



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, August 8, 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. AUTHENTICATION OF THE OFFICIAL CHARTER OF THE CITY OF DOVER**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
 - B. AMENDMENT OF FY2013 FEE SCHEDULE RELATED TO IN-VEHICLE PARKING METER RELOAD FEES (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
 - C. CHAPTER 166-44: VEHICLES AND TRAFFIC; IN-VEHICLE PARKING METERS**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
- 8. CITIZEN'S FORUM**

Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.
- 9. CITY MANAGER'S REPORT**
- 10. APPROVAL OF MINUTES**
 - A. July 18, 2012 – Workshop**
 - B. July 25, 2012 – Regular Meeting**
 - C. July 25, 2012 – Workshop**
- 11. MAYOR'S REPORT**
- 12. UNFINISHED BUSINESS**
 - A. ORDINANCES IN THE 2nd READING**
 - 1. CHAPTER 166-44: VEHICLES AND TRAFFIC; IN-VEHICLE PARKING METERS**
SPONSORED BY MAYOR TREFETHEN BY REQUEST



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B. ORDINANCES IN THE 3rd READING – None

C. RESOLUTIONS

- 1. AUTHENTICATION OF THE OFFICIAL CHARTER OF THE CITY OF DOVER**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
- 2. AMENDMENT OF FY2013 FEE SCHEDULE RELATED TO IN-VEHICLE PARKING METER RELOAD FEES (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

13. NEW BUSINESS

A. CONSENT CALENDAR

- 1. BLOCK PARTY – Lexington Street**
- 2. 50/50 RAFFLE – Dover High School Football Booster's Club**
- 3. RAFFLE – Dover High School Football Booster's Club – Thanksgiving**
- 4. ROAD TOLL – American Legion Auxiliary**
- 5. RESOLUTION: SETTING VOTING HOURS FOR THE NOVEMBER 6, 2012 GENERAL ELECTION**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
- 6. RESOLUTION: B13003 OFF ROAD DIESEL FUEL**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
- 7. RESOLUTION: B13004 #2 HEATING FUEL**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
- 8. RESOLUTION: B13005 NATURAL GAS SUPPLIER**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

COMMITTEE REPORTS

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



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B. RESOLUTIONS

- 1. RESOLUTION: SETTING OF PROPERTY TAX EXEMPTIONS FOR ELDERLY, BLIND AND DISABLED FOR FY2013**
SPONSORED BY MAYOR TREFETHEN

C. ORDINANCES IN 1ST READING – None

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

CITY MANAGER'S REPORT



August 8, 2012

"Never be content to sit on the sidelines when there is so much work to be done on the field. "

- Susan Gale.

SUBMITTED BY:

J. MICHAEL JOYAL, JR.
CITY MANAGER

CITY OF
DOVER, NH

AVAILABLE ONLINE:

WWW.DOVER.NH.GOV

STREETS, WATER, SEWER UPDATES

Utilities: Utilities crews have been working on Broadway, in the area between Ham Street and Pierce Street, to relocate water services. Crews have continued to reconnect the house services from an early 1900's eight-inch cast iron main to the 1970's twelve-inch main, which run parallel to each other. As discussed last month, this process involves tapping the twelve-inch main and running new copper to the shut-offs in the sidewalk area. The division has experienced many water main breaks on the eight-inch main, with the latest happening during the winter of 2011, causing extensive damage to city and private property. Staff will also replace the hydrants and tie-in Ham Street as part of this first phase. The next phase will involve the area from Pierce Street to Chapel Street.

Leak detection has also been ongoing, utilizing both computer and handheld devices. Staff has been able to locate leaks in some areas, while others have been reported by residents. Leaks in private services were reported at the Pruven maintenance garage, located on Mast Road, and another next to Newick's Restaurant at 435 Dover Point Road. A leak was reported and repaired at 68 Silver Street as it was determined to be on the City's side. A leak was also discovered on Bellamy Field and has since been repaired by the school department. A grant has been submitted to the state to conduct a leak survey throughout the entire city. Staff has been notified of preliminary approval and is currently awaiting Governor and Council approval before a contract can be awarded.

Employees continued to update the water maps for the city, which has been a challenging task. There have been no updated versions for the past 20 years or so. Although new developments are being added through the GIS system, a backlog of old city projects still exists.

Crews are still assisting with the water shut-downs in the Applevale Reconstruction project so the contractor can remove the asbestos pipe in order to install new hydrants and gates. The new main was installed on Hawthorne Drive and is now looped in with the rest of the Applevale Drive area, which was previously on a dead-end line.

After the Sewer Division received the second small flow pump for the River Street Pump Station, which had been sent back for repairs, the running condition was found to be worse than the first one returned. An independent vibration analysis was conducted to determine their condition and both pumps received a failing grade. The vendor subsequently came in and conducted additional hydraulic and vibrations analyses. The City is still awaiting those results.

Streets/Stormwater: The Highway Division continued to patch various potholes throughout the city, as needed. Roadside brush cutting has been completed on Blackwater Road, Whittier Street and most of Varney Road. A machine breakdown has temporarily suspended the operation, but will resume as soon as the repairs are complete.

Crews have started with the catch basin cleanings. This is an annual project, where half of the basins within the city are cleaned one year and the other half the next, on a rotating basis. The work has started in the north-end and is expected to take several weeks to complete. In addition to the cleanings, catch basins repairs were completed on Tennyson Avenue and Greenfield Drive. A new catch basin was installed on Henry Law Avenue, across from Penny Lane, after drainage problems were reported. The new basin will help divert the water away from the nearby properties. Crews installed another new basin on Bellamy Road in order to capture the water before reaching the sidewalk, where it would freeze and create a hazard in the winter.

In collaboration with the University of New Hampshire, the Highway Division has been working on the installation of a rain garden. As part of this project, crews recently installed two new catch basins and nearly 200-feet of drain line on Horne Street. Additional catch basins will be installed by Glencrest and Crescent Avenues in order to divert water through the rain garden. Employees also conducted drainage repairs near 75 Redden Street. A clogged culvert was cleaned out and a section of old pipe, which had separated, was repaired and a portion replaced.

Crews have been busy prepping streets for upcoming paving projects. With additional areas still on the list, preparations have been completed (or are nearly complete) on Central Avenue, Bellamy Road, Tennyson Avenue, Henry Law Avenue, New Rochester Road and Old Rochester Road. Brox has finished raising the structures and completed the prep work on Central Avenue, New Rochester Road and Old Rochester Road; paving on those streets is scheduled to begin soon. Tri-State Paving has also been working on cutting/patching and trimming/shimming in various areas, with a main focus on sidewalk overlays.

The Whittier Street Bridge has been closed down for inspection. As a part of the preventative maintenance program, the bridge plates are pulled apart every four years in order to examine the structure and make necessary repairs. After an inspection by the Louis Berger Group, it was determined that new plates will need to be installed to cover the entire bridge, instead of the small section that is currently there. T-Buck Construction has been contracted to perform these repairs but are currently waiting on materials. Once these repairs are complete, another inspection will need to be performed before the bridge can be reopened.

Crews continued working in the pit, located behind the Public Works Facility, mixing gravels and screening sand. These materials will be used for upcoming projects. Employees have also assisted at the Recycling Center by hauling cans of debris and filling in when understaffed or as needed.

PROGRAMS AT CITY CENTERS/BUREAUS

Investigations/Legal Bureau: During the month of July 2012, there were 5 letters generated by the Dover Police Special Investigations Unit that were sent to certain licensed liquor establishments in Dover. The letters were a result of analysis of police reports involving overly intoxicated persons. When it is determined that an overly intoxicated person had been over-served, a letter is sent from the Police Department to the establishment. The letter, along with the police report, is also sent to the NH Liquor Commission's Bureau of Enforcement.

A total of 9 registered sex offenders were processed during the month. The processing of a sex offender can range from the annual, semi-annual, quarterly, or initial registration, and can also include a change of address or other information that must be updated.

The SIU continued to investigate burglaries reported during recent months. Suspects and leads have been developed in several Dover cases.

In addition, the SIU assisted the Lebanon NH Police Department with a burglary investigation arising from Lebanon. As a result, a suspect was arrested here in Dover and a great deal of stolen property from burglaries both in Lebanon and the Seacoast area was recovered.

During one of the recent Dover burglaries a laptop was stolen. In July 2012, the SIU learned that the victim of the burglary, a Dover woman, was receiving e-mails containing personal photographs that had been stored

on that laptop. The sender of the e-mails demanded that the victim send more photographs to him. The SIU, in conjunction with the United States Secret Service, was able to determine the e-mails were coming from a Kittery Maine resident who was subsequently arrested on federal extortion charges.

The SIU also investigated 2 unattended deaths that occurred in July.

Parking Bureau: The contract for the in-vehicle parking meter system is being reviewed by the Parking Manager, as well as Dover's Legal and Finance departments. Once the contract is signed, the system could be in place in 90 days. Parking revenues may decrease slightly since IVPM users would pay by the minute for the actual time used and users will not need to project how long they may be at a particular location. In addition, users who would normally pay for a one hour minimum using a credit at the street side meters will also pay by the minute.

A contract for a new credit card processing provider is being reviewed by the Parking Manager, as well as the Legal and Finance departments. Parkeon, the makers of Dover's street side meters also provides credit card processing services. Using their services would mean less the City would pay in fees.

The Parking Commission and Parking Manager are working with the Planning Department to review sequencing options for the Downtown Dover Development Initiative (3Di) proposal. The objective of the sequencing plan is to minimize its effect on parking stresses for neighboring businesses and residents.

The Parking Manager, working with the Finance, Planning, Assessing and Legal departments, continues to review financing options for a downtown parking garage that would avoid using tax income from any current private property. There are numerous variables that are being considered including the size and design of the parking garage, the actual value that the in-fill lots can provide through their sale, and the tax income value of the developments themselves.

The Parking Manager is beginning a comprehensive review of the current parking regulations in chapter 166.

Traffic Bureau: Sgt. Speidel, the Traffic Bureau Commander, helped coordinate all traffic control particulars for the opening night of the Greater Dover Chamber of Commerce's Cocheco Arts Festival concert series and Independence Day firework celebration on Wednesday, July 4. This included the advance posting of parking restrictions in the Henry Law Park area, deployment of barricades and cones to facilitate road closures and traffic diversions, scheduling and assignment of police personnel, and coordinating with event organizers on other logistical matters.

On Tuesday, July 3, Dover officers participated in another of the statewide coordinated efforts entitled "Operation Safe Commute". Extra patrols were performed between 6 AM and 9 AM, during the morning commute, and between 4 PM and 7 PM during the evening commute. Targeted violations included following too closely, failure to signal lane changes, speeding and distracted driving, and any other moving violation that might cause a collision.

Sgt. Speidel continues to partner with Wentworth-Douglass Hospital's Childbirth Education Center to provide infant child safety seat inspections. This program is presently scheduled on the third Wednesday of each month in conjunction with WDH's Prepared Childbirth education classes. It primarily serves clients of the hospital's birth center. Sgt. Speidel performed infant seat safety inspections at WDH on July 18.

Sgt. Speidel performed a total of 18 child passenger seat inspections during the month of July. This includes the program at the hospital and inspections at the Dover Police Department. Each safety check involves an

individualized review of child restraint systems in the caregiver's vehicle, instruction and assistance with proper child seat installation procedures, and discussion of safety precautions specific to the age group. Each safety check takes approximately 30 to 60 minutes. Sgt. Speidel is a certified Child Passenger Safety technician, and the Police Department provides this service free of charge.

The Traffic Bureau helped coordinate or provided equipment to facilitate event parking, road closures, or other traffic control particulars for the following events during the month of July:

- Florence Street neighborhood block party
- Air Show at Pease International Tradeport (assist to Newington PD)
- Dover Youth Softball U-12 state tournament at Shaws Lane ball fields
- The American Legion Allied Memorial Remembrance motorcycle ride
- Seacoast Grower's Association's Farmer's Market

During the month of July, the Traffic Bureau conducted traffic counts on Lexington, Cushing, and Oak Streets. Deployment of traffic counter equipment helps the Police Department to assess potential problems and evaluate the best use of enforcement resources by measurement of traffic volume and speed for each direction of travel. Data from these counts will also be shared with the Engineering and Planning Departments. The Lexington and Cushing data collection was part of the ongoing Neighborhood Traffic Calming project that is currently being undertaken with the direction of the City's professional consultant, Jeffrey Taylor and Associates, and the Planning Department. The Oak Street data was provided to the Transportation Advisory Commission to help assess a resident's concerns.

The Traffic Bureau continues to coordinate the scheduling of a Highway Safety grant-funded initiative to target impaired driving. Extra patrols were deployed on weekend nights in July. The specified project period for this grant will continue through mid-September, with specific criteria in how the officers are scheduled and deployed. During the month of July, Dover Police officers have made 8 DWI arrests (including 3 during the grant patrols).

Patrol: During the month of July, officers handled a total of 3,082 incidents. Below are some significant events that members of the Field Operations handled:

At approximately 12:55 AM on July 16, 2012, officers responded to a New York Street residence for a report that a subject had been shot. Officers located a 21 year-old male with a gunshot wound to the hand. The investigation remains active, however it is believed that the suspect and victim are known to each other and there is no danger to the community.

On July 23, 2012 at approximately 7:49 PM officers responded along with the Dover Fire Department to the Windshire Gardens Apartment complex on Webb Place for a report that a vehicle had struck and ruptured a natural gas line. All available on-duty patrol officers responded and assisted with evacuating two of the buildings within the complex and maintained a perimeter to keep people out of the affected area. The subsequent investigation revealed that a resident of 72 Webb Place had pulled into a vacant parking spot in front of the building. As the operator attempted to move his foot to press on the brake, his foot became stuck between the brake and the gas pedals. As he was trying to free his foot, he inadvertently pressed the gas pedal and struck the gas lines on the exterior of the building, breaking the pipe.

On July 23, 2012 at approximately 8:01 PM, a woman came to Police Headquarters to report that she was the victim of a strong arm robbery. The woman reported that while walking with a male acquaintance in the area

of Locust Street and Silver Street, the male acquaintance pushed her to the ground and took money from her. The suspect has been identified and the investigation is ongoing.

Diversion Program: There is one active participant in the Dover Diversion program. The next meetings are scheduled for August 2nd and August 30th.

At this point, there are no new cases awaiting the August 2nd meeting. Any additional cases will be reviewed at that meeting date or a date determined by the committee.

Dover Housing Authority: On July 18th, Officer Joslin participated with the STREAM Summer Camp being held at the Seymour Osman Community Center. Officer Joslin presented a class to the second grade participants on the subject of personal safety and being aware of strangers.

On July 23rd, Officer Joslin, Officer Keefe and K9's Norman and Grinko participated with the STREAM Summer Camp. Officer Keefe spoke about the role of the two police dogs and then provided a demonstration showing how the two dogs work. This included Norman locating a hidden marijuana pipe and Grinko taking Officer Joslin "into custody" when he refused the orders of Officer Keefe.

On July 25th, Officer Joslin once again spoke with the STREAM Summer Camp. During this meeting Officer Joslin taught the children the dangers of household chemicals and drugs to include alcohol, tobacco and illegal drugs. Officer Joslin also discussed the benefits of the proper use of prescription medications for children, which includes adult supervision.

Also on July 25th, Officer Joslin attended the monthly neighborhood dinner and spoke with the residents about the upcoming bike parade to be held on August 16th. He also made himself available for residents to speak with him about any concerns they may have within the neighborhood. The dinner was put on by the Hope Church and 110 residents participated in the dinner.

On July 31st, the DHA staff will once again participate in a softball game against the residents of the neighborhood.

Community Service Program: The Community Service program tracked 25 active participants in the month of July. Of the 25 juveniles in the program, 4 participated during the month of July. A total of 19 hours of community service work was completed with no members completing their obligation during the month of July.

In 2012, 78 hours of community service has been completed and no members have finished their court ordered hours.

Police Explorer Post Program: During the month of July the Explorer Post saw a transition in management. Officer Meyer assumed the position of Post Advisor from Officer Caproni. During the first week of the month, both Officer Meyer and Officer Caproni met with the post members to introduce Officer Meyer and discuss his new role.

Meetings in August will include a discussion of a possible restructuring plan for the program.

Dover Coalition for Youth: The Coalition Coordinator attended the Community Anti-Drug Coalitions of America (CADCA) Mid-Year Training Institute in Nashville TN on July 22-26th. The training provided in depth

information on a variety of topics related to coalition sustainability and evaluation as well as providing an opportunity to network with over 2,000 coalition leaders across the country.

The Coalition has also finalized its partnership with the Dover School Department for a health and wellness curriculum review. The Coalition Coordinator and representatives from the School Department will meet during the month of August. The goal is to update the health and wellness curriculum to better address substance abuse issues that have been identified in recent student behavior surveys.

Dover Youth to Youth: Dover Youth to Youth conducted its annual Summer Training Program for new members in July. Thirty 6th and 7th grade Dover students who want to join the program in the fall spent the entire week of July 9-13 with older experienced members of the program receiving training and conducting action projects. During the week the students received 10 different advanced presentations on advocacy skills like public speaking and on a variety of drug and alcohol related topics to build their understanding of the issues.

The students also took on several action projects. Working in smaller groups of 6-8, the trainees recorded new radio spots, placed informational stickers on cases of beer in local grocery stores, gave medicine safety presentations at local day care centers, conducted a “Butt Pick Up” at Henry Law Park, and unveiled their new underage drinking initiative called the “Brain Campaign”. This year-long effort will emphasize to kids and their parents that alcohol affects all the parts of the brain and that teen brains are more susceptible to damage from alcohol.

To kick off the Brain Campaign, students conducted an informational demonstration on Central Avenue and Henry Law Park that included posters, chants, large visuals, and palm cards being passed out to pedestrians. In addition, the students held a press conference in the Cocheco Courtyard during the demonstration.

Also in July, thirteen members of Dover Youth to Youth attended the Eastern States Conference at Bryant University in Smithfield Rhode Island for 4 days. The students stayed at the University and had a chance to receive advanced training and listen to information from nationally known speakers on substance abuse and a wide variety of other teen-related issues. Four Dover Youth to Youth students were selected to help as youth staff at the conference and taught two workshops during the week.

Two members of Dover Youth to Youth were recently invited to attend an all-expense paid, week-long training and activism symposium put on by the Campaign for Tobacco Free Kids of Washington, DC. Paige Niler and Kaitlyn Hutchins, both juniors and longtime members of the Dover Youth to Youth Leadership Team, were asked to work with 30 other youth from around the country who all came together in the nation’s capital to call attention to the marketing of cheap, sweet-flavored cigars that appeal to kids.

In 2009, Congress passed the law that gave the FDA authority over tobacco products and cracked down on tobacco marketing and sales to kids. But there are efforts to weaken the law by exempting many cigars. Some of these cigars come in sweet flavors, with low prices and colorful packaging that can appeal to youth. Common flavors include chocolate, strawberry, grape, mango and banana. The students attending the symposium have been developing strategies to prevent changes in the law and meeting with members of Congress to solicit their support as well.

Teen Center: For the month of July 2012, the Dover Teen Center saw a total of 237 visits on 17 days of programming. This yielded an average of just under 14 participants per day.

In addition to the above, July also featured a DoverPalooza concert night which drew 38 participants to the Teen Center for the music show.

Some program highlights for the month of July 2012 include, but are not limited to the following:

- TC Trip! – “FunSpot Arcade” (7/11)
- TC Classic Trip! – “Canobie Lake Park” w/ Y2Y (7/13)
- TC Trip! – “Old Orchard Beach (7/17)
- TC Sports Event – “Frisbee Golf” (7/19)
- TC Trip! – “DoverPalooza – Summer Fun Show” (7/21)
- TC Trip! – “Wallis Sands State Beach” (7/23)
- TC Trip! – “After-Hours/Dinner w/Movie Night” (7/26)
- TC Event – Drop-In Day (7/30)
- TC Trip! – “Mousam Lake Swim & BBQ” (7/31)

As we head into August, the Dover Teen Center will continue with an active calendar of events, adventures and fun with the second month of our “TC Summer Zone” program.

Downtown Liaison Unit: The Downtown Liaison Unit handled a variety of calls for service while patrolling in the downtown area and along the Community Trail. They took enforcement action on numerous traffic and city ordinance violations. A breakdown of the enforcement activity is below:

- 8 pedestrian crosswalk warnings
- 10 calls for assistance to the public
- 8 total MV warnings
- 5 MV cross walk warnings
- 2 MV one-way warnings
- 1 Unattended MV warning
- 2 MV red light violations
- 2 MV stop sign violations
- 3 MV assist calls
- 5 Parking assist
- 3 Bicycle warnings
- 6 Skateboard warnings
- 3 Warnings for Disorderly Conduct
- 1 Protective Custody

Animal Control: For the month of July there were a total of 94 animal calls. Of those, 17 were handled by the Animal Control Officer, 30 were handled by dispatch and 47 by Patrol Officers, requiring the ACO to follow-up on 15 of them. The following is a breakdown of the calls handled by the Animal Control Officer:

- 2 found animal calls
- 9 animal welfare calls
- 3 loose dog calls
- 1 dog struck by vehicle
- 1 dog bite
- 1 cruelty investigation

During the month ACO Ladisheff received 68 voicemail messages from citizens.

K-9: The department has one K-9 handler, Officer Tim Keefe, who works two K-9 partners, Grinko a German shepherd and Norman, a Golden Retriever.

During the month of July, the K-9 Unit conducted a total of 20 hours of training.

During the month of July, Officer Keefe conducted one track. The track was for the crime of Burglary.

Additionally, Officer Keefe and K-9 Grinko provided perimeter security while officers searched a residence regarding a possible Burglary.

On July 23 Officer Keefe and K9s “Norman” and “Grinko” conducted a K-9 demonstration for children at the Dover Housing Authority.

Traffic Accident Reconstruction Unit: The Dover Police Department’s Traffic Accident Reconstruction Team participated in training on July 31. The agenda topics included discussion of organizational protocols and staffing, and ongoing familiarization training with specialized equipment. The training session also included technical discussion and a peer review of a reconstruction report on a recent pedestrian fatality that occurred on Main Street.

There were no callouts during the month of July, 2012.

Communications Bureau: During the month, the Communications Bureau handled 9,921 radio transmissions, 8,904 phone calls, 355 emergency calls, 90 alarms, and 215 customers in the Police Department’s lobby.

