



**CITY OF DOVER**

## CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, August 24, 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**
  - A. **CHARTER AMENDMENT – TAX CAP**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST
  - B. **CHARTER AMENDMENT – REDISTRICTING OF WARD BOUNDARIES**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST
  - C. **CHAPTER 5, BOARDS, COMMISSIONS AND COMMITTEES - CREATING AN ENERGY COMMISSION**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST
8. **CITIZEN'S FORUM**

*Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.*
9. **CITY MANAGER'S REPORT**
10. **APPROVAL OF MINUTES**
  - A. **August 3, 2011 - Workshop**
  - B. **August 10, 2011 – Special Meeting**
  - C. **August 10, 2011 – Regular Session**
11. **MAYOR'S REPORT**



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### 12. UNFINISHED BUSINESS

#### A. ORDINANCES IN THE 2<sup>nd</sup> READING

1. **CHAPTER 5, BOARDS, COMMISSIONS AND COMMITTEES - CREATING AN ENERGY COMMISSION**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST

#### B. ORDINANCES IN THE 3<sup>rd</sup> READING – None

#### C. RESOLUTIONS

1. **CHARTER AMENDMENT – TAX CAP**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST
2. **CHARTER AMENDMENT – REDISTRICTING OF WARD BOUNDARIES**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST

### 13. NEW BUSINESS

#### A. CONSENT CALENDAR

1. **RAFFLE – Dover High School, Class of 1981**
2. **RAFFLE – Dover Little Green Football, Inc.**
3. **RAFFLE – Target Funding, LLC d/b/a BNI**
4. **RAFFLE & BLOCK PARTY – Dover Main Street & Dover Chamber of Commerce**
5. **RESOLUTION: AUTHORIZATION TO ACCEPT UNH PROPOSAL #11-721 FOR PHASE II BERRY BROOK WATERSHED MANAGEMENT PLAN GRANT**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST
6. **RESOLUTION: B11072 CRACK SEALING SERVICES**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST
7. **RESOLUTION: B12003 HOUSEHOLD HAZARDOUS WASTE COLLECTION SERVICE**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST
8. **RESOLUTION: B12006 LIQUID PROPANE**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST
9. **RESOLUTION: B12007 #2 HEATING FUEL**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST



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- 10. RESOLUTION: B12008 OFF ROAD DIESEL FUEL**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST
- 11. RESOLUTION: BOOK AND MEDIA PURCHASES**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST
- 12. APPROVAL OF STRAFFORD COUNTY CAP LEASE, ROOM 246**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST

### COMMITTEE REPORTS

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

### B. RESOLUTIONS

- 1. CITY COUNCIL RULE CHANGES**  
SPONSORED BY MAYOR TREFETHEN
- 2. LORRAINE'S CORNER**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST

### C. ORDINANCES IN 1ST READING - None

- 14. COUNCIL CORRESPONDENCE - None**
- 15. COUNCIL MATTERS OF INTEREST**
- 16. ADJOURNMENT**



# CITY MANAGER'S REPORT



**AUGUST 24, 2011**

SUBMITTED BY:

**J. MICHAEL JOYAL, JR.**  
CITY MANAGER

**CITY OF  
DOVER, NH**

AVAILABLE ONLINE:

**[WWW.DOVER.NH.GOV](http://WWW.DOVER.NH.GOV)**

# Dover Business & Industrial Development Authority

## Economic Development Overview

Dan Barufaldi

### Sector Review:

**Retail:** Retail sales continued to decline this month, as gasoline prices have both curtailed shopping trips and removed shopping dollars from pocket books. Gasoline sales are off, but gasoline sales dollars have exploded. Gasoline prices have significantly receded off peak, but are still impinging on retail sales. Unemployment and fear of unemployment remain as spending deterrents. Unemployment rates hovered minimally above and below projected levels nationally although overall employment increased slightly. Dover unemployment increased from 4.3% to 4.8% as national unemployment increased to 9.3% from 9.2% the previous month. .

**Restaurants:** Fast food sales are up moderately. Other breakfast and lunch sales remain flat. Dinner sales at higher end restaurants started to improve, but have since flattened as gasoline prices remain volatile. Some hours of restaurant opening have been cut.

**Hotels/Motels:** Sales activity is highly location sensitive but continues off significantly overall. Weekend sales remain scarce as fuel costs deter travel. Our downtown hotel continues to record high occupancy levels, but at slim margins. Virtual meetings at Dover corporate locations are reducing hotel stays as travel costs rise and physical presence is not always required to hold a meeting.

**Services:** Financial services continue to improve. Services connected to project work are off markedly. Foreign travel has been hit by the rising fuel costs raising air fares and cruise prices as well as a weakening US Dollar. European travel to the US has improved slightly with the weak US Dollar. Cleaners and cleaning services sales have plateaued. Software sales are rising steeply. Educational and healthcare services continue to grow, but at reduced rates due to funding uncertainty.

**Construction:** Some residential construction improvement is evident. Commercial activity exists, particularly in building rehab, but continues to be focused on bargain hunting. Lower rehab costs for existing commercial/ industrial buildings and lack of new-build financing availability continues to make new construction scarce. Construction financing is beginning to loosen up, but with higher down payment and balance sheet requirements, and slightly higher interest rates.

**Manufacturing:** Remains in decline nationally, even as inventories are depleted, but New Hampshire manufacturing is experiencing a slight strengthening in DOD and high tech sectors. Electronic assembly and plastics production is experiencing feast and famine cycles with rush delivery requests common. Food manufacturing and electronic recycling are showing tepid growth signs locally. New car sales have remained flat,

except for Toyota (earthquake/tsunami related parts shortages) Low cost lease rates and model year end discounts offered are beginning to move accumulated inventories. Some moderate bright spots exist at specific brand outlets like Hyundai, and VW with lower cost high fuel mileage models.

**Healthcare:** Still in a growth mode, but uninsured unemployed patients are slowing that growth. Medicare/ Medicaid rate and coverage uncertainty and the political/economic quandary of healthcare reform/ insurance programs and resistance to rising medical care costs will delay some expansion. Doctor and hospital visits are off and emergency room activity is exploding as health insurance is often lost due to unemployment. Dentists are experiencing a marked slowdown in elective procedures as costs remain high.

**Commercial Real Estate Space:** A large unused office space inventory continues to drive prices downward. Lower cost mill space is doing better than higher cost mill office space currently. The WDH Exit 9 Medical Practice Building is now fully occupied, releasing office leased space near the WDH main campus that has not been filled. One of our major mill spaces is only half occupied and has lost two large tenants to another Dover location with door side parking. Lack of proximate parking remains a serious deterrent. We are working with the Cocheco Falls Mill to use COAST busses to reduce their parking lot shuttle costs as well as investigating more permanent parking solutions.

## 2. Local Business Retention Contacts:

**Real Estate Agents:** Commercial agents contacted all have high inventories, but improving lease sales, and expect that commercial real estate, long in decline, is showing some occasional signs of improvement, following residential real estate by about 18 months on average in our Enterprise Park prospects have either postponed any move to conserve cash in a slow and uncertain economy or are looking for less expensive approaches through rehabbing existing older buildings or buying a foreclosed property. Two Crosby Rd properties are now for sale.

**Developers/Builders:** A lot of rehab of leasable office space, manufacturing, and warehouse space is underway, including the Goss Building, Moore Building, Collins & Aikman and Prime Leather. More new office/warehouse leases are being sold at this time, but space is being leased at reduced prices to gain long term commitments. A new 100,000 sq. ft. distribution center building on Rt. 155 is being contemplated by a current resident Dover company.

The Governor has announced interest in a Southern NH location by a Fortune 100 company. Working with the Department of Resources and Economic Development, Dover has submitted two potential property locations for this project. The company indicates it will employ 1,500 in manufacturing and warehouse positions. The identity of the company and other sites being considered is not known at this time. A site locator team is expected in NH in the next two months.

**Mills:** AT&T call center space is still not leased to a new tenant. Loss of two significant leased office space tenants to another Dover location has occurred. Lack of on-site parking is a continuing problem. Other mill space has been taken as a children's toy store on the ground floor opposite the Children's Museum. A new 30,000 sq. ft. tenant looks promising in a mill. The Cocheco Falls Mill has been placed on the market for \$8.9 million with the hope that upper floors would be rehabbed for residential use. On site or proximate parking would be the key to this happening.

Another Mill now has less than 12,000 sq. ft open. This space is now being used as an event hall with a commercial catering kitchen to be installed.

**Downtown:** A bar owner with two locations in Massachusetts has now moved into the Barn Tavern in Dover for a third location. It is now the Farm Restaurant. A farm/nursery store is looking at a move to leased space in Dover after a sale of currently owned property. Two downtown lease spaces are open currently another is now newly occupied by an interior design firm. The new downtown metered parking deployment is freeing up curbside spots for business customers. Credit card companies and banks have cut or eliminated the credit lines traditionally used by small business people to bridge seasonal and/or receivable/payable time lags. Other SBA loan programs are being accessed, as these are now more available through local/ regional banks and are more likely to be able to respond in time. A new Fed stimulus program aimed at providing credit to small businesses through the SBA has been announced, and local banks finally have enough details on the program to start lending at this time. Enhanced bank reserve requirements and increased regulations limit the practical effect of this program for local banks and small businesses. Dialogue with the Dover Economic Loan Program Administrator has been ongoing. A few downtown businesses with limited resources, heavy debt loads, old business models and low adaptability have now closed. Small retail businesses that have been hanging on waiting for the economy to improve are in danger of running out of cash and credit reserves despite the slight lift in economic activity. Small business in Dover has been helped by the Downtown Merchants Promotion and Buy Local programs this summer. A partnership including The Dover Business and Industrial Development Authority, the Dover Parking Commission, Dover Main Street, and the Greater Dover Chamber of Commerce have combined resources and talents to implement a Downtown Dover Merchants Promotion Program that started in July and includes radio spots, a mailing insert to 43,000 regional households, a street banner, flags, and several individual merchant discounts and coupons, raffles, etc. over a 4-6 week period.

### 3. Unemployment:

**Dover:** Currently at 4.8%  
Portsmouth: 4.4%  
Rochester: 5.6%  
Somersworth: 5.9%  
Manchester: 5.7%  
Concord: 4.9%

New Hampshire: 5.2%  
Maine: 7.4%  
Massachusetts: 7.8%  
Rhode Island: 10.3% Vermont: 5.6%  
New England: 7.8%  
U.S.: Currently at 9.3%.

#### 4. Incentive Activity:

ERZ Districts (5) Progress: Four new businesses so far have moved into ERZ locations in Dover. ERZ District availability has positively influenced four move-in companies to date representing just fewer than 200 jobs. Two new ERZ Districts on Sixth Street (including Enterprise Park) and Mast Road have passed all application requirements from the State and have been approved. Companies in Enterprise Park adding to their employment rosters are applying for the state BPT exemptions.

#### 5. Outreach/Attraction:

Enterprise Park: One company formerly looking for a two year lease with a new build in that time frame at Enterprise Park has identified a building in Dover to buy for their permanent location. Dover ERZ benefits are being evaluated at the new location.

121 Broadway: A wind turbine assembly company (Goss) is scheduled to move into the Goss Building shortly. Employment numbers are not yet set, but 20-25 employees is the most recent estimate.

Industrial Park Drive: Leased space at 117 Industrial Park Dr. is being occupied by Patriot Steel, a steel distributor taking 25,000 sq. ft. And Sid Hayes Associates, an HVAC company taking 25,000 sq. ft. A Massachusetts company is currently looking for 10,000-12,000 sq. ft. of manufacturing/ warehouse/ office space in a stand-alone building in Dover.

Crosby Road Industrial Park: Three commercial condos are being occupied by two small businesses. A paving company is looking to lease or sell their Crosby Rd. location building and property.

#### 6. Public Activities:

Regional Business outreach Mtg. DRED \* Business meeting/ Enterprise Park \* Hazardous Mitigation Planning Mtgs. (3) \* Skyhaven Marketing Committee Mtg. \* Skyhaven Advisory Board \* Parking Commission Meetings (2) \* Government Affairs Committee Meeting-Chamber \* Quarterly newspaper meetings (3) \* Tourism Stakeholders meeting (2) \* DBIDA Board meeting \* NHCIBOR Quarterly meeting, Bedford, NH \* Hospitality Industry/Tourism Meeting \* Monthly Networking Leads Group 2<sup>nd</sup> Tuesdays \* City Council meetings \* Development Issues Meetings/Planning \* TRC Meetings (2) \* CIBOR Seacoast Marketing Meeting: Pease \* Parking Lot Bid Meetings (3) \* DBIDA Presentation/ Planning Board Workshop \* Land, Sea, Space Center Meeting \* Strafford

Regional Planning Meetings (3) \* NH Economic Trends Seminar \* Mill parking/Coast Bus line Meeting \* Master Plan Economic Development Meeting/ Fosters \* DBIDA Chair Meeting \* Chamber Parking Meeting \* Merchants Parking Issues Meeting \* Waterfront Development/CWADC meeting \* Merchants Promotional Program meetings (3) \* Meetings with Realtors/ Developers / Banks (8) \* DBIDA Budget meetings \* Economic Action of Dover production meetings (3)

## Office of General Legal Counsel Summary of Matters

Allan Krans

The Office of General Legal Counsel provides legal support to city staff and volunteers on the boards, commissions and committees of the City of Dover to assist efforts to provide services to constituents/customers. Key services include legal advice regarding Matters (legal questions and issues raised by staff), review of legal documents (contracts, deeds etc.), preparation of resolutions, and responses to Right to Know requests.

Tracking the timeliness of legal services has been initiated to achieve objective Key Intended Outcomes (KIO).

### **SELECTED MATTERS FOR THE MONTH: July, 2011**

- Assistance to the City Council: drafting/review of resolutions and ordinance revisions; attendance at meetings; Robert's Rules; review of leases, Charter changes, taxi driver license appeal;
- Assistance to the Community Services Department: men's changing room policy, tree removal, Dover Ice Arena, digging permit; recreation release of information to parents
- Assistance to the Planning Department: Use violation, Energy Commission, plumbing inspection, Dover Code Enforcement, conflict of interest;
- Assistance to the Schools: employment reference, purchasing code appeal, school board policies;
- Assistance to the Finance Department: contract reviews and preparations; case review;
- Assistance to the Welfare Department: welfare assistance to an illegal immigrant;
- Assistance to Fire and Rescue: lot line adjustment; enforcing city ordinances, violation of Housing Standard;

- Assistance to Police: privacy rights of dead; First Amendment review; Animal services
- Assistance to the City Manager: review of documents for signature; review of New Hampshire Supreme Court cases; review of litigation;
- 226 Matters opened year to date; 24 in July
- 107 Documents reviewed year to date; 10 in July  
Key Intended Outcome (KIO) is review of documents within three (3) days;
- 24 requests pursuant to RSA 91-A year to date; 4 in July  
Key Intended Outcome (KIO) is response to a request for information within five (5) days;

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

The use of outside counsel to handle specialty matters continues and consists of counsel involved in environmental matters(Attorney Peltonen) and labor negotiations(Attorney Broth). There are a small number of other attorneys hired on a variety of smaller matters.



CITY OF DOVER

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### 1. CALL TO ORDER

### 2. MOMENT OF SILENCE

### 3. PLEDGE OF ALLEGIANCE

Councilor Cheney led the Pledge of Allegiance.

### 4. ROLL CALL ATTENDANCE

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

**Absent:** Councilor Cruikshank.

**Also present:** City Manager Joyal, General Legal Counsel Krans, and Deputy City Clerk Mistretta.

### 5. CHARTER AMENDMENT DISCUSSIONS

#### A. WARD BOUNDARIES

Christopher Parker, Director of Planning and Community Development, referred to his handout and spoke about the ward boundary changes that are being proposed in the Charter Amendment question. He said the City has received word that the proposed ward changes do comply with State statute and are able to be placed on the ballot should the Council choose to do so.

Mayor Trefethen asked if it was State or Federal law that required the City to change the ward boundaries.

