



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, April 13, 2011**
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 – FY2012 PROPOSED BUDGET PRESENTATION**
10. **APPROVAL OF MINUTES**
 - A. **March 16, 2011 – Special Meeting**
 - B. **March 16, 2011 – Workshop**
 - C. **March 23, 2011 – Regular Session**
11. **MAYOR’S REPORT**
12. **UNFINISHED BUSINESS**
 - A. **ORDINANCES IN THE 2nd READING – None**
 - B. **ORDINANCES IN THE 3rd READING – None**
 - C. **RESOLUTIONS – None**



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13. NEW BUSINESS

A. CONSENT CALENDAR

1. **RAFFLE – American Legion – Dover Post 8, drawing June, 2011**
2. **RAFFLE – American Legion – Dover Post 8, drawing July, 2011**
3. **RAFFLE – American Legion – Dover Post 8, drawing September, 2011**
4. **RAFFLE – Dover High School Soccer Booster**
5. **PARADE – American Cancer Society’s Making Strides Against Breast Cancer**
6. **PARADE – Baby Rachel Legacy Walk/Run**
7. **PARADE – Children’s Museum of New Hampshire**
8. **PARADE – Dover Day Care Learning Center**
9. **PARADE – Dover Knights of Columbus, Our Lady of the Rosary Council #807**

10. **RESOLUTION: B11044 AWARD OF BID FOR CONSTRUCTION EQUIPMENT RENTAL**
SPONSORED BY MAYOR MYERS BY REQUEST

11. **RESOLUTION: B11045 AWARD OF BID FOR SAND & GRAVEL PRODUCTS**
SPONSORED BY MAYOR MYERS BY REQUEST

12. **RESOLUTION: B11054 AWARD OF BID FOR ENGINEERING SERVICES FOR THE MAST ROAD & SPRUCE LANE SIDEWALK & DRAINAGE PROJECT**
SPONSORED BY MAYOR MYERS BY REQUEST

13. **RESOLUTION: CLASS OF 1948 SCHOLARSHIP FUNDS**
SPONSORED BY MAYOR MYERS BY REQUEST

14. **AUTHORIZATION TO ACCEPT BERRY BROOK WATERSHED MANAGEMENT PLAN GRANT**
SPONSORED BY MAYOR MYERS BY REQUEST

15. **EcoMEDIA DOVER AGREEMENT**
SPONSORED BY MAYOR MYERS BY REQUEST

COMMITTEE REPORTS

- | | |
|--|---|
| 1. School Board | 8. Transportation Advisory Commission |
| 2. Planning Board | 9. Joint Building Committee – Horne Street |
| 3. Appointments Committee | 10. Joint Building Committee – Media Access |
| 4. Recreation Advisory Board | 11. Legislative Liaison |
| 5. McConnell Center Advisory Committee | 12. Pool Advisory Committee |
| 6. Arts Commission | 13. Parking Commission |
| 7. Solid Waste Advisory Commission | |



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B. RESOLUTIONS

- 1. ARCH STREET REZONING REQUEST FOR REHEARING**
SPONSORED BY DEPUTY MAYOR TREFETHEN
- 2. RESOLUTION: ALLOCATE UP TO \$3,000 OF PARKING ACTIVITY FUNDS FOR PARTICIPATION IN THE COOPERATIVE MARKETING OF DOVER DOWNTOWN**
SPONSORED BY MAYOR MYERS BY REQUEST
- 3. AMENDMENT OF FY2011 FEE SCHEDULE TO ESTABLISH MOBILE PARKING METER SYSTEM RATES (REQUIRES A 2/3 MAJORITY COUNCIL VOTE)**
(TO BE REFERRED TO PUBLIC HEARING ON APRIL 27, 2011)
SPONSORED BY MAYOR MYERS BY REQUEST
- 4. FISCAL YEAR 2012 BUDGET APPROPRIATIONS, FEES AND CAPITAL IMPROVEMENTS PROGRAM**
(SCHOOL DEPARTMENT'S PORTION OF THE BUDGET TO BE REFERRED TO A PUBLIC HEARING ON APRIL 27, 2011)
(CITY'S PORTION OF THE BUDGET TO BE REFERRED TO A PUBLIC HEARING ON MAY 25, 2011)
SPONSORED BY MAYOR MYERS BY REQUEST

C. ORDINANCES IN 1ST READING

- 1. ORDINANCE CHAPTER 166 - PARKING HOURS OF OPERATION**
(TO BE REFERRED TO A PUBLIC HEARING ON APRIL 27, 2011)
SPONSORED BY MAYOR MYERS BY REQUEST
- 14. COUNCIL CORRESPONDENCE – None**
- 15. COUNCIL MATTERS OF INTEREST**
- 16. ADJOURNMENT**



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Special Meeting
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, March 16, 2011**
Meeting Time: **7:00 PM**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Nedelka 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 and Councilor Weston.

Also present: General Legal Counsel, and City Clerk Lavertu.

5. CITIZEN'S FORUM

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

Carol Boc, 8 Arch Street: She gave her appreciation to the Council for their approval on the previous resolution.

Margaret Jalbert, 10 Arch Street: She thanked the Council for doing a good job and respecting citizens and the neighborhoods.

Peter Driscoll, 41 Arch Street: He thanked the Council and the Planning Board for their unanimous consent to rezone Arch Street.

Lisa Verville, Salmon Falls Development: She said she was told that public comments would be heard tonight. She wanted the Council to know that their written request for a rehearing states their position.

Laurence Tatro, 2 Arch Street: He thanked the Council for voting unanimously on January 26th to rezone Arch Street.

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



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6. NEW BUSINESS

A. RESOLUTION: ARCH STREET REZONING SPONSORED BY DEPUTY MAYOR TREFETHEN

Deputy Mayor Trefethen moved the motion; seconded by Councilor Weston. Deputy Mayor Trefethen went over the background for the Resolution with the Council. He said he didn't believe the Council made an error. He said there was no new evidence. He said he didn't believe the comments that the petition was altered. He said the residents on Arch Street are completely aware how the rezoning will affect them, and they are in favor of the change.

Councilor Garrison said he didn't see new evidence that makes him believe any differently than he did on January 26th.

Councilor Hooper asked General Legal Counsel Krans why the Council was seeing this again.

General Legal Counsel Krans spoke about the rules of the court system, and said if this was appealed to Superior Court that they would only hear the rehearing request.

Councilor Cheney said she was firm in her belief that the Council did the right thing, and will vote against a rehearing.

Mayor Myers said he didn't think the Council erred in their decision, and would not support a rehearing.

Deputy Mayor Trefethen moved to amend the Resolution to make the Therefore read: "the request for a rehearing for the zoning change on Arch Street is denied;" seconded by Councilor Weston.

Vote: 9/0.

Mayor Myers asked for a vote on the amended Resolution.

Roll Call Vote: 9/0.

7. ADJOURNMENT

Deputy Mayor Trefethen moved to adjourn to the Workshop Session; seconded by Councilor Weston.

Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, March 16, 2011**
Meeting Time: **To follow Special Meeting**

1. CALL TO ORDER

2. ROLL CALL ATTENDANCE

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

Also present: City Manager Joyal, General Legal Counsel, and City Clerk Lavertu.

Financial Policy Committee Members: John Leggett, Paul Kageleiry, and Ken Appel.

3. REVIEW OF THE RECOMMENDED FINANCIAL POLICIES

Mayor Myers gave a PowerPoint presentation to the Council regarding the 2011 Financial Policy Committee's recommendations.

Mr. Leggett gave an overview on two different scenarios for increasing the fund balance and the impacts.

Mr. Kageleiry spoke about how to go about spending money without piling on debt.

City Manager Joyal gave an overview on the modeling reports to show impacts. He recommended the Council have workshops to discuss different scenarios so they can work on forecasts and show impacts.

Councilor Garrison asked about increasing the fund balance to 8%, and if it included the School's side of the budget.

Mayor Myers referred to Page 40 of the 2010 Financial Policy Report and Recommendations, and said it included the City and School, but it was not in the School budget for this year.

Councilor Garrison said the Council has no control on the School budget, and they just have to hope they follow along with these policies.

Mayor Myers agreed.

Councilor Garrison referred to the 5% increase to Other Post-Employment Benefits (OPEB), and asked if that was going into a special revenue fund.

Mayor Myers said they have asked New Hampshire Senator Merrill to sponsor enabling legislation to allow communities to set up a trust fund for OPEB.

Councilor Garrison started a discussion about debt limits.

Councilor Weston asked for more clarification on the impact to the tax rate to increase the fund balance, and if it included the School. She wanted people to know that if it is absorbed that cuts will have to be made for both the City and School side of the budget.

Deputy Mayor Trefethen referred to Page 5 of the PowerPoint presentation, and asked if it listed the priorities in order.

Mayor Myers said it did. The first priority is to bring the fund balance up to 8%.

Councilor Hooper asked what happens in an emergency and the City deviates from the plan.

Mr. Leggett said as long as you're moving in one direction you're better off than you are now, because it allows for more leeway.

Councilor Cruikshank said these recommendations will benefit the City's position, and asked Councilor Cheney, Vice-Chairperson for the Financial Policy Committee, why she didn't vote.



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Councilor Cheney said she felt it was imperative that the modeling software is integrated into dynamic presentations. She said the City needs more public input. She said they needed to see more “what ifs” scenarios with budget items.

Deputy Mayor Trefethen asked Councilor Cheney if she disagreed with any of the recommendations.

Councilor Cheney said she didn’t disagree with the actual report. She made some compromises, but it was difficult for her to buy into this knowing the situation the City is facing. Mayor Myers reminded the Council that the Committee wasn’t asking the Council to adopt these recommendations tonight. He said they will be getting public input.

Mr. Leggett said the recommendation is for the City to allocate the equivalent of \$0.31 or \$800,000, but they aren’t saying where it comes from. It doesn’t have to impact taxes.

Councilor Nedelka said he likes the recommendations, but was concerned with the phase in timing for these changes. He said with downshifting from the State the only way to pay for the additional costs is to raise taxes. He started a discussion about shifting the property taxes a month at a time, so it isn’t six months in arrears.

Dr. Appel said they don’t have a firm feeling when the rating agencies will change the City’s bond rating if they don’t have 8% in fund balance.

Mayor Myers said the fund balance is an area they can control, but they can’t control the economy or housing market.

4. PRESENTATION OF INDEPENDENT FINANCIAL AUDIT REPORT

City Manager Joyal introduced Christian Smith from MacDonald Page & Company.

Mr. Smith gave a PowerPoint presentation to the Council, discussing the preliminary draft for the Management Letter.

Deputy Mayor Trefethen asked if the timeliness of the closing a result of the City not having enough staff, staff not working efficiently, or the staff is not using the best use of their time.

Mr. Smith said it was a combination of a number of things, but he couldn’t pin it down to one particular issue or item.

Councilor Hooper asked about internal controls.

Mr. Smith said it had to do with checks and balances within the system.

Councilor Cheney asked how the encumbrances could not agree with the detail.

Mr. Smith said the number was way too high, so it couldn’t be accurate. He needed figures for the financial report and the software didn’t show an accurate result. He said it has been rectified.

City Manager Joyal explained that the software conversion happened during the middle of the fiscal year, and the training they received from the software vendor to roll over the information was incorrect. He said all the information had to be backed out and reinstated based on the new instructions from the software vendor. He believed it is functioning as it should be at this point.

Mr. Smith continued his presentation to the Council, discussing the Comprehensive Annual Financial Report.



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5. CITIZEN'S FORUM

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

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

6. ADJOURNMENT

Councilor Cruikshank moved to adjourn; seconded by Councilor Nedelka.
Vote: 9/0.

All handouts and PowerPoint Presentations have been archived with the Minutes.



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1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Cruikshank 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 and Councilor Weston.

Also present: City Manager Joyal, General Legal Counsel, and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS – None

6. APPROVAL OF AGENDA

Councilor Garrison moved to add the Legislative Report; seconded by Councilor Cruikshank.

Vote: 9/0.

Councilor Hooper moved to add the School Board Report; seconded by Councilor Carrier.

Vote: 9/0.

Councilor Nedelka moved to approve the amended Agenda; seconded by Deputy Mayor Trefethen.

Vote: 9/0.

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.

Marsha Pelletier, 94 Back River Road: She asked the Council to honor the Dover Teachers' Contract.

Suzanne Medbery, 3 Covered Bridge Lane: She spoke against the pedestrian covered bridge possibly being given away to Sunapee. She said she would like to see the bridge remain in Dover. She said Mr. Bleiler would pay \$1,000 to keep the bridge in Dover.

Ronald Huml, 199 Mast Road: He spoke in opposition of the Dover Teachers' Contract. He said he hasn't received a raise in his Social Security for the past three years, and he didn't want to fund the people at the schools.



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Deborah Hackett, President of the Dover Teachers' Union: She gave the Top Ten Reasons to approve the Dover Teachers' Contract.

Donald Medbery, 3 Covered Bridge Lane: He spoke about the Dover Teachers' Contract. He read RSA 671:18 to the Council. He said School Board members cannot be an employee of a school district. He asked the General Legal Counsel to investigate this RSA. He said the teachers deserve raises. He said the paraprofessional contract should have come after the teachers' contract.

Mayor Myers said the paraprofessional contract had time constraints where the Council had to act upon it.

Denise Copley, 29 Samuel Hanson Avenue: She spoke in favor of the teachers' contract. She asked the Council to pass the contract.

Beth Setear, 29 Horne Street, School Board Secretary: She urged the Council to pass the contract.

Harvey Turner, 4 Auburn Street, Ad-Hoc Willand Pond Committee Member: He spoke about the Willand Pond presentation at the next Council Workshop.

Maybeth Anderson, 16 Monroe Street, Dover Teachers' Union Member: She spoke in favor of the teachers' contract. She hoped the Council valued the City's teachers.

Richard Callaghan, 32 Horne Street, Ad-Hoc Willand Pond Committee Member: He spoke about the Willand Pond presentation at the next Council Workshop. He asked the presenters to attend the Ad-Hoc Willand Pond Committee immediately following the Workshop to answer questions from the citizens who live in the Willand Pond area.

Frances Meffen, 16 Benjamin Way: She spoke in favor of the teachers' contract. She said 4,000 children were counting on the Council.

Carolyn Mebert, School Board Chairperson: She asked the Council to please support the contract.

Jennifer Krans, 99 Portland Avenue: She asked the Council to support the contract.

Patricia Brown, 9 Shady Lane: She asked the Council to support the contract.

David Martin, 10 Linda Avenue: He thanked all teachers. He said this wasn't about teaching. He spoke about the School budget. He said he couldn't support the wish list for the School budget, and they needed to see a more detailed budget.



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Audra Lurvey, 9½ Sixth Street, School Board Vice-Chairperson: She asked the Council to support the contract.

Gregory Brown, 6 Arbor Drive: He spoke in support of the teachers' contract and teachers' commitment. He asked the Council not to take the State's problem out on them.

Domenick Cama, 119 Cottonwood Drive: He spoke in support of the teachers' contract. He said the City needs to invest and grow.

Patricia Sorensen, 3 Westwood Circle: She spoke to sway the Council to support the contract.

Christine Sieks, 7 Florence Street: She said she was willing to pay more taxes for a great education. She asked the Council to support the contract.

Meaghan Odell, 16 Second Street: She said she was a product of the Dover School System. She said the teachers are hardworking and dedicated.

Kristen Murphy, 17 Rutland Street: She referred to Mayor Myers email to her, and understands that this is a very difficult time. She said the teachers are a priority and urged the Council to support the contract.

Lisa Spurling, 10 Isaac Lucas Circle: She said she wasn't a fan of unions, but she supported the contract.

Joseph Tenuta, 262 Long Hill Road: He spoke in favor of the teachers' contract. He spoke about losing his job and his start as a substitute teacher. He said it was all about the kids, who are the future.

Michelle Holt-Shannon, 14 Florence Street: He asked the Council to approve the contract.

Jean Briggs-Badger, Superintendent of Schools: She spoke in favor of the teachers' contract. She compared teacher salaries in Dover to the State. She asked the Council to support the contract.

Richard Hebbard, 97 Spruce Lane: He referred to the School bus contracts, which stated that the City would be getting new buses and video cameras on every bus, which the City did not get. He felt there was fraud somewhere, and should be looked into. He referred to the stormwater utility, and said he spoke with Congressman Guinta, who said it would be bad for Dover. He wrote a letter to him stating that.



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Mary Hebbard, 97 Spruce Lane: She read the letter from Congressman Frank Guinta to the Council. She spoke about the Executive Session spilling over into the Regular Meeting, and asked the Council to respect citizens and start the meeting at 7:00 pm. She spoke about the DoverNet schedule and asked the Council to stick to their replay schedule. She said the Council wouldn't be disrespecting the teachers if they voted the contract down. She said the citizens can't afford this contract and asked the Council to vote no.

Kenneth Appel, 16 Isaac Lucas Circle, School Board Member: He said it was a fair and reasonable contract.

Tice Leonard, 64 Dover Point Road: He spoke in favor of the teachers' contract.

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

9. CITY MANAGER'S REPORT

City Manager Joyal spoke to the Council about the Census Bureau statistics. He said Dover has grown close to 11% over the last decade. He spoke about the meeting on Thursday, March 31, with himself, City department heads, and the School Superintendent, which will be about the Dover Budget. He referred to comments regarding Channel 22, and said the City is in the process of transitioning to a completely new broadcasting system. He said it will take a few weeks to get it all sorted out, and asked the citizens to be patient.

Deputy Mayor Trefethen said after speaking with the Mayor and the City Manager they have agreed to include the Ad-Hoc Willand Pond Committee to join the Council Workshop on March 30, 2011, and give them an opportunity to participate.

City Manager Joyal said he will formally invite the Ad-Hoc Willand Pond Committee and Friends of Willand Pond to actively participate in the meeting.

Mayor Myers referred to the City Manager's Report and spoke about the Economic Development Report.

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

Vote: 9/0.

10. APPROVAL OF MINUTES

- A. March 2, 2011 – Workshop
- B. March 9, 2011 – Regular Session
- C. March 9, 2011 – Workshop

Deputy Mayor Trefethen moved to approve the Minutes; seconded by Councilor Hooper.

Vote: 9/0.



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11. MAYOR'S REPORT

Mayor Myers referred to the Financial Policy Presentation at the 3/16/2011 Council Workshop, and said the public input sessions will be held on April 9th at 9:00 am and April 12th at 6:30 pm, at the McConnell Center. He said he did several ribbon cuttings for new business members to the Greater Dover Chamber of Commerce. He took a tour of the Portsmouth Christian Academy at Dover campus. He attended Mrs. Shea's 1st grade class at Woodman Park School. He attended the Municipal Advisory Committee meeting. He participated in the Mayors for the Meals on Wheels program. He delivered several meals at Cochecho Park, Waldron Towers, and Central Towers. He spoke about the Dancing with the Dover Stars and said it was fun.

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

Deputy Mayor Trefethen moved to suspend the rules and move Item 13.B.1. on the Agenda to this point; seconded by Councilor Weston.
Roll Call Vote: 9/0.

Deputy Mayor Trefethen move for the approval of Item 13.B.1.; seconded by Councilor Hooper. Councilor Hooper spoke about her teaching career. She said the deciding factor for her decision to support the teachers' contract was hearing from her constituents, who 10:1 were in favor of the contract.

Councilor Garrison said he would be supporting the contract.

Councilor Cruikshank said she was concerned with the downshifting from the State, and accepting this contract might end up "pink slipping" people. She was struggling with the costs, and it had nothing to do with a lack of respect for the teachers.

Councilor Nedelka said he would be supporting the contract. He did say it wasn't disrespectful to vote no on the contract. He said he was nervous about the budget and the effect on the tax rate.

Councilor Carrier said it was a big decision for the Council to make. He said the Council has no way of knowing what State/County are going to do to the City. He said he would support the contract.

Councilor Weston spoke about the news stating that schools and libraries in New Hampshire will be closing, laying off hundreds of paraprofessionals and teachers. She is petrified with what is coming down from the State. She said she wouldn't support the contract. She said it looks like the State will be cutting \$3 million from the City's budget, and felt some teachers were going to lose their jobs. She said her "no" vote was not a vote against the teachers, but simply economics.

Councilor Cheney said the raise applies to the top 2 rungs. She said the City doesn't have the money, and doesn't see where we will get it.

Deputy Mayor Trefethen said the vote is about the economy, and not about value and respect. He spoke about his own personal life with unemployment, and getting new jobs with drastic pay reductions. He said the whole Council empathizes with the teachers. He said he has gone back and forth on this issue, but he said he would support the contract.

Mayor Myers spoke about City employees versus School employees. He said he was not comfortable for supporting this contract.

Roll Call Vote: 5/4; Passed. Mayor Myers, Councilor Cheney, Councilor Cruikshank, and Councilor Weston were opposed.