Recreation Programs: The Playgrounds Program was ongoing, with daily trips to the Jenny Thompson Pool and weekly field trips to state parks. Work was done on publicity for recreation facilities and programs. Hershey Track regional and state meets went well with 31 athletes at the regional meet and qualifiers participating at the state meet. Theater camps with Jeff Leaf were full and ran at the City Hall Auditorium. Interval Toning continued their early morning schedule of classes and Yoga continued meeting on Monday & Wednesday nights.

Fall field scheduling is on-going.

Senior Center Programs: The Dover Community Senior Center (DCSC) continues their recurring daily activities of Bingo, Bridge, Cribbage, Mahjonn, Scrabble, Pay Me, and Whist, and many more.

Dover’s Fourth of July celebration was held at Henry Law Park. Many seniors stopped by to visit our Senior Center Booth.

A new Walking Group began the first week in July. This walking program will run until the end of October. Members will walk 1.5 miles per class. Participants will be part of the N.H. Governor’s Council on Physical Fitness & Health fitness program called, “Walk New Hampshire.” This program is designed to promote walking in New Hampshire and sets the goal of walking the mileage equivalent to the length of the state (190 miles). Each participant will receive a log to record their walking and each person who completes this program will receive an 'I Walked NH' patch and a certificate signed by Governor John Lynch and First Lady Susan Lynch. As of July 25th, this class has 18 participants!

Session Four of Fitness Classes began on June 18th and will run until August 10th.

The Book Club Meeting was held on Tuesday, July 31st discussing the book, "Love in the time of Cholera". Next meeting will be held on Tuesday, August 28th to discuss, "Pride and Prejudice".

Craft group is held on Monday mornings at 9am. The next group will meet on Monday, August 6th.

Spanish Class is held on Tuesday mornings at 9:30am. The next class will be held on Tuesday, August 7th.

The in-house ukulele band, The Silver Strummers, continue to practice at the center on Wednesday mornings at 9am. They have regularly scheduled free performances at many local assisted living facilities. Next group meeting will be held on Wednesday August 1st.

The Senior Advisory Committee meeting was held on July 13th. The next meeting will be on August 10th.

DCSC Mystery Luncheons are held the 1st Wednesday, 2nd Tuesday, and 3rd Saturday of every month. It remains a popular program.

The Visiting Nurse was checking Blood Pressure on July 12th and July 26th. She will visit again on August 9th.

Effective July 1, 2012... Members were informed that if they would like to use the fitness center Monday thru Friday 8am – 12pm, when they renew their membership or join the Center, there will be a \$5 surcharge. If they do not wish to use the fitness center, their membership fee will not change.

42 seniors boarded a bus to Mohegan Sun on July 25th.

Indoor / Outdoor Pool: The swim teams continued to practice at the Outdoor Pool during the month of July. Seacoast Swimming, Oyster River, Seacoast Pirates, Exeter Swim Team, Cannonball Swim and Great Bay Masters have been consistent all season with the beautiful weather taking place.

Seacoast Swim Association also hosted a major swim meet which ran very well and was well attended. The Jenny Thompson Invitational ran from July 15th through the 17th.

There has been an average of 300 swimmers per day at the Jenny Thompson Pool between all of the Dover City groups (Playgrounds and Camp Kool) Somersworth Recreation, York Recreation, Farmington Recreation, Tri-Star, Kittery Recreation and Eliot Recreation.

Swim Lessons at the Indoor Pool have been very successful. There have been 45 classes offered and most spots filled well in advance.

Besides swim lessons, the Indoor Pool has seen its usual number of adult lap swimmers and therapy swimmers on a daily basis, averaging nearly 90 people every day.

Ice Arena: The Arena opened July 8th after a month closure for the annual maintenance break. Preventative maintenance has been completed on equipment and fresh paint is on the walls in and around the arena.

Programs have started for the summer and leagues are running at capacity. Arena staff is pleased with the number of registrations for summer introductions to hockey and skating sessions. There is additional activity at the arena with summer hockey camps and Camp Kool every day.

The Mixed Martial Arts group, Cage Titans, produced a 15 fight MMA event which brought in over 1,000 attendees to the Foster Arena.

Public Library: Program attendance at the Summer Reading Program-related events totaled 486 in July.

DEPARTMENTAL COLLABORATION & ENHANCEMENTS

In accordance with City Council Objective 2.4: “collaborate regarding cost-saving measures... with public/private entities”, in July the Dover Public Library joined with other NH libraries as a member of the SCOOP Purchasing Cooperative, in conjunction with the NH State Library and partner libraries in Maine and Vermont. Members of this northern New England library co-op receive combined “group buying” discounts from approved vendors for print and multimedia materials, furniture, equipment and library supplies, and technology supplies.

Library staff regularly seek and contribute ideas and best practice suggestions to the New Hampshire Automated Information System listserv (NHAIS_I), subscribed to by all NH libraries.

Borrowing dozens of books for the summer from the closed Dover school libraries has enhanced the availability of popular materials at the public library and increased the participation of over 720 children and teens registered in the Summer Reading Programs.

Dover Public Library’s Technology Librarian assisted school librarians with three systems administration issues during July.

The library’s recent conversion from the print edition of Morningstar Mutual Funds (serial subscription) to the electronic online version will allow patron access to this timely investment publication from home.

The Director of Planning and Community Development attended the SAUs Administrator’s meeting to discuss development and growth trends in Dover. This meeting was part of a larger discussion revolving around student enrollment and population growth.

A new “Graphic Novel” collection for adults has been introduced to the public. These are adult stories and themes portrayed graphically in cartoon panels such as in comic books.

Planning and Community Development staff worked in July with staff at COAST to review locations for bus stops and ways to improve transit frequency. The review focused on adding a new stop for the Clipper Connection that COAST is offering for residents of Dover who work at the Portsmouth Shipyard, as well as relocating bus shelters to be more handicap accessible.

Planning staff worked with the Parking Manager to develop a presentation for the City Council promoting downtown vibrancy through the infusion of new parking and infill development on existing surface parking lots. This presentation included the development of two renderings showcasing how the parking lots could be developed and how a parking structure might appear.

Planning and Community Development staff assisted the Community Services and Inspection staff with a review of outstanding issues on several projects, and took the lead on reaching out to the developers. The plans/projects are as follows:

- Gladiola Way
- Willand Pond
- Emerald Lane
- Olive Meadow Lane
- Property on Stark Avenue

The Fire Department assisted the Planning Department with moving four air-conditioners to the roof of the McConnell Center. This action created a large savings by not having to rent equipment to complete this task.

PLANNING & ZONING

The Director of Planning and Community Development reviewed CIP project request forms that were submitted by department heads in July. These forms are evaluated and ranked based upon conformance with the Master Plan, funding allocations meeting the City's Financial Policies and connectivity with other projects. In August, staff will begin developing evaluation and analysis tools for the projects.

In addition to the day to day activities in the Planning Department, staff facilitated the following applications before Boards and Commissions:

Planning Board

Approved the Mast Landing LLC project on Grapevine Drive (60 Units of Congregate Care).

Tabled a request from 2830 Holdings LLC for a Vehicle Refueling and Recharging Station - A site walk was set for August 7th.

Approved an amendment to a previously approved lot line adjustment on Sixth Street. This allows for a septic system to be used in place of sanitary sewer.

Approved a waiver for a previously approved subdivision on Tolend Road. This allows above ground electric service feeds where underground is required.

Received public feedback on the Master Plan Visioning Chapter - A vote to adopt the chapter may occur on August 28th.

Received public feedback on posted zoning amendments. A second public hearing is scheduled for August 28th.

Approved a one lot subdivision at 46/48 Arch St - This will place the existing structure on one lot and the vacant land on a second lot.

Zoning Board

Did not meet in July.

Conservation Commission

Reviewed a request by the Open Lands Committee to expend money for a booth at Apple Harvest Day.

Received an update from Dean Peschel on the Berry Brook Restoration project. This project is restoring an important drainage way that exists in the Horne Street neighborhood.

Discussed the proposed Municipal budget and the ongoing concerns with the Washington Highlands Easement Management Plan.

Transportation Advisory Commission

No action was taken for a parking restriction on Industrial Park Drive. The owner of the business offered to restrict employee parking to ensure no correction was necessary.

No action was taken on a request to limit speeds on Oak Street. The resident who requested the reduction was not present.

Tabled discussion on amending TAC Bylaws.

Approved a request to install a stop sign on Upper Factory Road at Tolend Road

Energy Commission

Discussed goals and projects Commission members would like to undertake.

Discussed having a booth at Apple Harvest Day.

CITY GROUNDS – FACILITIES & PARKS

Facilities and Grounds employees conducted the normal day-to-day maintenance, clean-up and grounds maintenance of municipal buildings. Crews continued to handle daily requests for service at the City Hall and Police Department offices. Custodial duties were performed at the Public Works Facility, train station and City Hall, as well filling in at the Library and McConnell Center as needed. A leak in the roof at City Hall was identified but has not yet been repaired by the contractor, MJ Murphy. Caulking was placed along a spot thought to be an issue, but it continues to be a problem.

Mowing, trimming and trash cleanup continued on a daily basis throughout the City. Tree limb trimming commenced, with a concentration to skirt trees which inhibit the mowing of public turf areas. Crews are also working to clear limbs that obstruct signs along the roadways.

Employees worked to clean up Henry Law Park, the Rotary Arts Pavilion and in the downtown area to prepare for the Fourth of July activities and fireworks. Crews returned to clean the areas up again after the events were over. Brush was cleared from the granite block wall along the Riverwalk and all the planted areas were weeded.

Décor light bulbs and photo eyes continued to be replaced as needed. Traffic signals lenses were also changed out and some issues that arose during construction are being resolved. In Henry Law Park, a few of the outlets at the stage were replaced again and it was noted that the fresh paint already has graffiti carved into it. The police are making an effort to remove people from the stage now that it is marked “no trespassing”. Sign work continued with the posting of signs for new developments as well as the replacement of existing signs and posts as needed. The tagging of signs has been an ongoing issue, with new areas being targeted as well.

A written response has yet to be received from JCI regarding the Fleet Maintenance garage. A request for a written report was made for a sequence of operations and the notes on the re-commissioning of the units at Public Works. The Facilities & Grounds Superintendent has asked for another meeting to discuss the issues that need to be wrapped up.

The Public Library skylight replacement/shed dormer construction was completed on July 13 at a cost of \$24,998. Interior repairs will soon follow.

Planning Staff oversaw the installation of new air conditioning units in the McConnell Center. These units, added to the Easter Seals areas, will allow for the removal of less efficient window air conditioning units that had been used by Easter Seals. Funding for this project was provided by the Community Development Block Grant Fund. Fire and Rescue staff assisted with inspections of the electrical work, and locating the units atop the roof of the McConnell Center.

Planning staff worked on the Community Trail, to assist in its completion. This work included paving the portion from Fisher Street to Folsom Street. With this complete, the urban portion of the trail is now fully paved.

GENERAL UPDATES

The City Clerk Tax Collector just obtained absentee ballots from the Secretary of State. She is currently counting and verifying them for accuracy and will then immediately send them out to those who have already requested them.

The FY13 budget requires that the Recreation Department make significant adjustments due to reduced resources from the General Fund. They have begun implementation of the fee supported Fitness Center and will look for any other opportunities through sponsorships and grants.

The Recreation Department has specifically targeted ways to increase revenue in the McConnell Recreation budget. They have already seen a significant increase in attendance and purchase of memberships this month as compared to last July. The Director is planning to implement new marketing strategies this fall to further promote the Fitness Center.

“Dream Big... Read!” summer reading programs at the public library, for children and teens, have a record-setting 762 participants registered thus far.

Library hosted 88 public meetings in its meeting spaces, provided 1,872 hours of free public Internet access in July. (Does not count wi-fi use)

The Director of Planning and Community Development signed up for a course on LEAN management to learn the processes and become an advocate within the City.

Planning staff developed a Request for Proposals seeking an operator for the Dover Transportation Center. This RFP, which is due in August, seeks an operator to keep the building open longer during the transportation routes operation hours.

The Fire Department, in conjunction with the Recreation Department, opened up a cooling station on multiple days during the stretch of hot weather. The cooling station was established at the McConnell Center.

The Deputy Fire Chief covered 5 shifts to reduce over-time expenditures.

All Fire Department shift personnel completed the annual Self Contained Breathing Apparatus (SCBA) endurance drill. This required training demonstrates how long firefighters can operate in an IDLH environment and equipment familiarization.

Dr. Blackman provided nutrition training on all Fire Department shifts to reduce injuries and create a healthier workforce.

The Police Department utilized the North End Station Training facilities three times for combative class.

Police and Fire Dispatch held their dispatcher testing hiring process at the North End Fire Station Training Room.

Planning for the Fire Safety Festival has started. Personnel gathered for their second meeting. This all volunteer event promises to be exciting and educational as it has in prior years.

CITY OUTREACH

Seventeen Citizen Attitude and Opinion surveys were mailed out by the Dover Police Department in July 2012. Three surveys were returned. The respondents were asked to rate the officers and dispatchers in terms of attitude, helpfulness, skills and abilities. Specifically, ratings were as follows:

Dispatcher rating: Attitude and Helpfulness = 2 Excellent, 1 No response to this question
Skills and Abilities = 2 Excellent, 1 No response to this question

Officer rating: Attitude and Helpfulness = 3 Excellent, Skills and Abilities = 3 Excellent

The Recreation Department has a summer intern working on the development of a Facebook presence for the Recreation Department which is hoped to launch this fall. The department already uses the web for most outreach to the public and to keep an up to date list of programs and facility information, as well as the City's media resources.

The Public Library maintains effective and regular communications with the public through daily postings on Facebook, Twitter, Pinterest, the library blog, and in two electronic newsletters emailed to customers. Library often re-tweets important community notices posted by others. The library has 955 subscribers to its e-newsletters, 757 Facebook fans, 180 Pinterest board followers, and 445 Twitter followers.

The Department of Planning and Community Development continued to update its blog, face book page and twitter feed to communicate with the public. The Department of Planning and Community Development has 179 Facebook (City of Dover NH Planning) friends and 327 followers on Twitter (@DoverNHPlanning). During the month of July, thirty four (34) Planning blog posts were drafted, highlights include looking at energy savings generated by the energy improvements, zoning projects, the value of shopping local, Dover's Planning ethos, saying good bye the retiring Planning Board chair, and the June City Manager's report.. The blog has been relocated to <http://dovernhplanning.tumblr.com> and had over 253 page views in the month of July, which brings the total page views to over 11,000 for the blog.

The Department of Planning and Community Development promoted the Dover Community Trail through the facebook fan page for the trail (with 360 fans), as well as a Sustainable Dover facebook fan page (with 142 fans).

The Director of Planning and Community Development filmed one promotional video for Dover Download to air on Channel 22. The video high lit the Dover Planning Board meeting agenda for July 24th.

The Director of Planning and Community Development appeared on WTSNs Open Mike to promote the results of the Dover 2023 Visioning document.

Finally, this month the Department of Planning and Community Development sent out 61 letters to new homeowners congratulating them on their purchase, as well as informing them of the current zoning for their property and alerting them to the various methods the department uses to inform and update the public.

Planning staff worked with residents of the Atkinson, Belknap, Cushing and Lexington neighborhood as part of the traffic calming project contained within the CIP. This project is investigating options for traffic calming that will work best for the neighborhood. Jeffery Taylor and Associates has been retained to assist the neighborhood and staff in this project. The project is intended to be completed this summer. The kick off meeting for the project was June 5, 2012. The work during the month of July included arranging barrels and other obstacles to see how traffic responded to the impediments, as well as working with residents to see if the impediments were having the desired effect. A follow up meeting with residents will occur in August.

Planning staff worked with land owners of property at the following locations on development or redevelopment opportunities:

- 475 Tolend Road
- 28 Dover Point Road
- Thornwood Commons project
- 6 Dover Point Road
- Temple Israel
- 46 Arch Street
- Various properties owned by Robbins Auto Parts Realty
- Dover Community Garden
- Dover Fields project on Durham Road.
- 385 Sixth Street
- 500 Sixth Street
- 23 Atkinson Street

The Fire Department organized a neighborhood meeting at 3 Wisteria Drive for a scheduled blasting permit. This gave residents an opportunity to hear what the operation entails and to voice their concerns.

The Fire Department provided education for Bellamy assisted living and Watson Fields assisted living. Shift personnel provided a Safety talk and fire extinguisher training for their entire staff totaling 150 personnel between both facilities.

Fire Department personnel started off the month at the July 4th events at Henry Law Park. Engine 8, and Ambulance 1 attended the event assisted by the Forestry Unit providing fire protection for the actual firework display.

The Department has an Engine and Ambulance attend the Coheco Arts Festival each Friday Night. This provides the residence the opportunity to ask questions and see the equipment when they are not emergency calls.

Engine 8 participated with a touch a truck event with the Police Department at the Seymour Osman Community Center located on Hampshire Circle.

Dover Fire & Rescue participated in two fire truck rides that were raffled off by the Children's Museum and Wentworth Douglass's Women & Children's Center at the Hospital.

During the week of temperatures reaching over 90 degrees, the Fire Department sent an Engine Company to Soccer Camp at the Shaw's Lane Fields. Personnel provided education and opportunity to be cooled down by a hose line each day during the week.

ACKNOWLEDGEMENTS & EVENTS

1948 London Olympian (and Dover resident) Ted Vogel displayed memorabilia in the Library from his participation in the London games 64 years ago. Vogel finished 14th in the Marathon and was the top American finisher!

Friends of the Library have thus far contributed \$1,168.87 toward prizes, printing costs, and entertainers for the library's Summer Reading programs.

Measured Progress contributed \$350 to the Summer Reading Program (for a mime performance).

On July 9th, the New Hampshire Housing Finance Authority announced its first round of awards to New Hampshire cities and towns through the Community Planning Grant (CPG) Program. The City of Dover has been selected to receive one of those grants to build on the success it had in 2010 in developing the first Form Based Code in New Hampshire, by expanding this innovative zoning infrastructure. This expansion will be along major corridors feeding into Dover's historic downtown area. This zoning project is aimed at revamping and reenergizing 20+ year old zoning along these corridors. The grant is for \$50,000, for which the City is matching \$5000, and in kind services of staff time.

This grant will be used to work with the residents of various gateways to downtown to look at the zoning along those roadways. In 2010 the City adopted a Form Based Code for the downtown commercial district. This grant will allow Planning staff to work with the property owners and residents of Central Avenue, Sixth Street, Broadway and Portland Avenue to determine if the zoning is appropriate for how the community wants its gateways to develop and redevelop.

After almost a decade on the Planning Board, the past two years as Chair of the Board, Marcia Gasses has stepped down from the Board. The Board presented Marcia with a book and thanked her for her time. Marcia will remain on the Conservation Commission as a member.

Dover Fire & Rescue hired Glen Camire as our newest Firefighter/EMT –Intermediate. Glen has been employed at Pease Fire & Emergency Services for the past five years and has also volunteered with Rollinsford Fire Department.

PROFESSIONAL DEVELOPMENT

The Fire Department provided training on new extrication tools and techniques with the anticipation of replacing the current hydraulic tools in the coming CIP.

Dover Fire personnel have been taking full advantage of training opportunities offered through a grant with the New Hampshire Fire Academy. Through the grant offering, NHFA will reimburse Dover Fire for employee overtime to attend training sessions and overtime for personnel that backfill for on-duty employees using professional time to attend. During the months of July employees attended training sessions as follows:

1 employee at Swift Water Rescue

1 employee at Preparedness and Response to Food and Agriculture incidents.

Dover Fire will continue to capitalize on this grant opportunity for as long as it is available.

