/foot =	\$2,000
	+ 8.5 days of drilling @ \$1,500/day (drill rig rate) =	\$12,750
	+ mobilization =	<u>\$500</u>
	+ total estimated subcontractor costs =	\$27,250
	+ estimated EGGI labor and direct expenses =	<u>\$18,750</u>
Total		approximately \$46,000

Current Estimates for Drilling and Additional EGGI Labor

Estimate =	1,200 feet of drilling and installation of monitoring wells @ \$12/foot =	\$14,400
	+ 10.5 days of drilling @ \$1,500/day	\$15,750
	+ 90 feet of 3-inch drilling @ \$22/foot =	\$2,000
	+ mobilization =	\$400
	+ three 1-inch-diameter wells--120 feet @ \$8/foot =	<u>\$960</u>
		\$33,500
	+ estimated for EGGI labor and direct expenses =	<u>\$22,500</u>
Total		\$56,000

¹ Includes drilling and well construction materials (PVC pipe, screen, gravel pack, bentonite, etc.)

Task 2 -- Purchase of a Permanent Production Pump

In an effort to save money, it has been decided to purchase a 50-horsepower pump that could be used in a Production Well at the Willand Pond site. This pump will be used during the 90+ day pumping test and then may be used later for permanent production once the well is permitted for public use by the NHDES. This work effort is not included in EGGI's original work scope.

Task 2 Estimated Cost (includes the installation of the pump in the existing 12-inch-diameter Willand Pond Well): **\$14,030**

Clearwater estimate (see attached)
Total estimated cost for installation/removal and cost of pump = \$18,382

Layne Christian (see attached)
Total estimated cost for installation/removal and cost of pump \$12,030
EGGI Labor \$2,000
\$14,030

I hope you find the information contained herein responsive to your needs. If you have any questions, please do not hesitate to contact me.

Best regards,



James M. Emery
President

Proposal ESTIMATE

Page No. _____ of _____ Pages

CLEAR WATER

NH (603) 742-7531

Artesian Well Co. Inc.
P.O. Box 122
Rollinsford, NH 03869

ME (207) 384-2476

PROPOSAL SUBMITTED TO <i>Emery & Garrett Groundwater, Inc.</i>		PHONE	DATE <i>5-24-10</i>
STREET <i>P.O. Box 1578</i>		SOCIAL SECURITY NO.	
CITY STATE AND ZIP CODE <i>Meredith, NH 03253</i>		FAX: <i>603-279-8717</i>	
ARCHITECT <i>John Brooks</i>	DATE OF PLANS	JOB LOCATION <i>WILLAND POND PROJECT - DOVER NH</i>	
		JOB PHONE <i>703-623-6742</i>	

We hereby submit specifications and estimates for:

<i>40hp Goulds Pump</i>	<i>7939.00</i>	<i>40HP BY McDONALD</i>	<i>10,517.00</i>
<i>50hp Goulds Pump</i>	<i>9855.00</i>	<i>50HP BY McDONALD</i>	<i>11,907.00</i>

<i>6.3' 4" GALV. PIPE</i>	<i>2550.00</i>
<i>1 4" METER</i>	<i>2775.00</i>
<i>1 FLANGE KIT</i>	<i>1081.24</i>
<i>50' 4/8 WIRE</i>	<i>248.50</i>
<i>1 MISC. FITTINGS</i>	<i>250.00</i>
<i>1 FREIGHT</i>	<i>500.00</i>
<i>1 WINCH TRUCK / PUMP TRUCK</i>	<i>625.00</i>
	<i>8029.74</i>



100' ADDITIONAL 4/8 WIRE: 497.00

TERMS: *30 DAYS*

The exact location of said well is to be designated by owner prior to said corporation commencing work with said owner assuming any and all risks that may arise from the site location. Furthermore, the depth of said well will be solely at the sole discretion of the owner.

If said owner fails to pay the sum of money due the corporation under this contract, then the said owner agrees to pay interest on said money at a rate of 18% per annum and further agrees to pay all costs and attorney's fees incurred by the said corporation in the collection of said money. The owner/customer agrees to take care of any permits required.

The said corporation hereby agrees to warrant all workmanship and materials that relate to the actual drilling of the well for one full year from date of invoice. Any and all materials and/or workmanship that relate to the pump installation are fully guaranteed for one (1) year from date of installation. The said corporation, however, cannot and does not make any warranty or guarantee as to quality and quantity of water.

Authorized Signature

Note: This proposal may be withdrawn by us if not accepted within Thirty days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined.

Signature _____

Date of Acceptance: _____

Signature _____

Layne Christensen Company

16 Commercial Drive • P.O. Box 309 • Dracut, Massachusetts 01826 • Phone: (978) 937-2242 • Fax: (978) 937-2252

June 11, 2010

QUOTATION TO FURNISH & INSTALL SUBMERSIBLE WELL PUMP

City of Dover, NH - Willand Pond Well

The following proposal was prepared in response to the recent Request for Pricing for furnishing and installing new submersible well pumping equipment for the Willand Pond Well pumping test.

Scope of Work

- Provide equipment submittal information as required.
- Order, take delivery of, inspect and deliver to the site the following equipment:
 - Goulds 7THC, 5-stage submersible pump
 - Centripro 50Hp, 460V submersible motor
 - 50' of 4" galvanized steel drop pipe
 - Submersible pump cable
- Mobilize Pump Rig & Crew to/from Dover, NH.
- Access wellhead, measure and record depth
- Install submersible pumping equipment including equipment listed above and the following:
 - 4" discharge elbow with sample tap
 - 4" steel pipe w/ 4" FxF calibrated flow meter (flow meter will be a rental unit)
 - 4x6" increaser and short length of hose w/flanged end
 - 6" FxF gate valve (HDPE pipe, but others, to connect to 6" flange)

Pricing

	<u>DESCRIPTION</u>	<u>ESTIMATE</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>EXTENSION</u>
Furnish & Install Submersible Pump		1	/lump sum	\$10,380.00	\$10,380.00
Optional Adder to Return & Remove Pump		0	/lump sum	\$1,650.00	\$0.00
				Estimated Cost:	\$10,380.00

Pricing is valid for 30-days and does not include prevailing wage rates or taxes. Payment terms are net 30-days.

We trust that you will find this quote complete, however, if you have any questions or require additional information please contact our office.

Thank you for the opportunity to provide this quotation.

Submitted by:

Thomas S. Hydro
 Thomas S. Hydro
 District Manager

Accepted by: _____

(for Emery & Garrett Groundwater, Inc.)

Date: _____

P.O. #: _____

✕ 10380.00
 + 1650.00

 12,030.00





CITY OF DOVER

CITY OF DOVER – RESOLUTION

Agenda Item#: 13.A.6.

Bid Number: **R -2010.06.23 – 76**
Bid Description: B07052 Root Control Services

WHEREAS: Sealed bids B07052 were requested and received for Root Control Services on June 21, 2007 at 2:00 pm. Per a conversation with Darlene Lawrence, NH Division of Pesticide Control on 4/28/2010 there are still only **two** vendors licensed in NH for Root Control on Sanitary Sewer Pipes; and

WHEREAS: These two vendors responded in 2007 with two different methodologies for root control being outlined. Of the two, one vendor has one applicator certification and the other (Duke Root Control Inc of Syracuse NY licensed #133 in NH in 1993 has six applicator certifications; and

WHEREAS: After discussion between the Community Services Sewer Department and the Purchasing Office it is the recommendation that the bid most advantageous to the City of Dover is from Duke's Root Control Inc at the rates as stated in 2007 bid to remain the same (see results page). The city has a long and successful history with this Duke's root Control and does not recommend a change in treatment procedures.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY MANAGER THAT:

Per 3-40.I. The competitive Bid Procedure may be waived by a majority Vote of the City Council.

The Purchasing Agent is hereby authorized to issue a Purchase Order to Duke Root Control Inc at same rates as previous three years. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
5320.1.300.43250.4443-0000-00	Sewer Rental of Equipment	\$25,500.00	\$25,500.00
		FY11 \$15,000.00 for Root control	

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved for Legal Compliance: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER – RESOLUTION

Agenda Item#: 13.A.6.

Bid Number: **R -2010.06.23 – 76**
Bid Description: B07052 Root Control Services

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, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison III, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER – RESOLUTION

Agenda Item#: 13.A.6.

Bid Number: **R -2010.06.23 – 76**
Bid Description: B07052 Root Control Services

BACKGROUND MATERIAL:

A sealed bid was solicited in 2007 to identify a qualified vendor to supply root control services and two replies were received. On April 28, 2010 the Dover purchasing agent requested an updated list of qualified and licensed vendors in the state of NH and received this list from Darlene Lawrence, Certification Coordinator of the NH Division of Pesticide Control. There are still only two licensed vendors in the State of NH. The City of Dover Utilities Division has outlined the two processes and made recommendation to stay with current pricing and current process utilized by Duke’s Root Control which consists of:

1. Use of a 1" plastic hose; they manually push into pipe from manhole to manhole
2. They start the foaming process and electrically winch backs the hose while they are foaming the line.
3. When they reach the end they foam down the manhole.
4. No prejetting, no debris washing down, no cleanup.

Second vendor (Municipal Sales) process:

1. Uses a jetter to get the foaming nozzle to the end of the manhole, concerns are by using a jetter, wash down of grit, roots, and other debris, will be forced downstream, without being suck out.
2. They start the foaming process without the jet on.
3. They winch back foaming the pipe as they come back, same as the duke process

Purchasing Information:

Type:	Sealed bid 2007	Advertised:	Yes
Invitations Mailed:	13	Number of Responses:	2
Warranty:	As stated in Specifications	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	No
Prices will hold for:	June 30, 2011	Estimated Delivery:	As needed
Recommended Award to:	Dukes Root Control Inc	Fund:	5320
Other Approvals Required:	Yes State of NH License	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for City Manager Approval:	Waive bidding procedure



CITY OF DOVER

CITY OF DOVER – RESOLUTION

Agenda Item#: 13.A.6.

Bid Number: **R -2010.06.23 – 76**
Bid Description: B07052 Root Control Services

Results

	Municipal Sales 1099 Burgoyne Ave. Ft. Edward, NY 12822	Dukes Root Control, Inc 1020 Hiawatha Blvd West Syracuse, NY 13204
6" Pipe	1.35	1.49
8" Pipe	1.35	1.49
10" Pipe	1.45	1.66
12" Pipe	1.45	1.82
15" Pipe	1.55	1.82
Misc. Charges	None indicated	None
Minimum quantity/Dollar amount required (if applicable)	\$2000.00 per trip	\$2,000.00 per trip

Vendor List

East Coast Utilities Corp.
715A D.W. Highway
Merrimack, NH 03054

Oakley Services Co.
50 Hampton St.
Metuchen, NJ 08840-1751

ARACO Sewer & Drain, Inc.
920 Washington Street
South Easton, MA 02376

Gilbert Industrial
33 Lomar Park Drive
Pepperell, MA 01463

Rootex
PO Box 7626
Salem OR 97303

Hennigan Engineering Co.
55 Industrial Park Rd.
Hingham, MA 02043

AAA Pipe Cleaning Corp.
7277 Bessemer Ave.
Cleveland, OH 44127

Dukes Sales + Service
1020 Hiawatha Blvd. West
Syracuse, NY 13204-1131

Municipal Services
1099 Burgoyne Ave
Fort Edward NY 12828

WECO Industries
120 Corporate Place
Vallejo CA 94590

N.E. Pipe Cleaning Co.
99 Calendar Rd.
Watertown, CT 06795

Vermont Pipeline Services
11 Lapointe St.
Winooski VT 05404-1543

Brec Co.
PO box 1495
Paonia CO 81428



CITY OF DOVER

CITY OF DOVER – RESOLUTION

Agenda Item#: 13.A.6.

Bid Number: **R -2010.06.23 – 76**
Bid Description: B07052 Root Control Services



1020 Hiawatha Blvd., West
Syracuse, NY 13204-1191
1-800-41-ROOTS
(315) 472-4781
FAX (315) 475-4203

May 25, 2010

Ms. Ann Legere
Purchasing
City of Dover
288 Central Avenue
Dover, NH 03820-4189

Dear Ms. Legere:

Duke's Root Control, Inc. agrees to extend your current pricing structure for the next fiscal year. That pricing structure is \$1.49 for 6" and 8" pipe, \$1.66 for 10" pipe, and \$1.82 for 12" pipe.

We greatly appreciate your business and hope to continue business with the City for years to come. Any questions please do not hesitate to call me at 860-798-0982.

Sincerely,

Laurence Aldrich

SYRACUSE • DALLAS • ATLANTA • COLUMBUS • CHICAGO
OAKLAND • PORTLAND • DENVER



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R - 2010.06.23 – B10034 Amendment 1 - 77**
Resolution Re: Municipal Stormwater Utility Feasibility Study

- WHEREAS: Sealed Request for Proposal B10034 for a Municipal Storm water Utility feasibility study was requested and received on December 22, 2009 @ 2:00pm est; and
- WHEREAS: Five proposals and two no bids were received and the evaluating team which consisted of city staff and a NHDES representative conducted interviews with the four lowest bidders during the last week of February. The recommendation of the evaluating team was to award to Sterns and Wheler Environmental Engineers and Scientists of Hyannis Ma in the total amount of \$49,738.00. This was passed by City Council on 3/5/2010 and purchase order #20102463 was issued; and,
- WHEREAS: The City of Dover Community Services Department has requested that the vendor perform additional tasks to prepare an impervious surface GIS coverage. The additional scope of services is outlined in the background section of this resolution. The amount of this amendment #1 is not to exceed \$34,412.00.

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

The purchasing agent is hereby authorized to issue a change order #1 to Sterns and Wheler Environmental Engineers and Scientist PO 20102463 given the amount not to exceed \$34,412.00. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
1000.1.300.43121.4339.00000.00	Streets Consulting services	55,000.00	54,984.19

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved for Legal Compliance: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R - 2010.06.23 – B10034 Amendment 1 - 77**
Resolution Re: Municipal Stormwater Utility Feasibility Study

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, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison III, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R - 2010.06.23 – B10034 Amendment 1 - 77**
Resolution Re: Municipal Stormwater Utility Feasibility Study

RESOLUTION BACKGROUND MATERIAL:

The City of Dover Community Services Department was awarded a grant from the New Hampshire Department of Environmental Services (NHDES) to conduct a feasibility study on the potential to establish a stormwater utility in Dover. A stormwater utility would implement a user fee system similar to the existing water and sewer utilities in Dover. Instead of generating funds for stormwater based on property values through the general fund, a stormwater utility charges user fees based on a property's impact to the operation of the stormwater system.

Dover's infrastructure is a combination of relatively new and very old structures. Like most other Cities across the country the level maintenance has been low primarily as a result of competing budget needs throughout the City of Dover. The US Environmental Protection Agency (EPA) established Phase II Stormwater Regulation and issued the first General Permit in 2003. The first General Permit expired in 2008 but is in force until the second General Permit is issued. The second permit has been published in the Federal Register and calls for actions by the regulated cities with significant cost implications which increase each subsequent year of the five year permit. It is clear that water quality concerns by both EPA and NHDES will force Dover and the other regulated communities to make substantial investments in our stormwater systems to reduce flooding and improve water quality in our streams, lakes and rivers.

An RFP was issued to identify a qualified consultant to assist the City of Dover in conducting a Stormwater Utility Feasibility study. Five responses were received and four firms were interviewed. After review of the proposals and performance in the interviews the City staff along with a representative from NHDES recommends the selection of Stearns and Wheler LLC an Environmental Engineering firm to conduct the study. Stearns and Wheler's approach recognizes the need to be a public process which is inclusive. A Project Advisory Committee will be established which has representation of the various stakeholders that will be affected by alternative funding strategies. A series of five facilitated meetings will guide the PAC through a process which examines alternative funding and will result in a recommendation to the City Council on whether the establishment of a stormwater utility is right for Dover.