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12. UNFINISHED BUSINESS

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

13. NEW BUSINESS

A. CONSENT CALENDAR

1. PARADE – Avis Goodwin Community Health Center
2. PARADE – Portsmouth Christian Academy at Dover
3. RAFFLE – Strafford Rivers Conservancy

4. RESOLUTION: B05022 AWARD OF CONTRACT EXTENSION FOR COMSTAR AMBULANCE BILLING SERVICES
SPONSORED BY MAYOR MYERS BY REQUEST

5. RESOLUTION: BID B11048 HAND PAVEMENT MARKINGS
SPONSORED BY MAYOR MYERS BY REQUEST

6. RESOLUTION: BID B11049 PAVEMENT MARKINGS LONG LINE REFLECTORIZED
SPONSORED BY MAYOR MYERS BY REQUEST

7. RESOLUTION: CASSILY COMMUNITY GARDEN LICENSE
SPONSORED BY MAYOR MYERS BY REQUEST

8. RESOLUTION: GRUBB ELLIS MCCONNELL CENTER LISTING AGREEMENT
SPONSORED BY MAYOR MYERS BY REQUEST

9. RESOLUTION: PSNH TOLEND ROAD EASEMENT
SPONSORED BY MAYOR MYERS BY REQUEST

COMMITTEE REPORTS

- | | |
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| 1. School Board | 8. Transportation Advisory Commission |
| 2. Planning Board | 9. Joint Building Committee – Horne Street |
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Deputy Mayor Trefethen moved to the approval of the Consent Calendar; seconded by Councilor Garrison.

Mayor Myers asked the Council if they had any items they would like pulled for further discussion. Councilor Nedelka asked to pull Item 13.A.4.

Councilor Garrison asked to pull the Legislative Liaison Report.

Mayor Myers asked for a vote on the remaining items of the Consent Calendar.

Roll Call Vote: 9/0.

Deputy Mayor Trefethen moved to adopt Item 13.A.4.; seconded by Councilor Nedelka.

Councilor Nedelka asked the City Manager if there was an informal price comparison.

City Manager Joyal said this was just a one year extension. He said the area Fire Departments are looking to bid out together.

Roll Call Vote: 9/0.

Councilor Garrison spoke to the Council regarding the Legislative Liaison Report.

Councilor Cruikshank moved to accept the Legislative Liaison Report; seconded by Councilor Carrier.

Vote: 9/0.

B. RESOLUTIONS

1. DOVER TEACHER UNION CONTRACT

SPONSORED BY MAYOR MYERS BY REQUEST

Moved up on the Agenda to after the Mayor's Report.

2. RESOLUTION: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

SPONSORED BY MAYOR MYERS BY REQUEST

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

Councilor Weston moved to amend the Resolution to send a letter to the Senators and Representatives; seconded by Councilor Cruikshank.

Vote: 9/0.

Councilor Garrison referred to a typographical error with the third bullet, he asked to remove "the" before Dover.

Vote: 9/0.

3. DONATION OF LAND TO CITY IN AREA OF TOLEND LANDFILL

SPONSORED BY MAYOR MYERS BY REQUEST

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

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

Roll Call Vote: 9/0.



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CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, March 23, 2011**
Meeting Time: **7:00pm**

4. TRANSFER OF CHAPEL STREET PARKING LOT TO THE DOVER HOUSING AUTHORITY

SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Cruikshank.
City Manager Joyal gave an overview of the Resolution to the Council.
Roll Call Vote: 9/0.

C. ORDINANCES IN 1ST READING – None

14. COUNCIL CORRESPONDENCE – None

15. COUNCIL MATTERS OF INTEREST

Deputy Mayor Trefethen started a discussion about the pedestrian bridge and the money needed to move the bridge.

Mayor Myers started a discussion about the Citizen's Forum comment regarding the School Bus contract. He said it wasn't a Council issue.

16. ADJOURNMENT

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



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: AMERICAN LEGION - DOVER POST 8

Federal Tax ID number for Organization: 02-0215228

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

Contact Person: KEITH DAWSON, SR. VICE CDR Day Time Telephone: 603-988-9704 (CEW)

Address: 9 MORNING SIDE DR. DOVER, NH Email Address BLACKHAWKMO@YAHOO.COM

Purpose of Permit: TO RAISE FUNDS FOR BASEBALL PROGRAM

Date of Event: MAY 30, 2011 Specific Time: 11:00
START OF TICKET SALES

Location of Event: AMERICAN LEGION FUNCTION HALL POST 8, DOVER, NH.

(Raffle Permit only)
Prize (s) To Be Awarded: LOBSTER DINNERS (2 person, 4 person, 6 person)

Amount of Donation: \$350⁰⁰ Date of Drawing: JULY 16, 2011 Specific Time: 1700

Place of Drawing: AMERICAN LEGION FUNCTION HALL, POST 8, DOVER, N.H.

*** 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: [Signature] Date: 30 MAR 2011

2011 MAR 30 10:30 AM

Licensing Board approval [Signature] Date: 3/31/11
Revised 03/17/08

RECEIVED
DOVER CITY CLERK
MAY 10 2011



CITY OF DOVER
11 MAR 23 AM 11:38

APPLICATION CITY OF DOVER, NEW HAMPSHIRE

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

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

Organization Name: American Legion Dover Post 8 - Squadron

Federal Tax ID number for Organization: 02-0215228

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

Contact Person: Kevin M. Manley Day Time Telephone: 767-8599

Address: 217 Washington St Email Address KMManley@comcast.net

Purpose of Permit: Raffle to raise money for children & youth

Date of Event: _____ Specific Time: _____

Location of Event: American Legion Post 8 140 Central Ave Dover

(Raffle Permit only)

Prize (s) To Be Awarded: Gas Grill

Amount of Donation: 1.00 Date of Drawing: Sat June 25-2011 Specific Time: 8pm

Place of Drawing: American Legion Post 8 140 Central Ave Dover

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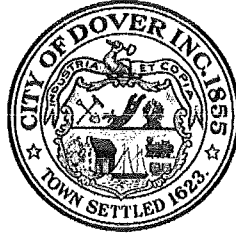
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Signature: Kevin M - Manley Date: 03/23/2011

Licensing Board approval (Signature) Date: 3/29/11
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: AMERICAN LEGION DOVER POST 8

Federal Tax ID number for Organization: 02-0215228

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

Contact Person: CHUCK OLECH, TRUSTEE Day Time Telephone: 603-742-2157

Address: 640 CENTRAL AVE. DOVER, NH Email Address aldoverpost8@yahoo.com

Purpose of Permit: TO RAISE MONEY FOR THE COMMANDERS SPECIAL PROGRAMS

Date of Event: SEPT 3rd @ 1700 Specific Time: 1700

Location of Event: DOVER AMERICAN LEGION POST 8, DOVER, NH

(Raffle Permit only)

Prize (s) To Be Awarded: CERTIFICATE ENTITLING THE WINNER TO OBTAIN A (NEW) P250 SIG ARMS PISTOL THROUGH THE COMPANY SIG ARMS.

Amount of Donation: \$ 700⁰⁰ Date of Drawing: SEP 3, 2011 Specific Time: 1700

Place of Drawing: DOVER AMERICAN LEGION POST 8, DOVER, NH

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Signature: [Signature] Date: 30 MAR. 2011

Licensing Board approval [Signature] Date: 3/31/11

Revised 03/17/08

2011 MAR 30 4:10:30
RECEIVED
DOVER CITY CLERK
DOVER, NH



RECEIVED
DOVER CITY CLERK
DOVER, NH

2011 MAR 29 P 2:42

APPLICATION CITY OF DOVER, NEW HAMPSHIRE

RAFFLE*.....^XTAG*.....PARADE**..... BLOCK PARTY**..... ROAD TOLL***.....

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

Organization Name: Dover High School Soccer Boosters

Federal Tax ID number for Organization: 02-0445261

Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political
603-422-7805 Mon-Fri 8a-2p

Contact Person: Kristen King Day Time Telephone: 1-978-836-6933 after 2 pm

Address: 134 Dover Point Road, Dover Email Address krisgov2002@yahoo.com

We will be holding a basketball game with raffles

Purpose of Permit: for a fundraiser at Dover High School for DHS Soccer Boosters

Date of Event: 6/3/11 Specific Time: 7 pm - 9 pm

Location of Event: Dover High School Gymnasium

(Raffle Permit only)

Prize (s) To Be Awarded: Cash (50/50 raffle) and Harlem Wizard souvenirs
will vary

Amount of Donation: \$5 or less Date of Drawing: 6/3/11 Specific Time: between 7-9 pm

Place of Drawing: DHS Gymnasium

* 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.

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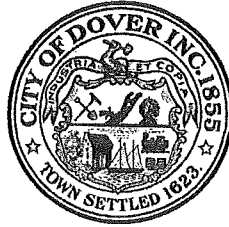
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Signature: Kristen King Date: 3/29/11

Licensing Board approval [Signature] Date: 3/31/11

Revised 03/17/08

RECEIVED
DOVER CITY CLERK
DOVER, NH



2011 MAR 16 P 2:24

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: American Cancer Society's Making Strides Against Breast Cancer
Federal Tax ID number for Organization: _____

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

Contact Person: Tara Dickey Day Time Telephone: 603-740-0340

Address: 2 Commerce Dr, Suite 110 Bedford 03110 Email Address: tara.dickey@cancer.org

Purpose of Permit: Making Strides Against Cancer Walk

Date of Event: Oct 16, 2011 Specific Time: Registration 9am Walk start 11am

Location of Event: Walk start at Henrylaw Park

(Raffle Permit only)

Prize (s) To Be Awarded: _____

Amount of Donation: _____ Date of Drawing: _____ Specific Time: _____

Place of Drawing: _____

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*APPROVED
DOVER PD*

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.

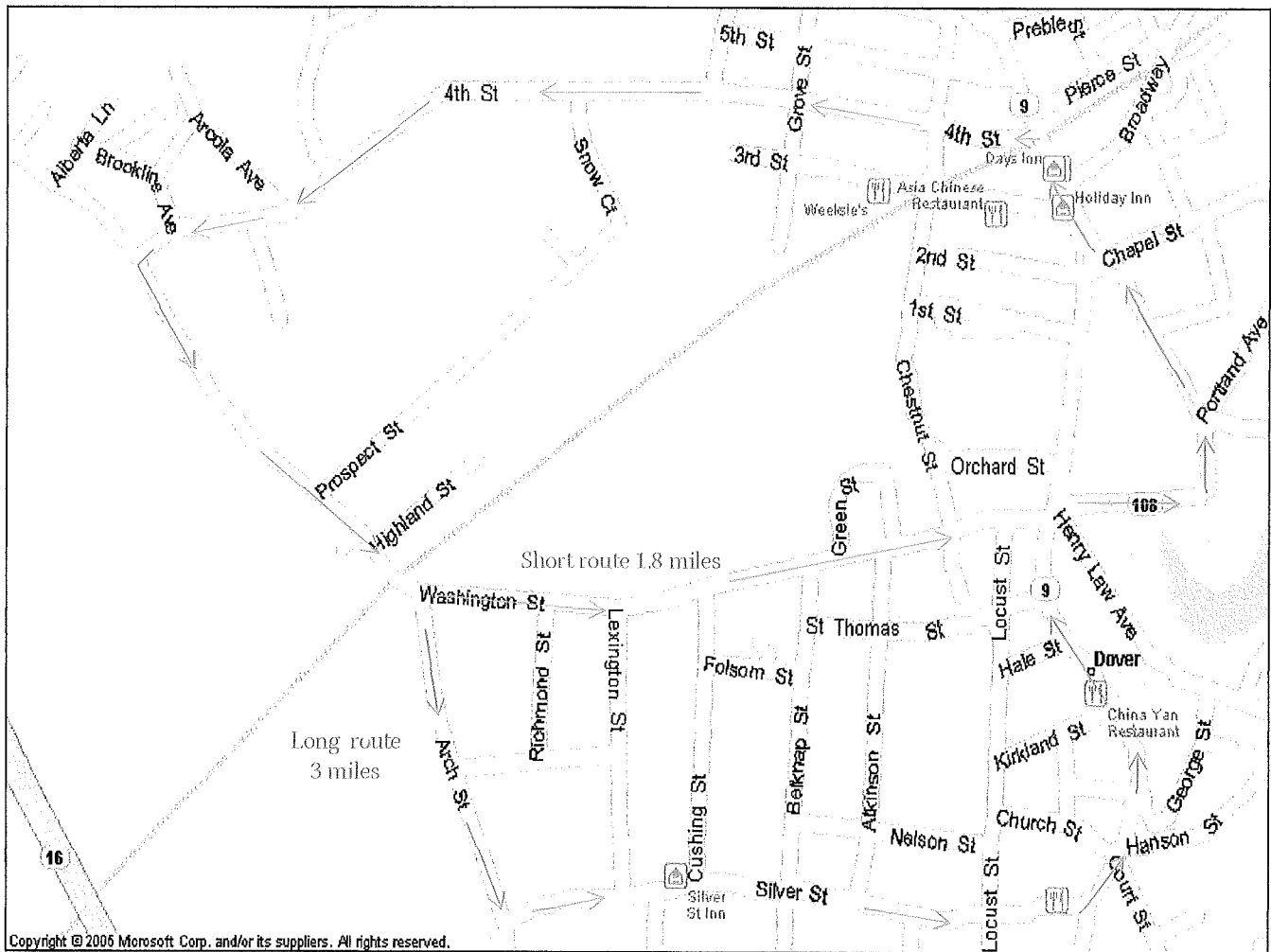
I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A, RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: Tara Dickey Date: 3-10-11

Licensing Board approval _____ Date: _____

Revised 03/17/08

The American Cancer Society's Making Strides Against Breast Cancer Walk Route – Dover, NH



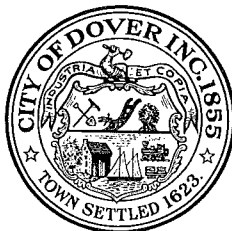
Both routes begin and end at Henry Law Park

Short Route – approximately 2 miles:

- Exit Henry Law Park via Washington St
- Left on to Main St
- Continue on Main St to the crosswalk at 3rd St
- Cross at 3rd St and walk to 4th St
- Turn left onto 4th St and follow to Washington St
- Turn left onto Washington St and follow back to the park

Long Route – approximately 3 miles:

- Exit Henry Law Park via Washington St
- Left on to Main St
- Continue on Main St up to the crosswalk at 3rd St
- Cross at 3rd St and walk to 4th St
- Turn left onto 4th St and follow to Washington St
- Turn left onto Washington St
- Turn right onto Arch St
- Turn left onto Silver St and follow Silver St to Central Ave
- Turn left onto Central Ave and follow to Washington St
- Turn right onto Washington St to return to the park



APPLICATION
CITY OF DOVER, NEW HAMPSHIRE

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

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

Organization Name: Baby Rachael Legacy Walk/Run Options For Women

Federal Tax ID number for Organization: 02-0391160

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

Contact Person: Vanessa Trejo Day Time Telephone: 978.394.3232 (cell)

Address: 4 WALLINGFORD STREET Email Address: VanessaTrejo@comcast.net
DOVER NH 03820

Purpose of Permit: FUNDRAISER WALK/RUN

Date of Event: August 6, 2011 Specific Time: 9am start

Location of Event: HENRY LAW 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.

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Signature: [Signature] Date: March 14, 2011

Licensing Board approval [Signature] Date: 3/18/11

Route Approved by PD

Google maps Address Dover, NH

Get Google Maps on your phone

Text the word "GMAPS" to 466453



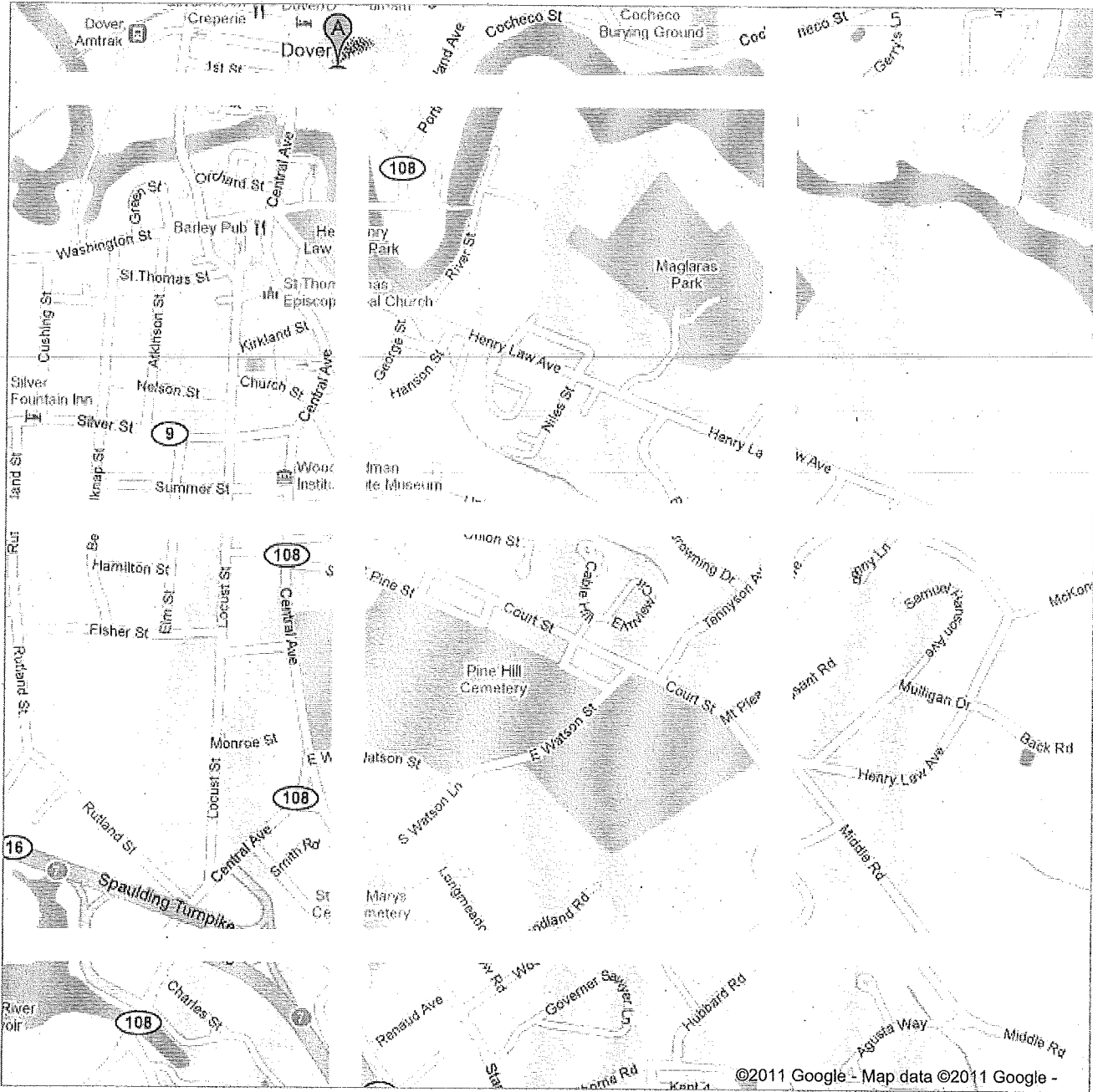
SK RUN Route

Baby Rachel Legacy
August 6, 2011

Google maps Address Dover, NH

Get Google Maps on your phone

Text the word "GMAPS" to 466453



WALK ROUTE
Baby Rachel Legacy
August 6, 2011

Ok
AFC



DOVER POLICE DEPARTMENT

Dover, New Hampshire
Memorandum

TO: Chief Anthony F. Colarusso, Jr.

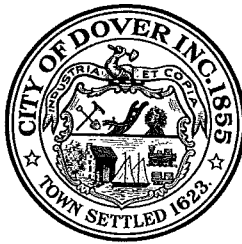
FROM: Sgt. Marn Speidel, Traffic Bureau

RE: Baby Rachel Legacy Walk/Run, August 6, 2011

DATE: March 18, 2011

I have corresponded with the principal point of contact for this inaugural event. The proposed 5K course route is similar to the Reds Race 5 miler and the Apple Harvest Day 5K courses.

The organizers will reimburse the City for the cost of hiring 3 officers at key traffic control locations. Additionally, the organizers are expected to provide up to 12 additional traffic control volunteers to monitor other, less critical, intersections or conflict points. I will meet with organizers prior to the event to review traffic logistics in greater detail.



CITY OF DOVER
11 MAR 30 AM 5:54

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: THE CHILDREN'S MUSEUM OF NEW HAMPSHIRE

Federal Tax ID number for Organization: 02-0363746

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

Contact Person: AARON WENSLEY Day Time Telephone: (603) 969-5299

Address: 2 HARTSWOOD ROAD, DOVER Email Address aaron.wensley@yahoo.com

Purpose of Permit: ANNUAL 5K ROAD RACE AND FUN RUN

Date of Event: SAT. MAY 7TH, 2011 Specific Time: _____

Location of Event: HENRY LAW PARK / HENRY LAW AVE - SEE ATTACHED MAP

(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

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*AMAR
DOVER PD*

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: Aaron B Wensley Date: 3/13/2011

Licensing Board approval _____ Date: _____



City Councilors
City of Dover
City Hall, 288 Central Avenue
Dover, NH 03820

March 14, 2011

Dear City Councilors:

I am writing to request permission to host The Children's Museum of New Hampshire's Annual 5K Road Race and Kid's Fun Run beginning at 9:00 am Saturday, May 7, 2011. The Road Race will be the first event and will start at the end of Henry Law Avenue abutting Washington Street, behind the Foster's building. The Fun Run will follow and will take place in Henry Law Park, beginning at approximately 10:30 am.