Total Permits Issued: July 2012

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map	Lot	Construction Value	Fee
12-075	SAUDNERS	54	BROADWAY	RENOV. INT. OF WAREHOUSE FOR A CO C	C	27	65	38000	405
12-179	DOVER RA CENTRAL AND OA	701	CENTRAL AVENUE	FOR INT. DEMO. & PREP FOR NEW TENA C	C	28	19	135000	1375
12-195	DOVER CHEVROLET	5	DOVER POINT ROAD	FOR ENERGY AND COSMETIC IMPROVE C	C	K	40B	575000	5775
12-213	LOW	87	LOCUST STREET	CONST. AN ADDITION ONTO AND RENO C	C	9	56	105000	1075
12-233	TURBOCAM	5	FARADAY DRIVE	CONST. AN INT. ROOM W/IN A MANUFA I	I	G	I-E	8000	105
11-339	HUGHES	80	MAST ROAD	INT. RENOV. OF SFD	R	I	50A	12000	145
12-024	DOW	8	OXBOW LANE	REMOVE & REPLACE A ROOF (SHINGLE R	R	39	70-F	6500	95
12-079	CHANGING PLACES LLC	5	OLIVE MEADOW LANE	CONST. A SFD W/ATT. GARAGE	R	A	45A-2	188000	1905
12-105	CHANGING PLACES LLC	3	OLIVE MEADOW LANE	CONST. A SFD W/ATT. GARAGE	R	A	45A-2	185000	1875
12-151	CHANGING PLACES, LLC	16	WINTERBERRY DRIVE	CONST. A SFD W/ATT. GARAGE	R	N	8-0-3	255000	2575
12-155	HERON BAY PARTNERS	30	CIELO DRIVE	CONST. A SFD W/ATT. GARAGE	R	H	4-030	120000	1225
12-162	GRAYSTONE BUILDERS, INC.	21	CARRIAGE HILL LANE	CONST. A SFD W/ATT. GARAGE	R	A	15-7	140000	1425
12-171	MURPHY	3	NANTUCKET COURT	EXPAND A READ DECK ADD.	R	22	41	26000	285
12-172	MASON	94	PORTLAND AVENUE	REPLC. ROOF SHEATHING & COVERING R	R	24	74	4000	65
12-173	KINSMAN	38	CORNERSTONE DRIVE	CONST. A FRNT PORCH ADD.	R	B	18-39	6000	85
12-178	LOAN, VU	23	FLORENCE STREET	RPLC./CONST. AN ATT. GARAGE	R	27	268	18000	205
12-180	FARMER	338A	WASHINGTON STREET	CONST. AN ATT. GARAGE ADD. W/LIVIN R	R	G	11-1	54000	565
12-181	DEMETRACOPOULOS	690	CENTRAL AVENUE	CONST. A REAR EXT. STAIRWAY	R	29	4	1000	35
12-182	CHANGING PLACES LLC	21	OLIVE MEADOW LANE	CONST. A SFD W/ATT. GARAGE	R	A	45A-2	180000	1825
12-183	THRONWOOD COMMONS, LLC	25	JULIA DRIVE	CONST. A SFD W/ATT. GARAGE	R	A	4-44	195000	1975
12-186	HOPKINS	18	BIRCH DRIVE	INT. RENOV. OF A SFD	R	I	82-2	18000	205
12-187	ALBERT	8	LEIGHTON ROAD	BATHROOMS & KITCHEN RENO.	R	8	23	15000	175

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map	Lot	Construction Value	Fee
12-189	CAROL BOUCHER	55-57	PORTLAND AVENUE	RELOCATE EXT. DOOR & TO CONST. A	R	24	106	6000	85
12-190	CHANGING PLACES LLC	11	OLIVE MEADOW LANE	CONST. A SFD W/ATT. GARAGE	R	A	45A-2	175000	1775
12-191	HALLWORTH	68A	PORTLAND AVENUE	INT. RENO. OF A WALL OPENING & REM	R	24	63	4700	75
12-192	GRAYSTONE BUILDERS INC.	148	TOLEND ROAD	CONST. A SFD W/ATT. GARAGE	R	F	2-4	150000	1575
12-193	PELAGGI	2	CORBIN DRIVE	RESTORATION OF A FIRE-DAMAGED SF	R	I	20 K-	150000	1575
12-197	STEWART	16	FARMINGTON DRIVE	RMV. & RPLC. EXT. WNDWS & DOORS	R	I-22	11	13300	165
12-198	ADAMS	545	SIXTH STREET	RMV. & RPLC. EXT. WINDOWS	R	A	61	5000	75
12-200	HERON BAY PARTNERS	31	CIELO DRIVE	CONST. A SFD W/ATT. GARAGE	R	H	4-31	120000	1225
12-201	DOVER MILLS PARTNERSHIP	100	MAIN STREET	CONST. EXIT ACCESS STAIRWAYS FOR	R			39500	425
12-202	DOVER BLUFF CONDOMINIUM	98	HENRY LAW AVENUE	REPAIR OF/TO A FOUNDATION	R	22	9	10000	125
12-203	KRAFT	19 & 21	COURT STREET	REMOVE & REPLACE A TWO STORY P	R	20	73	17000	195
12-207	ROHDE	10	MULLIGAN DRIVE	CONST. A REAR DECK ADDITION	R	21	26-45	4800	75
12-209	S.T.F. DEVELOPMENT	37	DOVER POINT ROAD	DEMO. & REMOVE A SFD	R	K	38	0	50
12-210	SCHULTZ	5	WATSON ROAD	CONST. A REAR DECK EXPANSION	R	E	40-1	4500	75
12-212	DEPLANCHE	20	MATHES HILL DRIVE	REMOV. & REPLACE/CONST. A REAR D	R	I004	01000	6000	85
12-215	HALL	133	SPUR ROAD	REMOV. & REPLACE/CONST. A DETACH	R	L	33	35000	375
12-217	TOLEND ROAD PROPERTIES, L	22	MELODY TERRACE	CONST. A SFD W/ATT. GARAGE	R	G	24J-2	134000	1365
12-218	KIRK	67	WATSON ROAD	CONST. A DETACHED GARAGE	R	E	38	35000	375
12-221	STASKO	30	ATKINSON STREET	REMOV. & REPLC/CONST. A REAR DEC	R	9	62	2500	55
12-222	SCHLOSSER	6	WINSTON AVENUE	CONST./ADD A BATHROOM IN A LAUND	R	K	30E	3000	55
12-229	YUSKAITIS	34	ARCH STREET	INT./EXT. RENOVATIONS OF A SFD	R	11	14B-1	47000	495
12-236	GOODWIN	6	REVOLUTION DRIVE	CONST. A WHEELCHAIR RAMP	R	K	21	3650	65
12-238	ERIN BROPHY	18A	BELLAMY ROAD	DEMO. & REMV. AN INGROUND SWIMM	R	A	14-4	0	50

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map Lot	Construction Value	Fee
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Total Permits Issued: 45

Total Construction Value: \$3,250,450.00

Total Fees Collected: \$33,815.00

Type of Permits Issued		Certificate of Occupancy's	
Commercial	1	Change of Use	0
Commercial Renovations	3	Commercial	2
Convert 1 to 2 Fmly Dwlg	0	Convert 1 to 2 Fmly Dwlg	0
Two Family Dwelling	0	Two Family Dwelling	0
Multi-Family Dwelling Units	0	Industrial	0
Industrial	0	Renovations	7
Industrial Renovations	1	Manufactured Dwlg	0
Manufactured Dwelling	0	Multi-Family Dwelling Units	0
Single Family Dwelling	11	Single Family Dwellings	5
Renovations Dwelling Unit	27		0
Demo. of a Dwelling Unit	1	Total	14

PLANNING BOARD APPROVED PROJECTS

NAME	STREET NAME		Total Units	Units Built*	Units left	DATE OF PE SIGNATURE	DATE OF PB APPROVAL	SCRD DATE	PLANNING FILE#	MAP	LOT	EXPIRATION DATE	SCHOOL	Students**
Code	H = Homes	A = Apts.	C = Condos											
Multi-Family:														
Woodbury Mills	Dover St	A	42	0	42		6/26/2012	Site	P12-07	27	20		H	4.62
Cochecho Falls Mills	Central Ave	A	120	0	120	12/20/2011	11/28/2011	Site	P11-60	3	3	12/20/2015	H	13.2
Brick Road	Jefferson Dr	A	24	0	24		10/25/2011	Site	P11-42	28	9-C		H	2.64
Paolini	Appaloosa	C	11	11	0	12/7/2011	9/27/2011	Site	P11-13	I	18-1	12/7/2015	G	1.76
Sherman School	School Street	C	48	0	48	9/27/2011	10/26/2010	Site	P10-39	3	10	9/27/2016	G	7.68
Paolini	54 Dover Point Road	C	12	12	0	10/6/2009	7/22/2008	Site	P08-15	K	20	10/6/2013	G	1.92
New Meadows Inc	Knox Marsh Rd	A	120	48	72	9/27/2005	9/27/2005	Site	P04-04	H	35C	9/27/2009	W	13.2
Total: Multi-family			335	71	264									15
Subdivisions:														
Child's Subdivision	Kings Highway	H	4	0	4		6/26/2012		P12-12	N	8A-1		H	1.48
Tidewater Farm	Winterberry Dr	H	7	3	4	6/16/2011	4/26/2011	6/20/2011	P10-51	N	8	6/16/2016	H	2.59
Olive Meadow	Olive Meadow Ln	H	9	8	1	7/19/2011	3/23/2010	7/19/2011	P10-50	A	45-A2	7/19/2016	H	3.33
Labrador Woods	Labrador Dr	H	9	2	7	7/19/2010	5/25/2010	7/19/2010	P10-19	A	51-9	7/19/2014	H	3.33
Hidden Valley Drive	Hidden Valley Dr	H	10	1	9	7/30/2009	3/24/2009	8/4/2009	P09-03	I	94C	7/30/2013	G	3.7
Harbor Hills	Shore Rd	H	16	5	11	8/10/2010	3/23/2010	8/11/2010	P07-39	L	89G	8/10/2014	G	5.92
Paddocks/Tidewater Farms	Saddle Trail Dr	H	9	3	6	2/21/2008	10/23/2007	2/21/2008	P07-43	N	8	2/21/2012	G	7.4
Long Meadow	Gladiola Way	H	20	20	0	1/30/2008	8/28/2007	2/6/2008	P06-40	A	28	1/30/2012	H	7.4
Picnic Rock	Back River Rd	H	21	6	15	10/31/2007	7/10/2007	11/6/2007	P07-32	16	20	10/31/2011	G	7.77
Schooner Landing	Schooner Dr	H	10	2	8	7/19/2007	4/10/2007	7/25/2007	P06-54	M	96A	7/19/2011	G	3.7
Pacific Landing	Pacific/Nye	H	15	14	1	2/8/2007	7/25/2006	2/8/2007	P05-72	E	49	2/18/2011	W	5.55
Goldberg/Tolend Rd Prop.	Stocklan Dr, etc	H	72	14	58	10/5/2006	7/14/2005	11/2/2006	P03-36	G	24	10/5/2010	W	26.64
Stern Subdivision	Lika Dr	H	3	0	3	3/23/2006	2/28/2006	3/23/2006	P05-71	E	45	3/23/2013	W	1.11
Emerald Woods III	Emerald Ln/Viridian Ln	H	37	0	37	1/31/2006	6/14/2005	2/1/2006	P05-10	F	15	1/31/2010	W	13.69
Narrows at Tidewater Farm	Wysteria Dr	H	5	5	0	12/16/2005	8/9/2005	12/21/2005	P05-38	N	8-3	12/16/2009	G	1.85
StoneCroft	Carriage Hill Ln	H	11	9	2	8/9/2005	5/24/2005	8/9/2005	P05-18	A	16	8/9/2009	H	4.07
Havenwood Farm at Alden	Boxwood/Wildewood	H	32	23	9	6/6/2005	5/10/2005	6/7/2005	P04-42	B	21	6/6/2009	H	11.84
Waldron Falls	Lennon/Cardinal	H	10	6	4	5/10/2005	1/11/2005	5/17/2005	P04-54	E	35	5/10/2009	W	6.29
White Tail	Picard Ln	H	17	14	3	1/10/2005	11/10/2004	1/10/2005	P04-47	A	19	1/10/2010	H	6.29
Emerald Woods I & II	Emerald Ln	H	25	19	6	12/6/2004	9/28/2004	12/10/2004	P02-01	F	27	12/6/2008	W	9.25
Weeden	Garrison Rd	H	4	3	1	9/28/2004	6/22/2004	10/4/2004	P04-25	I	1P	9/24/2008	G	1.48
Cornerstone Crossing III	Conerstone Dr	H	18	12	6	7/28/2005	4/12/2005	8/1/2005	P05-13	B	18	7/28/2011	H	6.66
Lionheart	Littleworth Rd.	H	4	2	2	2/24/2004	2/24/2004	3/8/2004	P03-66	G	28-1	2/24/2008	W	1.48
Ayer	McKone Ln	H	2	1	1	6/5/2003	6/5/2003	6/5/2003	P02-67	N	18	6/5/2007	G	0.74
Total: Single Family			366	172	194									142
TOTAL APPROVED UNITS			701	249	458									157
Elderly:														
The Village at Thornwood	Jacqueline Dr/Sonia Dr	H	48	30	18	7/2/2008	3/13/2007		P06-55	M	4	7/2/2011	G	
Arbor Woods	Cielo Dr	H	63	26	37	2/20/2007	1/9/2007	2/20/2007	P06-25	H	4	2/20/2011	W	
Total: Elderly			111	56	55									
APPROVED + ELDERLY			812	299	513									157

* Built or permit issued and unit under construction

** Students are estimated based upon Impact Fee multipliers. THERE IS NO GUARANTEE TO THESE NUMBERS
C:\Users\bessettec.DOVERNET\Desktop\CM Report\2012\August 2012\COPY of Subdivisions

PO Date	PO No.	Vendor Name	Amount	DAC
7/17/2012	201300323	JF TOOLS	\$5,000.00	Community Services Department
7/30/2012	201300622	COMCAST	\$5,363.00	Executive
7/17/2012	201300312	DIG SAFE SYSTEMS INC.	\$5,438.04	Community Services Department
7/25/2012	201300592	PUBLIC SERVICE CO OF NH-CITY	\$6,058.40	City Finance Office
7/18/2012	201300425	PUBLIC SERVICE CO OF NH-CITY	\$6,279.08	City Finance Office
7/25/2012	201300559	COCA COLA OF NORTHERN N.E.,INC.	\$6,357.26	Recreation
7/18/2012	201300405	RICOH USA, INC	\$6,665.94	City Finance Office
7/10/2012	201300149	THE PIPE CONNECTION, LLC.	\$6,809.29	Community Services Department
7/31/2012	201300752	PHOENIX PRECAST PRODUCTS	\$6,970.00	Community Services Department
7/9/2012	201300029	ARBOR PRO PLANT CARE EXPERTS	\$7,320.00	Community Services Department
7/3/2012	201300012	SEACOAST CHIEF FIRE OFFICERS MUTUAL AID	\$7,610.90	Fire and Rescue
7/25/2012	201300558	COCA COLA OF NORTHERN N.E.,INC.	\$8,178.82	Recreation
7/11/2012	201300192	TYLER TECHNOLOGIES, INC.	\$8,400.00	Tax Assessment
7/9/2012	201300037	PENINSULA PLASTICS, LTD	\$8,895.00	Community Services Department
7/30/2012	201300629	ATLANTIC RECYCLING EQUIPMENT, LLC	\$9,995.00	Community Services Department
7/17/2012	201300320	T BUCK CONSTRUCTION, INC.	\$10,000.00	Community Services Department
7/31/2012	201300753	SOUTHWORTH-MILTON INC	\$10,394.00	Community Services Department
7/31/2012	201300672	PUBLIC SERVICE CO OF NH-CITY	\$10,415.14	City Finance Office
7/17/2012	201300310	BAYRING COMMUNICATIONS	\$10,668.85	City Finance Office
7/11/2012	201300190	NEW HAMPSHIRE PRINT & MAIL SERVICES	\$11,098.00	City Clerk Tax Collection
7/25/2012	201300561	FILLION ASSOCIATES	\$12,600.00	Recreation
7/30/2012	201300620	COMCAST	\$15,288.60	Executive
7/10/2012	201300158	OAKWOODS LUMBER, INC.	\$18,000.00	Community Services Department
7/25/2012	201300573	PEOPLES UNITED BANK-BOND PAYMENTS	\$18,117.50	City Finance Office
7/18/2012	201300404	CCMSI	\$18,893.87	Executive
7/9/2012	201300035	WOODARD & CURRAN INC.	\$20,000.00	Community Services Department
7/9/2012	201300033	URBAN TREE SERVICE	\$25,000.00	Community Services Department
7/25/2012	201300576	NH COMMUNITY DEV. FINANCE AUTHORITY	\$25,380.88	City Finance Office
7/25/2012	201300591	MS GOVERN	\$25,851.00	City Finance Office
7/17/2012	201300322	NICOM COATING CORPORATION	\$30,000.00	Community Services Department
7/25/2012	201300589	TYLER TECHNOLOGIES, INC.	\$32,848.20	City Finance Office
7/11/2012	201300193	RESERVE ACCOUNT	\$40,000.00	City Clerk Tax Collection
7/25/2012	201300571	PEOPLES UNITED BANK-BOND PAYMENTS	\$41,030.00	City Finance Office
7/25/2012	201300565	PUBLIC SERVICE CO OF NH-CITY	\$42,451.15	City Finance Office
7/9/2012	201300031	SIEMENS INDUSTRY, INC.	\$44,900.00	Community Services Department
7/30/2012	201300667	COCHECO FALLS JANITORIAL SERVICES, LLC	\$45,900.00	Recreation
7/10/2012	201300145	EJ PRESCOTT, INC	\$50,103.94	Community Services Department
7/25/2012	201300564	MACDONALD PAGE & CO, LLC	\$55,000.00	City Finance Office
7/9/2012	201300036	FELIX SEPTIC SERVICE, INC.	\$59,945.00	Community Services Department
7/11/2012	201300201	BADGER METER INC	\$75,000.00	Community Services Department
7/25/2012	201300567	STATE OF NH-DES LAB ACCREDITATION PROG	\$90,796.07	City Finance Office
7/9/2012	201300030	WASTEZERO, INC.	\$100,000.00	Community Services Department
7/11/2012	201300187	CORCORAN CONSULTING ASSOCIATES, INC	\$132,500.00	Tax Assessment
7/25/2012	201300574	PEOPLES UNITED BANK-BOND PAYMENTS	\$153,117.50	City Finance Office
7/25/2012	201300563	INTERNATIONAL SALT CO	\$167,760.00	Community Services Department
7/25/2012	201300568	US BANK NATIONAL ASSOCIATION	\$185,875.00	City Finance Office
7/17/2012	201300317	PINARD WASTE SYSTEMS, INC.	\$322,500.00	Community Services Department
7/17/2012	201300319	PINARD WASTE SYSTEMS, INC.	\$350,500.00	Community Services Department
7/11/2012	201300189	LGC PROPERTY-LIABILITY TRUST, LLC.	\$376,191.59	City Finance Office
7/17/2012	201300318	PINARD WASTE SYSTEMS, INC.	\$407,000.00	Community Services Department
7/25/2012	201300570	US BANK NATIONAL ASSOCIATION	\$965,875.05	City Finance Office
7/25/2012	201300572	PEOPLES UNITED BANK-BOND PAYMENTS	\$1,477,683.75	City Finance Office
7/25/2012	201300569	US BANK NATIONAL ASSOCIATION	\$2,026,424.33	City Finance Office
7/25/2012	201300588	US BANK NATIONAL ASSOCIATION	\$7,665,946.17	City Finance Office

City of Dover

Bid Solicitation Report

For July 2012

8/1/2012

Department	PO Date	PO No	Vendor	Description	PO Amount
Bid Number	Bid Date	Bid Due	CC Meeting	Item No	PO Notes
	Approved By	Fund		Function/Division	
Community Services				Guard Rail Installation Long Hill Road	
B13001	07/11/2012	07/31/2012			
Community Services				Household Hazardous Waste	
B13002	07/12/2012	08/13/2012			
Finance and Purchasing				Stationery, Envelopes, Business Card Printing	
B12088	07/12/2012	08/02/2012			
Community Services				Non-Fibered Asphalt Emulsion Damproofing	
Q13-004	07/19/2012	08/09/2012			

City of Dover

Bid Solicitation Report

For July 2012

8/1/2012

Department	PO Date	PO No	Vendor	Description	PO Amount
Bid Number	Bid Date	Bid Due	CC Meeting	Item No	PO Notes
	Approved By	Fund		Function/Division	
Community Services				Highway Signs and Posts	
Q13-003	07/19/2012	08/14/2012			
Community Services				Stand by Generator Maintenance	
Q13-002	07/19/2012	08/09/2012			
Community Services				No 2 Heating Oil	
B13004	07/19/2012	08/06/2012			
Community Services				Off Road Diesel	
B13003	07/19/2012	08/06/2012			
Community Services				Natural Gas Supplier	
B13005	07/24/2012	08/06/2012			

City of Dover

Bid Solicitation Report

For July 2012

8/1/2012

Department	PO Date	PO No	Vendor	Description	PO Amount
Bid Number	Bid Date	Bid Due	CC Meeting	Item No	PO Notes
	Approved By	Fund		Function/Division	
Finance				Appraisal Services School Street Lot	
Q13-005	07/24/2012	08/13/2012			
Planning				Dover Transportation Center Operator/Tenant	
B13006	07/25/2012	08/20/2012			
Community Services				Asbestos Removal and Disposal at Wentworth Terrace Pump Station	
Q13-001	07/30/2012	08/15/2012			

Total for

Grand Total All Departments



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Workshop Session**
Meeting Location: **Media Access Center, McConnell Center**
Meeting Date: **Wednesday, July 18, 2012**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Crago 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, Councilor Weeden, and Councilor Weston.

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

5. TOPICS OF DISCUSSION

A. DOWNTOWN INFILL DEVELOPMENT PLAN

City Manager Joyal introduced Bill Simons, the City's Parking Manager, and said he will be giving the Council a presentation on the Downtown Infill Development Plan.

Mr. Simons gave a PowerPoint presentation to the Council.

Planning Director Parker explained the proposed development plans to the Council.

Mr. Simons continued his presentation with the financial aspects and the Council's role.

Councilor Weeden spoke about the economy and asked if the proposed buildings will be empty.

Mr. Simons said that was a possibility, but with a development plan the City will get the income either way.

Economic Development Director Barufaldi explained the economic development of Dover, saying Dover has the momentum to grow. He said if something wasn't done about the parking problem in Dover it will be too late.

Councilor Weeden asked about the timeline and if the City would be selling on the low end.

Mr. Simons said it was along the same timeline as the Waterfront Development project and they could anticipate more on the high end, but the low end will still cover costs.

Councilor Weeden spoke about the costs to build the parking garage and said he felt it was high.

Mr. Simons said he included all costs over the 20 year period, not just the cost to build it.

Councilor Weeden referred to the parking space deficit for the first two years, and asked Mr. Simons if he anticipates there won't be interest in the buildings until the parking garage is built.

Mr. Simons spoke about angle parking eliminating the deficit parking on Third Street. He said he doesn't see displacement issues until they develop the Orchard Street parking lot. He said they are evaluating this problem and have alternatives.

Councilor Hooper referred to the TIF district and asked if it remains that way forever.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Workshop Session**
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Meeting Date: **Wednesday, July 18, 2012**
Meeting Time: **7:00 pm**

Mr. Simons said once the bonds are paid off all the taxes will go to the City, and all maintenance would transfer to the parking entity.

Councilor Crago asked Mr. Simons and Mr. Parker where things could go wrong.

Mr. Simons said the biggest challenge would be the money coming in from the development does not arrive when the City's bills are due. He said protection agreements would have to be added into the development agreements.

Director Parker agreed with Mr. Simons that the biggest concern is the failure to complete the development, and if the building is not completed in the timeline the City will receive a payment in lieu of taxes.

General Legal Councilor Krans gave an overview of the legal issues. He said the product is staggered. He said they will monitor economic development. He said they will evaluate the developers that come to the City and the quality of their projects.

Councilor Weston said she was concerned about the displacement of parking spots on Orchard Street.

Mr. Simons said the plan is to build the garage before the Orchard Street lot is developed.

Councilor Weston asked about a surety bond from the developer.

Director Parker said a surety bond would be required.

Councilor Weston asked about impact fees and if it would go to the TIF district.

Director Parker said impact fees would not go to the TIF district, but directly to the impact fee account.

Councilor Weston spoke about her research on TIF district, which was positive. She asked about the TIF lifespan, and the possibility to expand it or extend it.

Mr. Simons said the Council has the control and the timeline can be written in. He said he felt the timeline was 23 to 24 years, including 3 to 4 years to prep and 20 years to pay the bond.

Councilor Weston asked if everything was going into this project, or will a portion go to the City.

Mr. Simons said he expected everything was going into this project for at least the first decade, because they need the cash flow. He said it could be reviewed every year if the Council wishes.