ADDITIONAL SCOPE OF SERVICES 5/4/2010

Task 11: Impervious Surface Mapping

ENGINEER shall collect the City's existing Bentley CAD files including residential and commercial properties. ENGINEER shall utilize existing line data to develop impervious surface polygons for approximately 100 to 120 single family residential lots, and 400 to 450 multifamily residential lots, 400 to 500 nonresidential lots, for a total of approximately 1000 lots. ENGINEER shall meet with City staff in advance of completing the data conversion to determine which lots should be converted. For residential lots, driveway areas shall be converted separately from any contiguous impervious areas to facilitate further analysis if needed. For



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R - 2010.06.23 – B10034 Amendment 1 - 77**
Resolution Re: Municipal Stormwater Utility Feasibility Study

nonresidential lots, private road-type areas contiguous with parking lots shall be digitized separately from contiguous impervious areas including parking lots to facilitate additional analysis if needed. ENGINEER shall provide impervious surface coverage for converted lots to the City.

Deliverables:

- ▶ Meeting with City to determine lots to be digitized, including meeting notes
- ▶ Impervious surface coverage for converted lots

PROJECT COSTS

For the services outlined for Task 11 in the above Scope of Services, OWNER shall pay ENGINEER an amount not-to-exceed \$34,412. For all services in the Agreement dated May 4, 2010 to perform a Stormwater Utility Feasibility Study, including the services outlined in Task 11 in the above Scope of Services, OWNER shall pay ENGINEER an amount not-to-exceed \$84,149.

Bid Information:

B10034 Municipal Stormwater Utility Feasibility Study

Award Information:

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

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	80	Number of Responses:	7
Warranty:		Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until complete	Estimated Delivery:	6 months
Recommended Award to:	Sterns and Wheler	Fund:	GF
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	No	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R - 2010.06.23 – B10034 Amendment 1 - 77**
Resolution Re: Municipal Stormwater Utility Feasibility Study

Bid Results

<i>Vendor</i>	<i>\$</i>
Hazen & Sawyer 24 Federal St A5 Boston, MA 02110	\$68,546.00
Municipal & Financial Services 911-A Commerce Road Annapolis, MD 21401	\$50,963.00
AMEC Earth & Environmental 502 W. Germantown Pk Ste 850 Plymouth Meeting, PA 19462	\$49,805.70
Hoyle Tanner and Associates 150 Dow Street Manchester, NH 03101	\$48,000.00
Stearns & Wheler 1545 Lyannaough Road Hyannis, MA 02601	\$49,738.00
Quantum Construction	No bid
Underwood Engineers	No bid



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R - 2010.06.23 – B10034 Amendment 1 - 77**
Resolution Re: Municipal Stormwater Utility Feasibility Study

Vendor Solicitation List:

Class Code 15 Engineering services

AECOM formerly Earth Tech	Lynnfield Engineering
Allan and Major Associates	Louis Berger Group
Appledore Engineering	Maguire Group
Aries Engineering	AJ Martini
ATC Associates	Milone & MacBroom Inc
Bedford Design Services	MSC Engineers
Berry Surveying Engineering	New England Enviro
Careno Construction	Nobis Engineering
CHA Inc	Norway Plains Associates
Civil Consultants	Oak Point Associates
Civil Works	Ocean and Coastal Consultants
CLD Engineering	Provan and Lorber Associates
CAM Engineering	Quantum Construction
Comprehensive Environmental Inc	Ransom Environmental
Corporate Environmental Advisors	Resource Labs
Dubios and King Associates	Resource Systems Group
Eagle Brook Engineering	RI Analytical Group
Eastern Analytical Inc	Ricci Construction
Emery & Garrett Groundwater Inc	SEA Consultants
ESC Consultants	SW Cole
EnviroSense Inc	Sheerr McCrystal Palson
Fay Spofford & Thorndike	Siemans Technology
Geo Insight	Stantec Consultants
GM2 Associates Inc	Stephens Associates
Golder Associates	StoneHill Environmental
Greenman and Pederson Inc	Tata and Howard Inc
GZA Inc	Terracon Inc
Haley & Aldrich Inc	TF Moran Inc
Harriman Associates	HL Turner Associates
Holden Engineering	Louis Berger Group
Horsely Witten Inc	Scott Lawson Group
Howard Stein – Hudson Associates	Tidewater Environmental
Hoyle Tanner Associates	Tighe and Bond Inc
Interstate Electrical	Turgeon Construction
Jacobs Engineering	Tylin International
Jeffrey Taylor	Underwood Engineering
Johnson Controls	Vanasse Hangen Brusstin Inc
Kaestle Boos Associates	Weston and Sampson Inc
Leggett Brashears and Graham Inc	Woodard and Curran
Loureiro Engineering Associates	Wright Pierce



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R - 2010.06.23 - 78**

Resolution Re: B10079 Various Chemicals for Rec and CS Departments

WHEREAS: Sealed bids B10079 were requested and received for various chemicals for various city departments on June 16, 2010 at 2:00 pm with prices to hold through June 30, 2011; and

WHEREAS: The low bids, meeting specifications, were submitted by the following vendors for chemicals referenced at unit prices specified in results page:

Borden Remington Corp Fall River MA
Harcross Chemicals of Nashua NH
AIC Chemicals Framingham MA
Fillion Associates Inc E. Providence RI

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

The Purchasing Agent is hereby authorized to issue a Purchase Order to each of the vendors identified above at rates provided on 6/16/2010. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	FY11 Balance
1000.1.350.45124.4612.00000.00	Indoor pool operating supplies	12,000.00	12,000.00
1000.1.350.45125.4612.00000.00	Thompson Pool op supplies	14,275.00	14,275.00
5300.1.300.43320.4612.00000.00	Water Operating supplies	111,500.00	111,500.00
5320.1.30043250.4612.00000.00	Sewer Operating Supplies	64,500.00	64,500.00

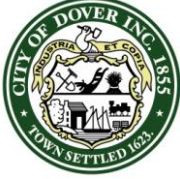
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved for Legal Compliance: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R - 2010.06.23 - 78**

Resolution Re: B10079 Various Chemicals for Rec and CS Departments

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, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison III, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R - 2010.06.23 - 78**

Resolution Re: B10079 Various Chemicals for Rec and CS Departments

RESOLUTION BACKGROUND MATERIAL:

Sealed bids B10079 were requested and received for various chemicals for various city departments on June 16, 2010 at 2:00 pm with prices to hold through June 30, 2011. The low bids, meeting specifications, were submitted by the following vendors for chemicals referenced at unit prices specified in results page:

Borden Remington Corp Fall River MA
Harcross Chemicals of Nashua NH
AIC Chemicals Framingham MA
Fillion Associates Inc E. Providence RI

Award Information:

Purchase orders will be issued to low bidders of each chemical for one year to authorize this expenditure.

Purchasing Information:

Type:	Purchase order	Advertised:	Yes
Invitations Mailed:	36	Number of Responses:	10 & 1 nb
Warranty:	Meets Specifications	Terms:	Net 30, FOB Dover
Work Bonded:	no	Contract:	No
Prices will hold for:	June 30, 2011	Estimated Delivery:	As needed
Recommended Award to:	Various Low bidders	Fund:	various
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Cost estimated at \$25,000 or greater to some vendors

Vendor List



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R - 2010.06.23 - 78**

Resolution Re: B10079 Various Chemicals for Rec and CS Departments

Alliance Medical, Inc. dba AllMed 4715 Scruggs Station Road Jefferson City, MO 65109	Emed Medical Company Suite 217 Hazelwood, MO 63042	Monson Companies, Inc One Runway Road South Portland, ME 04116
American International Chemical 135 Newbury Street Framingham, MA 01701	Fillion Associates, Inc. PO Box 14518 East Providence, RI 02914	Old Bridge Chemicals, Inc. P.O. 194 Old Bridge, NJ 08857
American International Chemical 135 Newbury Street Framingham, Massachusetts 01701	GAC Chemical PO BOX 436 SEARSPORT, MAINE 04974	Parts Associates, Inc. 12 Moore Road Gilmanton Iron Works, New Hampshire 03837-4509
Astro Chemicals, Inc. PO Box 2248 Springfield, MA 01102-2248	George S. Coyne Chemical co. Inc. 3015 State Road Croydon, PA 19021-1230	Polydyne Inc. PO Box 279 Riceboro, GA 31323
Atlantic Coast Polymers Inc Street 6207 Bee Caves Rd, Ste 180 Austin, TX 78746	Gulbrandsen Technologies Inc. 2 Main Street, PO Box: 5523, Clinton, NJ 08809	Pool & Electrical Products, Inc. 1250 E. Francis St Ontario, California 91761
Atlas Medical Supply, Inc 5645 Hillcroft, Suite 301 Houston, TX 77036	Gulbrandsen Technologies Inc. PO Box: 5523 Clinton, New Jersey 08809	Pool & Electrical Products, Inc. 1250 E. Francis St Ontario, California 91761
BASIC CHEMICAL SOLUTIONS, LLC 5 Steel Road East Morrisville, PA 19067	Harcros Chemicals Inc. 8 Capitol Street Nashua, NH 03063	Pristine Water Solutions 1570 Lakeside Drive Waukegan, IL 60085
Borden & Remington Corp. P.O. Box 2573 Fall River, MA 02722	Harcros Chemicals, Inc. 8 Capitol Street Nashua, NH 03063	Solvay Fluorides, LLC 3333 Richmond Ave Houston, TX 77098
Borden & Remington Corp. P.O. Box 2573 Fall River, MA 02722	JCI Jones Chemicals, Inc. 40 Railroad Avenue Merrimack, NH 03054	Southeastern Emergency Equip PO Box 1196 Wake Forest, NC 27588
Bound Tree Medical 5000 Tuttle Crossing Blvd Dublin, OH 43016	K.A.Steel Chemicals, Inc P.O. Box 729 Lemont, IL 60439	UNIVAR USA 175 Terminal Road Providence, RI 02905
CHIEF SUPPLY PO BOX 481912 CHARLOTTE, NC 28269	Kemira Water 3211 clinton Pkwy Court, suite 1 Lawrence, Kansas 66047	Water Solutions P.O. Box 208 Mattapoisett, MA 02739
Carus Corporation	Monson Companies, Inc	Windward Compliance Corp.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R - 2010.06.23 - 78**

Resolution Re: B10079 Various Chemicals for Rec and CS Departments

315 Fifth Street Peru, IL 61354	One Runway Rd South Portland, ME 04106	PO Box 2632 Concord, NH 03302
------------------------------------	---	----------------------------------

RESULTS CHEMICALS

B10079 CHEMICAL BID DELIVERED TO DOVER	Sodium Hydroxide Caustic diaphragm grade	Potassium Permanganate	Hydrofluosilic Acid	Sodium Hypochlorite Filtered purified bleach	Caustic Soda Pellets /Beads	Sodium Flouride solid 6.1	Muriatic acid	Accu-Tab Blue SI
Price per	Gallon	Pound	Gallon	gallon	50 LB Bag	50LB bag	gallon	55lb pail
Coyne Chemical 3015 State Road Croydon, PA 1902-	nb	\$2.824 per lb 1 Pallet/dely minimum order	nb	nb	nb	nb	nb	\$124.30 1 Pallet/dely minimum order
Borden & Remington Corp PO Box 2573 Fall River, MA 02722	\$0.6420 3400 gal min	4.0986 per lb. 12 drums min	4.8497 1000 gal min	0.5848 3500 gal min	22.93 per 50 lb bag 1 pallet min	48.10 1 pallet	3.7919 15 dels.	nb
Monson company 1 Runway Rd So Portland ME	nb	nb	5.279 1000	nb	26.75 40 bags	44.50 40 bags	nb	nb
JCI 40 Railroad Ave Merrimack, NH 03054	0.65 3500 gal min	nb	nb	0.6115 3000 gal min	nb	nb	nb	nb
B10079 CHEMICAL BID DELIVERED TO DOVER	Sodium Hydroxide Caustic diaphragm grade	Potassium Permanganate	Hydrofluosilic Acid	Sodium Hypochlorite Filtered purified bleach	Caustic Soda Pellets /Beads	Sodium Flouride solid 6.1	Muriatic acid	Accu-Tab Blue SI



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R - 2010.06.23 - 78**

Resolution Re: B10079 Various Chemicals for Rec and CS Departments

Price per	Gallon	Pound	Gallon	gallon	50 LB Bag	50LB bag	gallon	55lb pail
Harcros Chemicals Inc 8 Capitol Street Nashua, NH 03063	0.5986 3500 gal min	3.2300 per lb 10 pails min	nb	.7151 per gal 3,000 gal min	20.25 per 50 lb bag 60 bag min	38.00 per 50 lb bag 40 bags	2.95 per gal 2 - 15 gal drum min	nb
AIC Chemicals 135 Newbury Street Framingham, MA 01701	nb	2.24 25 containers	nb	nb	nb	nb	nb	nb
Marubeni Specialty Chem 8675 Hidden River Pkwy Tampa, FL 33637	nb	2.29 18 drum	nb	nb	nb	nb	nb	nb
Basic Chem Solution 5 Steel Rd East Morrisville PA 19067	.825 gal 3500 gal min	nb	nb	nb	nb	nb	nb	nb
Solvay Fluorides 3333 Richmond Ave Houston, TX 77098	nb	nb	7.272 per gallon 1,000 gal min*	nb	nb	nb	nb	nb
Fillian Associates POBox 14518 E. Providence RI	nb	nb	nb	nb	nb	nb	nb	105.00
Kemira Water	nb	nb	nb	nb	nb	nb	nb	nb



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.9.

Resolution Number: **R - 2010.06.23 - 79**
Resolution Re: B10081 Wood Ash for WWTP

WHEREAS: Sealed bids B10081 were requested and received for Wood Ash on June 09, 2010 @ 2:00 pm. A one year pricing agreement with the option to renew for a second year was requested. Two bids were received and evaluated; and

WHEREAS: One reply was received from current vendor Resource Management, Inc of Ashland NH with a delivered price of \$8.00 per cubic yard for high carbon wood ash with year two (2) price increase of 3.5%. The second reply came from NE Organics of Portland Maine with a delivered price of \$5.00 if delivered from Whitefield NH and \$7.00 if delivered from Woodland ME with a zero increase for year two (2); and.

WHEREAS: The Dover Waste Water Treatment Facility uses wood ash as an amendment to processed bio-solids (sludge) to facilitate the composting process of treated sewage. This wood ash also helps to reduce and minimize odoriferous smells emanating from the compost and it is crucial to keep a reliable vendor. Past issues with NE Organics has been unreliable supply of required wood ash as well as not meeting the crucial specifications. Distribution facilities must be also be permitted with State of NH for agriculture land applications. The recommendation is to award to both vendors for one year with NE Organics being a trial basis until proven as an acceptable product and ability to deliver as specified. We will revisit year two in FY12.

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

The Purchasing Agent is hereby authorized to issue a Purchase Order to Resource Management Inc. of Ashland NH and NE Organics of Portland ME at the rates provided on 6/9/2010. The amount of this authorization shall be limited so as not to exceed available funding. City Manager is authorized to sign a contract containing the terms and conditions of the bid award.

Financing

Account	Description	Appropriation	Balance FY11
5320.1.300.43256.4612.00000.	WWTP Operating Supplies	\$125,000.00	\$125,000.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved for Legal Compliance: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.9.

Resolution Number: **R - 2010.06.23 - 79**
Resolution Re: B10081 Wood Ash for WWTP

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, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison III, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.9.

Resolution Number: **R - 2010.06.23 - 79**
Resolution Re: B10081 Wood Ash for WWTP

RESOLUTION BACKGROUND MATERIAL:

Sealed bids B10081 were requested and received for Wood Ash on June 09, 2010 at 2:00 pm and two bids were received.

The ash is to be wood ash only. The percentage of volatile solids (LOI) is to be 40% or above (high carbon). The percentage of solids of the ash will be between 40% and 70%. The ash will be neither completely dry nor unusually wet, and is to be free of any and all debris. The wood ash must come from a facility(s) permitted to distribute wood ash in the State of New Hampshire for agricultural land applications.

The city no longer adds short paper fiber and when the bid was solicited it should have reflected double the amount of wood ash to account for the short paper being eliminated. Therefore, the city will need 12,000 yards not 6,000 yards.

The Dover Waste Water Treatment Facility uses wood ash as an amendment to processed bio-solids (sludge) to facilitate the composting process of treated sewage. This wood ash also helps to reduce and minimize odoriferous smells emanating from the compost and it is crucial to keep a reliable vendor. Past issues with NE Organics has been unreliable supply of required wood ash as well as not meeting the crucial specifications. Distribution facilities must be also be permitted with State of NH for agriculture land applications. The recommendation is to award to both vendors for one year with NE Organics being a trial basis until proven as an acceptable product and ability to deliver as specified. We will revisit year two in FY12.