Director Parker said the State tells the City that there needs to be a 1% variation between wards in regards to population; 4,873, and 5,123.

Mayor Trefethen asked what the next step is in the procedure.

Director Parker said the Council has to hold a public hearing to ask the public if they want it put on the ballot, the Council would make a decision based on public comments, and then it would be placed on the November ballot. He reminded the Council that should it pass it would not go into effect until June 1, 2012.

Mayor Trefethen asked the Council if they wished to have this Charter Amendment continue to proceed to a public hearing.

There was consensus.

#### B. TAX CAP

Allan Krans, General Legal Counsel, referred to his handout and spoke about the Tax Cap Charter question that is intended to be on the ballot in November. He said the three State officials have approved the Redistricting question and the Tax Cap Charter question. He went over the steps in the process with the Council: 1. Council declares that there is a need



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for a Charter amendment. 2. Submit the actual question to three State agencies for review and approval; Attorney General's Office, Secretary of State, and Department of Revenue. 3. Hold a public hearing with 7 days notice. 4. Council passes a resolution that says the question will go on the November 2012 ballot. 5. Provide public information to inform the citizens what the questions are all about. He said the State officials have decided that the tax cap language being proposed is consistent with State law. He discussed the reasoning behind the proposed changes in the Tax Cap Charter Amendment question, referring to RSA 49-C:33I. He said it was closely modeled with the new State legislation. He said if the Council chooses to change the language at this point that the State will want to review it again, stating that minor changes won't take the full 30 days for review.

Councilor Nedelka asked what dedicated funds were.

City Manager Joyal said dedicated funds are grants or trust funds where the funds are for a specific purpose.

Deputy Mayor Weston started a discussion on the CPIU index that the Council will use in figuring the tax cap. She spoke about using the Core inflation index versus the 100% inclusive index. She asked the Council to consider changing the language, and asked General Legal Counsel Krans if it would involve one or two Charter changes.

General Legal Counsel said the Council could just change 6.3.A.

Deputy Mayor Weston asked the Council if they would consider using the Core index, which excludes items with volatile price movements.

Mayor Trefethen spoke about spikes in fuel and needing to meet the budget, and if that wasn't figured in. He spoke about using the 36-month average to even out spikes and dips. He spoke about changing the CPIU index and asked the City Manager if that change would require it to be reviewed again.

City Manager Joyal said they would probably want to see it again.

Councilor Weston asked about using the calendar year.

Mayor Trefethen said it was an Ordinance, not in the Charter. He said which index is used and method of averaging is in the new language.

Councilor Cheney spoke about the original spending cap amendment. She felt the Council should continue to use the National CPI Urban versus the Boston CPI.

City Manager Joyal discussed his handouts, which included the National CPI – Urban, Northeast Regional CPI Urban, and Boston CPI with the Council.

Mayor Trefethen said the Boston CPI is being proposed in the new language. He said the Boston CPI is less than the national average. He spoke about putting the index in the Charter and making it impossible for the Council to change or pick the index that's most favorable without another Charter amendment question.

Councilor Nedelka asked for more in depth information about the indexes from the City Manager.

City Manager Joyal said he would get it to the Council.

Mayor Trefethen said the Council has to decide which index to use and the time period to average.

Councilor Cheney started a discussion regarding Manchester changing their tax cap because it was ruled illegal.

General Legal Counsel Krans said Manchester was seeking to amend their tax cap, just like Dover. He said the language before the Council is modeled after the new State law.



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Councilor Cheney said the same State authorities approved the previous Charter amendment.

Councilor Garrison said he felt the Boston CPIU index is more appropriate for the City, and the 3-year average makes the most sense. He spoke about the language of the proposed Charter amendment and the outcome of a vote. He said a “yes” vote would change the language and a “no” vote would leave the original tax cap as it is.

Mayor Trefethen asked for a show of hands for using the National CPI or Regional index.

Vote: National CPIU : 1, Councilor Cheney  
Regional CPIU: 6.

Mayor Trefethen asked for a show of hands for using Regional indexes.

Vote: US City Average Index: 1, Councilor Cheney  
Northeast Regional Urban: 0.  
Greater Boston Average Index: 6.

Mayor Trefethen asked for a show of hands for using the Core Index or All inclusive index.

Vote: Core: 1, Councilor Weston.  
All inclusive: 6.

Council discussed having a public hearing on August 24, 2011.

Mayor Trefethen said the only intention he has heard from the Council is setting the CPIU index.

Councilor Cheney spoke about changing the language to be closer to the existing Charter and the intent of the voters. She spoke about the Administration and Schools submitting their proposed budgets to the Council by following the provisions in the Charter. She asked the Council to direct the City to put the original Charter and what the Council would like to put on the ballot on the City’s homepage.

Mayor Trefethen said he didn’t see any reason why the staff couldn’t do that. He spoke about the State law regarding the City Manager’s powers, which hasn’t been changed. Deputy Mayor Weston asked to see the City of Manchester’s ballot question regarding their tax cap.

General Legal Counsel said he would get that to the Council when it became available.

Mayor Trefethen said the two resolutions will be on next week’s agenda, being referred to a public hearing on August 24, 2011.

### **6. ARENA PUBLIC/PRIVATE TRAINING FACILITY PARTNERSHIP PRESENTATION**

Gary Bannon, Director of Recreation, gave an overview of the public/private partnership with the Leach Brothers Hockey Programs. He introduced Andrew Leach to the Council.

Mr. Leach discussed his plan to build a training facility at the Dover Ice Arena with the Council.

Deputy Mayor Weston asked how close the City was to signing a lease.

Mr. Bannon said they were very close. He discussed the two documents that needed to be completed: the Joint Development Agreement and the Commercial Lease Agreement. He said the time-line is around 6 to 9 months.

Councilor Trefethen started a discussion regarding the Arena’s self-sufficiency and how it is operating in the black. He spoke about his concerns that the City is in competition with itself.



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City Manager Joyal said this is a private business and the City is providing the space. He said he would provide details of the contract to the Council when they are completed.

### 7. ECONOMIC DEVELOPMENT ISSUES

Dan Barufaldi, Economic Development Director, discussed the economic developments in the City. He spoke about his retention success in saving a business that was fined for OSHA violations that they were able to mitigate. He spoke about the Dover Merchants Promotion Program, which was sponsored by Dover Business and Industrial Development Authority (DBIDA), the Parking Commission, Greater Dover Chamber of Commerce, and Dover Main Street. He said the merchants appreciate the help. He spoke about the progress at Tuttle Farm. He discussed his concerns with unemployment in Dover. He spoke about the four city parking lots RFPs that have been advertised. He discussed his work as liaison for the Skyhaven Airport, and working out an agreement with Dover Hotels to offer a shuttle service. He spoke about development projects that are in the early stages but look positive, and the Waterfront Development project which is still on track to break ground in May 2012. He said the Economic Action in Dover, 3<sup>rd</sup> edition, has been published. He spoke about the Tourism Stakeholders Group and the Ambassador Program. He said two new companies were moving to Industrial Park Drive: Patriot Steel and Sid Harvey Industries. Two other firms, who didn't want to be mentioned, were also moving in. He said F.W. Webb is expanding and moving to Knox Marsh Road from Summer Street, which is expected to bring additional jobs. He said they are trying to get an Alternative Energy company into an existing building in Dover. He spoke about the City having 5 ERZ-districts approved in Dover. He said he continues to consult for the Parking Commission on parking facilities and systems.

### 8. CITIZEN'S FORUM

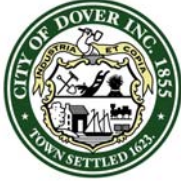
*Citizens are invited to speak on the subject matter of the Workshop. Statements shall be limited to five minutes.*

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

### 9. ADJOURNMENT

Deputy Mayor Weston moved to adjourn; seconded by Councilor Hooper.  
Vote: 7/0.

All handouts have been archived with the Minutes.



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Meeting Date: **Wednesday, August 10, 2011**  
Meeting Time: **6:30 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 Trefethen, Deputy Mayor Weston, Councilor Carrier, Councilor Cheney, Councilor Cruikshank, Councilor Garrison, Councilor Hooper, and Councilor Nedelka.

**Also present:** City Manager Joyal, 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.*

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

### 6. INTERVIEW CANDIDATES FOR COUNCILOR AT LARGE

*Candidates' comments shall be limited to five minutes.*

**Representative Donald Andolina**, spoke to the Council regarding his qualifications for the Councilor at Large vacancy.

Councilor Hooper asked Mr. Andolina what was his position regarding parking, waterfront development, and schools.

Mr. Andolina said he has supported all three in the past.

Councilor Nedelka asked about balancing the challenge of being a New Hampshire Representative and City Councilor.

Mr. Andolina said he would not vote against Dover's interest in either position.

Councilor Cheney spoke about being opponents for the Ward 5 Councilor seat. She asked about his background in integrating municipalities.

Mr. Andolina spoke about his computer business which focused on municipalities. He said he was involved in every aspect of all city departments.

Councilor Garrison asked if there was another opponent in 2005, and where he ended up in the final vote.

Councilor Cheney said it was Mr. Gladstone.

Mr. Andolina said he came in last, but he felt it was because he had just moved to the City a year prior and had no name recognition.

Mr. Garrison asked for clarification on his voting record in Concord.



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Mr. Andolina said he didn't believe how he voted in Concord should be a criteria to be appointed. He said he has always had the interests in Dover, but it can't always work out that way. He spoke about passing the budget instead of getting the Governor's budget.

**Mr. Dennis Ciotti**, spoke to the Council regarding his qualifications for the Councilor at Large vacancy.

Councilor Hooper asked Mr. Ciotti what was his position regarding parking, waterfront development, and schools.

Mr. Ciotti said he has always had a broad vision for the City. He is for development and not trying to stop it, but the Council needs to manage it.

Mr. Garrison referred to Mr. Ciotti being a Councilor at Large before, asked about his candidacy in the last election, and asked if he was going to run in November's election.

Mr. Ciotti said he lost against Mayor Trefethen, and said he probably was not going to run for election in November.

Councilor Nedelka talked about balancing commercial growth versus residential.

Mr. Ciotti spoke about land for growth being scarce, and that the Planning Board has done a great job. He said every case and issue is different, and need to be looked at month by month, meeting by meeting.

### 7. VOTE FOR COUNCILOR AT LARGE

Ballot vote

Donald Andolina – 2

Dennis Ciotti – 6

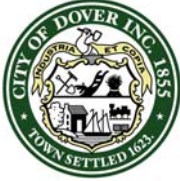
### 8. SWEARING IN OF COUNCILOR

City Clerk Lavertu swore in Councilor Ciotti.

### 9. ADJOURNMENT

Deputy Mayor Weston moved to adjourn to the regular meeting; seconded by Councilor Cruikshank.

Vote: 8/0.



CITY OF DOVER

## CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, August 10, 2011**  
Meeting Time: **7:00pm**

### 1. CALL TO ORDER

### 2. MOMENT OF SILENCE – held during the Special Meeting

### 3. PLEDGE OF ALLEGIANCE – held during the Special Meeting

### 4. ROLL CALL ATTENDANCE

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

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

### 5. PROCLAMATIONS/AWARDS

Mayor Trefethen read a proclamation for Honorable Scott Myers. Mr. Myers spoke to the Council and citizens of Dover.

### 6. APPROVAL OF AGENDA

Councilor Hooper asked to add the School Board Report to the agenda; seconded by Councilor Garrison.

Vote: 9/0.

Councilor Carrier asked to add the Recreation Advisory Board Report to the agenda; seconded by Councilor Nedelka.

Vote: 9/0.

Deputy Mayor Weston moved to approve the agenda as amended; seconded by Councilor Garrison.

Vote: 9/0.

### 7. PUBLIC HEARINGS

#### A. FRESHET ROAD REZONING

SPONSORED BY MAYOR TREFETHEN BY REQUEST

**James Schulte, Esq, 2 Towle Avenue:** He represents the original applicant, Joanne Johnson. He spoke about the rezoning proposal for this road, which was mostly in Madbury. He asked the Council to vote as the Planning Board has recommended; to return the zoning to R40.

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



CITY OF DOVER

## CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, August 10, 2011**  
Meeting Time: **7:00pm**

### 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.*

**David Montenegro, 55 Union Street:** He spoke about the City needing to conduct their business with integrity. He spoke about the Jenny Thompson bathhouse resolution and the bidding process.

**Ronald Huml, 199 Mast Road:** He spoke about leaving the meeting after he speaks during Citizen's Forum, and said he leaves because he has numerous health issues and can't stay. He apologized if he insulted anyone. He spoke about the current tax cap and the need for it to be reviewed, and changing the CPI to Boston area. He asked that the current cap legality issue be answered.

**David Scott, 220 Back Road:** He spoke about the Local Government Center (LGC) illegal activities and not returning the money to the cities.

**Donald Medbery, 3 Covered Bridge Lane:** He spoke about the criminal investigation of LGC and not returning the money to the cities. He spoke about the secret ballot vote for the Councilor at Large vacancy, and said it should have been an open vote.

**Edward Bleiler, 28 Isaac Lucas Circle:** He spoke about the Jenny Thompson bathhouse resolution and said the City should rebid the project. He read his statement to the Council.

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

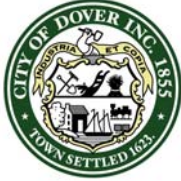
### 9. CITY MANAGER'S REPORT

City Manager Joyal said he has submitted his report in writing to the Council, but wanted to bring a few items to the Council's attention. He spoke about the summer programs winding down. He said the City is preparing to participate in the national citizens' survey to measure quality and importance of services. He said the Greater Dover Chamber of Commerce will be hosting the 3<sup>rd</sup> Annual Citizen Leadership Academy, which is limited to 20-25 participants.

He discussed issues brought up during Citizen's Forum. He discussed the process for the original tax cap charter question in 2007, and the process for the current charter question that has been approved. He spoke about the investigation of the LGC and the process that has to take place that he has been following.

Councilor Nedelka asked if there is a difference in insurers between Portsmouth and Dover. City Manager Joyal said there are differences. He said Portsmouth has a greater number of employees, possibly doubled, that are insured by the LGC than Dover.

Councilor Cheney said the figure in the report is \$104 million. She said the City still doesn't know the amount.



CITY OF DOVER

## CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, August 10, 2011**  
Meeting Time: **7:00pm**

City Manager Joyal said there was a 1% surcharge added to premiums to start worker's compensation, which Dover doesn't participate. He said from 2003 through 2010 it is approximately \$280,000. He said there are legitimate concerns, but there is a process. Councilor Cheney spoke about the City renewed the contract, and asked how many years that was in effect. She asked if LGC is found guilty can the City get out of the contract, because the LGC threatened to raise premiums if they have to pay back the money.

City Manager Joyal said it was a one year renewal with a five year option to renew. He said the taxpayers need to be insured.

Mayor Trefethen agreed with Councilor Cheney's comments that the Secretary of State's report is damning, but felt the Council needed to hear the defense from LGC on this report. He said it wasn't time yet to act on this issue.

Councilor Weston spoke about State Representative Pam Tucker's legislation, which would go against the LGC. She asked if the LGC was a nonprofit or a Delaware LLC.

City Manager Joyal said he isn't defending the LGC, but he felt some things were being taken out of context. He discussed what he understood about the corporation and the problems the Secretary of State has with it.

Councilor Nedelka started a discussion regarding the fund balance of the LGC.

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

Vote: 9/0.

### 10. APPROVAL OF MINUTES

#### A. July 27, 2011 – Special Meeting

#### B. July 27, 2011 – Regular Session

Deputy Mayor Weston moved for the minutes' approval; seconded by Councilor Nedelka.

Councilor Cheney ask that the vote be separated.

Deputy Mayor Weston moved for the adoption of the July 27, 2011 – Special Meeting; seconded by Councilor Nedelka.

Vote: 9/0.

Deputy Mayor Weston moved for the adoption of the July 27, 2011 – Regular Session; seconded by Councilor Ciotti.

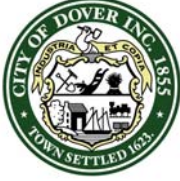
Vote: 8/1; Passed. Councilor Cheney was opposed.