Councilor Cheney asked if these lots were sold.

Mr. Simons said parts of the lots will be sold.

Councilor Cheney asked about the valuation ratio of the parking lots to the City's total valuation ratio, and the State limit.

Finance Director Lynch said it would fall way below the 8% State limit for a TIF district.

Councilor Cheney asked about the life expectancy of the parking garage.

Mr. Simons said the average life expectancy is 50 years.

Councilor Cheney asked if the City could be taking money from the Community Development Building Grant (CDBG) funds.

City Manager Joyal said the City would take advantage of using any qualifying grants. He explained the process of using CDBG funds to the Council.

Councilor Cheney said she had a problem that none of the money will go to the community.

Mr. Simons said this is new money for the City, because the property isn't earning any money at this time.

Councilor Cheney said her confidence level is not high.



CITY OF DOVER

CITY COUNCIL - MINUTES

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

Mr. Simons said that will be his job to get it done correctly.

Councilor Weeded asked to have the Citizen's Forum before the Council has a consensus vote.

Councilor Spuler asked what has been perceived to develop this land without the TIF district in place.

City Manager Joyal said the Council had a workshop with a developer's plan. He said this plan will support the parking garage.

Director Parker said doing it this way takes the development of the garage off the developer.

Councilor Spuler asked about the amount of the bond; \$14.1 million.

Mr. Simons said the bond itself will be \$8.5 million, with the other funds covering operations and paying off the bond.

Councilor Spuler said the cost of each parking spot is roughly \$100,000.

Mr. Simons said that was correct, but didn't include the income from renting those spaces.

Councilor Crago started a discussion about using the parking meter funds for other purposes.

Mr. Simons said his projections are based on still receiving the parking meter funds.

Councilor Weston started a discussion regarding using the capital reserve funds for other purposes, using the sidewalk plowing as an example. She was concerned that it wasn't really protected.

Mr. Simons said the capital reserve funds will have to be directed to pay off the bond.

Councilor Cheney said they're talking about \$14 million with no return to the City.

Mayor Trefethen spoke about problem with TIF in other communities; expanding the size of the TIF district and spending the money before the City actually had the money. He said that is not the plan for Dover. He said the decision being made by the Council is whether they wanted to continue with gathering more information about doing this. His concern was the influx of new buildings all at the same time and the ability to have them filled and not have them empty.

Councilor Weston asked if the City was looking to expand the TIF district.

Mr. Simons said they were not. They were just trying to pay the bill for a parking garage.

City Manager Joyal said they were only targeting non-taxed properties that are publicly owned.

Councilor Weston said she is anxious to see a real plan, and what they have seen tonight is a good starting point.

Councilor Garrison said he is in favor of moving to the next step.

Councilor Hooper said she supported moving to the next step.

Councilor Crago said he supported moving to the next step.

Mayor Trefethen asked the General Legal Counselor if it was possible to have the language that future Councils could not expand the boundaries or goals of this TIF district.

General Legal Counselor Krans said yes, they could.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Workshop Session**
Meeting Location: **Media Access Center, McConnell Center**
Meeting Date: **Wednesday, July 18, 2012**
Meeting Time: **7:00 pm**

Mayor Trefethen asked for direction of the Council to have the Citizen's Forum at this point only on the Downtown Infill Development Plan.

David Montenegro, 55 Union Street: He spoke against the Downtown Infill Development Plan.

Donald Medbery, 3 Covered Bridge Lane: He spoke against the Downtown Infill Development Plan.

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

Mayor Trefethen asked for a show of hands from the Council if they wish to have the City Manager and his staff pursue this further.

In favor: 8. Opposed: 1, (Councilor Cheney)

B. MANAGEMENT BEST PRACTICES PRINCIPLES – CITY MANAGER PRESENTATION

City Manager Joyal gave a presentation to the Council regarding the Management Best Practices Principles.

Mayor Trefethen started a discussion regarding benchmarking, taking statistics and setting goals and getting the results.

City Manager Joyal said they use objectives constantly throughout the departments within the organization. He said they don't really show this outside the organization with charts and reports because it would take a considerable amount of resources to generate that information. Mayor Trefethen started a discussion balanced scorecards and setting goals.

Councilor Weeden moved to suspend the rules to continue past 10:30 pm; seconded by Councilor Cheney.

Roll Call Vote: 9/0.

Councilor Crago continued the discussion.

Councilor Weeden said he didn't care if a department received an award. He wanted to make sure the revenue the City received was used for its best purpose.

6. CITIZEN'S FORUM

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

David Montenegro, 55 Union Street: He spoke about perception and the need to verify reality with facts. He said the City needed transparency.

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



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Workshop Session**
Meeting Location: **Media Access Center, McConnell Center**
Meeting Date: **Wednesday, July 18, 2012**
Meeting Time: **7:00 pm**

7. ADJOURNMENT

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

Mr. Simons' Parking Lot In-fill Initiative presentation has been archived with the minutes.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, July 25, 2012**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Hooper led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor 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 Counselor Krans, and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS

A. JAKE'S DAY

Mayor Trefethen read the Proclamation for Jake, the therapy dog.

6. APPROVAL OF AGENDA

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

Vote: 8/0.

Councilor Crago moved to add the McConnell Center Executive Summary; seconded by Councilor Spuler.

Vote: 8/0.

Deputy Mayor Carrier said there will be no Appointments Committee Report this evening.

Deputy Mayor Carrier moved to withdraw Item 13.B.1. resolution from the agenda; seconded by Councilor Weston.

Vote: 8/0.

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

Vote: 8/0.

7. PUBLIC HEARINGS – None



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, July 25, 2012**
Meeting Time: **7:00 pm**

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.

Mary Hebbard, 97 Spruce Lane: She spoke about the Wastewater facility resolution, and asked several questions she would like clarification this evening regarding where the money is coming from, the requirements from the EPA, and the contract.

David Montenegro; 55 Union Street: He spoke about incrementalism in Dover.

David Martin, 10 Linda Avenue: He spoke about the Parking Meters resolution.

Peter Schmidt, 53 Fourth Street, NH State Representative: He spoke against the propaganda document left on the benches. He spoke about the Wastewater Treatplant upgrades.

John Kimball, 24 Isaac Lucas Circle: He spoke against the Agenda 21, Scenic Byway issue.

Marga Coulp, 106 Dover Neck Road: She asked if the City Charter is in the building at all times.

Mayor Trefethen said Citizen's Forum is to give your opinion, not a question and answer period.

Ms. Coulp continued with her comments. She spoke against government involvement, and the need to go into their principle values. She donated a book to the Mayor.

David Scott, 220 Back Road: He spoke about the \$50,000 grant from HUD, and the Scenic Byway. He said all money comes with strings attached.

Richard Hebbard, 97 Spruce Lane: He spoke about Rep. Schmidt's comments about his document about Agenda 21. He spoke against Agenda 21 and the Scenic Byway.

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

9. CITY MANAGER'S REPORT

A. JULY 11, 2012 - (TO BE REMOVED FROM THE TABLE)

B. JULY 25, 2012

Deputy Mayor Carrier moved to remove from the table the July 11, 2012 City Manager's Report; seconded by Councilor Weston.

City Manager Joyal spoke about the Whittier Street Bridge project. He said the inspection showed that the City will have to install additional steel plates across the deck to keep it safe until the bridge is slated to be replaced in 2015 or 2016. He said he may have to issue an emergency purchase order to complete this project.

Councilor Weston asked about the status of the bridge on Watson Road and the parking lot for the Community Trail.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, July 25, 2012**
Meeting Time: **7:00 pm**

City Manager Joyal explained the history behind the old bridge on Watson Road and said Community Services Director Steele has met with the State. He said the City is exploring its options and he expects the Council will have a resolution by the end of the year to discuss its disposition. He spoke about the status of the parking lot at the end of the Community Trail on Watson Road. He said the State is working to coordinate the issue, and the City is still waiting for the State to signoff.

Deputy Mayor Carrier asked for an update on Central Avenue and Applevale.

Community Service Director Steele gave an update to the night paving on Central Avenue and the reconstruction work on Applevale.

Deputy Mayor Carrier moved to approve the City Manager's Reports; seconded by Councilor Hooper.

Vote: 8/0.

10. APPROVAL OF MINUTES

A. July 11, 2012 – Regular Meeting

B. July 11, 2012 - Workshop

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

Vote: 8/0.

11. MAYOR'S REPORT

Mayor Trefethen said he and the City Manager went to Washington DC to meet with the EPA about the City's wastewater treatment plant permit. He said they had good representation there and teleconferences. He said they haven't heard anything good or bad about the presentation. He attended the July 4th ceremony. He participated in the Cocheco Arts Festival opening on July 6th. He has been asked to appoint a member of the Council to the Dover Main Street Board, which he has to check to see if it will be a direct mayoral appointment or an Appointments Committee appointment.

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

Vote: 8/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING – None

B. ORDINANCES IN THE 3rd READING – None

C. RESOLUTIONS – None



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, July 25, 2012**
Meeting Time: **7:00 pm**

13. NEW BUSINESS

A. CONSENT CALENDAR

1. **TAG – Seacoast Titans Youth Football & Cheer Association**
2. **RESOLUTION: B12085 – BIO SOLIDS DISPOSAL SERVICES**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
3. **RESOLUTION: B12089 – SIDEWALK CENTRAL AVE**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

COMMITTEE REPORTS

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

Deputy Mayor Carrier moved to approve the Consent Calendar; seconded by Councilor Crago.
Councilor Hooper asked to pull the School Board Report.

Councilor Garrison asked to pull 13.A.2.

Councilor Grago asked to pull the McConnell Center Advisory Committee Report.

Councilor Cheney asked to pull 13.A.3.

Mayor Trefethen asked for a vote to approve 13.A.1.

Vote: 8/0.

Deputy Mayor Carrier moved to adopt item 13.A.2.; seconded by Councilor Garrison.

Councilor Garrison asked if the new improvements will result in the waste product that needs to be taken away being less heavy.

City Manager Joyal said that was correct. He said costs to remove the waste product are offset by not composting the materials.

Roll Call Vote: 8/0.

Deputy Mayor Carrier moved to adopt item 13.A.3.; seconded by Councilor Cheney.

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

Roll Call Vote: 8/0.

Councilor Hooper gave an overview of the School Board report.

Deputy Mayor Carrier moved to approve the School Board report; seconded by Councilor Crago.

Vote: 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, July 25, 2012**
Meeting Time: **7:00 pm**

Councilor Crago gave an overview of the McConnell Center Advisory Committee report. Deputy Mayor Carrier moved to approve the McConnell Center Advisory Committee report; seconded by Councilor Weston.
Vote: 8/0.

B. RESOLUTIONS

1. FRIENDSHIP FORCE HENRY LAW PARK TREE PLANTING
SPONSORED BY MAYOR TREFETHEN BY REQUEST

Motion was made by the Council to withdraw resolution.

2. B11001 – WASTE WATER TREATMENT FACILITIES ADDITIONAL SCOPE OF WORK
SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Weston. City Manager Joyal gave an overview of the resolution to the Council. He introduced Pete Atherton, an engineer from Wright-Pierce, to speak to the Council. Mr. Atherton gave a PowerPoint presentation to the Council regarding the plans for the wastewater treatment plant. He answered discussion from the Council.
Roll Call Vote: 8/0.

3. AMENDMENT OF FY2013 FEE SCHEDULE RELATED TO IN-VEHICLE PARKING METER RELOAD FEES (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) (TO BE REFERRED TO A PUBLIC HEARING ON AUGUST 8, 2012)
SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on August 8, 2012; seconded by Councilor Garrison.
Vote: 7/0. Councilor Cheney was absent from the Council Chambers.

C. ORDINANCES IN 1ST READING

1. CHAPTER 166-44: VEHICLES AND TRAFFIC; IN-VEHICLE PARKING METERS (TO BE REFERRED TO A PUBLIC HEARING ON AUGUST 8, 2012)
SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on August 8, 2012; seconded by Councilor Weston.
Vote: 7/0. Councilor Cheney was absent from the Council Chambers.

14. COUNCIL CORRESPONDENCE – None



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, July 25, 2012**
Meeting Time: **7:00 pm**

15. COUNCIL MATTERS OF INTEREST

Mayor Trefethen talked about the renovated Council Chambers and issues that still need to be addressed.

Councilor Weston spoke about issues being addressed by the Transportation Advisory Commission.

Councilor Garrison started a discussion about Council Rules.

Councilor Spuler spoke about the green bags and the other options for trash pickup. He asked why the Appointments Committee wasn't brought forward tonight.

Deputy Mayor Carrier said the Appointments Committee is planning on meeting August 15, 2012, and they will have a report for the Council at the second regular meeting in August.

16. ADJOURNMENT

Deputy Mayor Carrier moved to adjourn to the Workshop session; seconded by Councilor Spuler. Vote: 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, July 25, 2012**
Meeting Time: **To immediately follow Regular Meeting**

1. CALL TO ORDER

~~2. MOMENT OF SILENCE~~

~~3. PLEDGE OF ALLEGIANCE~~

4. ROLL CALL ATTENDANCE

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

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

5. SCENIC BYWAY PRESENTATION

City Planner Steve Bird, Strafford Regional Planning Member Kyle Pimental, and Department of Transportation Dean Eastman gave a PowerPoint presentation regarding the Scenic Byway to the Council.

Councilor Spuler asked who ran the Scenic Byway.

Mr. Eastman said it was run by the local jurisdiction and not by the State.

Councilor Weston asked about State approval for Scenic Byways and the nine governor appointments.

Mr. Eastman said they were representatives from several departments in the State.

Councilor Weston asked about signage and their possible removal.

Mr. Eastman said they are already State roads and would follow the same regulations and restrictions. He said if the town or city allows it then it will be okay. He said it's not a zoning tool.

The entire Council discussed how this would benefit Dover, since Dover does most of its own promotion already.

Councilor Garrison moved to suspend the rules to continue past 10:30 pm; seconded by Deputy Mayor Carrier.

Roll Call Vote: 8/0.

Mayor Trefethen said the NH State map highlights the scenic byway. He said they shouldn't be looking at this for the grant, but that it was something good for Dover.

Councilor Cheney started a second discussion about signs and the regulations for off premises signs.

Mayor Trefethen said the suggested letter to the State included in their agenda packet is not what he will be signing.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, July 25, 2012**
Meeting Time: **To immediately follow Regular Meeting**

6. CITIZEN'S FORUM

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

David Montenegro, 55 Union Street: He spoke against the Scenic Byway, because it just increased regulations.

Richard Hebbard, 97 Spruce Lane: He spoke against the Scenic Byway.

Mary Hebbard, 97 Spruce Lane: She spoke against the Scenic Byway.

Mayor Trefethen, seeing no one else 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 OF DOVER - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number:
Ordinance Title: **O -2012.07.25 – 11**
Chapter: 166-44 Vehicles and Traffic; In-Vehicle Parking Meters

The City of Dover Ordains:

1. PURPOSE:

The purpose of this ordinance is to:

Add **166-44: In-Vehicle Parking Meters**, to establish regulations on the use of In-Vehicle Parking Meters.

2. AMENDMENT:

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by adding Section 166-44. “In-Vehicle Parking Meters”,

THE FOLLOWING IS ADDED:

A. The use of In-Vehicle Parking Meters (IVPM) to pay for parking is permitted notwithstanding the provisions of 166-38 (C)(1) under the following conditions:

1. The IVPM is displayed by using the mounting bracket, or on the dashboard, allowing the readout device to be clearly viewed.
2. The IVPM is authorized for use in the City of Dover and activated for the proper zone in which the vehicle is parked.
3. No manipulation of the software, display, deactivation or reactivation of the IVPM resulting in the avoidance of parking fees has occurred.

B. Attempts at circumvention of the IVPM program may result in the closing of the IVPM account without refund of any kind.

3. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING

AUTHORIZATION

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



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number:
 Ordinance Title: **O -2012.07.25 – 11**
 Chapter: 166-44 Vehicles and Traffic; In-Vehicle Parking Meters

DOCUMENT HISTORY:

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

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Dean Trefethen		
Deputy Mayor, Robert Carrier, At Large		
Councilor, Edward 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 - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number:
Ordinance Title: **O -2012.07.25 – 11**
Chapter: 166-44 Vehicles and Traffic; In-Vehicle Parking Meters

ORDINANCE BACKGROUND MATERIAL:

The City intends to authorize the use of In-Vehicle Parking Meters (IVPM) as an alternative means to pay for parking. The IVPMs are preloaded with paid parking time and activation and deactivation is completed by the driver.

This ordinance requires users to properly activate and display the device.

IVPM owners will still be able to take advantage of the short visit exception to purchasing a meter receipt for on-street spaces as authorized in 166-38.C(5).

In order to prohibit users from turning their IVPM off and on in relation to the patrol routes of the parking enforcement officers to avoid properly paying for parking and/or to avoid posted time limits, any vehicle for which the device is turned off and the vehicle is left unattended shall be deemed in violation. Violation appeals will still be accepted by the parking manager for exceptional situations.

Violations of this section can result in closing of the IVPM account after the current funds are exhausted and no refund for the purchase of the device will be issued.

At their April 18, 2012 regular meeting, the Parking Commission unanimously voted to recommend this ordinance.

166-44 is currently "Reserved".



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number:
Ordinance Title: **O -2012.07.25 – 11**
Chapter: 166-44 Vehicles and Traffic; In-Vehicle Parking Meters

166-38 is provided as a reference for this proposal, no changes are proposed to 166-38. This document was accurate at the time of the submission.

166-38. Unlawful Acts; Separate Violations

The following shall be considered violations of this Article:

- A) It shall be unlawful for any person to park or allow any vehicle registered in his name to be parked in a parking meter zone so that vehicle is not entirely within the area designated or delineated by lines or markings.
- B) It shall be unlawful for any person to park or allow any vehicle registered in his name to be parked in excess of nineteen (19) feet in overall length in a parking meter zone except as provided in 166-39.
- C) It shall be unlawful for any person to park or allow any vehicle registered in his name to be parked or left standing in any area where parking is controlled by a master parking meter:
 - 1) Without purchasing a receipt from said master parking meter for such parking or standing time.
 - 2) Without displaying any receipt so purchased in a master parking meter in a position on the dashboard of the vehicle in order that the time printed on said receipt may be clearly visible from outside the vehicle.
 - 3) After parking or standing time which has been purchased has expired.
 - 4) Displaying an altered or falsified receipt or any receipt that has not been purchased from the master parking meter controlling the parking space in which the vehicle displaying the receipt is parked.
 - 5) Exception: No master receipt is required for on-street parking of less than 15 minutes. This exception does not apply to parking lots.
- D) Each subsection of the acts described in Subsection C(1) to (4) shall constitute a separate violation and additional violation. It shall further be unlawful for any person to park or allow any vehicle registered in his name to remain parked in a parking meter zone when time purchased on the parking meter for that space has expired, except as provided in 166-37.
- E) It shall be unlawful for any person to park or allow any vehicle registered in his name to be parked or left standing on any public highway or part of a public highway within the city in a parking meter zone without conforming to the provisions of this Article.
- F) Where a violation of this Article is found, each additional one (1) hour that a vehicle is so parked in violation shall constitute a separate additional violation.
- G) Exceptions: The provisions of the aforementioned sections of this Article shall not apply to publicly owned vehicles nor to persons who are disabled and have obtained permission so to park from the Chief of Police.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2012.08.08 – 98**
Resolution Re: **Authentication of the Official Charter of the City of
Dover**

Whereas: The Official Charter of the City of Dover requires authentication pursuant to the provisions of C11-10.

Whereas: The Final Report of the 2005 Charter Commission was approved by the voters;

Whereas: The voters amended the Dover Charter in 2007 and 2011.

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

The Official Charter of the City of Dover as adopted by the voters in 2005 and amended in 2007 and 2011 is authenticated. The signatures of the members of the Dover City Council attached to the Official Charter authenticates the Official Charter of the City of Dover for all purposes.

AUTHORIZATION

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2012.08.08 – 98**
Resolution Re: **Authentication of the Official Charter of the City of Dover**

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
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.		

The Dover Charter requires the filing of the Official Charter with the City Clerk duly authenticated by affixing the signatures of all members of the City Council. *Dover Charter C11-10.*

The act of authentication is linked to the issue of admissibility of evidence in a court of law. Authentication is the **“act or mode of giving authority or legal authenticity to a statute, record, or other written instrument, or a certified copy thereof, so as to render it legally admissible in evidence”**. *Black’s Law Dictionary, Revised Fourth Edition, p. 168.*

The following documents are supplied with this resolution: The Final Report of the 2005 Dover Charter Commission, the 2007 ballot and the 2011 ballot. The Official Charter has been reviewed and approved by Councilor Catherine Cheney on behalf of the Dover City Council.

CHARTER

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

CHARTER

ARTICLE IV SCHOOLS

- C4-1. District Established
- C4-2. School Board
- C4-3. Meetings; Regulations; Officers
- C4-4. Qualifications of Members
- C4-5. Vacancies
- C4-6. Compensation

ARTICLE V ADMINISTRATION OF GOVERNMENT

- C5-1. City Manager
- C5-2. Qualifications
- C5-3. Removal from Office
- C5-4. Acting City Manager
- C5-5. Powers and Duties of Manager
- C5-6. Appointment of Department Heads; Suspension; Appeal
- C5-7. Appointive Officers
- C5-8. Role of Council
- C5-9. Departments
- C5-10. Legal Officer

ARTICLE VI FINANCE

- C6-1. Fiscal Year
- C6-2. Finance Director
- C6-3. Budget Procedure
- C6-3.1 Limitation on Property Tax Levy Increase
- C6-4. Budget Hearing
- C6-5. Final Date for Budget Adoption
- C6-6. Appropriation After Adoption of Budget
- C6-7. Quarterly Budget Reports; Reductions
- C6-8. Transfers
- C6-9. Capital Improvements Program
- 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
- C6-17. Special Assessments
- C6-18. Trust Funds

CHARTER

ARTICLE VII PERSONNEL POLICIES

- C7-1. Appointments
- C7-2. Merit Plan
- C7-3. Compensation
- C7-4. Certification of Payroll
- C7-5. Employee Insurance
- C7-6. Personnel Advisory Board
- C7-7. Public Safety Employees

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

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 11-05-2005 Municipal Election where noted]

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

C1-1. Incorporation.