Purchasing Information:

Type:	Sealed Bid	Advertised:	Yes
Invitations Mailed:	15	Number of Responses:	2
Warranty:	Meets Specifications	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	No
Prices will hold for:	June 30, 2011	Estimated Delivery:	As needed
Recommended Award to:	Resource Management Inc NE Organics	Fund:	WWTP GF
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for	Yes	Reason for Council	Cost estimated at \$25,000 or



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.9.

Resolution Number: **R - 2010.06.23 - 79**

Resolution Re: B10081 Wood Ash for WWTP

City:		Approval:	greater
--------------	--	------------------	---------

Vendor List

International Paper Company
PO Box 224
West Ossipee NH 03890

Resource Management, Inc.
PO Box 1081
Ashland NH 03217

New England Organics
135 Presumpscot St Unit 1
Portland ME 04103

North Country
Environmental Serv.
PO Box 9
Bethlehem NH 03574

BFI – Tyngsboro District
PO Box 369
Tyngsboro MA 01879

White Mountain Resource
Mgt., Inc.
PO Box 1081
Ashland NH 03217

Bridgewater Power Co.
PO Box 678
Ashland NH 03217

Hemphill Power & Light Co.
PO Box 428
Georges Mills NH 03751

Pinetree Power Tamworth,
Inc.
PO Box 233
West Ossipee NH 03890

Whitefield Power & Light
Co.
PO Box 206
Whitefield NH 03598

International Paper Co.
Route 41
West Ossipee NH 03898

Bio Energy Corp.
1994 Maple Street
Contoocook NH 03229

Earthlife Products
160 Dover Road, Ste. 7
Chichester NH 03234

North Country Environmental
Serv.
PO Box 9
Bethlehem NH 03574

N.E. Organics
5 Funder Road
Falmouth, ME 04105-1704



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.9.

Resolution Number: **R - 2010.06.23 - 79**

Resolution Re: B10081 Wood Ash for WWTP

Bid Results

<i>Vendor</i>	<i>Price Per CU.YD</i>	<i>Year 2 Option</i>
New England Organics 135 Presumpscot Street Unit 1 Portland, ME 04103-53225	\$5.00 High Carbon (>40%) Whitefield NH wood Ash 4000-6000 cys/yr \$7.00 High Carbon (>40%) Domtar Wood Ash, Woodland ME 6000 cys/yr \$4.00 Medium Carbon (>30%) Verso wood ash Jay ME. 6000 cys/yr	0%
Resource Management, Inc. P. O. Box 1081 Ashland, NH 03217	\$8.00 per cubic yard	3.5%



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10.

Resolution Number: **R - 2010.06.23 – 80**

Resolution Re: B10083 Bituminous Concrete / Asphalt to be Picked up

WHEREAS: Sealed bid B10083 was requested and received for Bituminous Concrete /Asphalt (Picked Up as Needed) on June 14, 2010 at 3:00 pm; and

WHEREAS: This is “Hot Top” material that will be picked up by City personnel or by city authorized contractors at the vendors location as needed; and

WHEREAS: Two bids were submitted for review. Pike Industries of Portsmouth in the amount of \$56.00 per ton for Base and \$60.00 for Top. The second bid response was from Brox Industries in the amount of \$59.00 per ton for either base or top. The City of Dover tries to identify two vendors to utilize where circumstances make it financially prudent to do so depending on proximity of vendor plant to the location of work being performed as well as availability of product. The recommendation is to issue a purchase order to both Pike Industries and Brox Industries.

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

The Purchasing Agent is hereby authorized to issue a Purchase Order to Pike Industries, Inc of Portsmouth NH and Brox Industries of Rochester given the rates provided on June 14, 2010. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance fy11
1000-43121-4715-0000-00-30	Street Improvments	820,000.00	820,000.00
1000-43121-4652-0000-00-30	Streets Maintenance supplies	80,000.00	80,000.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved for Legal Compliance: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10.

Resolution Number: **R - 2010.06.23 – 80**

Resolution Re: B10083 Bituminous Concrete / Asphalt to be Picked up

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, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison III, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10.

Resolution Number: **R - 2010.06.23 – 80**

Resolution Re: B10083 Bituminous Concrete / Asphalt to be Picked up

RESOLUTION BACKGROUND MATERIAL:

Sealed bid B10083 was requested and received for Bituminous Concrete Asphalt to be picked up by city personnel or city authorized contractors at the vendor's location as needed on June 14, 2010 at 3:00 pm. The city estimates purchases of 3500 tons annually.

Two bids were submitted for review. Pike Industries of Portsmouth at the rate of \$56.00 per ton for Base and \$60.00 for Top. The second bid reply came from Brox Industries at the rate of \$59.00 per ton for either base or top. The City of Dover tries to identify two vendors to utilize where circumstances make it financially prudent to do so depending proximity of the plant and the project location and availability of product. The city recommends issuing a purchase order to Pike Industries and Brox Industries.

Note: In attendance of the bid opening on June 14, 2010 was Jim Royal of Pike Industries, Doug Steel, Dover CS Director and Ann Legere, Purchasing Agent. Sealed bid from Brox Industries was mailed in and time stamped 6/14/2010 @10:30am. Pike Industries hand carried in a sealed envelope and was time stamped at 2:18pm, both were within the deadline. The Purchasing Agent opened Pike Industries enveloped and discovered it had a bid reply for the City of Rochester for \$56.00 base and \$60.00 for top. Mr. Royal had inadvertently handed in the reply for Rochester. He then offered the reply for Dover and I instructed him I would discuss with my department head to see if acceptable. After discussions the consensus was to accept. The pricing on the Dover reply was the same as Rochester and these are the only two vendors that reply to this bid each year.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	57	Number of Responses:	2
Warranty:	Meets Specifications	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	No
Prices will hold for:	June 30, 2011	Estimated Delivery:	As needed
Recommended Award to:	Pike Industries Inc Brox Industries	Fund:	CIP & Streets
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for	Yes	Reason for Council	Cost estimated at \$25,000 or



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10.

Resolution Number: **R - 2010.06.23 – 80**

Resolution Re: B10083 Bituminous Concrete / Asphalt to be Picked up

City:		Approval:	greater
--------------	--	------------------	---------

Vendor List

<p>A.H. HARRIS & SONS INC STREET 255 WEST RD PORTSMOUTH, NH 03801</p> <p>AGGREGATE INDUSTRIES PO BOX 1448 RAYMOND, NH 03077</p> <p>AH HARRIS & SONS 255 WEST ROAD PORTSMOUTH, NH 03801</p> <p>ARNOLD. T CLEMENT CO INC. P.O. BOX 1575 ROCHESTER, NH 03867</p> <p>BC'S GENERAL CONSTRUCTION 6 REUBENS DRIFTWAY HAMPTON, NH 03842</p> <p>BROX INDUSTRIES,INC. 1471 METHUEN ST. DRACUT, MA 01826</p> <p>CED 151 PORTLAND AVE DOVER, NH 03820</p> <p>CENTILLA CORPORATION 37 INDUSTRIAL DRIVE EXETER, NH 03833</p> <p>CLOW VALVE COMPANY 125 MAIN STREET #61 NEWMARKET, NH 03857</p> <p>COHEN STEEL SUPPLY 10 BASIN STREET CONCORD, NEW HAMPSHIRE 03302</p> <p>D & L THOMAS EQUIPMENT CORP. PO BOX 200 SPOFFORD, NH 03462</p> <p>DONOVAN EQUIPMENT</p>	<p>HYDRAFLO, INC. 1030 MILAM ST. BEAUMONT, TEXAS 77701</p> <p>INFINITE IMAGING 903 CENTRAL AVENUE, SUITE 4 DOVER, NH 03820</p> <p>ISCO INDUSTRIES LLC 49 COBBLER DRIVE FITCHBURG, MA 01420</p> <p>KAMCO SUPPLY CORP OF BOSTON 19 INDEPENDENCE DR LONDONDERRY, NH 03053</p> <p>LIDDELL BROTHERS INC 600 INDUSTRIAL DRIVE HALIFAX, MA 02338</p> <p>MADONA AND MICHAEL INC 47 MAGNOLIA ST MALDEN, MA 02148</p> <p>MICHIE CORP. P.O.BOX 870 HENNIKER, N.H. 03242</p> <p>MIDDLETON BUILDING SUPPLY 58 OLD ROCHETSRE RD DOVER, NH 03820</p> <p>MOBILE MINI STREET 108 NEWBURYPORT TURNPIKE NEWBURY, MA 01951</p> <p>NEW ENGLAND POSITIONING 58 CHENELL DRIVE CONCORD, NH 03301</p> <p>NORTHLAND HOLDER INC. 284 RICKER HILL ROAD TURNER, MAINE 04282</p> <p>OTTO ENVIRONMENTAL SYSTEMS</p>	<p>PLOURDE SAND & GRAVEL CO., PO BOX 220 SUNCOOK, NH 03275</p> <p>POOL & ELECTRICAL PRODUCTS, 1250 E. FRANCIS ST ONTARIO, CA 91761</p> <p>R.G. TOMBS DOOR CO., INC. 38 WEST RIVER RD. HOOKSETT, NH 03106</p> <p>RICCI LUMBER 105 BARTLETT ST PORTSMOUTH, NH 03801</p> <p>ROYAL WINDOW & DOOR LLC 210 WEST ROAD, SUITE 6 PORTSMOUTH, NH 03801</p> <p>S.D. IRELAND CONCRETE 193 INDUSTRIAL AVE WILLISTON, VERMONT 05495</p> <p>SALMON FALLS WOODWORKS 38A LITTLEWORTH RD DOVER, NH 03820</p> <p>SEACOAST REDIMIX CONCRETE PO BOX 480 WINNISQUAM, NH 03289</p> <p>SEALEX P.O. BOX 238 SCARBOROUGH, ME 04070</p> <p>SHEA NEW ENGLAND CONCRETE PRODUCTS PO BOX 807 AMESBURY, MA 01913</p> <p>SPK STEEL FABRICATION P.O. BOX 608 FITCHBURG, MA 01420</p> <p>STILES COMPANY, INC.</p>
--	--	--



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10.

Resolution Number: **R - 2010.06.23 – 80**

Resolution Re: B10083 Bituminous Concrete / Asphalt to be Picked up

<p>6 ENTERPRISE DRIVE LONDONDERRY, NH 03053</p> <p>DOOR SERVICES, INC. P.O. BOX 8772 PORTLAND, ME 04104</p> <p>EJ. PRESCOTT, INC. 210 SHEEP DAVIS ROAD CONCORD, NH 03301</p> <p>EAST COAST LUMBER P O BOX 530 EAST HAMPSTEAD, NH 03826</p> <p>FASTENAL 165 INDUSTRIAL PARK DRIVE DOVER, NH 03820</p> <p>FERGUSON WATERWORKS 1 CHESTER ROAD RAYMOND, NH 03077</p> <p>GENEST PRECAST 238 COUNTRY CLUB RD SANFORD, ME 04073</p> <p>GEORGE R. ROBERTS CO 192 BIDDEFORD RD ALFRED, ME 04002</p>	<p>12700 GENERAL DRIVE CHARLOTTE, NC 28273</p> <p>OVERHEAD DOOR CO. 210 WEST ROAD #4 PORTSMOUTH, NH 03801</p> <p>PARTS ASSOCIATES, INC. 12 MOORE ROAD GILMANTON IRON WORKS, NH</p> <p>PERMA-LINE CORPORATION PO BOX 4515 BROCKTON, ME 02303</p> <p>PERRY SUPPLY 370 NORTH WASHINGTON NORTH ATTLEBORO, MA 02760</p> <p>PHOENIX PRECAST PRODUCTS 77 REGIONAL DRIVE CONCORD, NH 03301</p> <p>PIKE INDUSTRIES INC. 650 PEVERLY HILL RD. PORTSMOUTH, NH 03801</p> <p>HI-WAY SAFETY SYSTEMS, INC. 9 ROCKVIEW WAY ROCKLAND, MA 02370</p>	<p>922 PLEASANT STREET NORWOOD, MA 02062</p> <p>SUPER FLOORZ 19 LAFAYETTE RD HAMPTON, NH 03842</p> <p>THE DIRT DOCTORS 709 KEITH AVE PEMBROKE, NH 03275</p> <p>TI-SALES INC. 36 HUDSON ROAD SUDBURY, MA 01776</p> <p>UNITED RENTALS 40 WILLOW STREET MANCHESTER, NH 03103</p> <p>UNITED SITE SERVICES NE PO BOX 9131 FOXBOROUGH, MA 02035</p> <p>VELLANO BROS INC. 309 ROUTE 27 RAYMOND, NH 03077</p> <p>WATER WORKS SUPPLY CORP. 71 ROCKINGHAM ROAD LONDONDERRY, NH 03053</p>
--	---	--

RESULTS

<u>Vendor</u>	<u>Price for Base or Top per ton</u>	<u>Locations</u>
Pike Industries Inc 650 Peverly Hill Rd Portsmouth NH 03801	Base \$56.00 Top \$60.00	Rte 11 Farmington 650 Peverly Hill Portsmouth
Brox Industries Inc Old Rochester Neck Rd Rochester NH 03867	base or top \$59.00	Old Rochester Neck Rd



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R - 2010.06.23 – 81**
Resolution Re: B10086 Specialized Municipal Legal Services

WHEREAS: Sealed RFP #B10086 was requested and received for “As Needed” Specialized Municipal Legal Services on June 10, 2010 at 2:30pm; and

WHEREAS: Six vendors responded with varying amounts of prior experience with the city, a wide spectrum of experience in municipally related legal issues, and varying rate structures for services rendered; and

WHEREAS: The vendors deemed most advantageous to the city were:

Devine, Millimet & Branch	Manchester NH
Sheehan, Phinney, Bass & Green	Manchester NH
Hinckley, Allan & Snyder	Concord NH
Mitchell Municipal Group	Laconia NH
Donahue, Tucker & Ciandella	Portsmouth NH
Wiggin & Nourie, PA	Manchester NH

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

The purchasing agent is hereby authorized to issue a purchase order to the vendors identified above given the rates provided 06/10/10 for services as needed. The amount of this authorization shall be limited so as not to exceed available funding. The City Manager is authorized to sign a contract containing the terms and conditions of the bid award.

Financing

Account	Description	Appropriation	FY101Balance
1000.1.130.41320.4334.00000.00	Executive Legal Services	12,000.00	12,000.00
1000.1.130.41530.4334.00000.00	City Attorney Legal Services	50,000.00	50,000.00
1000.1.150.41513.4334.00000.00	Tax Assesor Legal services	10,000.00	10,000.00
1000.1.190.41991.4334.00000.00	Misc. General Governement Legal Svs	35,000.00	35,000.00
	totals	107,000.00	107,000.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved for Legal Compliance: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R - 2010.06.23 – 81**
Resolution Re: B10086 Specialized Municipal Legal Services

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, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison III, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R - 2010.06.23 – 81**

Resolution Re: B10086 Specialized Municipal Legal Services

RESOLUTION BACKGROUND MATERIAL:

Six vendors responded with varying amounts of prior experience with the city, a wide spectrum of experience in municipally related legal issues, and varying rate structures for services rendered as needed.

The vendors deemed most advantageous to the city are:

Devine, Millimet & Branch	Manchester NH
Sheehan, Phinney, Bass & Green	Manchester NH
Hinckley, Allan & Snyder	Concord NH
Mitchell Municipal Group	Laconia NH
Donahue, Tucker & Ciandella	Portsmouth NH
Wiggin & Nourie, PA	Manchester, NH

Bid Information:

Sealed RFP B10086 was requested and received for Municipal Specialized legal services on June 10, 2010 @ 2:30pm..