### 11. MAYOR'S REPORT

Mayor Trefethen spoke about the misunderstanding from earlier in the evening. He said he will send out an email before a meeting regarding procedural issues, and expects a response to him alone if there is an objection. He spoke about his email regarding the voting process for the Councilor at Large vacancy.

Deputy Mayor Weston moved to accept the Mayor's Report; seconded by Councilor Garrison.

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



CITY OF DOVER

## CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, August 10, 2011**  
Meeting Time: **7:00pm**

### 12. UNFINISHED BUSINESS

#### A. ORDINANCES IN THE 2<sup>nd</sup> READING – None

##### 1. FRESHET ROAD REZONING

SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Weston moved for its adoption; seconded by Councilor Cruikshank. Mayor Trefethen, as the Planning Board representative, gave background information regarding this Ordinance change.

Roll Call Vote: 9/0.

#### B. ORDINANCES IN THE 3<sup>rd</sup> READING – None

#### C. RESOLUTIONS - None

### 13. NEW BUSINESS

#### A. CONSENT CALENDAR

1. PARADE – Loyal Order of Moose to benefit the Dover Children's Home
2. RAFFLE – Dover Children's Home
3. TAG – Dover Little Green Football, Inc.
4. BLOCK PARTY – Dover High School Homecoming Committee
5. PARADE – Dover Area Religious Leaders Association

##### 6. RESOLUTION: B11089 SIDEWALK TIPDOWNS 2011 INCREASED SCOPE OF WORK

SPONSORED BY MAYOR TREFETHEN BY REQUEST

##### 7. RESOLUTION: B11091 JENNY THOMPSON POOL BATHHOUSE DESIGN BUILD RENOVATIONS AWARD OF BID

SPONSORED BY MAYOR TREFETHEN BY REQUEST

##### 8. RESOLUTION: AUTHORIZATION TO COMMIT ADDITIONAL FUNDS TO THE NUTRIENT CRITERIA, GREAT BAY ESTUARY COALITION

SPONSORED BY MAYOR TREFETHEN BY REQUEST



CITY OF DOVER

## CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, August 10, 2011**  
Meeting Time: **7:00pm**

### COMMITTEE REPORTS

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

Deputy Mayor Weston for the adoption of the Consent Calendar; seconded by Councilor Garrison. Mayor Trefethen asked if there were any items the Council would like pulled for further consideration.

Councilor Nedelka asked to pull Item 13.A.7.

Councilor Hooper asked to pull the School Board Report.

Councilor Cheney asked to pull Item 13.A.8.

Mayor Trefethen asked to pull Item 13.A.6.

Councilor Carrier asked to pull the Recreation Advisory Board Report.

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

Vote: 9/0.

Deputy Mayor Weston moved for the adoption of Item 13.A.6.; seconded by Councilor Garrison.

Mayor Trefethen asked what was the source of money.

City Manager Joyal said these are additional CDBG funds that have become available to the City.

Roll Call Vote: 9/0.

Deputy Mayor Weston moved for the adoption of Item 13.A.6.; seconded by Councilor Nedelka.

Councilor Nedelka asked about the bidding process, and asked what \$185,000 entailed.

City Manager Joyal said they'll be using the existing footprint of the building, renovating the bath facilities, updating electrical and plumbing. He said the \$300,000 original bid included expanding the building.

Councilor Nedelka asked if safety issues were part of the renovations.

City Manager Joyal said it was the first priority.

Councilor Nedelka said he was concerned that it wasn't enough to do the job right. He wanted to wait to accrue more money to do the job right. He said they could just address safety issues.

Deputy Mayor Weston said she co-sponsored the original resolution with Councilor Keays. She asked Recreation Director Bannon about the changes in the resolution.

Director Bannon spoke about the process and finding out what the City could get for \$185,000.

Councilor Weston asked if a handicapped access was addressed.

Director Bannon said everything will be brought to code.

Mayor Trefethen asked about the timeframe.

Director Bannon said it will be ready in the spring.

Mayor Trefethen said he had two concerns: 1) is this what the City needs versus settling; and 2) about the future of the pools and operation of the pools themselves.



CITY OF DOVER

## CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, August 10, 2011**  
Meeting Time: **7:00pm**

Director Bannon said they will make more money with the bathhouse.  
Councilor Nedelka said he is willing to vote for this Resolution since future expansions can be made after this renovation is completed.  
Roll Call Vote: 8/1; Passed. Mayor Trefethen was opposed.

Deputy Mayor Weston moved for its adoption; seconded by Councilor Cheney.  
Councilor Cheney asked why the amount has doubled.  
Environmental Project Manager Peschel gave an overview of the resolution.  
Roll Call Vote: 9/0.

Councilor Hooper gave an overview of the School Board Report.  
Councilor Nedelka moved to approve the School Board Report; seconded by Councilor Cruikshank.  
Vote: 9/0.

Councilor Carrier gave an overview of the Recreation Advisory Board Report.  
Deputy Mayor Weston moved to approve the Recreation Advisory Board Report; seconded by Councilor Ciotti.  
Vote: 9/0.

### B. RESOLUTIONS

**1. B11052 – NORTH END PRESSURE ZONE CONTRACT 1- WATER TRANSMISSION MAINS**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST

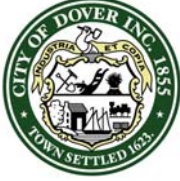
Deputy Mayor Weston moved for its adoption; seconded by Councilor Garrison.  
Roll Call Vote: 9/0.

**2. B11092 – NORTH END PRESSURE ZONE CONTRACT 2- WATER STORAGE TANK**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Weston moved for its adoption; seconded by Councilor Cruikshank.  
Roll Call Vote: 8/1; Passed. Councilor Cheney was opposed.

**3. FIRE CHIEF EMPLOYMENT AGREEMENT**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Weston moved for its adoption; seconded by Councilor Ciotti.  
Vote: 9/0.



CITY OF DOVER

## CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, August 10, 2011**  
Meeting Time: **7:00pm**

#### **4. ACCEPT COMMUNITY TRAIL IMPROVEMENTS SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Weston moved for its adoption; seconded by Councilor Cheney.  
Mayor Trefethen gave an overview of this resolution to the Council.  
Vote: 9/0.

#### **5. CHARTER AMENDMENT – TAX CAP (TO BE REFERRED TO A PUBLIC HEARING ON AUGUST 24, 2011) SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Weston moved to refer to a public hearing on August 24, 2011; seconded by Councilor Ciotti.  
Vote: 8/1; Passed. Councilor Cheney was opposed.

#### **6. CHARTER AMENDMENT – REDISTRICTING OF WARD BOUNDARIES (TO BE REFERRED TO A PUBLIC HEARING ON AUGUST 24, 2011) SPONSORED BY MAYOR TREFETHEN BY REQUEST**

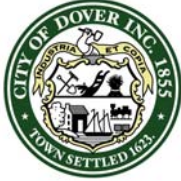
Deputy Mayor Weston moved to refer to a public hearing on August 24, 2011; seconded by Councilor Hooper.  
Vote: 9/0.

### **C. ORDINANCES IN 1ST READING**

#### **1. CHAPTER 5, BOARDS, COMMISSIONS AND COMMITTEES - CREATING AN ENERGY COMMISSION (TO BE REFERRED TO A PUBLIC HEARING ON AUGUST 24, 2011) SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Weston moved to refer to a public hearing on August 24, 2011; seconded by Councilor Cruikshank.  
Councilor Cheney made a motion to table this Ordinance. There was no second.  
Deputy Mayor Weston asked the City Manager provide the Council with information as to the duties and powers of the Energy Commission.  
City Manager Joyal said he could provide that information.  
Mayor Trefethen asked if there was a general consensus to have the City Manager provide this information.  
There was consensus.  
Mayor Trefethen asked for a show of hands vote to refer to a public hearing.  
Vote: 8/1; Passed. Councilor Cheney was opposed.

### **14. COUNCIL CORRESPONDENCE – None**



CITY OF DOVER

## CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, August 10, 2011**  
Meeting Time: **7:00pm**

### 15. COUNCIL MATTERS OF INTEREST

Councilor Cheney said the Council needs to put prior spending cap and proposed tax cap language on the City's website.

Councilor Carrier asked if Councilors go to ribbon cuttings to report back to the Mayor for his report so the new businesses get recognized.

Deputy Mayor Weston said she will be forwarding to the Council the information she received from the Clerk in Manchester regarding their old spending cap, along with their new proposed changes. Councilor Cruikshank spoke about the August 20<sup>th</sup> event planned for the former Mayor, and said it will be on the Greater Dover Chamber of Commerce's website on Friday.

Mayor Trefethen said the event is 3:00 pm to 7:00 pm on Saturday, August 20, 2011, at The Works in Somersworth. He said Wentworth-Douglass Hospital donated the facilities.

Councilor Nedelka was interested in Council consensus to have just the link sent to Council Agenda and Agenda Materials be emailed, instead of attaching the files to the email. He was trying to save data storage.

Mayor Trefethen talked about changing the Council rules for the preparation of the Council Agenda. He said he intends to introduce a rule change to have items submitted by Tuesday at noon, and the packet completed by Thursday at noon.

### 16. ADJOURNMENT

Deputy Mayor Weston moved to adjourn; seconded by Councilor Cruikshank.

Vote: 9/0.



**CITY OF DOVER**

## CITY OF DOVER – ORDINANCE

**Agenda Item#: 12.A.1.**

Ordinance Number: **O – 2011.08.24 – 11**  
Ordinance Title: **Creating an Energy Commission**  
Chapter: **5 – Boards, Commissions and Committees**

The City of Dover Ordains:

**1. PURPOSE**

The purpose of this ordinance is to amend Chapter 5 entitled “Boards Commissions and Committees” of the Code of Dover 1983.

**2. AMENDMENT**

Chapter 5 entitled “Boards Commissions and Committees” is hereby amended by adding a new Section 5-23, to be entitled “Energy Commission”:

5-23 Energy Commission.

- A. **MEMBERSHIP:** The Energy Commission shall consist of seven (7) members, and two (2) alternates.
- B. **TERMS OF MEMBERS:** Members shall be appointed to terms of three (3) years consistent with the provisions of RSA 38-D:3.
- C. **AUTHORITY AND DUTIES.** The Energy Commission shall have the powers and duties established by state law pursuant to RSA 38-D.

**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:	Dean Trefethen, Mayor By Request
Approved as to Legal Form:	Allan B. Krans, Sr. General Legal Counsel		
Recorded by:	Karen Lavertu City Clerk		

**DOCUMENT HISTORY:**

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



**CITY OF DOVER**

## CITY OF DOVER – ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number: **O – 2011.08.24 – 11**  
Ordinance Title: Creating an Energy Commission  
Chapter: 5 – Boards, Commissions and Committees

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Karen Weston, 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 – vacant - , At Large		
Total Votes:		
Resolution does   does not pass.		

### ORDINANCE BACKGROUND MATERIAL:

In June 2006, the Dover City Council adopted the Cities for Climate Protection Campaign pledging to increase energy efficiency and reduce greenhouse gas emissions from municipal operations. In August 2008, the Dover City Council formalized the previous ad hoc energy committee creating the Dover Energy Advisory Committee (DEAC) through resolution R - 2008.07.23-117, to provide recommendations and educational outreach to support the goals of the Climate Protection Campaign and create and implement an Energy Action Plan.

Since January 2011 DEAC has served as the public advisory group to City Sustainability Planning to assist in determining the framework to guide future efficiency efforts and support the launch of “Sustainable Dover”. Resolution R -2008.07.23-117 had a three year timeline associated with it. This timeline terminates on July 23, 2011. In accordance, members of the committee would like to continue their work and expand it to include areas of sustainability and increase the group’s role in the community.

In 2009, the State of New Hampshire amended RSA 38, adding section D “Energy Commissions” this revised statute allows a municipality to create a local energy commission. This commission would advise other boards and committees pertaining to energy plans and sustainable practices such as energy conservation, energy efficiency, energy generation, and zoning practices.

In addition, the committee shall assist in reviewing the sustainability framework known as “The Natural Step” and advise on how the framework may be incorporated whenever possible into



**CITY OF DOVER**

## CITY OF DOVER – ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number: **O – 2011.08.24 – 11**  
Ordinance Title: Creating an Energy Commission  
Chapter: 5 – Boards, Commissions and Committees

planning, policy making, and municipal practices, and assist in creating recommendations for the City to strive to be a model EcoMunicipality.

### **The full text of RSA 38-D is as follows:**

38-D:1 Method of Adoption. – Any governing or legislative body of a municipality may adopt or rescind the provisions of this chapter at any duly warned meeting.

38-D:2 Energy Commission. – A city or town may establish an energy commission, hereinafter called the commission, for the study, planning, and utilization of energy resources for municipal buildings and built resources of such city or town.

38-D:3 Membership. – The commission shall consist of no fewer than 3 nor more than 10 members. In cities, the members of the commission shall be appointed by the city council subject to the provisions of the city charter, and in towns the members of the commission shall be appointed by the board of selectmen. Alternate members may be appointed in a like manner and when the alternate serves in the absence or disqualification of a regular member, the alternate shall have full voting powers. When a commission is first established, terms of the members shall be for 1, 2, or 3 years, and so arranged that the terms of approximately 1/3 of the members will expire each year, and their successors shall be appointed for terms of 3 years each. Any member of a commission so appointed may, after a public hearing with notice under RSA 675:7, if requested, be removed for cause by the appointing authority. A vacancy occurring other than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. Members of an energy commission shall be residents of the city or town which they represent. Members of an energy commission also may serve on other municipal boards and commissions, including but not limited to, a conservation commission under RSA 36-A, local planning boards under RSA 672, a historic district commission established under RSA 673:4, and a heritage commission established under RSA 673:4-a.

38-D:4 Duties. –

I. The commission shall:

(a) Research municipal energy use and cost and make such information available to the town on at least an annual basis.

(b) Make recommendations to local boards and committees pertaining to municipal energy plans and sustainable practices such as energy conservation, energy efficiency, energy generation, and zoning practices.

II. The commission may appoint subcommittees as it may from time to time require.

38-D:5 Appropriations Authorized. –

I. A town or city, having established an energy commission, may appropriate money as necessary for the purpose of this chapter. All or any part of money so appropriated in any year



**CITY OF DOVER**

## CITY OF DOVER – ORDINANCE

**Agenda Item#: 12.A.1.**

Ordinance Number: **O – 2011.08.24 – 11**  
Ordinance Title: Creating an Energy Commission  
Chapter: 5 – Boards, Commissions and Committees

and any gifts of money received under this chapter may be placed in an energy commission fund and allowed to accumulate from year to year. Money may be expended from such fund by the energy commission for the purposes of this chapter without further approval of the town meeting; however, acceptance of gifts over \$500 and disbursements over \$500 shall require a public hearing with notice under RSA 675:7 and approval of the governing body.

II. The town treasurer, under RSA 41:29, shall have custody of all moneys in the energy fund and shall pay out the same only upon order of the energy commission. The disbursement of energy commission funds following the approval required under Paragraph I shall be authorized by a majority of the energy commission.

38-D:6 Energy Commission Support. – The office of energy and planning and New Hampshire regional planning commissions may establish programs to assist, at their request, the cities and towns which have established an energy commission.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2011.08.10 – 122**  
Resolution Re: Charter Amendment – Tax Cap

WHEREAS: A new state law enabling the adoption of a property tax levy increase limitation was recently enacted by the New Hampshire Legislature; and

WHEREAS: Officials from the offices of the New Hampshire Attorney General, the Secretary of State and the Department of Revenue Administration have reviewed the proposed amendment language to determine whether the proposed amendment is consistent with New Hampshire law and have posed no objections;

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

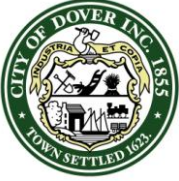
The Charter Question contained in the Background of this resolution regarding an amendment to the Dover Charter shall be placed on the ballot to be placed before the voters for adoption at the November 8, 2011 election.