The inhabitants of the City of Dover shall continue to be a body politic and corporate under the name of the "City of Dover" and as such to enjoy all the rights, immunities, powers and privileges and be subject to all the duties and liabilities now appertaining to or incumbent upon them as a municipal corporation. All existing property of the city shall remain vested in it, and all its existing debts and obligations shall remain obligatory upon it under this revised charter.

C1-2. Establishment of Wards.

A. The city shall be divided into six wards as presently constituted. The general laws of the state relative to wards of cities, officers thereof and voters, checklists, elections and jurors shall be applicable to such wards.

B. Ward boundaries shall divide the City of Dover into six wards of as equal population as is practicable. To achieve that goal, starting upon the issuance of the results of the 2010 census, and every ten years thereafter, the City Council shall promptly initiate review of the ward boundaries to determine if redistricting is necessary and the City Council shall propose changes to the ward lines, through a charter amendment pursuant to RSA Chapter 49-B, that will as near as is practicable ensure the wards have equal population. [Added 11-05-2005 by Municipal Election]

C1-3. Boundaries of Wards. [Amended 02-18-92 by Municipal Election; Amended 08-23-2001, approved 11-06-2001 by Municipal Election; Amended 06-22-2011, approved 11-08-2011 by Municipal Election.]

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

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

Ward Three begins at the intersection of Spaulding Turnpike and Central Avenue; thence following the center line of Central Avenue in a northeasterly direction to Locust Street; thence following the center line of Locust Street northerly to Fisher Street; thence following the center line of Fisher Street in an westerly direction to Elm Street; thence following the centerline of Elm Street northerly to the intersection with Silver Street; thence following the centerline of Silver Street easterly to the intersection of Central Avenue; thence following the centerline of Central Avenue in a northeasterly direction to Court Street; thence following the center line of Court Street southeasterly to Tennyson Avenue; thence following the center line of Tennyson Avenue in a northeasterly direction to Henry Law Avenue; thence following a block line established by the 2000 census in a northeasterly direction to the Cochecho River; thence following the Cochecho River southeasterly to its confluence with the Piscataqua River and the exterior block line established by the 2000 census located in the center of said Piscataqua River; thence following the exterior block line established by the 2000 census located in the center of the Little Bay channel where it intersects the Spaulding Turnpike at the Little Bay Bridge; thence following the exterior block line established by the 2000 census located in the center of Little Bay in a northwesterly direction to a point of intersection at the common boundary corner between Dover and Madbury near the Scammel Bridge; thence following the center line of the Bellamy River in a northwesterly direction to Spur Road Extension; thence following the center line of the Spur Road Extension southerly to the intersection Spur Road; thence following the center line of Spur Road northwesterly to the Spaulding Turnpike; thence following the center line of the Spaulding Turnpike in a northwesterly direction to the point of beginning.

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

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

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

ARTICLE II ELECTIONS

C2-1. Conduct of Elections. [Amended 11-05-2005 by Municipal Election]

- A. The election officers in each ward, whose duty it is to conduct regular biennial elections, shall conduct a nonpartisan municipal election, at the expense of the city, in the same manner as regular biennial state election, on the first Tuesday after the first Monday in November of each odd numbered year to choose Ward Councilors, Councilors at Large, Mayor and School Board Members. **[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; Amended 10-03-2007, approved at 11-06-2007 Municipal Election.]**
- B. At all municipal elections, the polls shall be open as determined by the City Council in accordance with the provisions of the State RSA and specified in Chapter 100, Elections, of the Municipal Code.
- C. The polling place of the ward shall be fixed in accordance with the provisions of State RSA and specified in Chapter 100, Elections, of the Municipal Code.

C2-2. Ward Officers.

At each municipal election, the inhabitants of each ward shall choose three Selectpersons, a Clerk, a Moderator and a Supervisor of the Checklist, who, being duly sworn, shall perform and discharge respectfully the duties, in accordance with the provisions of State RSA and specified in Chapter 100, Elections, of the Municipal Code, of said officers for said wards and shall hold office until their successors are duly elected and qualified. In case of any vacancy in said offices, in any ward, the City Council shall fill such vacancy at its first regular meeting after such vacancy shall occur. Appointees shall be from the same ward in which the vacancy exists and shall hold office for the unexpired term. The term of office shall be for a two year term.¹ **[Amended 08-09-2000, approved at 11-07-2000 Municipal Election; Amended 08-23-2001, approved at 11-06-2001 Municipal Election; Amended 07-10-2002, approved at 11-05-2002 General Election; Amended 11-05-2005 by Municipal Election]**

C2-3. Reserved. [Repealed 11-02-2005 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.**

** **Editor's Note: Formerly Supervisor of Checklist section.**

C2-4. Composition of Board of Supervisors of Elections.

The Supervisors of the Checklist shall constitute a Board of Supervisors of Elections of all the wards in the City. The Board shall choose a Chairperson from its own membership. [Amended 11-05-2005 by Municipal Election]

C2-5. Duties of Board.

The Board of Supervisors of Elections shall perform the duties as outlined in accordance with the provisions of State RSA and specified in Chapter 100, Elections, of the Municipal Code and Section C2-11. [Amended 11-05-2005 by Municipal Election]

C2-6. Sessions of Board.

The Board of Supervisors of Elections shall be in session in accordance with the provisions of State RSA and as specified in Chapter 100, Elections, of the Municipal Code and Section C2-11. [Amended 09-05-90, approved at 11-06-90 Election; Amended 11-05-2005 by Municipal Election]

C2-7. Qualifications of Voters.

Persons who would be qualified to vote in a biennial state election, if held on the day of such municipal election, shall be qualified voters therein. Municipal elections hereunder shall be deemed elections within the meaning of all general statutes, penal and otherwise, and said statutes shall apply to municipal elections so far as consistent with this Charter.

C2-8. Filing of Declaration of Candidacy. [Amended 09-25-85, approved at 11-05-85 Municipal Election; Amended 09-05-90, approved at 11-06-90 Election; Amended 08-09-95, approved at 11-07-95 Municipal Election]

All persons qualified to vote in municipal elections wishing to become candidates for any municipal office to be voted on at the next election shall file, in writing with the City Clerk, their declaration of candidacy, indicating the office for which they are filing. The filing of a declaration of candidacy shall be no earlier than sixty (60) days before the election and shall be not later than 4:00 p.m. of the forty-fifth (45th) day before the election.

C2-9. Preparation of Ballots.

The City Clerk shall prepare separate ballots to be used at all elections at which municipal officers are chosen. The ballot shall contain in appropriate sections the names of all candidates, listed in the order of their filing for office in accordance with C2-8 of this Charter, without party designation. Below the list of names of the candidates for each office there shall be as many blank spaces as there are offices to be filled at the election. No titles, military, professional or otherwise, shall accompany the name of any candidate on the ballot.

C2-10. Absentee Ballots. [Amended 09-25-85, approved at 11-05-85 Municipal Election]

Any legal voter of said city who is absent from said city on the day of the election of municipal officers or who, by reason of physical disability, is unable to vote in person may vote at said election by a so-called absentee ballot. The provisions of RSA 657, so far as applicable hereto and not inconsistent herewith, shall apply to such absentee voting in said city.

C2-11. Contested Elections/Recounts. [Amended 02-12-2003, approved at 11-04-2003 Municipal Election]

A. Within seven days after an election, the Board of Supervisors of Elections shall canvass the votes cast, and the candidates receiving the highest number of votes for the offices to be filled shall be declared elected, and the Board shall forthwith certify the results of the election to the City Council.

B. Within seven days of Election Day, a candidate may request in writing that a recount be conducted. Within 14 days of Election Day the Board shall conduct a recount of the contested offices. The recount shall be conducted in accordance with the same rules and procedures utilized by the Secretary of State of New Hampshire. No person shall be entitled to a recount unless the difference between the vote cast for that person and the vote cast for the candidate declared elected shall be 5 percent or less of the total vote so cast of such office. The person requesting the recount shall be charged the following fees: where difference is 1 percent or less -- no fee; where difference is 3 percent or less -- \$20.00; where difference is 5 percent or less -- \$100.00. Said fee shall be paid to the City Clerk. Any person who has requested a recount, if declared elected by reason of said recount, shall be entitled to a full refund of the said fee. A tie vote shall be resolved by lot.

C. Challenges of Fraud and/or Misconduct: A candidate may petition the Board challenging an election based upon fraud and/or misconduct. The petition shall set forth the grounds and law relied on. A person shall have 10 days to request a hearing for fraud. The Board shall schedule a hearing no later than 30 days from the Election Day. Hearings shall be conducted in accordance with the Rules of the New Hampshire Ballot Law Commission, Adjudication Proceedings 206.01 through 206.14 and RSA 665:11 (eff. 01/01/2004). The candidate filing the petition shall have the burden of proof by a preponderance of the evidence. The Board may void an election if a finding is made that misconduct could have affected the outcome of the election.

C2-12. Preservation of Ballots.

All the ballots cast at each election in the several wards shall be preserved, and, after they shall have been counted, the Moderator shall deliver all the ballots given in to the Clerk of the ward, and the Clerk shall seal up said ballots, direct and deliver the same, together with the checklist used at such election, within one hour after the adjournment of such meeting to the City Clerk. Such ballots shall be preserved by the City Clerk for thirty days with the seals unbroken, except that they shall be subject during that time to the examination by the Board of Supervisors of Elections for the purposes of recount or contested election on the ground of fraud or misconduct.

C2-13. Display of Campaign Materials at Polling Place Restricted. [Amended 09-25-85, approved at 11-05-85 Municipal Election; amended 02-12-2003, approved at 11-04-2003 Municipal Election]

In addition to the provisions of RSA 659:43, persons as candidates for elective office or representing or working for a candidate for office may display or exhibit any campaign materials or paraphernalia next to any building where an election is being held, but may not under any circumstances distribute any campaign materials within the established ten foot wide corridor. The Moderator of each polling place used for the conduct of an election shall be responsible for maintaining the polling place free of campaign materials of any kind at all times. No person working in any capacity at or present within a polling place used for the conduct of an election shall wear or display in any manner any campaign material 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. [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 09-25-85, 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 09-25-85, approved at 11-05-85 Municipal election; Amended 08-30-95, approved at 11-07-95 Municipal Election; Amended 02-12-2003, approved at 11-04-2003 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 08-26-92, approved at 11-03-92 Election; Amended 08-09-95, approved at 11-07-95 Municipal Election; Amended 08-23-2001, approved at 11-06-2001 Municipal election; Amended per N.H. Supreme Court 12-2002; 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.

C3-5. Vacancies. [Amended 09-05-90, approved at 11-06-90 Election; Amended 08-09-95, approved at 11-07-95 Municipal Election]

Vacancies occurring in the office of Councilor at any time shall be filled at a special election to be called by the City Council. Said election shall be held no later than 60 days following the creation of the vacancy (with a filing period to be established by the City Clerk) except, however, in cases where such vacancies shall occur less than one year prior to the expiration of the term of office. In such case, the vacancy shall be filled by the election of a qualified person, as set forth in C3-4 above, by a majority vote of the Council at the second regular meeting of the Council following the creation of the vacancy. Vacancies in the office of the Ward Councilor shall be filled from the same ward as the prior incumbent. The Council shall declare the existence of vacancies among its membership or any other elective municipal office under this section or C11-3 of this Charter, except as otherwise provided in this Charter.

C3-6. Salaries and Compensation.

Unless otherwise fixed by ordinance, Councilors shall receive as salary the sum of one thousand dollars (\$1000) per year; plus reimbursement for reasonable expenses incurred in the performance of their work as approved by affirmative vote of the Council. The Mayor shall receive an additional \$200 per year and the Deputy Mayor shall receive an additional \$50 per year. [Amended 11-05-2005 by Municipal Election]

Editor's Note: Consecutive term limitations language was removed due to a N.H. Supreme Court decision in Hooksett v. Baines (December, 2002).

C3-7. Meetings.

All meetings of the Council shall be public. Regular meetings shall be held on such day of each month at such time as the Council shall, from time to time, by ordinance or resolution direct. The Council shall establish its own rules and a majority shall constitute a quorum for the transaction of the business of the Council. Special meetings may be called at the written request of the City Manager at the discretion of the Mayor or at least five Councilors and upon such request from at least five Councilors the Mayor shall call such special meeting. Written notice of said meeting shall be delivered to each Councilor at least 24 hours prior to the call of the meeting. The method of delivery of notice for special meetings shall be by established Council rule. **[Amended 11-05-2005 by Municipal Election]**

C3-8. Ordinances.

- A. **Form.** Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain more than one subject, which shall be clearly expressed in its title. Each ordinance shall be identified by a number and a short title. The enacting clause shall be "*The City of Dover ordains. . .*" Any ordinance which repeals or amends an existing ordinance shall set out in full the ordinance, sections or subsections to be repealed or amended and shall indicate matter to be omitted by enclosing it in brackets or by strikeout type and shall indicate new matter by underscoring or by italics.
- B. **Procedure.** An ordinance may be introduced by any member at any regular special meeting of the Council. Upon introduction of any ordinance, the City Clerk shall distribute a copy to each Council Member and to the Manager, shall file a reasonable number of copies in the office of the City Clerk and such other public places as the Council may designate. As soon as practicable after adoption of any ordinance, the Clerk shall have it published, together with a notice of its adoption.
- C. **Effective date.** Every ordinance shall take effect upon passage and publication as required by law or at a later date if specified therein.
- D. **Recording.** All ordinances, including any amendments thereto, shall be recorded in full, uniformly and permanently, by the City Clerk, and each ordinance so recorded shall be approved to form by the City Attorney, authenticated by affixing the signatures of the Mayor, City Clerk, City Attorney and City Seal and kept on file in the office of the City Clerk. The City Clerk, under the direction of the City Manager, shall be responsible for the systematic indexing, printing, publication and maintenance of the ordinances of the city. Copies of any or all ordinances shall be available to the public, and the City Clerk may charge a nominal cost to help defray the printing costs. **[Amended 09-05-90, approved at 11-06-90 Election]**

C3-9. Emergency Ordinances.

To meet a public emergency affecting life, health, property, or the public peace, the Council may adopt one or more emergency ordinances, but such ordinances may not levy taxes, grant, renew or extend a franchise, regulate the rate charged by any public utility for its services or authorize the borrowing of money except as provided in Subsection B. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the affirmative vote of those present and voting shall be required for adoption. After its adoption the ordinance shall be published and printed as prescribed for other adopted ordinances. It shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance, except one made pursuant to Subsection B, shall automatically stand repealed as of the **61st** day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

A. Emergency appropriations.* To meet a public emergency affecting life, health, property or the public peace, the Council may make emergency appropriations as part of an emergency ordinance. To the extent that there are no available unappropriated revenues to meet such appropriations, the Council may by such emergency ordinance, authorize the issuance of emergency notes, which may be renewed from time to time, but the emergency notes and renewals thereof occurring in any fiscal year shall be paid not later than the last day of the fiscal year next succeeding the year in which the emergency appropriation was made.

B. Recording. All ordinances, including any amendments thereto, shall be recorded in full, uniformly and permanently, by the City Clerk, and each ordinance so recorded shall be approved to form by the City Attorney, authenticated by affixing the signatures of the Mayor, City Clerk, City Attorney and City Seal and kept on file in the office of the City Clerk. The City Clerk, under the direction of the City Manager, shall be responsible for the systematic indexing, printing, publication and maintenance of the ordinances of the city. Copies of any or all ordinances shall be available to the public, and the City Clerk may charge a nominal cost to help defray the printing costs. **[Amended 09-05-90, approved at 11-06-90 Election]**

* Editor's Note: For provisions concerning appropriations, see Art. VI.

C3-10. Codification of Ordinances.

The City Council, not later than 45 days after the adoption of this Charter and at least every tenth year thereafter, shall have prepared a revision or codification of the ordinances of the city which are appropriate for continuation as local laws of the city. The City Council, not later than six months after the adoption of this Charter and at least every tenth year thereafter, shall have prepared a printed and hardbound volume containing all of the existing official ordinances of the City of over. Each bound volume shall be duly authenticated by affixing the signatures of all members of the City Council, the City Clerk and the City Seal. Such revision or codification shall be prepared under the supervision of the City Attorney, but the City Council may authorize the City Attorney to contract for the services of persons or organizations experienced in the revision and codification of ordinances and statutes. Copies of the ordinances 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 ordinances shall be in accordance with the provisions of C6-16 of the Charter.

C3-11. Powers and Duties.

The City Council shall be the governing body of the City of Dover, shall set policies for city government and shall bear full responsibility for the implementation of said policies through the hiring and supervision of the City Manager. [Added 11-05-2005 by Municipal Election]

Except as herein otherwise provided, the City Council shall have all the powers and discharge all the duties conferred or imposed upon city councils, boards of mayor and aldermen and selectmen of towns by law. Except as otherwise provided in this Charter, all boards, commissions and committees shall be appointed by the Council.

**ARTICLE IV
SCHOOLS****C4-1. District Established.**

The City of Dover shall constitute a single municipal corporation with powers for municipal and school purposes, including all the powers of a school district conferred by law.

C4-2. School Board. [Amended 09-05-90, approved at 11-06-90 Election; Amended 08-09-2000, approved at 11-07-2000 Municipal Election; Amended 07-10-2002, approved at 11-05-2002 General Election; Amended 10-03-2007, approved at 11-06-2007 Municipal Election]

There shall be a School Board consisting of seven members, elected at large. The term of office shall begin upon the member's election and qualification and end upon the election and qualification of the member's successor.

C4-3. Meetings; Regulations; Officers. [Amended 10-03-2007, approved at 11-06-2007 Municipal Election]

- A. The members of the School Board shall meet on the first Monday of January following their election for the purpose of newly elected members taking their oaths, organizing for the ensuing year and adopting rules and regulations for the transaction of business.
- B. A copy of such rules and regulations and any amendments thereto shall be filed in the office of the City Clerk and the office of the School Superintendent.
- C. The School Board shall elect by ballot from their own number a Chair, a Vice Chair, and a Secretary. The Treasurer of the City of Dover shall be the Treasurer of the School Board, and all checks authorized by the School Board shall be issued by the Treasurer upon warrant certified by the School Board and countersigned by such member of the School Board as may be officially designated.

· Editor's Note: All previous references to the "School Committee" shall now be referred to as the "School Board".

C4-4. Qualifications of Members. [Amended 08-26-92, approved at 11-03-92 Election; Amended 08-09-95, approved at 11-07-95 Municipal Election; Amended 08-23-2001, approved at 11-06-2001 Municipal Election; Amended per N.H. Supreme Court 12-2002; Amended 10-03-2007, approved at 11-06-2007 Municipal Election]

In order to be qualified to be a candidate for election as School Board Member, a person must be a duly qualified voter in the city and a resident of the city.

C4-5. Vacancies.** [Amended 09-05-90, approved at 11-06-90 Election; Amended 08-09-95, approved at 11-07-95 Municipal Election; Amended 10-03-2007, approved at 11-08-2007 Municipal Election]

If a vacancy occurs on the School Board, the vacancy shall be filled by the School Board pursuant to RSA 671:33.

C4-6. Compensation.

School Board members shall receive a salary in the same amounts as city councilors, plus reasonable expenses incurred in the performance of their work. The School Board Chair shall receive an additional sum in the same amount as the additional sum paid the Mayor. [Amended 11-05-2005 by Municipal Election]

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

** **Editor's Note: For additional provisions concerning vacancies in office, see C11-3.**

ARTICLE V
ADMINISTRATION OF GOVERNMENT

C5-1. City Manager. [Amended 09-05-90, approved at 11-06-90 Election; Amended 11-05-2005 by Municipal Election]

The chief administrative officer of the city shall be the City Manager. The Council shall appoint a person especially qualified by experience and training, who received the votes of at least six members of the Council, to be the City Manager. The Council shall fix the Manager's salary and such other conditions of employment not inconsistent with this Charter. The City Manager shall serve for an indefinite term of office.

C5-2. Qualifications.

The Manager shall be chosen solely on the basis of their executive and administrative qualifications, and they need not be a resident of the city or the state at the time of their appointment, but if they are not a resident, they shall become a bona fide resident of the city within 90 days of their appointment.

C5-3. Removal from Office. [Amended 09-25-85, approved at 11-05-85 Municipal Election; Amended 11-05-2005 by Municipal Election]

The Manager may be removed by the affirmative vote of at least six (6) members of the Council as herein provided. At least thirty (30) days before the proposed removal of the Manager, the Council shall adopt a resolution stating its intention to remove him/her and the reasons therefore, a copy of which shall be served forthwith on the Manager, who may, within ten (10) days, demand a public hearing, in which event, the Manager shall not be removed until such public hearing has been held. Upon or after passage of such a resolution, the Council may suspend the Manager from duty, but his/her pay shall continue until removal. In case of such suspension, the Council may appoint an Acting Manager to serve at the pleasure of the Council.

C5-4. Acting City Manager. [Amended 09-25-85, approved at 11-05-85 Municipal Election]

If the City Manager is determined by a vote of at least six (6) members of the full Council to be temporarily incapacitated or unable to act for any cause or the Council determines that the office has become vacant, an Acting City Manager shall be appointed by a majority vote of the Council and shall serve until such time as the Council shall appoint a new City Manager. The Acting Manager shall have all the powers and perform all the duties of the City Manager except to the extent that said powers and duties have been specifically restricted by Council resolution. Said Acting Manager shall be paid such salary for his/her services hereunder as may be prescribed by the City Council.

C5-5. Powers and Duties of Manager.

The Manager shall supervise and be responsible for the administrative affairs of the city and shall carry out the policies enacted by the Council. He/she shall be chartered with the preservation of the public peace and health and safety of persons and property and shall see to the enforcement of the ordinances of the city, this Charter and the laws of the state. He/she shall keep the Council informed of the condition and needs of the city and shall make such reports and recommendations as he/she may deem advisable or may be requested by the Council and perform such other duties as may be prescribed by this Charter or required of him/her by ordinance or resolution of the Council, not inconsistent with this Charter. He/she shall have and perform such other powers and duties not inconsistent with the provisions of this Charter as now are or hereafter may be conferred by municipal ordinance or conferred upon Mayors of cities by general law, except for the appointment of all Boards and Commissions, which will be exercised by the City Council, unless otherwise provided by General Law. He/she shall have the right to take part in the discussion of all matters coming before the Council, but not the right to vote. [Amended 11-05-2005 by Municipal Election]

C5-6. Appointment of Department Heads; Suspension; Appeal.