Award Information:

A purchase order will be issued to the vendors selected to authorize future expenditures as needed.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	8	Number of Responses:	6
Warranty:	na	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	June 30, 2011	Estimated Delivery:	As needed
Recommended Award to:	As listed	Fund:	Various
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R - 2010.06.23 – 81**
 Resolution Re: B10086 Specialized Municipal Legal Services

Vendor Solicitation List:

Devine, Millimet & Broth, P.A.
 111 Amherst Street
 Manchester, NH 03101

Wiggin & Nourie, P.A.
 670 N. Commercial Street, Suite 305
 Manchester, NH 03105

Donahue, Tucker & Ciandella,
 104 Congress Street, Suite 304
 Portsmouth, NH 03801

Mitchell Municipal Group PA
 25 Beacon St East
 Laconia NH 03246

Hinckley Allen & Snyder LLP
 11 South Main Street
 Suite 400
 Concord, New Hampshire 03301

Sheehan Phinney Bass and Green
 1000 Elm St
 Manchester NH 03101

Robert Half International
 230 Commerce Way Suite 140
 Portsmouth, NH 03801 Phone

Upton & Hatfield LLC
 10 Centre St
 Concord NH 03101

Results

<u>Vendor</u>	<u>Hourly Rates</u>	<u>Other Charges</u>
Donahue, Tucker & Ciandella PLLC 104 Congress St Ste 304 Portsmouth NH 03801	Year 1 \$190 for Partner Attorney \$160-150 for Associate Attorney \$90 for legal assistant time Year 2 rate to remain same OPTIONAL RETAINER FEE METHOD \$2,000 per month for 15 hrs of general municipal legal services (non-litigation) performed in our office Year 2 would increase to \$2250.00 hourly rate beyond retainer \$175 partner/\$150 Associate/ \$100 legal assistant	Filing fees, witness-subpoena fees, recording, stenographic, expert witness fees and mileage \$.56 per mile Coping and faxes as they occur.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R - 2010.06.23 – 81**

Resolution Re: B10086 Specialized Municipal Legal Services

<u>Vendor</u>	<u>Hourly Rates</u>	<u>Other Charges</u>
Devine Millimet & Branch 111 Amherst St Manchester NH	Mr. Broth \$250.00 per hr Mr. Jakubowski \$140.00 per hr Mr. Beeson & Mr. Bisbee \$275.00	Out of pocket costs, Filing fees Witness fees, Travel, Experts Investigation, Copy/long distance phone/fax, Postage/express postage Other incidentals and modest fee for overhead costs.
Mitchell Municipal Group PA 25 Beacon St East Laconia NH 03246	Walter Mitchell \$175.00 per hr Jae Whitelaw & Laura Spector \$160.00per hr Jeff Belanger \$140.00 per hr Paralegals \$60.00 per hr	Travel, mileage, copies and out of pocket expenses.
Sheehan Phinney Bass & Green PA 1000 Elm St Manchester NH 03101	Calendar year 2010 John Pelton \$275.00 per hr Liz Bailey, Jim Reidy, Dave McGrath and Jim Higgins will be \$275.00 Calendar year 2011: John Pelton \$300.00 per hr	Nothing listed
Hinckley Allen Snyder LLP 11 So Main St Ste 400 Concord NH 03301	Team of 24 personnel ranging from \$265.00 to \$550.00 per hr See detailed list of personnel with names and rates Would also be agreeable to a retainer method.	Out of pocket expenses
Wiggin & Nourie PA 670 No Commercial St Ste 305 PO Box 808 Manchester NH 03105	Lead Attorney @ \$200 per hr for standard services and \$225 per hr for Court time Associate Attorneys @ \$150 per hr standard time and \$175 per hr court time paralegals @ rate of \$90-\$135 per hr	In addition to hrly rate are direct out of pocket expenses and general overhead charges of 2.4% to cover miscellaneous expenses Mileage @ \$.30 per mile except when traveling to and from city offices.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.12.

Resolution Number: **R - 2010.06.23 – 82**
Resolution Re: **Award of Maintenance Agreement to Southworth/Milton Cat for Generator Maintenance**

WHEREAS: Southworth Milton is the authorized dealer/distributor for Caterpillar in the New England region and the City of Dover has nine caterpillar emergency generators at various wells, pump stations and fire stations that were purchased through this vendor over the years; and

WHEREAS: These nine generators need semi-annual (November and May) inspections and maintenance performed on them which has been done by Southworth Milton Cat Caterpillar trained technicians since the original purchases, and

WHEREAS: SouthworthMilton Inc has offered a set price agreement in the amount of \$9,660 for the FY11 November 2010 and May 2011 maintenance.

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

City council may waive the bidding process per 3-40 I “The competitive bid procedure may be waived by a majority vote of the city council”.

The Purchasing Agent is hereby authorized to issue a one year Purchase Order to Southworth Milton Cat for the semi-annual maintenance in the amount of \$9,660.00 Authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance FY11
5320.1.300.43250.4433.00000.00.00	Sewer Maint Charges Equip	31,200	31,200
5300.1.300.43320.4433.00000.00.00	Water Maint Charges Equip	31,250	31,250
1000.1.300.43180.4431.00000.00.00	F&G Maint Charges bldg	80,154	80,154
1000.1.220.42220.4434.00000.00.00	Fire Maint. Charges Vehicle	65,050	65,050

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved for Legal Compliance: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk

Document Created by: Purchasing
Document Posted on:

Cat Generator Maintenance Agreement

1 of 3

13.A.12.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.12.

Resolution Number: **R - 2010.06.23 – 82**
Resolution Re: **Award of Maintenance Agreement to Southworth/Milton Cat for Generator Maintenance**

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, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison III, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		

Document Created by: Purchasing
Document Posted on:

Cat Generator Maintenance Agreement

2 of 3

13.A.12.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

BACKGROUND MATERIAL FOR...

Resolution Number: **R - 2007.11.14**

Resolution Re: Award Maintenance Agreement to Southworth/Milton Cat for Generator Maintenance

Background:

The Community Service Department has used Southworth Milton Cat to maintain the Cat Generators located though out the City of Dover since they were purchased from them. Southworth Milton is the only dealer/distributor for Caterpillar in the New England region and the City of Dover has nine caterpillar generators at various wells, pump stations and fire departments. These nine generators need semi-annual (November and May) inspections and maintenance performed on them which has been done by Southworth Milton Cat and their caterpillar trained technicians since the original purchases. Milton Cat has offered an annual set price agreement for one year in the amount of \$9,660.00 annually for the semi annual maintenance.

Generator Locations

River St	Mast Rd
Griffin Well	Charles St Pump Station
Mill St	Broadway Fire Station
Leighton Way	Sixth St Fire Station
Boston Harbor	

Bid Information:

None

Award Information:

Purchase orders will be issued to Southworth Milton Cat.

Purchasing Information:

Type:	Purchase order	Advertised:	no
Invitations Mailed:		Number of Responses:	
Warranty:	Na	Terms:	Net 30, FOB Dover
Work Bonded:	Certificate of Insurance	Contract:	Yes
Prices will hold for:	2011	Estimated Delivery:	November & May
Recommended Award to:	Southworth Milton Cat	Fund:	General Fund
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Waive bidding process

To: Dover City Council

From: Dorothea Hooper

Re: School Board Report

The Dover School Board met on June 14, 2010

No one spoke at Citizen's Forum

There was discussion on the Consent Agenda: 1. Requested leave of absence for a teacher to have a year to pursue a new business and then return to the district (approved), 2. Trip request to Europe for 2011 prompted discussion of safe travel and board liability (approved), and 3. Question about number of inter-mural coaches at the middle school (shared job --- approved). A question arose concerning special programs for Title I students supported by federal funds.

A representative from Sylvan Learning presented a proposal to the board for a summer program to be offered in the 3 elementary schools , middle school, and high school and supported by tuitions with no cost to the district (approved).

The Superintendent's Report was the 75th report given to the board by outgoing Superintendent John O'Connor. After reporting on some district honors, John gave an outline of his 20 years in the Dover school system as a principal (Garrison/high school) and superintendent and the joys he had working with students, staff and board members. Board member, Matt Mayberry, requested information on the cost of retirement severance packages for the Superintendent and this years retirees.

Committee Reports included: JBC report on the progress of Media Access, Redistricting Committee looking into possible restructuring of the elementary schools, Adult Learning Center which will be graduating 290 students this year, JBC Horne Street School noting that students are already moving into new classrooms, Finance Committee watching the costs of borrowing money for high school renovation, and the Vision Committee which is working on future goals for the Dover school system with teachers working on strengths and weaknesses of our current system.

Policy changes focused on enrollment of homeless students in their schools of origin. Other policies discussed related to: 1. Banning the use of fossil fuel, 2. Banning idling of motor vehicles outside of schools, 3. Banning weapons/dangerous items on school grounds and 4. Reporting child abuse.

The Board approved a three year contract with district administrators. While the contract updates the ranges of pay for administrators, it does not provide for any raise for the next contract year. The salary issue will be readdressed in the 2nd year when the Board has a better handle on what funds will be available.

The Board paid their bills.

Recognition of retirees was read into the minutes.

The Board accepted Carl Perkins funds for the CTC as well as federal funds for Titles I, 2, and 3 and Special Education. The funds are accepted with specific directions on how they may be spent.

Under Old Business, a proposed reunion of Dover High alumni was discussed. Plans include a day of athletic events as well as music and art activities. There has been a strong response to this proposal. All expenses will be covered by the event with any overflow monies being saved for another reunion and eventually earmarked for a donation to Dover High. The Board gave its blessing for this event.

The Board addressed new monies from the City Council with a lively discussion. District administrators had met to discuss priorities for additional funds they now had to spend. They focused on paying off the \$98,000 retirement mandate first. Then tried to determine what the additional \$152,000 should be used to fund. Their suggestions were: 2 new teachers (Garrison/Woodman Park), Kindergarten teachers (Garrison/Woodman Park), out of district student placement, and/or para-educators (Garrison/Horne Street). Board Member, Robert McCrory, noted that his interest was in restoring late buses and putting more staff in the libraries. Board Member, Doris Grady, was not happy with what the City Council restored to the School Board, many board members argued to hold off on any decision until enrollment figures were in and class sizes determined. The final decision was to wait for enrollment figures.

Mrs. Jean Briggs-Badger was approved as the next Dover Superintendent of Schools as of July 1, 2010. She was awarded a three year contract. Her entering salary for only the first year is \$116,500. There are no salary commitments after that first year.

There was discussion concerning penalties for students who went on trips missing athletic events. Athletic Director, Peter Wotton, agreed that students should not lose playing time upon their return as it impacts academic activities and educational experiences.

Bids were addressed and voted on.

Under Board Items of Interest, the subject of using \$17,000 for a district summer school (serving students unable to pay Sylvan tuition) was put on the table for future consideration.

Report to City Council and School Board
June 14, 2010
Submitted by Audra Lurvey

On Thursday, June 10 the JBC met in public session to discuss the construction bids received for the Media Access Studio renovation. There was only one bid submitted and the committee voted to table the bid award until a later date, as well as invite the sole bidder to the next meeting. The contractor has confirmed attendance at the June 15 meeting, which will begin at 6pm. All members of the JBC were provided a copy of the bid package to review prior to the meeting and references for the company will also be checked during that time frame.

The committee also reviewed a sample RFP for the purchase, engineering and installation of equipment for the space, as well as financial statements for the project.

The total appropriation for this project is \$351,902.20. No funds have been encumbered or spent as of this time.

The next meeting will be Tuesday, June 15, 2010 at 6pm in the 2nd floor conference room of City Hall.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R - 2010.06.23 – 83**
Resolution Re: B10068 Fire & Rescue Apparatus Purchase

- WHEREAS: On January 27, 2010 council approved appropriation of FY11 CIP Non Debt Financed Projects which included \$400,000 for fire apparatus; and,
- WHEREAS: Sealed request for Proposals B10068 was solicited and received on May 13, 2010 @ 2:00pm. This RFP requested pricing for a new fire engine along with discounts for trade in of a 1991 E-One Pumper as well as discounts for prepayments. Four proposals offering 5 different trucks were received and evaluated; and,
- WHEREAS: The low bid proposals deemed most advantageous to the city was submitted by New England Fire Equipment in the base amount of \$387,995 for a 2010 Smeal Fire Apparatus less \$3,000 trade in, less \$5,500 for Chassis Prepay Credit for a total due of \$375,495.00

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

The Purchasing Agent is hereby authorized to issue a Purchase orders to NE Fire Equipment given the bid amount of \$379,495.00. The amount of this authorization shall be limited so as not to exceed available funding. The City Manager is authorized to sign a contract containing the terms and conditions of the bid award.

Financing

Account	Description	Appropriation	Balance
4002.1.220.42220.4741.02251.02	Fire & rescue Apparatus- equipment	37,536.00	278.37
4011.1.220.42220.4743.02251.11	Fire & rescue Apparatus heavy veh	400,000.00	400,000.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved for Legal Compliance: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R - 2010.06.23 – 83**

Resolution Re: B10068 Fire & Rescue Apparatus Purchase

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, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison III, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R - 2010.06.23 – 83**

Resolution Re: B10068 Fire & Rescue Apparatus Purchase

RESOLUTION BACKGROUND MATERIAL:

Sealed request for Proposals B10068 was solicited and received on May 13, 2010 @ 2:00pm. This RFP requested pricing for a new fire engine along with discounts for trade in of a 1991 E-One Pumper as well as discounts for prepayments. Four proposals offering 5 different trucks were received and evaluated.

The low bid proposals deemed most advantageous to the city was submitted by New England Fire Equipment in the base amount of \$387,995 for a 2010 Smeal Fire Apparatus less \$3,000 trade in, less \$5,500 for Chassis Prepay Credit for a total due of \$375,495.00

Award Information:

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

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	31	Number of Responses:	4 vendors
Warranty:	Manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	Yes	Contract:	Yes
Prices will hold for:	Until delivered	Estimated Delivery:	9 months
Recommended Award to:	NE Fire Equipment	Fund:	CIP
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R - 2010.06.23 – 83**

Resolution Re: B10068 Fire & Rescue Apparatus Purchase

Vendor Solicitation List:

Crimson Fire Inc
Attn: Jason
907 7th Ave North
Brandon Sd 57005

New England Fire Equipment
And Apparatus Corp
10 Stillman Road
No Haven Ct 06473

Greenwood Emergency Vehicles/
Mark Macdonald
530 John Dietsch Blvd
No Attleboro Ma 02760

American Fire Equipment Co
58 Norfolk Ave St 5
So Easton Ma 02375

Anton Enterprises
Po Box 835
Scarborough Me 04074

Evt
5825 Markey Road
Dayton On 45415

New England Fire Equipment
9 Tilton Brook Road
E. Andover Nh 03231

Ne Rescue Systems
32 Cordan Ave.
Boston Ma 02131

Luverne
1209 East Birch Street
Brandon Sd 57005

4 Guys, Inc.
230 Industrial Park Road
Meyersdale Pa 15552

Blanchard Fire Apparatus
Po Box 42
Woodville Ma 01784

Custom Emergency & Specialty
Vehicles
Po Box 240
Clinton Ct 06413

Emergency Vehicles Of Maine
39 Prout Road
Freeport Me 04032

C.S.I. Emergency Apparatus
2332 Dupont Street
Grayling Mi 49738

Freightliner Of Hartford, Inc.
564 Bradford Road
Newport Nh 03773

Fire Master
2049 E. Division
Springfield Mo 65803

Sutphen Corporation
7000 Columbus-Marysville Road
Amlin Oh 43002

Becker Fire Equipment
American Lafrance Sales
1275 N. Six Mile Road
Casper Wy 82604

Kme Fire Apparatus
One Industrial Complex
Nesquehoning Pa 18240-1499

C & S Speciality, Inc.
1181 Old Smithfield Road
North Smithfield Ri 02895

Emergency One, Inc.
1601 Sw 37th Avenue
Ocala Fl 34474



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R - 2010.06.23 – 83**

Resolution Re: B10068 Fire & Rescue Apparatus Purchase

Yankee Fire And Rescue
1311 Park Street
Palmer Ma 01069

Bulldog Fire Apparatus
17 Winter St
Woodville Ma 01784

Frontline Fire & Rescue Equipment
5 Corporate Drive
Essex Jct, Vt 05452-4434

Ne Fire Equipment & Apparatus
55 Browning Street
Suite 3
Stratford, Ct 06497

Fire Master
2049 E. Division
Springfield Mo 65803

Piere Manufacturing, Inc.
Po Box 2017
Appleton Wi 54913

Fwd Corp./Seagrave Fire Apparatus
105 W. 12th Street
Clintonville Wi 54929

W. S. Danley & Co.
2000 Anson Drive
Melrose Park Il 60160

Ed Pollard
Northeast Sales Representative
Ferrara Fire Apparatus, Inc.
Ed.Pollard@ferrarafire.com

Mike Watts
Toyne Inc.
1309 North Market Street
Washington, NC 27889

Bid Results

<i>Vendor</i>	<i>Base</i>	<i>Trade in</i>	<i>Deduct for Pre-pay</i>
NE Fire Equipment 10 Stillman Rd North Haven CT 06473	\$387,995	\$3,000	\$5,500
C&S Specialty Old Smithfield Rd No Smithfield RI	\$443,577	\$17,000	\$1,600
Eastern Fire Equipment Po box 769 Milton NH 2 truck offers	2010 \$414,662.60 2011 \$418,726.90	\$5,000	-
Yankee Fire and Rescue Po box 839 Palmer MA	\$399,555	\$3,500	\$6,900



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2010.06.23 – 84**
Resolution Re: Final Acceptance Woodman Park Elementary School
Addition and Renovations

- WHEREAS: The City Council appropriated funding for the CIP project for Woodman Park Elementary School Addition and Renovations; and
- WHEREAS: In accordance with RSA 199:3 the Woodman Park School Joint Building Committee was established to oversee and decide all matters relating to the CIP project; and
- WHEREAS: The Woodman Park School Joint Building Committee has deemed the project as being completed;

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

In accordance with NH RSA 199:3 and RSA 199:4-a, the Woodman Park Elementary School Addition and Renovations CIP Project is accepted as being completed.