### THIS RESOLUTION REQUIRES A PUBLIC HEARING

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Mayor Dean Trefethan By request
Approved for Legal Compliance:	Allan B. Krans, Sr. General Legal Counsel		
Recorded by:	Karen Lavertu City Clerk		

### DOCUMENT HISTORY:

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



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2011.08.10 – 122**  
Resolution Re: Charter Amendment – Tax Cap

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Karen Weston, 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 – vacant - , At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2011.08.10 – 122**  
Resolution Re: Charter Amendment – Tax Cap

### RESOLUTION BACKGROUND MATERIAL:

QUESTION: SHALL THE DOVER CHARTER BE AMENDED AS FOLLOWS:

#### 6-3.1 Limitation on Property Tax Levy Increase

The City Council shall adopt the annual municipal budget for city and school purposes to limit the property tax levy on taxpayers to the property tax levy from the previous tax year increased by the amount of inflation calculated from the Consumer Price Index-Boston and the net increase in new construction. Enterprise funds, dedicated funds, capital reserve funds, grants, county tax, state property tax, and revenues from sources other than local taxes shall be excluded from the limitation on the property tax levy. Appropriations in the annual municipal budget shall not exceed the property tax levy increased by other revenues generated by the municipality.

- A. The "amount of inflation" means the average of the thirty-six (36) month changes for the calendar years immediately preceding the budget year as stated in the Consumer Price Index-Boston published by the United States Department of Labor.
- B. "Net increase in new construction" means the total value of building permits minus the total value of demolition permits for the previous calendar year based on information provided from city departments.
- C. The "property tax levy" means the amount sought to be collected from property taxes.
- D. The budget limit provisions on the total property tax levy may be overridden by a two-thirds (2/3) majority vote of all elected members of the City Council."
- E. If any provision of this section is invalidated in proceedings before a court of law, the remaining provisions consistent with the general law and constitution shall remain in full force and effect.

Background: This charter amendment changes the existing tax cap provisions by substituting in the whole and replaces with new substituted language. The new language is consistent with new state legislation. The amended language limits budget increases to a three year inflation formula with exclusions.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2011.08.10 – 123**

Resolution Re: Charter Amendment – Redistricting of Ward Boundaries

WHEREAS: The 2010 United States Census identified a need to redefine the boundaries of the six (6) voting wards in the City of Dover to achieve one person one vote status; and

WHEREAS: A representative advisory committee of citizens and City Council members studied the ward boundaries and recommended changes to provide equity in voting in the City of Dover; and

WHEREAS: Officials from the offices of the New Hampshire Attorney General, the Secretary of State and the Department of Revenue Administration have reviewed the proposed amendment language to determine whether the proposed amendment is consistent with New Hampshire law and have posed no objections;

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

The Charter Question contained in the Background of this resolution regarding an amendment to the Dover Charter shall be placed on the ballot to be placed before the voters for adoption at the November 8, 2011 election.

### THIS RESOLUTION REQUIRES A PUBLIC HEARING



Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Mayor Dean Trefethan By request
Approved for Legal Compliance:	Allan B. Krans, Sr. General Legal Counsel		
Recorded by:	Karen Lavertu City Clerk		

### DOCUMENT HISTORY:

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



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2011.08.10 – 123**

Resolution Re: Charter Amendment – Redistricting of Ward Boundaries

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Karen Weston, 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 – vacant - , At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2011.08.10 – 123**  
Resolution Re: Charter Amendment – Redistricting of Ward Boundaries

### RESOLUTION BACKGROUND MATERIAL:

### QUESTION: SHALL THE DOVER CHARTER BE AMENDED AS FOLLOWS:

#### C1-3 Boundaries of Wards

**Ward One** begins at the Dover/Rollinsford boundary line at Hall Street; thence following southeasterly along the Dover/Rollinsford boundary to Broadway; thence southwesterly along the center line of Broadway to the intersection with the Boston and Maine Railroad; thence southeasterly along the railroad to Central Avenue; thence southerly along the center line of Central Avenue to Washington Street; thence westerly along the center line of Washington Street to Chestnut Street; thence northerly along the center line of Chestnut Street to the Cochecho River; thence northerly along the centerline of the Cochecho River to Spaulding Turnpike; thence following the centerline of the Spaulding Turnpike northerly to its intersection with Glenwood Avenue; thence following the center line of Glenwood Avenue in a northeasterly direction to Central Avenue; thence crossing Central Avenue to a block line established by the 2010 Census and following said block line in an easterly direction to the Dover/Rollinsford boundary line; thence following the Dover/Rollinsford boundary line a southeasterly direction to the point of beginning.

**Ward Two** begins at Broadway and the Rollinsford/Dover boundary; thence following the Dover/Rollinsford boundary in a southeasterly direction to the confluence of the Cochecho/Piscataqua River; thence following the center line of the confluence in a northwesterly direction to a block line established by the 2010 census; thence turning southwesterly to the intersection of Henry Law Avenue and Tennyson Avenue; thence following the center line of Tennyson Avenue in a southwesterly direction to Court Street; thence following the center line of Court Street in a northwesterly direction to Central Avenue; thence following center line of Central Avenue Street in a southwesterly direction to Silver Street; thence following the center line of Silver Street westerly to Elm Street; thence following the center line of Elm Street in a Southerly direction to Fisher Street; thence following the center line of Fisher Street in a easterly direction to Locust Street; thence following the center line of Locust Street southerly to Central Avenue; thence following the center line of Central Avenue westerly to the Spaulding Turnpike; thence following the center line of Spaulding Turnpike in a northwesterly direction to the intersection with the Boston and Maine Railroad; thence northeasterly along the railroad to centerline of the Washington Street; thence following the center line of Washington Street in an easterly direction to the Community Trail; thence following the center line of Community Trail northerly to the centerline of the Cochecho River; thence following the center line of the Cochecho River in an easterly direction to Chestnut Street; thence following along the center line of Chestnut Street northerly to Washington Street; thence following the center line of Washington Street easterly to Central Avenue; thence following the center line of Central Avenue northerly to the Boston and Maine Railroad line; thence following the Boston and Maine railroad line northeasterly to the intersection of Broadway; thence following the center line of Broadway in a northeasterly direction to the point of beginning.

**Ward Three** begins at the intersection of Spaulding Turnpike and Central Avenue; thence following the center line of Central Avenue in a northeasterly direction to Locust Street; thence following the center line of Locust Street northerly to Fisher Street; thence following the center line of Fisher Street in an westerly direction to Elm Street; thence following the centerline of Elm Street northerly to the intersection with Silver Street; thence following the centerline of Silver Street easterly to the intersection of Central Avenue; thence following the centerline of Central Avenue in a northeasterly direction to Court Street; thence following the center line of Court Street southeasterly to Tennyson Avenue; thence following the center line of Tennyson Avenue in a northeasterly direction to Henry Law



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2011.08.10 – 123**

Resolution Re: Charter Amendment – Redistricting of Ward Boundaries

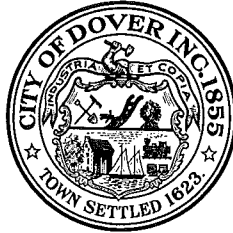
Avenue; thence following a block line established by the 2000 census in a northeasterly direction to the Cochecho River; thence following the Cochecho River southeasterly to its confluence with the Piscataqua River and the exterior block line established by the 2000 census located in the center of said Piscataqua River; thence following the exterior block line established by the 2000 census located in the center of the Little Bay channel where it intersects the Spaulding Turnpike at the Little Bay Bridge; thence following the exterior block line established by the 2000 census located in the center of Little Bay in a northwesterly direction to a point of intersection at the common boundary corner between Dover and Madbury near the Scammel Bridge; thence following the center line of the Bellamy River in a northwesterly direction to Spur Road Extension; thence following the center line of the Spur Road extension southerly to the intersection Spur Road; thence following the center line of Spur Road northwesterly to the Spaulding Turnpike; thence following the center line of the Spaulding Turnpike in a northwesterly direction to the point of beginning.

**Ward Four** begins at the intersection of the Bellamy River and Central Avenue; thence following the center line of Central Avenue northeasterly to the intersection with the Spaulding Turnpike; thence following the center line of the Spaulding Turnpike in a southeasterly direction to Spur Road; thence following the center line of Spur Road southwesterly to Spur Road Extension; thence following the center line of Spur Road Extension in a northwesterly direction to a block line established by the 2000 Census and following said block line in a southwesterly direction to the Bellamy River; thence following the center line of the Bellamy River in a southwesterly direction to a point of intersection at the common boundary corner between Dover and Madbury near the Scammel Bridge thence following the common boundary line between Dover and Madbury in a northwesterly direction to the centerline of the Bellamy River; thence following the center line of the Bellamy River easterly to the point of beginning.

**Ward Five** begins at the Rochester/Dover line at the Cochecho River; thence following the Cochecho River southeasterly to the abandoned Railroad Bridge over the Cochecho River; thence following the abandoned railroad line southerly to Washington Street; thence following the center line of Washington Street westerly to the intersection with the Boston and Maine Railroad; thence following the center line of intersection with the Boston and Maine Railroad southerly to the Spaulding Turnpike; thence following the Spaulding Turnpike in a southerly direction to Central Avenue; thence following the center line of Central Avenue southerly to the Bellamy River Bridge; then following along the center line of the Bellamy River in a westerly direction to the Madbury/Dover/Barrington boundary; thence following the Madbury/Dover/Barrington boundary in a northwesterly direction to the point of beginning.

**Ward Six** begins at the point where the Dover-Somersworth-Rochester boundaries intersect with a block line established by the 2010 Census; thence proceeds westerly along the block line to the intersection with Glenwood Avenue; thence following the center line of Glenwood Avenue westerly to the Spaulding Turnpike; thence following the center line of the Spaulding Turnpike in a southerly direction to the Cochecho River; thence following the Cochecho River in a northerly direction to the Dover/Rochester boundary line; thence following the boundary line in a northeasterly direction to the point of beginning.

**Background:** This amendment would replace the existing descriptions of the ward boundaries based on the 2010 Census to achieve populations in each ward as equal as practicable.



APPLICATION  
CITY OF DOVER, NEW HAMPSHIRE

2011 AUG - 9 PM 12:00

DOVER PERMIT UNIT

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 High School Class of 1981  
Federal Tax ID number for Organization: 02-6000230  
Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: Sharon M. Moore Day Time Telephone: 603-969-2127

Address: 25 Mallard Ln Dover Email Address smoore\_63@hotmail.com

Purpose of Permit: To raffle items at Class Reunion for Scholarship Fund

Date of Event: 8/27/11 Specific Time: 7:00 Pm - 12:00 Am

Location of Event: The Rivermill at One Washington Street, Dover NH

\*\*\*\*\*

(Raffle Permit only)  
Prize (s) To Be Awarded: 50/50 and donations from Dover Businesses

Amount of Donation: \_\_\_\_\_ Date of Drawing: 8/27/11 Specific Time: 7:00 pm - 12:00 am

Place of Drawing: The Rivermill at One Washington Street, Dover NH

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

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

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

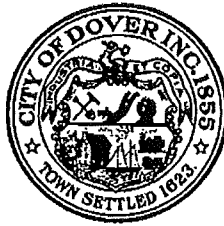
I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.  
I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A , RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: Sharon M. Moore Date: 8/9/11

Licensing Board approval [Signature] Date: 8/11/11

Revised 03/17/08

All set w/ M AG Charitable Trusts Unit. [Signature]



APPLICATION
CITY OF DOVER, NEW HAMPSHIRE

2011 AUG 10 P 2:20
DOVER PERMITTING

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

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

Organization Name: Dover Little Green Football, Inc
Federal Tax ID number for Organization: 20-482629
Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political
Contact Person: David Akridge Day Time Telephone: 603-781-4453
Address: 38 Watson Rd Email Address: DAkridge@dhcgoal.com
Purpose of Permit: Cash Calendar

Date of Event: Oct 1-31 Specific Time:

Location of Event: See below

Prize (s) To Be Awarded: Cash Prizes Daily Cash Calendar

Amount of Donation: \$5.00 Date of Drawing: Daily Oct 1-31 Specific Time: 5:00 PM

Place of Drawing: Dover High School Alt School Parking lot

\* 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: 7/11/11

Licensing Board approval [Signature] Date: 8/9/11 Revised 03/17/08

Registered with Charitable Trusts Unit ok - DF



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: TARGET Funding, LLC dba BNI  
Federal Tax ID number for Organization: 02-0516024  
Nature of Organization: Religious (Educational) Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: Debbie Roberts Day Time Telephone: 603-893-5853

Address: 108 LANCASTER FARM Rd SALEM, NH 03079 Email Address d.roberts@BNINH.com

Purpose of Permit: 50/50 RAFFLE to RAISE money for BNI MISER Foundation + 4-H in NH

Date of Event: 9/16/11 Specific Time: 1:30 pm

Location of Event: Cocheco Country Club

\*\*\*\*\*

*(Raffle Permit only)*

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

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

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

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

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

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

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

Signature: Debbie J. Roberts Date: 8/16/11

Licensing Board approval: [Signature] Date: 8/17/11  
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: DOVER MAIN STREET + DOVER CHAMBER OF COMMERCE

Federal Tax ID number for Organization:

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

Contact Person: CARRIE FISHER Day Time Telephone: 603-740-6435

Address: 288 Central Ave, Dover Email Address: director@dovermainstreet.org

Purpose of Permit: Holding Seacoast Irish Festival & Henry Law to include Raffle + live Entertainment + Block Party

Date of Event: September 10, 2011 Specific Time: 12pm - 9pm

Location of Event: Rotary Arts Pavilion Henry Law Park

(Raffle Permit only) Prize (s) To Be Awarded: Assorted Prizes

Amount of Donation: varied Date of Drawing: September 10, 2011 Specific Time: throughout day

Place of Drawing: Rotary Arts Pavilion

\* 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: 7/30/11

Licensing Board approval [Signature] Date: 8/3/11 Revised 03/17/08



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R – 2011.08.24 – 124**  
Resolution Re: Authorization to accept UNH Proposal #11-721 for Phase II 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 in the amount of \$147,200 and was accepted by council 4/13/2011. The City provided \$98,182 in grant match in a combination of cash and in kind services for a total of \$245,382; and
- WHEREAS: UNH is currently working on Phase I, and has submitted a proposal for Phase II in the amount of \$116,332.

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 UNH given the rates provided in Proposal #11-721 dated Aug 11, 2011 in the amount of \$116,332.00. The amount of this authorization shall be limited so as not to exceed available funding.

### Financing

Account	Description	Appropriation	Balance
2400.1.300.43150.4715.03199.11	land improvements	245,382.00	245,382.00

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Dean Trefethen  
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.5.

Resolution Number: **R – 2011.08.24 – 124**  
Resolution Re: Authorization to accept UNH Proposal #11-721 for Phase II 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 Dean Trefethen		
Deputy Mayor, Karen Weston, 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 Dennis Ciotti, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R – 2011.08.24 – 124**  
Resolution Re: Authorization to accept UNH Proposal #11-721 for Phase II Berry Brook Watershed Management Plan Grant

### RESOLUTION BACKGROUND MATERIAL:

The Berry Brook Watershed Management Plan was completed in 2008. Subsequently, the UNH Stormwater Center and the City develop a partnership to work cooperatively to implement the Watershed Plan recommendations.

The City and the Stormwater Center applied for several grants in 2008 and 2009 but were not selected for funding. In 2010 and 2011 the City was successful in two grant submittals and the Stormwater Center was successful on a third grant. Together more than \$700,000 in funding has been secured for work in the Berry Brook Watershed.

The first grant received by the City includes two storm water improvements at the Horne Street School, rain barrels for watershed residents, and perform outreach and education in the watershed. The UNH Stormwater Center is performing much of the work and City staff is supporting the project.

A second, larger grant was recently approved by the City Council. The total project cost is \$245,382. The grant will construct many Best Management Practices to improve the water quality of runoff reaching Berry Brook. The UNH Stormwater Center has submitted a contract for work associated with the second grant that includes the design and oversight of the stormwater retrofits as well as construction of a gravel wetland located on the City's Lowell Avenue water treatment property. City of Dover Community Services personnel will be used to construct most of the Best Management Practices.