The Manager shall have the power to appoint and remove, subject to the provisions of this Charter, all department heads and officers in the classified service. The Manager, for just cause, may suspend or dismiss said officers or other department heads or take other appropriate disciplinary action. Said suspension, dismissal or other disciplinary action shall be effected only upon the Manager's presentation to the said officer or department head of a written specification of the reasons therefor at least thirty (30) days before said action is taken. The said department head or officer involved may, within ten (10) days, demand a public hearing, in which event the department head or officer shall not be removed until such public hearing has been held. The Manager may, however, suspend said officer or department head from duty during said period, but his pay shall continue. The City Manager shall conduct said public hearing. Nothing herein shall be construed to prohibit an aggrieved individual from seeking recourse to the courts.

C5-7. Appointive Officers. [Amended 09-05-90, approved at 11-06-90 Election]

There shall be appointed by the Manager, such officers as are necessary to administer all departments which the Council shall establish and who shall be qualified by experience and training for appointment to said offices. The powers and duties of these officers and head of departments so appointed shall be those prescribed by state law, by this charter or by ordinance.

C5-8. Role of Council. [Amended 09-05-90 at 11-06-90 Election]

Neither the Council nor any of its members shall direct or request the appointment of any person to office or employment or his removal, suspension or discipline by the Manager or any of the administrative officers. Neither the Council nor any member thereof shall give orders to nor interfere with the performance of the duties of any of the administrative officers or employees, either publicly or privately. Nothing contained in this section shall prohibit the Council from meeting with the City Manager to discuss the operation or conduct of any administrative department or officer and to recommend any investigation of any complaint by the City Manager. Any violation of the provisions of this section by a Councilor shall be a violation, conviction of which shall constitute immediate forfeiture of his/her office.

C5-9. Departments.

The administrative service of the city shall, by ordinance, be divided into such departments, divisions, bureaus or other agencies as are necessary for the proper and efficient management of the affairs of the city. Said ordinance shall define the function and duties of each city department or agency and shall be known as the "Administrative Code". The City Council may, by amendment to the Administrative Code Ordinance, create, consolidate or abolish departments, divisions, bureaus or agencies and define or alter their functions and duties. The head of each department or agency established by the Administrative Code shall have and exercise supervision and control of his/her department or agency and the employees therein and shall have the power to prescribe rules and regulations not inconsistent with general law, this Charter, the Administrative Code and the rules and regulations of the merit plan. A copy of all departmental rules and regulations promulgated under this section shall be on file in the office of the City Clerk. Unless otherwise provided in this Charter, each officer, department head, board or other agency shall appoint, dismiss, suspend or demote their deputies, clerks, assistants and subordinates serving under their supervision or control, subject to appeal to the Personnel Board as herein provided.

C5-10. Legal Officer. [Repealed 09-05-90, approved at 11-06-90 Election]

**ARTICLE VI
FINANCE****C6-1. Fiscal Year. [Amended 09-25-85, approved at 11-05-85 Municipal Election]**

The fiscal and budget year of the city shall begin on the first day of July and end on the 30th day of June unless another date shall be fixed by ordinance.

C6-2. Finance Director.

The Manager shall appoint a Finance Director who shall maintain accounting control over the finances of the city, make financial reports and perform such other related duties as may be required by the administrative code. He/she shall audit and approve all authorized claims against the city before paying the same.

C6-3. Budget Procedure.

At such time as may be requested by the Manager or specified by the Administrative Code, each officer or director of a department shall submit an itemized estimate of the expenditures for the next fiscal year for the departments or activities under his/her control to the Manager, who shall submit them with his/her recommended budget to the Council on or before February fifteenth of the fiscal year, which shall be the budget submitted to the public hearing, unless another date shall be fixed by ordinance. The City Council may examine and amend the recommended budget on a line for line basis. [Amended 11-05-2005 by Municipal Election]

C6-3.1 Limitation on Property Tax Levy Increase. [Amended 09-05-2007, approved at 11-06-2007 Municipal Election; Amended 06-22-2011, approved at 11-08-2011 Municipal Election]

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

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

C6-4. Budget Hearing.

A public hearing on the budget shall be held at least seven days before its final adoption by the Council at such time and place, convenient to the public, as the Council shall direct and notice of such public hearing, together with a copy of the budget as submitted, shall be posted in two public places and published once at least one week in advance by the City Clerk; provided, however, that there shall be a separate hearing held on the portion of the budget submitted by the School Board and a separate hearing on the portion of the budget submitted by the Manager, and there shall be at least a twenty-four hour period between the hour at which one hearing is begun and the hour at which the other hearing is begun.

C6-5. Final Date for Budget Adoption.

The budget shall be adopted not later than April fifteenth of the fiscal year and not earlier than seven days after the public hearing on the budget unless another date shall be fixed by ordinance.

C6-6. Appropriations After Adoption of Budget.

No appropriation shall be made for any purpose not included in the annual budget as adopted unless voted by a two-thirds majority of the Council after a public hearing held to discuss said appropriation. The Council shall, by resolution, designate the source of any money so appropriated. This provision shall not apply, however, to emergency appropriations adopted pursuant to C3-9 of this Charter.

C6-7. Quarterly Budget Reports; Reductions.

At the beginning of each quarterly period during the fiscal year and more often if required by the Council, the Manager shall submit to the Council data showing the relation between the estimated and actual income and expenses to date, together with outstanding indebtedness and estimated future expenses; and if it shall appear that the income is less than anticipated, the Manager, with Council approval, may reduce the appropriation for any item or items in the non-school portion of the budget, except amounts required for debt and interest charges, to such a degree as may be necessary to keep expenditures within the cash income. At any time, the Manager may provide for monthly or quarterly allotments of appropriations to non-school departments, funds or agencies under such rules as he/she shall prescribe.

C6-8. Transfers.

After the budget has been adopted, no money shall be drawn from the treasury of the city nor shall any obligation for the expenditure of money be incurred except pursuant to a budget appropriation unless there shall be a specific additional appropriation therefor. The head of any non-school department, with the approval of the Manager, may transfer any unspent balance or any portion thereof from one fund or agency within his/her department to another fund or agency within his/her department. The head of the school department may transfer any unspent balance or any portion thereof from one fund within his/her department to another fund within his/her department. The Manager, with the approval of the Council, may transfer any unspent balance or any portion thereof from one non-school department to another non-school department.

C6-9. Capital Improvements Program. [Amended 09-05-90, approved at 11-06-90 Election]

- A. The Manager shall prepare and submit to the Council a six-year capital improvements program at least three months prior to the final date for submission of the budget. The capital improvements program shall be based upon the recommendations of the Planning Board and shall include:
- 1) A clear general summary of its contents;
 - 2) A list of all capital improvements which are proposed to be undertaken during the six fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements;
 - 3) Cost estimates, method of financing and recommended time schedule for each such improvement; and
 - 4) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.
- B. The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

C6-10. Lapse of Appropriations.

Every appropriation, except an appropriation for a capital expenditure or dedicated funds, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if three years pass without any disbursement from or encumbrance of the appropriation.

C6-11. Depository.

The Council shall designate the depository or depositories for city funds and shall provide for the daily deposit of all city moneys. The Council may provide for such security for city deposits as it may deem necessary, except that personal surety bonds shall not be deemed proper security.

C6-12. Independent Audit.

An independent audit shall be made of all accounts of the city government at least annually and more frequently if deemed necessary by the Council. Such audit shall be made by certified public accountants experienced in municipal accounting or by the State of New Hampshire Department of Revenue Administration or its representatives. An abstract of the result of such audit shall be made public. At least once every five years, the Council shall request that such audit be made by the State of New Hampshire Department of Revenue Administration or by auditors selected by said Department if authorized by law to make such audit. An annual report of the city's business for the preceding year shall be made available not later than June 30th.

C6-13. Bonding of Officials.

Any city officer elected or appointed by authority of this Charter may be required by the Manager to give a bond to be approved by the City Attorney for the faithful performance of the duties of his/her office, but the Manager and all officers receiving or disbursing city funds shall be so bonded. The Manager shall be responsible to see that such bonds are of sufficient amount. All official bonds shall be corporate surety bonds, and the premiums thereon shall be paid by the city. Such bonds shall be filed with the City Clerk.

C6-14. Borrowing Procedure.

Subject to the applicable provisions of state law and the rules and regulations provided by ordinance in the Administrative Code, the Council, by resolution, may authorize the borrowing of money for any purpose within the scope of the powers vested in the city and the issuance of bonds of the city or other evidence of indebtedness therefor and may pledge the full faith, credit and resources of the city for the payment of the obligation created thereby. Borrowing for a term exceeding one year shall be authorized by the Council only after a duly advertised public hearing, and final action shall be deferred until at least three days after said hearing.

C6-15. Debt Limit

The City of Dover may at any time have and incur debt for all purposes, subject in all respects, to the limits set forth in the Municipal Finance Act, RSA 33 subsequent amendments thereto.

C6-16. Purchase Procedure. [Amended 09-25-85, approved at 11-05-85 Municipal Election; Amended 09-05-90, approved at 11-06-90 Election]

The Administrative Code shall establish purchasing and contract procedure, including the assignment of all responsibility for purchase to the purchasing agent, and the combination purchasing of similar articles by different departments.

C6-17. Special Assessments.

The Council shall have the power to determine that the whole or any part of the expense of any public improvement shall be defrayed by special assessments upon the property especially benefited and shall so declare by resolution. Such resolution shall state the estimated cost of the improvement, what proportion of the cost thereof shall be paid by special assessments and what part, if any, shall be a general obligation of the city, the number of installments in which special assessments may be paid and shall designate the districts or land and premises upon which a special assessment shall be levied. If expenditures are to exceed \$1,000, a public hearing shall be held with action by the Council to be taken not earlier than seven days after said hearing. If expenditures exceed \$1,000, competitive public bids shall be required for such project. If the City of Dover is desirous of furnishing the materials and/or providing the labor for such project, the city, subject to the same terms, conditions and provisions as are applicable to other bidders, may submit bids on same. The Council shall prescribe, by general ordinance, complete special assessment procedures concerning plans and specifications, estimate of costs, notice and hearing, the making of the special assessment roll and correction of errors, the collection of special assessments and any other matters concerning the making of improvements by the special-assessment method.

C6-18. Trust Funds. [Amended 09-25-85, approved at 11-05-85 Municipal Election]

Trust funds, except where otherwise provided by the instrument creating such trust, shall be kept separate and apart from all other funds and shall be invested by the Board of Trustees in investments, from time to time, legal for mutual savings banks in the state.

**ARTICLE VII
PERSONNEL POLICIES**

C7-1. Appointments.

Appointments and promotions to all positions in the service of the city shall be made solely on the basis of merit and only after consideration of the applicant's ability in accordance with procedures set forth in the Merit Plan.

C7-2. Merit Plan.

There shall be a set of rules and regulations providing for the establishment of a merit system of personnel administration known as the "Merit Plan". The Merit Plan shall include provisions with regard to classification, compensation, selection, training, promotion, discipline, vacations, retirement and any other matters necessary to the maintenance of efficient service and proper working conditions. The Merit Plan and the classification plan adopted pursuant thereto shall continue in force, subject to amendments submitted from time to time by the Manager. The Manager shall submit any proposed amendments to the Council as an item on a regular Council meeting agenda. The Council shall within sixty days after having received the proposed amendments take action to approve or disapprove them at a regular Council meeting. **[Amended 11-05-2005 by Municipal Election]**

C7-3. Compensation.

The compensation of all officers and employees not fixed by this Charter shall be fixed in the Merit Plan by a schedule of pay which shall include a minimum and maximum and such intermediate rates as may be deemed desirable for each class of position provided for in said plan. In adopting the city budget, the Council shall not increase or decrease any individual salary item but shall act solely with respect to total salaries in the various departments of the city.

C7-4. Certification of Payroll. [Amended 09-25-90, approved at 11-06-90 Election]

Except as hereinafter provided, no compensation shall be paid without certification by the Manager that the recipients are employed by the City, that their rates of compensation comply with pay schedules provided for in C7-3, and that they worked the hours for which they are to receive compensation. Said certification may also be made by the head of the department within which each employee is employed. If such officer approves payments not in conformity therewith, they and their surety shall be liable for the amount of such payments.

C7-5. Employee Insurance.

The City shall provide such insurance as authorized by RSA 412:3, in sufficient amounts as determined by the City Manager, to protect its officials and employees from liability arising from any action brought against them while in the performance of their official duties.

C7-6. Personnel Advisory Board.

There is hereby established a Personnel Advisory Board of three (3) citizens holding no other political office, who shall be appointed as follows: One (1) member by the manager, one (1) by the council and the third by these two (2) appointees. The terms of all members shall be for three (3) years. It shall be the duty of the Personnel Advisory Board to study the broad problems of personnel policy and administration, to advise the Council concerning the personnel policies of the city and to advise the Manager regarding administration of the Merit Plan and to hear appeals from any employee aggrieved as to the status or condition of his employment or retirement. The Board shall promptly issue written reports containing findings of facts and recommendations to the manager upon such appeals, but the board shall have no power to reinstate an employee unless it finds, after investigation, that disciplinary action was taken against the employee without just cause. The term "employee" as used in this section shall not include department heads and officers of the city. Nothing herein shall be construed as prohibiting an appeal by an aggrieved employee to the court.

C7-7. Public Safety Employees [Added at 11-08-83 Municipal Election, effective 11-16-83; Amended at 11-06-84 Election]

All public safety employees shall be appointed and promoted consistent with the provisions of C7-1 and shall at all times be employees of the city. "Public safety employees" shall be construed to mean those employees that provide police and fire protection.

ARTICLE VIII WATERWORKS

C8-1. Construction.

The City of Dover shall construct, manage and own suitable waterworks for the purpose of preservation of an adequate supply of water for extinguishing fires, for that use of its citizens and for such other purposes as may be required in said city; and for that purpose the City of Dover may take, purchase and hold real estate or easements therein and rights of water for said works, in the City of Dover or elsewhere. The City of Dover may erect, construct and maintain such dams, reservoirs and buildings as may be necessary for such waterworks and dig ditches, break up ground and place and maintain pipes for conducting water wherever it may be necessary, including the highways and streets, and relay and change said pipes from time to time, due regard being paid to the safety of the citizens and the security of public travel.

C8-2. Contracts for Water; Establishment of Charges.

The City of Dover is authorized to contract with individuals and corporations for supplying said corporations and individuals with water and to make such contracts, establish such tolls and charge such rate for use of water as shall be deemed reasonable and, for the more convenient management of said work, may place the same, either before or after they are constructed, under the direction of a superintendent or a board of water commissioners, or both, and the duties of such officer or officers shall be defined by vote of the City Council.

C8-3. Authorization of Taxation and Borrowing.

The City of Dover is authorized to levy taxes and defray the expenses of said waterworks and to borrow money and to issue the notes, bonds or other obligations of the city therefor, payable at such time or times and on such interest as the City Council shall determine, and such bonds or notes or other obligations shall be legal and binding upon said city.

C8-4. Assistance to Other Municipality.

The City of Dover may furnish to the Town of Rollinsford such assistance for the protection against and the extinguishment of fires by the extension of its hydrant system and through the services of its Fire Department and fire-fighting apparatus, as may be agreed upon by said city and town.

**ARTICLE IX
(Reserved)**

C9-1. (Reserved)

**ARTICLE X
CONDUCT OF OFFICIALS**

C10-1. Eligibility for Elective Office. [Amended 09-25-85, approved at 11-05-85 Municipal Election]

Except as provided by state law, no employee of this city shall hold an elective or appointive office in this city government while they are in the employ of this city or any of its agencies.

C10-2. Conflicts of Interest. [Amended 09-05-90, approved at 11-06-90 Election; Amended 02-12-2003, approved at 11-04-2003 Municipal Election]

No elective or appointive officer or employee of this city shall take part in a decision concerning the business of this city in which he/she or a member of their family directly has a financial interest, aside from his/her salary as such officer or employee, greater than any other citizen or taxpayer. Any elective or appointive officer or employee of the city who has such financial interest in any such decision shall make full, public disclosure of such interest prior to the city's deliberating on such decision.

C10-3. Disqualification from Decision-Making Process.

No elective or appointive officer or employee of this city shall take part in a decision concerning the business of this city in which they or a member of their family, directly or indirectly, has a financial interest, aside from his/her salary as such officer or employee, greater than any other citizen or taxpayer.

C10-4. Private Use of City Property and Personnel.

No elective or appointive officer or employee shall devote any city property or labor to private use except as may be provided by law or ordinance.

C10-5. Acceptance of Gifts and Gratuities.

No elective or appointive officer or employee of the city shall solicit or accept any gift or gratuity which could, in any manner, be construed to affect or influence the performance of his/her official duties.

· Editor's Note: Former Article IX, Hospital, was repealed 09-25-85, approved at 11-05-85 Municipal Election.

C10-6. Disposition of Fees.

No elective or appointive officer or employee of the city shall collect any fees, salaries or other payments in connection with his/her official duties with the exception of court fees, for his/her own use, but all such fees, salaries or other payments shall be paid into the city treasury.

C10-7. Misuse of Information.

No elective or appointive officer or employee of the city shall utilize or dispense information gained through said office or employment for the personal profit of themselves or others, as opposed to the public good of the community.

C10-8. Applicability. [Amended 09-05-90, approved at 11-06-90 Election]

This Article shall apply to all officers and employees of the city, including officers and employees of the school system.

C10-9. Civil Penalty

Any elective or appointive officer or employee of the city found to have violated any of the provisions of this section shall be personally liable to the city to the extent that the city suffers loss thereby.

C10-10. Future Employment [Amended 08-26-92, approved at 11-03-92 Election]

No elective or appointive officer or employee of the City shall solicit, negotiate for or promise to accept employment with any person, firm or corporation with which he or his department, body or agency is engaged on behalf of the City in the transaction of business which is or may be affected by his official action. No elective officer may become employed by the City within one (1) year after their term of office ends.

Editor's Note: For further penalties, see C11-13.

**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]**

C11-5. Removal from Office.

In addition to the provisions of C11-3 City Councilors and members of standing city commissions and boards may be removed from office by a vote of the City Council upon such a recommendation having been forwarded to the Council by the Ethics Commission. [Added 11-05-2005 by Municipal Election]

C11-6. Public Records and Meetings.

All records of the city and all meetings of the Council, boards, committees, commissions, authorities or other municipal bodies shall be open to the public, and their minutes and other records shall be available to the public in accordance with the provisions of RSA-91A and amendments thereto.

C11-7. Agreements with Other Municipalities.

The City Council is authorized, as provided by RSA C.53-A, to enter into agreements and regional compacts with neighboring cities and towns for the purpose of resolving their common problems for the mutual advantage and benefit of the city and its neighboring cities and towns.

C11-8. Specific Provisions to Prevail.

To the extent that any specific provision contained in this Charter conflicts with any provision expressed in general terms, the specific provision shall prevail.

C11-9. Severability.

The sections of this Charter and the parts thereof are separable. If any portion of this Charter or the application thereof to any person or circumstance shall be held invalid, the remainder thereof shall not be affected thereby.

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)

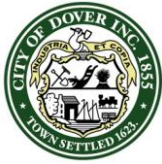
C11-13. Violations and Penalties. [Amended 09-05-90, approved at 11-06-90 by Election]

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.



CITY OF DOVER

288 CENTRAL AVENUE
DOVER, NH 03820
WWW.DOVER.NH.GOV
603.516.6000

AUTHENTICATION OF THE CHARTER FOR THE CITY OF DOVER

NOW COME, the duly elected Councilors of the City of Dover on this __day of ____, 2012 who with their signatures affixed below authenticate the attached as the Official Charter of the City of Dover as filed and maintained in the office of the City Clerk pursuant to the provisions of the Charter contained in C11-10.

Mayor Dean Trefethen _____

Deputy Mayor Robert Carrier _____

Councilor Catherine Cheney _____

Councilor Michael Crago _____

Councilor William Garrison _____

Councilor Dorothea Hooper _____

Councilor Edward Spuler _____

Councilor Michael Weeden _____

Councilor Karen Weston _____

NOW COMES, the City Clerk of the City of Dover this __day of ____, 2012 who certifies the attached is the Official Charter of the City of Dover:

Karen Lavertu, Clerk

DOVER CODE

THE CHARTER

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- C2-2. Ward officers
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(Reserved)**

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- 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]

ARTICLE I
INCORPORATION; CITY AND WARD BOUNDARIES

C1-1. Incorporation.

The inhabitants of the City of Dover shall continue to be a body politic and corporate under the name of the "City of Dover" and as such to enjoy all the rights, immunities, powers and privileges and be subject to all the duties and liabilities now appertaining to or incumbent upon them as a municipal corporation. All existing property of the city shall remain vested in it, and all its existing debts and obligations shall remain obligatory upon it under this revised charter.

C1-2. Establishment of wards.

The city shall be divided into six wards as presently constituted. The general laws of the state relative to wards of cities, officers thereof and voters, checklists, elections and jurors shall be applicable to such wards.

C1-3. Boundaries of wards.

The boundaries of the six wards shall be prescribed by ordinance, which shall be amended from time to time in accordance with state statute.