The Road Race course will guide participants from the starting point on Henry Law Avenue, up Central Avenue, turning right onto Chapel Street (near Janetos and Kendall Pond Pizza) and then up Portland Avenue, turning right onto Atlantic Avenue to Gulf Road, making a loop through the Fairway Meadows neighborhood, back down Gulf Road and veering left onto Cocheco Street, taking Cocheco to Main Street, turning left down Main Street and again left onto Washington Street, across the new Makem Bridge and turning right onto River Street, and finally turning right onto Henry Law Avenue where the race will finish near the indoor swimming pool and the Museum. I have attached a map of the course for your convenience.

We expect approximately 1,200 runners to participate in this year's Race, and another 200 to 400 children for the Fun Run. We have been and will continue to work with the Dover Police Department to ensure the safety of the participants, volunteers, pedestrians and those driving the Road Race route. We expect the Race itself to conclude by 10am, and the entire event to be over and people to disperse before noon.

The Road Race is an important fundraiser for The Children's Museum of New Hampshire that helps raise needed funds to support the operating budget. Thanks in advance for your support of the Museum by permitting the Museum to host this race.

Please feel free to contact me at (603) 969-5299 or aaron.wensley@yahoo.com if you have any questions or would like to discuss this matter further.

Sincerely,

Aaron Wensley
Children's Museum Board Member &
Road Race Committee Chair

Cc: Dover City Clerk's Office



DOVER POLICE DEPARTMENT

Dover, New Hampshire
Memorandum

TO: Chief Anthony F. Colarusso, Jr.
FROM: Sgt. Marn Speidel, Traffic Bureau
RE: Children's Museum 5K Road Race, Sat. May 7, 2011
DATE: April 5, 2011

The following is a synopsis of expected traffic implications from the Children's Museum 5K road race, to be held on Saturday, May 7, 2011 at 9:00 AM:

<u>STREET CLOSURES (LOCATION)</u>	<u>TIMES</u>	<u>DURATION</u>
<i>Henry Law Avenue (Washington to River)</i>	8:30–10:30	2 hours
<i>Central Avenue (Second to Washington)</i>	9:00–9:08	8 minutes
<i>Chapel Street (Main to Portland)</i>	9:00–9:15	15 minutes
<i>Portland Avenue (crossing @ Chapel St)</i>	9:05–9:20	15 minutes
<i>Atlantic Avenue (outbound)</i>	9:10–9:25	15 minutes
<i>Gulf Road (Coheco St to Fairway Dr)</i>	9:10–9:40	30 minutes
* Road Closed/Detour signs for inbound traffic at Baer Road		
<i>Fairway Drive</i>	9:10–9:40	30 minutes
<i>Coheco Street</i>	9:15–9:55	40 minutes
<i>Washington Street (Main St to River Street)</i>	9:15–10:00	45 minutes

The police department will be reimbursed for the cost of five (5) police officers - most covering more than one post along the route - to assist race volunteers. Traffic volunteers (provided by the race committee) will be posted at the following locations:

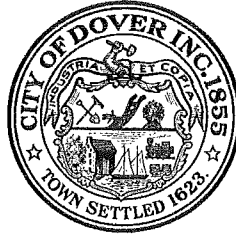
POLICE

- * Lead cruiser
- * Central Av @ Washington St
- * Central Av @ Second St
- * Main St @ Chapel St
- * Portland Av @ Chapel St
- * Atlantic Av @ Oak St / Gulf Rd
- * Portland Av @ Main St
- * Washington St @ Main St
- * Henry Law Av @ George St
- * Henry Law Av @ Hanson St

RACE VOLUNTEERS

- * Chapel St @ St John St / Mechanic St
- * Portland Av @ Rogers St
- * Portland Av @ Atlantic Av
- * Atlantic Av @ Cross St / Danbury Ct
- * Gulf Rd @ Fairway Dr
- * Fairway Dr loop junction
- * Coheco St @ Rogers St
- * Main St @ Smiley's entrance
- * Washington St @ footbridge
- * Henry Law Av @ River St

The police department will also post parking restrictions on Henry Law Avenue (Washington to River) and Portland Avenue (Main to Coheco) to accommodate the event.



CITY OF DOVER
11 MAR 24 AM 11:28

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 Daycare Learning Center *NP*

Federal Tax ID number for Organization: 02-0303815

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

Contact Person: Melissa Fischetto Day Time Telephone: (603) 343-8542

Address: 32 Saint Thomas Street Email Address: Melissadec@gmail.com

Purpose of Permit: Walk-a-thon

Date of Event: 6/11/11 Specific Time: 8 AM

Location of Event: 32 Saint Thomas Street

(Raffle Permit only)

Prize (s) To Be Awarded: _____

Amount of Donation: _____ Date of Drawing: _____ Specific Time: _____

Place of Drawing: _____

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Signature: Melissa Fischetto Date: 3/24/11

Licensing Board approval [Signature] Date: 3/24/11
Revised 03/17/08

Dover Children's Center Walk A Thon

Saturday June 11 2011

Starting at 32 Saint Thomas Street Dover, NH

Right onto Atkins

Cross on Crosswalk Left onto Washington

Bear Right onto Washington

Right onto Fourth Street

Left onto Chestnut

Cross on Crosswalk left onto Sixth Street

Right onto Whittier Street

Right onto Glenwood Ave

Right onto Horn

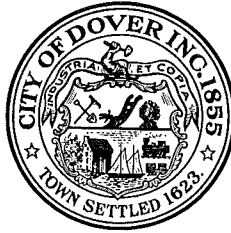
Right onto Sixth Street

Crosswalk to Chestnut

Right onto Saint Thomas Street

6 Miles

All roads have sidewalks and crosswalks are available when needing to cross over to another street.



RECEIVED
DOVER CITY CLERK
DOVER, NH

2011 MAR 29 A 11: 23

APPLICATION CITY OF DOVER, NEW HAMPSHIRE

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

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

Organization Name: DOVER KNIGHTS OF COLUMBUS OUR LADY OF THE ROSARY COUNCIL # 807

Federal Tax ID number for Organization: _____

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

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

Address: 5 ARROWBROOK Rd., DOVER NH Email Address SURFERBUZZ@COMCAST.NET

Purpose of Permit: TO HOLD A MAY ⁰³⁸²⁰ PROCESSION WALKING ON THE SIDEWALKS OF DOVER. CARRYING A STATUE OF "MARY"

Date of Event: MAY 22, 2011 Specific Time: 2 PM - 4 PM.

Location of Event: ST. CHARLES CHURCH - TO - ST. GEORGE'S CH. - TO ST. MARY'S CH. - TO - ST. CHARLES CH.

(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: Paul K. McManus Date: 3/29/11

Licensing Board approval _____ Date: _____

*Mark
Dover PD*



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10.

Resolution Number: **R - 2011.04.13 – 40**
Resolution Re: **B11044 Award of bid for Construction Equipment Rental**

- WHEREAS: Sealed bids # B11044 were requested and received for Construction Equipment Rental Rates on March 31, 2011 at 2:00 PM EST.; and
- WHEREAS: Rental Rates will hold for the 2011 construction season and vendors will be utilized, as needed, depending upon their different types of equipment, it's availability and the need for timely assistance on various city projects; and
- WHEREAS: The bids meeting specifications were submitted for both different and similar types of Construction equipment with varying hourly rates by numerous vendors, as listed in back ground section.

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 in the background section for Construction Equipment Rental Services, as needed, given the rates provided 03/31/11. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Bal 4.2.2011
xxxx-x-300-xxxxx-4443-xxxxx-xxx	CS Equipment Rental	121,115.00	10,550.00
1000.1.300.43121.4715.00000.00	Streets	1,745,216.00	1,118,789.00

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.
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10.

Resolution Number: **R - 2011.04.13 – 40**
Resolution Re: **B11044 Award of bid for Construction Equipment Rental**

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 - 2011.04.13 – 40**
Resolution Re: **B11044 Award of bid for Construction Equipment Rental**

RESOLUTION BACKGROUND MATERIAL:

The bids meeting specifications were submitted for both different and similar types of Construction Equipment with varying hourly rates by numerous vendors, as listed below.

Dale R Sprague Construction Co Inc, Dover
SUR Construction, Rochester
Brian Turgeon Excavating, Somersworth
Barron Brothers Development, Farmington
MacKinnon and Sons

DS Sabine LLC, Newington
Gove Construction
JP Towle Construction
Mick Construction

During the 2010 construction season the city expended approximately \$234,358 on construction equipment rental services.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	46	Number of Responses:	9
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	no
Prices will hold for:	2011 construction season	Estimated Delivery:	As needed
Recommended Award to:	Various	Fund:	Various
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes most	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.10.

Resolution Number: **R - 2011.04.13 – 40**

Resolution Re: **B11044 Award of bid for Construction Equipment Rental**

Vendor Solicitation List:

A-1 Environmental Services P.O. Box 19 Moody, Maine 04054	J P Towle Construction P O Box 1708 Dover, NH 03821	Reliable Equipment, LLC PO Box 5647 Manchester, NH 03108
Advance Technology S 855 Hanover Street Manchester, NH 03104	JGE Enterprises, Inc. 231A N. Amherst Road Bedford, NH 03110-4908	River Valley Dev. Corp. 42 Mallard Lane Dover, NH 03820
American Flagging/Traffic 23 Wheeler Avenue Salem, NH 03079	lcg limited p.o.box 587 barrington, n.h. 03825	S.U.R. Construction PO Box 720 Rochester, NH 03867
Arthur Hartford 103 Hayes road Madbury, NH 03823	MacKinnon and Sons P O Box 640 Somersworth, NH 03878	Scherbon Consolidated Inc. 40 Haverhill Road Amesbury, Ma. 01913
Barron Brothers 372 NH Route 11 Farmington, NH 03835	Marshall Rental Center, Inc. 56 State Road Kittery, Maine 03904-1520	Seacoast Crane & Building PO Box 540 Kittery, Maine 03904
Bell & Flynn, Inc. 69 Bunker Hill Ave Stratham, NH 03885	McGowan Landscape, LLC 106 Smoke Street Nottingham, NH 03290	SHOem Sweeping 81 guinea rd BERWICK, Maine 03901
Brian Turgeon Excavating 237 Green Street Somersworth, N.H.	Mick Construction Corp. P.O. Box 160 Rollinsford, NH 03869	Single Source Group 801 Technology Way Nashua, NH 03060
Busby Construction 9 Pond Lane Atkinson, NH 03811	Mobile Mini 108 Newburyport Turnpike Newbury, MA 01951	Spencer Trucking & Ecav 279 Green Street somersworth , N.H. 03878
Construction Summary 734 Chestnut Street Manchester, NH 03104	NNEFS, LLC 711 Piper Hill Road Stewartstown, NH 03576	Stone Waleryszak, LLC 119 Front St. Exeter, NH 03833
Corporate Environmental 127 Hartwell Street, Suite 2 West Boylston, MA 01583	NoPano Construction LLC 14 Colonial Drive Rochester, NH 03839	Tri-State Sealcoat/paving P.O. Box 162 Dover, NH 03820



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10.

Resolution Number: **R - 2011.04.13 – 40**

Resolution Re: **B11044 Award of bid for Construction Equipment Rental**

CUES 14 Caldwell Drive Amherst, NH 03031	Norman R Gagnon 126 Goodwin Road Rollinsford, NH 03869	Verde Environmental 104 oakhill road barrington, NH 03825
Dale R. Sprague 35 Page St Somersworth, NH 03878	Northeast Earth Mechanics 159 Barnstead Road Pittsfield, NH 03263	Wayneslandscaping 159 yorkwoods RD SO. Berwick, ME 03908
DS SABINE LLC 249 Nimble Hill RD Newington, NH 03801	Phipps Landscape 589 Silver St Rollinsford, NH 03869	Gove Construction Services 170 West Road, Suite 10 Portsmouth, NH 03801
Dyar Sales and Machinery Company 75 Concord St. North Reading, Ma 01864	Hi-Way Safety Systems, Inc. 9 Rockview Way Rockland, MA 02370	Greater Dover Chamber of Commerce 550 Central Ave Dover, NH 03820
E.J. Prescott, Inc. 210 Sheep Davis Road Concord, NH 03301	Gil's Trucking LLC 19 Highland street Dover, NH 03820	H.P. Fairfield, LLC 94 Sheep Davis Road Pembroke, NH 03275
Four Corners 33 High Street Gilmanton, NH 03237		

Bid results are contained in online agenda materials.

B11044	DS Sabine LLC 603-828-9275 Newington	MacKinnon and Sons 603-692-7667 Bill Somersworth	Gove Construction 603-431-8200 Portsmouth	Dale Sprague 603-396-3478 Dover	JP Towle 603-231-2578 Dover	Barron Brothers 603-755-9071 Farmington	Brian Turgeon Exc 603-817-0186 Somersworth	Mick Construction 603-742-0606 Rollinsford	SUR Const Rochester 603-332-4554 Alan
backhoe 7/8 yd		2002 EX160 Hitachi \$90/hr Tracks mblz 00						1/8 cy 307 CAT Tracks \$115/hr Mblz \$200	321 BL Cat \$161 hr/ tracks mblz \$450
backhoe 3/4 yd		1991 Ex 100 hitatch \$80.00 Tracks Mblz 0	1999 CAT 436 \$105.00 Rubber Mblz 100.00		2005 CAT 315 Excavator w/ 5'w clean up bucket \$90.00 Tracks mblz \$0	2003 volv150 track \$120 hr \$120 mblz		1/8 cy PC45 KOM Tracks \$110/hr Mblz \$200	322 BL Cat \$161 hr/ tracks mblz \$450
backhoe 1/3 yd		2005 Case 580 M Backhoe w/ 1' Bucket \$65/hr Rubber mblz 0 w/Hammer \$100.00			2007 CAT 305 Track/Rubber w/ cleanup bucket \$70 hr mblz 0	2005 volvo55 track-rubber \$75 hr \$75 mblz		1/3 cy 311 Cat Tracks \$120/hr Mblz \$200	
backhoe 5/8 yd						2004 volvo140 track \$105/hr \$105 mblz		2 cy 345 Cat Tracks \$250/hr Mblz \$300	2007 311 cu cat tracks \$141 hr mblz \$300
backhoe 1/2 yd					2008 CAT 308 w/ clean-up bucket track \$80 hr mblz 0			1/2 yd 315 Cat Tracks \$125/hr Mblz \$200	1999 416 cit cat rubber \$113 hr OR 420 dit cat rubber \$113 hr mblz \$450
backhoe 1 yd			1998 JD 410 \$105.00 Rubber Mblz \$100.00				2005 volvo ex160L digging 36"/60" grading bucket tracks \$90 hr \$75 mblz	1 cy 320 Cat Tracks \$130/hr Mblz \$200	2003-Cat 420D IT Rubber \$113/hr mblz \$450
backhoe 1 1/4 yd	Cat 420 2006 \$95.00 Rubber \$125 Mobilization fee (one time fee if equip stays in Dover)			2000 cat 315b track \$90 hr \$100 mblz per move		2007 volvo 210 track \$150 hr \$600 mblz		1.25 cy 322 Cat Tracks \$155/hr Mblz \$200	330 cat track \$175 hr mblz \$450
backhoe 1 1/2 yd						2007 volvo 210 track \$150 hr \$600 mblz	2 yard/ 3yard EC330L Volvo 2005 76 inch grading \$135/hr \$175 mblz	1.5 cy 330 Cat Tracks \$200/hr Mblz \$250	2007 345B cat tracks \$200 hr mblz \$450
fuel charge if any	N/A	No fuel charges	If over \$3.00 per gal \$2.00 per/hr \$.50/mile	\$5.00 per hour to any equipment if diesel exceeds \$3.00 per gal.	None listed	Over \$4.50 per gal add \$10 per hr to all	None listed	Add \$5.00/hr to any equip if diesel fuel exceeds \$3.90 gal	Off Road fuel adjustment rate = \$3.62 10% over or under adj
loader			2 1/2 yd 2007 CAT 924 \$100.00 Rubber mblz 100.00		2 1/2 cy 2005 cat 924 rubber \$75 hr mblz 0	1996 volvo 120 4.5 yd rubber \$130 hr \$130 mblz		938 Cat Loader rubber \$110/hr Mblz \$200	2002 938 cat rubber \$130 hr mblz \$250
loader			3yd 2002 JD 624 \$129.00 Rubber mblz 100.00		2006 cat287 track & rubber \$75 hr mblz 0	2002 volvo 90 3.5 yd rubber \$85 hr \$85 mblz		966 Cat Loader \$125/hr Rubber Mblz \$250	2003 IT28 cat B rubber \$130 hr mblz \$250
loader						Volvo L30 \$75/hr Volvo L90 \$95/hr Volvo L120 \$130.00/hr		257 Cat Skid Steere \$85.00 tracks Mblz \$200	2006 950G cat \$166 hr mblz \$250
loader								IT 28 Cat Loader \$100 /hr Rubber mblz \$200	2004 966G cat rubber \$177 hr mblz \$340
excavator			Excavator with hole ram 2003 JD 200 \$275.00 mblz \$100.00			Volvo 55 \$75 w/ Hammer \$125/hr track/rubber mblz \$125.00		45 Komatsu w/ hammer \$150/hr Tracks \$200 Mblz	2003 303.5 tracks \$108 hr \$300 mblz
excavator						Volvo 140 \$105 track/rubber		311 Cat w/ hammer \$175/hr Tracks \$200 Mblz	2006 ec460blc volvo track \$200 hr \$450 mblz
excavator						Volvo 150 \$120 w/ Hammer \$250/hr track/rubber mblz \$250.00		315 Cat w/ hammer \$200/hr Tracks \$200 Mblz	

B11044	DS Sabine LLC 603-828-9275 Newington	MacKinnon and Sons 603-692-7667 Bill Somersworth	Gove Construction 603-431-8200 Portsmouth	Dale Sprague 603-396-3478 Dover	JP Towle 603-231-2578 Dover	Barron Brothers 603-755-9071 Farmington	Brian Turgeon Exc 603-817-0186 Somersworth	Mick Construction 603-742-0606 Rollinsford	SUR Const Rochester 603-332-4554 Alan
excavator						Volvo 210 \$150 w/ Hammer \$250/hr track/rubber mbzl \$600.00		4300 Link Belt w/ hammer \$295/hr Tracks \$250 Mblz	
bulldozer			2001 JD 650 \$128.00 Track mbzl \$100.00	2001 JD 550H tracks \$80 hr \$100 mblz per move	1995 cat d5h track \$100 hr mbzl 0	1999 JD650 track \$85 hr \$85 mblz		D3 Dozer \$110/hr Tracks \$200 Mblz	2006 d5 gxl cat tracks \$140 hr mblz \$300
bulldozer			2008 Komatsu D31 \$95.00 Track mbzl \$100.00		2000 komd37e track \$75hr mbzl 0	2005 JD450 track \$75 hr mbzl \$75.00		D5 Dozer \$120/hr Tracks \$200 Mblz	2008 d7rll cat rubber \$190 hr mblz \$450
bulldozer						1986 cat d6h track \$125 per/hr mbzl \$125.00		D8 Dozer \$225/hr Tracks \$360 Mblz	
dump truck		1991 Kenworth 10 Wheeler \$55hr Mblz 0	2001 Mack 10 Wheel \$76.00		2001 int \$65 hr 16 yd body \$65	2003 IHC 10 Wheel Dump 16 yard \$65 hr rubber mbzl \$65	2005 western star tri-axle 18-20 yd rubber \$75hr mblz 0	Tri-Axel Dump \$70/hr	2000-2008 mack tri-axle \$92 hr
dump truck			2005 Mack Tri Axel \$81.00		2006 F650 8 yd body \$55.00	2005 IHC10 wheel 16 yd rubber \$65 hr /\$65 mblz		Tractor Trailer Dump \$85/hr	
dump truck						2005 int 5500 \$55 hr 2003 IHC \$65 hr 1983 Ford Boom \$45 hr		25 ton Cat Truck \$95/hr \$200 mblz 30 ton Cat Truck \$120/hr \$250 mblz	
graders						JD570 rubber \$100 hr mbzl \$100		\$95/hr Rubber \$200 Mblz	1991 8g lay mar \$85 hr mblz \$300 2005 143 cat rubber \$186 hr mblz \$360
grade all									2003 M318 cat backhoe rubber \$151.00hr mblz \$290
skidsteer						Skip Steer 3/4 Yd \$65/hr A300 Bobcat 2003 \$75hr Rubber w/hammer\$135 mbzl \$75.00			1991 226 cat #1 \$78hr \$300 mblz
skidsteer									2007 257B cat track \$86 hr \$300 mlz
skidsteer									2005 287 cat track \$91 hr \$300 mblz
Bobcat						2003 A300 3/4yd rubber \$75 hr w/hammer \$135 mbzl \$75.00			
trenchbox			\$175/day mbzl \$100.00			8x16 Efficiency \$125 day		\$325/wk \$200 Mblz	\$12 per hr/\$100 day/\$450 wk \$300 mblz
Steel plates									
Lull									
stone box					6 cy ud \$100.00/day				
Low bed 10 ton or 20 ton			2006 Trailboss 25 ton \$90.00					20 Ton Low bed with TriAxle Dump truck \$100 per/hr	
laborers		\$35 General Labor	\$41.00 per hr		\$30 per hr	General Labor \$35 per hr Layout Labor \$60 Chain saw Labor \$45.00	\$40 per hr	Laborer \$40/hr Foreman \$75.00/hr	super \$90 hr/foreman \$85 hr operator \$53hr/laborer \$43 hr flagger \$35hr/layout w/equip \$135hr