UNH Proposal #11-721 for Phase II is contained in online agenda materials.



# UNIVERSITY of NEW HAMPSHIRE

Mr. J. Michael Joyal  
City Manager  
City of Dover New Hampshire  
Dover, NH 03820

11 Aug 2011

Ref: UNH Proposal #11-721

Dear Mr. Joyal,

Attached is a proposal for additional funded work titled "Berry Brook Watershed Management Plan – Phase II Implementation", directed by Dr. Robert Roseen.

If you have any questions of a technical nature please direct them to Dr. Roseen directly.

If you require any further information, or have questions of a financial or administrative nature please feel free to contact me directly at (603) 862-0051, or by email at [pete.lester@unh.edu](mailto:pete.lester@unh.edu)

If you decide to fund this work I am hoping that it will be possible to modify/amend the existing agreement for Phase I of this project. If so let me know as I have templates that would make such a change convenient for both parties. We look forward to our continuing work with your organization.

Sincerely,

Peter M. Lester  
Sr. Grant & Contract Administrator



UNIVERSITY of NEW HAMPSHIRE

**Project Title: Berry Brook Watershed Management Plan –Phase Implementation –Phase II**  
**Sponsoring Entity: Department of Environmental Services, Watershed Assistance Section**  
**Subcontractor: Robert Roseen, University of New Hampshire Stormwater Center (UNHSC)**  
**Subcontract Amount: \$116,332**  
**Duration: 8/1/2011 - 12/31/2013**  
**Date Submitted: August 1, 2011**

**Scope Objective and Summary:**

The objective of this scope is to assist the City of Dover (the City) in the design and installation of stormwater treatment practices to filter, infiltrate, and reduce stormwater runoff from impervious cover as a means for managing pollutant loading and controlling runoff volumes to Berry Brook and consequently the Cochecho River. Implementation of LID strategies will be constructed at 8 locations spanning almost the entire upper watershed and will represent nearly 50% of the BMPs recommended in the Watershed Management Plan. In addition, the UNHSC will assist the City in coordinating and participate in community outreach activities.

**Scope of Work:**

In order to meet the above objectives the UNHSC will provide engineering design and technical assistance, installation oversight, and project management to assist the City in providing the deliverables identified 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, to the Department of Environmental Services and the City of Dover dated December 3, 2010 as approved by Governor and Council on June 22, 2011. Specifically the UNHSC will assist with the following:

**Task 1:** Design and oversee the installation of low-impact development (LID) strategies to disconnect impervious cover (IC) and reduce pollutant loading at seven locations throughout the upper and lower Berry Brook Watershed including:

- a. Evaluate drainage area and impervious area to treat for each system by visiting the site and reviewing site plans.
- b. Design the LID units and develop engineering specifications for each unit.
- c. Coordinate and observe the excavation and installation of each LID system including plumbing, soil mixing and planting. Our understanding is that the City of Dover will provide the necessary equipment, manpower and materials to complete this installation.

**Task 2:** Design, contract, and oversee the installation of a gravel wetland unit which will treat run-off from paved parking areas in the northern portion of the watershed and provide treatment of run-off before entering the existing wetland in that areas. The UNHSC will:

- a. Evaluate drainage area and impervious area to treat by evaluating the drainage area by visiting the site and reviewing City plans.
- b. Design the gravel wetland unit and develop engineering specifications for the unit.

- c. Coordinate contracting and construction of the gravel wetland including ordering materials and subcontracting with contractors for excavation and planting.

**Task 3:** Evaluate pollutant load reductions and percent impervious cover reductions for stormwater treatment practices. Pollutant load reductions will be calculated using the Simple Method based on the percent impervious cover reduction and the treatment strategy used for disconnection.

**Task 4:** A Quality Assurance Project Protocol (QAPP) will be developed and approved by EPA staff.

**Task 5:** By September 2013 pre and post project monitoring will be completed. Monitoring efforts will include dry weather and wet weather events in order to establish a strong baseline of water quality parameters, and monitor water quality and ecosystem response to watershed improvements. Monitor 10 events at 2 locations within the watershed, 5 events pre-construction, 5 events post-construction.

**Task 6:** Administer all deliverables and tasks in cooperation with the City of Dover and report progress in meeting performance targets to NHDES on a semi-annual basis and submit final project report to DES.

Project Director: Roseen

Start and End Dates: 8/1/11-12/31/2013

Date Prepared: 12/21/2010 Rev. 8/1/11

Project Title: Berry Brook Watershed Restoration through Low Impact Developm

					Year 1	Year 2	Total
A. Faculty	Base	Mos or %					
		Yr 1	Yr 2				
Roseen		0.09	0.08	Acad	\$6,734	\$5,748	\$12,482
Ballestero		0.00	0.00	Acad	\$0	\$0	\$0
		0.15	0.15	Summer	\$2,378	\$2,376	\$4,754
Total Faculty					\$9,112	\$8,124	\$17,236
B. Other Personnel	Fringes or Mo.s						
Pat Staff		0.84	0.71	615NZ0	\$4,066	\$3,471	\$7,537
Pat Staff (Puls)		0.84	0.71	615NZ0	\$3,084	\$2,633	\$5,717
Total Salaries & Wages (A+B)					\$16,262	\$14,228	\$30,490
C. Fringe Benefits	Partial			65YF10	\$221	\$204	\$425
	Full			65YF10	\$6,303	\$5,310	\$11,613
	Postdoc			65YF10	\$0	\$0	\$0
	Subtotal				\$6,524	\$5,514	\$12,038
Total Salaries, Wages & FB (A+B+C)					\$22,786	\$19,742	\$42,528
D. Tuition				721100			\$0
E. Equipment				740000	\$0	\$0	\$0
F. Travel				710000	\$0	\$0	\$0
G. Other Direct Costs							
Materials & Supplies: Includes \$1500 for WQ				711200	\$5,218	\$3,717	\$8,935
Publications and Graphics Cost				711200	\$0	\$750	\$750
Consultants				717000	\$0	\$0	\$0
Computer Services				711200	\$0	\$0	\$0
Subcontracts					\$0	\$0	\$0
Water Quality Analyses					\$4,400	\$0	\$4,400
Service Providers				717200	\$0	\$0	\$0
Gravel wetland construction and materials*No F&A				722200	\$45,000	\$0	\$45,000
Other					\$0	\$0	\$0
Other					\$0	\$0	\$0
Total Direct Costs					\$77,403	\$24,209	\$101,613
	MTDC Base				\$32,403.85	\$24,208	\$56,612
H. Facilities & Administrative		0.00		760300	\$8,425	\$6,294	\$14,719
Total Direct + F&A					\$85,828	\$30,503	\$116,332
I. Cost Sharing (if any)					\$0	\$0	\$0
J. Program Income (if any)					\$0	\$0	\$0
Total Project Costs					\$85,828	\$30,503	\$116,332

F&A Rate	26.00%	26.00%
Full Fringe Rate	45.40%	44.80%
FICA Rate	9.30%	8.60%
Post Doc Rate	32.50%	31.70%
Inflation Factor	104.50%	104.50%



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.6.

Resolution Number: **R - 2011.08.24 – 125**  
Resolution Re: B11072 Crack Sealing Services

WHEREAS: Sealed request for Proposals B11072 was solicited and received on June 8, 2011 @ 2:00pm. Three proposals were received and evaluated and,

WHEREAS: The low bid meeting specifications was submitted by Axtell's Inc of Jermyn PA at the rate of \$1.25 per pound of Derry 102 sealing product in an amount not to exceed \$30,000.00

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 Axtell's Inc of Jermyn PA given the rates provided in conjunction with B11072 in the amount not to exceed \$30,000.00. The amount of this authorization shall be limited so as not to exceed available funding.

### Financing

Account	Description	Appropriation	Balance
1000.1.300.43121.4715.00000.91	CS Land Improvement	189,127	189,127.00

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor, Dean Trefethen  
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.6.

Resolution Number: **R - 2011.08.24 – 125**  
Resolution Re: B11072 Crack Sealing Services

### DOCUMENT HISTORY:

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

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Karen Weston, 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 Dennis Ciotti , At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.6.

Resolution Number: **R - 2011.08.24 – 125**  
 Resolution Re: B11072 Crack Sealing Services

**RESOLUTION BACKGROUND MATERIAL:**

Sealed request for Proposals B11072 was solicited and received on June 8, 2011 @ 2:00pm. Three proposals were received and evaluated. The low bid meeting specifications was submitted by Axtell's Inc of Jermyn PA at the rate of \$1.25 per pound in an amount not to exceed \$30,000.00

**Award Information:**

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

**Purchasing Information:**

<b>Type:</b>	Purchase Order	<b>Advertised:</b>	Yes
<b>Invitations Mailed:</b>	12	<b>Number of Responses:</b>	3
<b>Warranty:</b>	NA	<b>Terms:</b>	Net 30, FOB Dover
<b>Work Bonded:</b>	Yes	<b>Contract:</b>	Yes
<b>Prices will hold for:</b>	Until Completion	<b>Estimated Delivery:</b>	As needed
<b>Recommended Award to:</b>	Axtell's Inc	<b>Fund:</b>	CIP
<b>Other Approvals Required:</b>	No	<b>References Checked:</b>	Satisfactory
<b>Previously Worked for City:</b>	No	<b>Reason for Council Approval:</b>	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

### Bid Results

<i>Vendor</i>	<i>Price per pound</i>
Nicom Coating Corporation PO Box 727 Barre VT 05641	\$2.35 Craftco Road Saver 221
SealCoating Inc 120 Industrial Park Rd Hingham MA 02043	\$3.47 Craftco 201
Axtell's Inc 1586 Heart Lake Rd Jermyn PA 18433	\$1.25 Derry 102 now owned by Craftco or craftco equal



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.6.

Resolution Number: **R - 2011.08.24 – 125**  
Resolution Re: B11072 Crack Sealing Services

### Vendor Solicitation List:

BFC, Inc.  
867 Route 12  
Westmoreland, NH 03467

Sealcoating, Inc.  
120 Industrial Park Road  
Hingham, MA 02043

Sealex, Inc.  
314 Presumpscot Road  
Portland, ME 04103

Crack Sealing, Inc.  
P. O. Box 700  
Raynham, MA 02767

Nicom Coatings Corp.  
PO Box 727  
Barre, VT 05641

NH Blacktop Sealers  
58 Priscilla Lane  
Auburn, NH 03032

East Coast Sealcoating, Inc.  
P. O. Box 455  
Abington, MA 02351

RCH Pavement  
Maintenance  
P. O. Box 554  
Dover, NH 03821-0554

Dixon Paving Corp.  
PO Box 342  
York ME 03909

Extreme Sealcoat & Striping  
33 Adams Avenue  
Rochester, NH 03867

Pine State Safety Lines, Inc.  
PO Box 261  
Topsham ME 04086

US Pavement Services  
39 Industrial Pkwy  
Woburn MA 01801



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R – 2011.08.24 – 126**  
Resolution Re: B12003 Household Hazardous Waste Collection Service

WHEREAS: Sealed bid B12003 was requested and received for household hazardous waste collection day on August 2, 2011 at 2:00 pm; and

WHEREAS: Three qualified firms responded with price quotes for different chemicals that would be collected for the project in its entirety; and

WHEREAS: Low bid meeting specifications was submitted by MXI Environmental Service LLC of Langhorne PA at varying rates for various household hazardous waste chemicals. The estimated annual expenditure is \$30,000.00

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 MXI Environmental Services LLC for household hazardous waste day in September 2011 in the amount not to exceed \$30,000.00 and corresponding rates provided 8/2/2011. The amount of this authorization shall be limited so as not to exceed available funding.

### Financing

Account	Description	Appropriation	Balance
1000.1.300.43240.4420.00000	Recy. Collection Services	\$30,000.00 for this project	\$30,000.00

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Dean Trefethen  
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.7.

Resolution Number: **R – 2011.08.24 – 126**  
Resolution Re: B12003 Household Hazardous Waste Collection Service

### DOCUMENT HISTORY:

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

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Karen Weston, 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 Dennis Ciotti, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R – 2011.08.24 – 126**  
Resolution Re: B12003 Household Hazardous Waste Collection Service

### RESOLUTION BACKGROUND MATERIAL:

Sealed bid B12003 was requested and received for household hazardous waste collection on August 2, 2011 at 2:00 pm. Three qualified vendors responded with various price quotes for the various chemicals collected. Low bid meeting specifications was submitted by MXI Environmental Services LLC After review by the cities Solid Waste Coordinator it was determined that MXI Environmental Services LLC was the bid most advantageous to the City of Dover as it is uncertain the exact amount of collections on the Household Hazardous Waste Collection Day to be held on September 24, 2011.

### Award Information:

A purchase order will be issued to authorize this expenditure.

### Purchasing Information:

<b>Type:</b>	Purchase order	<b>Advertised:</b>	Yes
<b>Invitations Mailed:</b>	62	<b>Number of Responses:</b>	3 and 1 late
<b>Warranty:</b>	Meets Specifications	<b>Terms:</b>	Net 30, FOB Dover
<b>Work Bonded:</b>	No	<b>Contract:</b>	Yes
<b>Prices will hold for:</b>	45 days	<b>Estimated Delivery:</b>	9/24/2011
<b>Recommended Award to:</b>	MXI Environmental Svs	<b>Fund:</b>	GF
<b>Other Approvals Required:</b>	No	<b>References Checked:</b>	Satisfactory
<b>Previously Worked for City:</b>	Yes	<b>Reason for Council Approval:</b>	Cost estimated at \$25,000 or greater



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R – 2011.08.24 – 126**

Resolution Re: B12003 Household Hazardous Waste Collection Service

### Vendor List

<p>AECOM AmeriTech Environmental Services, Inc AMRO Environmental Laboratories Corp Analytics Environmental Lab Aries Engineering, Inc. ATC Associates Inc. Bradburne, Briller &amp; Johnson Campbell Environmental Group Careno Construction Co. Clean Harbors Env. Services Clean Venture, Inc. Comprehensive Environmental Construction Summary Of NH Corporate Environmental Advisors, Inc. Eastern Analytical, Inc. Edge Environmental LLC ENPRO Services Inc. Enviro North American Consulting Environmental Compliance Service, Inc. (ECS)</p>	<p>EnviroSense, Inc. EnviroVantage FRANZOSO Land Stone Snow &amp; Ice GeoInsight, Inc. GEOSPHERE Environmental Management Golder Associates Inc. Greater Dover Chamber of Commerce Green Environmental Inc. GZA Geo Environmental, Inc. Haley &amp; Aldrich, Inc. Holden Engineering &amp; Surveying, Inc Horsley Witten Group, Inc. HYDROTERRA Environmental Services LLC John Turner Consulting, Inc. JWP &amp; Sons Contracting, LLC Leggette, Brashears &amp; Graham Lessard Environmental, Inc. Loureiro Engineering Associates Martini Northern META Environmental</p>	<p>MXI Environmental Services New England Organics Nobis Engineering, Inc Normandeau Associates, Inc. Pathways Consulting, LLC Pennoni Associates Inc. Ransom Environmental Consultants, Inc. Resource Laboratories, LLC RI Analytical Laboratories, Inc. RPF Environmental Safety-Kleen Systems, Inc Security Construction Services Servpro of the Seacoast Spears Bros. Building Wrecking Stantec Consulting Services StoneHill Environmental, Inc. Terracon Consultants The Louis Berger Group, Inc. The Scott Lawson Group, Ltd. The Smart Associates, Environmetnal Consultants, Inc. Tighe &amp; Bond, Inc. Weston &amp; Sampson Engineers Wilcox &amp; Barton, Inc.</p>
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**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R – 2011.08.24 – 126**  
 Resolution Re: B12003 Household Hazardous Waste Collection Service

### Bid Results

B12003 HOUSEHOLD HAZARDOUS WASTE RESULTS	unit	MXI 297 Zimmerman Ln Langhorne PA 19047	Tradebe 136 Gracey Ave Meriden, CT 06610	Clean Ventures Inc 133 Leland St Framingham MA 01702	Clean Harbors LATE BID
Aerosols/Propane/Fire Ext	55 gal	125.00	225.00	155.00	
Flammable Liquids	55 gal				
Flammable Liquids	cy box	400.00	460.00	495.00	
Pesticides	55 gal	225.00	323.00	265.00	
Mercury	5 gal	125.00	140.00	125.00	
Oxidizers	55 gal	200.00	318.00	285.00	
Acids	55 gal	200.00	248.00	265.00	
Asbestos	55 gal	100.00	130.00	185.00	
Resins Adhesives	cy box				
Resins Adhesives	55 gal	125.00	206.00	315.00	
Bulk Organics	55 gal	155.00	198.00	265.00	
Misc. Chemicals	55 gal	200.00			
Misc. Chemicals	5 gal	150.00			
Processable Paints	cy box		587.00	375.00	
Processable Paints	55 gal	200.00	198.00	315.00	
Batteries Dry/Nicad	55 gal				
Motor Oil	55 gal				
Antifreeze	55 gal				
<b>Fixed Costs</b>					
Site Set Up - Mobilization/Demobilization Fee		0.00	150.00	1,600.00	
Transportation			250.00		
Labor			2,961.00		
Materials					
recovery fees					



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R – 2011.08.24 – 127**  
Resolution Re: B12006 Liquid Propane

WHEREAS: Bid B12006 was requested and received for Liquid Propane on August 16, 2011 at 2:00 pm for a one year agreement.

