



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **Media Access Center, McConnell Center**
Meeting Date: **Wednesday, March 28, 2012**
Meeting Time: **7:00 pm**

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. **ESTABLISHMENT OF SCHOOL ATHLETIC EQUIPMENT CAPITAL RESERVE FUND**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
 - B. **ESTABLISHMENT OF SCHOOL CURRICULUM CAPITAL RESERVE FUND**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
 - C. **ESTABLISHMENT OF SCHOOL TECHNOLOGY CAPITAL RESERVE FUND**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
 - D. **FREE PARKING IN THE DOWNTOWN AREA**
SPONSORED BY COUNCILOR WEEDEN
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. **March 7, 2012**
 - B. **March 14, 2012**
11. **MAYOR'S REPORT**
12. **UNFINISHED BUSINESS**
 - A. **ORDINANCES IN THE 2nd READING – None**
 - B. **ORDINANCES IN THE 3rd READING – None**



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CITY COUNCIL - AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **Media Access Center, McConnell Center**
Meeting Date: **Wednesday, March 28, 2012**
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C. RESOLUTIONS

1. **ESTABLISHMENT OF SCHOOL ATHLETIC EQUIPMENT CAPITAL RESERVE FUND**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
2. **ESTABLISHMENT OF SCHOOL CURRICULUM CAPITAL RESERVE FUND**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
3. **ESTABLISHMENT OF SCHOOL TECHNOLOGY CAPITAL RESERVE FUND**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
4. **FREE PARKING IN THE DOWNTOWN AREA**
SPONSORED BY COUNCILOR WEEDEN

13. NEW BUSINESS

A. CONSENT CALENDAR

1. **FIREWORKS – Greater Dover Chamber of Commerce**
2. **RAFFLE – Great Bay Figure Skating Club**
3. **RAFFLE – Strafford County Child Advocacy Center**
4. **RAFFLE – Wentworth-Douglass Hospital & Health Foundation**
5. **ROAD RACE – The Children’s Museum of New Hampshire**
6. **WALK – Islandport Press, Charity Crab Walk**
7. **WALK – Portsmouth Christian Academy of Dover**

COMMITTEE REPORTS

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

B. RESOLUTIONS

1. **ESTABLISHMENT OF CLASS OF 1971 SCHOLARSHIP TRUST FUND**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
2. **CITY CHARTER ANNOTATION**
SPONSORED BY COUNCILOR CHENEY



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3. CITY CHARTER ANNOTATION HISTORY
SPONSORED BY COUNCILOR CHENEY

4. CITY CHARTER TABLE OF CONTENTS
SPONSORED BY COUNCILOR CHENEY

C. ORDINANCES IN 1ST READING – None

14. COUNCIL CORRESPONDENCE – None

15. COUNCIL MATTERS OF INTEREST

16. ADJOURNMENT

CITY MANAGER'S REPORT



March 28, 2012

SUBMITTED BY:

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

**CITY OF
DOVER, NH**

AVAILABLE ONLINE:

WWW.DOVER.NH.GOV

February 2012

Dover Business & Industrial Development Authority Economic Development Overview

Dan Barufaldi

Overview

Economic activity in the Region continues to expand. With the exception of real estate, business contacts are generally upbeat about recent results, reporting similar or better growth than in the last couple of reports. Commercial and residential real estate markets are not much changed, with respondents citing weak but not disastrous conditions.

While staffing firms note increased demand for labor, contacts in retail and manufacturing say they are hiring only modestly and plan limited pay raises. With few exceptions, price pressures, except for oil and oil derivatives appear to have abated.

Retail & Tourism

Retailers responding in this round report that business conditions in early 2012 have continued the improvement seen in the fourth quarter. Contacts ending their fiscal year in late December or early January, say that 2011 sales ranged from down 2% to up 5% compared to 2010. These results are generally better than they expected at the start of 2011 and reflect strong same store sales in the last few months of 2011 as compared to earlier in the year. December 2011 same store sales ranged from high single digit increases year-over-year, which he attributed to mild weather depressing demand for winter hardware items as compared to a particularly snowy January, 2011. Another saw January comparable store sales up 7% compared to a year ago, and a third respondent enjoyed a 17% jump, which he credits to the mild winter not keeping customers at home. All contacts note that store traffic is up. In Dover, Smiley's Discount Beverages closed their doors.

Responding retailers report that furniture is selling very well, as is paint. As noted above, the mild winter has depressed sales of some seasonal items, and one retailer has steeply discounted winter clothing to get rid of inventory. Prices on furniture are generally flat, but retailers expect the cost of items made with copper or titanium dioxide (the white pigment in most paint) to reflect the sharp price increases in these commodities. Stores are doing light hiring for some full time and part time positions; they are budgeting 2012 merit pay increases between 2% and 3%. Retail respondents expect the U.S. economy to improve further in 2012. While remaining a bit cautious, they all note that economic conditions seem more favorable than they were last fall.

Manufacturing and Related Services

Manufacturing conditions in the region appear to have improved since the end of last year. All respondents in this cycle report sales growth in the fourth quarter from a year earlier. Although many contacts express serious concerns about the situation in Europe, only a small fraction indicate their sales to Europe were down. In contrast to the last two rounds, this time few contacts mention weakness in Asian markets. Contacts among DOD suppliers express concern about the Federal budget. One had concluded that programs his firm worked on were largely insulated from cuts, but said they were "having trouble convincing their bankers of that". Another said that budget issues are leading to delays, but not to reductions in sales.

Raw material prices have stabilized overall but remain an issue. On the one hand, a plumbing company said that copper is ‘on the march again’. On the other hand, low natural gas prices have been a boon to industries with high energy needs. A petro chemical company makes the analogy that the equivalent price of natural gas in terms BTU’s in a barrel of oil would price gas at \$25 a barrel, making the U.S. a low cost producer of petrochemicals. We are exporting natural gas in the form of ethylene and polyethylene plastics.

Many of our manufacturing contacts are increasing investment and none are now finding serious issues finding financing. Locally, banks are sitting on lots of cash and are looking for places to loan to at low rates with low risk. Remarkably, several contacts say they have acquired a company or purchased capital equipment over the last six months. Almost all manufacturers responding report increased employment and there are fewer complaints about difficulties finding qualified workers than in the past; at the same time, an equipment manufacturer is spending significant funds on training expenses for new hires. Relocating companies report less willingness to move on the part of existing employees, suggesting more confidence in the availability of employment.

Europe is a source of considerable concern, but has not yet affected our contacts in a significant way. Two respondents report slower sales in Europe and one, a plumbing related company, says “Europe is in a recession”. Another revised their sales growth forecast for 2012 by 2%-4% to 5% growth with the subtraction attributed to weakness in Europe, but considered the risk reduced.

Software & Information Technology Services

Software and information technology services contacts report that the upward trends of early 2011 continued through Q4 2011 and into Q1 2012. Year-over-year revenue increases in the fourth quarter, ranging from 10% to over 25%, were generally on par with those seen in the third quarter. Contacts report upticks in demand across a number of sectors with a few noting that activity in Europe exceeds their expectations. Growing workloads have led most contacts to continue to add to their headcounts. One contact is on track to expand their workforce by 20% in 2012; another reports a modest decrease with a number of management positions being eliminated in a realignment. Two contacts have increased their capital and technology spending relative to a year ago. Prices are holding steady with contacts reporting little or no downward pressure. The outlook among software and IT contacts is not appreciably different from that in the last quarter; most are cautiously optimistic and expect revenue growth in 2012 to be in the range of 10%- 20%.

Staffing Services

Regional staffing firms generally experienced a better-than-usual holiday season in 2011, with business picking up steam in early 2012 with year-over-year revenue changes in the fourth quarter varying widely, from flat to up more than 25%. Labor demand is higher than three months ago, although a few contacts report signs of slowing in the light industrial sector. The growth in demand for permanent and temporary-to-permanent hiring has accelerated in recent months, with one contact noting that “clients are definitely ready to hire permanent employees”. Notwithstanding the stronger demand, the hiring cycle remains elongated and high skill sets are still difficult to find. Bill and pay rates have gone largely unchanged since November but remain above their year earlier levels. Looking forward, regional staffing contacts are generally more upbeat than they were three to six months ago, with many expecting their growth rates to pick up through the end of 2012.

Commercial Real Estate

Commercial real estate contacts around the region describe leasing fundamentals as largely unchanged since the last report, although some note modest positive developments. Other contacts describe the City's describe this market as mostly flat, but grant hat rents have increased marginally in recent months. North of us office leasing volume slowed somewhat in Portland relative to December.

Dover is beginning to experience a surge of multi-family construction activity with several large projects underway and more in the planning stages. Investors and lenders are bullish on the multi-family sector and apartment rents have risen slightly in the past year, some contacts see a risk of over-building. Speculative office construction remains non-existent across the area, and one contact estimates that office vacancy rates would have to fall below 4% to warrant the creation of new office structures. While office construction is limited, the investment sales market for prime office properties remains robust amid a highly liquid financing environment. Echoing similar comments in recent reports, however, some contacts perceive that sales prices for prime office properties are too high relative to expected fundamentals.

The outlook among contacts is tilted toward optimism. One contact continues to expect only very slow improvement in leasing fundamentals in 2012, while another sees greater upside potential. Another contact expects the multi-family construction boom to last for another two to three years, but beyond that sees few prospects for any new construction activity. Several expect solid improvement in fundamentals in 2012 barring risks to growth from local fiscal troubles and a possible spike in oil prices.

Residential Real Estate

Sales of single family homes and condominiums increased in Dover in January, with most reports indicating low to moderate growth in sales compared to a year ago. Contacts say recent sales growth reflects market activity more accurately than in previous reports, when year-over-year increases were distorted by the expiration of the tax credit in mid-2010. Meanwhile, the median sale price of homes in regional markets declined compared to a year ago which contacts attribute to distressed property sales. In the same period, prices in Dover have stabilized and sales have improved over the last three months with our 3.9% local unemployment rate. Concerns here surrounding the impact of labor market conditions on housing demand have abated slightly. It should be noted, however, that foreclosures and delinquencies continue to affect the housing market significantly although these factors play less of a role in the region than in other markets. Contacts expect low mortgage rates and the improved employment to help fuel buyer activity. Regional rent pressures coupled with low interest rates may push more buyers into the home and condo market.

Unemployment Rates

Dover	3.9%
Portsmouth	4.0%
Rochester	5.4%
Somersworth	4.6%
New Hampshire	4.9%
New England	6.9%
Connecticut	6.9%
Maine	7.6%
Rhode Island	10.7%
Vermont	4.9%

Office of General Legal Counsel
Summary of Matters
Allan Krans

GENERAL SUMMARY OF MATTERS OF THE OFFICE OF GENERAL LEGAL COUNSEL

The Office of General Legal Counsel provides legal support to City Council, City Manager, city staff and volunteers on the boards, commissions and committees of the City of Dover to assist efforts to provide services to constituents/customers. In addition, legal support is provided to the Dover School Board, the Superintendent of Schools and school staff.

Legal support levels are tracked. The tracking of legal support efforts revolves around legal services called “Matters” (legal questions and issues raised by staff and all other sources), litigation, legal documents (contracts, deeds etc.), resolutions, and responses to Right to Know requests.

REVIEW OF LEGAL SUPPORT SERVICES FOR THE MONTH:

	For Month	Year to Date
Legal Matters/Questions Handled	83	116
Document Creation & Review	7	15
Right to Know Requests Processed	8	12
Resolutions	7	13
Ordinances	5	8

SIGNIFICANT DEVELOPMENTS, TRENDS AND MATTERS:

- 12 Right to Know requests pursuant to RSA 91-A year to date.
 - New York (tax info)
 - Wisconsin (tax info)
 - Covered Bridge, Dover (email)
 - Farmington, NH (LGC)
 - Pennsylvania (purchasing)
 - Covered Bridge, Dover (emails)
 - Maine (code complaints)
 - Middle Road, Dover (vendor information)
 - Covered Bridge, Dover (emails)
 - Farmington, NH (Fifth Street information)
 - Farmington, NH (LGC)
 - Dover (Durham court decision)
 - Farmington, NH (LGC)
 - Dover (Durham court decision)

- Assistance to the City Council: drafting/review of resolutions, and ordinance revisions; attendance at meetings; video/audio recording of public meetings
- Assistance to School: coach pay issue, administrative costs, tuition agreement, crisis management, food service contract, gun policies, informational emails, math film release, quorum issue
- Assistance to the Community Services Department: resolutions, disabled skating, pond hockey
- Assistance to the Planning Department: selected ordinances, zoning voting requirements
- Assistance to Finance Department: purchasing matters
- Assistance to Fire and Rescue: resolution, sprinkler system violation
- Assistance to Executive: Oak Street Armory, Charter review
- Assistance to Library: Social Media Policy
- Assistance to Police: ordinances and resolutions
- Assistance to the City Manager: review of documents for signature; review of litigation

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

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, March 7, 2012**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Weston led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Trefethen, Deputy Mayor Carrier, Councilor Cheney, Councilor Crago, Councilor Garrison, Councilor Hooper, Councilor Weeden, and Councilor Weston.

Absent: Councilor Spuler

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

5. MASTER PLAN REVIEW

Planning and Community Development Director Chris Parker gave a PowerPoint presentation of the Master Plan Overview and Executive Summary to the Council.

Councilor Cheney asked about the sectioning and making it more unified.

Director Parker said it was their goal to do one chapter per year, and visioning would start every 10 years starting in 2012.

6. 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.

7. ADJOURNMENT

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

Vote: 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, March 14, 2012**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Spuler led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Trefethen, Deputy Mayor Carrier, Councilor Cheney, Councilor Crago, Councilor Garrison, Councilor Hooper, Councilor Spuler, and Councilor Weston.

Absent: Councilor Weeden

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

5. PROCLAMATIONS/AWARDS

Mayor Trefethen read his proclamation to the Dover High School Girl's Swimteam.

6. APPROVAL OF AGENDA

Councilor Crago moved to withdraw Item 12.C.2.; seconded by Councilor Garrison.

Vote: 8/0.

Councilor Cheney moved to withdraw Item 12.C.1.; seconded by Councilor Garrison.

Vote: 8/0.

Councilor Hooper moved to add a second School Board Report; seconded by Councilor Garrison.

Vote: 8/0.

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

Vote: 8/0.

Deputy Mayor Carrier moved to add the Appointments Committee Report; seconded by Councilor Hooper.

Vote: 8/0.

Deputy Mayor Carrier moved to accept the Agenda as revised; seconded by Councilor Spuler.

Vote: 8/0.

7. PUBLIC HEARINGS

A. AMENDMENT OF FY2012 FEE SCHEDULE TO ESTABLISH VALET PARKING SERVICE FEES (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) SPONSORED BY MAYOR TREFETHEN BY REQUEST

Paul Streeter, 6 Coolidge Avenue, APS Valet Company: He spoke in favor of this resolution.