B11044	DS Sabine LLC 603-828-9275 Newington	MacKinnon and Sons 603-692-7667 Bill Somersworth	Gove Construction 603-431-8200 Portsmouth	Dale Sprague 603-396-3478 Dover	JP Towle 603-231-2578 Dover	Barron Brothers 603-755-9071 Farmington	Brian Turgeon Exc 603-817-0186 Somersworth	Mick Construction 603-742-0606 Rollinsford	SUR Const Rochester 603-332-4554 Alan
screen plant								Kolberg Screen \$330.00/Day \$200 Mblz Exec \$450/Day \$300 Mblz Terex Trommell Screen \$500/day \$300 Mblz	
roller									2006 dynapac vib \$85 hr \$300 mblz
low bed svcs									big lowbed axl \$130 hr/ sml lowbed sur \$102 hr
water truck									\$100 hr
OTHER EQUIPMENT			A fuel surcharge will be placed on equipment used if the price of diesel increases to over #3.00 per/gal. This is based on the retail price of diesel fuel for the New England Region published on the US energy information Administration website. This would compute to .50\$ per mile on mobilization and \$2.00 per hour on equipment.	Add \$5.00 per hour per machine for diesel fuel cost above \$3.00 per gallon. Receipt shall be provided as proof of price		2000 Ingersole Sd 40 & SD40D \$65 hr each	Plate Compactor \$100.00/day	Cedar Rapids Crusher w/ 54" cone, 30x42 Jaw \$6000/day \$2000 Mblz	hoe ram attachment \$150 hr \$300 mblz
					Atlas Copco compresor \$150/day		Extec 27x42 Crusher \$3500/day \$1000 Mblz	1987 cs433 cat compactor \$85 hr \$300 mblz	
					1987 cat rock truck \$125 hr 1983 boom truck \$45 hr		BoomTruck \$90	1995 cs323 cat compactor \$85 hr \$300 mblz	
					Vermeer Chipper \$150/day		John Deere/Harley Rake \$90/day Rubber \$200 Mblz	1999 115 ingersol compactor \$109 hr \$300 mblz	
					MCB 512 RE \$Price by Request		2008 Cat 563 Compactor \$100.00 mblz \$200.00	2004 cs563d cat compactor \$109 hr \$300 mblz	
					RD 90 Screen All \$ Price on Request			2004 erin 165t screener \$100 hr \$450 mblz	
					Eagle Picher Forklift TM50 \$50			2006 astec kolberg 710kds screener \$100 hr \$300 mblz	
					Turbo Turf Hydroseeder \$ Price on Request		Add \$5.00/hr to any equipt if diesel fuel exceeds \$3.90 gal	1996 ford tractor 1715 &att \$65 hr \$300 mblz	
									735 end dump \$190 hr \$450 mblz
								message board \$50 day/ \$200 wk/ \$600 mo mblz \$200	
								Arrow board \$50 day/ \$200 wk/ \$600 mo mblz \$200	
								overtime = 1.5 times labor rate	
								night shift differential = 1.3 times applicable rate	
								Light Tower \$100 / day	
								2005 Asphalt Zipper \$75/hr \$300 mblz	



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R - 2011.04.13 – 41**

Resolution Re: **B11045 Award of Bid for Sand & Gravel Products**

WHEREAS: Sealed bids # B11045 were requested and received for Sand & Gravel Products on March 14, 2011 at 2:00 PM EST.; and

WHEREAS: Rates will hold for one year and will be utilized, as needed. The bids meeting specifications were submitted for 15 different types of products with varying rates for delivered items and city picked up items from several vendors, as listed in back ground section; and

WHEREAS: The recommendation is to award on item by item bases as needed to the low bidders for the delivered products. Due to the fact none of the plant locations listed are advantageous to the city to pick up at, the city requests to extend the current agreement and pricing as last year with Brox Industries of Dover NH for picked up items.

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

The purchasing agent is hereby authorized to issue Purchase orders to each of the low bidders identified in the background section, as needed, given rates provided 3/14/11. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
xxxx-x-300-xxxx-4652-xxxx	CS-Maintenance Supply other than Bldg	687,490.00	116,000.00
xxxx-x-300-xxxx-4612-xxxx	CS-Operating Supplies	320,115.00	112,784.00

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.
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R - 2011.04.13 – 41**

Resolution Re: **B11045 Award of Bid for Sand & Gravel Products**

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 - 2011.04.13 – 41**

Resolution Re: **B11045 Award of Bid for Sand & Gravel Products**

RESOLUTION BACKGROUND MATERIAL:

The bids, meeting specifications, were submitted in varying amounts for different products by five companies.

Depending upon the specific need at a certain time, the availability of the product, the product costs, the location of the vendor's pit(s) and the proximity to an on-going city project, the City may elect either to pick up the sand/gravel required from the closest location if travel distance offsets cost inefficiency of driving to a more distant location or it may choose to have the product delivered. During FY10 construction season the city expended approximately \$62,500 and FY11 to date \$58,674 on sand and gravel products.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	60	Number of Responses:	5
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	no
Prices will hold for:	2011 construction season	Estimated Delivery:	As needed
Recommended Award to:	Various	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

Bid #B11045 Results

Bid Results are contained in online agenda materials.

Pike Industries states" Any items picked up at Pike Industries in Eliot ME are subject to Maine state taxes so pickups will not be utilized for this vendor. Deliveries to NH are not subject to Maine taxes.

All other replies are further to travel than the Dover plant so contract extension has been accepted by Brox Industrial Inc for same rates as last year.

Note: When asked by the Dover Purchasing Agent why Brox did not submit a bid submission; the reply was they had not received the bid request.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R - 2011.04.13 – 41**

Resolution Re: **B11045 Award of Bid for Sand & Gravel Products**

Vendor Solicitation List:

A.H. Harris & Sons Inc 255 West Rd Portsmouth, NH 03801	Hydraflo, Inc. 1030 Milam St. Beaumont, Texas 77701	Phoenix Precast Products 77 Regional Drive Concord, NH 03301
Aggregate Industries PO BOX 1448 Raymond, NH 03077	Infinite Imaging 903 Central Avenue, Suite 4 Dover, NH 03820	Pike Industries, Inc. 650 Peverly Hill Road Portsmouth, NH 03801
Arnold. T Clement Co Inc. P.O. Box 1575 Rochester, NH 03867	ISCO Industries LLC 49 Cobbler Drive Fitchburg, MA 01420	Plourde Sand & Gravel Co., Inc PO Box 220 Suncook, NH 03275
BC'S GEN CONSTRUCTION 6 REUBENS DRIFTWAY HAMPTON, NH 03842	KAMCO SUPPLY CORP 19 Independence Dr LONDONDERRY, NH 03053	PMSI 259 Southwest Cutoff Millbury, MA 01527
Brox Industries, Inc. 1471 Methuen St. Dracut, MA 01826	lcg limited p.o.box 587 barrington, nh 03825	Pool & Electrical Products, I 1250 E. FRANCIS ST ONTARIO, CA 91761
CED 151 Portland Ave Dover, NH 03820	LIDDELL BROTHERS INC 600 INDUSTRIAL DRIVE HALIFAX, MA 02338	Protection One Technology Drive Londonderry, NH 03053
Centilla Corporation 37 Industrial Drive Exeter, NH 03833	MADONA AND MICHAEL 47 MAGNOLIA ST MALDEN, MA 02148	R.G. Tombs Door Co., Inc. 38 West River Rd. Hooksett, NH 03106
Clow Valve Company 125 Main Street #61 Newmarket, NH 03857	Michie Corp. P.O.Box 870 Henniker, N.H. 03242	RICCI LUMBER 105 BARTLETT ST PORTSMOUTH, NH 03801
Cohen Steel Supply 10 Basin Street Concord, NH 03302	Middleton Building Supply 58 Old Rochetsre Rd Dover, NH 03820	S.D. IRELAND CO 193 INDUSTRIAL AVE WILLISTON, VT 05495
D & L Thomas Equipment PO Box 200 Spofford, NH 03462	N. E. Positioning Systems, LLC 58 Chenell Drive Concord, NH 03301	Salmon Falls Woodworks 38A Littleworth Rd Dover, NH 03820



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R - 2011.04.13 – 41**

Resolution Re: **B11045 Award of Bid for Sand & Gravel Products**

Donovan Equipment 6 Enterprise Drive Londonderry, NH 03053	NEast Electrical Distributors 36 Littleworth Rd Dover, NH 03820	Seacoast Redimix Concrete PO Box 480 Winnisquam, NH 03289
E.J. Prescott, Inc. 210 Sheep Davis Road Concord, NH 03301	Northland Holder Inc. 284 Ricker Hill Road Turner, Maine 04282	Shea New England Concrete PO Box 807 Amesbury, MA 01913
EAST COAST LUMBER P O BOX 530 EAST HAMPSTEAD, NH	Oakwoods Lumber, Inc. 310 Oakwoods Rd. North Berwick, ME 03906	Spk Steel Fabrication P.O. box 608 Fitchburg, MA 01420
Fastenal 165 Industrial Park Drive Dover, NH 03820	Otto Environmental Systems 12700 General Drive Charlotte, NC 28273	Stiles Company, Inc. 922 Pleasant Street Norwood, MA 02062
Ferguson Waterworks 1 Chester Road Raymond, NH 03077	Parts Associates, Inc. 12 Moore Road Gilmanton Iron Works, NH	Super Floorz 19 Lafayette Rd Hampton, NH 03842
Genest Precast 238 Country Club Rd Sanford, ME 04073	Perma-Line Corporation PO Box 4515 Brockton, ME 02303	The Dirt Doctors 709 Keith Ave Pembroke, NH 03275
George R. Roberts Co 192 Biddeford Rd Alfred, ME 04002	Perry Supply 370 north washington North Attleboro, Ma 02760	Ti-SALES INC. 36 Hudson Road Sudbury, MA 01776
Graybar 80 Pepsi Road Manchester, NH 03109	Phoenix Pecast Products 77 Regional Drive Concord, NH 03246	Tri City Masonry Inc. 384 route 108 Somersworth, NH 03878
Greater Dover Chamber 550 Central Ave Dover, NH 03820	VELLANO BROS INC. 309 ROUTE 27 RAYMOND, NH 03077	UNITED RENTALS 40 WILLOW STREET MANCHESTER, NH 03103
Hi-Way Safety Systems, Inc. 9 Rockview Way Rockland, MA 02370	WATER WORKS SUPPLY 71 ROCKINGHAM ROAD LONDONDERRY, NH 03053	Winter Equipment Company 1900 Joseph Lloyd Parkway Willoughby, Ohio 44094

B11045 Sand & Gravel Bid Results	Eastern Materials, LLC Jones Access Road PO Box 919 Milton, NH 03851			M. Bradsher Co Inc 181 Exeter Road Epping, NH 03042			Aggregate Industrial 91 Chester Road Raymond, NH 03077			Plourde Sand & Gravel PO Box 220 Suncook, NH 03275			Pike Industries 650 Peaverly Hill Road Portsmouth, NH 03801		
	Delivered Price	Picked up Price	Pit Location St/City/State	Delivered Price	Picked up Price	Pit Location St/City/State	Delivered Price	Picked up Price	Pit Location St/City/State	Delivered Price	Picked up Price	Pit Location St/City/State	Delivered Price	Picked up Price	Pit Location St/City/State
Material															
Sand - Washed	NB	NB		11.00	9.00	Rte.11 Farmington, NH	18.81	15.00	Raymond NH	15.25	7.25	Rte 3A Hooksett, NH	11.15	9.00	Madbury, NH
Crushed Gravel	12.00	7.00	Milton, NH	9.50	7.50	Rte.11 Farmington, NH	9.81	6.00	Raymond NH	14.65	6.65	Rte 3A Hooksett, NH	NB	NB	
3/4" Stone Base (crushed gravel)	NB	NB		9.50	7.50	Rte.11 Farmington, NH	8.81	5.00	Raymond NH	15.00	7.00	Rte 3A Hooksett, NH	10.40	7.25	Eliot, ME
3/4" Stone Base Fine (crushed gravel)	13.75	8.75	Milton, NH	9.50	7.50	Rte.11 Farmington, NH	8.81	5.00	Raymond NH	15.00	7.00	Rte 3A Hooksett, NH	10.40	7.25	Eliot, ME
1 1/2" Stone Base (crushed gravel)	13.50	8.50	Milton, NH	9.50	7.50	Rte.11 Farmington, NH	9.81	6.00	Raymond NH	14.65	6.65	Rte 3A Hooksett, NH	10.90	7.75	Eliot, ME
Stone Dust (quarried rock)	NB	NB		12.00	10.50	Rte.11 Farmington, NH	6.81	3.00	Raymond NH	17.32	9.32	Rte 3A Hooksett, NH	5.65	2.50	Eliot, ME
3/8" Crushed Stone	NB	NB		14.00	12.00	Rte.11 Farmington, NH	12.31	8.50	Raymond NH	21.27	13.27	Rte 3A Hooksett, NH	19.65	16.50	Eliot, ME
1/2" Crushed Stone	NB	NB		14.00	12.00	Rte.11 Farmington, NH	12.31	8.50	Raymond NH	N/B	N/B	Rte 3A Hooksett, NH	15.15	12.00	Eliot, ME
3/4" Crushed Stone	NB	NB		14.00	12.00	Rte.11 Farmington, NH	11.81	8.00	Raymond NH	16.25	8.25	Rte 3A Hooksett, NH	15.15	12.00	Eliot, ME
1 1/2" Crushed Stone	NB	NB		14.00	12.00	Rte.11 Farmington, NH	11.81	8.00	Raymond NH	16.25	8.25	Rte 3A Hooksett, NH	15.15	12.00	Eliot, ME
Loam (screened)	NB	NB		14.00	11.50	Rte.11 Farmington, NH	N/B	N/B	Raymond NH	18.70	10.70	Rte 3A Hooksett, NH	13.15	11.00	Madbury, NH
Rip Rap	NB	NB		15.00	14.00	Rte.11 Farmington, NH	12.31	8.50	Raymond NH	17.00	9.00	Rte 3A Hooksett, NH	15.15	12.00	Eliot, ME
Bank Run Sand	NB	NB		10.00	7.50	Rte.11 Farmington, NH	11.81	8.00	Raymond NH	13.81	5.81	Rte 3A Hooksett, NH	5.15	3.00	Madbury, NH
Bank Run Gravel	NB	NB		10.00	7.50	Rte.11 Farmington, NH	8.81	5.00	Raymond NH	13.00	5.00	Rte 3A Hooksett, NH	7.65	5.50	Madbury, NH
Blast Rock	NB	NB		15.00	11.00	Berwick Quarry	12.81	9.00	Raymond NH	20.47	12.47	Rte 3A Hooksett, NH	NB	NB	



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.12

Resolution Number: **R - 2011.04.13 – 42**
Resolution Re: **B11054 Award of Bid for Engineering Services for the Mast Rd & Spruce Ln Sidewalk & Drainage Project**

WHEREAS: Sealed Request for Proposals # B11054 were requested and received for Engineering services for the design and specification to bid out the sidewalk construction and drainage of Mast Rd and Spruce Ln project on March 11, 2011 at 2:00 PM EST.; and

WHEREAS: Fifteen RFP's were received and evaluated and a short list of the top six candidates was created and the cost proposals from these vendors were opened and further evaluated; and

WHEREAS: The recommendation is to award to Tri-Tech Engineering of Dover NH in the amount not to exceed \$59,480.00.

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 Tri-Tech Engineering of Dover NH given the bid amount of \$59,480.00 provided 3/11/11 in conjunction with B11054. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
4011.1.300.43121.4715.03173.11	Street Impv. Mast & Spruce	100,000.00	100,000.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved Legal Compliance: Allan B. Krans, Sr.
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.12

Resolution Number: **R - 2011.04.13 – 42**
Resolution Re: **B11054 Award of Bid for Engineering Services for the Mast Rd & Spruce Ln Sidewalk & Drainage Project**

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.12

Resolution Number: **R - 2011.04.13 – 42**
 Resolution Re: **B11054 Award of Bid for Engineering Services for the Mast Rd & Spruce Ln Sidewalk & Drainage Project**

RESOLUTION BACKGROUND MATERIAL:

The City of Dover requested proposals for engineering consulting services for the construction of approximately 6,965 feet of sidewalks along Mast Road and Spruce Lane.

The Consultant will provide engineering services for the design, specifications, and bid clarifications for this project. The project entails sidewalk construction, including curbs, and drainage improvements. The consultant will provide surveying, design concepts, preliminary plans, final plans, drainage calculations, and wetland flagging.

The City has \$850,000 in FY 2013 Capital Improvement Funds and \$100,000 in FY 2011.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	132	Number of Responses:	15
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	no
Prices will hold for:	Until complete	Estimated Delivery:	As needed
Recommended Award to:	Tri-Tech Engineering	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

Vendor Solicitation List:

Ackroyd Engineering, LLC	Harriman	Oak Point Associates
AECOM	Holden Engineering & Surveying, Inc.	Ocean and Coastal Consultants
Allen & Major Associates, Inc.	Horizons Engineering, Inc.	Pathways Consulting, LLC
Ambit Engineering	Horsley Witten Group, Inc.	Pennoni Associates Inc.
Appledore Engineering	Howard/Stein-Hudson Associates, Inc.	Provan & Lorber, Inc.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.12

Resolution Number: **R - 2011.04.13 – 42**

Resolution Re: **B11054 Award of Bid for Engineering Services for the Mast Rd & Spruce Ln Sidewalk & Drainage Project**

Aries Engineering, Inc.	Hoyle, Tanner & Associates, Inc.	Quantum Construction Consultants, LLC
ATC Associates Inc.	HydroSource Associates, Inc.	Ransom Environmental Consultants, Inc.
Axis Business Solutions	HYDROTERRA	Resource Laboratories LLC
Beals Associates PLLC	Environmental Services LLC	Resource Systems Group
Bedford Design Consultants, Inc.	Interstate Electrical Services Corporation	RI Analytical Laboratories, Inc.
Berry Surveying & Engineering	Jacobs Engineering Group, Inc.	Ricci Construction, Inc.
Brown and Caldwell	Jeffrey H. Taylor & Associates	Richard D. Bartlett & Assoc., LLC
Careno Construction Company	JMMO Company, LLC	S E A Consultants
CDM	John Turner Consulting Inc.	S&H Land Services, LLC
CHA, Inc.	Johnson Controls, Inc.	S. W. Cole Engineering, Inc.
Chemserve	Jones & Beach Engineers, Inc.	Sheerr McCrystal Palson Architecture, Inc.
Christiansen & Sergi Inc.	Kaestle Boos Associates, Inc.	Siemens Building Technologies
Civil Consultants	Ken Costello Design, LLC	Stantec Consulting Services
Civilworks, Inc.	Kleinfelder / S E A Consultants	Stephens Associates Consulting Engineers, LLC
CLD Consulting Engineers, Inc.	Leggette, Brashears & Graham, Inc	StoneHill Environmental, Inc.
CMA Engineers, Inc.	Lewis Engineering	T.R. Selling Engineering, P.C.
Comprehensive Environmental Inc	Lewis Water Services	Tata & Howard, Inc
Construction Summary Of NH	Little Bay Broadcast Services,	



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.12

Resolution Number: **R - 2011.04.13 – 42**
 Resolution Re: **B11054 Award of Bid for Engineering Services for the Mast Rd & Spruce Ln Sidewalk & Drainage Project**

Consulting Environmental Scientist	Louis Berger Group, Inc.	Terracon Consultants, Inc.
Corporate Environmental Advisors, Inc.	Loureiro Engineering Associates, Inc.	TFMoran
CSI Engineering, LLC	Lynnfield Engineering, Inc.	The H.L. Turner Group Inc.
D.B. Truslow Associates	Maguire Group Inc	The Louis Berger Group, Inc.
Dodge Report	Martini Northern	The Scott Lawson Group, Ltd.
Doucet Survey, Inc.	McEaney Survey Associates, inc	Thomas Engineering Associates
DuBois & King, Inc.	McHenry Architecture	Tidewater Environmental Planning, LLC
Dufresne Group	MHF Design Consultants, Inc.	Tighe & Bond
Eaglebrook Engineering & Survey LLC	Millennium Engineering, Inc.	Titcomb Associates
Eastern Analytical, Inc.	Milone & MacBroom, Inc.	Turgeon's Construction Inc.
Eckman Engineering, LLC	MJS Engineering, PC	TY LIN International
Edge Environmental LLC	MSC Civil Engineers & Land Surveyors, Inc	Underwood Engineering, Inc
Emery & Garrett Groundwater, Inc.	New England Environmental, Inc.	Vanasse Hangen Brustlin, Inc
Engineering Ventures, PC	nobis engineering	Verde Environmental Contracting services
Environmental Compliance Service, Inc. (ECS)	Normandeau Associates, Inc.	VHB/Vanasse Hangen Brustlin Inc
EnviroSense, Inc.	Northeast Civil Solutions, Inc.	Weston & Sampson
Fay, Spofford & Thorndike, LLC	Northpoint Engineering, LLC	Wilcox & Barton, Inc.
GeoInsight, Inc.	Norway Plains Associates, Inc.	Woodard & Curran
	Graybar	Wright-Pierce