WHEREAS: The city has approximately twenty three (23) locations where LP gas is utilized and supplied on an “as needed” or pre-arranged schedule. Based on last years usage indicates a need for approximately 50,000 gallons to be purchased from September 1, 2011 to August 31, 2012; and

WHEREAS: Three bid replies and one no bid was received and low bid meeting specifications was submitted by DF Richard of Dover NH at the rate of \$2.09 per gallon.

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 DF Richard Energy given the rate of \$2.09 per gallon provided 8/16/2011. The amount of this authorization shall be limited so as not to exceed available funding.

### Financing

Account	Description	Appropriation	Balance
xxxx.1.xxx.xxxxx.4623.xxxxx	Propane	103,004.00	101,743.00

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Dean Trefethen  
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.8.

Resolution Number: **R – 2011.08.24 – 127**  
Resolution Re: B12006 Liquid Propane

### DOCUMENT HISTORY:

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

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Karen Weston, 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 Dennis Ciotti , At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R – 2011.08.24 – 127**  
Resolution Re: B12006 Liquid Propane

### RESOLUTION BACKGROUND MATERIAL:

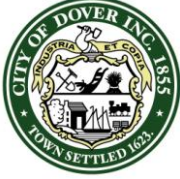
Bid B12006 was requested and received for Liquid Propane on August 16, 2011 at 2:00 pm for a one year agreement. The city has approximately twenty three (23) locations where LP gas is utilized and supplied on an “as needed” or pre-arranged schedule. Based on last years usage indicates a need for approximately 50,000 gallons to be purchased from September 1, 2011 to August 31, 2012. Low bid meeting specifications was submitted by DF Richard of Dover NH at the rate of \$2.09 per gallon

### Award Information:

A purchase order will be issued to authorize this expenditure.

### Purchasing Information:

<b>Type:</b>	Purchase order	<b>Advertised:</b>	Yes
<b>Invitations Mailed:</b>	39	<b>Number of Responses:</b>	3 and 1 no bid
<b>Warranty:</b>	Meets Specifications	<b>Terms:</b>	Net 30, FOB Dover
<b>Work Bonded:</b>	No	<b>Contract:</b>	Yes
<b>Prices will hold for:</b>	Until 8/31/12	<b>Estimated Delivery:</b>	As needed
<b>Recommended Award to:</b>	DF Richard Energy	<b>Fund:</b>	various
<b>Other Approvals Required:</b>	No	<b>References Checked:</b>	Satisfactory
<b>Previously Worked for City:</b>	Yes	<b>Reason for Council Approval:</b>	Cost estimated at \$25,000 or greater



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R – 2011.08.24 – 127**  
 Resolution Re: B12006 Liquid Propane

### Vendor List

Alliance Energy LLC Applied Industrial Technologies AutoBeGreen, LLC Borderline Fuels, Inc. Centilla Corporation Competitive Energy Services D & L Thomas Equipment Corp. D F RICHARD ENERGY Dennis K. Burke, Inc. Downeast Energy Eastern Propane First Choice Energy LLC Global Montello Group Corp.	Greater Dover Chamber H and H Oil & Gas Company Halifax American Energy Hanscom's Truck Stop Inc Hess Corporation Hometown Oil Integrys Energy Services Ipower 6 Lamprey Brothers LAMPRON ENERGY Lawson Products, Inc. Local Pride Heating Oil Metromedia Energy	Parts Associates, Inc. Patriot Energy Group Perkins Propane Reliable Equipment, LLC Santa Buckley Energy Sarori Energy Shell Energy North America Simply Green Biofuels Standard Power of America Townsend Oil & Propane UMG, Inc. UNITED RENTALS WEBBER ENERGY FUELS
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## RESULTS

Vendor Bid stated Contract Period 9/1/11- 08/30/12	Option One Locked in rate	Option Two Fix price over rack on day of delivery	Change in price if over or under estimate qtys
DF Richard Energy PO Box 669 Dover NH 03820	<b>\$2.09</b>	NB	No Change
Eastern Propane & Oil 28 Industrial Way Rochester NH 03866	\$2.197	.35	No change if +/- 10%
Ameri-Gas 1407 Greenland Rd Greenland NH	NB	.40	
Webber Energy 420 Rte 108 Somersworth NH	NB	NB	



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.9.

Resolution Number: **R - 2011.08.24 – 128**  
Resolution Re: B12007 #2 Heating Fuel

WHEREAS: Bid B12007 was requested and received for #2 Heating Fuel on August 16, 2011 at 2:30 pm for a one year agreement, and

WHEREAS: The city has six (6) locations where #2 heating fuel is utilized and supplied on an “as needed” or pre-arranged schedule. Based on last years usage the bid indicated a need for approximately 33,678 to be purchased at a guaranteed rate from September 1, 2011 to August 31, 2012; and

WHEREAS: Due to the ever changing price of fuel, a locked in rate was the preferred method of purchasing. Seven bid replies were received. The low bid meeting specifications and being recommended was submitted by Hanscom’s Truck Stop, Inc at the rate of \$3.20 per gallon including all applicable taxes with no change in price for over or under estimated usage.

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

The Purchasing Agent is hereby authorized to issue a Purchase Order for one year to Hanscom’s Truck Stop Inc for #2 heating fuel at the rate of \$3.20 per gallon provided on 8/16/2011. The amount of this authorization shall be limited so as to not exceed available funding.

### Financing

Account	Description	Appropriation	Balance
xxxx.1.xxx.xxxxx.4624.xxxxx	#2 heating oil	105,638.00	105,638.00

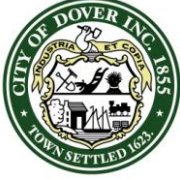
### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Dean Trefethen  
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.9.

Resolution Number: **R - 2011.08.24 – 128**  
Resolution Re: B12007 #2 Heating Fuel

### DOCUMENT HISTORY:

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

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Karen Weston, 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 Dennis Ciotti , At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.9.

Resolution Number: **R - 2011.08.24 – 128**  
Resolution Re: B12007 #2 Heating Fuel

### RESOLUTION BACKGROUND MATERIAL:

Sealed bid B12007 was requested and received for #2 heating fuel on August 16, 2011 at 2:30 pm. The city has six locations where #2 heating fuel is utilized and supplied on an “as needed” or pre-arranged schedule. Based on last years usage the bid indicated a need for approximately 33,678 gallons to be purchased from September 1, 2011 to August 31, 2012.

Low bid was submitted by current vendor Hanscom Truck Stop in the amount of \$3.20 per gallon.

### Award Information:

A purchase order will be issued to authorize this expenditure.

### Purchasing Information:

<b>Type:</b>	Purchase order	<b>Advertised:</b>	Yes
<b>Invitations Mailed:</b>	39	<b>Number of Responses:</b>	4
<b>Warranty:</b>	Meets Specifications	<b>Terms:</b>	Net 30, FOB Dover
<b>Work Bonded:</b>	No	<b>Contract:</b>	Yes
<b>Prices will hold for:</b>	Until 8/31/12	<b>Estimated Delivery:</b>	As needed
<b>Recommended Award to:</b>	Hanscom Truck Stop	<b>Fund:</b>	GF /water/sewer
<b>Other Approvals Required:</b>	No	<b>References Checked:</b>	Satisfactory
<b>Previously Worked for City:</b>	Yes	<b>Reason for Council Approval:</b>	Cost estimated at \$25,000 or greater

### Vendor List



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.9.

Resolution Number: **R - 2011.08.24 – 128**  
 Resolution Re: B12007 #2 Heating Fuel

Alliance Energy LLC Applied Industrial Technologies AutoBeGreen, LLC Borderline Fuels, Inc. Centilla Corporation Competitive Energy Services D & L Thomas Equipment Corp. D F RICHARD ENERGY Dennis K. Burke, Inc. Downeast Energy Eastern Propane First Choice Energy LLC Global Montello Group Corp.	Greater Dover Chamber H and H Oil & Gas Company Halifax American Energy Hanscom's Truck Stop Inc Hess Corporation Hometown Oil Integrys Energy Services Ipower 6 Lamprey Brothers LAMPRON ENERGY Lawson Products, Inc. Local Pride Heating Oil Metromedia Energy	Parts Associates, Inc. Patriot Energy Group Perkins Propane Reliable Equipment, LLC Santa Buckley Energy Sarori Energy Shell Energy North America Simply Green Biofuels Standard Power of America Townsend Oil & Propane UMG, Inc. UNITED RENTALS WEBBER ENERGY FUELS
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### RESULTS

Vendor Bid states contract period of 09/01/11-08/30/12	Option One Fixed Price per Gallon for estimated 24,000 gal Price includes applicable taxes	Option Two Fixed price over rack price on day of delivery
<b>Hansom Truck Stop Inc</b> <b>PO Box 4670</b> <b>Portsmouth NH 03802</b>	<b>\$3.20</b>	<b>.19</b>
Hometown Oil LLC 755 Banfield Rd Portsmouth NH 03801	\$3.26	.12
DF Richard Energy PO box 669 Dover Nh 03820	\$3.29	.25
Webber Energy Fuels 420 Route 108 Somersworth NH	\$3.2978	



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10.

Resolution Number: **R - 2011.08.24 – 129**  
Resolution Re: B12008 Off Road Diesel Fuel

WHEREAS: Bid B12008 was requested and received for Off Road Diesel Fuel on August 16, 2011 at 3:00 pm for a one year agreement, and

WHEREAS: The city has six locations where diesel fuel is utilized and supplied on an “as needed” or pre-arranged schedule. Based on last years usage the bid indicated a need for approximately 20,000 gallons to be purchased from September 1, 2011 to August 31, 2012, and;

WHEREAS: Two responses were received with bid deemed most advantageous to the city being submitted by Hanscom’s Truck Stop Inc at the rate of \$.20 over Journal of Commerce Portsmouth Low rack price on day of delivery with no change in price for over or under estimated usages. This vendor awarded the contract last year and has performed exceptionally.

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 Hanscom’s Truck Stop, Inc, as needed, given the rate of \$.20 per gallon over Journal of Commerce Portsmouth Low on day of delivery provided per bid on 8/16/11. The amount of this authorization shall be limited so as not to exceed available funding.

### Financing

Account	Description	Appropriation	Balance
xxxx.1.xxx.xxxxx.4626.xxxxx	Vehicle Fuels	330,781.00	299,250.00

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor, Dean Trefethen  
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 - 2011.08.24 – 129**  
Resolution Re: B12008 Off Road Diesel Fuel

### DOCUMENT HISTORY:

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

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Karen Weston, 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 Dennis Ciotti, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10.

Resolution Number: **R - 2011.08.24 – 129**  
Resolution Re: B12008 Off Road Diesel Fuel

### RESOLUTION BACKGROUND MATERIAL:

Bid B12008 was requested and received for Diesel fuel on August 16, 2011 at 3:00 pm. received with Hanscoms Truck Stop, Inc. being the low conforming bidder at the rate of \$.20 over Journal of Commerce Portsmouth low with no change in price for overages or shortage of estimated quantity. Bid received from Webber Energy non-conforming to Journal of Commerce Portsmouth Low base. Current Low base is \$3.25 but changes daily.

The city has six locations where diesel fuel is utilized and supplied on an “as needed” or pre-arranged schedule. Locations include several pump station and WWTP along with the highway garage and the Liberty North End Fire Station. Based on last year’s usage the bid indicated a need for approximately 20,000 gallons to be purchased at a guaranteed rate from September 1, 2011 to August 31, 2012.

### Award Information:

A purchase order will be issued to authorize this expenditure.

### Purchasing Information:

<b>Type:</b>	Purchase order	<b>Advertised:</b>	Yes
<b>Invitations Mailed:</b>	39	<b>Number of Responses:</b>	2
<b>Warranty:</b>	Meets Specifications	<b>Terms:</b>	Net 30, FOB Dover
<b>Work Bonded:</b>	No	<b>Contract:</b>	Yes
<b>Prices will hold for:</b>	Until 8/31/12	<b>Estimated Delivery:</b>	As needed
<b>Recommended Award to:</b>	Hanscom’s Truck Stop	<b>Fund:</b>	various
<b>Other Approvals Required:</b>	No	<b>References Checked:</b>	Satisfactory
<b>Previously Worked for City:</b>	Yes	<b>Reason for Council Approval:</b>	Cost estimated at \$25,000 or greater



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10.

Resolution Number: **R - 2011.08.24 – 129**  
 Resolution Re: B12008 Off Road Diesel Fuel

### Vendor List

Alliance Energy LLC Applied Industrial Technologies AutoBeGreen, LLC Borderline Fuels, Inc. Centilla Corporation Competitive Energy Services D & L Thomas Equipment Corp. D F RICHARD ENERGY Dennis K. Burke, Inc. Downeast Energy Eastern Propane First Choice Energy LLC Global Montello Group Corp.	Greater Dover Chamber H and H Oil & Gas Company Halifax American Energy Hanscom's Truck Stop Inc Hess Corporation Hometown Oil Integrys Energy Services Ipower 6 Lamprey Brothers LAMPRON ENERGY Lawson Products, Inc. Local Pride Heating Oil Metromedia Energy	Parts Associates, Inc. Patriot Energy Group Perkins Propane Reliable Equipment, LLC Santa Buckley Energy Sarori Energy Shell Energy North America Simply Green Biofuels Standard Power of America Townsend Oil & Propane UMG, Inc. UNITED RENTALS WEBBER ENERGY FUELS
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## RESULTS

Vendor	Option One Locked in rate	OR Option Two Fix price over Journal of Commerce Portsmouth Low rack price on day of delivery
<b>Hanscom's Truck Stop Inc</b> <b>500 Maplewood Ave</b> <b>Portsmouth NH 03801</b>		<b>.20</b>
Webber Energy Fuels 420 Ste 108 Somersworth NH 03878  Rate is over Webber Rack Price FOB Somersworth		Rack Plus \$3.7717 per gallon  This is today's price only 8/16/2011



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R - 2011.08.24 – 130**  
Resolution Re: Book and Media Purchases

WHEREAS: The City of Dover NH Public Library is a member of the New Hampshire State Library’s Book Purchasing Co-Op; and

WHEREAS: The State Library has identified Baker & Taylor as the book wholesaler most advantageous in terms of service and pricing for various children’s and adult books, tapes, CD’s and DVD’s; and

WHEREAS: The City can take advantage of the substantial savings realized by using Baker and Taylor as their book jobber.

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

Per 3-36B, Optional Purchasing, of the Dover Purchasing Procedure, the purchasing agent may, with approval of the city manager, waive bidding procedures when purchasing through the state of New Hampshire or at state bid prices.