~~Ward One begins at the Dover/Rollinsford boundary line at Hall Street; thence following southeasterly along the Dover/Rollinsford boundary to Broadway; thence southwesterly along the center line of Broadway to the intersection with the Boston and Maine Railroad; thence southeasterly along the railroad to Central Avenue; thence southerly along the center line of Central Avenue to St. Thomas Street; thence westerly along the center line of St. Thomas Street to Belknap Street; thence southerly along the center line of Belknap Street to Folsom Street; thence westerly along the center line of Folsom Street to Cushing Street; thence northerly along the center line of Cushing Street to Washington Street; thence easterly along the center line of Washington Street to the abandoned railroad tracks; thence northerly along abandoned railroad tracks to the Cochecho River; thence northerly along the center line of the Cochecho River to Berry Brook; thence following Berry Brook northerly to its intersection with Sixth Street; thence following the center line of Sixth Street northwesterly to Horne Street; thence following the center line of Horne Street in a northerly direction to Redden Street; thence westerly along the center line of Redden Street to Redden Street Extension; thence northerly along the center line of Redden Street Extension to the intersection with Glenwood Avenue; thence following the center line of Glenwood Avenue in a northeasterly direction to Central Avenue; thence following the center line of Central Avenue in a southeasterly direction to Merry Street; thence following the center line of Merry Street in a northeasterly direction to Ridge Street; thence following the center line of Ridge Street southeasterly to Hall Street; thence following the center line of Hall Street northeasterly to the point of beginning.~~

CHARTER

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~~Ward Two begins at Broadway and the Rollinsford/Dover boundary; thence following the Dover/Rollinsford boundary in a southeasterly direction to its intersection with the center line of the Salmon Falls River; thence following in a southerly direction along the exterior block line established by the 2000 census located in the center of said Salmon Falls River to the confluence of the Cochecho/Piscataqua Rivers; thence following the center line of the Cochecho River in a northwesterly direction to a block line established by the 2000 census; thence turning southwesterly along said block line to the intersection of Henry Law Avenue and Tennyson Avenue; thence following the center line of Tennyson Avenue in a southwesterly direction to Court Street; thence following the center line of Court Street in a northwesterly direction to Union Street; thence following center line of Union Street in a westerly direction to Central Avenue; thence following the center line of Central Avenue northerly to Summer Street; thence following the center line of Summer Street in a westerly direction to Locust Street; thence following the center line of Locust Street in a southerly direction to Fisher Street; thence following the center line of Fisher Street westerly to Rutland Street; thence following the center line of Rutland Street northerly to Silver Street; thence following the center line of Silver Street in a westerly direction to Arch Street; thence following the center line of Arch Street northerly to Washington Street; thence following the center line of Washington Street in an easterly direction to Cushing Street; thence following the center line of Cushing Street southerly to Folsom Street; thence following the center line of Folsom Street in an easterly direction to Belknap Street; thence following along the center line of Belknap Street northerly to St. Thomas Street; thence following the center line of St. Thomas Street easterly to Central Avenue; thence following the center line of Central Avenue northerly to the Boston and Maine Railroad line; thence following the Boston and Maine railroad line northeasterly to the intersection of Broadway; thence following the center line of Broadway in a northeasterly direction to the point of beginning.~~

~~Ward Three begins at the intersection of Spaulding Turnpike and Central Avenue; thence following the center line of Central Avenue in a northeasterly direction to Locust Street; thence following the center line of Locust Street northerly to Summer Street; thence following the center line of Summer Street in an easterly direction to Central Avenue; thence following the center line of Central Avenue southerly to Union Street; thence following the center line of Union Street in an easterly direction to Court Street; thence following the center line of Court Street southeasterly to Tennyson Avenue; thence following the center line of Tennyson Avenue in a northeasterly direction to Henry Law Avenue; thence following a block line established by the 2000 census in a northeasterly direction to the Cochecho River; thence following the Cochecho River southeasterly to its confluence with the Piscataqua River and the exterior block line established by the 2000 census located in the center of said Piscataqua River; thence following along the low water mark at Piscataqua River at Dover Point, thence along the low water mark to where the town lines of Dover, Madbury and Durham intersect, at the low water mark of the Piscataqua River; near the Scammel Bridge; thence following the center line of the Bellamy River in a northerly direction a block line established by the 2000 census; thence following said block line in a northeasterly direction to Spur Road Extension; thence following the centerline of Spur Road Extension southerly to Spur Road; thence following the center line of Spur Road northeasterly to the Spaulding Turnpike; thence following the center line of the Spaulding Turnpike in a northwesterly direction to the point of beginning.~~

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~~Ward Four begins at the intersection of the Bellamy River and Central Avenue; thence following the center line of Central Avenue northeasterly to the intersection with the Spaulding Turnpike; thence following the center line of the Spaulding Turnpike in a southeasterly direction to Spur Road; thence following the center line of Spur Road southwesterly to Spur Road extension; thence following the center line of Spur Road Extension in a northwesterly direction to a block line established by the 2000 Census and following said block line in a southwesterly direction to the Bellamy River; thence following the center line of the Bellamy River in a southerly direction to a point of intersection at the common boundary of the Dover/Durham/Madbury town lines where they intersect at the low water mark of the Piscataqua River near the Scammel Bridge; thence following the common boundary line between Dover and Madbury in a northwesterly direction to the centerline of the Bellamy River; thence following the center line of the Bellamy River easterly to the point of beginning.~~

~~Ward Five begins at the Rochester/Dover line at the Cochecho River; thence following the Cochecho River southeasterly to the abandoned Railroad Bridge over the Cochecho River; thence following the abandoned railroad line southerly to Washington Street; thence following the center line of Washington Street westerly to Arch Street; thence following the center line of Arch Street southerly to Silver Street; thence following the center line of Silver Street in an easterly direction to Rutland Street; thence following the center line of Rutland Street in a southerly direction to Fisher Street; thence following the center line of Fisher Street easterly to Locust Street; thence following the center line of Locust Street in a southerly direction to Central Avenue; thence following the center line of Central Avenue southerly to the Bellamy River Bridge; then following along the center line of the Bellamy River in a westerly direction to the Madbury/Dover boundary; thence following the Madbury/Dover boundary in a northwesterly direction to the northwesterly boundary corner of the Dover/Barrington border; thence following the Dover/Barrington/Rochester boundary in a northeasterly direction to the point of beginning.~~

~~Ward Six begins at the point where the Dover Somersworth Rochester boundaries intersect; thence proceeds southeast along the boundary line to the point where the Dover/Rollinsford boundary intersects with Hall Street; thence following the center line of Hall Street westerly to Ridge Street; thence following the center line of Ridge Street northerly to Merry Street; thence following the center line of Merry Street westerly to Central Avenue; thence following the center line of Central Avenue northerly to Glenwood Avenue; thence following the center line of Glenwood Avenue to Redden Street Extension; thence following the center line of Redden Street Extension southerly to Redden Street; thence following the center line of Redden Street easterly to Horne Street; thence following the center line of Horne Street southwesterly to Sixth Street; thence following the center line of Sixth Street southeasterly to Berry Brook; thence following Berry Brook in a southerly direction to the Cochecho River; thence following the Cochecho River in a northwesterly direction to the Dover/Rochester boundary line; thence following the boundary line in a northeasterly direction to the point of beginning.~~

CHARTER

C2-1

C2-1

**ARTICLE II
ELECTIONS**

C2-1. Conduct of elections.

A. The election officers in each ward, whose duty it is to conduct regular biennial elections, shall conduct a nonpartisan municipal election, at the expense of the city, in the same manner as a regular biennial state election, on a date to be determined by ~~City Council~~ **City Clerk as outlined in Section C 2-8** to choose Ward Councilors, Councilors at Large, and Mayor, School Board Ward Members and one School Board At Large Member. The term of office shall be for a two year term.

B. At all municipal elections, the polls shall be open in **accordance with the provisions of State RSA and specified in Chapter 100, Elections of the Municipal Code** ~~not less than four hours and may be open not earlier than six o'clock in the forenoon of the day of the election, nor later than eight o'clock in the forenoon of the day of the election, nor later than eight o'clock in the evening, as the City Council shall determine at least thirty days prior to the election.~~

C. ~~The Selectperson of the ward shall fix~~ The polling place of the ward shall be fixed in **accordance with the provisions of State RSA and specified in Chapter 100, Elections of the Municipal Code.**

C2-2. Ward officers.

At each municipal election, the inhabitants of each ward shall choose three Selectpersons, a Clerk, a Moderator and a Supervisor of the Checklist, who, being duly sworn, shall perform and discharge respectfully the duties, in **accordance with the provisions of State RSA and specified in Chapter 100, Elections of the Municipal Code**, of said officers for said wards and shall hold office until their successors are duly elected and qualified. In case of any vacancy in said offices, in any ward, the City Council shall fill such vacancy at its first regular meeting after such vacancy shall occur. Appointees shall be from the same ward in which the vacancy exists and shall hold office for the unexpired term. The term of office shall be for a two year term*

C2-3. Supervisors of Checklists. (RESERVED*)

~~At each biennial State election, there shall be chosen in each ward a Supervisor of Checklists, who shall hold his/her office for two years and until his/her successors are elected and qualified. Vacancies in the Supervisors of the Checklists shall be filled by the City Council, at its first regular meeting after such vacancy shall occur, by a person from the same ward and of the same political party as the person whose place is being filled and shall hold office for the unexpired term.*~~

C2-4. Composition of Board of Supervisors of Elections.

The ~~several~~ Supervisors of the Checklist shall constitute a Board of Supervisors of Elections of all the wards in the City. The Board shall choose a Chairperson ~~and Clerk~~ from its own membership.

C2-5 Duties of Board.

The Board of Supervisors of Elections shall perform the duties as outlined in accordance with the provisions of State RSA and specified in Chapter 100, Elections of the Municipal Code and Section C2-11. ~~prepare, revise and post in a manner required by law an alphabetical list of all legal voters in each ward and for that purpose shall have access to any books or list belonging to the city or to any ward in the city and shall have the assistance of the city or ward officers they may require. The Board shall deliver an attested copy of the lists of voters, so prepared and corrected, to the Clerks of the respective wards, and the Ward Clerks shall use the lists of voters, so prepared and corrected, and no others, at the elections in their respective wards. In preparing the lists of voters, the Board shall record the first name of each voter in full but may use initial letters to designate the middle name of any voter.~~

C2-6. Sessions of Board.

The Board of Supervisors of Elections shall be in session In accordance with the provisions of State RSA and as specified in Chapter 100, Elections, of the Municipal Code and Section C2-11 ~~at the City Hall building for the purpose of revising and correcting the lists of voters. The Board shall publish in a newspaper of general circulation in the city, such notice that shall include the time, date, place, and hour of each session, at least seven (7) days prior to each session. On at least two (2) occasions before any municipal, state, or federal election, the Board will be in session. The first session shall be upon the third Tuesday preceding the day of the election and shall take place at least two (2) hours between 7:00 p.m. and 9:00 p.m., the last of which shall be on the Saturday ten (10) days prior to the election, however, if that Saturday falls on a holiday weekend, that session shall be held on Tuesday, seven (7) days prior to the election between 7:00 p.m. and 9:00 p.m. The Board shall be in session on election days during all the hours the polls are open so that, in case the name of any person has been omitted from the checklist and who the Board is satisfied is a legal voter, the Board shall certify the same to the Moderator who shall receive the vote; and the Ward Clerk shall check the name of the person so voting on the back of said certificate and shall return the same to the City Clerk with the checklist. In regulating the checklist, the Board shall have all the powers granted and perform all the duties prescribed in the Public laws of the State. Any person who is a legal resident of the city whose name does not appear on the checklist may apply to the City Clerk for the purpose of having their name added thereto as provided by law, and the Supervisors of the Checklist shall see that the names of those persons registering with the City Clerk are properly added to the checklists.~~

CHARTER

C2-7

C2-10

C2-7. Qualifications of voters.

Persons who would be qualified to vote in a biennial state election, if held on the day of such municipal election, shall be qualified voters therein. Municipal elections hereunder shall be deemed elections within the meaning of all general statutes, penal and otherwise, and said statutes shall apply to municipal elections so far as consistent with this Charter.

C2-8. Filing of declaration of candidacy.

All persons qualified to vote in municipal elections wishing to become candidates for any municipal office to be voted on at the next election shall file, in writing with the City Clerk, their declaration of candidacy, indicating the office for which they are filing. The filing of a declaration of candidacy shall be no earlier than sixty (60) days before the election and shall be not later than 4:00 p.m. of the forty-fifth (45th) day before the election.

C2-9. Preparation of ballots.

The City Clerk shall prepare separate ballots to be used at all elections at which municipal officers are chosen. The ballot shall contain in appropriate sections the names of all candidates, listed in the order of their filing for office in accordance with C2-8 of this Charter, without party designation. Below the list of names of the candidates for each office there shall be as many blank spaces as there are offices to be filled at the election. No titles, military, professional or otherwise, shall accompany the name of any candidate on the ballot.

C2-10. Absentee ballots.

Any legal voter of said city who is absent from said city on the day of the election of municipal officers or who, by reason of physical disability, is unable to vote in person may vote at said election by a so-called absentee ballot. The provisions of RSA 657, so far as applicable hereto and not inconsistent herewith, shall apply to such absentee voting in said city.

C2-11. Contested elections/Recounts.

A. Within seven days after an election, the Board of Supervisors of Elections shall canvass the votes cast, and the candidates receiving the highest number of votes for the offices to be filled shall be declared elected, and the Board shall forthwith certify the results of the election to the City Council.

B. Within seven days of Election Day, a candidate may request in writing that a recount be conducted. Within 14 days of Election Day the Board shall conduct a recount of the contested offices. The recount shall be conducted in accordance with the same rules and procedures utilized by the Secretary of State of New Hampshire. No person shall be entitled to a recount unless the difference between the vote cast for that person and the vote cast for the candidate declared elected shall be 5 percent or less of the total vote so cast of such office. The person requesting the recount shall be charged the following fees: where difference is 1 percent or less -- no fee; where difference is 3 percent or less -- \$20.00; where difference is 5 percent or less -- \$100.00. Said fee shall be paid to the City Clerk. Any person who has requested a recount, if declared elected by reason of said recount, shall be entitled to a full refund of the said fee. A tie vote shall be resolved by lot.

C. Challenges of Fraud and/or Misconduct: A candidate may petition the Board challenging an election based upon fraud and/or misconduct. The petition shall set forth the grounds and law relied on. A person shall have 10 days to request a hearing for fraud. The Board shall schedule a hearing no later than 30 days from the Election Day. Hearings shall be conducted in accordance with the Rules of the New Hampshire Ballot Law Commission, Adjudication Proceedings 206.01 through 206.14 and RSA 665:11 (eff. 01/01/04). The candidate filing the petition shall have the burden of proof by a preponderance of the evidence. The Board may void an election if a finding is made that misconduct could have affected the outcome of the election.

C2-12. Preservation of ballots.

All the ballots cast at each election in the several wards shall be preserved, and, after they shall have been counted, the Moderator shall deliver all the ballots given in to the Clerk of the ward, and the Clerk shall seal up said ballots, direct and deliver the same, together with the checklist used at such election, within one hour after the adjournment of such meeting to the City Clerk. Such ballots shall be preserved by the City Clerk for thirty days with the seals unbroken, except that they shall be subject during that time to the examination by the Board of Supervisors of Elections for the purposes of recount or contested election on the ground of fraud or misconduct.

CHARTER

C2-13

C3-2

C2-13. Display of campaign materials at polling place restricted.

In addition to the provisions of RSA 659:43, persons as candidates for elective office or representing or working for a candidate for office may display or exhibit any campaign materials or paraphernalia next to any building where an election is being held, but may not under any circumstances distribute any campaign materials within the established ten foot wide corridor. The Moderator of each polling place used for the conduct of an election shall be responsible for maintaining the polling place free of campaign materials of any kind at all times. No person working in any capacity at or present within a polling place used for the conduct of an election shall wear or display in any manner any campaign material 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 ~~Mayor Pro Tem.~~ 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 this Charter. The Council shall choose one of its members as ~~Mayor Pro Tem~~ Deputy Mayor, who shall act in the absence or disability of the Mayor.

C3-4. Qualifications of Council members.

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 ~~two years~~ 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. ~~In the event that the ward boundaries are redistricted in conjunction with the Municipal Election said Ward candidate is elected which may result in removing them from said ward, the candidate shall be allowed to serve out their term as the representative of the Ward to which they are elected for one term.~~ A Councilor shall not be eligible to hold any other municipal office except Mayor or ~~Mayor Pro Tem~~ Deputy Mayor.

C3-5. Vacancies.

Vacancies occurring in the office of Councilor at any time shall be filled at a special election to be called by the City Council. Said election shall be held no later than 60 days following the creation of the vacancy (with a filing period to be established by the City Clerk) except, however, in cases where such vacancies shall occur less than one year prior to the expiration of the term of office. In such case, the vacancy shall be filled by the election of a qualified person, as set forth in C3-4 above, by a majority vote of the Council at the second regular meeting of the Council following the creation of the vacancy. Vacancies in the office of the Ward Councilor shall be filled from the same ward as the prior incumbent. The Council shall declare the existence of vacancies among its membership or any other elective municipal office under this section or C11-3 of this Charter, except as otherwise provided in this Charter.

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

CHARTER

C3-7

C3-8

C3-6. Salaries and Compensation.

Unless otherwise fixed by ordinance, Councilors shall receive as salary the sum of one thousand dollars (\$1000) per year; plus reimbursement for reasonable expenses incurred in the performance of their work as approved by affirmative vote of the Council. The Mayor shall receive an additional \$200 per year and the **Deputy Mayor** shall receive an additional \$50 per year.

C3-7. Meetings.

All meetings of the Council shall be public. Regular meetings shall be held on such day of each month at such time as the Council shall, from time to time, by ordinance or resolution direct. The Council shall establish its own rules and a majority shall constitute a quorum for the transaction of the business of the Council. Special meetings may be called at the written request of the City Manager **at the discretion of the Mayor** or at least five Councilors and upon such request **from at least five Councilors** the Mayor shall call such special meeting. Written notice of said meeting shall be delivered to each Councilor at least 24 hours prior to the call of the meeting. The method of delivery of notice for special meetings shall be by established Council rule.

C3-8. Ordinances.

- A. **Form.** Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain more than one subject, which shall be clearly expressed in its title. Each ordinance shall be identified by a number and a short title. The enacting clause shall be "*The City of Dover ordains. . . .*" Any ordinance which repeals or amends an existing ordinance shall set out in full the ordinance, sections or subsections to be repealed or amended and shall indicate matter to be omitted by enclosing it in brackets or by strikeout type and shall indicate new matter by underscoring or by italics.
- B. **Procedure.** An ordinance may be introduced by any member at any regular special meeting of the Council. Upon introduction of any ordinance, the City Clerk shall distribute a copy to each Council Member and to the Manager, shall file a reasonable number of copies in the office of the City Clerk and such other public places as the Council may designate. As soon as practicable after adoption of any ordinance, the Clerk shall have it published, together with a notice of its adoption.
- C. **Effective date.** Every ordinance shall take effect upon passage and publication as required by law or at a later date if specified therein.

D. Recording. All ordinances, including any amendments thereto, shall be recorded in full, uniformly and permanently, by the City Clerk, and each ordinance so recorded shall be approved to form by the City Attorney, authenticated by affixing the signatures of the Mayor, City Clerk, City Attorney and City Seal and kept on file in the office of the City Clerk. The City Clerk, under the direction of the City Manager, shall be responsible for the systematic indexing, printing, publication and maintenance of the ordinances of the city. Copies of any or all ordinances shall be available to the public, and the City Clerk may charge a nominal cost to help defray the printing costs.

C3-9. Emergency Ordinances.

To meet a public emergency affecting life, health, property, or the public peace, the Council may adopt one or more emergency ordinances, but such ordinances may not levy taxes, grant, renew or extend a franchise, regulate the rate charged by any public utility for its services or authorize the borrowing of money except as provided in Subsection B. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the affirmative vote of those present and voting shall be required for adoption. After its adoption the ordinance shall be published and printed as prescribed for other adopted ordinances. It shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance, except one made pursuant to Subsection B, shall automatically stand repealed as of the **61st** day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

A. Emergency appropriations.* To meet a public emergency affecting life, health, property or the public peace, the Council may make emergency appropriations as part of an emergency ordinance. To the extent that there are no available unappropriated revenues to meet such appropriations, the Council may by such emergency ordinance, authorize the issuance of emergency notes, which may be renewed from time to time, but the emergency notes and renewals thereof occurring in any fiscal year shall be paid not later than the last day of the fiscal year next succeeding the year in which the emergency appropriation was made.

*Editor's Note: For provisions concerning appropriations, see Art. VI.

CHARTER

C3-9

C3-11

- B. **Recording.** All ordinances, including any amendments thereto, shall be recorded in full, uniformly and permanently, by the City Clerk, and each ordinance so recorded shall be approved to form by the City Attorney, authenticated by affixing the signatures of the Mayor, City Clerk, City Attorney and City Seal and kept on file in the office of the City Clerk. The City Clerk, under the direction of the City Manager, shall be responsible for the systematic indexing, printing, publication and maintenance of the ordinances of the city. Copies of any or all ordinances shall be available to the public, and the City Clerk may charge a nominal cost to help defray the printing costs.

C3-10. Codification of ordinances.

The City Council, not later than 45 days after the adoption of this Charter and at least every tenth year thereafter, shall have prepared a revision or codification of the ordinances of the city which are appropriate for continuation as local laws of the city. The City Council, not later than six months after the adoption of this Charter and at least every tenth year thereafter, shall have prepared a printed and hardbound volume containing all of the existing official ordinances of the City of Dover. Each bound volume shall be duly authenticated by affixing the signatures of all members of the City Council, the City Clerk and the City Seal. Such revision or codification shall be prepared under the supervision of the City Attorney, but the City Council may authorize the City Attorney to contract for the services of persons or organizations experienced in the revision and codification of ordinances and statutes. Copies of the ordinances 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 ordinances shall be in accordance with the provisions of C6-16 of the Charter.

C3-11. Powers and duties.

The City Council shall be the governing body of the City of Dover, shall set policies for city government and shall bear full responsibility for the implementation of said policies through the hiring and supervision of the City Manager.

Except as herein otherwise provided, the City Council shall have all the powers and discharge all the duties conferred or imposed upon city councils, boards of mayor and aldermen and selectmen of towns by law. Except as otherwise provided in this Charter, all boards, commissions and committees shall be appointed by the Council.

**ARTICLE IV
SCHOOLS**

C4-1. District established.

The City of Dover shall constitute a single municipal corporation with powers for municipal and school purposes, including all the powers of a school district conferred by law.

C4-2. School Board.

There shall be a School Board consisting of seven members, one from each ward and one member at large to be elected as prescribed for and shall take office on the first Monday in January following their election and shall hold office until their successors are duly elected and qualified. The term of office shall be for a two year term.

C4-3. Meetings; regulations; officers.

- A. The members of the School Board shall meet on the first Monday of January following their election for the purpose of newly elected members taking their oaths, organizing for the ensuing year and adopting rules and regulations for the transaction of business.
- B. A copy of such rules and regulations and any amendments thereto shall be filed in the office of the City Clerk and the office of the School Superintendent.
- C. The School Board shall elect by ballot from their own number a Chairman, a Vice Chairman and a Secretary. The Treasurer of the City of Dover shall be the Treasurer of the School Board, and all checks authorized by the School Board shall be issued by the Treasurer upon warrant certified by the School Board and countersigned by such member of the School Board as may be officially designated.