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.12

Resolution Number: **R - 2011.04.13 – 42**
 Resolution Re: **B11054 Award of Bid for Engineering Services for the Mast Rd & Spruce Ln Sidewalk & Drainage Project**

Geospatial Pipeline Services, Geosyntec Consultants, Inc GM2 Associates, Inc. Golder Associates Inc.	Greater Dover Chamber of Commerce GREEN ENVIRONMENTAL, INC.	WV Engineering Associates, PA Yates Electric Service, Inc. Greenman-Pedersen, Inc.
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Bid Results

VENDER	Short Listed --Cost
The Louis Berger Group 1001 Elm St Ste 203 Manchester NH 03101	\$74,118
Civil Works Inc PO Box 1166 Dover NH 03821-1166	\$88,310
CMA Engineers Inc 35 Bow St PORTSMOUTH NH 03801	\$74,900 & \$2500 boring allowance
Oak Point Associates 231 Main St Biddeford ME 04005	
Dubois and King Inc PO Box 339 Randolph VT 05060	
Holden Engineering Services PO Box 480 Concord NH 03302	\$73,798
Beals Associates 70 Portsmouth Ave Stratham NH 03885	
Attar Engineering Inc 1284 State Rd Eliot ME 03903	
Civil Consultants PO box 100	



CITY OF DOVER

CITY OF DOVER - RESOLUTION

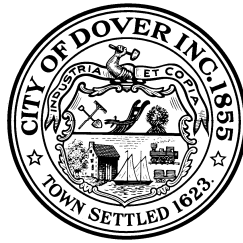
Agenda Item#: 13.A.12

Resolution Number: **R - 2011.04.13 – 42**

Resolution Re: **B11054 Award of Bid for Engineering Services for the Mast Rd & Spruce Ln Sidewalk & Drainage Project**

So Berwick ME 03908	
Hoyle Tanner Associates Inc 100 International Dr Ste 360 Portsmouth NH 03801	\$79,950
Norway Plains Assoc Inc 2 Continental Blvd 2 nd fl Rochester NH 03866	
Tri-Tech Engineering 755 Central Ave Dover NH 03820	\$59,480
MJS Engineering PC 5 Rail Road St New market NH 03857	
Jessman Associates PO Box 1795 New London NH 03257	
Northpont Engineering LLC 5 Sheeps Davis Rd Ste F Pembroke NH 03275	

DANIEL R. LYNCH
 Finance Director
d.lynch@dover.nh.gov



288 Central Avenue
 Dover, New Hampshire 03820-4169

ANN M. LEGERE, CPPB
 Purchasing Agent
a.legere@dover.nh.gov

(603) 516-6030
 Fax: (603) 516-6097
www.dover.nh.gov

City of Dover, New Hampshire

OFFICE OF THE FINANCE DIRECTOR

RESULTS B11054

Mast Rd & Spruce Ln Sidewalks & Drainage

VENDER	Short Listed --Cost
The Louis Berger Group 1001 Elm St Ste 203 Manchester NH 03101	\$74,118
Civil Works Inc PO Box 1166 Dover NH 03821-1166	\$88,310
CMA Engineers Inc 35 Bow St PORTSMOUTH NH 03801	\$74,900 & \$2500 boring allowance
Oak Point Associates 231 Main St Biddeford ME 04005	
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Hoyle Tanner Associates Inc 100 International Dr Ste 360 Portsmouth NH 03801	\$79,950
Norway Plains Assoc Inc 2 Continental Blvd 2 nd fl Rochester NH 03866	
Tri-Tech Engineering 755 Central Ave Dover NH 03820	\$59,480
MJS Engineering PC 5 Rail Road St New market NH 03857	
Jessman Associates PO Box 1795 New London NH 03257	
Northpont Engineering LLC 5 Sheeps Davis Rd Ste F Pembroke NH 03275	



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.13

Resolution Number: **R – 2011.04.13 – 43**
Resolution Re: Class of 1948 Scholarship funds

- WHEREAS: The Dover School Board approved policy IKG, Establishments of Scholarships; and
- WHEREAS: This policy states, “Once the School Board authorized the establishment of a scholarship, a resolution shall be submitted to the Dover City Council approval, the donated Scholarship funds will be immediately turned over to the City of Dover, Trustees of Trust Funds,” ; and
- WHEREAS: A generous donation in the amount of \$1,000 from the Class of 1948 scholarships in the amount of \$500.00 each will be granted to two deserving Dover High School Seniors. Financial need will be a determining factor, and the Dover High School Scholarship Committee will take part in selecting the two recipients.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The Dover School Board requests the Dover City Council accept the establishment of the Class of 1948 Scholarship fund as an expendable trust and allow the City of Dover to be Trustees of these funds.

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.
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.13

Resolution Number: **R – 2011.04.13 – 43**
Resolution Re: Class of 1948 Scholarship funds

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.A.13

Resolution Number: **R – 2011.04.13 – 43**

Resolution Re: Class of 1948 Scholarship funds

RESOLUTION BACKGROUND MATERIAL:

The Dover School Board approved policy IKG, Establishments of Scholarships. This policy states, “Once the School Board authorized the establishment of a scholarship, a resolution shall be submitted to the Dover City Council approval, the donated Scholarship funds will be immediately turned over to the City of Dover, Trustees of Trust Funds.” A generous donation in the amount of \$1,000 from the Class of 1948 scholarships in the amount of \$500.00 each will be granted to two deserving Dover High School Seniors. Financial need will be a determining factor, and the Dover High School Scholarship Committee will take part in selecting the two recipients.

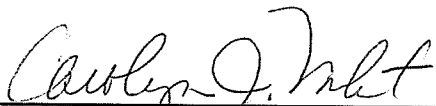
RESOLUTION
RE: CLASS OF 1948 SCHOLARSHIP FUNDS

- WHEREAS:** the Dover School Board approved policy IKG, Establishments of Scholarships, and
- WHEREAS:** this policy states, "Once the School Board authorizes the establishment of a scholarship, a resolution shall be submitted to the Dover City Council for approval and acceptance of the scholarship funds. Upon City Council approval, the donated scholarship funds will be immediately turned over to the City of Dover, Trustees of Trust Funds," and
- WHEREAS:** a generous donation in the amount of \$1,000.00 from the Class of 1948, scholarships in the amount of \$500.00 each will be granted to two deserving Dover High School seniors.

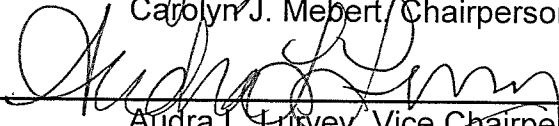
Financial need will be a determining factor, and the Dover High School Scholarship Committee will take part in selecting the two recipients.

NOW, THEREFORE, BE IT RESOLVED the Dover School Board requests the Dover City Council accept the establishment of the Class of 1948 Scholarship Fund as an expendable trust and allow the City of Dover to be Trustees of these funds.

SUBMITTED BY:



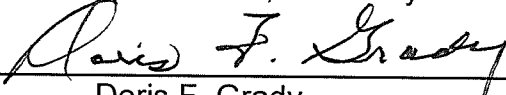
Carolyn J. Mebert, Chairperson



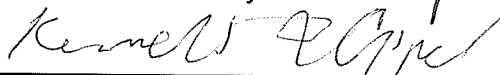
Audra L. Lurvey, Vice Chairperson



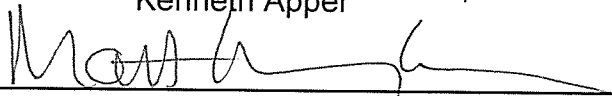
Beth Setear, Secretary



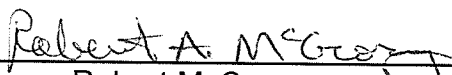
Doris F. Grady



Kenneth Appel



Matt Mayberry



Robert McCrory

March 14, 2011



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.14.

Resolution Number: **R – 2011.04.13 – 44**
Resolution Re: Authorization to accept Berry Brook Watershed Management Plan Grant

WHEREAS: The City of Dover has completed the Berry Brook Watershed Assessment and Management Plan to restore flow and water quality in Berry Brook; and

WHEREAS: The City was previously awarded grant funds to perform stormwater improvements at Horne Street school and at other watershed locations; and

WHEREAS: The City and the UNH Stormwater Center have partnered to submit additional grant funds from NHDES and other funding agencies including a Watershed Assistance grant from NHDES which was selected for funding;

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

The City Manager is hereby authorized to accept \$147,200 in grant funds from the New Hampshire Department of Environmental Services to be used in the Berry Brook watershed on stormwater restoration improvements and education and outreach activities with watershed residents. The City will provide \$98,182 in grant match in a combination of cash and in kind services.

Financing

Account	Description	Appropriation	Balance
4005.1.300.43150.4757.03180.05.	PW Drainage	150,000.00	97,124.57

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.
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.14.

Resolution Number: **R – 2011.04.13 – 44**
Resolution Re: Authorization to accept Berry Brook Watershed Management Plan Grant

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.14.

Resolution Number: **R – 2011.04.13 – 44**
Resolution Re: Authorization to accept Berry Brook Watershed
Management Plan Grant

RESOLUTION BACKGROUND MATERIAL:

The Berry Brook Watershed Management Plan was completed in September 2008. Since that time the City in partnership with the UNH Stormwater Center has applied for numerous grant opportunities to implement the recommendation of the Berry Brook Watershed Management Plan. The City was awarded a small grant last year to implement improvements at the Horne Street School which will be constructed this spring.

The City has been awarded a grant project of \$245,382 to implement many Best Management Practices (BMP's) that will restore water quality in the Berry Brook watershed. \$147,200 of the project are grant funds, while the City will provide \$98,182 as match on the project. The City's match will utilize stormwater improvement CIP funds and in kind services. A third grant was recently awarded to the UNH Stormwater Center for more than \$400,000 to perform stream restoration work in the Berry Brook watershed.

The partnership between the City of Dover and the UNH Stormwater Center has been very fruitful for both organizations. The City benefits having a grant writing partner who has exceptional expertise in BMP design and implementation skills, and the UNH Stormwater Center has a local community to apply and implement the practices it researches and develops on campus in a real world setting. Work on all three grant funded projects is expected to begin in 2011 and continue through 2012.

Grant Agreement is contained in online agenda materials.

GRANT AGREEMENT

Subject: Berry Brook Watershed Restoration Plan Implementation Phase 2: Low Impact Development Retrofits in an Urban Environment

The State of New Hampshire and the Contractor hereby mutually agree as follows:

GENERAL PROVISIONS

1. IDENTIFICATIONS AND DEFINITIONS

1.1 State Agency Name Department of Environmental Services		1.2 State Agency Address 29 Hazen Drive Concord, NH 03301	
1.3 Grantee Name City of Dover		1.4 Grantee Address 288 Central Avenue Dover, NH 03820	
1.5 Effective Date Upon G&C approval	1.6 Completion Date December 31, 2013	1.7 Audit Date N/A	1.8 Grant Limitation \$147,200
1.9 Grant Officer for State Agency Eric Williams, Watershed Assistance Section Supervisor		1.10 State Agency Telephone Number 603-271-2358	
1.11 Grantee Signature		1.12 Name & Title of Grantee Signor	
1.13 Acknowledgment: State of New Hampshire, County of _____ On ____ / ____ / _____, before the undersigned officer, personally appeared the person identified in block 1.12., or satisfactorily proven to be the person whose name is signed in block 1.11., and acknowledged that s/he executed this document in the capacity indicated in block 1.12.			
1.13.1 Signature of Notary Public or Justice of the Peace (Seal)			
1.13.2 Name & Title of Notary Public or Justice of the Peace			
1.14 State Agency Signature(s)		1.15 Name/Title of State Agency Signor(s) Thomas S. Burack, Commissioner	
1.16 Approval by Attorney General's Office (Form, Substance and Execution) By: _____ Attorney, On: ____ / ____ / ____			
1.17 Approval by the Governor and Council By: _____ On: ____ / ____ / ____			

2. SCOPE OF WORK. In exchange for grant funds provided by the state of New Hampshire, acting through the agency identified in block 1.1 (hereinafter referred to as “the State”), pursuant to RSA 21-O, the Grantee identified in block 1.3 (hereinafter referred to as “the Grantee”), shall perform that work identified and more particularly described in the scope of work attached hereto as EXHIBIT A (the scope of work being referred to as “the Project”).

3. AREA COVERED. Except as otherwise specifically provided for herein, the Grantee shall perform the Project in, and with respect to, the state of New Hampshire.

4. EFFECTIVE DATE; COMPLETION OF PROJECT.

4.1 This Agreement, and all obligations of the parties hereunder, shall become effective on the date in block 1.5 or on the date of approval of this Agreement by the Governor and Council of the State of New Hampshire whichever is later (hereinafter referred to as “the Effective Date”).

4.2 Except as otherwise specifically provided for herein, the Project, including all reports required by this Agreement, shall be completed in ITS entirety prior to the date in block 1.6 (hereinafter referred to as “the Completion Date”).

5. GRANT AMOUNT; LIMITATION ON AMOUNT; VOUCHERS; PAYMENT.

5.1 The Grant Amount is identified and more particularly described in EXHIBIT B, attached hereto.

5.2 The manner of, and schedule of payment shall be as set forth in EXHIBIT B.

5.3 In accordance with the provisions set forth in EXHIBIT B, and in consideration of the satisfactory performance of the Project, as determined by the State, and as limited by subparagraph 5.5 of these general provisions, the State shall pay the Grantee the Grant Amount. The State shall withhold from the amount otherwise payable to the Grantee under this subparagraph 5.3 those sums required, or permitted, to be withheld pursuant to N.H. RSA 80:7 through 7-c.

5.4 The payment by the State of the Grant amount shall be the only, and the complete, compensation to the Grantee for all expenses, of whatever nature, incurred by the Grantee in the performance hereof, and shall be the only, and the complete, compensation to the Grantee for the Project. The State shall have no liabilities to the Grantee other than the Grant Amount.

5.5 Notwithstanding anything in this Agreement to the contrary, and notwithstanding unexpected circumstances, in no event shall the total of all payments authorized, or actually made, hereunder exceed the Grant limitation set forth in block 1.8 of these general provisions.

6. COMPLIANCE BY GRANTEE WITH LAWS AND REGULATIONS.

In connection with the performance of the Project, the Grantee shall comply with all statutes, laws, regulations, and orders of federal, state, county, or municipal authorities which shall impose any obligations or duty upon the Grantee, including the acquisition of any and all necessary permits.

7. RECORDS AND ACCOUNTS.

7.1 Between the Effective Date and the date seven (7) years after the Completion Date the Grantee shall keep detailed accounts of all expenses incurred in connection with the Project, including, but not limited to, costs of administration, transportation, insurance, telephone calls, and clerical materials and services. Such accounts shall be supported by receipts, invoices, bills and other similar documents.

7.2 Between the Effective Date and the date seven (7) years after the Completion Date, at any time during the Grantee’s normal business hours, and as often as the State shall demand, the Grantee shall make available to the State all records pertaining to matters covered by this Agreement. The Grantee shall permit the State to audit, examine, and reproduce such records, and to make audits of all contracts, invoices, materials, payrolls, records or personnel, data (as that term is hereinafter defined), and other information relating to all matters covered by this Agreement. As used in this paragraph, “Grantee” includes all persons, natural or fictional, affiliated with, controlled by, or under common ownership with, the entity identified as the Grantee in block 1.3 of these general provisions.

8. PERSONNEL.

8.1 The Grantee shall, at its own expense, provide all personnel necessary to perform the Project. The Grantee warrants that all personnel engaged in the Project shall be qualified to perform such Project, and shall be properly licensed and authorized to perform such Project under all applicable laws.

8.2 The Grantee shall not hire, and it shall not permit any subcontractor, subgrantee, or other person, firm or corporation with whom it is engaged in a combined effort to perform such Project, to hire any person who has a contractual relationship with the State, or who is a State officer or employee, elected or appointed.

8.3 The Grant officer shall be the representative of the State hereunder. In the event of any dispute hereunder, the interpretation of this Agreement by the Grant Officer, and his/her decision on any dispute, shall be final.

9. DATA: RETENTION OF DATA; ACCESS.

9.1 As used in this Agreement, the word “data” shall mean all information and things developed or obtained during the performance of, or acquired or developed or obtained during the performance of, or acquired or developed by reason of, this Agreement, including, but not limited to, all studies, reports, files, formulae, surveys, maps, charts, sound recordings, video recordings, pictorial reproductions, drawings, analyses, graphic representations, computer programs, computer printouts, notes, letters, memoranda, papers, and documents, all whether finished or unfinished.

9.2 Between the Effective Date and the Completion Date the Grantee shall grant to the State, or any person designated by it, unrestricted access to all data for examination, duplication, publication, translation, sale, disposal, or for any other purpose whatsoever.

9.3 No data shall be subject to copyright in the United States or any other country by anyone other than the State.

9.4 On and after the Effective Date all data, and any property which has been received from the State or purchased with funds provided for that purpose under this Agreement, shall be the property of the State, and shall be returned to the State upon demand or upon termination of this Agreement for any reason, whichever shall first occur.

9.5 The State, and anyone it shall designate, shall have unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, all data.

10. CONDITIONAL NATURE OF AGREEMENT.

Notwithstanding anything in this Agreement to the contrary, all obligations of the State hereunder, including without limitation, the continuance of payments hereunder, are contingent upon the availability or continued appropriation of funds, and in no event shall the State be liable for any payments hereunder in excess of such available or appropriated funds. In the event of a reduction or termination of those funds, the State shall have the right to withhold payment until such funds become available, if ever, and shall have the right to terminate this Agreement immediately upon giving the Grantee notice of such termination.

11. EVENT OF DEFAULT; REMEDIES.

11.1 Any one or more of the following acts or omissions of the Grantee shall constitute an event of default hereunder (hereinafter referred to as “Events of Default”):

11.1.1 failure to perform the Project satisfactorily or on schedule; or

11.1.2 failure to submit any report required hereunder; or

11.1.3 failure to maintain, or permit access to, the records required hereunder; or

11.1.4 failure to perform any of the other covenants and conditions of this Agreement.

11.2 Upon the occurrence of any Event of Default, the State may take any one, or more, or all, of the following actions:

11.2.1 give the Grantee a written notice specifying the Event of Default and requiring it to be remedied within, in the absence of a greater or lesser specification of time, thirty (30) days from the date of the notice; and if the Event of Default is not timely remedied, terminate this Agreement, effective two (2) days after giving the Grantee notice of termination; and

11.2.2 give the Grantee a written notice specifying the Event of Default and suspending all payments to be made under this Agreement

and ordering that the portion of the Grant Amount which would otherwise accrue to the grantee during the period from the date of such notice until such time as the State determines that the Grantee has cured the Event of Default shall never be paid to the Grantee; and 11.2.3 set off against any other obligation the State may owe to the Grantee any damages the State suffers by reason of any Event of Default; and

11.2.4 treat the agreement as breached and pursue any of its remedies at law or in equity, or both.

12. TERMINATION.

12.1 In the event of any early termination of this Agreement for any reason other than the completion of the Project, the Grantee shall deliver to the Grant Officer, not later than fifteen (15) days after the date of termination, a report (hereinafter referred to as the "Termination Report") describing in detail all Project Work performed, and the Grant Amount earned, to and including the date of termination.

12.2 In the event of Termination under paragraphs 10 or 12.4 of these general provisions, the approval of such a Termination Report by the State shall entitle the Grantee to receive that portion of the Grant amount earned to and including the date of termination.

12.3 In the event of Termination under paragraphs 10 or 12.4 of these general provisions, the approval of such a Termination Report by the State shall in no event relieve the Grantee from any and all liability for damages sustained or incurred by the State as a result of the Grantee's breach of its obligations hereunder.

12.4 Notwithstanding anything in this Agreement to the contrary, either the State and no representative, officer of employee of the State of New Hampshire or of the governing body of the locality or localities in which the Project is to be performed, who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of such Project, shall participate in any decision relating to this Agreement which affects his or her personal interests or the interest of any corporation, partnership, or association in which he or she is directly or indirectly interested, nor shall he or she have any personal or pecuniary interest, direct or indirect, in this Agreement or the proceeds thereof.