The Purchasing Agent is hereby authorized to issue a Purchase Order to Baker and Taylor of Philadelphia PA for continued book, tape, CD and DVD purchases. The amount of this authorization shall be limited so as not to exceed available funding.

### Financing

Account	Description	Appropriation	Balance
1000.1.390.45500.4748.00000	Books and Collections	\$95,869.00	\$95,869.00
3455.1.390.45500.4748.00000	Books and Collections fines	\$54,734.00	\$54,734.00

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Dean Trefethen  
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 - 2011.08.24 – 130**  
Resolution Re: Book and Media Purchases

### DOCUMENT HISTORY:

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

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Karen Weston, 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 Dennis Ciotti, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R - 2011.08.24 – 130**  
Resolution Re: Book and Media Purchases

### RESOLUTION BACKGROUND MATERIAL:

The Dover Public Library has continued to use a book jobber originally identified a number of years ago by the NH State Library, to provide various types and large quantities of books and media materials as needed. The City of Dover receives the same pricing schedule as other members of this Co-Op Organization.

### Award Information:

A Purchase order will be issued to Baker & Taylor of Philadelphia PA to authorize future expenditures.

### Purchasing Information:

<b>Type:</b>	Purchase Order	<b>Advertised:</b>	No
<b>Invitations Mailed:</b>	None	<b>Number of Responses:</b>	0
<b>Warranty:</b>	Meets Specifications	<b>Terms:</b>	Net 30, FOB Dover
<b>Work Bonded:</b>	na	<b>Contract:</b>	
<b>Prices will hold for:</b>	June 30, 2012	<b>Estimated Delivery:</b>	As needed
<b>Recommended Award to:</b>	Baker & Taylor Inc	<b>Fund:</b>	Books & Collections
<b>Other Approvals Required:</b>	No	<b>References Checked:</b>	Satisfactory
<b>Previously Worked for City:</b>	Yes	<b>Reason for Council Approval:</b>	Waived bid – Cost exceeds \$10,000.00



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.12.**

Resolution Number: **R – 2011.08.24 – 131**

Resolution Re: **Approval of Strafford County Cap Lease, Room 246**

WHEREAS: The Strafford County Community Action Program (CAP) seeks to enter into a lease agreement with the City of Dover; and

WHEREAS: The location the Leased Premises is to be at the McConnell Center, 30 St. Thomas Street, Dover, New Hampshire, Room 246 which contains 1,462 square feet.

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

The City Manager is authorized to sign a lease with the Strafford County Community Action Program for a term of two (2) years with provisions as stated in the lease attached to the Background..

### AUTHORIZATION

Approved as to Funding:	Daniel Lynch Finance Director	Sponsored by:	Mayor Dean Trefethen By request
Approved as to Legal Form:	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 – 2011.08.24 – 131**  
Resolution Re: **Approval of Strafford County Cap Lease, Room 246**

### DOCUMENT HISTORY:

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

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Karen Weston, 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 – vacant - , At Large		
Total Votes:		
Resolution does   does not pass.		

### RESOLUTION BACKGROUND MATERIAL:

See attached Lease Agreement

LEASE AGREEMENT

THIS LEASE made this 1st day of July, 2011, by and between **Strafford County Community Action Program** of \_\_\_\_\_ and \_\_\_\_\_, Dover, New Hampshire 03820 (hereinafter referred to as "LESSEE"), and The City of Dover, New Hampshire, of 288 Central Avenue, Dover, County of Strafford and State of New Hampshire (hereinafter referred to as "LESSOR").

WITNESSETH:

That IN CONSIDERATION of the mutual promises contained herein, and FOR OTHER GOOD AND VALUABLE CONSIDERATION contained herein, the sufficiency of which is hereby acknowledged, in compliance with that certain Letter of Intent between LESSEE and LESSOR dated \_\_\_\_\_, 200\_\_, the parties agree as follows:

1. **Description and Term.**

That the LESSOR does hereby demise and lease to the LESSEE the Leased Premises within the City's McConnell Center located at 30 St. Thomas Street, Dover, New Hampshire, intended to contain **1,462 square feet** and more particularly identified on the McConnell Center Plans dated February 6, 2006 as **Room 246**.

In conjunction with the use of the Leased Premises, LESSEE shall have the right to use **Three (3)** parking spaces for its' employees in the adjacent City Parking lot to the rear of the Public Library during LESSEE's normal operations between the hours of 8 am and 4 pm Monday through Friday. Additionally, visitor parking spaces are available in a parking lot created adjacent to the building on St. Thomas Street. Parking spaces will not be reserved and will be available on a first come first served basis with no signage designating spaces to the LESSEE. The parking spaces may be subject to relocation within the entire parking lot at the sole discretion of the City of Dover.

The term of this lease is **two (2) years** beginning on **August 1, 2011 and ending on June 30, 2013**.

Monthly rent shall be paid on the first of each month to the City of Dover. The first year of rent charges are based upon a space allocation for the Leased Premises of **1,462** square feet and calculated using the following components:

<u>Component</u>	<u>Rate</u>	<u>Annual</u>	<u>Monthly</u>
Fixed Rent	\$ 6.50	\$ 9,503.00	\$ 791.92
Capital Reserve	\$ 0.40	\$ 584.80	\$ 48.73
Utilities (*)	\$ 4.10	\$ 5,994.20	\$ 499.52
<b>CAP Payment</b>	<b>\$11.00</b>	<b>\$16,082.00</b>	<b>\$ 1,340.17</b>
Subsidy	\$ 2.48	\$ 3,625.76	\$ 302.15
Total Rent Assessment	<b>\$13.48</b>	<b>\$19,707.76</b>	<b>\$1,642.31</b>

(\*) Utility costs are variable based upon actual costs as outlined in section 2.

## LEASE AGREEMENT

The rent structure in this lease contains a subsidy for a limited period of time to be offset by commitments by the Lessee with a non-cash value. In exchange for the subsidy allocation in the first year of his contract, Strafford County Community Action will allow the Dover Welfare office access to the CAP Food Pantry to supply eligible clients with food who would otherwise need to use resources supplied by the City of Dover.

### 2. Utilities and Maintenance.

The LESSEE is responsible for payment of all operations and maintenance costs associated with the Leased Premises, including utilities (electricity, water, gas, heat) and shared custodial, snow removal and associated supplies. Operations and Maintenance costs of this lease are established at **\$6.58/sf**. Utilities and Maintenance costs shall be revised annually and prorated per square foot based upon the previous years actual cost of operating and maintaining the building. The total square footage of leased space is **54,081 square feet**. The annual revision of operation and maintenance costs shall occur in February and take effect the following July 1<sup>st</sup>.

### 3. Condition of Premises.

The LESSOR leases the Leased Premises "AS IS". LESSEE is solely responsible for all associated costs for desired original and future build out of the Leased Premises. Plans and specifications for build out shall be reviewed and approved by the LESSOR prior to the start of construction.

LESSEE is solely responsible for insuring all improvements and contents of the Leased Premises, and shall name LESSOR as an additional insured. Proof of insurance coverage shall be provided to the LESSOR. The LESSEE'S policy shall contain a provision requiring thirty (30) days written notice of cancellation of coverage to the LESSOR.

LESSOR shall, at its own expense, maintain and keep the building in good structural order and repair including, but not limited to, all partitions, doors, windows, fixtures and equipment. In addition, LESSOR shall, at its own expense, make normal repairs and maintain performance of the Leased Premises, as needed, including, without limitation, the replacement of broken glass, interior repainting, the repair of floors, and the keeping of windows and doors watertight. LESSOR shall also, at its' expense, maintain in good operating condition all plumbing, electrical, heating, sprinkling, air conditioning and other utility systems. All items herein mentioned shall be maintained in as good order and repair as they are at the date of the commencement of the term of this lease, reasonable wear and damage by accident, fire or other insured against casualty excepted.

LESSEE and LESSOR will perform a walk through to evaluate condition of the Premises prior to occupancy.

LESSOR agrees to maintain the Leased Premises in condition fit for their intended use and to make all necessary repairs of which LESSOR is aware, including adequate heat and water, and sound physical structure. Furthermore, LESSOR shall maintain the outside grounds, remove the common area rubbish, and maintain and keep the parking areas, sidewalks and entrances/exits to building reasonably free from snow and ice.

## LEASE AGREEMENT

### **4. Access to Premises.**

The LESSOR shall also have the right to enter upon the Leased Premises at all reasonable times to inspect same. The LESSOR shall provide the LESSEE with reasonable notice of any inspections of or visits to the premises.

### **5. Unavoidable Casualty and Eminent Domain.**

In the event of an unavoidable casualty including fire not arising as a result of the negligence or intentional conduct of the LESSEE whereby the premises or any portion of them are destroyed or damaged so as to be unfit for use or occupancy, the LESSOR specifically reserves the option of terminating this Lease. However, that in the event of total destruction or damage which is the equivalent of total destruction, this Lease shall automatically terminate.

### **6. Use.**

The LESSEE shall only use the Leased Premises in compliance with the City's McConnell Center Reuse Steering Committee Report dated December 2004, and all applicable amendments thereto, all applicable City ordinances, rules and regulations. Additionally, the Leased Premise shall be used for non-profit purposes only. No residential use shall be permitted.

### **7. Renewal of Lease.**

At least sixty (60) days, but no earlier than one hundred twenty (120) days, prior to the expiration of the initial term of this Lease or the expiration of an additional term, the LESSEE shall notify the LESSOR in writing of the LESSEE's intention to exercise its' option to extend the term of the Lease for an additional period and seek to continue its' Lease upon such terms and conditions as the parties may then agree.

### **8. Subletting and Assignment.**

LESSEE shall neither sublet nor assign the Space or the associated parking spaces under any circumstances without prior written consent by the LESSOR.

### **9. Personal Property.**

In the event that at the end of the term or upon any earlier termination of this Lease, including, but not limited to, termination for failure of the LESSEE to perform as required hereunder, there remains personal property of the LESSEE in the Leased Premises, the LESSOR is authorized to dispose of said property after giving written notice of its intent to do so to the LESSEE at the last known address of the LESSEE.

## LEASE AGREEMENT

### 10. Default/Early Termination.

In the event the LESSEE fails to perform its' obligations under this Lease, this Lease is defaulted and the LESSOR is entitled to immediate occupation and possession of the Leased Premises and the associated parking spaces. If the LESSEE defaults in the observance or performance of any conditions or covenants on LESSEE's part to be observed or performed, under or by virtue of any provisions of this lease, the LESSOR, without being under any obligation to do so and without thereby waiving such default, may remedy such default at the expense of the LESSEE. If the LESSOR makes any expenditure or incurs any obligations for payment in connection therewith including, but not limited to, attorney's fees, such sums paid or obligations incurred shall be paid to the LESSOR as additional rent. In the event that there is damage to the Leased Premises due to the LESSEE's actions or inactions, or the LESSEE fails to make any utility payments when due, the Lease may be immediately terminated at the option of the LESSOR.

Both the LESSEE and the LESSOR shall be bound to give a two (2) year vacancy notice if the terms of the Lease are to be broken by either party.

### 11. Indemnification.

LESSEE agrees to pay, and to protect, defend, indemnify and save harmless LESSOR from and against any and all liabilities, losses, damages, costs, expenses, including all reasonable attorney's fees and expenses, causes of action, suits, claims, demands or judgments of any nature whatsoever arising from:

- (i) any injury to, or the death of, any person or any damage to property or to the Space;
- (ii) any act or omission of LESSEE or its agents, officers or employees;
- (iii) violation by LESSEE of any agreement or condition of this Lease; or
- (iv) violation by LESSEE of any law, ordinance or regulation affecting the Space or any part thereof or the ownership, occupancy or thereof.

### 12. Insurance.

Casualty and property insurance shall continue to be maintained on the subject property by the LESSOR. LESSEE shall procure and maintain in force, at its' expense, during the term of this lease agreement, and any extensions of such term, liability and property damage insurance for the Leased Premises to be considered primary coverage. LESSOR has no obligation for any loss to personal property. Proof of insurance shall be supplied to the LESSOR at the time of occupancy. The City of Dover shall be listed as 'Additional Insured' on the policy and proof of insurance certificate.

## LEASE AGREEMENT

### **13. Liens and Encumbrances.**

LESSEE will not create or allow any lien, encumbrance or charge on the Leased Premises or on the McConnell Center or on the rents or income therefrom which may be superior to the LESSOR's rights hereunder.

### **14. Parties Bound.**

This Lease and its' addendums are binding upon the heirs, executors, administrators and assigns of the parties hereto and constitutes the entire agreement between the parties.

### **15. Notice.**

All notices by either party to be given with respect to this Lease shall be in writing and shall be given by first class mail to the addresses stated above.

### **16. Modification of Lease.**

This Lease contains the entire agreement between the parties and shall not be modified in any manner except by an instrument in writing executed by the both parties.

### **17. Section Headings.**

The section headings throughout this instrument are for convenience and reference only, and the words contained herein shall in no way be held to explain, modify or amplify, or aid in the interpretation, construction or meaning of the provisions of the Lease Agreement.

### **18. Severability.**

Any determination that any provision of this Agreement or any application thereof is invalid, illegal or unenforceable in any respect in any instance shall not effect the validity, legality or enforceability of such provision in any other instance or the validity, legality or enforceability of any other provision of this Agreement.

### **19. Laws Governing.**

The parties agree that the laws of the State of New Hampshire will govern all disputes under this Lease and determine all rights hereunder.

LEASE AGREEMENT

20. Security Deposit.

Upon execution of this Lease, LESSEE deposits with LESSOR \$0, as security for the performance by LESSEE of the terms of this Lease to be returned to LESSEE, with interest, following the full and faithful performance by LESSEE of this Lease. In the event of damage to the Leased Premises caused by LESSEE or LESSEE 's agents or visitors, LESSOR may use funds from the deposit to repair, but is not limited to this fund and LESSEE remains liable.

21. Merger.

This Lease contains all terms and conditions agreed upon by the parties hereto and no other agreements or representations, oral or otherwise, regarding the subject matter of this Lease shall be deemed to exist, provided, however, that any subsequent modifications or agreements affecting this Lease shall be in writing and signed by the parties hereto.

22. Amendment.

**This Lease amends and supersedes in its entirety the lease entered into by the Parties on \_\_\_\_\_.**

**IN WITNESS WHEREOF**, the parties have hereunto executed this Lease agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

**STRAFFORD COUNTY COMMUNITY ACTION PROGRAM**

\_\_\_\_\_  
Duly Authorized

DATE:

**CITY OF DOVER**

\_\_\_\_\_  
J. Michael Joyal, City Manager

DATE:

**APPROVED BY THE DOVER CITY COUNCIL ON \_\_\_\_\_**



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.B.1.**

Resolution Number: **R – 2011.08.24 – 132**  
Resolution Re: **City Council Rule Changes**

Whereas: The Dover City Council has established rules for the submission of agenda items in a timely manner; and

Whereas: The recent change of City Hall hours of operation require changing the City Council Procedural Rules and Decorum Guidelines pertaining to the submission of agenda items; and

Whereas: The Mayor informed the City Council of his intentions regarding proposed rule changes at the August 10, 2011 meeting.

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

Change the following the sections of the Council rules to read:

(page 9)VI-C Agenda Submission Deadline - Every ordinance, resolution, and document to come before the Council for consideration must be submitted for agenda setting, in compliance with guidelines established by the City Clerk, by noon on the ~~Wednesday~~ **Tuesday** before the week on which the Council is scheduled to hold a Regular Meeting.

(page 9-10)VI-E Publication of Agenda - the City Clerk will e-mail to each Council Member and post for the public to review by noon on the ~~Friday~~ **Thursday** before each Council meeting an agenda identifying by number and descriptive title, all matters including titles of ordinances, resolutions, documents and/or topics to come before the Council for consideration, unless circumstances require otherwise.

(page 10)VI-F Agenda materials – the City Clerk will have available by ~~2:00~~ **4:00** p.m. on the ~~Friday~~ **Thursday** before each Council meeting the agenda materials to be considered during the meeting including resolutions, ordinances and/or documents, unless circumstances require otherwise. The agenda materials will be emailed and a copy placed in each Council Members mailbox at City Hall. The agenda materials will also be made accessible to the public from the City web site and copies will be available in the City Clerk’s Office on the first floor of City Hall during regular business hours.