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



CITY OF DOVER

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B. CHAPTER 9 – BUDGET

SPONSORED BY MAYOR TREFETHEN BY REQUEST

Ronald Huml, 199 Mast Road: He said City and School must submit a budget at or below the tax cap.

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

C. CHAPTER 35-5, LICENSING BOARD - AUTHORITY TO REGULATE TAXICAB OPERATIONS

SPONSORED BY MAYOR TREFETHEN BY REQUEST

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

D. CHAPTER 161-2, 161-3 – TAXICABS

SPONSORED BY MAYOR TREFETHEN BY REQUEST

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

E. CHAPTER 166, VEHICLES AND TRAFFIC - BOYLE STREET PARKING RESTRICTION SPONSORED BY COUNCILOR WESTON

Charles Boyle, 9 Boyle Street: He spoke in favor of this Ordinance change.

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

8. CITIZEN'S FORUM

Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

Ronald Huml, 199 Mast Road: He spoke about the School's budget being \$500,000 over the tax cap.

William Hunt, 245 Back Road, Conservation Commission Member: He spoke against the resolution regarding the parking meters. He spoke about Marcia Gasses not being reappointed to the Conservation Commission, and asked that it be reconsidered.

Darlene Shanahan, 508 Tolend Road, Paraeducator for Dover Schools: She spoke in favor of the Item 13.B.1, regarding the Collective Bargaining Agreement with the Paraeducators.

David Montenegro, 55 Union Street: He spoke about his previous comments during Citizen's Forum. He said he was here today to speak about the budget and the process. He said the City funds the Police Department is to have a low crime rate, and funds to plow roads to have safe roads. He said the City needs to think about its goals and spend money to support those goals.



CITY OF DOVER

CITY COUNCIL - MINUTES

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Deborah Calabro, 34A Ham Street, Conservation Commission Member: She spoke about the Appointments Committee not recommending the reappointment of Marcia Gasses to the Conservation Commission.

Amanda Russell, 20 Cranbrook Lane, School Board Vice Chairperson: She said she was okay with the parking meters. She was a negotiator for the paraprofessionals' contract and asked for the Council's support.

Mary Hibbard, 97 Spruce Lane: She spoke about the Dover 2023 Master Plan Committee meeting. She spoke about the practice of the Delphi technique that she believes the City is implementing. She said the citizens need to wake, because Dover's way of life is at stake.

Cora Quisumbing-King, 40 Sandpiper Drive: She spoke in support of reappointing Marcia Gasses to the Conservation Commission. She attended the Dover 2023 Master Plan Committee meeting and doesn't agree with the previous speaker's comments.

NH State Representative Peter Schmidt, Fourth Street: He spoke about Mrs. Hibbard's comments. He spoke in support of the Youth to Youth celebration, and said it was the finest program in the country. He spoke in support of the parking meters, and urged the Council to vote no on the resolution to remove them.

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

9. CITY MANAGER'S REPORT

City Manager Joyal submitted his report in writing, but had a few items to bring to the Council's attention. He said the City will be starting the Northend Water project again; signs and notices will be sent out. He spoke about the status of the Whittier Street Bridge. He said the state will not have the funds for the 80% match, and has recommended the City pursue the Federal Highway Administration Bridge Aid Program. He said deferring the bridge project the City can realize substantial savings. He said the City will be doing minor repairs to the bridge until they receive the funds to replace the bridge in 2017. He spoke about the forum he attended at the McConnell Center, which discussed the factors behind Dover being the fastest growing city in New Hampshire. He spoke about the budget process. He said the School Budget is complete. He said Dover Dollars are available again this year, which can be completed online or at City Hall. He encourages participation in the Dover 2023, and said there is no predetermined outcome. He said the City is unveiling a new initiative, Sunshine Week, which promotes the importance of open government and freedom of information. He said the City's website has list of information. He said he will be reappointing Mark Moeller to the Dover Housing Authority for another five years. Councilor Cheney asked if the dates for the Dover 2023 Master Plan meetings televised. City Manager Joyal listed the dates and times of the meetings, which are also on the website. He said there was a meeting this evening at Woodman Park School, March 22nd at Horne Street School, April 10th at Woodman Park School, April 12th at Garrison School, April 16th at Horne Street School, and May 5th at Dover Middle School.



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Mayor Trefethen said the acceptance of the City Manager's Report included the reappointed of Mark Moeller to the Dover Housing Authority.

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

Vote: 8/0.

10. APPROVAL OF MINUTES

A. February 22, 2012

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

Vote: 8/0.

11. MAYOR'S REPORT

Mayor Trefethen said he participated in the Dover Dancing with the Stars along with Councilor Weston. He attended the 100th Anniversary of the Girl Scouts. He attended the 20 year celebration of the Youth to Youth program.

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

Vote: 8/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

1. CHAPTER 9 – BUDGET

SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Garrison.

Mayor Trefethen gave an overview of the changes to the Council.

Councilor Cheney moved to amend the Ordinance to add 9-4.E. Both the City Manager's and the School's budget shall be in compliance within the spending cap per Dover City Charter C6-3.1; seconded by Councilor Weston.

City Manager Joyal said the amendment would actually violate RSA 49C, and conflict with the City's Charter. He said it's the City Manager's responsibility to submit a recommended budget to provide for needs and services of the City, and ultimately it is up to the Council to determine the final budget.

General Legal Counsel said New Hampshire is not a home rule state, and the Council can only do what the State authorizes the City to do. He said there isn't a State statute that says the Council can mandate a tax cap budget, and this could open the City to a challenge.

City Manager Joyal read C6-3 to the Council, emphasizing the section that states the City Manager shall submit his/her recommended budget.

Councilor Cheney said she believed they needed a legal opinion, because she doesn't agree it conflicts with home rule.



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Councilor Crago started a discussion regarding the resolution that the Council passed that the City and School budgets conform to the tax cap.

Mayor Trefethen read the "Now, therefore" section of the resolution to the Council.

Councilor Cheney motioned to table the Ordinance. No second.

Mayor Trefethen asked for a vote on the amendment.

Vote: 1/6; Failed. Councilor Cheney voted in favor. Councilor Crago abstained.

Mayor Trefethen asked for a vote on the original ordinance.

Roll Call Vote: 7/1; Passed. Councilor Cheney was opposed.

2. CHAPTER 35-5, LICENSING BOARD – AUTHORITY TO REGULATE TAXICAB OPERATIONS

SPONSORED BY MAYOR TREFETHEN BY REQUEST

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

Mayor Trefethen gave an overview of the Ordinance to the Council. He said the cars will be parked in private parking lots or on-street parking out of the central core of Dover.

Officer Simons explained the process of valet parking to the Council.

Roll Call Vote: 8/0.

3. CHAPTER 161-2, 161-3 – TAXICABS

SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Garrison.

Roll Call Vote: 8/0.

4. CHAPTER 166, VEHICLES AND TRAFFIC – BOYLE STREET PARKING RESTRICTION

SPONSORED BY COUNCILOR WESTON

Councilor Weston moved for its adoption; seconded by Councilor Spuler.

Councilor Weston gave an overview of this Ordinance to the Council.

Roll Call Vote: 8/0.

Deputy Mayor Carrier made a motion to suspend the rules and move Item #13.B.1. to this point in the meeting; seconded by Councilor Cheney.

Roll Call Vote: 8/0.

13.B.1. AMENDMENT FOR WAGES ONLY FOR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE DOVER SCHOOL DISTRICT AND THE DOVER PARAEducATORS' ASSOCIATION

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

Superintendent Briggs Badger gave an overview of the Resolution to the Council.

Roll Call Vote: 6/2; Passed. Councilors Cheney and Weston were opposed.



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B. ORDINANCES IN THE 3rd READING – None

C. RESOLUTIONS

- 1. AUTHENTICATION OF THE CITY CHARTER
(TO BE REMOVED FROM THE TABLE.)
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Withdrawn

- 2. 2012-2013 CITY COUNCIL RULES AMENDMENT – COUNCIL MATTERS OF INTEREST
SPONSORED BY COUNCILOR CRAGO**

Withdrawn

- 3. ADVANCED REFUNDING FOR CITY OF DOVER JUNE 15, 2003 AND JUNE 15, 2004 GENERAL OBLIGATION BONDS AND AUTHORIZATION TO ISSUE REFUNDING BONDS (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Weston.
Mayor Trefethen gave an overview of the Resolution to the Council.
Roll Call Vote: 8/0.

- 4. AMENDMENT OF FY2012 FEE SCHEDULE TO ESTABLISH VALET PARKING SERVICE FEES (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Weston.
Roll Call Vote: 8/0.

13. NEW BUSINESS

A. CONSENT CALENDAR

- 1. PARADE – Baby Rachel’s Legacy Walk/Run**
- 2. PARADE – American Cancer Society**
- 3. RAFFLE – Greater Dover Chamber of Commerce, Price Wheel at Apple Harvest**
- 4. RESOLUTION: B12033 COUNCIL CHAMBER RENOVATIONS
SPONSORED BY MAYOR TREFETHEN BY REQUEST**



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
 Meeting Location: **Council Chambers, City Hall**
 Meeting Date: **Wednesday, March 14, 2012**
 Meeting Time: **7:00 pm**

5. RESOLUTION: B12040 MISCELLANEOUS WORK BOOTS/FOOTWEAR
 SPONSORED BY MAYOR TREFETHEN BY REQUEST

6. RESOLUTION: AWARD OF BID B12042 CUMMINGS WELL CLEANING AND PUMP REPAIRS
 SPONSORED BY MAYOR TREFETHEN BY REQUEST

COMMITTEE REPORTS

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

Deputy Mayor Carrier moved for the approval of the Consent Calendar; seconded by Councilor Hooper.

Mayor Trefethen asked the Council if they had items they would liked pulled for further discussion.

Councilor Hooper asked to pull the second School Board Report.

Deputy Mayor Carrier asked to pull the Appointments Committee Report.

Councilor Garrison asked to pull the Legislative Liaison Report.

Councilor Cheney asked to pull Item #13.A.4.

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

Roll Call Vote: 8/0.

Deputy Mayor Carrier moved for the adoption of Item 13.A.4; seconded by Councilor Cheney.

Councilor Cheney started a discussion about the additional scope of work.

Roll Call Vote: 8/0.

Councilor Hooper gave an overview of the second School Board Report.

Deputy Mayor Carrier moved to accept the School Board Report; seconded by Councilor Garrison.

Vote: 8/0.

Councilor Garrison gave an overview of the Legislative Liaison Report.

Deputy Mayor Carrier moved to accept the Legislative Liaison Report; seconded by Councilor Hooper.

Vote: 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, March 14, 2012**
Meeting Time: **7:00 pm**

Deputy Mayor Carrier gave an overview of the Appointments Committee Report, and asked for the approval of the following reappointments:

Stanley Kaubris – Recreation Advisory Board – Alternate
Mark Moeller, Otis Perry, Jay Stephens to the Dover Utilities Commission.
Michael Egan – Library Board of Trustees.
Marcia Gasses – Planning Board
Otis Perry – Cemetery Board

He said they will be interviewing several applicants at the next meeting, and listed openings on boards and committees.

Councilor Crago asked about Marcia Gasses reappointment to the Conservation Commission and if there is a conflict of interest.

Mayor Trefethen said there has been no final decision made on her reappointment.

Councilor Cheney handed out her statement about the Land Use Boards and cross appointments, and gave an overview to the Council.

Deputy Mayor Carrier moved to accept the Appointments Committee Report; seconded by Councilor Cheney.

Vote: 8/0.

B. RESOLUTIONS

- 1. AMENDMENT FOR WAGES ONLY FOR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE DOVER SCHOOL DISTRICT AND THE DOVER PARAEDUCATORS' ASSOCIATION**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

Moved up on the Agenda to after Item 12.A.4.

- 2. AWARD PURCHASE BIOCUBE MEDIA REPLACEMENT KIT**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Cheney.

City Manager Joyal explained the Resolution to the Council.

Roll Call Vote: 8/0.

- 3. ESTABLISHMENT OF R.W. LORD LIBRARY CAPITAL IMPROVEMENTS TRUST FUND**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Garrison.

Roll Call Vote: 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, March 14, 2012**
Meeting Time: **7:00 pm**

4. ESTABLISHMENT OF SCHOOL ATHLETIC EQUIPMENT CAPITAL RESERVE FUND

(TO BE REFERRED TO A PUBLIC HEARING ON MARCH 28, 2012)
SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on March 28, 2012; seconded by Councilor Weston.

Vote: 8/0.

5. ESTABLISHMENT OF SCHOOL CURRICULUM CAPITAL RESERVE FUND

(TO BE REFERRED TO A PUBLIC HEARING ON MARCH 28, 2012)
SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on March 28, 2012; seconded by Councilor Weston.

Vote: 8/0.

6. ESTABLISHMENT OF SCHOOL TECHNOLOGY CAPITAL RESERVE FUND

(TO BE REFERRED TO A PUBLIC HEARING ON MARCH 28, 2012)
SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on March 28, 2012; seconded by Councilor Crago.

Vote: 8/0.

7. FREE PARKING IN THE DOWNTOWN AREA

(TO BE REFERRED TO A PUBLIC HEARING ON MARCH 28, 2012)
SPONSORED BY COUNCILOR WEEDEN

Deputy Mayor Carrier moved to refer to a public hearing on March 28, 2012; seconded by Councilor Crago.

Vote: 8/0.

C. ORDINANCES IN 1ST READING – None

14. COUNCIL CORRESPONDENCE

A. Marilyn Follansbee

Deputy Mayor Carrier moved to accept and place correspondence on file; seconded by Councilor Hooper.

Vote: 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, March 14, 2012**
Meeting Time: **7:00 pm**

15. COUNCIL MATTERS OF INTEREST

Councilor Crago asked that the Council workshop scheduled for March 21, 2012 be held at the Media Access Center in the McConnell Center.

Mayor Trefethen said the workshop will also discuss the topic of Councilors' feedback on the 2023 Meeting.

Deputy Mayor Carrier spoke about the Master Plan Steering Committee, and the accusations are unfounded and not true. He said they are getting tremendous input from the public and he is proud to be part of it.

Councilor Crago said he attended the workshop on Saturday and said it was very professional. Councilor Weston thanked James Omira, for moving the funding for the ROTC program to the CTC to allow for a revenue source. She said it was a pleasure to participate in the Dover Dancing with the Stars. She recommended that the floor be refinished. She recommended the Police Chief and City Manager to participate next year.

Mayor Trefethen said as they are going through the budget process he wanted to remind the citizens that the Council only has bottom line authority over the School Department's budget.