13. CONFLICT OF INTEREST. No officer, member or employee of the Grantee and no representative, officer of employee of the State of New Hampshire or of the governing body of the locality or localities in which the Project is to be performed, who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of such Project, shall participate in any decision relating to this Agreement which affects his or her personal interests or the interest of any corporation, partnership, or association in which he or she is directly or indirectly interested, nor shall he or she have any personal or pecuniary interest, direct or indirect, in this Agreement or the proceeds thereof.

14. GRANTEE'S RELATION TO THE STATE. In the performance of this Agreement, the Grantee, its employees, and any subcontractor or subgrantee of the Grantee are in all respects independent contractors, and are neither agents nor employees of the State. Neither the Grantee nor any of its officers, employees, agents, members, subcontractors or subgrantees, shall have authority to bind the State nor are they entitled to any of the benefits, worker's compensation or emoluments provided by the State to its employees.

15. ASSIGNMENT AND SUBCONTRACTS. The Grantee shall not assign, or otherwise transfer any interest in this Agreement without the prior written consent of the State. None of the Project Work shall be subcontracted or subgranted by the Grantee other than as set forth in Exhibit A without the prior written consent of the State.

16. INDEMNIFICATION. The Grantee shall defend, indemnify and hold harmless the State, its officers and employees, from and against any and all losses suffered by the State, its officers and employees, and any and all claims, liabilities or penalties asserted against the State, its officers and employees, by or on behalf of any person, on account of, based on, resulting from, arising out of (or which may be claimed to arise out of) the acts or omissions of the Grantee of Subcontractor, or subgrantee or other agent of the Grantee. Notwithstanding the foregoing, nothing herein contained shall be deemed to constitute a waiver of the sovereign immunity of the State, which immunity is hereby reserved to the State. This covenant shall survive the termination of this agreement.

17. INSURANCE AND BOND.

17.1 The Grantee shall, at its sole expense, obtain and maintain in force, or shall require any subcontractor, subgrantee or assignee performing Project work to obtain and maintain in force, both for the

benefit of the State, the following insurance:

17.1.1 statutory worker's compensation and employees liability insurance for all employees engaged in the performance of the Project, and

17.1.2 comprehensive public liability insurance against all claims of bodily injuries, death or property damage, in amounts not less than \$2,000,000 for bodily injury or death any one incident, and \$500,000 for property damage in any one incident; and

17.2 The policies described in subparagraph 17.1 of this paragraph shall be the standard form employed in the State of New Hampshire, issued by underwriters acceptable to the State, and authorized to do business in the State of New Hampshire. Each policy shall contain a clause prohibiting cancellation or modification of the policy earlier than ten (10) days after written notice has been received by the State.

18. WAIVER OF BREACH. No failure by the State to enforce any provisions hereof after any Event of Default shall be deemed a waiver of its rights with regard to that Event, or any subsequent Event. No express waiver of any Event of Default shall be deemed a waiver of any provisions hereof. No such failure or waiver shall be deemed a waiver of the right of the State to enforce each and all of the provisions hereof upon any further or other default on the part of the Grantee.

19. NOTICE. Any notice by a party hereto to the other party shall be deemed to have been duly delivered or given at the time of mailing by certified mail, postage prepaid, in a United States Post Office addressed to the parties at the addresses first above given.

20. AMENDMENT. This agreement may be amended, waived or discharged only by an instrument in writing signed by the parties hereto and only after approval of such amendment, waiver or discharge by the Governor and Council of the State of New Hampshire.

21. CONSTRUCTION OF AGREEMENT AND TERMS. This Agreement shall be construed in accordance with the law of the State of New Hampshire, and is binding upon and inures to the benefit of the parties and their respective successors and assignees. The captions and contents of the "subject" blank are used only as a matter of convenience, and are not to be considered a part of this Agreement or to be used in determining the intent of the parties hereto.

22. THIRD PARTIES. The parties hereto do not intend to benefit any third parties and this Agreement shall not be construed to confer any such benefit.

23. ENTIRE AGREEMENT. This Agreement, which may be executed in a number of counterparts, each of which shall be deemed an original, constitutes the entire agreement and understanding between the parties, and supersedes all prior agreements and understandings relating hereto.

Exhibit A
Scope of Services

The City of Dover shall perform the following tasks as described in the detailed proposal titled Berry Brook Watershed Restoration Plan Implementation Phase 2: Low Impact Development Retrofits in an Urban Environment, submitted by the City of Dover, dated December 3, 2010:

Objective 1: Work with city officials and the Open Lands Committee to hold an introductory community meeting and a neighborhood watershed celebration/ribbon cutting at the conclusion of the project. Create and install informative signs at restoration sites. Target completion date: September 2013.

Measures of Success: Two meetings held, attendance recorded, materials developed and numbers of residents and municipal staff educated tabulated; signs posted at restoration sites.

Deliverable 1: Press releases, photo of interpretive signs, agendas and summaries of public information meetings, agendas from city council meetings, and training materials all provided to DES

Task 1: Develop agenda and materials, and conduct a public outreach meeting before the project begins to present project goals and encourage public involvement; host a public event at the end of the project to celebrate and highlight project success. Install signs at the restoration sites to highlight the project and promote continued stewardship.

Objective 2: Completed watershed clean-up at the beginning of the project that serves as an educational opportunity as well as a beautification effort with local volunteers. This effort maximizes coverage of the overall 164 acre watershed and maximizes the pounds of debris cleaned up and removed. Target completion date: July 2011.

Measures of Success: Pounds of materials picked up and removed from the watershed.

Deliverable 2: Report of watershed cleanup and debris removal provided to DES

Task 2: Implement watershed cleanup and debris removal. Recruit and coordinate volunteers, plan logistics for clean-up, and publicize the clean-up.

Task 3: Purchase and organize supplies for watershed clean-up and debris removal (trash bags, gloves, etc.).

Task 4: Conduct watershed cleanup and debris removal clean up and arrange for city trash removal.

Objective 3: Secure easement for restoration site and restore wetland and buffers.

Measures of Success: Easement secured and wetland restored

Deliverable 3: Documentation of easement and restoration report provided to DES

Task 5: The City of Dover will secure a protected easement for the areas that are proposed for restoration. The City will coordinate restoration of the wetland area through removal and clearing of stockpiles and large waste from the site. Conduct channel reconstruction, wetland reconstruction, and planting.

Objective 4: Completed implementation of LID strategies to disconnect IC and reduce pollutant loading at 8 locations throughout the upper and lower Berry Brook watershed. The completion of this objective will represent 50% completion of the BMPs recommended in the Watershed Management Plan. Target completion date: September 2012.

Measures of Success: Installation of each of the LID BMP retrofits: One gravel wetland, 3 bioswales, 2 treebox filters, 3 infiltration trenches

Deliverable 4A: Photodocumentation of completed Gravel Wetland (BMP1).

Task 6: Complete detailed assessment of the BMP1 installation site to aid in design. Measure drainage area, evaluate soils, inspect adjacent infrastructure.

Task 7: Using information from site assessment, design BMP1 to fit the site.

Task 8: Develop list of materials (plumbing, plants, soil amendments, etc.) needed for implementation of BMP1, and use appropriate procurement methods to obtain materials.

Task 9: Complete installation of BMP1 including (but not limited to) excavation, plumbing, plantings, finish work.

Task 10: Coordinate with UNHSC and the City of Dover to provide construction oversight & inspections of BMP1; complete photo-documentation of the BMP following the DES photo-documentation SOP.

Task 11: Develop and obtain signatures for O & M agreement for BMP1. The agreement will document O & M activities including, but not limited to: description of O & M activities to be performed on management practices; schedule of activities to be performed; responsible parties; record keeping and retention.

Deliverable 4B: Photo-documentation of completed Bioswale (BMP3) provided to DES.

Task 12: Complete detailed assessment of the BMP3 installation site to aid in design. Measure drainage area, evaluate soils, inspect adjacent infrastructure.

Task 13: Using information from site assessment, design BMP3 to fit the site.

Task 14: Develop list of materials (plumbing, plants, soil amendments, etc.) needed for implementation of BMP3, and use appropriate procurement methods to obtain materials.

Task 15: Complete installation of BMP3 including (but not limited to) excavation, plumbing, plantings, finish work.

Task 16: Coordinate with UNHSC and the City of Dover to provide construction oversight & inspections of BMP3; complete photo-documentation of the BMP following the DES photo-documentation SOP.

Task 17: Develop and obtain signatures for O & M agreement for BMP3. The agreement will document O & M activities including, but not limited to: description of O & M activities to be performed on management practices; schedule of activities to be performed; responsible parties; record keeping and retention.

Deliverable 4C: Photo-documentation of completed tree filter (BMP4) provided to DES.

Task 18: Complete detailed assessment of the BMP4 installation site to aid in design. Measure drainage area, evaluate soils, inspect adjacent infrastructure.

Task 19: Using information from site assessment, design BMP4 to fit the site.

Task 20: Develop list of materials (plumbing, plants, soil amendments, etc.) needed for implementation

of BMP4, and use appropriate procurement methods to obtain materials.

Task 21: Complete installation of BMP4 including (but not limited to) excavation, plumbing, plantings, finish work.

Task 22: Coordinate with UNHSC and the City of Dover to provide construction oversight & inspections of BMP4; complete photo-documentation of the BMP following the DES photo-documentation SOP.

Task 23: Develop and obtain signatures for O & M agreement for BMP4. The agreement will document O & M activities including, but not limited to: description of O & M activities to be performed on management practices; schedule of activities to be performed; responsible parties; record keeping and retention.

Deliverable 4D: Photo-documentation of completed tree filter (BMP6) provided to DES.

Task 24: Complete detailed assessment of the BMP6 installation site to aid in design. Measure drainage area, evaluate soils, inspect adjacent infrastructure.

Task 25: Using information from site assessment, design BMP6 to fit the site.

Task 26: Develop list of materials (riser, plumbing, tree, soil amendments, cover grate, etc.) needed for implementation of BMP6, and use appropriate procurement methods to obtain materials.

Task 27: Complete installation of BMP6 including (but not limited to) excavation, riser installation, installation of filter material, plumbing, finish work.

Task 28: Coordinate with UNHSC and the City of Dover to provide construction oversight & inspections of BMP6; complete photo-documentation of the BMP following the DES photo-documentation SOP.

Task 29: Develop and obtain signatures for O & M agreement for BMP6. The agreement will document O & M activities including, but not limited to: description of O & M activities to be performed on management practices; schedule of activities to be performed; responsible parties; record keeping and retention.

Deliverable 4D: Photo-documentation of completed infiltration trench (BMP7) provided to DES.

Task 30: Complete detailed assessment of the BMP7 installation site to aid in design. Measure drainage area, evaluate soils, inspect adjacent infrastructure.

Task 31: Using information from site assessment, design BMP7 to fit the site.

Task 32: Develop list of materials (aggregate for infiltration media, trench chamber, plumbing, etc.) needed for implementation of BMP7, and use appropriate procurement methods to obtain materials.

Task 33: Complete installation of BMP7 including (but not limited to) excavation, trench installation, installation of filter material, plumbing, finish work.

Task 34: Coordinate with UNHSC and the City of Dover to provide construction oversight & inspections of BMP7; complete photo-documentation of the BMP following the DES photo-documentation SOP.

Task 35: Develop and obtain signatures for O & M agreement for BMP7. The agreement will document O & M activities including, but not limited to: description of O & M activities to be performed on management practices; schedule of activities to be performed; responsible parties; record keeping and retention.

Deliverable 4E: Photo-documentation of completed bio-swale (BMP8) provided to DES.

Task 36: Complete detailed assessment of the BMP8 installation site to aid in design. Measure drainage area, evaluate soils, inspect adjacent infrastructure.

Task 37: Using information from site assessment, design BMP8 to fit the site.

Task 38: Develop list of materials (plumbing, plants, soil amendments, etc.) needed for implementation of BMP8, and use appropriate procurement methods to obtain materials.

Task 39: Complete installation of BMP8 including (but not limited to) excavation, plumbing, plantings, finish work.

Task 40: Coordinate with UNHSC and the City of Dover to provide construction oversight & inspections of BMP8; complete photo-documentation of the BMP following the DES photo-documentation SOP.

Task 41: Develop and obtain signatures for O & M agreement for BMP8. The agreement will document O & M activities including, but not limited to: description of O & M activities to be performed on management practices; schedule of activities to be performed; responsible parties; record keeping and retention.

Deliverable 4E: Photo-documentation of completed infiltration trench (BMP11A) provided to DES.

Task 42: Complete detailed assessment of the BMP11A installation site to aid in design. Measure drainage area, evaluate soils, inspect adjacent infrastructure.

Task 43: Using information from site assessment, design BMP11A to fit the site.

Task 44: Develop list of materials (aggregate for infiltration media, trench chamber, plumbing, etc.) needed for implementation of BMP11A, and use appropriate procurement methods to obtain materials.

Task 45: Complete installation of BMP11A including (but not limited to) excavation, trench installation, installation of filter material, plumbing, finish work.

Task 46: Coordinate with UNHSC and the City of Dover to provide construction oversight & inspections of BMP11A; complete photo-documentation of the BMP following the DES photo-documentation SOP.

Task 47: Develop and obtain signatures for O & M agreement for BMP11A. The agreement will document O & M activities including, but not limited to: description of O & M activities to be performed on management practices; schedule of activities to be performed; responsible parties; record keeping and retention.

Deliverable 4G: Photo-documentation of completed bio-swale (BMP12) provided to DES.

Task 48: Complete detailed assessment of the BMP12 installation site to aid in design. Measure drainage area, evaluate soils, inspect adjacent infrastructure.

Task 49: Using information from site assessment, design BMP12 to fit the site.

Task 50: Develop list of materials (plumbing, plants, soil amendments, etc.) needed for implementation of BMP8, and use appropriate procurement methods to obtain materials.

Task 51: Complete installation of BMP12 including (but not limited to) excavation, plumbing, plantings, finish work.

Task 52: Coordinate with UNHSC and the City of Dover to provide construction oversight & inspections of BMP12; complete photo-documentation of the BMP following the DES photo-documentation SOP.

Task 53: Develop and obtain signatures for O & M agreement for BMP12. The agreement will document O & M activities including, but not limited to: description of O & M activities to be performed on management practices; schedule of activities to be performed; responsible parties; record keeping and

retention.

Objective 5: Pre- and post project Impervious Cover (IC) values determined and percent reductions in IC calculated. Pollutant load reductions calculated based on the % IC reduction and the treatment strategy used for disconnection. Target completion date: December 2012.

Measures of Success: Data collected, pre- and post IC estimates developed, project impact evaluated.

Deliverable 5: Report of IC reduction & pollutant load reduction provided to DES.

Task 54: Develop Site Specific Project Plan (SSPP) for pollutant load reduction modeling.

Task 55: Gather data from all survey and design information and estimate percent IC reduction.

Compare pre-project and post project IC percentages. Use those values to demonstrate watershed IC reductions.

Task 56: Complete load reduction modeling as per the approved SSPP, and provide Pollutants Controlled Report(s) to DES upon completion of BMP implementation. No modeling or data manipulation may be completed until the SSPP has been approved.

Objective 6: Quality Assurance Project Protocol (QAPP) developed and approved by EPA staff. Target completion date: June 2011.

Measures of Success: QAPP approved

Deliverable 6: EPA approved QAPP

Task 57: Coordinate with University of New Hampshire Stormwater Center (UNHSC) to develop a Quality Assurance Project Plan (QAPP). Submit QAPP for DES and EPA approval, and make revisions as required.

Objective 7: Pre- and post project monitoring completed. Monitoring efforts include dry weather and wet weather events to establish baseline water quality parameters, and monitor water quality and ecosystem response to watershed improvements. Target completion date: September 2013.

Measures of Success: Monitor 10 events at 2 locations within the watershed, 5 events pre-construction, 5 events post-construction.

Deliverable 7: Pre- and Post Project Monitoring Report provided to DES

Task 58: Conduct water quality monitoring pre-BMP installation as described in the QAPP. No monitoring will take place prior to QAPP approval.

Task 59: Conduct post BMP implementation water quality monitoring, and complete analyses to assess project impact. Provide DES and stakeholders with a report summarizing the findings.

Objective 8: A video of project progress and outcomes will be produced. Target completion date: December 2013.

Measures of Success: Video coverage and interviews with project participants and stakeholders collected, edited and a final product produced.

Deliverable 8: Copy of final video piece provided to DES

Task 60: Collaborate with DES and Cocheco River Watershed Coalition to develop and disseminate video and associated outreach materials to watershed residents and stakeholders. All outreach materials must be approved by DES prior to publication.

Objective 9: By December 2013 the project will successfully be completed as well as all reporting requirements as required by DES and EPA.

Measures of Success: Administer all deliverables and tasks and report progress in meeting performance targets to NHDES on a semi-annual basis and submit final project report to DES.

Deliverable 9: All required reports and documentation submitted to DES

Task 61: Coordinate with UNHSC to develop schedules and timelines to assure all work is completed, regular project check-in meetings are held, invoices submitted, and match tracked and submitted.

Task 62: Submit electronic semi-annual reports documenting all work performed on the project at the end of each June and December of the project period. The semi-annual reports will include a Pollutants Controlled Report when structural BMPs have been implemented during the reporting period.

Task 63: Submit a comprehensive final report in both electronic and hard-copy to DES on or before the project completion date. The final report shall include all work products that have not been provided to date, such as load reduction estimates, photo-documentation of installed system components. Report will comply with the DES and EPA requirements as stated in the final report guidance document.

Additional Requirements of the Agreement

Quality Assurance

All project activities which are to be guided by a Quality Assurance document such as a Quality Assurance Project Plan (QAPP) or Site Specific Project Plan (SSPP) must **not** begin prior to DES/EPA approval of that QA document. In the event that sampling, modeling, or other such activities precede QA document approval, the data will not be considered valid, and the grantee will forfeit the ability to receive payment for those activities.

Outreach Materials

All materials produced for public distribution shall be reviewed and approved by DES prior to distribution and shall include the DES logo and the following citation: "Funding for this project was provided in part by a Watershed Assistance Grant from the NH Department of Environmental Services with Clean Water Act Section 319 funds from the U.S. Environmental Protection Agency".

Operations and Maintenance

Management practices implemented as agreed upon in the scope of services of this grant agreement and with funds awarded under the NH 319 Watershed Assistance Grants Program, shall be properly operated and maintained for the intended purposes during the life span of the project. The life span of a project shall be determined by the Grantee, tailored to the types of practices expected to be funded in this project, and agreed upon by DES. The Grantee shall provide DES with an engineering estimate of the design life of the best management practice(s) (BMPs).

Operation includes the administration, management, and performance of non-maintenance actions needed to keep the completed practice safe and functioning as intended. Maintenance includes work to prevent deterioration of the practice, repairing damage, or replacement of the practice to its original condition if one or more components fail. The Grantee shall assure that any sub-award of Section 319 funds similarly include the same condition in the sub-award. Additionally, both EPA and DES reserve the right to periodically inspect a practice during the life span of the project to

ensure that operation and maintenance are occurring. If it is determined that the participants are not operating and maintaining these practices in an appropriate manner, DES may request a refund for that practice supported by the grant.

Exhibit B
Contract Price and Method of Payment

All services shall be performed to the satisfaction of DES before payment is made. All payments shall be made upon receipt and approval of stated outputs and upon receipt of an associated invoice. Documentation of match costs (including the value of volunteer labor) shall be provided with each payment request. The final invoice shall include total match cost documentation of \$98,182. Payment shall be made in accordance with the following schedule based upon demonstrated completion of specific tasks described in Exhibit A:

Funding is provided through a Watershed Assistance Grant from the NH Department of Environmental Services with Clean Water Act Section 319 funds from the U.S. Environmental Protection Agency.

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Upon completion and DES approval of Task 1	\$3,000
Upon completion and DES approval of Task 2	\$1,500
Upon completion and DES approval of Task 3	\$1,000
Upon completion and DES approval of Task 4	\$2,500
Upon completion and DES approval of Task 5	\$1,000
Upon completion and DES approval of Task 6	\$3,746
Upon completion and DES approval of Task 7	\$3,746
Upon completion and DES approval of Task 8	\$12,000
Upon completion and DES approval of Tasks 9 through 11	\$9,000
Upon completion and DES approval of Task 12	\$1,000
Upon completion and DES approval of Task 13	\$1,000
Upon completion and DES approval of Task 14	\$1,000
Upon completion and DES approval of Tasks 15 through 17	\$5,500
Upon completion and DES approval of Task 18	\$1,150
Upon completion and DES approval of Task 19	\$1,150
Upon completion and DES approval of Task 20	\$5,000
Upon completion and DES approval of Tasks 21 through 23	\$5,500
Upon completion and DES approval of Task 24	\$1,150
Upon completion and DES approval of Task 25	\$1,150
Upon completion and DES approval of Task 26	\$5,000
Upon completion and DES approval of Tasks 27 through 29	\$5,500
Upon completion and DES approval of Task 30	\$1,150
Upon completion and DES approval of Task 31	\$1,150
Upon completion and DES approval of Task 32	\$1,000
Upon completion and DES approval of Tasks 33 through 35	\$5,500
Upon completion and DES approval of Task 36	\$1,000
Upon completion and DES approval of Task 37	\$1,000
Upon completion and DES approval of Task 38	\$2,500
Upon completion and DES approval of Tasks 39 through 41	\$5,500
Upon completion and DES approval of Task 42	\$1,000
Upon completion and DES approval of Task 43	\$1,000
Upon completion and DES approval of Task 44	\$2,400
Upon completion and DES approval of Tasks 45 through 47	\$5,500
Upon completion and DES approval of Task 48	\$1,150
Upon completion and DES approval of Task 49	\$1,150
Upon completion and DES approval of Task 50	\$4,800
Upon completion and DES approval of Tasks 51 through 53	\$5,500
Upon completion and DES approval of Tasks 54 through 56	\$5,800
Upon completion and DES approval of Task 57	\$1,500
Upon completion and DES approval of Task 58	\$7,500
Upon completion and DES approval of Task 59	\$7,500
Upon completion and DES approval of Task 60	\$5,000
Upon completion and DES approval of Task 61	\$1,000
Upon completion and DES approval of Task 62	\$1,000
Upon completion and DES approval of Task 63	\$5,008
Total	\$147,200

Exhibit C Special Provisions

If the date for commencement of Exhibit A precedes the Effective Date all services performed by Grantee between the commencement date and the Effective Date shall be performed at the sole risk of the Grantee and in the event that this Agreement does not become effective, the State shall be under no obligation to pay the Grantee for any costs incurred or services performed.