FURTHER BE IT RESOLVED THAT:

In accordance with City Charter provision C6-10, unspent appropriations for this CIP project shall lapse upon approval of this resolution.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor Catherine Cheney
Ward 6

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

Councilor Karen Weston
At Large

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2010.06.23 – 84**
Resolution Re: Final Acceptance Woodman Park Elementary School
Addition and Renovations

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, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2010.06.23 – 84**

Resolution Re: Final Acceptance Woodman Park Elementary School
Addition and Renovations

RESOLUTION BACKGROUND MATERIAL:

Supporting documentation is attached to the resolution.

RESOLUTION

FINAL ACCEPTANCE OF THE
WOODMAN PARK ELEMENTARY SCHOOL ADDITION AND RENOVATION AND RETURN
OF FUNDS TO SCHOOL FACILITIES CAPITAL RESERVE FUND

- WHEREAS: The existing 82,000 sq ft school building was completely renovated with new electrical, mechanical, plumbing, windows, boiler systems; and
- WHEREAS: A 3-story, 32,215 square foot addition consisting of classroom space and a media center was also constructed; and
- WHEREAS: The project began in April 2006 and building construction was successfully completed in September 2009; and
- WHEREAS: On June 3, 2010, the Woodman Park School Joint Building Committee declared the entire project complete; and
- WHEREAS: Pursuant to RSA 199:4-a the Committee has requested the project to be accepted by the City Council; and
- WHEREAS: The total project came in under budget and the final project cost was \$12,505,036.69; and
- WHEREAS: School Facilities Capital Reserve Funds in the amount of \$382,000.00 were appropriated for this project; and
- WHEREAS: There are unspent funds from the addition and renovation project in the amount of \$56,455.62; and
- NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The City Council accepts the project as having been completed; and
All unspent funds of \$56,455.62 shall be returned to the School Facilities Capital Reserve Fund (Fund 8935).

Approved as to form:

Allan Krans, Legal Department

Co-Sponsored by:

Catherine Cheney
Councilor, Catherine Cheney

Recorded by:

Karen Weston
Councilor, Karen Weston

City Clerk

BACKGROUND FOR RESOLUTION

FINAL ACCEPTANCE OF THE WOODMAN PARK ELEMENTARY SCHOOL ADDITION AND RENOVATION AND RETURN OF FUNDS TO SCHOOL FACILITIES CAPITAL RESERVE FUND

In the Spring of 2005, a Design team was formed for the purpose of renovating the 50+ year old Woodman Park Elementary School. Over 82,000 square feet were completely renovated and a 3-story, 32,215 sq. foot classroom and media center were added. Major renovations to the existing structure included conversion of a single fuel oil boiler plant to two natural gas boilers; full fire suppression systems, enlarged ADA compliant bathrooms, complete insulated roofing system, full hazardous abatement, a back-up generator, enlarged classrooms, and an upgrade to the entire electrical and lighting systems. During the entire construction process, students remained on the Woodman Park School Campus.

Funding for the project was provided with the following sources:

Remaining Balance of 2006 Appropriation	\$ 79,482.31
Capital Appropriation in 2007	\$9,000,000.00
Capital Appropriation in 2008	\$3,100,000.00
Use of School Facilities Capital Reserve (Impact Fees)	<u>\$ 382,000.00</u>
	\$12,561,492.31

This is the first school project overseen by a Joint Building Committee using the Construction Management form of delivery. Bonnette, Page & Stone performed the work satisfactorily and returned approximately \$56,000.00 in savings back to the budget. The Joint Building Committee also generated savings through rebate programs offered through Northern Utilities and Public Service. In addition, the Committee applied and received grant funding from the NH Department of Education to construct a Reading Recovery Center, and received partial funding from FEMA to install a back-up generator.

A final closeout meeting for the Woodman Park School project was held on June 3, 2010. The project came in \$56,455.62 under budget; the final cost was \$12,505,036.69. Funds appropriated from the School Facilities Capital Reserve were not fully expended and therefore, any savings from this project shall be deposited back to the fund.

(End of document)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2010.06.23 – 85**
Resolution Re: Reprogramming of Unexpended Bond Proceeds and Appropriations for Certain CIP Projects

WHEREAS: Annually the City Council desires to make public improvements and finance these improvements with the sale of general obligation bonds and/or capital reserve account funds; and

WHEREAS: The City has identified certain CIP projects that have been completed under budget and therefore there are unexpended appropriations financed with bond proceeds or capital reserve account funds to be utilized towards other CIP projects; and

WHEREAS: The City Council desires to effectively use unexpended bond proceeds and capital reserve account funds; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The City Council approves reprogramming bond proceeds of \$189,970 from the following CIP projects to the identified CIP projects as follows:

Project Number	Description	Available Balance	Adjustment	Adjusted Balance
CIP08 42280-4720-2202	North End Fire Station	41,025	(12,024)	29,001
CIP08 42280-4725-2203	Central Station Repairs	-	12,024	12,024
CIP09 43112-4715-3194	Cocheco River Stabilization	241,331	(150,000)	91,331
CIP09 43112-4715-3105	Henry Law Park Drainage & Retaining Wall	-	150,000	150,000
CIP02 43121-4715-3136	Oak Street Sidewalks	14,099	(14,099)	-
CIP02 43121-4751-3121	General Street Improvements	8,715	14,099	22,814
CIP04 43121-4751-3137	Bellamy Road Improvements	8,780	(8,780)	-
CIP04 43121-4751-3121	General Street Improvements	-	8,780	8,780
CIP07 43121-4751-3139	Sixth Street/Indian Brook Drive	5,067	(5,067)	-
CIP07 43121-4751-3121	General Street Improvements	127,452	5,067	132,519

AND, FURTHER BE IT RESOLVED THAT;

The following project appropriation, financed by General Fund Capital Reserve Account, is reprogrammed from the following CIP project to the identified CIP project as follows:

Project Number	Description	Available Balance	Adjustment	Adjusted Balance
CIP10 45500-4725-1205	Public Library Carpet	14,500	(14,500)	-
CIP10 45500-4725-1109	Library Roof Repairs/Improvements	-	14,500	14,500



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2010.06.23 – 85**
Resolution Re: Reprogramming of Unexpended Bond Proceeds and
Appropriations for Certain CIP Projects

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: Councilor Karen Weston
At Large

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

Councilor William Garrison
Ward 2

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:	YEA	NAY
Mayor Scott Myers		
Deputy Mayor Dean Trefethen, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		

Document Created by: Finance Department
Document Posted on: June 18, 2010

2010.06.23_reprogramming_bond_proceeds_and_appropriations_for_certain_cip_projects
Page 2 of 3
13.B.3.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2010.06.23 – 85**

Resolution Re: Reprogramming of Unexpended Bond Proceeds and
Appropriations for Certain CIP 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. In concert with approving the CIP the City Council, as appropriate, will approve a resolution for Authorization for Bonding to finance certain projects contained within the CIP, as well as approve a resolution for Non-Debt Financed (Reserve Finance) for certain CIP projects.

The City has identified certain CIP projects that have been completed under budget and therefore there are unexpended appropriations financed with bond proceeds or capital reserve account funds to be utilized towards other CIP projects

This resolution proposes to effectively use unexpended appropriations for General Street Improvements, Fire Station Repairs, Henry Law Park Drainage and Retaining Wall Improvements, and Library Roof Repairs. This resolution will transfer appropriations from other similar CIP projects to these projects.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2010.06.23 - 9**
Ordinance Title: **Chapter 3, Administrative Code**

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 3, entitled “Administrative Code” of the City of Dover.

2. AMENDMENT

Chapter 3 entitled “Administrative Code” is hereby amended by deleting the entire Chapter and inserting a new Chapter 3, entitled “Administrative Code” as attached hereto.

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: Councilor Name
Councilor

Approved for Legal Compliance: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2010.06.23 - 9**
Ordinance Title: **Chapter 3, Administrative Code**

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, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2010.06.23 - 9**
Ordinance Title: **Chapter 3, Administrative Code**

ORDINANCE BACKGROUND MATERIAL:

These revisions generally amend the department structure provisions and purchasing code provisions. The provisions regarding boards, commissions and committees are deleted and moved to a new Chapter 5.

ADMINISTRATIVE CODE

Chapter 3

ARTICLE I: GENERAL PROVISIONS

- 3-1 Legislative authority
- 3-2 Departments.
- 3-3 Powers and duties of department heads
- 3-4 Appointment of department heads; compensation;
- 3-5 Authority and functions of the City Manager

ARTICLE II: MUNICIPAL DEPARTMENTS

- 3-6 Executive
- 3-7 Finance
- 3-8 Fire and Rescue
- 3-9 Public Welfare
- 3-10 Public Library
- 3-11 Community Services
- 3-12 Planning and Community Development
- 3-13 Police
- 3-14 Recreation Programs

ARTICLE III: PURCHASING CODE

- 3-15 Purpose
- 3-16 Applicability of Article and compliance with Charter
- 3-17 Definitions
- 3-18 Appropriations for purchases; availability of funds

- 3-19 Authority of the Purchasing Agent
- 3-20 Use of credit cards
- 3-21 Small purchases (Less than \$1,000)
- 3-22 Emergency purchases
- 3-23 Quote purchases (\$1,000-\$9,999.99)
- 3-24 Competitive bidding purchases (\$10,000 or more); waiver
- 3-25 Competitive bidding
- 3-26 Major construction projects; Pre-qualification of bidders
- 3-27 Negotiations after bidding
- 3-28 Professional services
- 3-29 Exceptions to competitive bidding
- 3-30 Exception reporting
- 3-31 Other exemptions to bidding and approval requirements
- 3-32 City Council approval (\$25,000 or more)
- 3-33 Re-bidding
- 3-34 Contract processing
- 3-35 Conditions of purchase
- 3-36 Bid protests
- 3-37 Duties of department heads
- 3-38 Exchange for goods and services
- 3-39 Environmental concerns; required language
- 3-40 Conflicts of interest
- 3-41 Pecuniary benefit
- 3-42 Public access to procurement information
- 3-43 Savings provision

[HISTORY: Adopted by the City Council of the City of Dover 12-14-77. Departments amended 10-25-78 by Ord. #23-78; amended 9-22-82 by Ord. #17-82; amended 10-27-82 by Ord. #21-82; amended 12-13-89 by Ord. #26-89; amended 12-19-90 by Ord. #20-90; amended 2-21-90 Ord. #1-90; amended 7-17-91 by Ord. # 25-91; repeal 7-1-92 Ord. #19-92; amended 5-18-94 by Ord. #A05/94; repeal 5-18-94 by Ord. # A05-94; amended 5-18-94 by Ord # A05-94; amended 9-28-94 by Ord. #16-94; amended 9-28-94 by Ord. #16-94; amended 8-27-96 by Ord. # 13-96; amended 3-19-97 by Ord. #06-97; amended 4-8-98 by Ord. # 04-98; amended 12-21-05 by Ord. # 2-2005; Generally revised in 2010. Purchasing Code amended 2-13-80 Ord. # 2-80; amended 4-1-92 by Ord. # 08-92; amended 3-19-99 by Ord. 01-99; generally amended in 2010. Boards and commissions. Repeal 4-21-99 by Ord. #05-99; repeal 3-17-93 by Ord. 01-93; repeal 4-16-97 by Ord. 10-97. Adding boards and commissions 7-25-84 by Ord. #14-84 (Board of Trustees); 1-15-92 by Ord. #49-91 (Building Code Board of Appeals); 11-20-96 by Ord. # 18-96 (Solid Waste Advisory); 4-18-01 by Ord. #06-2001 (Arts); 5-16-01 by Ord. # 10-01 (Transportation Advisory); 2-20-02 by Ord. #02-2002 (Joint Fiscal); 6-16-04 by Ord. # 10-2004 (DBIDA); 2-22-07 by Ord. # 02-2007; See Chapter 5 (new) Boards, Commissions and Committees generally amended in 2010]**

ARTICLE I GENERAL PROVISIONS

3-1. Legislative authority.

Comment [ABK1]: This section is new. It sets out the authority under the Charter and State law.

- A. This Administrative Code is established in accordance with the provisions of C3-10 and C 3-8 of the Dover City Charter and RSA 49-C:21. The Administrative Code may be amended from time to time pursuant to the provisions of RSA 49-C:21.
- B. Should any section or provision of the Administrative Code be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this Administrative Code as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.
- C. The City Manager may issue administrative regulations promulgating procedures, administrative policies and programs of the City to supplement this Administrative Code. These regulations, together with the Administrative Code and any other standard operating procedures established by subordinate departments, shall conform to the requirements of the ordinances of the City of Dover, existing collective bargaining agreements and all other applicable state and federal laws.

3-2 Departments.

Comment [ABK2]: The department structure remains the same as the provisions of former section 3-1.

The administrative service of the city shall consist of the following departments, and the department head shall be known by the titles shown:

Department	Department Head
* Executive	City Manager
* Finance	Finance Director
* Fire and Rescue	Fire Chief
* Public Welfare	Director of Public Welfare
* Public Library	Director of Public Library
* Community Services	Director of Community Services
* Planning and Community Development	Director of Planning and Community Development
* Police	Police Chief
* Recreation	Director of Recreation

Comment [ABK3]: Public Welfare was formerly called Human Services

3-3 Powers and duties of department heads.

- A. Department heads shall be responsible for the efficient and cost effective operation of their departments on a courteous, cooperative and friendly basis with citizens of Dover and all other departments. They shall perform all duties and exercise all the powers conferred upon their office by applicable laws, ordinances and resolutions.
- B. Department heads may prescribe departmental rules and regulations not inconsistent with general law, the City Charter, the Administrative Code, City ordinances, administrative regulations, and the provisions of the Merit Plan for the administration of their departments, conduct of the employees and the proper performance of department functions.
- C. Department heads may, with the approval of the City Manager, establish department divisions and subunits as may be desirable in the interest of economy and efficiency in accordance with sound administrative principles and practices.
- D. Department heads shall be responsible for maintaining the operation of their department on a close, courteous and friendly basis of cooperation with the citizens of Dover and with all other departments.
- E. Department heads shall be responsible for satisfactory maintenance and care of all city property and buildings assigned to their department.
- F. Department heads shall be responsible for preparing and submitting routine and special reports on the operation of their departments to the City Manager or to any state or federal agencies as required.
- G. All employees shall be under the immediate supervision of their respective department heads and or designees, and all employees in the Classified Service shall be compensated on the basis of a uniform pay plan.

Comment [ABK4]: This section was formerly 3-2. All paragraphs remain the same except former Paragraphs G & H. Paragraph G required department heads to submit budget estimates to the City Manager which is addressed by the Charter. Paragraph H required department heads to follow the Purchasing code. The new Purchasing code requires department heads to comply with its provisions.

Comment [ABK5]: New provision requiring department heads to comply with administrative regulations when establishing department rules.

Comment [ABK6]: Deleted former 3-4(A) which stated: " Department heads may establish subordinate positions and make appointments and removals as may be necessary, within the limitations of the appropriations provided and subject to the provisions of the City Charter, the Merit Plan and the approval of the City Manager."

Comment [ABK7]: Formerly 3-4(B)

3-4 Appointment of department heads; Compensation;

Comment [ABK8]: This section was formerly Section 3-3.