16. ADJOURNMENT

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

Vote: 8/0.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2012.03.14 – 33**
Resolution Re: Establishment of School Athletic Equipment Capital Reserve Fund

WHEREAS: The Dover School Board approved a February 23, 2012 resolution requesting the City Council adopt the creation of three capital reserve funds; and

WHEREAS: The City Council adopts the City’s Annual Operating Budget, which may include appropriations for capital outlay and funding capital reserve funds; and

WHEREAS: The City Council desires to establish a capital reserve fund to hold and invest amounts designated for certain school athletic equipment related capital needs until such time as the funds are required;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
In accordance with NH RSA 34, a capital reserve fund is established titled School Athletic Equipment Capital Reserve for the deposit of any funds appropriated through the City’s annual operating budget or collected through specific user fee charges, with said funds to be held in custody by the Board of Trustees of the Trust Funds. The funds are to be used for the purpose of purchasing school athletic equipment identified as a project within the City’s Capital Improvements Program and/or annual operating budget.

AND, FURTHER BE IT RESOLVED;
The School Board is designated as the agent to carry out the purposes of the reserve, only after approval of a majority vote of the City Council to expend funds for each project as previously identified within the City’s Capital Improvements Program and/or annual operating budget.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By Request

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

Recorded by: Karen Lavertu
City Clerk

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2012.03.14 – 33**
Resolution Re: Establishment of School Athletic Equipment Capital Reserve Fund

RESOLUTION BACKGROUND MATERIAL:

In accordance with NH RSA 34, a City may establish a Capital Reserve Fund once a public hearing has been held on the proposal and the City Council votes to approve creating the Reserve.

The intent of a Capital Reserve Fund is to allow a community to set aside funds on an annual basis and allow them to accumulate for a designated purpose related to future capital projects. When adequate funding has been accumulated and the timing is appropriate, projects may be identified in the CIP and authorized by vote of the City Council to be funded from this fund.

The School Athletic Equipment Capital Reserve Fund is to be established for purchasing athletic equipment.

The School Athletic Equipment Capital Reserve fund will be financed from annual appropriations approved by the City Council in adopting the operating budget; not debt. Other funding sources may include user fees or other sources voted by the Council at a future date.

Included as background material is a resolution adopted by the Dover School Board requesting creation of this capital reserve fund.

RESOLUTION

RE: REQUEST FOR THE CREATION OF CAPITAL RESERVE FUNDS

WHEREAS: The Dover School Department requires large capital investments for the maintenance and development of its Curriculum Adoption Programs, Technology Infrastructure, and Athletic Equipment; and

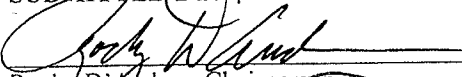
WHEREAS: The Dover School Department has a well-established administrative team to advise the School Board and business office regarding 10 years of planned capital purchases for Technology, Curriculum, and Athletic Equipment; and

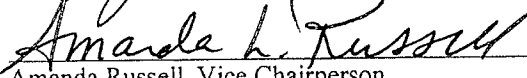
WHEREAS: The City Council has requested that Dover School Department utilize capital reserve funds to provide savings opportunities and budget related security associated with long term planning of capital improvements.

NOW THEREFORE, BE IT RESOLVED THAT HEREIN IS A FORMAL REQUEST FROM THE DOVER SCHOOL BOARD TO THE MAYOR AND DOVER CITY COUNCIL THAT:

The City Council approves the creation of three distinct capital reserve funds to be used by the Dover School Department for the following: Curriculum Capital Reserve, Technology Capital Reserve, and Athletic Equipment Capital Reserve.

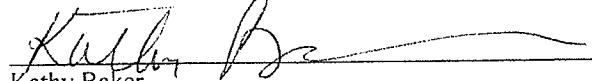
SUBMITTED BY: 1

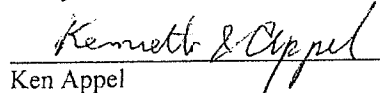

Rocky D'Andrea, Chairperson


Amanda Russell, Vice Chairperson


Betsey Andrews Parker, Secretary

Dr. Paul Butler


Kathy Baker


Ken Appel

Doris Grady

February 23, 2012



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2012.03.14 – 34**

Resolution Re: Establishment of School Curriculum Capital Reserve Fund

WHEREAS: The Dover School Board approved a February 23, 2012 resolution requesting the City Council adopt the creation of three capital reserve funds; and

WHEREAS: The City Council adopts the City’s Annual Operating Budget, which may include appropriations for capital outlay and funding capital reserve funds; and

WHEREAS: The City Council desires to establish a capital reserve fund to hold and invest amounts designated for certain school athletic equipment related capital needs until such time as the funds are required;

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

In accordance with NH RSA 34, a capital reserve fund is established titled School Curriculum Capital Reserve for the deposit of any funds appropriated through the City’s annual operating budget, with said funds to be held in custody by the Board of Trustees of the Trust Funds. The funds are to be used for the purpose of purchasing school curriculum books and materials identified as a project within the City’s Capital Improvements Program and/or annual operating budget.

AND, FURTHER BE IT RESOLVED;

The School Board is designated as the agent to carry out the purposes of the reserve, only after approval of a majority vote of the City Council to expend funds for each project as previously identified within the City’s Capital Improvements Program and/or annual operating budget.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By Request

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

Recorded by: Karen Lavertu
City Clerk

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2012.03.14 – 34**

Resolution Re: Establishment of School Curriculum Capital Reserve Fund

RESOLUTION BACKGROUND MATERIAL:

In accordance with NH RSA 34, a City may establish a Capital Reserve Fund once a public hearing has been held on the proposal and the City Council votes to approve creating the Reserve.

The intent of a Capital Reserve Fund is to allow a community to set aside funds on an annual basis and allow them to accumulate for a designated purpose related to future capital projects. When adequate funding has been accumulated and the timing is appropriate, projects may be identified in the CIP and authorized by vote of the City Council to be funded from this fund.

The School Curriculum Capital Reserve Fund is to be established for purchasing curriculum books and materials.

The School Curriculum Capital Reserve fund will be financed from annual appropriations approved by the City Council in adopting the operating budget; not debt. Other funding sources may include user fees or other sources voted by the Council at a future date.

Included as background material is a resolution adopted by the Dover School Board requesting creation of this capital reserve fund.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.3.

Resolution Number: **R – 2012.03.14 – 36**

Resolution Re: Establishment of School Technology Capital Reserve Fund

WHEREAS: The Dover School Board approved a February 23, 2012 resolution requesting the City Council adopt the creation of three capital reserve funds; and

WHEREAS: The City Council adopts the City's Annual Operating Budget, which may include appropriations for capital outlay and funding capital reserve funds; and

WHEREAS: The City Council desires to establish a capital reserve fund to hold and invest amounts designated for certain school athletic equipment related capital needs until such time as the funds are required;

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

In accordance with NH RSA 34, a capital reserve fund is established titled School Technology Capital Reserve for the deposit of any funds appropriated through the City's annual operating budget, with said funds to be held in custody by the Board of Trustees of the Trust Funds. The funds are to be used for the purpose of purchasing school technology equipment and improvements identified as a project within the City's Capital Improvements Program and/or annual operating budget.

AND, FURTHER BE IT RESOLVED;

The School Board is designated as the agent to carry out the purposes of the reserve, only after approval of a majority vote of the City Council to expend funds for each project as previously identified within the City's Capital Improvements Program and/or annual operating budget.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By Request

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

Recorded by: Karen Lavertu
City Clerk

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.3.

Resolution Number: **R – 2012.03.14 – 36**

Resolution Re: Establishment of School Technology Capital Reserve Fund

RESOLUTION BACKGROUND MATERIAL:

In accordance with NH RSA 34, a City may establish a Capital Reserve Fund once a public hearing has been held on the proposal and the City Council votes to approve creating the Reserve.

The intent of a Capital Reserve Fund is to allow a community to set aside funds on an annual basis and allow them to accumulate for a designated purpose related to future capital projects. When adequate funding has been accumulated and the timing is appropriate, projects may be identified in the CIP and authorized by vote of the City Council to be funded from this fund.

The School Technology Capital Reserve Fund is to be established for purchasing technology equipment and improvements.

The School Technology Capital Reserve fund will be financed from annual appropriations approved by the City Council in adopting the operating budget; not debt. Other funding sources may include user fees or other sources voted by the Council at a future date.

Included as background material is a resolution adopted by the Dover School Board requesting creation of this capital reserve fund.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.4.

Resolution Number: **R – 2012.03.14 – 37**
Resolution Re: **Free Parking in the Downtown Area**

WHEREAS: Parking kiosks were installed in the downtown area of Dover as part of a parking management plan;

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

- A. The policy of the City Council is established to support free parking on public streets in the downtown area of the City of Dover for the use of customers of downtown businesses.
- B. The parking kiosks shall be removed within sixty (60) days of the passage of this resolution. The parking kiosks shall be marketed and sold to recoup the reasonable value of the kiosks at the time of removal.
- C. A public hearing shall be held on this resolution to allow citizens to address the City Council on this resolution.

PUBLIC HEARING IS RECOMMENDED

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch Sponsored by: Councilor Michael Weeden
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#: 12.C.4.

Resolution Number: **R – 2012.03.14 – 37**
Resolution Re: **Free Parking in the Downtown Area**

DOCUMENT HISTORY:

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

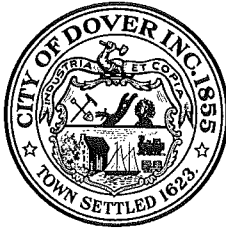
DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Karen Weston, At Large		
Councilor Ed Spuler, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Michael Crago, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Michael Weeden, Ward 6		
Councilor, Robert Carrier, At Large		
Total Votes:		
Resolution does does not pass.		

RESOLUTION BACKGROUND MATERIAL:

Parking kiosks were installed in the downtown area in 2010-2011 in three phases. The cost of the installations was approximately \$600,000. Bonding authority was issued to support the expenditure.

WE HAVE MET W/ CHIEF DAISCOLL,
GARY BANNON : SGT. SPEIDEL
REGARDING THESE PLANS.



RECEIVED
DOVER CITY CLERK
DOVER, NH
2012 MAR 21 P 1:06

FIREWORKS

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: GREATER DOVER CHAMBER OF COMMERCE

Federal Tax ID number for Organization: 02-0127246

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

Contact Person: MICHAEL MENGERS Day Time Telephone: (603) 742-2218

Address: 550 CENTRAL AVENUE Email Address MICHAEL@DOVERN.H.ORG

Purpose of Permit: JULY 4TH FIREWORKS DISPLAY

Date of Event: JULY 4TH Specific Time: 9:15pm

Location of Event: FIREWORK LAUNCH: MAGLAKES PARK FIREWORK VIEWING: HENRY LAW PARK

(Raffle Permit only)

Prize (s) To Be Awarded: _____

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

Place of Drawing: _____

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

**** 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: 3/20/2012

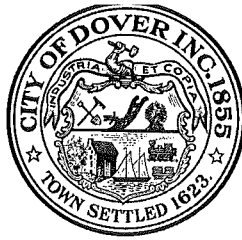
Licensing Board approval [Signature] Date: 3/22/12

Revised 03/17/08

RECEIVED
DOVER CITY CLERK
DOVER, NH

Traffic Bureau
MES

okay
DG



CITY OF DOVER
12 FEB -2 AM 10:45

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: Great Bay Figure Skating Club
Federal Tax ID number for Organization: 23-7430844
Nature of Organization: Religious, Educational, Charitable, Civic, (Sports) Veterans, Fraternal or Political

Contact Person: Karen Benedetti Day Time Telephone: 603-422-7827

Address: 119 Cottonwood Dr. Dover Email Address K.benedetti@comcast.net

Purpose of Permit: 50/50 Raffle at year-end skating exhibition

Date of Event: April 14, 2012 Specific Time: 12:30-2pm

Location of Event: Dover Ice Arena

(Raffle Permit only)
Prize (s) To Be Awarded: 50/50

Amount of Donation: _____ Date of Drawing: April 14, 2012 Specific Time: 1-1:30pm

Place of Drawing: Dover Ice Arena


* 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: Karen Benedetti Date: 3/12/12

Licensing Board approval  Date: 3/16/12
Revised 03/17/08

Not required to register with Charitable Trusts. All set.



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: Stratford County Child Advocacy Center

Federal Tax ID number for Organization: 1026000810

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

Contact Person: Erin McIntyre Day Time Telephone: 516-8102

Address: 259 County Farm Rd. Email Address emcintyre@co.stratford.nh.us

Purpose of Permit: Calendar Raffle

Date of Event: April Specific Time: Every Day

Location of Event: Stratford County Child Advocacy Center

(Raffle Permit only)
Prize (s) To Be Awarded: Various

Amount of Donation: Various Date of Drawing: month of April Specific Time: everyday

Place of Drawing: Stratford County Child Advocacy Center

*** 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://dol.nh.gov/publications/charitable_forms.html

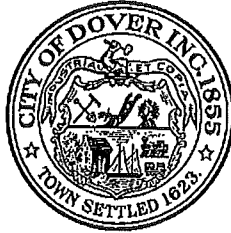
**** NOTE:** ALL REQUESTS FOR PARADE PERMITS AND BLOCK PARTIES MUST HAVE PARADE ROUTE APPROVED BY THE POLICE DEPT. BEFORE GOING ON THE COUNCIL AGENDA

*****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: 3/16/12

Licensing Board approval [Signature] Date: 3/8/12
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: Wentworth - Douglass Hospital & Health Foundation

Federal Tax ID number for Organization: 51-0491062

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

Contact Person: Deborah H. Shelton Day Time Telephone: 603-740-2894

Wentworth - Douglass Hospital 03820
Address: 789 Central Avenue, Dover, NH Email Address deborah.shelton@wdhospital.com

Purpose of Permit: To raffle a trip to the 2013 Masters Golf Tournament

Date of Event: Feb 1, 2013 Specific Time: noon - 12 pm

Location of Event: Wentworth - Douglass Hospital

(Raffle Permit only)

Prize (s) To Be Awarded: Trip to the 2013 Masters Golf Tournament

Amount of Donation: \$ 100 Date of Drawing: Feb. 1, 2013 Specific Time: 12pm - noon

Place of Drawing: Wentworth - Douglass Hospital

* 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

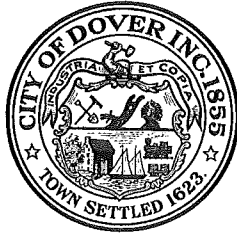
***NOTE: SOLICITING DONATIONS IS PROHIBITED FROM THE ROADWAY WITHOUT SPECIAL PERMISSION FROM THE POLICE DEPARTMENT

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: Deborah H. Shelton Date: 3/21/12

Licensing Board approval [Signature] Date: 3/21/12
Revised 03/17/08

All set with Charitable Trusts - DS



APPLICATION
CITY OF DOVER, NEW HAMPSHIRE

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

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

Organization Name: The Children's Museum of New Hampshire

Federal Tax ID number for Organization: 02-0363746

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

Contact Person: Avron Wensley Day Time Telephone: (603) 969-5299

Address: 2 Hartwood Road Email Address avron.wensley@yahoo.com

Purpose of Permit: Annual 5K Road Race

Date of Event: Saturday, May 5th Specific Time: 9:00 am

Location of Event: See attached map - Start & Finish in Henry Law Park

(Raffle Permit only)