Subparagraph 1.7 of the General Provisions shall not apply to this Agreement.

In addition to the General Provisions of Paragraph 1 through 23, the following provisions as required by federal regulations apply to this Agreement:

I) ***Nondiscrimination.*** The Grantee shall comply with 40 CFR part 7 which prohibits discrimination under any program or activity receiving EPA assistance on the basis of race, color, national origin, or gender, and 40 CFR part 12 which prohibits discrimination based on handicap.

II) ***Financial management.*** The Grantee shall comply with 40 CFR 31.20 and the specific standards regarding financial reporting, accounting records, internal control, budget control, allowable cost, source documentation, and cash management outlined therein.

III) ***Allowable costs.*** All costs charged to this Agreement shall be eligible, necessary, and reasonable for performing the tasks outlined in the approved project scope of services. The costs, including match, shall be incurred during the period of performance of the project, and shall be allowable, meaning that the costs must conform to specific federal requirements detailed in 40 CFR part 31.22; and OMB Circular A-87.

IV) ***Matching funds.*** All matching funds contributed by the Grantee shall conform to the same laws, regulations, and grant conditions as the federal funds in the Agreement and referenced in 40 CFR 31.24 and OMB Circular A-87.

V) ***Property Management.*** The Grantee shall comply with the property management and procedures detailed in 40 CFR 31.32 and 40 CFR 31.33.

VI) ***Debarment and Suspension.*** The grantee shall comply with 40 CFR part 31.35. By signing and submitting the Agreement, the Grantee certifies that they have not been debarred or suspended by a government agency. The Grantee will not make any award or permit any award (subgrant or subcontract) at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549, "Debarment and Suspension."

VII) ***Procurement.*** When purchasing goods or services with grant or match funds, the Grantee shall comply with procurement regulations as detailed in 40 CFR 31.36 which include procurement standards, competition, methods of procurement, contract cost and price, agency review, bonding requirements, and contract provisions.

a. Assignment of Subcontracts. The Contractor shall not assign, or otherwise transfer any interest in this contract without the prior written consent of the Contract Owner and the State.

b. Subcontracts. The Contractor shall:

i. Ensure that every subcontract includes provisions for compliance with Federal and State standards applicable to the contract;

ii. Ensure that every subcontract includes any clauses required by Federal statute and executive orders and their implementing regulations; and

iii. Ensure that subcontractors are aware of requirements imposed upon them by State and Federal statutes

and regulations.

c. Payment to consultants. Grant payments to individual consultants retained by the Contractor (excluding overhead) are limited to the maximum daily rate for Level IV of the Executive Schedule (formerly GS-18). Maximum daily rates may change annually or more often. As of January 1, 2010, the limit is approximately \$598 per day and \$74.75 per hour. This amount does not include transportation and subsistence costs, in accordance with normal travel reimbursement practices. The Contractor may pay consultants more than this amount, but the excess amount shall not be paid with federal grant funds. Contracts with firms for services which are awarded using the procurement requirements in 40 CFR 31.36 are not affected by this limitation.

VIII) **Participation by Disadvantaged Business Enterprises.** The Grantee shall comply with the terms of 40 CFR Part 33 Subpart C, which requires that organizations conduct a competitive procurement process making a good faith effort to utilize goods and services provided by disadvantaged businesses.

IX) **New Restrictions on Lobbying: Interim Final Rule.** The Grantee shall comply with the terms of 40 CFR part 34 and OMB Circular A-87 which prohibit the use of federal grant funds to influence (or attempt to influence) a federal employee, and requires the submission of Standard Form LLL ("Disclosure of Lobbying Activities") if nonfederal funds have been used to influence (or attempt to influence) a federal employee.

X) **Drug-Free Workplace.** The Grantee shall comply with the terms of 40 CFR Part 36 which require that as a condition of the Agreement, certification that they maintain a drug-free workplace. By signing and submitting the Agreement, the Grantee certifies that he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity associated with the Agreement.

XI) **Bonding requirements.** For construction or facility improvement contracts or subcontracts exceeding the simplified acquisition threshold (currently \$100,000), the minimum requirements shall be as follows:

- a. A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified.
- b. A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.
- c. A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

XII) **Additional contract provisions.** The Grantee shall comply with the following as applicable:

- a. Comply with Executive Order 11246 of September 24, 1965, entitled "**Equal Employment Opportunity**," as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR chapter 60). (All construction contracts awarded in excess of \$10,000 by grantees and their subcontractors)
- b. Comply with the **Copeland "Anti-Kickback" Act** (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR part 3). (All contracts and subcontracts for construction or repair)
- c. Comply with Sections 103 and 107 of the **Contract Work Hours and Safety Standards Act** as supplemented by Department of Labor regulations (29 CFR part 5). (Construction contracts awarded by grantees and subcontractors in excess of \$2,000, and in excess of \$2,500 for other contracts which involve the employment of mechanics or laborers.)
- d. Comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). (Subcontracts in excess of \$100,000)

e. Comply with mandatory standards and policies relating to energy efficiency which are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871).

XIII) ***Federal Funding Accountability and Transparency Act (FFATA)***. The Grantee shall comply with the terms of the FFATA by providing DES with their Data Universal Numbering System (DUNS) number, and all applicable Executive Compensation Data information as required under the FFATA.

DRAFT



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.15.

Resolution Number: **R – 2011.04.13 – 45**
Resolution Re: EcoMedia Dover Agreement

WHEREAS: The City of Dover has identified a potential funding source for energy projects utilizing a public-private partnership; and

WHEREAS: CBS-EcoMedia provides an innovative advertising method to connect deserving municipal energy projects with corporate sponsors allowing for the funding of local energy projects without the use of taxpayer monies.

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

The City Manager is authorized to enter into a three-year agreement with EcoMedia CBS to solicit for Dover energy projects to be funded through advertisement sales.

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Scott Myers
By request

Approved for Legal Compliance: Allan B. Krans, Sr.
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.15.

Resolution Number: **R – 2011.04.13 – 45**
Resolution Re: EcoMedia Dover Agreement

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers		
Deputy Mayor, 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.A.15.

Resolution Number: **R – 2011.04.13 – 45**
Resolution Re: EcoMedia Dover Agreement

RESOLUTION BACKGROUND MATERIAL:

The EcoMedia project is a national public-private partnership program to support Dover's Energy Action Plan through the funding of City energy initiatives at no additional cost to taxpayers. This support will occur through the sale of EcoAds by EcoMedia-CBS to local, regional and national advertisers on existing CBS media platforms- television, radio, outdoor, online.

The partnership is simply explained. Support of Dover energy projects will be used by EcoMedia as an incentive to potential advertisers to advertise with a CBS affiliate. An "EcoAds icon" (see attached) will be placed on ads to identify them as participating in this initiative. EcoMedia will collect a portion of the advertising dollars spent by participating advertisers for funding energy projects here in Dover.

This agreement will allow EcoMedia to offer Dover projects to advertisers to sponsor with EcoAds. Once a corporate sponsor is selected to support a Dover energy project, a separate project sponsorship agreement will be brought to Council for approval. The second agreement will indicate the specific terms of sponsorship of our project. Advertisers are participating in this program to demonstrate their commitment to the environment.

The Planning Office, in conjunction with the Energy Advisory Committee and Sustainable Dover program, contacted EcoMedia to seek funding for several alternative energy projects that had been identified in the 2009 energy audit by Johnson Controls (JCI). The City has been making strides in energy improvements in our municipal facilities under the energy performance contract with JCI, and we need to continue to make strides and gain funding for the identified alternative energy projects. We envision these two alternative energy projects could be funded through the sale of EcoAds by EcoMedia in the New England/Boston media market:

Micro turbine - There is an elevation differential at our waste water treatment plant, and the "water flowing downhill" could be used to generate energy, that would replace electrical power purchased with taxpayer dollars from the grid, through the installation of a micro turbine. The cost of the micro turbine is estimated at \$142,500.00.

Solar hot water collector - to heat our downtown indoor pool and estimated to cost \$134,000.00. The pool is a vital part of our community recreation program, funded in large part by taxpayer dollars. Offsetting energy costs through alternative energy use would be a renewable and sustainable long-term solution saving taxpayers money.

Successful Eco Media projects include: an energy efficiency retrofit and solar power installation for Miami City Hall, green makeovers for public schools in San Francisco, Miami and Cook County, Ill., as well as a solar installation at California's Long Beach airport. Current advertisers and partners include Chevrolet, Safeway, Boston Scientific, PG&E, Massachusetts Clean Energy Center, Pacific Coast Termite, Port of Los Angeles and International Brotherhood of Electrical Workers and Avidia Bank.

The City of Dover's roles and responsibilities in this agreement:

- Agree to a three year exclusive agreement (i.e. The City will not participate in any other similar advertising program for the term).
- Collaborate with EcoMedia CBS to identify sustainability projects to be funded (the two projects above have been identified, with potential for other projects to be funded).



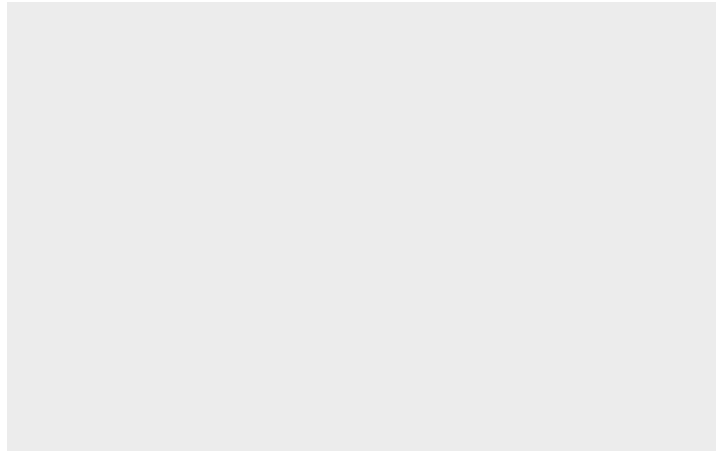
CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.15.

Resolution Number: **R – 2011.04.13 – 45**
Resolution Re: EcoMedia Dover Agreement

- EcoMedia will solicit advertisers to fund identified City projects as a percentage of their advertising sales. If successful, the City will be provided a separate Grant Agreement for the chosen Environmental Improvement Project(s) to be negotiated in good faith.





CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2011.04.13 – 46**
Resolution Re: Arch Street Rehearing

- WHEREAS: The Dover City Council voted to re-zone Arch Street to R-12 (Medium Density Residential) on January 26, 2011; and
- WHEREAS: Mark and Suzanne Jones have requested a re-hearing pursuant to RSA 677:3 by letter received on March 16, 2011 dated February 19, 2011; and
- WHEREAS: The request for re-hearing from Mr. and Ms. Jones was not timely filed and the City of Dover reserves its right to object to the untimely filing in a court of law.

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

The request for re-hearing for the zoning change on Arch Street is accepted/denied (select one).

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Deputy Mayor Dean Trefethen

Approved for Legal Compliance: Allan B. Krans, Sr.
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2011.04.13 – 46**
Resolution Re: Arch Street Rehearing

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 - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2011.04.13 – 46**
Resolution Re: Arch Street Rehearing

RESOLUTION BACKGROUND MATERIAL:

Mr. Jones filed a late request for re-hearing claiming he sent it timely on February 19, 2011. The City did not actually receive it until March 16, 2011. We will need to preserve our right to object to the timeliness in court.

1. On or about October 1, 2010, thirty-three (33) residents of the Arch Street area of the City of Dover signed and filed with the Dover Planning Department a petition for amendment of Dover Zoning Ordinance, Chapter 170 with the following language: **“We, the residents of the Arch Street area, support amending Chapter 170 of the Code of the City of Dover to change the zoning on Arch Street from Urban Density Multi-residential (RM-U) to Medium Density Residential (R-12) in an effort to promote the existing character of our neighborhood.”** The petition was filed pursuant to Zoning ordinance 170-53.
2. Zoning ordinance 170-53 permits amendments to the Zoning ordinance by citizen petition, Planning Board initiative, or City Council initiative. Irrespective of the source of the proposed amendment, the process involves a public hearing and a vote of the Dover City Council.
3. On December 21, 2010, the Dover Planning Board conducted a public hearing regarding the zoning amendment.
4. On December 21, 2010, the Dover Planning Board voted to approve the zoning amendment by a unanimous vote to recommend approval of the amendment to the Dover City Council. The Planning Board submitted its report and recommendations in writing to the Dover City Council.
5. On January 26, 2011, the Dover City Council conducted a public hearing on the zoning amendment.
6. On January 26, 2011, the Dover City Council after discussion voted unanimously(8-0) to adopt the zoning amendment with the following findings:
 - A. **MASTER PLAN.** The proposed amendment is consistent with the Master Plan.
 1. The proposal is based on context and the essential character of the neighborhood, both of which are important components of the Master Plan
 - B. **REDUCTION OF ENVIRONMENTAL IMPACT.** The proposed amendment is in the public interest since it will lessen the impact on our natural and environmental resources.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2011.04.13 – 46**
Resolution Re: Arch Street Rehearing

1. An increase in impervious surfaces resulting from multi-family development will aggravate storm water system requirements currently subject to increased federal regulation and attention.
- C. ESSENTIAL CHARACTER OF NEIGHBORHOOD.** The proposed amendment will maintain the essential character of the neighborhood as a mixed residential neighborhood consisting of a balance of single-family homes and multi-family housing units.
1. The existing neighborhood is a balance of single family and multi-family.
- D. FISCAL BENEFIT.** The proposed amendment will likely result in a fiscal benefit to the City.
1. Multi-family development expands the burden on city services including public safety and schools. Expanded burden on city services has a negative fiscal impact on the City.
 2. The City of Dover has significant opportunities for workforce housing and multi-family residences currently in place and available.
- E. NEIGHBORS SUPPORT.** A vast majority of the residents of this neighborhood seek and support the proposed amendment.

City Council
Dover, NH, 03820

Feb. 19, 2011

RE: Motion for Rehearing the 1/26/11 Decision to Rezone Arch St.

Dear City Council Members:

As aggrieved owners of the 12+ acres of vacant land behind Arch Street (portions or the entirety of tax lots 11-11, 11-11-1, 11-14 & 11.14B-1 as identified in the rezoning amendment), we request you rehear the Council's decision to rezone our land as afforded under RSA 677:2.

Our motion is based on the language of the Rezoning Amendment (Attachment A) under Purpose: the intent of the zoning change is to "ensure that existing dimensional characteristics of lots on Arch Street are preserved" constitutes an overly restrictive regulatory "taking" of our land for any future development of this land without "due process" nor "just compensation" as afforded under our US and NH Constitutional rights. This represents a reduction of our property's utility and value to such an extent that it is no longer capable of any economically viable use. The extent to which this rezoning interferes with our reasonable investment backed expectations is excessive and unfair inverse condemnation.

Specifically, the plain meaning language of the Rezoning Amendment has infringed on our rights to convey pre-existing RM-U zoned developable land by freezing our dimensional lot characteristics into a nonconforming and undividable 12 acres.

The Supreme Court of N.H. defined inverse condemnation accordingly (citations omitted), "Inverse condemnation occurs when a governmental body takes property in fact but does not formally exercise the power of eminent domain. Inverse condemnation may be effected through either physical act or regulation. We look to the individual circumstances of each case to determine whether there is an unconstitutional taking. To determine whether an inverse condemnation has occurred, we consider whether "arbitrary or unreasonable restrictions which substantially deprive the owner of the economically viable use of his [property] in order to benefit the public in some way constitute a taking within the meaning of our New Hampshire Constitution. Limitations on use create a taking if they are so restrictive as to be economically impracticable, resulting in a substantial reduction in the value of the property and preventing the private owner from enjoying worthwhile rights or benefits in the property."

The Rezoning of our land is inverse condemnation because it substantially interferes with our investment-backed expectations for a reasonable return on our costly investment in these parcels over many years. The extent to which this rezoning has interfered with "distinct investment-backed expectations" is particularly significant because as a nonconforming undividable 12 acre lot the land has no use where under previous RM-U zoning there are the following facts: When asked at the Nov. 2010 Planning Board discussion of the development potential of our land, the City Planning Director warned the Planning Board that our land, though no plan was before him, may end up with 192 dwelling units if not rezoned to R12. However, per the City Planner's published Notice of Decision of the Planning Board, he stated the development potential of our land versus the 30 dwelling units which currently exist on Arch St., "could generate double that amount" so 60 units. Per the City Planner's testimony before the Council on Jan. 26, 2011, he stated "If the Amendment passes, we suspect that you may see approx. 20 single family houses. If it doesn't pass, you'll probably see twice that."

So in 3 months, we've heard development of our land is a threat of 192 units, to 60 units, to 20 units to a rezoning to a nonconforming lot ensuring the existing dimensional characteristics of lots on Arch St. are preserved. We had realtors appraise our land in 2010 and one realtor appraised the land at \$1,500,000.00 under RM-U zoning for conveyance. Under this rezoning a lot which preserves the existing dimensional lot characteristics is valued at one tenth of that for conveyance.

Thus, this is an uncompensated taking through an overly restrictive rezoning inverse condemnation because we have sustained a substantial reduction in the value of the property from 12 acres of RM-U to a nonconforming lot "ensuring the existing dimensional characteristics are preserved".

Additionally, we allege this is also an illegal "spot rezoning" of our land. Spot rezoning occurs when a zoning amendment is invalid because it not in accordance with a comprehensive plan. It is singling out of a parcel of land for a use different than the surrounding land creating an island of zoning different from abutters. Spot rezoning is confiscatory and so illegal. The courts have stated they are keenly looking for examples where ex-mayors and city administrators are protecting the back-yards of each other to the detriment of other land owners. We have that here.

Our property has seven abutters. One is the ex-Hotel/ex-Culinary Dormitory of 100+ units, a 3 unit at 8 Arch, a 5+ unit at 10 Arch and a 3 unit at 46 Arch thus our land is surrounded by multi-units but under R12, our land is not allowed to have multi-units and non-conveyable as multi-units developable. This creates an island of zoning different than existing neighbors, has confiscated the rights we enjoyed under RM-U and hope to convey and so is illegal spot rezoning.

Spot rezoning occurs when a zoning amendment is invalid because it not in accordance with a comprehensive plan. Though there was a comprehensive Zoning plan review passed by the Council on Oct. 27, 2010 according to the city website Ordinance folder, this plan contains no recommendation nor notice to the public for a need to change the approx. 57 acres of RM-U zoned land in the city, which has the foreseeable result of hundreds of dwelling units, to a lower density R12 zone. However, two months later in his Dec. 2010 analysis to rezone Arch St., the City Planner recommends that the undeveloped land on Arch Street be rezoned from RM-U to lower density R12, a near 30% reduction in available land for multi-family dwelling development in the city. This is not fair to our interests and is using zoning powers as discrimination under RSA 672:1, sec. III-e because it takes away low and moderate housing for multi-family unit developable land without notice or accommodation without increasing multi-family developable land elsewhere in the city.

In the Planner's Dec. Analysis under Findings he states the public interest "to lessen congestion in the streets" as justification for rezoning Arch St. However, the 1992 City Planning Dept. formal recommendation for a new Gateway Blvd. passing through our land to revitalize the downtown and take traffic off of streets like Arch, and the current Master Plan asking the Council and Planning Bd. to "identify and seek to maximize opportunities to develop or preserve transportation corridors" was been ignored by this council. We have documented a willingness to assist the City in this endeavor by offering to trade to the city an easement to this Blvd. and possibly a donation of a lot to the City along this easement which were both rebuffed in 2010. We relied on the City to act in the best interests of all the citizens per the Master Plan and the 1992 Planning recommendation so as to not take our rights for political reasons. Also, doesn't an existing land owner on a street have a reasonable expectation of funneling residential traffic onto the street to which they have owned property for many years?