A. All department heads shall be appointed, as provided by the City Charter, for indefinite terms, on the basis of merit and fitness to perform their duties and may be removed by the City Manager for misconduct or inefficiency as provided for in the City Charter, Merit Plan and state statute.

Comment [ABK9]: This provision adds the Charter and state statute as sources of authority.

B. The compensation of all department heads shall be fixed by the provisions of the Merit Plan.

Comment [ABK10]: This provision confirms the use of the Merit Plan as required by the Charter.

3-5 Authority and functions of the City Manager

Comment [ABK11]: This section was formerly Section 3-5 (B)

A. Pursuant to section C5-5 of the City Charter, the City Manager shall have the following authority and shall perform the following functions:

- 1) The City Manager shall be the administrative head of the city and shall perform all the duties and have all the responsibilities prescribed by the City Charter, by ordinance and resolution.
- 2) The City Manager shall supervise the heads of all departments established by this Code and shall have the power to suspend and discipline, and to perform or delegate the duties and responsibilities of department heads.

Comment [ABK12]: The provisions of former 3-4.1 are **omitted** as follows:
“ A. All Administrative Offices of the City of Dover whether located in City Hall or elsewhere in the City, shall be open at least 40 hours per week at times which are convenient for the conduct of business by the citizens of Dover and others wishing to do business with the city.
B. The specific hours of operation shall be established by the City Council, with the advice of the City Manager, by resolution.”

**ARTICLE II
MUNICIPAL DEPARTMENTS**

3-6 Executive

Comment [ABK13]: The following descriptions of departments are generally amended to focus on “functions” rather than divisions of the individual departments. This results in **omitting** detailed descriptions of the divisions and responsibilities currently existing in Sections 3-5 through 3-24. The configuration of functions within departments will adjust to meet changing conditions by administrative directive.

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

3-7 Finance

There shall be a Finance Department, under the direct supervision of a Director, who shall be responsible for accounting, purchasing, tax collection, treasurer, assessment, water/sewer billing, audit, city clerk services, elections and budget functions and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff.

3-8 Fire & Rescue

There shall be a Fire & Rescue Department, under the direct supervision of a Fire Chief, who shall be responsible for fire and emergency medical services, emergency management and inspection functions and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff. The Fire Chief shall have all the powers conferred upon fire wardens by law, emergency management and all powers contained in state law.

3-9 Public Welfare

There shall be a Public Welfare, under the direct supervision of a Director, who shall be responsible for providing public welfare and benefit functions and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff.

3-10 Public Library

There shall be a Public Library Department, under the direct supervision of a Director, who shall be responsible for providing library service functions and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff.

3-11 Community Services

There shall be a Community Services Department, under the direct supervision of a Director, who shall be responsible for providing engineering, public works, utilities, facilities and grounds, environmental, solid waste and recycling, and fleet maintenance functions, and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff. The Community Services Director, or designee, shall be the tree warden and road agent pursuant to state law.

3-12 Planning and Community Development

There shall be a Planning and Community Development Department, under the direct supervision of a Director, who shall be responsible for planning and community development functions, and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff.

3-13 Police

There shall be a Police Department, under the direct supervision of a Police Chief, who shall be responsible for public safety and public parking functions, and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff. The Police Chief shall have all powers contained in state law.

3-14 Recreation Programs

There shall be a Recreation Department, under the direct supervision of a Director, who shall be responsible for recreational programming and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff.

ARTICLE III PURCHASING CODE

Comment [ABK14]: The Purchasing Code was adopted in 1977. Spot amendments have been made sparingly over the past 30 years. Purchasing codes are authorized in state law by RSA 31:59-a.

3-15 Purpose.

Comment [ABK15]: This section duplicates the provisions of former 3-27.

The purposes of this Chapter are to standardize the purchasing procedures of the City, thereby increasing savings and protection of the taxpayers' money, to set forth the duties and responsibilities of the department heads in order to foster interdepartmental cooperation and trust with the office of the Purchasing Agent, and to assign all responsibility for purchasing to the Purchasing Agent.

3-16 Applicability of Article and compliance with Charter.

Comment [ABK16]: This section conforms to the provisions of former 3-28.

This Chapter shall apply to all purchases for all departments and agencies of the city pursuant to C6-16 of the Dover City Charter.

3-17 Definitions.

Comment [ABK17]: These definitions conform to the provisions of former 3-26 except definitions for Field Purchase Orders and Sealed Formal Bids are deleted since these definitions are unnecessary under current practices. Field Purchase Orders are no longer used. The concept of sealed bids is contained in the definition of Competitive Bidding.

For the purposes of this Chapter, the following terms, phrases, words and their derivations shall have the following meanings

- A. **BID MOST ADVANTAGEOUS TO THE CITY** means the lowest responsible and responsive bid taking into consideration the price, the quality of the commodity, and the service reputation and experience of the bidder.
- B. **COMPETITIVE BIDDING** means the formal process including sealed written bids as a means of achieving the bid most advantageous to the City for goods and services.
- C. **EMERGENCY PURCHASE** means a purchase occasioned by a potential threat to public health, safety or to property.
- D. **PURCHASE ORDER** means the document used to accomplish the purchase of goods and services.
- E. **GOODS AND SERVICES** means the complete array of purchases of the city, including but not limited to; supplies, commodities, equipment, construction materials and labor, consulting services, and training.
- F. **GROUP PURCHASE** means the purchase made by the City Purchasing Agent by grouping two (2) or more departmental requisitions in one (1) purchase order.

- G. **INFORMAL BIDS** means quotations obtained from the vendor(s) in writing or by oral communication.
- H. **LIST OF APPROVED VENDORS** means the list of vendors who have qualified to bid on city purchases of goods and services.
- I. **PURCHASE AMOUNT** means the total cost of goods or services including all determinable associated costs, e.g. construction, engineering, delivery, setup and training. Where the purchase consists of small frequent charges, the aggregate twelve (12) month cost of goods or services shall be used to determine the amount of a purchase and the applicability of the specific sections of the Purchasing Ordinance.
- J. **SPECIFICATIONS** means the qualitative standards set by department heads as a guide to the City Purchasing Agent and as a measure of quality which successful vendors must achieve. Specifications shall not unnecessarily restrict purchases as to trade name or eliminate bids being submitted on items that have the same specifications without a specific trade name.

3-18 Appropriations for purchases; availability of funds

No purchases shall be made until the City Council has approved the necessary appropriation, or in the case of federal or state grants to the city, the grant award has been received. The Finance Director, or designee, shall certify the availability of funds for all purchases.

Comment [ABK18]: This section conforms to the provisions of former 3-31 except the responsibility of certifying the availability of funds is consolidated in the Finance Director to correct an ambiguity in the former language.

3-19 Authority of the Purchasing Agent

- A. The Purchasing Agent is authorized to purchase Goods and Services for the use of one or more departments. All requests for Goods and Services shall be made to the Purchasing Agent by the department heads, or their designees.
- B. The Purchasing Agent shall maintain a list of approved vendors.

Comment [ABK19]: This is a new section to comply with the provisions of Dover charter provision C6-16 requiring the assignment of all purchasing responsibilities to a Purchasing Agent.

3-20 Use of credit cards

- A. Credit cards issued by the City may be used for the purchase of goods and services pursuant to administrative regulations on the use of credit cards.

Comment [ABK20]: This section is new. It is modeled after the City of Concord Purchasing Code 31-1-3 allowing the use of credit cards based upon administrative standards delineated separately in an Administrative Rule by the City Manager.

3-21 Small purchases(Less than \$1,000)

- A. Small Purchases of less than One thousand dollars (\$1,000) may be executed by informal, direct purchasing by the head of a department, or designee, on forms provided by the Purchasing Agent..

Comment [ABK21]: This section conforms with former provisions in 3-33 except the use of the term Field Purchase is discontinued and replaced with the term "Small Purchases".

- B. A copy of the purchase order shall be turned in to the Purchasing Agent within seven (7) days of the purchase.
- C. Small Purchases shall not be used if it is known or estimated based on historic experience that the aggregate twelve (12) month total cost of said purchases may exceed one thousand dollars (\$1,000)
- D. Department heads should take the appropriate steps to attain the best pricing practical when making Small Purchases.
- E. Informal bidding may be employed by the Purchasing Agent when requested by a department head.

3-22 Emergency purchases

- A. Emergency Purchase orders may be executed for emergency purchases not exceeding Five thousand dollars (\$5,000). A copy of the Emergency Purchase Order and report shall be sent to the Purchasing Agent within seven (7) days of the Emergency Purchase. The Purchasing Agent shall report the Emergency Purchase Order to the Finance Director and the City Manager.

Comment [ABK22]: This section conforms with the provisions of former provision 3-33 regarding emergencies. Emergency Purchases are addressed in a separate section. Emergency Purchase is a defined term confined to threats of public safety or harm. The City Manager may authorize waiver of Competitive Bidding for Emergency Purchases under 4-16 for purchases over \$10,000.

3-23 Quote purchases (\$1,000-\$9,999.99)

- A. The Purchasing Agent shall conduct bidding for Quote Purchases of One thousand dollars (\$1,000) to Nine thousand nine hundred ninety nine dollars and ninety nine cents (\$9,999.99). Quote bidding shall consist of a minimum of three quotes whenever possible.
- B. Verbal or oral quotes shall be required for Informal Purchases from \$1,000 to \$4,999.99.
- C. Written quotes from vendors are required for Informal Purchases from \$5,000 to \$9,999.99.
- D. Oral, verbal and written quotes shall be solicited by telephone, direct mail, direct conversation or by electronic means.

Comment [ABK23]: This section conforms to the provisions of former provision 3-36.

Comment [ABK24]: The Purchasing Agent reports there are situations where it is impracticable to obtain 3 quotes even though 3 quotes is the preferred method.

Comment [ABK25]: This provision expands the types of communication techniques available to the Purchasing Agent.

Comment [ABK26]: This section conforms with the provisions of former 3-35.

Comment [ABK27]: This section conforms to the provisions of former 3-40 except the Dover/State preference exception for ties is eliminated. "F. In the event of a tie for low bid by equally qualified bidders where one bid is not considered a bid most advantageous to the City, the following rules shall apply to the tied bidders:

1. Preference for award of a tie bid shall be given first to any bidder who is located within Dover. If none of the bidders are located in Dover, preference shall then be given to any bidder located within Strafford County and next, the State of New Hampshire in descending order.
2. If preference cannot be determined the purchasing agent shall, in the presence of such bidders if possible or in the presence of a witness, draw lots to determine who shall be awarded the bid."

3-24 Competitive bidding purchases (\$10,000 or more); Waiver

- A. The Purchasing Agent shall advertise and conduct Competitive Bidding for purchases of goods and services of Ten thousand dollars (\$10,000) or more.
- B. Competitive Bidding may be waived by a majority vote of the City Council.

3-25 Competitive bidding

The procedure for Competitive Bidding is:

- A. Competitive Bidding shall be initiated by the Purchasing Agent with a notice of solicitations for bidding sent to vendors and/or by advertising. The notice shall contain Specifications as to quantity and quality, date and time for the closing of bids, the date and time for opening bids, and other details regarding the bidding process. All solicitations shall note that all purchases are subject to the conditions set forth in the City Purchasing Code.
- B. The Purchasing Agent shall solicit at least three (3) vendors when available on every purchase requiring Competitive Bidding unless exempted by the provisions of this ordinance. Bids shall be awarded to the Vendor most advantageous to the City of Dover. In the event that less than three (3) bids are received, the City Purchasing Agent may award the purchase on the basis of the most advantageous bid to the City of those submitted, or, may order a re-bidding.
- C. Technical Specifications for bids shall state information as broadly as practicable, yet shall be specific enough to describe the requirements of the purchase. Non-technical Specifications for bids shall state the quality required in general terms.
- D. Formal, sealed bids shall be submitted by qualified vendors before the bidding deadline, but may be withdrawn by any bidder before the deadline. After the bidding deadline the Purchasing Agent shall receive no further bids, and no bidder shall withdraw a bid. The city shall have custody of all bids submitted pursuant to this Chapter.
- E. In accordance with RSA 447:16, the Purchasing Agent shall require security from vendors for construction projects estimated to be in excess of Twenty five thousand dollars (\$25,000). The elements of a purchase to be secured include, but are not limited to, the following:
 - 1) A Bid Bond to secure the bid price plus an additional ten percent (10%) of the bid price from the time of bid opening until signing of the contract, in case of default by the bidder.
 - 2) A Performance Bond in the amount of one hundred percent (100%) of the contract price to insure compliance with and completion of the contract.
 - 3) A Labor and Materials Bond in the amount of one hundred percent (100%) of the contract price to insure payment to suppliers and subcontractors by the contractor.
- F. The form of the security shall be prescribed by the Purchasing Agent and may consist, but is not limited to, bonds issued by surety companies licensed within the United States, certified checks and irrevocable letters of credit at banks acceptable to the City. The Purchasing Agent may waive the bond requirements on a case-by-case basis with the approval of the City Manager. The Purchasing Agent may include security requirements for projects less than Twenty-five

thousand dollars (\$25,000) and in other types of purchases where doing so is advantageous to the City with the approval of the City Manager.

- G. In each and every case where bids are presented to the City Council for award, information presented to the City Council shall solicitation information and bid amounts.
- H. The Purchasing Agent shall open bids, read them in public, inspect them and process for award. In determining the low bid or the bid most advantageous to the City, the Purchasing Agent shall, whenever possible, analyze the bids so that the bids are compared on an equitable basis as determined by the sole discretion of the Purchasing Agent.

3-26 Major construction projects; prequalification of bidders

Comment [ABK28]: This section is new. It permits, but does not require, pre-qualification of bidders for major projects.

- A. In the case of contracts for the construction, reconstruction, alteration, repair, or refurbishing of real property where the estimated cost of the project is in excess of one hundred thousand dollars (\$100,000), a determination of the responsibility of interested contractors may precede the issuance of invitations to bid. Invitations to bid shall be issued only to firms who have, in the City's sole determination, been pre-qualified.
- B. The pre-qualification process shall include the following:
 - 1) The ability, capacity, and skill of the bidder to perform the contract or provide the service required.
 - 2) Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference.
 - 3) The character, integrity, reputation, judgment, experience, efficiency of the bidder.
 - 4) The quality of performance of previous contracts or services.
 - 5) The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service.
 - 6) The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.
 - 7) The quality, availability, and adaptability of the supplies or contractual services to the particular use required.
 - 8) The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.
 - 9) The number and scope of conditions attached to the bid
 - 10) The amount of total direct and indirect costs which would accrue to the city on account of the bid.
 - 11) These rules and regulations may also include other special considerations not contrary to the law.

3-27 Negotiations after bidding

Comment [ABK29]: This section is new.

- A. The Purchasing Agent shall reserve the right to reject any and all bids together with the right to negotiate with the bidder most advantageous to the City for a lower bid price.

3-28 Professional services

Comment [ABK30]: This section is new. It permits, but does not require, pre-qualification of bidders. It is modeled after the Manchester Purchasing code.

In the purchase of accounting, architectural, auditing, engineering, legal and medical services and purchases of independent professional consultant services for personnel, data processing, insurance, actuarial, planning, management, and other comparable purchases the following procedures may be followed:

- A. An invitation shall be developed which will include a description of the scope of services and desired result and which shall request qualifications and an expression of interest.
- B. The invitation shall be given adequate public notice by posting in two public places, and by publication in a newspaper of general circulation
- C. Depending on the scope of the project, up to six applicants shall be selected to submit formal proposals.
- D. The Purchasing Agent shall develop a request for proposals, including terms, conditions, and other requirements and identifying the purpose of the work, the result desired, the specific work tenements the consultant is expected to perform, and the responsibilities of the applicant and the city.
- E. Proposals shall be evaluated and selection made on the basis of demonstrated competence and qualification for the services required at a fair and reasonable price. In addition to price, and where applicable to a particular project, the following factors shall be used in awarding the contract:
 - 1) Specific experience with similar projects:
 - 2) Specific experience with earlier phases of the same project:
 - 3) Background and experience of staff members who would be assigned to the job:
 - 4) Availability:
 - 5) Locality of the firm:
 - 6) Ability to communicate ideas:
 - 7) Ability to supply all of the major disciplines necessary to perform the work:
 - 8) Qualifications of subcontractors:
 - 9) Conceptual designs:
 - 10) Accuracy of the firm in estimated time and cost requirements:
- F. Interviews may be a part of the selection process.
- G. On award, all contracts for professional services shall be formalized in a written agreement signed by the applicant and the City Manager.