Prize (s) To Be Awarded: _____

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

Place of Drawing: _____

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

** 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: Avron Wensley Date: 3/16/2012

Licensing Board approval [Signature] Date: 3/20/12
Revised 03/17/08

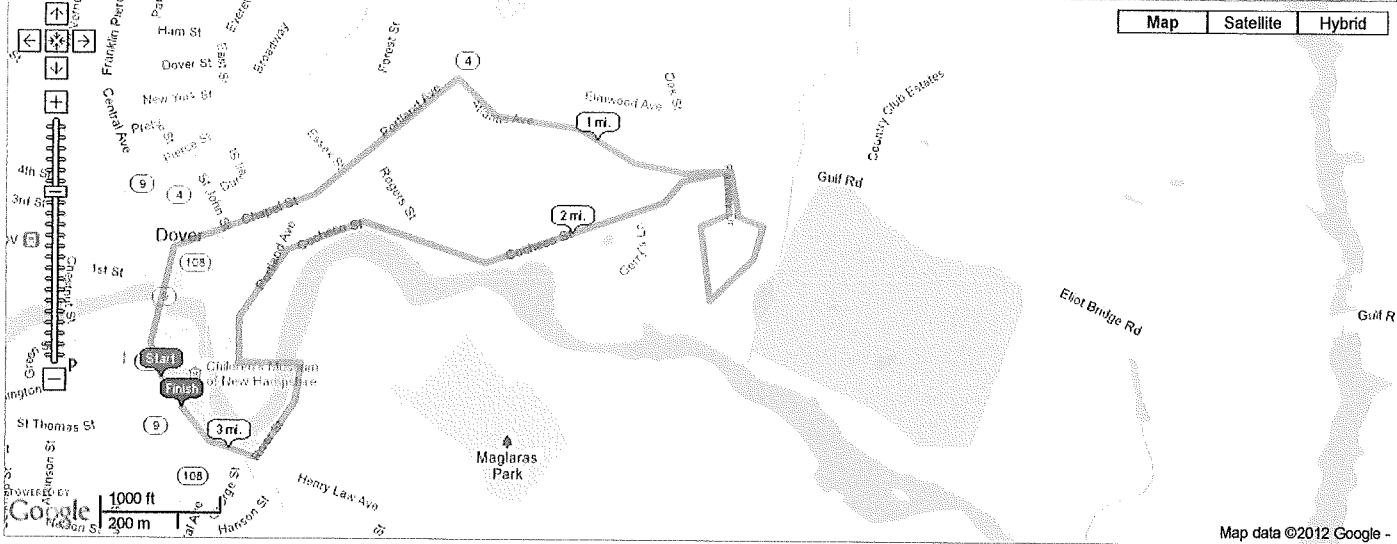
Traffic Bureau
OK
MES
All set with
Charitable
Trusts.
DG



Become a member

Children's Museum 5K

Distance: 3.10 miles / 5.00 km
Location: Start: Museum
 Downtown - Dover, NH, US
Attributes: loop, mixed flat & hills, roads
Description: Through Downtown, Residential Neighborhoods, along River and across Footbridge



Elevation Profile

[Click to view elevation profile](#)

0

Total climb: 0 feet / 0 m

Total elevation change: 0 feet / 0 m

DISCLAIMER: USATF and the author of this route make no warranties as to the conditions, safety, distance accuracy, or suitability for running of this route. Run at your own risk! Added by Aaron Wensley on 3/11/2009



About

- Associations
- Bylaws & Regulations
- Employment & Internships
- Organizational Directory
- Annual Report
- Event Sanctions
- Memberships
- Course Certification

News

- Athlete Bios
- Social Media
- Stats
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- Top-Marks Lists
- Committees
- Hall of Fame

Sports

- Track & Field
- Cross Country
- Road Running
- Race Walking
- Mountain / Ultra / Trail

Groups

- Youth Athletes
- Masters Athletes
- Elite Athletes
- Athlete Alumni
- Coaches
- Officials
- Athlete Representatives
- Event Directors
- Media

Events

- Search the Calendar
- Team USA Events
- National Championships
- USA Running Circuit
- Visa Championship Series
- Television Schedule
- USATF Annual Meeting

Customer Service

- Log In
- Individual Memberships
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- Contact Us
- Privacy & Other Policies



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

March 15, 2012

Dear City Councilors:

I am writing to request permission to host The Children's Museum of New Hampshire's Annual 5K Road Race and Kid's Fun Run beginning at 9:00 am Saturday, May 5, 2012. The Road Race will be the first event and will start (and finish) at the end of Henry Law Avenue abutting Washington Street, behind the Foster's building. The Fun Run will follow and will take place in Henry Law Park, beginning at approximately 10:30 am.

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

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

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

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

Sincerely,

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

enclosed:
*Permit Request Application
and
5K Course Map*

Cc: Dover City Clerk's Office



DOVER POLICE DEPARTMENT

Dover, New Hampshire

Memorandum

TO: Chief Anthony F. Colarusso, Jr.
FROM: Sgt. Marn Speidel, Traffic Bureau
RE: Children's Museum 5K Road Race, Sat. May 5, 2012
DATE: March 20, 2012

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

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

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

POLICE

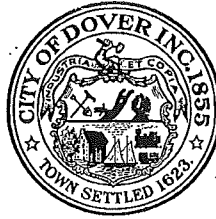
- * Lead cruiser
- * Central Av @ Washington St
- * Central Av @ Second St
- * Main St @ Chapel St
- * Portland Av @ Chapel St
- * Atlantic Av @ Oak St / Gulf Rd
- * Portland Av @ Main St
- * Washington St @ Main St
- * Henry Law Av @ George St
- * Henry Law Av @ Hanson St

RACE VOLUNTEERS

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

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

TO PD
3/14



CITY OF DOVER
12 FEB -3 PM 4:09

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: Islandport Press

Federal Tax ID number for Organization: 010523814

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

Contact Person: Carol Corbett Day Time Telephone: 603-572-9570

Address: P.O. Box 10, Yarmouth, ME 04096 Email Address: Carol.Corbett@islandportpress.com

Purpose of Permit: Charity Crab Walk

Date of Event: 6/2/12 Specific Time: 1:00 PM

Location of Event: Henry Law Park

(Raffle Permit only)

Prize (s) To Be Awarded: _____

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

Place of Drawing: _____

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

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***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: Carol Corbett Date: 3/10/12

Licensing Board approval [Signature] Date: 3/21/12
Revised 03/17/08

Fundraiser for
the Jimmy Ford/Dana Fecher.
okay with
Charitable Trusts Unit.
DC



Division of Development & The Jimmy Fund
10 Brookline Place West, 6th Floor
Brookline, Massachusetts 02445-7226
617.632.3019, 617.632.4070 fax
www.dana-farber.org

February 6, 2012

Ms. Carol Corbett
IslandPort Press
PO Box 10
Yarmouth, Maine 04096

Dear Carol,

Thank you for informing us of your fundraising efforts on behalf of The Jimmy Fund and Dana-Farber Cancer Institute. This letter will confirm that the undersigned is aware of your endeavor to manage the Crab Walk for a Cure events with proceeds to benefit The Jimmy Fund.

While you are now authorized to use the names and logos of Dana-Farber Cancer Institute and The Jimmy Fund to solicit contributions related to any Crab Walk for a Cure event, The Jimmy Fund has not entered into direct sponsorship of your event, nor will it provide any financial support or assume liability for the conduct of the event's managers, participants, or volunteers. Furthermore, the Jimmy Fund's recognition of the Crab Walk for a Cure events is contingent upon your adherence to all applicable State and Federal regulations.

Please submit all contributions collected on The Jimmy Fund's behalf within 30 days of your event date to:

*The Jimmy Fund
Attn: Danielle Grossman
10 Brookline Place West, 6th Floor
Brookline, MA 02445*

Thank you for your support of The Jimmy Fund and Dana-Farber Cancer Institute. With the help of committed volunteers like you we are able to continue our life-saving mission, and we are grateful for your dedication.

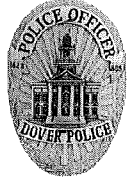
Sincerely,

Danielle Grossman
Senior Assistant, Boston Marathon® Jimmy-Fund Walk



MISSION POSSIBLE

The Dana-Farber Campaign to Conquer Cancer



DOVER POLICE DEPARTMENT

Dover, New Hampshire
Memorandum

TO: Chief Anthony F. Colarusso, Jr.

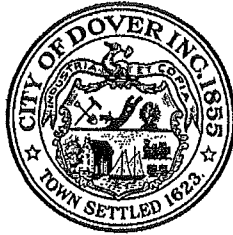
FROM: Sgt. Marn Speidel, Traffic Bureau

RE: Islandport Press / Charity Crab Walk event, Saturday, June 2, 2012

DATE: March 20, 2012

I have spoken with the event organizer, Carol Corbett, to discuss the particulars of this event. This will be a fundraiser to benefit the Jimmy Fund and Dana-Farber Cancer Institute.

The “crab walk” is exactly as it sounds. Participants – many of whom are expected to be children – will walk like a crab using all hands and feet. As such, the total distance covered will probably not exceed a designated loop entirely within the confines of the park. Participants will not be “crab-walking” on any other street or way. No special parking or traffic considerations are necessary for this event.



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: Portsmouth Christian Academy of Dover
Federal Tax ID number for Organization: 020465448
Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: Kim Cummings Day Time Telephone: 742-3617

Address: 20 Seabrook Dr Email Address: kcummings@pcaschool.org

Purpose of Permit: McGuinness Walk

Date of Event: 4/6/12 Specific Time: 9am-12pm

Location of Event: Route begins and ends on Campus of PCA (map attached)

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

Amount of Donation: Date of Drawing: Specific Time:

Place of Drawing:

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

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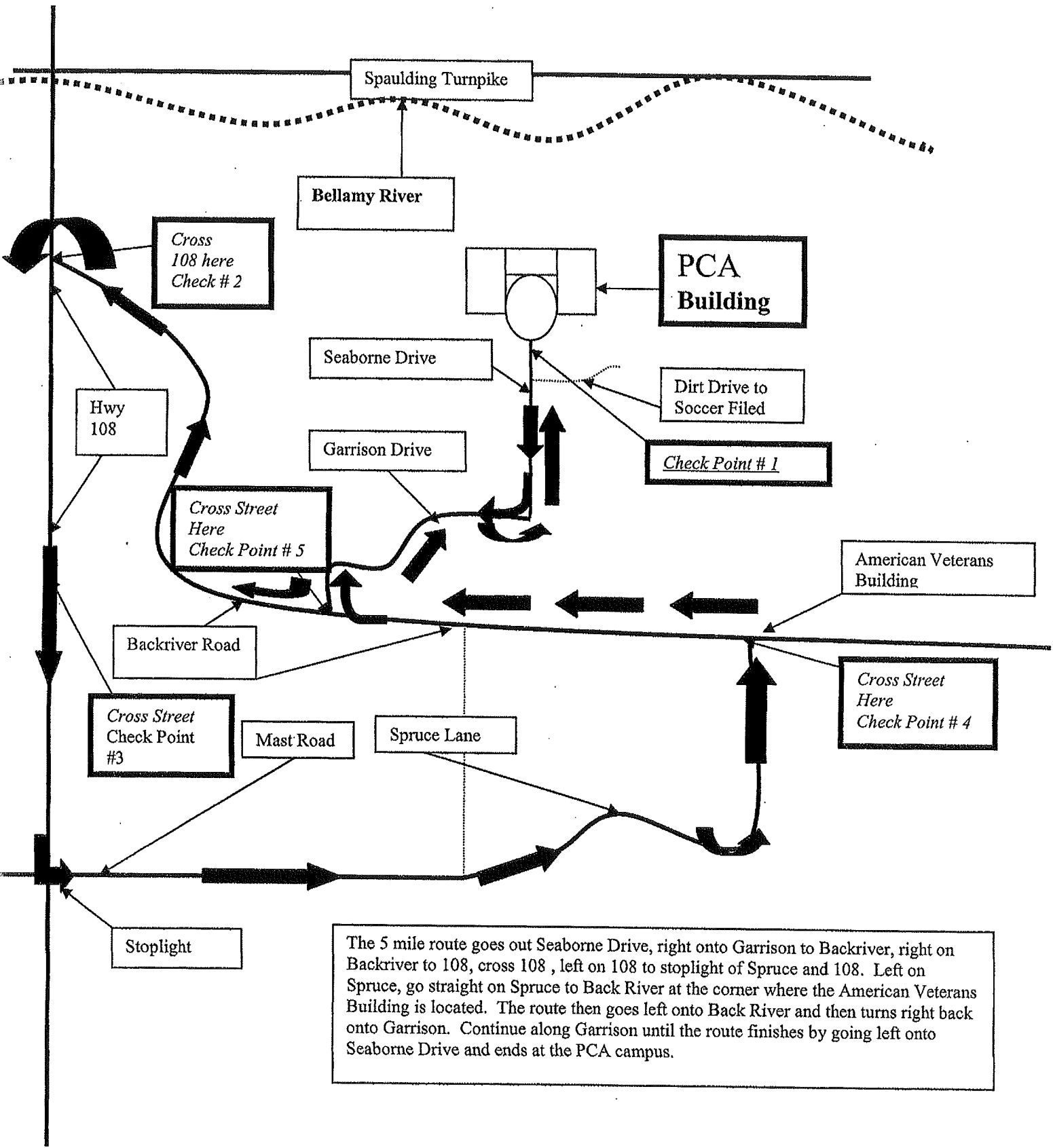
I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.
I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A, RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: [Signature] Date: 3/21/12

Licensing Board approval [Signature] Date: [Blank]
Revised 03/17/08

Traffic Bureau
OK (M.E.S.)
Not a fundraiser - X

**Portsmouth Christian Academy
McGuinness Walk Route
April 6, 2012**



The 5 mile route goes out Seaborne Drive, right onto Garrison to Backriver, right on Backriver to 108, cross 108 , left on 108 to stoplight of Spruce and 108. Left on Spruce, go straight on Spruce to Back River at the corner where the American Veterans Building is located. The route then goes left onto Back River and then turns right back onto Garrison. Continue along Garrison until the route finishes by going left onto Seaborne Drive and ends at the PCA campus.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2012.03.28 – 38**

Resolution Re: Establishment of Class of 1971 Scholarship Trust Fund

WHEREAS: The Dover High School Class of 1971 has provided a generous donation of \$1,000 for a 2012 Dover High School scholarship to be granted to a member of the graduating class who has improved the most over his/her final year at Dover High School; and

WHEREAS: On March 12, 2012 the Dover School Board approved a resolution requesting establishment of the Class of 1971 Scholarship Fund; and

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

The City of Dover accepts receipt of the scholarship in an amount of \$1,000.00 to be held in trust, for the purpose of awarding a scholarship in accordance with provisions prescribed in the approved March 12, 2012 Dover School Board resolution. The scholarship fund is established as an expendable trust fund.