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch                      Sponsored by: Mayor Dean Trefethen  
Finance Director

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 – 2011.08.24 – 132**  
Resolution Re: **City Council Rule Changes**

### DOCUMENT HISTORY:

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

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Karen Weston, 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 Dennis Ciotti, At Large		
Total Votes:		
Resolution does   does not pass.		

### RESOLUTION BACKGROUND MATERIAL:

Due to recent changes of City Hall operating hours the deadlines for submission of items for a Council agenda need to be changed to reflect the new hours. All of the deadlines specified in the Council rules are proposed to be moved up by one day to allow proper time for the City Clerk's staff and other city officials to prepare and review agenda items.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2011.08.24 – 133**  
Resolution Re: **Lorraine’s Corner**

WHEREAS: The Joe B. Parks Riverwalk Public Garden along the river from the Central Avenue Bridge towards Chestnut Street was established in 2007 on public property; and

WHEREAS: A portion of this public garden is now proposed as a memorial to local resident, Lorraine Goren, to provide a respite area for cancer patients and their families and friends and to provide a place for hope and healing; and

WHEREAS: The public area to be known as “Lorraine’s Corner” will be lovingly created and cared for by citizen volunteers with donated funds all associated with the volunteer organization known as “Amy’s Treat”.

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

A portion of the public garden area known as the Joe B. Parks Public Garden is named as “Lorraine’s Corner” in memory of Lorraine Goren as a symbol of hope and healing for cancer patients and their families.

### AUTHORIZATION

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Mayor Dean Tretethen 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 – 2011.08.24 – 133**  
Resolution Re: **Lorraine’s Corner**

### DOCUMENT HISTORY:

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

### DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Karen Weston, 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 Dennis Ciotti, At Large		
Total Votes:		
Resolution does   does not pass.		



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2011.08.24 – 133**  
Resolution Re: **Lorraine's Corner**

### RESOLUTION BACKGROUND MATERIAL:

In 2007 the Dover City Council named the area from 400 Central Avenue to the Chestnut Street bridge along the Cocheco River after "Joe B Parks" and is known as the "Joe B Parks Riverwalk Public Gardens". Since that time this area has been transformed by hundreds of volunteers into a pleasant, fragrant and beautiful place to walk and enjoy the Cocheco River.

In the spring of 2011 Amy's Treat [www.amystreat.org](http://www.amystreat.org) approached the steering committee of The Friends of the Joe B Parks Riverwalk Public Gardens to install a meditative healing garden named in memory of Lorraine Goren, a longtime community volunteer.

The Friends of the Joe B Parks Riverwalk Public Gardens has worked for several months to agree on a design and verbiage that further beautifies this community space and has reached agreement with representatives of Amy's Treat to join the efforts of those volunteers before them to improve and maintain the spaces 11 & 12 on the attached map.

We ask the current council to approve an additional dedication stone that will read

Lorraine's Corner

Where Hope Grows

A Meditative Healing Garden

Supported by Amy's Treat

In Memory of Lorraine Goren

(Date)

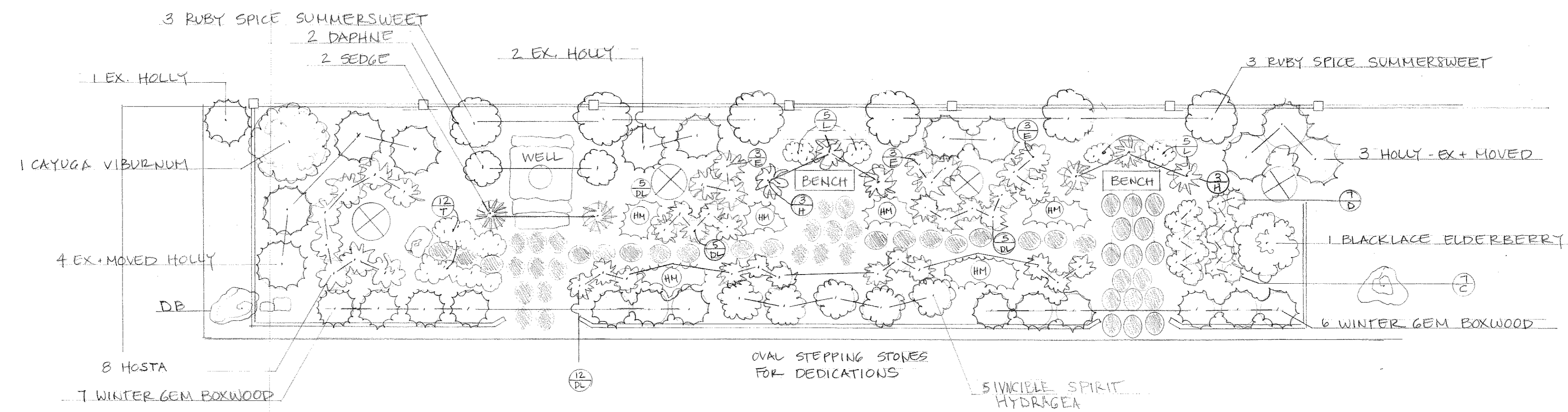
(If space allows, Amy's Treat Logo will also appear)

The Friends of the Joe B Parks Riverwalk Public Gardens will work with representatives of Amy's Treat to coordinate the installation and ongoing maintenance of this area of the garden utilizing the attached memo of agreement as the basis for the collaboration.

Thank you for your attention to this request. Please feel free to contact either; Elizabeth Fischer [Elizabeth\\_Fischer@comcast.net](mailto:Elizabeth_Fischer@comcast.net) 603-817-1843-Special Projects at the Joe B Parks Riverwalk Public Gardens, or Connie Roy [reveriedesign@comcast.net](mailto:reveriedesign@comcast.net) : (603) 978-1290 Garden Coordinator at the Joe B Parks Riverwalk Public Gardens should you have questions.

PERENNIALS				
KEY	QTY	BOTANICAL	COMMON	SIZE
C	7	CAMPANULA 'WATERFALL'	WATERFALL BELLFLOWER	1 GAL
D	6	DICENTRA 'LUXURIANT' -EX.	LUXURIANT BLEEDING HEART	1 GAL
DL	22	HEMEROCALLIS 'BGTINE HAPPY RETURNS	HAPPY RETURNS DAYLILY	1 GAL
E	9	ECHINACEA 'RUBY STAR'	RUBY STAR CONEFLOWER	1 GAL
H	14	ASS'T HOSTA	HOSTA	
HM	21	MIXED HEUCHERA	MIXED CORAL BELLS	1 GAL
L	10	LEWISIA 'SUNSET'	SUNSET BITTERROOT	1 GAL
T	12	THYMUS CITRIODORIS	LEMON THYME	1 GAL

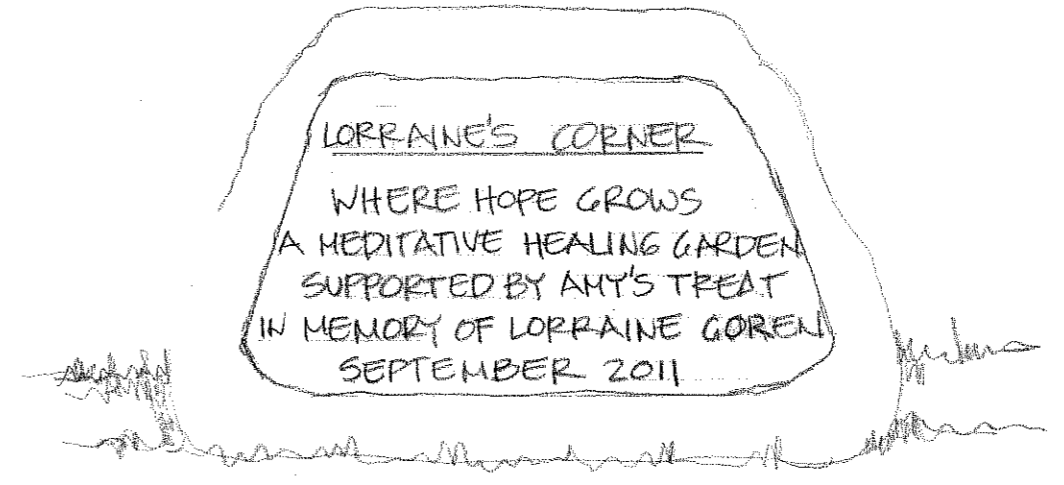
SHRUBS		
QTY	BOTANICAL	COMMON
13	BUXUS 'WINTER GEM'	WINTER GEM BOXWOOD
2	DAPHNE 'CAROL MACKII'	CAROL MACKIE DAPHNE
9	CLETHRA 'RUBY SPICE'	RUBY SPICE SUMMERSWEET
5	HYDRANGEA 'INVINCIBLE SPIRIT'	INVINCIBLE SPIRIT HYDRANGEA
11	ILEX -EX+MOVED	HOLLY
1	SAMBUCUS 'BLACK LACE'	BLACK LACE ELDERBERRY
1	VIBURNUM C. 'CAYUGA'	CAYUGA VIBURNUM



LORRAINE'S GARDEN OF HOPE



WELL: ADD TOP STONE ENGRAVED WITH DEDICATION.  
 - INSTALL METAL GRATE OVER WELL OPENING TO KEEP TRASH OUT.  
 - INSTALL CONTAINER IN OPENING, TO COLLECT WISHES IN THE NAME OF LOVED ONES.



DEDICATION BOULDER (DB)

A MEDITATIVE HEALING GARDEN  
 DOVER, NEW HAMPSHIRE  
 SCALE: 1" = 5'0" AUG 2011

BY: LANDSCAPE THRU YOUR EYES  
 BERNADETTA NORTON - DESIGNER



PO Box 2234. Dover, NH 03821 [www.amystreat.org](http://www.amystreat.org)

July 27, 2011

The Joe B. Parks Riverwalk Public Gardens Committee  
Central Avenue  
Dover, NH 03821

Thank you for allowing Amy's Treat the opportunity to work with The Joe B. Parks Riverwalk Public Gardens to create a meditative and healing garden. Lorraine's Corner (as it will be known) will be a lovely addition to what is an already beautiful gift to the citizens of Dover.

As discussed and agreed to on July 16, 2011:

- Amy's Treat will use a portion of the gardens that begins at the Central Ave entrance and runs along the walkway to the Joe B. Parks dedication stone. The portion of land is currently known as The Hosta Garden.
- A representative of Amy's Treat will mark the plants that will be moving to other gardens with a 12" garden stake. Volunteers of the Joe B. Parks Riverwalk Public Gardens will be responsible for relocating the plants.
- Amy's Treat will seek out a natural boulder (similar to Joe's) but smaller in scope and to be placed in the corner at the beginning of the property. This dedication stone will be carved to identify the space as "Lorraine's Corner" - and offer some or all of the following information...  
"Where Hope Grows. A Meditative Healing Garden. Supported by Amy's Treat in loving memory of Lorraine Goren" and the date. A logo will also be included if within the abilities of the engraver.
- Amy's Treat will secure a piece of granite, aesthetically similar in grade, shape and age to be attached to the back of the well to aid in closing off access. This piece of granite will be carved with the inspirational saying "All Nature Ministers to Hope". The surface hole of the well will be secured with a metal grate to keep the trash out. The aim is to install a container in the opening to collect wishes in the name of loved ones.
- Amy's Treat will seek by donation or through purchase, two granite benches that are the same style and finish as those already existing in other part of the gardens. These benches will be engraved with appropriate quotes and acknowledgements.
- . Amy's Treat will employ the services of Urban Tree to prune back and clear away limbs that are considered potentially dangerous with the agreement of the City of Dover and a representative of The Joe B Parks Riverwalk Public Garden. Amy's Treat understands that the space they have chosen is designed to be a shade garden and will remain as such.

- Amy's Treat will maintain in good condition "Lorraine's Corner" (up to an annual cost of \$1,500) so that it remains a place of comfort and inspiration to the citizens of Dover and beyond. It is Amy's Treat intent to honor the aesthetic plan already set forth in the existing gardens and to be a welcomed and valued addition to the gardens.
- The Joe B. Parks Riverwalk Public Gardens Committee will provide Amy's Treat and its Garden Tender access to water and the sharing of garden equipment. Amy's Treat will work to find the means for a better storage system.
- This agreement shall remain in effect until such time that Amy's Treat no longer desires to maintain the garden at the Joe B Parks Riverwalk Public Gardens or until the Friends of the Joe B Parks Riverwalk Public Gardens determines that Amy's Treat fails to maintain the garden beyond what is a reasonable expectation.

For Amy's Treat \_\_\_\_\_  
Date \_\_\_\_\_

For The Friends of the Joe B. Parks Riverwalk' Public Garden \_\_\_\_\_  
Date \_\_\_\_\_

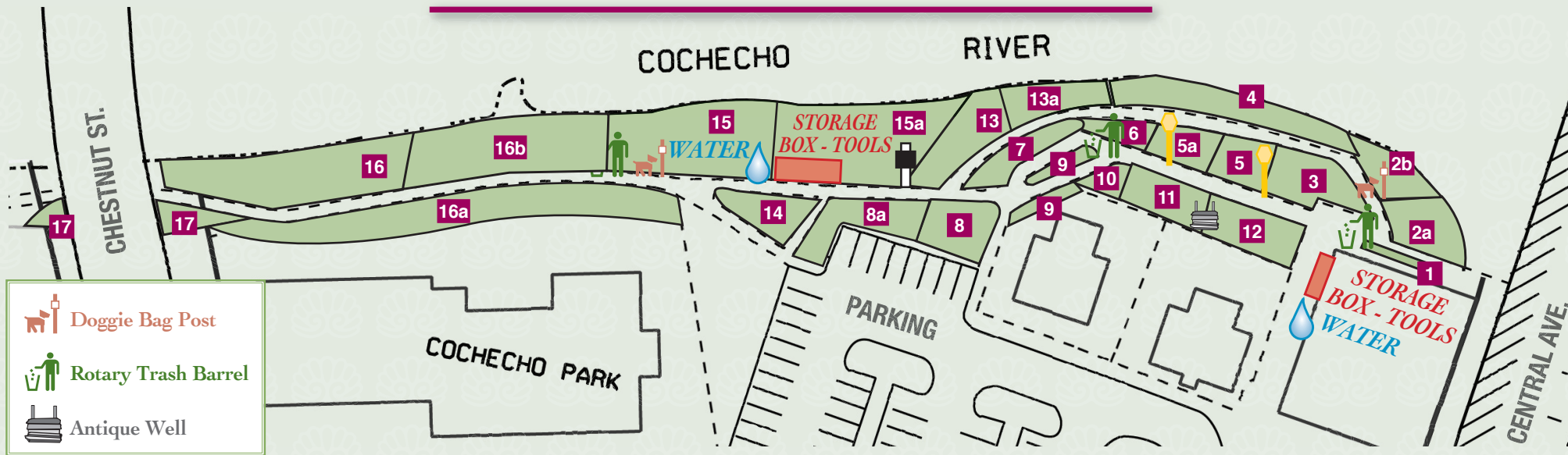
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Thank you,

Lenore Rogers  
For Amy's Treat  
[www.amystreat.org](http://www.amystreat.org)  
PO Box 2234  
Dover, NH 03821



# The Joe B. Parks Riverwalk Public Gardens



## Welcome to the Joe B Parks Riverwalk Public Gardens

These gardens are a joint effort of: • Dover Main Street Program • Dover Rotary • City of Dover as well as hundreds of volunteers

*Help us to care for the park by heeding these rules:*

- Dogs need to be leashed at all times and their “deposits” picked up and disposed properly of year around - pet feces degrade our water supply!
  - Please keep pet and people paws off the gardens.
  - Please dispose of trash properly.

Visit us on Facebook “Friends of Joe B. Parks Riverwalk Public Gardens” and see the folks behind this project in action.

Want to get involved or donate to the longevity of the project?

E-mail: [joebparksriverwalk@gmail.com](mailto:joebparksriverwalk@gmail.com).