3-29 Exceptions to competitive bidding

Comment [ABK31]: This section conforms with former provision 3-36 with new portions added. New portions involve expansion of the ability to use cooperative buying programs, sole source, clarification of the use of Change Orders, extension of contract prices for subsequent years, group purchases and litigation support.

Competitive Bidding shall not apply to the following:

- A. Emergency Purchases: The City Manager may waive the competitive bidding procedures when there exists an emergency as determined by the City Manager. All attempts shall be made to obtain the most competitive price within the time available. The City Manager shall report all such emergency purchases to the City Council at their next regular meeting.
- B. Purchases made through the State of New Hampshire, other governmental agencies, or cooperative buying groups: The Purchasing Agent may, with approval by the City Manager, waive bidding procedures when purchasing can be accomplished through the State of New Hampshire or at State bid prices, other governmental agencies or cooperative buying groups.
- C. Group Purchases: The Purchasing Agent is authorized to bid and award a Group Purchase orders for goods and services at an agreed price and/or quantities.
- D. Change orders: The Purchasing Agent is authorized to issue change purchase orders for changes in scope or quantity of an existing purchase. Changes orders for a vendor may be permitted up to the limits of the available appropriation when the services are within the original scope of services. A change order may also be issued up to a cumulative amount of Twenty-five thousand dollars (\$25,000) prior to further City Council approval.
- E. Requests for proposals (RFP): The Purchasing Agent may solicit competitive proposals if he/she determines that compiling detailed technical specifications is not feasible or advantageous. Solicitation and award of RFPs is subject to other provisions of the Purchasing Ordinance.
- F. Regional purchasing: The Purchasing Agent may participate in solicitations to bid conducted by the City of Dover or another city or town where the goal is to bid for goods and services for more than one city, town or other government entity subject to other provisions of the Purchasing Ordinance.
- G. Sole Source purchases where the proposed purchase is manufactured or provided by only one entity.
- H. Purchases under extensions of contracts when the same or lower price is extended for another year or part of a year.
- I. Purchases under intergovernmental agreements or contracts which require use of procurement procedures consistent with the provisions of this section
- J. Expert consulting for litigation

3-30 Reporting.

Comment [ABK32]: This section conforms to former provisions 3-37.

A. The Purchasing Agent shall report exceptions to the bidding and award requirements to the City Manager.

B. All purchases of goods and services of Five thousand dollars (\$5,000) or more shall be reported to the City Council by the City Manager on a monthly basis following said purchases.

3-31 Other exemptions to bidding and approval requirements.

Comment [ABK33]: This section conforms to former provision 3-38.

Payments and purchases exempt from the bidding and City Council approval requirements due to their nature or other statutory provisions include:

- A. Utility consumption costs including electrical, natural gas, water and sewer.
- B. Telecommunication charges.
- C. Advertising.
- D. Postage.
- E. Federal, state and local taxes.
- F. Court judgments.
- G. Workers Compensation claims.
- H. Debt service payments.
- I. Police special investigative costs where disclosure may jeopardize an investigation.

3-32 City Council approval (\$25,000 or more)

Comment [ABK34]: This section conforms to former provision 3-39.

All purchases of goods and services of Twenty-five thousand dollars (\$25,000) or more shall be approved or rejected by majority vote of the City Council prior to the awarding of such purchases. The City Manager is authorized to sign a contract containing the terms and conditions of the bid award. The amount of the authorization shall be limited so as not to exceed available funding.

3-33 Re-bidding.

Comment [ABK35]: This section conforms to former provision 3-41.

The City Purchasing Agent is authorized to re-bid any or all items which have been noticed for bidding where less than three (3) bids have been received, or where no bid most advantageous to the city has been received.

3-34 Contract processing.

The City Manager is designated as the contracting officer of the city. Purchases involving contracts are subject to all other provisions of the Purchasing Ordinance.

Comment [ABK36]: This section conforms to former provision 3-42 except the omission of the following language: " Execution of a contract or contract change order accompanying a purchase order or purchase change order greater than one thousand dollars (\$1,000) shall occur only after the contract has been reviewed as to form by the City Attorney and funding confirmed by the Finance Director.

3-35 Conditions of purchase.

All purchases which shall be made by the City shall be subject to the following conditions:

- A. All purchases shall be awarded on the basis of the bid most advantageous to the city;
- B. All purchases shall be subject to the reservation of the right by the city to accept or reject any or all bids.
- C. When an award of purchase shall be recommended to other than the low bidder, the Purchasing Agent shall submit such recommendation to the City Manager for approval or disapproval. Should the City Manager reject such recommendation, the award shall be made to the bid most advantageous to the City, unless all bids are rejected.

Comment [ABK37]: This section conforms for the most part with former 3-43 with some clarification about rejecting the low bidder. Clarification was also made that the standard for acceptance of a bid is the bid most advantageous to the City as a defined term.

3-36 Bid protests

- A. Any actual or prospective bidder who is aggrieved in connection with the solicitation or award of a bid or contract may protest and seek resolution of complaints with the Purchasing Agent. A protest with respect to an invitation for bids or request for proposals shall be submitted in writing prior to the time for the opening of bids on the closing day for proposals, unless the aggrieved person did not know and should not have known of the facts giving rise to such protest prior to bid opening or the closing date for proposal. In that event, the protest shall be submitted within three (3) calendar days after the aggrieved person knows or should have known of the facts giving rise thereto.
- B. If a satisfactory resolution of the protest is not achieved by submitting a complaint with the Purchasing Agent, the person submitting the protest shall submit a written appeal to the City Manager within three (3) calendar days of a decision by the Purchasing Agent.
- C. Purchasing procedures shall be stayed pending a decision of the City Manager unless the City Manager decides that the award of a contract is necessary to protect substantial interests of the City.

Comment [ABK38]: This section is new . It is based on language in the Laconia Purchasing Code Section 5-71.

3-37 Duties of department heads for Purchasing Code.

All department heads shall:

Comment [ABK39]: This section conforms to former provision 3-44.

- A. Determine acceptable quality of commodities and supplies to be purchased.
- B. Cooperate with the Purchasing Agent in establishing lists of approved specifications and vendors.
- C. Share knowledge of special factors which will implement a policy designed to enable the city to minimize cost and maximize quality.
- D. Supply the Purchasing Agent with a list of estimated annual requirements of frequently used supplies, thereby fostering group purchasing.
- E. Prepare requisitions with a view toward group purchasing and keep corresponding records to facilitate debiting on city financial records.
- F. Be empowered to reject any unacceptable supply or commodity on grounds of high cost or low quality, and provide the Purchasing Agent with a detailed written report explaining the reasons for such rejection.
- G. Report to the Purchasing Agent obsolete and excess assets, including:
 - 1) Items beyond use.
 - 2) Items being replaced or to be replaced.
 - 3) Items no longer of use to the departmental operation.
- I. Foster regular purchasing procedures to minimize direct purchases.

3-38 Exchange for goods and services.

Comment [ABK40]: This section conforms with former provision 3-45.

Any transfer of city assets, waiving or abatement of fees, or performance of city services in exchange for goods and services to be received by the city shall be deemed a purchase and shall be subject to the provisions of the Purchasing Code as determined by the fair market value of the city assets, fees, and/or services being exchanged.

3-39 Environmental concerns, required language

Comment [ABK41]: This section is new.

- A. Solicitations utilized by the city or any agency thereof for the purpose of soliciting bids, proposals, price quotations, or providing instructions to bidders shall contain the following language: “The City of Dover supports the concept of purchasing products that are biodegradable, can be or have been recycled, or are environmentally sound. Due consideration will be given to the purchase of such products. If you are bidding on any such products which qualify, please so indicate in a cover sheet by item number and description.

3-40 Conflicts of interest.

No employee, officer, agent of the city shall participate in the award or administration of a contract in which he or she, or any member of his or her immediate family has an interest. No such employee, officer, or agent shall participate in the award or administration of a contract with any person, firm, partnership, or corporation in which he or she or any member of his or her immediate family is an officer or employee or is about to become an officer or employee.

Comment [ABK42]: This section conforms to former provision 3-51.

3-41 Pecuniary benefit

No employee, officer, or agent of the city who is participating or is about to participate in the award or administration of a contract shall either solicit or accept any pecuniary benefit from any firm, person, partnership, or corporation involved in such contract. For the purpose of this section, the definition of “pecuniary benefit” shall mean any advantage in the form of money, property, commercial interest, or anything else, the primary significance of which is economic gain.

Comment [ABK43]: This section is new. See Manchester Code

3-42 Public access to procurement information

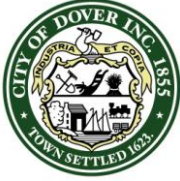
Procurement information shall be a governmental record to the extent provided in New Hampshire RSA 91-A:4 and RSA 91-A:5 and shall be available to the public. Proprietary information shall be considered a governmental record.

Comment [ABK44]: This section is new. It is modeled after the Laconia Purchasing Code 5-36.

3-43 Savings provision

Nothing in this Purchasing Code is intended to invalidate or in any way limit the term of any contract or special service agreement lawfully made prior to the effective date of this subchapter.

Comment [ABK45]: This section is new. See Manchester Code.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.2.

Ordinance Number: **O – 2010.06.23 - 10**

Ordinance Title: **Chapter 5: Boards, Commissions, and Committees**

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to adopt a new Chapter 5 of the City of Dover ordinances.

2. AMENDMENT

Chapter 3 entitled “Administrative Code” is hereby amended by deleting Article IV, entitled Board and Commissions, and adopting a new Chapter 5 to be entitled “Boards, Commissions and Committees.”

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: Councilor Name
Councilor

Approved for Legal Compliance: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.2.

Ordinance Number: **O – 2010.06.23 - 10**

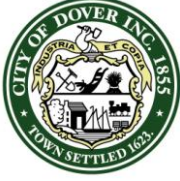
Ordinance Title: **Chapter 5: Boards, Commissions, and Committees**

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, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.2.

Ordinance Number: **O – 2010.06.23 - 10**

Ordinance Title: **Chapter 5: Boards, Commissions, and Committees**

ORDINANCE BACKGROUND MATERIAL:

Supporting documentation is attached.

BOARDS, COMMISSIONS AND COMMITTEES
Chapter 5

5-1. Establishment.

- A. There shall be the following boards, commissions and committees in the City of Dover:

- 1) Board of Health
- 2) Cemetery Board
- 3) Library Board of Trustees
- 4) Recreation Advisory Board
- 5) Dover Arena Commission
- 6) Personnel Advisory Board
- 7) Planning Board
- 8) Dover Utilities Commission
- 9) Zoning Board of Adjustment
- 10) Board of Trustees
- 11) Building Code Board of Appeals
- 12) Solid Waste Advisory Commission
- 13) Dover Arts Commission
- 14) Transportation Advisory Commission
- 15) Joint Fiscal Committee
- 16) Dover Business and Industrial Development Authority
- 17) McConnell Center Advisory Committee
- 18) Parking Commission
- 19) Conservation Commission
- 20) Dover Pools Advisory Committee
- 21) Dover Housing Authority

Comment [ABK1]: This Section conforms to the former list of boards, commissions and committees. Laconia, Keene and Concord include the Housing Authority in a listing of city boards. The cities of Rochester and Portsmouth do not include their housing authorities in their listings.

- B. All boards and commissions shall serve in an advisory capacity only, unless otherwise empowered by state statute, City Charter or ordinance. ||

Comment [ABK2]: The provisions A,B,C and D in this Section are the same as the former Section 3-52.

- C. All appointments to boards, commissions and committees shall serve for the terms appointed and until a successor shall have been appointed and qualified, unless any board or commission member is absent for four (4) consecutive meetings or four (4) regular meetings in a calendar year, whereby a vacancy shall be created in the position, and said vacancy shall be filled by the appointing authority. Appointments made to fill any vacancies shall be for full terms to begin the date of appointment by the appointing authority unless otherwise provided in state statute. Conditions for removal of any board member shall be defined by statute, ordinance or the Charter.

- D. All board and commission members shall be residents of the City of Dover except for those members presently serving. All exceptions shall be approved by the City Council.

- E. All boards, commissions and committees shall adopt rules subject to the approval of the City Council. Rules may contain provisions for the establishment of subcommittees consisting of members appointed by the City Council.
- F. The City Council may appoint a City Councilor as an ex-officio non-voting liaison to any board, commission or committee to report to the City Council on a periodic basis.
- G. The City Council shall appoint members to boards, commissions and committees to achieve a membership consisting of staggered terms to assure continuity in the functioning of boards, commissions and committees. Exceptions to the length of the term of appointment may be made by the City Council at the time of appointment to achieve staggered terms.
- H. Staff members may be assigned as liaisons to assist the board, commission or committee at the discretion of the City Manager.
- I. The City Council may appoint ad hoc committees for special projects for limited durations.
- J. All appointments of city councilors as regular or alternate members of a board, commission or committee shall be on an ex-officio non-voting basis, said appointment not to exceed the two-year term of office.

Comment [ABK3]: The provisions of E through J are new.

5-2. Board of Health

- A. MEMBERSHIP. The Board of Health shall consist of five (5) members including a physician and a dentist.
- B. TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.
- C. AUTHORITY AND DUTIES: The Board of Health shall perform the following functions:
 - 1. Study, consider and recommend to the City Council and the City Manager, or designee, general policies for public health in the City of Dover.

Comment [ABK4]: Generally, all appointments consist of 3 year terms with staggering of the membership of each committee to achieve consistency. The Council has the authority to adjust the term at the time of the appointment to achieve staggered terms.

5-3. Cemetery Board.

- A. MEMBERSHIP: The Cemetery Board shall consist of five (5) members and two (2) alternates.
- B. TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.

C. **AUTHORITY AND DUTIES:** The Cemetery Board shall perform the following functions:

2. Study, consider and recommend to the City Council and the City Manager, or designee, general policies for the operation of the Cemetery Division of the Community Services Department.

5-4. Library Board of Trustees.

A. **MEMBERSHIP:** The Library Board of Trustees shall consist of five (5) members.

B. **TERMS OF MEMBER:** Members shall be appointed to terms of five (5) years.

C. **AUTHORITY AND DUTIES:** The Library Board shall perform the following functions:

1. Study, consider and recommend to the City Council and the City Manager, or designee, general policies regarding the operation of the Dover Public Library;
2. Advocate, promote and perpetuate the growth, prosperity and the usefulness of the public library.

5-5. Recreation Advisory Board.

A. **MEMBERSHIP:** The Recreation Advisory Board shall consist of nine (9) members and three (3) alternates.

B. **TERMS OF MEMBERS:** Members shall be appointed to terms of three (3) years.

C. **AUTHORITY AND DUTIES:** The Recreation Advisory Board shall perform the following functions:

1. Study, consider and recommend, to the City Council and the City Manager or designee, general policies for the provision of recreation programs and facilities.

5-6. Dover Arena Commission.

A. **MEMBERSHIP:** The Dover Arena Commission shall consist of five (5) members and two (2) alternate members,

B. TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.

C. AUTHORITY AND DUTIES: The Dover Arena Commission shall perform the following functions:

1. Study, consider and recommend to the City Council and the City Manager or designee, general policies for the operation of the Dover Arena.

5-7. Personnel Advisory Board.

A. MEMBERSHIP. The Personnel Advisory Board shall consist of three (3) members according to the provisions of C7-6 of the Dover Charter. The duties shall conform to the Charter.

5-8. Planning Board.

A. MEMBERSHIP. The Dover Planning Board shall consist of nine (9) members pursuant to the provisions of RSA 673:2 (I-a) and three (3) alternates pursuant to RSA 673:6 and consistent with Dover ordinance Chapter 41. Planning Board members may only serve on other municipal boards and commissions pursuant to RSA 673:7.

B. TERMS OF MEMBERS. Members shall be appointed to terms of three (3) years consistent with the provisions of RSA 673:5 (II). The terms for member appointments shall be made to allow for subsequent appointments to occur on a staggered basis.

C. AUTHORITY AND DUTIES: The duties and authority of the Planning Board shall comply with RSA 672-677 and Chapter 41.

5-9. Dover Utilities Commission.