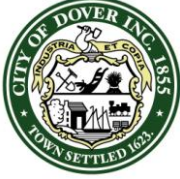
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2012.03.28 – 38**

Resolution Re: Establishment of Class of 1971 Scholarship Trust Fund

RESOLUTION BACKGROUND MATERIAL:

Upon acceptance of the trust by the City Council, said moneys shall be turned over to the Trustees of Trust Funds, to be held as an expendable trust and invested in common with other funds held in trust.

The principal of the trust will be dispersed for the purpose of providing a scholarship in 2012 to a Dover High School graduating student who has improved the most over his/her final year at the high school.

All funds of the trust will be managed and reported on by the Trustees of Trust funds in accordance with State law.

The creation of this scholarship trust fund is the result of a \$1,000.00 donation from the Class of 1971.

The March 12, 2012 resolution approved by the Dover School Board is attached to this resolution.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2012.03.28 – 38**

Resolution Re: **Establishment of Class of 1971 Scholarship Trust Fund**

RESOLUTION RE: EDWARD D. LOZIER SCHOLARSHIP FUNDS

WHEREAS: the Dover School Board approved policy IKG, Establishments of Scholarships, and

WHEREAS: this policy states, "Once the School Board authorizes the establishment of a scholarship, a resolution shall be submitted to the Dover City Council for approval and acceptance of the scholarship funds. Upon City Council approval, the donated scholarship funds will be immediately turned over to the City of Dover, Trustees of Trust Funds," and

WHEREAS: In memory of Edward C. Lozier, a member of the Dover High School faculty, an annual scholarship in the amount of \$100.00 will be granted to a Dover High School senior who plans to pursue education at a career technical school in the field of auto technical or auto collision.

NOW, THEREFORE, BE IT RESOLVED the Dover School Board requests the Dover City Council accept the establishment of the Edward D. Lozier Scholarship and allow the City of Dover to be Trustees of these funds.

SUBMITTED BY:

Marjorie Fisher

Marjorie Fisher, Chairperson, Ward 6

Audra Lurvey

Audra Lurvey, Vice Chairperson, Ward 5

Beth Setear

Beth Setear, Secretary, Ward 1

Britt Ulinski Schuman

Britt Ulinski Schuman, Ward 2

Carolyn Mebert

Carolyn Mebert, Ward 3

Dorothea Hooper

Dorothea Hooper, Ward 4

Doris Grady

Doris Grady, At-Large

April 14, 2008

RESOLUTION
RE: CLASS OF 1971 SCHOLARSHIP FUNDS

WHEREAS: the Dover School Board approved policy IKG, Establishments of Scholarships, and

WHEREAS: this policy states, "Once the School Board authorizes the establishment of a scholarship, a resolution shall be submitted to the Dover City Council for approval and acceptance of the scholarship funds. Upon City Council approval, the donated scholarship funds will be immediately turned over to the City of Dover, Trustees of Trust Funds," and

WHEREAS: a generous donation in the amount of \$1,000 from the Class of 1971 will be granted as a one-time scholarship to a member of the 2012 Dover High School graduating class who has improved the most over his/her final year at Dover High School.

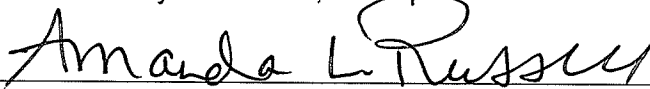
The Dover High School Scholarship Committee will take part in selecting the recipient of this scholarship. The award may be used for any college degree program, as well as to defray the cost of a certification or license.

NOW, THEREFORE, BE IT RESOLVED the Dover School Board requests the Dover City Council accept the establishment of the Class of 1971 Scholarship Fund as an expendable trust and allow the City of Dover to be Trustees of these funds.

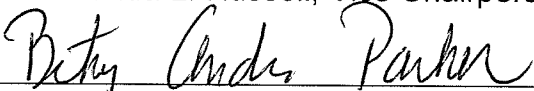
SUBMITTED BY:



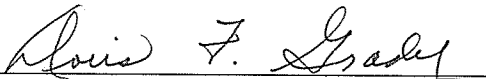
Rocky D'Andrea, Chairperson



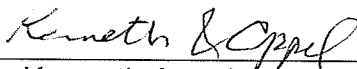
Amanda L. Russell, Vice Chairperson



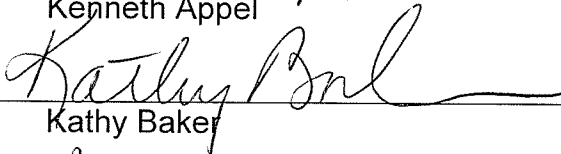
Betsy Andrews Parker, Secretary



Doris F. Grady



Kenneth Appel



Kathy Baker



Paul Butler

March 12, 2012



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2012.03.28 – 39**
Resolution Re: **City Charter Annotation**

Whereas: The City Clerk has significantly changed the format of the Dover City Charter within the last few months; and

Whereas: The Dover City Council would like the format restored to the format used up until this change; and

Whereas: The prior in-line annotation of this document would also maintain compatibility with the NH State Constitution, State RSAs and other Governmental Agencies in presenting information, amendments and history on the same pages as the text they support.

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

The City Clerk will restore the formatting concept and practice to in-line paragraph notation and the Charter will be reviewed for accuracy before being legally authenticated and preserved in the Clerk's Office in accordance with Chapter C11-10 of the Dover City Charter. Henceforth, no format changes shall be made to the Dover City Charter without explicit formal Council approval and a subsequent vote of the Citizenry of Dover.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch Sponsored by: Councilor Cheney
Finance Director

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#: 13.B.2.

Resolution Number: **R – 2012.03.28 – 39**
Resolution Re: **City Charter Annotation**

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Robert Carrier, At Large		
Councilor Ed Spuler, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Michael Crago, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Michael Weeden, Ward 6		
Councilor, Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2012.03.28 – 39**
Resolution Re: **City Charter Annotation**

RESOLUTION BACKGROUND MATERIAL:

The Dover City Charter's annotation of history, amendments, editor's notes has historically been consistent wherein such supporting annotations have been maintained in-line within the Charter body. Most recently the Dover City Clerk changed the notation to move all amendments, history and other significant relevant information to the Table of Contents area. This does not make it readily apparent when researching a specific area of the Charter (for instance Conduct of Elections) to have informational reference readily available in context without going to the Table of Contents to see if there is such information to complete research of a given topic.

History and editor's notes were missing in versions distributed to the Council. Some history has been restored as the document has been worked on recently.

The following 9 pages visually show with clarity the reasoning to keep all reference annotations next to (in-line) with our document bodies for consistency with the State, and other Governmental agencies, and for use by the reader of our documents.

The first four pages are the Charter as it has been kept until the versions most recently distributed to the council for authentication. This shows the charter in its form through history with annotation changes – in-line with notations for history and amendments preserved in the document where the change happens maintaining full integrity of the document.

Pages 1 and 2 of 9 are examples of the table of contents.

Pages 3 and 4 of 9 are examples of the charter document body.

The next three pages show first the NH State Constitution example, a State RSA Table of Contents and a State RSA Body.

Page 5 is both a sample of the NH State Constitution Table of Contents and Body.

Page 6 is a Table of Contents from a state statute.

Page 7 is a body document from a state statute.

The final two pages show the document as it exists unconfirmed or authenticated on record this February 2012 after twice inaccurate copies were distributed to the Council in January 2012. These pages show an entirely different format than has ever been presented before in our Charter's History.

Page 8 is table of contents from that charter cluttered with annotations.

Page 9 is a body document from that charter without relevant annotation.

It is the Citizens document that must be kept intact, preserving document integrity.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: R – 2012.03.28 – 39
Resolution Re: City Charter Annotation

Page 1 of 9
Historical TOC

DOVER CODE THE CHARTER

ARTICLE I INCORPORATION; CITY AND WARD BOUNDARIES

- C1-1. Incorporation
- C1-2. Establishment of Wards
- C1-3. Boundaries of wards

ARTICLE II ELECTIONS

- C2-1. Conduct of elections
- C2-2. Ward officers
- C2-3. (Reserved)
- C2-4. Composition of Board of Supervisors of Elections
- C2-5. Duties of Board
- C2-6. Sessions of Board
- C2-7. Qualifications of voters
- C2-8. Filing of declaration of candidacy
- C2-9. Preparation of ballots
- C2-10. Absentee ballots
- C2-11. Contested elections/Recounts
- C2-12. Preservation of ballots
- C2-13. Display of campaign materials at polling place restricted

ARTICLE III CITY COUNCIL

- C3-1. Membership; term of office
- C3-2. Organizational meeting
- C3-3. Selection of Mayor and Deputy Mayor
- C3-4. Qualifications of Council members
- C3-5. Vacancies
- C3-6. Salaries and compensation
- C3-7. Meetings
- C3-8. Ordinances
- C3-9. Emergency ordinances
- C3-10. Codification of ordinances
- C3-11. Powers and duties

C1



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: R – 2012.03.28 – 39
Resolution Re: City Charter Annotation

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CHARTER ARTICLE XI GENERAL PROVISIONS

C11-1.	Oath of office
C11-2.	Notice of election or appointment
C11-3.	Vacancies
C11-4.	Ethics Commission
C11-5.	Removal from Office
C11-6.	Public records and meetings
C11-7.	Agreements with other municipalities
C11-8.	Specific provisions to prevail
C11-9.	Severability
C11-10.	Authentication of Charter; copies to be kept on file
C11-11.	Charter amendments
C11-12.	(Reserved)
C11-13.	Violations and penalties
C11-14.	When effective

[HISTORY: Adopted by the City Council of the City of Dover 03-09-77 by resolution. Amendments noted where applicable. All references to gender amended to gender neutral references 09-05-90, approved at 11-06-90 election; 2005 Charter Revision Committee items approved at 11-08-2005 Municipal Election where noted]

C4



CITY OF DOVER

CITY OF DOVER - RESOLUTION

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Resolution Number: R – 2012.03.28 – 39
Resolution Re: City Charter Annotation

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DOVER CODE

3-1

C3-3

ARTICLE III CITY COUNCIL

C3-1. Membership; term of office. [Amended 08-30-95, approved at 11-07-95 Municipal Election; Amended 08-09-2000, approved at 11/07/2000 Municipal Election; amended 07-10-2002, approved at 11/05/2002 General Election]

Except as otherwise provided in the Charter, all of the powers of the city shall be vested in a Council of nine Councilors, one Councilor from each ward, two Councilors at Large, and one Councilor to serve as Mayor, to be elected as provided in C2-1 and C3-3. All Councilors shall be elected for terms of two years and shall take office on the first Monday in January following the election and shall hold office until their successors are duly elected and qualified.

C3-2. Organization meeting. [Amended 9-25-85, approved at 11-05-85 Municipal Election]

The Councilors so chosen shall meet in their capacity as the City Council on the first Monday of January next following their election for the purpose of taking their respective oaths of office, adopting rules for the transaction of business required by law or ordinance to be transacted at such meeting. The City Clerk shall act as the Clerk of the Council. In the event that the first Monday of January is a holiday, the organization meeting shall take place on the Tuesday immediately following the first Monday of January.

The City Council shall establish by ordinance an orientation program for the newly elected City Council. The orientation program shall inform members on their role, appropriate ethics and the responsibilities of the City Council. The program shall provide an understanding of the budgetary process as well as the city charter, city ordinances, and relevant state law. The program shall be conducted prior to the organizational meeting. [Added 11-05-2005 by Municipal Election]

C3-3. Selection of Mayor and Deputy Mayor [Amended 9-25-85, approved at 11-05-85 Municipal Election; Amended 08-30-95, approved at 11-07-95 Municipal Election; amended 02-12-03, approved at 11-04-03 Municipal Election; Amended 11-05-2005 by Municipal Election]

The Mayor shall be elected by popular vote at each municipal election. The Mayor shall serve in the capacity of a Councilor at Large and shall have all of the powers and discharge of all the duties of the office of City Councilor. In addition, the Mayor shall be the official head of the city for all ceremonial purposes. Notwithstanding RSA 49-C:12-1, which only permits a directly elected mayor to vote for the purposes of breaking a tie, it is the voters intent to allow the Mayor to vote as authorized by Section II of that law. The Mayor shall preside at all meetings-of the Council and may speak and vote in such meetings. All other duties of the Mayor prescribed by law shall be exercised by the Manager provided for in this Charter. The Council shall choose one of its members as Deputy Mayor, who shall act in the absence or disability of the Mayor.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: R – 2012.03.28 – 39
Resolution Re: City Charter Annotation

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DOVER CODE

C11-10

C11-14

C11-10. Authentication of Charter; copies to be kept on file. [Amended 09-05-90; approved at 11-06-90 Election]

Upon adoption, the Official Charter, duly authenticated by affixing the signatures of all members of the City Council, the City Clerk and the City Seal, shall be filed with the City Clerk and remain in the Clerk's office as the Official Charter of the City of Dover. All amendments to this Charter shall be authenticated in a like manner and filed with and remain a part of the Official Charter. The City Clerk shall be responsible for the proper maintenance of the Charter, under the direction of the City Manager, with advice of legal counsel. Copies of the Charter shall be available to the public, and the City Clerk may charge a nominal cost to help defray the printing costs. Bids for the printing and binding of the Charter shall be in accordance with the provisions of C6-16 of the Charter.

C11-11. Charter amendments. [Amended 09-25-85, approved at 11-05-85 Municipal Election]

Any amendments or revisions of this Charter shall be accomplished in accordance with the provisions of RSA 49-B and any subsequent amendments thereto.

- A. Periodic Review. Not less than once every ten (10) years, commencing in the year 2011, the City Council shall vote at its first regular meeting of the year on the following question "Shall a Charter Commission be created to review and make recommendations concerning the provisions of the charter of the City of Dover?" If a majority of the Council shall vote in the affirmative, then the Council shall take whatever action is required under state law to bring about the formation of a Charter Commission prior to the next municipal election. [Added 11-05-2005 by Municipal Election]

C11-12. (Reserved)*

C11-13. Violations and penalties. [Amended 09-05-90, approved at 11-06-90 Election]

All willful violations of provisions of this Charter, unless otherwise provided, are hereby declared to be violations, and all such violations and all violations of city ordinances for which no other punishment is provided shall be punishable by a fine of up to one thousand dollars (\$1,000) in the discretion of the court.

C11-14. When effective.

This Charter and any amendments thereto shall take effect immediately upon the filing by the Board of Supervisors of Elections with the City Council of its certificate of the results of the election, indicating voter approval thereof, unless otherwise provided in the amendment(s). The provisions regarding the city budget shall not take effect, however, until January 1, next following said time. All elective or appointive officers and employees of the city at said time shall continue in the service of the city for the remainder of their terms, except as otherwise provided in this Charter.