In the City Planner's Dec. Analysis, he states that due to the public interest "to promote health and the general welfare" through rezoning Arch St. thus "encouraging the streets aesthetic quality of life." that Arch St. be rezoned to R12. This is overly restrictive and over-reaching because our land has merely 80+ feet along Arch and doesn't open up for development for over 300' off of Arch so new housing on our land would not be visible from Arch St.

In the City Planner's Dec. 2010 Analysis, he states that due to the public interest of preventing "over-crowding" and "avoid undue concentration of population", he recommends lowering density to R12, thus, harming our interests to convey RM-U multi-family developable land as we have always owned it and been taxed as "residential developable land". Again not a consideration in the 2010 Zoning Plan approved two months earlier.

Why did the City Planner and Planning Board act in this way? We submit that the only reasonable explanation is the one afforded us by ex-mayor, abutter and petitioner W. Boc, in 2009 when he stated to both of us that he had "convinced Chris Parker that they were best buddies" and that he had "most of the Planning Board over for Dinner".

We allege this is also "illegal" spot rezoning through the wrongful acts of petitioners, abutting ex-mayors, the Dover Housing Authority and by the concerted acts of City Administration officials.

Specifically, though the Planning Board's Jan. 2011 recommendation was FOR the language of the Petitioner's Proposed Amendment, "as approves the petitioner's request to zone the area as described" per the minutes of the Dec. 21, 2010 meeting, the phrase "ensure that the existing dimensional characteristics of lots on Arch Street are preserved" was **NOT stated** and not "described" in the Petitioner's Proposed Amendment (Attachment B) despite the assertions of some petitioners before you in the January Council Public Hearing. The addition of this language by the City Administration is egregious and makes the City liable for the additional harm having added this language to the Amendment has on our interests.

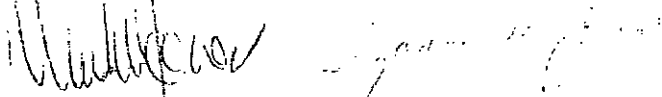
As one example of Petitioners wrongful acts, (Attachment C), the Dover Housing Executive Director under color of title, used taxpayer property, on tax-payer net services and taxpayer time unduly influenced city Planning to act fast on rezoning our land around his personal property to our detriment. There are other wrongful acts.

We also charge unfair treatment by the Planning Board. During review of a different proposed rezoning Amendment in Jan. 2011 before the Board, a similar citizen's petition to rezone from existing business zone to residential zoning of approx. 9.5 acres on Freschett Rd. was tabled in order for the Economic Development Director to conduct an evaluation of the economic impact of the proposed rezoning. We were not afforded such important consideration. Had there been such a study conducted, our economic impact would have been a very significant issue before the Board. The rezoning Amendment affecting our land was rushed through without this consideration and so we have been treated unfairly. A court of equity will want to know why.

We request this rehearing because we contend, but for the Petitioner's, Planning Board's and City Council's unreasonable act of rezoning, our rights to the 'use and enjoyment' of our land would not be infringed. I have attended and testified at every Planning Board and Council meeting on this topic and my concerns and offers to compromise have been ignored. Please let us know if you will accept this motion to rehear and take this opportunity to arrive at an equitable resolution to this matter.


Respectfully submitted,

Respectfully submitted.

Handwritten signature in cursive script, appearing to read "Mark W. Jones & Suzanne M. Jones".

Mark W. Jones & Suzanne M. Jones,
PO Box 1480, Rockport, Tx, 78381

Attachment A

 CITY OF DOVER	CITY OF DOVER - ORDINANCE	
	Ordinance Number: O - 2011.01.12 - 3 Ordinance Title: Rezoning Arch Street Chapter: 170	Agenda Item#: 13.C.3.

The City of Dover Ordains:

1. **PURPOSE**

The purpose of this ordinance is to amend Chapter 170 of the Code of the City of Dover, entitled Zoning, adjusting the existing boundary between the R-12 and RM-U districts to promote the existing character and ensure that existing dimensional characteristics of lots on Arch Street are preserved.

2. **AMENDMENT**

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Urban Density Multi-residential (RM-U) to Medium Density Residential (R-12) an area of approximately 30 acres along Arch Street consisting of the following parcels or portions of parcels: 10-152, 10-153, 10-154, 10-155, 10-156, 10-157, 10-161-1, 10-162, 10-163, 10-164, 11-9, 11-10, 11-11, 11-11-1, 11-13, 11-14, 11-14-B, 11-14-B-1, 11-15, 11-16, 11-17".

*= The rezoning only affects the portion of the lot currently zoned RM-U. The remaining portion is R-12.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

"The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Urban Density Multi-residential (RM-U) to Thoroughfare Business (B-3) an area of approximately 3 acres along the Spaulding Turn pike consisting of a portion of parcel: 11-2. Said portion is west of lots 11-11-1 and 11-14

3. **TAKES EFFECT**

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

Requires a 2/3 vote of the City Council members present and voting to approve the Planning Board's recommendation for the Arch Street rezoning.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Dean Trefethen, Deputy Mayor
Planning Board Representative

Approved as to Legal Form: Allan B. Krans, Sr.
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk

Document Created by: Planning Department
Document Posted on:

o-2011.1.12_arch_st12_21_10
Page 1 of 2

Attachment B.

We, the residents of the Arch Street area, support amending Chapter 170 of the Code of the City of Dover to change the zoning on Arch Street from Urban Density Multi-residential (RM-U) to Medium Density Residential (R-12) in an effort to promote the existing character of our neighborhood.

NAME	ADDRESS (Dover, NH)	DATE SIGD
George P. Sherwood	43 Arch St Dover, NH	9-22-10
Jane Ann Sherwood	43 Arch St Dover NH	9-22-10
William S. Dineen	41 Arch St. Dover, NH	9/22/10
John F. Dineen	41 Arch St. Dover, NH	9/22/10
Doreen Leighton	39 Arch St. Dover NH	9/22/10
Jane M. Tenney	37 Arch St. Dover, NH	9-22-10
Joseph B. Stranelli	70 ARCH ST. DOVER NH	9-23-10
Jack Buckley	36 Arch St Dover NH	9-24-10
Shirley M. McKee	36 Arch St. (Dover) NH	9-24-10
Laurence J. Tate	2 Arch St Dover, NH	9-25-10
Patricia J. Tate	2 Arch Street Dover, NH	9-25-10
Doug De Santis	145 Silver St Dover, NH	9-25-10
David (Honey) [unclear]	145 Silver St. Dover NH	9-25-10
[unclear]	8 ARCH ST.	9-25-10
Carol [unclear]	8 Arch St.	9-26-10
De [unclear]	10 Arch St	9-26-10
Ronald [unclear]	7 Arch St Dover NH	9-26-10
Nancy [unclear]	7 Arch St.	9-26-10
James G. [unclear]	7 Arch St.	9-26-10

Parker, Christopher G.

Attachment C.

From: Jack Buckley [jack@doverhousingauthority.org]
Sent: Friday, October 01, 2010 9:28 AM
To: Bill Garrison; bobcarroll4@comcast.net; Carol Boc (cboc@winsorbrook.com); Cathy Vanderweil (cvande4056@yahoo.com); Chris Wyskiel (cwyskiel@wbtblaw.com); earlegoodwin@hotmail.com; George and Jane Ann Sherwood (gshe@myfairpoint.net); Jaclyn Brand; Janet Perry (Janet@Nicoles-Hallmark.com); Patty and Peter Driscoll (rceppdriscoll@comcast.net); Sam Reid; Wil Boc (wboc@wbtblaw.com)
Subject: Arch Street rezoning update

Chris Wyskiel has agreed to draft up a statement that Cathy Vanderweil will read at the Oct. 12th Planning Board mtg. Jane Ann Sherwood has indicated that there has been a lot of activity at the Moscato property this past week. Good thing we are moving fast on this. Jack

 Jack Buckley
 Dover Housing Authority
 62 Whittier Street
 Dover, NH 03820-2994
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CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2011.04.13 – 47**

Resolution Re: Participation in cooperative marketing of Dover downtown

WHEREAS: The City Council desires to foster the retention and sustainability of downtown businesses; and

WHEREAS: The difficult economic times threaten the viability of downtown merchants; and

WHEREAS: The City Council desires to promote the critical downtown core essential to Dover's economic health; and

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

The City council approves a matching contribution of up to \$3,000 as budgeted in the parking activity fund to participate in a cooperative downtown marketing program with Dover Main Street and the Dover Business and Industrial Development Authority.

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.
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2011.04.13 – 47**

Resolution Re: Participation in cooperative marketing of Dover downtown

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 – 2011.04.13 – 47**

Resolution Re: Participation in cooperative marketing of Dover downtown

RESOLUTION BACKGROUND MATERIAL:

The Dover downtown merchants have experienced a “perfect storm” of business obstacles including the great recession, a chain of winter weather snow storms, reduced credit access and the introduction of paid parking, all hitting them in the past two years. Since these businesses represent the downtown core of Dover’s economy, their retention and sustainability are important to the business health of Dover and the maintenance of a vibrant downtown center. This promotional program is a cooperative effort of the Dover Parking Commission that has voted to recommend it to the City Council, the Dover Business and Industrial Development Authority, as part of its business retention mission, and the Dover Main Street, whose Board has approved it for funding. The program will involve 30 second radio spots over 20 days at several stations, coupon insert mailings to over 43,000 households, a street banner, and various merchant discount and raffle/return scenarios as well as Channel 22, Dover Downloads, and e blasts. Following the initial 4-6 week effort, Dover Main Street will continue marketing reinforcement activities. This resolution proposes to only allocate funds, not incur additional costs.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R - 2011.04.13 – 48**
Resolution Re: Amendment of FY 2011 Fee Schedule to Establish Mobile Parking Meter System Rates

- WHEREAS: The City of Dover has metered parking in the downtown, and;
- WHEREAS: The Parking Commission held several hearings and the Parking Manager has noted strong support for the inclusion of a mobile parking meter system in conjunction with the city's paid parking program, and;
- WHEREAS: The Dover Parking Commission at their April 4th, 2011 meeting recommended that the ePark mobile parking meter program be adopted and that the mobile parking device be sold at cost and include \$10 worth of parking fees as an incentive to purchase the system.

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

The City Council of the City of Dover authorizes changes to the Police section, p. 10 of the approved FY 2011 Fee Schedule as follows:

Mobile Parking Meter	At Cost and include \$10 worth of parking fees
Mobile Parking Meter Reload Fees	\$2.50 for \$25.00 in parking fees
	\$3.50 for \$50.00 in parking fees
	\$5.00 for \$100.00 in parking fees

The City Manager recommends that this resolution be adopted.

NOTE: This resolution requires a duly advertised public hearing and a 2/3 favorable vote of all members for passage. Resolutions to be referred to public hearing.

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.
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk

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Document Created by: Police
Document Posted on: April 8, 2011

Page 1 of 3



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R - 2011.04.13 – 48**

Resolution Re: Amendment of FY 2011 Fee Schedule to Establish Mobile Parking Meter System Rates

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.		

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CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R - 2011.04.13 – 48**

Resolution Re: Amendment of FY 2011 Fee Schedule to Establish Mobile Parking Meter System Rates

RESOLUTION BACKGROUND MATERIAL:

In response to public input to include a mobile parking meter system in conjunction with the city's paid parking program, the Parking Manager evaluated the available products and programs. The ePark Systems, Inc. was recommended by the Parking Commission for its ease of use and future compatibility with systems in other NH municipalities. Both Portsmouth and Manchester use the ePark system and it is well received.

The mobile parking device will afford drivers the convenience of not having to go to the on-street parking meter as well as pay only for the actual minutes they are using the parking space.

There is a one year warranty on all units. If the purchaser would like to return their meter within 90 days of purchase, they will receive a full refund.

In the event that a customer reports a lost, stolen or damaged device, ePark will replace the unit one time without any additional fee.

The current cost to the city of a device would be \$20.

In addition, there is a reload fee to the city as noted below:

Reload Level	Consumer Fee	City Fee
\$25.00	\$2.50	\$2.50
\$50.00	\$3.50	\$4.00
\$100.00	\$5.00	\$5.00

There is a planned multi-jurisdictional version anticipated to roll out in this winter. ePark will exchange the current device for those wanting the multi-jurisdictional version on a sliding scale based on the number of times a consumer reloads the fees. Four reloads equates to a free exchange. Three reloads equates to a 75% discount. Two reloads equates to a 50% discount and one reload equates to a 25% discount. There is no time frame in which the reloads must be accomplished.

There is an additional cost borne by the city to initiate the program, capped at \$3,000, for web site development which allows for on-line reloading of parking fees and maintenance of the system.

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CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2011.04.13 – 49**
Resolution Re: Fiscal Year 2012 Budget Appropriations, Fees and Capital Improvements Program

WHEREAS: The City Manager submitted his budget for next fiscal year to the City Council on April 13, 2011; and

WHEREAS: The City Council, after holding the required public hearings, desires to adopt the budgets of the various funds for Fiscal Year 2012, (July 1, 2011 through June 30, 2012);

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

1. The annual budget for the City of Dover for Fiscal Year 2012, submitted to the City Council by the City Manager and on file with the City Clerk, is adopted to raise the following estimated revenues (including any Budgetary Use of Fund Balance) and appropriate the following appropriations:

Fund	Fund Description	Est Revenue	Appropriations	Fund Type
1000	General Fund			General Fund
2100	Community Development Fund			Special Revenue
2210	Drug Investigation Fund			Special Revenue
2220	Dover Housing Auth Policing			Special Revenue
2245	DHHS Assistance Programs			Special Revenue
2250	Youth Tobacco & Alcohol Awareness			Special Revenue
2290	Emergency Management Fund			Special Revenue
2800	School Cafeteria Fund			Special Revenue
2820	School Dept. of Education Grants			Special Revenue
2900	School Special Pgms & Grants Fund			Special Revenue
3207	Public Safety Special Details			Special Revenue
3213	Parking Activity Fund			Special Revenue
3320	Residential Solid Waste Fund			Special Revenue
3381	McConnell Center Fund			Special Revenue
3410	Recreation Programs			Special Revenue
3455	Library Fines Fund			Special Revenue
3500	OPEB Liability Fund			Special Revenue
3810	School Tuition Program Fund			Special Revenue
3825	School Alternative Education Fund			Special Revenue
3830	School Facilities Fund			Special Revenue
5300	Water Fund			Enterprise
5320	Sewer Fund			Enterprise
6100	DoverNet Fund			Internal Service
6110	Central Stores Fund			Internal Service
6310	Fleet Maintenance Fund			Internal Service
6800	Workers Compensation Fund			Internal Service
	Totals		0	0



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2011.04.13 – 49**

Resolution Re: Fiscal Year 2012 Budget Appropriations, Fees and Capital Improvements Program

2. The total amounts set forth in said budgets are hereby appropriated effective July 1, 2011 as provided by law for the departments, transfers to and from reserves and between other funds, and public purposes not foreign to or incompatible with the mission of the City. General Fund Appropriations include _____ for City operations, _____ for School Department operations, _____ for Debt Service and _____ for County Tax.
3. There is no Budgetary Use of Fund Balance included in the General Fund for the purpose of offsetting property taxes.
4. In accordance with RSA 76:6, the City Tax Assessor shall revise and report to the Department of Revenue Administration the amount required for Tax Overlay to provide for the issuance of property tax abatements for tax year 2011 (Fiscal Year 2012).
5. In accordance with RSA 21-J:34, the City Manager shall revise and report to the Department of Revenue Administration the estimated amount of all non-property tax revenues for Fiscal Year 2012 .
6. For water consumption per hundred cubic feet (HCF) effective July 1, 2011, the Water and Sewer User Fees will be \$_____ and \$_____, respectively.
7. Effective July 1, 2011, the City Manager is authorized to enter into agreements with, and make payments to, the various agencies receiving Grants/Subsidies and Membership Dues as contained within the budget.
8. Effective July 1, 2011, the City Manager is authorized to enter into agreements with, and make payments to, various vendors supplying computer hardware and software annual maintenance services and support contracts as contained within the budget.
9. Effective July 1, 2011, any new funds represented in the budget are established for the purposes enumerated within the budget.
10. Effective July 1, 2011, the Finance Director is authorized to make transfers between funds for the purposes prescribed, including special, capital and other reserve funds, including transfers to or from the City and School Employee Benefits Reserves.
11. Effective July 1, 2011, all fees and charges represented within the budget and the associated schedule of fees is adopted.
12. Effective July 1, 2011, the City Manager is authorized to sign all grant applications and any such funding awarded during the fiscal year is appropriated for such purpose.
13. Effective July 1, 2011, revenues from the sale of city property are appropriated for their established and intended use.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2011.04.13 – 49**
Resolution Re: Fiscal Year 2012 Budget Appropriations, Fees and Capital Improvements Program

14. The City Financial Policies, as contained within the budget, are reaffirmed and adopted for the coming fiscal year.
15. In accordance with RSAs 674:8 and 674:21-V(b), the FY12-17 Capital Improvements Program, as amended, is hereby reaffirmed and adopted.

Note: This resolution requires a favorable majority vote of all members for passage, after duly advertised public hearings for each of the City and School budgets to be separated by at least 24 hours and held at least seven days in advance of final adoption. Final adoption of the budget by the City Council shall occur not later than June 15th prior to the beginning of the next fiscal year.

Resolution to be referred to Public Hearings as follows:

School Department Budget hearing Wednesday April 27, 2011

City Budget hearing Wednesday May 25, 2011

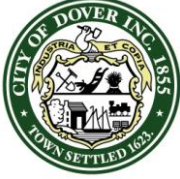
AUTHORIZATION

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Mayor Scott Myers By request
Approved as to Legal Form:	Allan B. Krans, Sr. City Attorney		
Recorded by:	Karen Lavertu City Clerk		

DOCUMENT HISTORY:

Document Created by: Finance Department
Document Posted on: April 8, 2011

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CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2011.04.13 – 49**

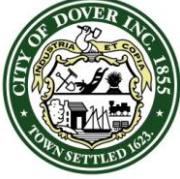
Resolution Re: Fiscal Year 2012 Budget Appropriations, Fees and Capital Improvements Program

First Reading Date:
Approved Date:

Public Hearing 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 Nadelka, 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.4.

Resolution Number: **R – 2011.04.13 – 49**

Resolution Re: Fiscal Year 2012 Budget Appropriations, Fees and Capital Improvements Program

RESOLUTION BACKGROUND MATERIAL:

This resolution adopts the budget for various funds for the next fiscal year, as well as setting utility rates, authorizing grant, subsidy and membership payments, computer maintenance contracts, transfers between funds, setting fees for various services, authorizing signing of grant applications and appropriations thereof, approval of the investment policy and adopting the six year Capital Improvements Program, as required by State Statute to support assessment of impact fees.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number:
Ordinance Title: **O – 2011.04.13 – 5**
Chapter: 166

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to change the hours of operation for parking meters in the downtown area.

2. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by revising Section 166-37, “Hours of Operation”

a. THE FOLLOWING IS REPEALED:

PARKING METERS SHALL BE IN OPERATION DAILY BETWEEN THE HOURS OF 8:00 A.M. AND 6:00 P.M., EXCEPT ON SATURDAYS, SUNDAYS AND LEGAL HOLIDAYS.

b. THE FOLLOWING IS ADDED:

PARKING METERS SHALL BE IN OPERATION DAILY BETWEEN THE HOURS OF 9:00 A.M. AND 7:00 P.M., EXCEPT ON SATURDAYS, SUNDAYS AND LEGAL HOLIDAYS.

3. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING

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.
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number:
Ordinance Title: **O – 2011.04.13 – 5**
Chapter: 166

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:
Ordinance Title: **O – 2011.04.13 – 5**
Chapter: 166

ORDINANCE BACKGROUND MATERIAL:

After Phase II of the parking meter installation program, there were a significant number of comments from the merchants about adjusting the hours of operation.

The Parking Manager solicited input by e-mail (included below) from 76 merchants with 36 replying. The following results were noted:

Only downtown business owners or managers were recorded (one per location).

<u>Hours</u>	<u># responding</u>	<u>% responding</u>
8-4	1	3%
8-5	1	3%
8-6 (current)	9	25%
8-8	3	8%
9-5	3	8%
9-6	6	17%
9-7	6	17%
9-8	3	8%
10-8	1	3%
10-9	1	3%
11-7	2	6%

All bars/restaurants that answered preferred to keep the current ending time of 6 pm.

The Parking Commission held a hearing on April 4, 2011 and recommend changing the hours of operation for parking meters from the current Monday through Friday 8:00 a.m. - 6:00 p.m. to Monday through Friday from 9:00 a.m. - 7:00 p.m. There would still be no changes for Saturdays, Sundays and holidays.

Dear Downtown Business Owners/Managers;

During the meetings we hosted with the merchants, through e-mails and conversations, I have noted interest in adjusting the hours of operations for the meters.

Currently the hours of operation are 8 am to 6 pm. If you feel we should adjust the times, please let me know. So far I have heard 8-7, 9-7, 8-8, and 9-8. Also, if you prefer the current hours, let me know as well.

I am hoping to bring the information to the Parking Commission at their next meeting on April 4th.