A. MEMBERSHIP: The Dover Utilities Commission shall consist of seven (7) members and one (1) alternate.

B. TERM OF MEMBERS: Members shall be appointed to terms of three (3) years.

C. AUTHORITY AND DUTIES: The Dover Utilities Commission shall perform the following functions:

1. Study, consider and recommend to the City Council and the City Manager, or designee, general policies for the operation of the water and sewer functions of the Community Services Department;
2. Hear and decide abatement appeal requests filed by citizens regarding administrative abatement decisions.

5-10. Zoning Board of Adjustment.

- A. MEMBERSHIP: The Zoning Board of Adjustment shall consist of five (5) members, and three (3) alternates
- B. TERMS OF MEMBERS. Members shall be appointed to terms of three (3) years.
- C. AUTHORITY AND DUTIES: The Zoning Board of Adjustment shall have duties and responsibilities pursuant to RSA 672-677.

5-11. Board of Trustees.

- A. MEMBERSHIP: The Board of Trustees shall be comprised of five (5) members, one (1) of whom shall be the City Treasurer on an ex-officio basis with voting privileges. Other members shall be citizens of Dover who shall have experience in the field of professional banking and financial matters.
- B. TERM OF MEMBERS: The City Treasurer shall hold a position as a member of the Board of Trustees for a term concurrent with the term of office as City Treasurer. Remaining members shall be appointed to terms of three (3) years.
- C. AUTHORITY AND DUTIES: The Board of Trustees shall have all of the authority and perform all of the duties as may be provided by state law relating to the administration of trust funds of the municipal corporation.

5-12. Building Code Board of Appeals.

- A. MEMBERSHIP: The Building Code Board of Appeals shall consist of five (5) members.
- B. TERMS OF MEMBERS. Members shall be appointed to terms of three (3) years.
- C. AUTHORITY AND DUTIES: The Building Code of Appeals shall have the duties and authority pursuant to RSA 674:34.

5-13. Solid Waste Advisory Commission.

- A. MEMBERSHIP: The Solid Waste Advisory Commission shall consist of seven (7) members
- B. TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.

C. AUTHORITY AND DUTIES: The Solid Waste Advisory Commission shall perform the following functions:

1. Study, consider and recommend to the City Council and the City Manager, or designee, general policies for provision of solid waste and recycling programs and facilities.

5-14. Dover Arts Commission.

A. MEMBERSHIP: The Dover Arts Commission shall consist of nine (9) members

B. TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.

C. AUTHORITY AND DUTIES: The Arts Commission shall perform the following functions:

1. Study, consider and recommend to the City Council and the City Manager or designee, general policies for the arts in the City of Dover.
2. Develop and promote programs, forums and exhibits that highlight the talent and active art related venues currently existing within the City.

5-15. Transportation Advisory Commission.

A. MEMBERSHIP: The Transportation Advisory Commission shall consist of nine (9) members including one (1) member of the City Council, and three (3) staff members assigned by the City Manager as ex-officio voting members.

B. TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.

C. AUTHORITY AND DUTIES: The Transportation Advisory Commission shall perform the following functions:

1. Review transportation policy and safety matters involving conventional vehicles, transit, alternative modes (i.e. pedestrian and bicycles), and commercial vehicles, and attendant amenities;
2. Serve as a sounding board for citizens' traffic, pedestrian and safety issues and making recommendations to Council or staff for appropriate action.;
3. Solicit feedback from the School Department regarding sidewalk and crosswalk safety issues on a quarterly basis;

Comment [ABK5]: These scope of activities remain the same as former 3-70. The current composition of the membership is continued.

Comment [ABK6]: The provisions of this section are consistent with the former provisions of 3-70 with new formatting. A COAST member was deleted.

4. Assist with developing the City Transportation Improvement Program (TIP) by soliciting citizen input on needed projects for submission to the Planning Board and City Council;
5. Study issues arising under the City of Dover Master Plan as they relate to transportation;
6. Make recommendations to the City Council and/or Planning Board and study and prepare reports to aid in the development, implementation and general improvement of the Master Plan relating to transportation in the City of Dover;
7. May hold public hearings for neighborhood transportation related reconstruction projects

5-16. Joint Fiscal Committee

Comment [ABK7]: These provisions remain the same.

- A. MEMBERSHIP: The Joint Fiscal Committee shall consist of all elected members of the Dover School Board and the Dover City Council.
- B. TERMS OF MEMBERS: The members shall serve for the length of their respective terms on the Dover School Board and the Dover City Council.
- C. MEETINGS AND AGENDAS: The Joint Fiscal Committee shall meet at dates and time mutually agreeable to the Chair of the School Board and the Mayor, but at least three times per year.
 1. The first regular meeting of the year shall be called to discuss the formulation of the annual budget and shall occur prior to February 1 of each year;
 2. The second regular meeting shall be called to discuss the general fund budget and shall occur prior to May 1 of each year;
 3. The third regular meeting of the year shall be called to discuss the Capital Improvements Plan (CIP) and shall occur prior to October 15 of each year.
 4. Other subjects may be discussed at any meeting pursuant to an advance agenda prepared by mutual agreement of the Chair of the School Board and the Mayor in consultation with their respective bodies.
 5. In addition, either the Chair of the School Board or the Mayor may initiate additional special meetings throughout the year by contacting his or her counterpart. An agenda for special meetings shall be prepared in advance by mutual agreement of the Chair of the School Board and the Mayor in

consultation with their respective bodies.

6. The location of meetings and seating arrangements shall be selected to promote effective communication, to enhance collegiality, and to honor the elected status of the members of each body on an equal basis.
7. The Chair of the School Board and the Mayor shall alternate presiding over the meetings on a meeting by meeting basis.

5-17. Dover Business and Industrial Development Authority

- A. MEMBERSHIP. The Dover Business and Industrial Authority shall consist of not less than nine (9) and no more than fifteen (15) members including the City Manager, Economic Development Director and Mayor as ex-officio non-voting members. The majority of board members shall reside in Dover.
- B. TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.
- C. AUTHORITY AND DUTIES: The duties and functions of the Dover Business and Industrial Development Authority shall be governed by RSA 162-G.

Comment [ABK8]: State law provides for a minimum of 9 and a maximum of 15 on the Authority.

5-18 McConnell Center Advisory Committee

- A. MEMBERSHIP: The McConnell Center Advisory Committee shall consist of seven (7) members and two (2) alternates including three (3) tenant representatives.
- B. TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.
- C. AUTHORITY AND DUTIES. The McConnell Center Advisory Committee shall have the following functions:
 1. Advocate for achieving the mission of the McConnell Community Center.
 2. Review the operations budget recommended to City Manager.
 3. Seek and recommend tenants to the City of Dover.
 4. Assist in the creation and dissemination of publicity related to the McConnell Community Center.
 5. Foster collaborative programming between tenants of the McConnell community center and other agencies.
 6. Study, consider and recommend policies for the operation of the McConnell Center.

Comment [ABK9]: The scope of activities remains the same.

Comment [ABK10]: A list of specific topics was deleted.

5-19 Parking Commission

Comment [ABK11]: The scope of activities remains the same.

- A. MEMBERSHIP: The Parking Commission shall consist of six (6) members with representation as follows:
1. Four (4) Dover residents; and
 2. Two (2) Dover commercial property or business owners.
- B. TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.
- C. AUTHORITY AND DUTIES: The Parking Commission shall perform the following functions:
1. Assist with the development, implementation and continued monitoring of a comprehensive public parking system throughout the City.
 2. Review and develop recommendations for the ongoing financing and operation of public parking services and facilities to include:
 3. 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.
 4. Making recommendations to the City Council and City Manager with respect to funding for a parking activity fund.
 5. 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.
 6. Making recommendations to the City Council and City Manager with respect to special parking districts, related maintenance programs and their funding and management.
 7. Promoting communication and the exchange of ideas and concerns between users of public parking, property owners, merchants, and City agencies.
 8. Acting to promote public awareness of public parking areas in the city.

5-20 Conservation Commission

- A. MEMBERSHIP: The Conservation Commission shall consist of not less than

three (3) and not more than seven (7) members. One member may be a member of the Planning Board pursuant to RSA 36-A.

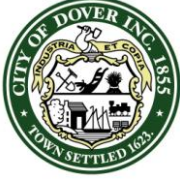
- B. TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.
- C. AUTHORITY AND DUTIES. The Conservation Commission shall have the powers and duties established by state law pursuant to RSA 36-A and consistent with Dover ordinance Chapter 14.
- D. OPEN LANDS COMMITTEE. The Conservation Commission may establish an Open Lands Committee as a subcommittee within its Rules subject to the appointing authority of the City Council and subject to the approval of the rules by the City Council.

5-21 Dover Pools Advisory Committee

- A. MEMBERSHIP: The Dover Pool Advisory Committee shall consist of seven (7) members and two (2) alternate members. In addition, there shall be one city councilor appointed on an ex officio non-voting basis.
- B. TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years
- C. AUTHORITY AND DUTIES: The Dover Pool Advisory Committee shall perform the following functions:
 - 1. Study, consider and recommend to the City Council and City Manager, or designee, general policies for the operation of the Dover Pools.

5-22 Dover Housing Authority.

- A. MEMBERSHIP: The Housing Authority shall consist of five (5) members appointed by the City Manager pursuant to state statute.
- B. TERMS OF MEMBERS. The Commissioners shall be appointed to five (5) year terms pursuant to state statute.
- C. AUTHORITY AND DUTIES: The functions and duties of the Housing Authority shall be as provided in Chapter 203 of the New Hampshire Revised Statutes Annotated.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.3.

Ordinance Number: **O – 2010.06.23 - 11**
Ordinance Title: **Sidewalk Obstructions**
Chapter: **Chapter 152, Street and Sidewalks**

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 152, entitled “Street and Sidewalks” of the City of Dover, 1983.

2. AMENDMENT

Chapter 152 entitled “Streets and Sidewalks,” Article XII entitled “Sidewalk Obstructions” is hereby amended as attached hereto.

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: Councilor Name
Councilor

Approved for Legal Compliance: Allan B. Krans, Sr.
City Attorney

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.3.

Ordinance Number: **O – 2010.06.23 - 11**
Ordinance Title: **Sidewalk Obstructions**
Chapter: **Chapter 152, Street and Sidewalks**

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, At Large		
Councilor Robert Carrier, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Jan Nedelka, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Gina Cruikshank, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.3.

Ordinance Number: **O – 2010.06.23 - 11**
Ordinance Title: **Sidewalk Obstructions**
Chapter: **Chapter 152, Street and Sidewalks**

ORDINANCE BACKGROUND MATERIAL:

These revisions reduce the width of the passageway required by the ordinance. In addition, provisions are added for waiving permit requirements for temporary obstructions used for public expression and miscellaneous obstructions not connected with business activities and placed as a service to the public

**ARTICLE XII
SIDEWALK OBSTRUCTIONS**

152-22 DEFINITIONS

As used in this ordinance, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

- A. "City" means the City of Dover
- B. "Newspaper or news periodical" means a daily or weekly publication containing all of the following: current news, editorials, feature articles and advertising.
- C. "News rack" means any self-service or coin-operated box, container, storage unit or other dispenser installed, used, or maintained for the display and sale of newspapers or news periodicals.
- D. "Public Way Obstruction" means any object, not including sandwich board signs governed by the provisions of Chapter 170-32 which in any way obstructs the free passage of pedestrians, wheelchairs or vehicles on the streets, sidewalks, or roadways.

152-23: CERTAIN PUBLIC WAY OBSTRUCTIONS PROHIBITED

- A. No person shall install, use, attach or maintain any public way obstruction which projects onto, into, or over any part of the roadway of any public street.
- B. No person shall install, use, attach or maintain any public way obstruction which, in whole or in part, rests upon, in, or over any public sidewalk, when such installation, use or maintenance results in one or more of the following:
 - 1) endangers the safety of persons or property, or
 - 2) when such site or location is used for public utility purposes, public transportation purposes or other governmental use, or
 - 3) when such public way obstruction unreasonably interferes with, or impedes the flow of, pedestrian or vehicular traffic, including any legally parked or stopped vehicle, the ingress into or egress from any residence or place of business, or the use of poles, posts, traffic signs or signals, hydrants, mailboxes, or other objects permitted at or near said location.

152-24 LICENSING OF LOCATION - NEWSRACK LIMITED EXCEPTION

- A. No person shall install or maintain any public way obstruction which, in whole or in part, rests upon, in or over any public sidewalk, except news racks, without first applying for and obtaining a license from the Dover Licensing Board. The license application shall include the following:
 - 1. The physical dimensions of the public way obstruction;
 - 2. The name, address and telephone number of the person or company responsible for the obstruction;
 - 3. A diagram showing the location of the obstruction and the dimensions of the sidewalk upon which it is to be located.

B. News racks shall require the submission of a license application, but the license shall be granted by the City Clerk on a ministerial basis without the requirement of Licensing Board approval. News racks must comply with the remaining provisions of this ordinance.

Formatted: Bullets and Numbering

~~B.C.~~ The Licensing Board may waive licensing requirements for applicants who plan to temporarily maintain a public way obstruction for the purpose of public expression of views and/or non-commercial objects such as cigarette disposal containers or complimentary non-business related seating or similar activities.

152-25 STANDARDS FOR INSTALLATION, MAINTENANCE AND OPERATION

Any public way obstruction which, in whole or in part, rests upon, in, or over any public sidewalk or parkway shall comply with the following standards:

- A. No public way obstruction shall be placed, installed, used or maintained in any location whereby the clear space for the passageway of pedestrians is reduced to less than ~~sixty (60)~~ forty (40) inches; or would otherwise interfere with the free passage of a wheelchair.
- B. Every public way obstruction shall be maintained in compliance with any conditions attached to the issuance of the license.

152-26 PUBLIC WAY OBSTRUCTION IDENTIFICATION REQUIRED

Every person, or other entity, which places or maintains a public way obstruction on the streets of the City including news racks shall have his/her, or its name, address and telephone number displayed in a place where such information may be easily seen.

- A. Public way obstructions shall be licensed individually by location.
- B. The City shall issue a proof of license to be displayed to the public by the licensee in a prominent location
- C. Fees for licenses for public way obstructions shall be adopted by the City Council on an annual basis, for each table, chair, or other public way obstruction except that there shall be no fee for a News rack license.
- D. All licenses must be renewed annually prior to July 1st.
- E. Unlicensed News racks or public way obstructions will be considered abandoned and subject to removal without notice.
- F. All licenses are non-transferable.
- G. Members of the public shall be permitted to use outdoor seating and tables installed by licensees irrespective of whether there is a purchase of products or services from the licensee.
- H. A License shall only be issued for locations in front of, or on the side of, businesses or properties owned by the licensee.

152-27 HOLD HARMLESS AND INSURANCE

Every person or other entity which places or maintains a public way obstruction on a public sidewalk, parkway, roadway or street in the City shall file a written statement with the City Clerk satisfactory to the City Attorney, whereby he/she, or it agrees to indemnify and hold harmless the

City, its officers, City Council Members and employees, from any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by any person as a result of the installation, use, or maintenance of the public way obstruction within the City. A Certificate of Insurance in a form approved by the City Attorney indicating no less than one million dollars (\$1,000,000) in general liability insurance coverage and naming the City as an additional insured shall be maintained on file with the City Clerk by each such person or entity.

152-28 REMOVAL OF NEWSRACK OR PUBLIC WAY OBSTRUCTION

The City Manager or his/her designee shall remove any public way obstruction placed on any street, sidewalk, parkway or roadway in violation of this ordinance.

152-29 SEVERABILITY

The provisions of this ordinance are severable. If any provision of this ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or application.

152-30 INJUNCTION

Any violation of this ordinance is hereby declared to be a nuisance. In addition to any other relief provided by this ordinance, the City may apply to a Court of competent jurisdiction for an injunction to prohibit the continuation of any violation of this ordinance. Such application for relief may include seeking a temporary restraining order, preliminary injunction and permanent injunction.

152-31 DAMAGE TO PUBLIC WAY OBSTRUCTIONS

Any damage to public way obstructions, whether or not properly licensed, by any cause whatsoever, including snowplowing and removal, will be at the sole expense of the owner.

152-32 PENALTY

Any person, firm or corporation violating any provision of this ordinance shall be fined \$100.00 for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

The City Clerk shall properly alphabetize and/or re-number the ordinance as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

1. 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

Sponsored by: Councilor Name

Finance Director

Councilor

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, 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.		

ORDINANCE BACKGROUND MATERIAL:

This is a new ordinance to regulate sidewalk obstructions with licensing.