***Editor's Note: Former C11-10, Amendments to change form of government, was repealed 09-25-85, approved at 11-05-85 Municipal Election.** C33



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2012.03.28 – 39**
Resolution Re: **City Charter Annotation**

Page 5 of 9 New Hampshire State Constitution Table of Contents and Body Sample

State Constitution

ESTABLISHED OCTOBER 31, 1783 TO TAKE EFFECT JUNE 2, 1784 AS SUBSEQUENTLY AMENDED AND IN FORCE JANUARY 2007

PART FIRST- BILL OF RIGHTS

Article

1. Equality of men; origin and object of government.
2. Natural rights.
- 2-a. The bearing of arms.
3. Society, its organization and purposes.
4. Rights of conscience unalienable.
5. Religious freedom recognized.
6. Morality and piety.
7. State sovereignty.
8. Accountability of magistrates and officers; public's right to know.
9. No hereditary office or place.
10. Right of revolution.
11. Elections and elective franchises.
12. Protection and taxation reciprocal.
- 12-a. Power t take property limited.
13. Conscientious objectors not compelled to bear arms.
14. Legal remedies to be free, complete, and prompt.
15. Right of accused.
16. Former jeopardy; jury trial in capital cases.
17. Venue of criminal prosecution.
18. Penalties to be proportioned to offenses; true design of punishment.
19. Searches and seizures regulated.
20. Jury trial in civil causes.
21. Jurors; compensation.

[Art.] 8. [Accountability of Magistrates and Officers; Public's Right to Know.] All power residing originally in, and being derived from, the people, all the magistrates and officers of government are their substitutes and agents, and at all times accountable to them. Government, therefore, should be open, accessible, accountable and responsive. To that end, the public's right of access to governmental proceedings and records shall not be unreasonably restricted.

June 2, 1784

Amended 1976 by providing right of access to governmental proceedings and records.

[Art.] 9. [No Hereditary Office or Place.] No office or place, whatsoever, in government, shall be hereditary - the abilities and integrity requisite in all, not being transmissible to posterity or relations.

June 2, 1784

[Art.] 10. [Right of Revolution.] Government being instituted for the common benefit, protection, and security, of the whole community, and not for the private interest or emolument of any one man, family, or class of men; therefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to reform the old, or establish a new government. The doctrine of nonresistance against arbitrary power, and oppression, is absurd, slavish, and destructive of the good and happiness of mankind.

June 2, 1784

[Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile. No person shall have the right to vote under the constitution of this state who has been convicted of treason, bribery or any willful violation of the election laws of this state or of the United States; but the supreme court may, on notice to the attorney general, restore the privilege to vote to any person who may have forfeited it by conviction of such offenses. The general court shall provide by law for voting by qualified voters who at the time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of town elections by official ballot, are absent from the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any officer or officers to be elected or upon any question submitted at such election. Voting registration and polling places shall be easily accessible to all persons including disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question submitted at such election. The right to vote shall not be denied to any person because of the non-payment of any tax. Every inhabitant of the state, having the proper qualifications, has equal right to be elected into office.

June 2, 1784

Amended 1903 to provide that in order to vote or be eligible for office a person must be able to read the English language and to write.
Amended 1912 to prohibit those convicted of treason, bribery or willfull violation of the election laws from voting or holding elective office.
Amended 1942 to provide for absentee voting in general elections.
Amended 1956 to provide for absentee voting in primary elections.
Amended 1968 to provide right to vote not denied because of nonpayment of taxes. Also amended in 1968 to delete an obsolete phrase.
Amended 1976 to reduce voting age to 18.
Amended 1984 to provide accessibility to all registration and polling places.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: R – 2012.03.28 – 39
Resolution Re: City Charter Annotation

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New Hampshire Statutes

Table of Contents

CHAPTER 91-A: ACCESS TO GOVERNMENTAL RECORDS AND MEETINGS

- [Section 91-A:1 Preamble.](#)
- [Section 91-A:1-a Definitions.](#)
- [Section 91-A:2 Meetings Open to Public.](#)
- [Section 91-A:2-a Communications Outside Meetings.](#)
- [Section 91-A:3 Nonpublic Sessions.](#)
- [Section 91-A:4 Minutes and Records Available for Public Inspection.](#)
- [Section 91-A:5 Exemptions.](#)
- [Section 91-A:5-a Limited Purpose Release.](#)
- [Section 91-A:6 Employment Security.](#)
- [Section 91-A:7 Violation.](#)
- [Section 91-A:8 Remedies.](#)
- [Section 91-A:9 Destruction of Certain Information Prohibited.](#)
- [Section 91-A:10 Release of Statistical Tables and Limited Data Sets for Research.](#)
- [Section 91-A:11-15 Repealed.](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: R – 2012.03.28 – 39
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RSA Body*

TITLE VI PUBLIC OFFICERS AND EMPLOYEES

CHAPTER 91-A ACCESS TO GOVERNMENTAL RECORDS AND MEETINGS

Section 91-A:2-a

91-A:2-a Communications Outside Meetings. –

I. Unless exempted from the definition of "meeting" under RSA 91-A:2, I, public bodies shall deliberate on matters over which they have supervision, control, jurisdiction, or advisory power only in meetings held pursuant to and in compliance with the provisions of RSA 91-A:2, II or III.

II. Communications outside a meeting, including, but not limited to, sequential communications among members of a public body, shall not be used to circumvent the spirit and purpose of this chapter as expressed in RSA 91-A:1.

Source. 2008, 303:4, eff. July 1, 2008.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: R – 2012.03.28 – 39
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approved 08-23-2001 and amended 11-06-2001 by Municipal election; amended 11-08-2011 by Municipal election.]

ARTICLE II ELECTIONS

- C2-1. Conduct of Elections** [Amended 11/07/1995 by Municipal election; amended 11/07/2000 by Municipal election; amended 11/05/2002 by General election; amended 11-05-2005 by Municipal election; approved 7/25/2007 and amended at 11/6/2007 Municipal election.]
- C2-2. Ward Officers** [Amended 11/07/2000 by Municipal election; amended 11/06/2001 by Municipal election; amended 11/05/2002 by General election; amended 11-05-2005 by Municipal election].
Editor's Note: See RSA 44:11, as amended by CH. 435, Laws of 1977, for changes affecting this section of the Charter
- C2-3. (Reserved)** [Repealed 11-05-2005 by Municipal election]. Editor's Note: Formerly Supervisor of Checklist section
- C2-4. Composition of Board of Supervisors of Elections** [Amended 11-05-2005 by Municipal election]
- C2-5. Duties of Board** [Amended 11-05-2005 by Municipal election]
- C2-6. Sessions of Board** [Amended 11-06-1990 by General election; amended 11-05-2005 by Municipal

[Amended 11-04-2003 by Municipal election]

- C2-12. Preservation of Ballots**
- C2-13. Display of Campaign Materials at Polling Place Restricted** [Amended 11-05-1985 by Municipal Election; amended 11-04-2003 by Municipal election]

ARTICLE III CITY COUNCIL

- C3-1. Membership; Term of Office** [Amended 11-07-1995 by Municipal Election; amended 11/07/2000 by Municipal election; amended 11/05/2002 by General election; amended 11-05-2005 by Municipal election]
- C3-2. Organizational Meeting** [Amended 11-05-1985 by Municipal election]
- C3-3. Selection of Mayor and Deputy Mayor** [Amended 11-05-1985 by Municipal election; amended 11-07-1995 by Municipal election; amended 11-04-2003 by Municipal election; amended 11-05-2005 by Municipal election]
- C3-4. Qualifications of Council Members** [Amended 11-03-1992 by General election; amended 11-07-1995 by Municipal election; amended 11-06-2001 by Municipal election; amended per N.H. Supreme Court 12-2002; amended 11-05-2005 by Municipal election].
Editors Note: Consecutive term limitations language was removed due to a N H



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: R – 2012.03.28 – 39
Resolution Re: City Charter Annotation

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CHARTER

or paraphernalia on behalf of any candidate for office. No person shall affix to public property or display in any permanent form thereon any campaign material or paraphernalia on behalf of any candidate for office.

ARTICLE III CITY COUNCIL

C3-1. Membership; Term of Office

Except as otherwise provided in the Charter, all of the powers of the city shall be vested in a Council of nine Councilors, one Councilor from each ward, two Councilors at Large, and one Councilor to serve as Mayor, to be elected as provided in C2-1 and C3-3. All Councilors shall be elected for terms of two years and shall take office on the first Monday in January following the election and shall hold office until their successors are duly elected and qualified.

C3-2. Organization Meeting

The Councilors so chosen shall meet in their capacity as the City Council on the first Monday of January next following their election for the purpose of taking their respective oaths of office, adopting rules for the transaction of business required by law or ordinance to be transacted at such meeting. The City Clerk shall act as the Clerk of the Council. In the event that the first Monday of January is a holiday, the organization meeting shall take place on the Tuesday immediately following the first Monday of January.

The City Council shall establish by ordinance an orientation program for the newly elected City Council. The orientation program shall inform members on their role, appropriate ethics and the responsibilities of the City Council. The program shall provide an understanding of the budgetary process as well as the city charter, city ordinances, and relevant state law. The program shall be conducted prior to the organizational meeting.

C3-3. Selection of Mayor and Deputy Mayor

The Mayor shall be elected by popular vote at each municipal election. The Mayor shall serve in the capacity of a Councilor at Large and shall have all of the powers and discharge of all the duties of the office of City Councilor. In addition, the Mayor shall be the official head of the city for all ceremonial purposes. Notwithstanding RSA 49-C:12-1, which only permits a directly elected mayor to vote for the purposes of breaking a tie, it is the voters intent to allow the Mayor to vote as authorized by Section II of that law. The Mayor shall preside at all meetings of the Council and may speak and vote in such meetings. All other duties of the Mayor prescribed by law shall be exercised by the Manager provided for in

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CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2012.03.28 – 40**
Resolution Re: **City Charter Annotation History**

- Whereas: The City Clerk has significantly changed the format of the Dover City Charter within the last few months; and
- Whereas: The Dover City Council would like the format restored to the format used up until this change; and
- Whereas: The prior in-line annotation of our Dover City Charter preserved information as to amendments made, along with adoptions; and
- Whereas: The Dover City Clerk has removed all amendment history; and
- Whereas: The Dover City Charter’s integrity is considered crucial to the Citizenry of Dover and the Dover City Council; and
- Whereas: Many documents including the NH State Constitution, State RSAs, our own Ordinances, and other Governmental Agencies in presenting a complete as possible depiction of this essential document.

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

The City Clerk will restore amendment history to the Dover City Charter’s in-line notation and the Charter will be reviewed for accuracy before being legally authenticated and preserved in the Clerk’s Office in accordance with Chapter C11-10 of the Dover City Charter. Henceforth, no format or information content changes shall be made to the Dover City Charter without explicit formal Council approval and subsequent vote of the Citizenry of Dover.

AUTHORIZATION

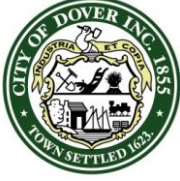
Approved as to Funding: Daniel R. Lynch Sponsored by: Councilor Cheney
Finance Director

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#: 13.B.3.

Resolution Number: **R – 2012.03.28 – 40**
Resolution Re: **City Charter Annotation History**

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Robert Carrier, At Large		
Councilor Ed Spuler, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Michael Crago, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Michael Weeden, Ward 6		
Councilor, Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2012.03.28 – 40**
Resolution Re: **City Charter Annotation History**

RESOLUTION BACKGROUND MATERIAL:

The Dover City Charter's annotation has always included amendment history thereby providing the reader a source of accepted changes to the Charter. Recently, the Dover City Clerk has removed all historical reference to the amendments to the Charter and provided only the adopted dates.

The reader can more easily read and research the Charter with complete annotation. This has always been in the Dover City Charter and has been removed just recently.

Minimally the Council must return the document's integrity and provide that should such valuable information ever be removed it would be by a vote of the people.

The following 4 pages visually show with clarity the removal of historical annotation pertaining to amendments in our City Charter.

The first 2 pages are the Charter as it has been kept until the versions most recently distributed to the council for authentication. This shows the charter in its form through history with amendment and adoption information.

Pages 1 and 2 of 4 are examples of the charter document body.

The next 2 pages show how our Charter body annotation has changed.

Pages 3 and 4 of 4 are examples of the charter document body.

It is the Citizens document that must be kept intact, preserving document integrity.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: R – 2012.03.28 – 40
Resolution Re: City Charter Annotation History

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ARTICLE III CITY COUNCIL

C3-1. Membership; term of office. [Amended 08-30-95, approved at 11-07-95 Municipal Election; Amended 08-09-2000, approved at 11/07/2000 Municipal Election; amended 07-10-2002, approved at 11/05/2002 General Election]

Except as otherwise provided in the Charter, all of the powers of the city shall be vested in a Council of nine Councilors, one Councilor from each ward, two Councilors at Large, and one Councilor to serve as Mayor, to be elected as provided in C2-1 and C3-3. All Councilors shall be elected for terms of two years and shall take office on the first Monday in January following the election and shall hold office until their successors are duly elected and qualified.

C3-2. Organization meeting. [Amended 9-25-85, approved at 11-05-85 Municipal Election]

The Councilors so chosen shall meet in their capacity as the City Council on the first Monday of January next following their election for the purpose of taking their respective oaths of office, adopting rules for the transaction of business required by law or ordinance to be transacted at such meeting. The City Clerk shall act as the Clerk of the Council. In the event that the first Monday of January is a holiday, the organization meeting shall take place on the Tuesday immediately following the first Monday of January.

The City Council shall establish by ordinance an orientation program for the newly elected City Council. The orientation program shall inform members on their role, appropriate ethics and the responsibilities of the City Council. The program shall provide an understanding of the budgetary process as well as the city charter, city ordinances, and relevant state law. The program shall be conducted prior to the organizational meeting. [Added 11-05-2005 by Municipal Election]

C3-3. Selection of Mayor and Deputy Mayor [Amended 9-25-85, approved at 11-05-85 Municipal Election; Amended 08-30-95, approved at 11-07-95 Municipal Election; amended 02-12-03, approved at 11-04-03 Municipal Election; Amended 11-05-2005 by Municipal Election]

The Mayor shall be elected by popular vote at each municipal election. The Mayor shall serve in the capacity of a Councilor at Large and shall have all of the powers and discharge of all the duties of the office of City Councilor. In addition, the Mayor shall be the official head of the city for all ceremonial purposes. Notwithstanding RSA 49-C:12-1, which only permits a directly elected mayor to vote for the purposes of breaking a tie, it is the voters intent to allow the Mayor to vote as authorized by Section II of that law. The Mayor shall preside at all meetings-of the Council and may speak and vote in such meetings. All other duties of the Mayor prescribed by law shall be exercised by the Manager provided for in this Charter. The Council shall choose one of its members as Deputy Mayor, who shall act in the absence or disability of the Mayor.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: R – 2012.03.28 – 40
Resolution Re: City Charter Annotation History

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Historical Content

DOVER CODE

C11-10

C11-14

C11-10. Authentication of Charter; copies to be kept on file. [Amended 09-05-90; approved at 11-06-90 Election]

Upon adoption, the Official Charter, duly authenticated by affixing the signatures of all members of the City Council, the City Clerk and the City Seal, shall be filed with the City Clerk and remain in the Clerk's office as the Official Charter of the City of Dover. All amendments to this Charter shall be authenticated in a like manner and filed with and remain a part of the Official Charter. The City Clerk shall be responsible for the proper maintenance of the Charter, under the direction of the City Manager, with advice of legal counsel. Copies of the Charter shall be available to the public, and the City Clerk may charge a nominal cost to help defray the printing costs. Bids for the printing and binding of the Charter shall be in accordance with the provisions of C6-16 of the Charter.

C11-11. Charter amendments. [Amended 09-25-85, approved at 11-05-85 Municipal Election]

Any amendments or revisions of this Charter shall be accomplished in accordance with the provisions of RSA 49-B and any subsequent amendments thereto.

- A. Periodic Review. Not less than once every ten (10) years, commencing in the year 2011, the City Council shall vote at its first regular meeting of the year on the following question "Shall a Charter Commission be created to review and make recommendations concerning the provisions of the charter of the City of Dover?" If a majority of the Council shall vote in the affirmative, then the Council shall take whatever action is required under state law to bring about the formation of a Charter Commission prior to the next municipal election. [Added 11-05-2005 by Municipal Election]

C11-12. (Reserved)*

C11-13. Violations and penalties. [Amended 09-05-90, approved at 11-06-90 Election]

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***Editor's Note: Former C11-10, Amendments to change form of government, was repealed 09-25-85, approved at 11-05-85 Municipal Election. C33**



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: R – 2012.03.28 – 40
Resolution Re: City Charter Annotation History

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C3-2. Organization Meeting [Amended 11-05-1985 by Municipal election]

The Councilors so chosen shall meet in their capacity as the City Council on the first Monday of January next following their election for the purpose of taking their respective oaths of office, adopting rules for the transaction of business required by law or ordinance to be transacted at such meeting. The City Clerk shall act as the Clerk of the Council. In the event that the first Monday of January is a holiday, the organization meeting shall take place on the Tuesday immediately following the first Monday of January.

The City Council shall establish by ordinance an orientation program for the newly elected City Council. The orientation program shall inform members on their role, appropriate ethics and the responsibilities of the City Council. The program shall provide an understanding of the budgetary process as well as the city charter, city ordinances, and relevant state law. The program shall be conducted prior to the organizational meeting. [Added 11-05-2005 by Municipal election]

C3-3. Selection of Mayor and Deputy Mayor [Amended 11-05-1985 by Municipal election; amended 11-07-1995 by Municipal election; amended 11-04-2003 by Municipal election; amended 11-05-2005 by Municipal election]

The Mayor shall be elected by popular vote at each municipal election. The Mayor shall serve in the capacity of a Councilor at Large and shall have all of the powers and discharge of all the duties of the office of City Councilor. In addition, the Mayor shall be the official head of the city for all ceremonial purposes. Notwithstanding RSA 49-C:12-1, which only permits a directly elected mayor to vote for the purposes of breaking a tie, it is the voters intent to allow the Mayor to vote as authorized by Section II of that law. The Mayor shall preside at all meetings of the Council and may speak and vote in such meetings. All other duties of the Mayor prescribed by law shall be exercised by the Manager provided for in this Charter. The Council shall choose one of its members as Deputy Mayor, who shall act in the absence or disability of the Mayor.

C3-4. Qualifications of Council Members [Amended 11-03-1992 by General election; amended 11-07-1995 by Municipal election; amended 11-06-2001 by Municipal election; amended per N.H. Supreme Court 12-2002³; amended 11-05-2005 by Municipal election]

In order to be qualified to be a candidate for election as Councilor at Large, a person must be a duly qualified voter in the city and must have been a resident of the city for at least one year immediately preceding the election. In order to be a candidate for election as a Ward Councilor, in addition to the aforementioned qualifications, a person must be a resident of the ward from which he or she is seeking election. A Councilor shall not be eligible to hold any other municipal office except Mayor or Deputy Mayor.

³ Editors Note: Consecutive term limitations language was removed due to a N.H. Supreme Court decision in *Hooksett v. Baines* (December 2002)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: R – 2012.03.28 – 40
Resolution Re: City Charter Annotation History

Page 3 of 4 CHANGED BODY

CHARTER

elective officer may become employed by the City within one (1) year after their term of office ends.

ARTICLE XI GENERAL PROVISIONS

C11-1. Oath of Office

Every person elected or appointed to any city office, before entering upon the duties of his office, shall take and subscribe to such oath of office or affirmation as provided by law, which shall be filed and kept in the office of the City Clerk.

C11-2. Notice of Election or Appointment

Written notice of the election or appointment to any city office or board shall be mailed to the individual involved at their last known address, by the City Clerk, within forty-eight (48) hours after the appointment is made or the results of any vote are certified by the Board of Supervisors of Elections to the City Council. Said notice shall state that within ten (10) days, the individual involved shall file with the City Clerk an acceptance of his/her election or appointment and failure to do so shall be deemed a refusal to serve, and the position shall thereupon be vacant.

C11-3. Vacancies

In addition to other provisions of this Charter, a vacancy shall be deemed to exist in any department, office or board whenever an officer, member or employee dies, resigns, is removed for just cause, is permanently physically or mentally incapacitated to the degree they are unable to perform their duties, are judicially declared to be mentally incompetent or, in those instances where residence in the city or in one of its several wards is initially required, he/she moves from the city or ward and establishes his/her residence in some other place. Unless otherwise provided in this Charter, vacancies occurring under this section shall be declared to exist by the Manager in the case of department heads and by the department head in the case of departmental personnel.

C11-4. Ethics Commission

The City Council shall establish by ordinance a five member Ethics Commission. The Commission will investigate complaints filed against members of the City Council, School Board, and members of standing city boards and commissions. If the Commission believes a complaint warrants further action or censure it will forward its recommendation to the City Council for adjudication or the school board for complaints made against school board members. At least one member of the Commission shall be a former Councilor or School Board member. [Added 11-05-2005 by Municipal election]



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2012.03.28 - 41**
Resolution Re: **City Charter Table of Contents**

- Whereas: The City Clerk has significantly changed the format of the Dover City Charter within the last few months; and
- Whereas: The Dover City Council would like the format restored to the format used up until this change; and
- Whereas: The prior Table of Contents of our Dover City Charter would also maintain compatibility with the NH State Constitution, State RSAs, and other Governmental Agencies in presenting a general Table of Contents without any extraneous, misleading, or duplicative information.

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

The City Clerk will restore the formatting concept and practice to a simple straightforward Table of Contents and the Charter will be reviewed for accuracy before being legally authenticated and preserved in the Clerk’s Office in accordance with Chapter C11-10 of the Dover City Charter. Henceforth, no format changes shall be made to the Dover City Charter without explicit formal Council approval and subsequent public vote of the Citizens of Dover.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch Sponsored by: Councilor Cheney
Finance Director

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#: 13.B.4.

Resolution Number: **R – 2012.03.28 - 41**

Resolution Re: **City Charter Table of Contents**

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Robert Carrier, At Large		
Councilor Ed Spuler, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Michael Crago, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Michael Weeden, Ward 6		
Councilor, Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2012.03.28 - 41**
Resolution Re: **City Charter Table of Contents**

RESOLUTION BACKGROUND MATERIAL:

The Dover City Charter's Table of Contents has always been a standard Table of Contents where the topic and section are printed so that a reader would know where to find subject mater. Most recently the Dover City Clerk changed the Table of Contents to put annotation within the Table of Contents. The Dover City Clerk removed the annotation from the body and then put it partially back in. The annotation should exist only in one place in a document, the body.

Having the annotation information in the Table of Contents causes the reader to have to flip pages or refer back to the Table of Contents long after the Table of Contents has served the purpose of directing the reader to the appropriate section of our Dover City Charter. Most recently, the City Clerk has also put these annotations into the document body causing duplicate notation and leaving even more margin for confusion and errors to occur.

The following 11 pages visually show with clarity the reasoning to keep the Table of Contents in the purist and traditional sense for consistency with the State, and other Governmental agencies, and for use by the reader of our documents.

The first four pages are the Charter as it has been kept until the versions most recently distributed to the council for authentication. This shows the charter in its form through history with a standard Table of Contents and Body.

Pages 1, 2 and 3 of 11 are examples of the table of contents.

Pages 4 and 5 of 11 are examples of the charter document body.

The next three pages show the document as it exists unconfirmed or authenticated on record currently after twice inaccurate copies were distributed to the Council in January 2012. These pages show an entirely different format than has ever been presented before in our Charter's History.

Pages 6 and 7 of 11 are a table of contents from that charter cluttered with annotations.

Page 8 of 11 is a body document from that charter with some incomplete in-line annotation.

Page 9 of 11 is both a sample of the NH State Constitution Table of Contents and Body.

Page 10 of 11 is a Table of Contents from a state statute.

Page 11 of 11 is a body document from a state statute.

It is the Citizens document that must be kept intact, preserving document integrity.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: R – 2012.03.28 - 41
Resolution Re: City Charter Table of Contents

Page 1 of 11
Historical TOC

DOVER CODE **THE CHARTER**

ARTICLE I **INCORPORATION; CITY AND WARD BOUNDARIES**

- C1-1. Incorporation
- C1-2. Establishment of Wards
- C1-3. Boundaries of wards

ARTICLE II **ELECTIONS**

- C2-1. Conduct of elections
- C2-2. Ward officers
- C2-3. (Reserved)
- C2-4. Composition of Board of Supervisors of Elections
- C2-5. Duties of Board
- C2-6. Sessions of Board
- C2-7. Qualifications of voters
- C2-8. Filing of declaration of candidacy
- C2-9. Preparation of ballots
- C2-10. Absentee ballots
- C2-11. Contested elections/Recounts
- C2-12. Preservation of ballots
- C2-13. Display of campaign materials at polling place restricted

ARTICLE III **CITY COUNCIL**

- C3-1. Membership; term of office
- C3-2. Organizational meeting
- C3-3. Selection of Mayor and Deputy Mayor
- C3-4. Qualifications of Council members
- C3-5. Vacancies
- C3-6. Salaries and compensation
- C3-7. Meetings
- C3-8. Ordinances
- C3-9. Emergency ordinances
- C3-10. Codification of ordinances
- C3-11. Powers and duties

C1



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: R – 2012.03.28 - 41
Resolution Re: City Charter Table of Contents

Page 2 of 11 Historical TOC

ARTICLE VIII WATERWORKS

- C8-1. Construction
- C8-2. Contracts for water; establishment of charges
- C8-3. Authorization of taxation and borrowing
- C8-4. Assistance to other municipality

ARTICLE IX (Reserved)

ARTICLE X CONDUCT OF OFFICIALS

- C10-1. Eligibility for elective office
- C10-2. Conflicts of interest
- C10-3. Disqualification from decision-making process
- C10-4. Private use of city property and personnel
- C10-5. Acceptance of gifts and gratuities
- C10-6. Disposition of fees
- C10-7. Misuse of information
- C10-8. Applicability
- C10-9. Civil penalty
- C10-10. Future employment



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: R – 2012.03.28 - 41
Resolution Re: City Charter Table of Contents

Page 3 of 11
Historical TOC

CHARTER ARTICLE XI GENERAL PROVISIONS

C11-1.	Oath of office
C11-2.	Notice of election or appointment
C11-3.	Vacancies
C11-4.	Ethics Commission
C11-5.	Removal from Office
C11-6.	Public records and meetings
C11-7.	Agreements with other municipalities
C11-8.	Specific provisions to prevail
C11-9.	Severability
C11-10.	Authentication of Charter, copies to be kept on file
C11-11.	Charter amendments
C11-12.	(Reserved)
C11-13.	Violations and penalties
C11-14.	When effective

[HISTORY: Adopted by the City Council of the City of Dover 03-09-77 by resolution. Amendments noted where applicable. All references to gender amended to gender neutral references 09-05-90, approved at 11-06-90 election; 2005 Charter Revision Committee items approved at 11-08-2005 Municipal Election where noted]

C4



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: R – 2012.03.28 - 41
Resolution Re: City Charter Table of Contents

*Page 4 of 11
Historical Content*

DOVER CODE

3-1

C3-3

ARTICLE III CITY COUNCIL

C3-1. Membership; term of office. [Amended 08-30-95, approved at 11-07-95 Municipal Election; Amended 08-09-2000, approved at 11/07/2000 Municipal Election; amended 07-10-2002, approved at 11/05/2002 General Election]

Except as otherwise provided in the Charter, all of the powers of the city shall be vested in a Council of nine Councilors, one Councilor from each ward, two Councilors at Large, and one Councilor to serve as Mayor, to be elected as provided in C2-1 and C3-3. All Councilors shall be elected for terms of two years and shall take office on the first Monday in January following the election and shall hold office until their successors are duly elected and qualified.

C3-2. Organization meeting. [Amended 9-25-85, approved at 11-05-85 Municipal Election]

The Councilors so chosen shall meet in their capacity as the City Council on the first Monday of January next following their election for the purpose of taking their respective oaths of office, adopting rules for the transaction of business required by law or ordinance to be transacted at such meeting. The City Clerk shall act as the Clerk of the Council. In the event that the first Monday of January is a holiday, the organization meeting shall take place on the Tuesday immediately following the first Monday of January.

The City Council shall establish by ordinance an orientation program for the newly elected City Council. The orientation program shall inform members on their role, appropriate ethics and the responsibilities of the City Council. The program shall provide an understanding of the budgetary process as well as the city charter, city ordinances, and relevant state law. The program shall be conducted prior to the organizational meeting. [Added 11-05-2005 by Municipal Election]

C3-3. Selection of Mayor and Deputy Mayor [Amended 9-25-85, approved at 11-05-85 Municipal Election; Amended 08-30-95, approved at 11-07-95 Municipal Election; amended 02-12-03, approved at 11-04-03 Municipal Election; Amended 11-05-2005 by Municipal Election]

The Mayor shall be elected by popular vote at each municipal election. The Mayor shall serve in the capacity of a Councilor at Large and shall have all of the powers and discharge of all the duties of the office of City Councilor. In addition, the Mayor shall be the official head of the city for all ceremonial purposes. Notwithstanding RSA 49-C:12-1, which only permits a directly elected mayor to vote for the purposes of breaking a tie, it is the voters intent to allow the Mayor to vote as authorized by Section II of that law. The Mayor shall preside at all meetings-of the Council and may speak and vote in such meetings. All other duties of the Mayor prescribed by law shall be exercised by the Manager provided for in this Charter. The Council shall choose one of its members as Deputy Mayor, who shall act in the absence or disability of the Mayor.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: R – 2012.03.28 - 41
Resolution Re: City Charter Table of Contents

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Historical Content

DOVER CODE

C11-10

C11-14

C11-10. Authentication of Charter; copies to be kept on file. [Amended 09-05-90; approved at 11-06-90 Election]

Upon adoption, the Official Charter, duly authenticated by affixing the signatures of all members of the City Council, the City Clerk and the City Seal, shall be filed with the City Clerk and remain in the Clerk's office as the Official Charter of the City of Dover. All amendments to this Charter shall be authenticated in a like manner and filed with and remain a part of the Official Charter. The City Clerk shall be responsible for the proper maintenance of the Charter, under the direction of the City Manager, with advice of legal counsel. Copies of the Charter shall be available to the public, and the City Clerk may charge a nominal cost to help defray the printing costs. Bids for the printing and binding of the Charter shall be in accordance with the provisions of C6-16 of the Charter.

C11-11. Charter amendments. [Amended 09-25-85, approved at 11-05-85 Municipal Election]

Any amendments or revisions of this Charter shall be accomplished in accordance with the provisions of RSA 49-B and any subsequent amendments thereto.

- A. Periodic Review. Not less than once every ten (10) years, commencing in the year 2011, the City Council shall vote at its first regular meeting of the year on the following question "Shall a Charter Commission be created to review and make recommendations concerning the provisions of the charter of the City of Dover?" If a majority of the Council shall vote in the affirmative, then the Council shall take whatever action is required under state law to bring about the formation of a Charter Commission prior to the next municipal election. [Added 11-05-2005 by Municipal Election]

C11-12. (Reserved)*

C11-13. Violations and penalties. [Amended 09-05-90, approved at 11-06-90 Election]

All willful violations of provisions of this Charter, unless otherwise provided, are hereby declared to be violations, and all such violations and all violations of city ordinances for which no other punishment is provided shall be punishable by a fine of up to one thousand dollars (\$1,000) in the discretion of the court.

C11-14. When effective.

This Charter and any amendments thereto shall take effect immediately upon the filing by the Board of Supervisors of Elections with the City Council of its certificate of the results of the election, indicating voter approval thereof, unless otherwise provided in the amendment(s). The provisions regarding the city budget shall not take effect, however, until January 1, next following said time. All elective or appointive officers and employees of the city at said time shall continue in the service of the city for the remainder of their terms, except as otherwise provided in this Charter.

*Editor's Note: Former C11-10, Amendments to change form of government, was repealed 09-25-85, approved at 11-05-85 Municipal Election. C33



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: R – 2012.03.28 - 41
Resolution Re: City Charter Table of Contents

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approved 08-23-2001 and amended 11-06-2001 by Municipal election; amended 11-08-2011 by Municipal election.]

ARTICLE II ELECTIONS

- C2-1. Conduct of Elections** [Amended 11/07/1995 by Municipal election; amended 11/07/2000 by Municipal election; amended 11/05/2002 by General election; amended 11-05-2005 by Municipal election; approved 7/25/2007 and amended at 11/6/2007 Municipal election.]
- C2-2. Ward Officers** [Amended 11/07/2000 by Municipal election; amended 11/06/2001 by Municipal election; amended 11/05/2002 by General election; amended 11-05-2005 by Municipal election].
Editor's Note: See RSA 44:11, as amended by CH. 435, Laws of 1977, for changes affecting this section of the Charter
- C2-3. (Reserved)** [Repealed 11-05-2005 by Municipal election]. Editor's Note: Formerly Supervisor of Checklist section
- C2-4. Composition of Board of Supervisors of Elections** [Amended 11-05-2005 by Municipal election]
- C2-5. Duties of Board** [Amended 11-05-2005 by Municipal election]
- C2-6. Sessions of Board** [Amended 11-06-1990 by General election; amended 11-05-2005 by Municipal

[Amended 11-04-2003 by Municipal election]

- C2-12. Preservation of Ballots**
- C2-13. Display of Campaign Materials at Polling Place Restricted** [Amended 11-05-1985 by Municipal Election; amended 11-04-2003 by Municipal election]

ARTICLE III CITY COUNCIL

- C3-1. Membership; Term of Office** [Amended 11-07-1995 by Municipal Election; amended 11/07/2000 by Municipal election; amended 11/05/2002 by General election; amended 11-05-2005 by Municipal election]
- C3-2. Organizational Meeting** [Amended 11-05-1985 by Municipal election]
- C3-3. Selection of Mayor and Deputy Mayor** [Amended 11-05-1985 by Municipal election; amended 11-07-1995 by Municipal election; amended 11-04-2003 by Municipal election; amended 11-05-2005 by Municipal election]
- C3-4. Qualifications of Council Members** [Amended 11-03-1992 by General election; amended 11-07-1995 by Municipal election; amended 11-06-2001 by Municipal election; amended per N.H. Supreme Court 12-2002; amended 11-05-2005 by Municipal election].
Editors Note: Consecutive term limitations language was removed due to a NH



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: R – 2012.03.28 - 41
Resolution Re: City Charter Table of Contents

Page 7 of 11 CHANGED TOC

- C6-10. Lapse of Appropriations**
- C6-11. Depository**
- C6-12. Independent Audit**
- C6-13. Bonding of Officials**
- C6-14. Borrowing Procedure**
- C6-15. Debt Limit**
- C6-16. Purchasing Procedure [Amended 11-05-1985 by Municipal election; amended 11-06-1990 by General election]**
- C6-17. Special Assessments**
- C6-18. Trust Fund [Amended 11-05-1985 by Municipal election]**

ARTICLE VII PERSONNEL POLICIES

- C7-1. Appointments**
- C7-2. Merit Plan [Amended 11-05-2005 by Municipal election]**
- C7-3. Compensation**
- C7-4. Certification of Payroll [Amended 11-06-1990 by General election]**
- C7-5. Employee Insurance**
- C7-6. Personnel Advisory Board**
- C7-7. Public Safety Employees [Added 11-08-1983 by Municipal election; amended at 11-06-1984 General election]**

ARTICLE VIII WATERWORKS

- C8-1. Construction**
- C8-2. Contracts for Water; Establishment of Charges**
- C8-3. Authorization of Taxation and Borrowing**
- C8-4. Assistance to Other Municipality**

C9-1 (Reserved) Editor's Note: Former Article 1X, Hospital, was repealed 09-25-85, approved at 11-05-85 Municipal Election.

ARTICLE X CONDUCT OF OFFICIALS

- C10-2. Conflicts of Interest [Amended 11-06-1990 by Municipal election; amended 11-04-2003 by Municipal election]**
- C10-3. Disqualification from Decision-Making Process**
- C10-4. Private Use of City Property and Personnel**
- C10-5. Acceptance of Gifts and Gratuities**
- C10-6. Disposition of Fees**
- C10-7. Misuse of Information**
- C10-8. Applicability [Amended 11-06-1990 by General election]**
- C10-9. Civil Penalty {Editor's Note: For further penalties, see C11-13}**
- C10-10. Future Employment [Amended 11-03-1992 by General election]**

ARTICLE XI GENERAL PROVISIONS

- C11-1. Oath of Office**
- C11-2. Notice of Election or Appointment**
- C11-3. Vacancies**
- C11-4. Ethics Commission [Added 11-05-2005 by Municipal election]**
- C11-5. Removal from Office [Added 11-05-2005 by Municipal election]**
- C11-6. Public Records and Meetings**
- C11-7. Agreements with Other Municipalities**
- C11-8. Specific Provisions to Prevail**
- C11-9. Severability**
- C11-10. Authentication of Charter; Copies to be Kept on File [Amended 11-06-1990 by General election]**
- C11-11. Charter Amendments [Amended 11-05-1985 by Municipal election; amended 11-05-2005 by Municipal election]**
- C11-12. (Reserved) Editor's Note: Former C11-10, Amendments to change form of government, was repealed 09-25-85, approved at 11-05-85 Municipal Election.**



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: R – 2012.03.28 - 41
Resolution Re: City Charter Table of Contents

Page 8 of 11 CHANGED BODY

C3-2. Organization Meeting [Amended 11-05-1985 by Municipal election]

The Councilors so chosen shall meet in their capacity as the City Council on the first Monday of January next following their election for the purpose of taking their respective oaths of office, adopting rules for the transaction of business required by law or ordinance to be transacted at such meeting. The City Clerk shall act as the Clerk of the Council. In the event that the first Monday of January is a holiday, the organization meeting shall take place on the Tuesday immediately following the first Monday of January.

The City Council shall establish by ordinance an orientation program for the newly elected City Council. The orientation program shall inform members on their role, appropriate ethics and the responsibilities of the City Council. The program shall provide an understanding of the budgetary process as well as the city charter, city ordinances, and relevant state law. The program shall be conducted prior to the organizational meeting. [Added 11-05-2005 by Municipal election]

C3-3. Selection of Mayor and Deputy Mayor [Amended 11-05-1985 by Municipal election; amended 11-07-1995 by Municipal election; amended 11-04-2003 by Municipal election; amended 11-05-2005 by Municipal election]

The Mayor shall be elected by popular vote at each municipal election. The Mayor shall serve in the capacity of a Councilor at Large and shall have all of the powers and discharge of all the duties of the office of City Councilor. In addition, the Mayor shall be the official head of the city for all ceremonial purposes. Notwithstanding RSA 49-C:12-1, which only permits a directly elected mayor to vote for the purposes of breaking a tie, it is the voters intent to allow the Mayor to vote as authorized by Section II of that law. The Mayor shall preside at all meetings of the Council and may speak and vote in such meetings. All other duties of the Mayor prescribed by law shall be exercised by the Manager provided for in this Charter. The Council shall choose one of its members as Deputy Mayor, who shall act in the absence or disability of the Mayor.

C3-4. Qualifications of Council Members [Amended 11-03-1992 by General election; amended 11-07-1995 by Municipal election; amended 11-06-2001 by Municipal election; amended per N.H. Supreme Court 12-2002³; amended 11-05-2005 by Municipal election]

In order to be qualified to be a candidate for election as Councilor at Large, a person must be a duly qualified voter in the city and must have been a resident of the city for at least one year immediately preceding the election. In order to be a candidate for election as a Ward Councilor, in addition to the aforementioned qualifications, a person must be a resident of the ward from which he or she is seeking election. A Councilor shall not be eligible to hold any other municipal office except Mayor or Deputy Mayor.

³ Editors Note: Consecutive term limitations language was removed due to a N.H. Supreme Court decision in *Hooksett v. Baines* (December 2002)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2012.03.28 - 41**
Resolution Re: **City Charter Table of Contents**

Page 9 of 11 New Hampshire State Constitution Table of Contents and Body Sample

State Constitution

ESTABLISHED OCTOBER 31, 1783 TO TAKE EFFECT JUNE 2, 1784 AS SUBSEQUENTLY AMENDED AND IN FORCE JANUARY 2007

PART FIRST- BILL OF RIGHTS

Article

1. Equality of men; origin and object of government.
2. Natural rights.
- 2-a. The bearing of arms.
3. Society, its organization and purposes.
4. Rights of conscience unalienable.
5. Religious freedom recognized.
6. Morality and piety.
7. State sovereignty.
8. Accountability of magistrates and officers; public's right to know.
9. No hereditary office or place.
10. Right of revolution.
11. Elections and elective franchises.
12. Protection and taxation reciprocal.
- 12-a. Power t take property limited.
13. Conscientious objectors not compelled to bear arms.
14. Legal remedies to be free, complete, and prompt.
15. Right of accused.
16. Former jeopardy; jury trial in capital cases.
17. Venue of criminal prosecution.
18. Penalties to be proportioned to offenses; true design of punishment.
19. Searches and seizures regulated.
20. Jury trial in civil causes.
21. Jurors; compensation.

[Art.] 8. [Accountability of Magistrates and Officers; Public's Right to Know.] All power residing originally in, and being derived from, the people, all the magistrates and officers of government are their substitutes and agents, and at all times accountable to them. Government, therefore, should be open, accessible, accountable and responsive. To that end, the public's right of access to governmental proceedings and records shall not be unreasonably restricted.

June 2, 1784

Amended 1976 by providing right of access to governmental proceedings and records.

[Art.] 9. [No Hereditary Office or Place.] No office or place, whatsoever, in government, shall be hereditary - the abilities and integrity requisite in all, not being transmissible to posterity or relations.

June 2, 1784

[Art.] 10. [Right of Revolution.] Government being instituted for the common benefit, protection, and security, of the whole community, and not for the private interest or emolument of any one man, family, or class of men; therefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to reform the old, or establish a new government. The doctrine of nonresistance against arbitrary power, and oppression, is absurd, slavish, and destructive of the good and happiness of mankind.

June 2, 1784

[Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile. No person shall have the right to vote under the constitution of this state who has been convicted of treason, bribery or any willful violation of the election laws of this state or of the United States; but the supreme court may, on notice to the attorney general, restore the privilege to vote to any person who may have forfeited it by conviction of such offenses. The general court shall provide by law for voting by qualified voters who at the time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of town elections by official ballot, are absent from the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any officer or officers to be elected or upon any question submitted at such election. Voting registration and polling places shall be easily accessible to all persons including disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question submitted at such election. The right to vote shall not be denied to any person because of the non-payment of any tax. Every inhabitant of the state, having the proper qualifications, has equal right to be elected into office.

June 2, 1784

Amended 1903 to provide that in order to vote or be eligible for office a person must be able to read the English language and to write.
Amended 1912 to prohibit those convicted of treason, bribery or willfull violation of the election laws from voting or holding elective office.
Amended 1942 to provide for absentee voting in general elections.
Amended 1956 to provide for absentee voting in primary elections.
Amended 1968 to provide right to vote not denied because of nonpayment of taxes. Also amended in 1968 to delete an obsolete phrase.
Amended 1976 to reduce voting age to 18.
Amended 1984 to provide accessibility to all registration and polling places.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

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TITLE VI PUBLIC OFFICERS AND EMPLOYEES

CHAPTER 91-A ACCESS TO GOVERNMENTAL RECORDS AND MEETINGS

Section 91-A:2-a

91-A:2-a Communications Outside Meetings. –

I. Unless exempted from the definition of "meeting" under RSA 91-A:2, I, public bodies shall deliberate on matters over which they have supervision, control, jurisdiction, or advisory power only in meetings held pursuant to and in compliance with the provisions of RSA 91-A:2, II or III.

II. Communications outside a meeting, including, but not limited to, sequential communications among members of a public body, shall not be used to circumvent the spirit and purpose of this chapter as expressed in RSA 91-A:1.

Source. 2008, 303:4, eff. July 1, 2008.