***Editor's Note: All previous references to the "School Committee" shall now be referred to as the "School Board".**

CHARTER

C4-4

C4-6

C4-4. Qualifications of members.]

In order to be qualified to be a candidate for election as School Board Member 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 two years immediately preceding the election. In order to be a candidate for election as a Ward School Board Member, in addition to the aforementioned qualifications, a person must be a resident of the ward from which he or she is seeking election. In the event that the ward boundaries are redistricted in conjunction with the Municipal Election said Ward candidate is elected which may result in removing them from said ward, the candidate shall be allowed to serve out their term as the representative of the Ward to which they are elected for one term. A Councilor shall not be eligible to hold any other municipal office except Chairperson or Vice Chairperson

C4-5. Vacancies.

Vacancies occurring in the office of School Board member at any time shall be filled at a special election to be called by the City Council. Said election shall be held no later than 60 days following the creation of the vacancy (with a filing period to be established by the City Clerk) except, however, in cases where such vacancy shall occur less than one year prior to the expiration of the term of office. In such case, the vacancy shall be filled by the election of a qualified person, as set forth in C4-4 above, by a majority vote of the School Board at the second regular meeting of the School Board following creation of the vacancy. Vacancies in the office of Ward School Board member shall be filled from the same ward as the prior incumbent. The School Board shall declare the existence of vacancies among its membership.

C4-6. Compensation.

School Board members shall receive a salary **in the same amounts as city councilors** ~~in the sum of \$500 per year~~, plus reasonable expenses incurred in the performance of their work. **The School Board Chair shall receive an additional sum in the same amount as the additional sum paid the Mayor.**

*Editor's Note: For additional provisions concerning vacancies in office, see C11-3.

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

**ARTICLE V
ADMINISTRATION OF GOVERNMENT**

C5-1. City Manager.

The chief administrative officer of the city shall be the City Manager. The Council shall appoint a person especially qualified by experience and training, who received the votes of at least six members of the Council, to be the City Manager. The Council shall fix the Manager's salary and **such other conditions of employment not inconsistent with this Charter**. The City Manager shall serve for an indefinite term of office.

C5-2. Qualifications.

The Manager shall be chosen solely on the basis of their executive and administrative qualifications, and they need not be a resident of the city or the state at the time of their appointment, but if they are not a resident, they shall become a bona fide resident of the city within 90 days of their appointment.

C5-3. Removal from office.

The Manager may be removed ~~for cause~~ by the affirmative vote of at least six (6) members of the Council as herein provided. At least thirty (30) days before the proposed removal of the Manager, the Council shall adopt a resolution stating its intention to remove him/her and the reasons therefore, a copy of which shall be served forthwith on the Manager, who may, within ten (10) days, demand a public hearing, in which event, the Manager shall not be removed until such public hearing has been held. Upon or after passage of such a resolution, the Council may suspend the Manager from duty, but his/her pay shall continue until removal. In case of such suspension, the Council may appoint an Acting Manager to serve at the pleasure of the Council.

C5-4. Acting City Manager.

If the City Manager is determined by a vote of at least six (6) members of the full Council to be temporarily incapacitated or unable to act for any cause or the Council determines that the office has become vacant, an Acting City Manager shall be appointed by a majority vote of the Council and shall serve until such time as the Council shall appoint a new City Manager. The Acting Manager shall have all the powers and perform all the duties of the City Manager except to the extent that said powers and duties have been specifically restricted by Council resolution. Said Acting Manager shall be paid such salary for his/her services hereunder as may be prescribed by the City Council.

C5-5. Powers and Duties of Manager.

The Manager shall supervise and be responsible for the administrative affairs of the city and shall carry out the policies enacted by the Council. He/she shall be chartered with the preservation of the public peace and health and safety of persons and property and shall see to the enforcement of the ordinances of the city, this Charter and the laws of the state. He/she shall keep the Council informed of the condition and needs of the city and shall make such reports and recommendations as he/she may deem advisable **or may be requested by the Council** and perform such other duties as may be prescribed by this Charter or required of him/her by ordinance or resolution of the Council, not inconsistent with this Charter. He/she shall have and perform such other powers and duties not inconsistent with the provisions of this Charter as now are or hereafter may be conferred by municipal ordinance or conferred upon Mayors of cities by general law, except for the appointment of all Boards and Commissions, which will be exercised by the City Council, unless otherwise provided by General Law. He/she shall have the right to take part in the discussion of all matters coming before the Council, but not the right to vote.

C5-6. Appointment of Department Heads; Suspension; Appeal.

The Manager shall have the power to appoint and remove, subject to the provisions of this Charter, all department heads and officers in the classified service. The Manager, for just cause, may suspend or dismiss said officers or other department heads or take other appropriate disciplinary action. Said suspension, dismissal or other disciplinary action shall be effected only upon the Manager's presentation to the said officer or department head of a written specification of the reasons therefor at least thirty (30) days before said action is taken. The said department head or officer involved may, within ten (10) days, demand a public hearing, in which event the department head or officer shall not be removed until such public hearing has been held. The Manager may, however, suspend said officer or department head from duty during said period, but his pay shall continue. The City Manager shall conduct said public hearing. Nothing herein shall be construed to prohibit an aggrieved individual from seeking recourse to the courts.

C5-7. Appointive officers.

There shall be appointed by the Manager, such officers as are necessary to administer all departments which the Council shall establish and who shall be qualified by experience and training for appointment to said offices. The powers and duties of these officers and head of departments so appointed shall be those prescribed by state law, by this charter or by ordinance.

C5-8. Role of Council.

Neither the Council nor any of its members shall direct or request the appointment of any person to office or employment or his removal, suspension or discipline by the Manager or any of the administrative officers. Neither the Council nor any member thereof shall give orders to nor interfere with the performance of the duties of any of the administrative officers or employees, either publicly or privately. Nothing contained in this section shall prohibit the Council from meeting with the City Manager to discuss the operation or conduct of any administrative department or officer and to recommend any investigation of any complaint by the City Manager. Any violation of the provisions of this section by a Councilor shall be a violation, conviction of which shall constitute immediate forfeiture of his/her office.

C5-9. Departments.

The administrative service of the city shall, by ordinance, be divided into such departments, divisions, bureaus or other agencies as are necessary for the proper and efficient management of the affairs of the city. Said ordinance shall define the function and duties of each city department or agency and shall be known as the "Administrative Code"*. The City Council may, by amendment to the Administrative Code Ordinance, create, consolidate or abolish departments, divisions, bureaus or agencies and define or alter their functions and duties. The head of each department or agency established by the Administrative Code shall have and exercise supervision and control of his/her department or agency and the employees therein and shall have the power to prescribe rules and regulations not inconsistent with general law, this Charter, the Administrative Code and the rules and regulations of the merit plan. A copy of all departmental rules and regulations promulgated under this section shall be on file in the office of the City Clerk. Unless otherwise provided in this Charter, each officer, department head, board or other agency shall appoint, dismiss, suspend or demote their deputies, clerks, assistants and subordinates serving under their supervision or control, subject to appeal to the Personnel Board as herein provided.

C5-10. Legal Officer. [Repealed 09-05-90, approved at 11-06-90 Election]

*Editor's Note: See Ch. 3, Administrative Code

**ARTICLE VI
FINANCE**

C6-1. Fiscal Year.

The fiscal and budget year of the city shall begin on the first day of July and end on the 30th day of June unless another date shall be fixed by ordinance.

C6-2. Finance Director.

The Manager shall appoint a Finance Director who shall maintain accounting control over the finances of the city, make financial reports and perform such other related duties as may be required by the administrative code. He/she shall audit and approve all authorized claims against the city before paying the same.

C6-3. Budget procedure.

At such time as may be requested by the Manager or specified by the Administrative Code, each officer or director of a department shall submit an itemized estimate of the expenditures for the next fiscal year for the departments or activities under his/her control to the Manager, who shall submit them with his/her recommended budget to the Council on or before February fifteenth of the fiscal year, which shall be the budget submitted to the public hearing, unless another date shall be fixed by ordinance. **The City Council may examine and amend the recommended budget on a line for line basis.**

C6-4. Budget hearing.

A public hearing on the budget shall be held at least seven days before its final adoption by the Council at such time and place, convenient to the public, as the Council shall direct and notice of such public hearing, together with a copy of the budget as submitted, shall be posted in two public places and published once at least one week in advance by the City Clerk; provided, however, that there shall be a separate hearing held on the portion of the budget submitted by the School Board and a separate hearing on the portion of the budget submitted by the Manager, and there shall be at least a twenty-four hour period between the hour at which one hearing is begun and the hour at which the other hearing is begun.

C6-5. Final date for budget adoption.

The budget shall be adopted not later than April fifteenth of the fiscal year and not earlier than seven days after the public hearing on the budget unless another date shall be fixed by ordinance.

C6-6. Appropriations after adoption of budget.

No appropriation shall be made for any purpose not included in the annual budget as adopted unless voted by a two-thirds majority of the Council after a public hearing held to discuss said appropriation. The Council shall, by resolution, designate the source of any money so appropriated. This provision shall not apply, however, to emergency appropriations adopted pursuant to C3-9 of this Charter.

C6-7. Quarterly budget reports; reductions.

At the beginning of each quarterly period during the fiscal year and more often if required by the Council, the Manager shall submit to the Council data showing the relation between the estimated and actual income and expenses to date, together with outstanding indebtedness and estimated future expenses; and if it shall appear that the income is less than anticipated, the Manager, with Council approval, may reduce the appropriation for any item or items in the non-school portion of the budget, except amounts required for debt and interest charges, to such a degree as may be necessary to keep expenditures within the cash income. At any time, the Manager may provide for monthly or quarterly allotments of appropriations to non-school departments, funds or agencies under such rules as he/she shall prescribe.

C6-8. Transfers.

After the budget has been adopted, no money shall be drawn from the treasury of the city nor shall any obligation for the expenditure of money be incurred except pursuant to a budget appropriation unless there shall be a specific additional appropriation therefor. The head of any non-school department, with the approval of the Manager, may transfer any unspent balance or any portion thereof from one fund or agency within his/her department to another fund or agency within his/her department. The head of the school department may transfer any unspent balance or any portion thereof from one fund within his/her department to another fund within his/her department. The Manager, with the approval of the Council, may transfer any unspent balance or any portion thereof from one non-school department to another non-school department.

C6-9. Capital Improvements Program.

- A. The Manager shall prepare and submit to the Council a six-year capital improvements program at least three months prior to the final date for submission of the budget. The capital improvements program shall be based upon the recommendations of the Planning Board and shall include:
 - (1) A clear general summary of its contents;
 - (2) A list of all capital improvements which are proposed to be undertaken during the six fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements;
 - (3) Cost estimates, method of financing and recommended time schedule for each such improvement; and
 - (4) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.
- B. The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

C6-10. Lapse of appropriations.

Every appropriation, except an appropriation for a capital expenditure or dedicated funds, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if three years pass without any disbursement from or encumbrance of the appropriation.

C6-11. Depository.

The Council shall designate the depository or depositories for city funds and shall provide for the daily deposit of all city moneys. The Council may provide for such security for city deposits as it may deem necessary, except that personal surety bonds shall not be deemed proper security.

C6-12. Independent audit.

An independent audit shall be made of all accounts of the city government at least annually and more frequently if deemed necessary by the Council. Such audit shall be made by certified public accountants experienced in municipal accounting or by the State of New Hampshire Department of Revenue Administration or its representatives. An abstract of the result of such audit shall be made public. At least once every five years, the Council shall request that such audit be made by the State of New Hampshire Department of Revenue Administration or by auditors selected by said Department if authorized by law to make such audit. An annual report of the city's business for the preceding year shall be made available not later than June 30th.

C6-13. Bonding of Officials.

Any city officer elected or appointed by authority of this Charter may be required by the Manager to give a bond to be approved by the City Attorney for the faithful performance of the duties of his/her office, but the Manager and all officers receiving or disbursing city funds shall be so bonded. The Manager shall be responsible to see that such bonds are of sufficient amount. All official bonds shall be corporate surety bonds, and the premiums thereon shall be paid by the city. Such bonds shall be filed with the City Clerk.

C6-14. Borrowing procedure.

Subject to the applicable provisions of state law and the rules and regulations provided by ordinance in the Administrative Code, the Council, by resolution, may authorize the borrowing of money for any purpose within the scope of the powers vested in the city and the issuance of bonds of the city or other evidence of indebtedness therefor and may pledge the full faith, credit and resources of the city for the payment of the obligation created thereby. Borrowing for a term exceeding one year shall be authorized by the Council only after a duly advertised public hearing, and final action shall be deferred until at least three days after said hearing.

C6-15. Debt Limit.

The City of Dover may at any time have and incur debt for all purposes, subject in all respects, to the limits set forth in the Municipal Finance Act, RSA 33 subsequent amendments thereto.

C-16. Purchase Procedure.

The Administrative Code shall establish purchasing and contract procedure, including the assignment of all responsibility for purchase to the purchasing agent, and the combination purchasing of similar articles by different departments.

C6-17. Special assessments.

The Council shall have the power to determine that the whole or any part of the expense of any public improvement shall be defrayed by special assessments upon the property especially benefited and shall so declare by resolution. Such resolution shall state the estimated cost of the improvement, what proportion of the cost thereof shall be paid by special assessments and what part, if any, shall be a general obligation of the city, the number of installments in which special assessments may be paid and shall designate the districts or land and premises upon which a special assessment shall be levied. If expenditures are to exceed \$1,000, a public hearing shall be held with action by the Council to be taken not earlier than seven days after said hearing. If expenditures exceed \$1,000, competitive public bids shall be required for such project. If the City of Dover is desirous of furnishing the materials and/or providing the labor for such project, the city, subject to the same terms, conditions and provisions as are applicable to other bidders, may submit bids on same. The Council shall prescribe, by general ordinance, complete special assessment procedures concerning plans and specifications, estimate of costs, notice and hearing, the making of the special assessment roll and correction of errors, the collection of special assessments and any other matters concerning the making of improvements by the special-assessment method.

C6-18. Trust Funds.

Trust funds, except where otherwise provided by the instrument creating such trust, shall be kept separate and apart from all other funds and shall be invested by the Board of Trustees in investments, from time to time, legal for mutual savings banks in the state.

ARTICLE VII PERSONNEL POLICIES

C7-1. Appointments.

Appointments and promotions to all positions in the service of the city shall be made solely on the basis of merit and only after consideration of the applicant's ability in accordance with procedures set forth in the Merit Plan.

C7-2. Merit Plan.

There shall be a set of rules and regulations providing for the establishment of a merit system of personnel administration, known as the "Merit Plan". The Merit Plan shall include provisions with regard to classification, compensation, selection, training, promotion, discipline, vacations, retirement and any other matters necessary to the maintenance of efficient service and proper working conditions. The Merit Plan **and the classification plan adopted pursuant thereto** shall continue in force, subject to amendments submitted from time to time by the Manager. **The Manager shall submit any proposed amendments to the Council as an item on a regular Council meeting agenda. The Council shall within sixty days after having received the proposed amendments take action to approve or disapprove them at a regular Council meeting.** ~~which shall become effective one month after the submission, unless vetoed by the Council within that period.~~

C7-3. Compensation.

The compensation of all officers and employees not fixed by this Charter shall be fixed in the Merit Plan by a schedule of pay which shall include a minimum and maximum and such intermediate rates as may be deemed desirable for each class of position provided for in said plan. In adopting the city budget, the Council shall not increase or decrease any individual salary item but shall act solely with respect to total salaries in the various departments of the city.

C7-4. Certification of payroll.

Except as hereinafter provided, no compensation shall be paid without certification by the Manager that the recipients are employed by the City, that their rates of compensation comply with pay schedules provided for in C7-3, and that they worked the hours for which they are to receive compensation. Said certification may also be made by the head of the department within which each employee is employed. If such officer approves payments not in conformity therewith, they and their surety shall be liable for the amount of such payments.

CHARTER

C7-5

C7-7

C7-5. Employee insurance.

The City shall provide such insurance as authorized by RSA 412:3, in sufficient amounts as determined by the City Manager, to protect its officials and employees from liability arising from any action brought against them while in the performance of their official duties.

C7-6. Personnel Advisory Board.

There is hereby established a Personnel Advisory Board of three (3) citizens holding no other political office, who shall be appointed as follows: One (1) member by the manager, one (1) by the council and the third by these two (2) appointees. The terms of all members shall be for three (3) years. It shall be the duty of the Personnel Advisory Board to study the broad problems of personnel policy and administration, to advise the Council concerning the personnel policies of the city and to advise the Manager regarding administration of the Merit Plan and to hear appeals from any employee aggrieved as to the status or condition of his employment or retirement. The Board shall promptly issue written reports containing findings of facts and recommendations to the manager upon such appeals, but the board shall have no power to reinstate an employee unless it finds, after investigation, that disciplinary action was taken against the employee without just cause. The term "employee" as used in this section shall not include department heads and officers of the city. Nothing herein shall be construed as prohibiting an appeal by an aggrieved employee to the court.

C7-7. Public safety employees.

All public safety employees shall be appointed and promoted consistent with the provisions of C7-1 and shall at all times be employees of the city. "Public safety employees" shall be construed to mean those employees that provide police and fire protection.

**ARTICLE VIII
WATERWORKS**

C8-1. Construction.

The City of Dover shall construct, manage and own suitable waterworks for the purpose of preservation of an adequate supply of water for extinguishing fires, for that use of its citizens and for such other purposes as may be required in said city; and for that purpose the City of Dover may take, purchase and hold real estate or easements therein and rights of water for said works, in the City of Dover or elsewhere. The City of Dover may erect, construct and maintain such dams, reservoirs and buildings as may be necessary for such waterworks and dig ditches, break up ground and place and maintain pipes for conducting water wherever it may be necessary, including the highways and streets, and relay and change said pipes from time to time, due regard being paid to the safety of the citizens and the security of public travel.

C8-2. Contracts for water; establishment of charges.

The City of Dover is authorized to contract with individuals and corporations for supplying said corporations and individuals with water and to make such contracts, establish such tolls and charge such rate for use of water as shall be deemed reasonable and, for the more convenient management of said work, may place the same, either before or after they are constructed, under the direction of a superintendent or a board of water commissioners, or both, and the duties of such officer or officers shall be defined by vote of the City Council.

C8-3. Authorization of taxation and borrowing.

The City of Dover is authorized to levy taxes and defray the expenses of said waterworks and to borrow money and to issue the notes, bonds or other obligations of the city therefor, payable at such time or times and on such interest as the City Council shall determine, and such bonds or notes or other obligations shall be legal and binding upon said city.

C8-4. Assistance to other municipality.

The City of Dover may furnish to the Town of Rollinsford such assistance for the protection against and the extinguishment of fires by the extension of its hydrant system and through the services of its Fire Department and fire-fighting apparatus, as may be agreed upon by said city and town.

CHARTER

C9-1

C10-5

**ARTICLE IX
(Reserved)***

C9-1. (Reserved)

**ARTICLE X
CONDUCT OF OFFICIALS**

C10-1. Eligibility for elective office.

Except as provided by state law, no employee of this city shall hold an elective or appointive office in this city government while they are in the employ of this city or any of its agencies.

C10-2. Conflicts of interest.

No elective or appointive officer or employee of this city shall take part in a decision concerning the business of this city in which he/she or a member of their family directly has a financial interest, aside from his/her salary as such officer or employee, greater than any other citizen or taxpayer. Any elective or appointive officer or employee of the city who has such financial interest in any such decision shall make full, public disclosure of such interest prior to the city's deliberating on such decision.

C10-3. Disqualification from decision-making process.

No elective or appointive officer or employee of this city shall take part in a decision concerning the business of this city in which they or a member of their family, directly or indirectly, has a financial interest, aside from his/her salary as such officer or employee, greater than any other citizen or taxpayer.

C10-4. Private use of city property and personnel.

No elective or appointive officer or employee shall devote any city property or labor to private use except as may be provided by law or ordinance.

C10-5. Acceptance of gifts and gratuities.

No elective or appointive officer or employee of the city shall solicit or accept any gift or gratuity which could, in any manner, be construed to affect or influence the performance of his/her official duties.

***Editor's Note: Former Article IX, Hospital, was repealed 09-25-85, approved at 11-05-85 Municipal Election.**

C10-6. Disposition of fees.

No elective or appointive officer or employee of the city shall collect any fees, salaries or other payments in connection with his/her official duties with the exception of court fees, for his/her own use, but all such fees, salaries or other payments shall be paid into the city treasury.

C10-7. Misuse of information.

No elective or appointive officer or employee of the city shall utilize or dispense information gained through said office or employment for the personal profit of themselves or others, as opposed to the public good of the community.

C10-8. Applicability.

This Article shall apply to all officers and employees of the city, including officers and employees of the school system.

C10-9. Civil penalty.

Any elective or appointive officer or employee of the city found to have violated any of the provisions of this section shall be personally liable to the city to the extent that the city suffers loss thereby*.

C10-10. Future Employment.

No elective or appointive officer or employee of the City shall solicit, negotiate for or promise to accept employment with any person, firm or corporation with which he or his department, body or agency is engaged on behalf of the City in the transaction of business which is or may be affected by his official action. No elective officer may become employed by the City within one (1) year after their term of office ends.

*Editor's Note: For further penalties, see C11-11.

**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. At least one member of the Commission shall be a former Councilor or School Board member

C11-5. Removal from Office.

In addition to the provisions of C11-3 City Councilors, School Board members and members of standing city commissions and boards may be removed from office by a vote of the City Council upon such a recommendation having been forwarded to the Council by the Ethics Commission.

C11-6. Public records and meetings.

All records of the city and all meetings of the Council, boards, committees, commissions, authorities or other municipal bodies shall be open to the public, and their minutes and other records shall be available to the public in accordance with the provisions of RSA-91A and amendments thereto.

C11-7. Agreements with other municipalities.

The City Council is authorized, as provided by RSA C.53-A, to enter into agreements and regional compacts with neighboring cities and towns for the purpose of resolving their common problems for the mutual advantage and benefit of the city and its neighboring cities and towns.

C11-8. Specific provisions to prevail.

To the extent that any specific provision contained in this Charter conflicts with any provision expressed in general terms, the specific provision shall prevail.

C11-9. Severability.

The sections of this Charter and the parts thereof are separable. If any portion of this Charter or the application thereof to any person or circumstance shall be held invalid, the remainder thereof shall not be affected thereby.

CHARTER

C11-10

C11-14

C11-10. Authentication of Charter; copies to be kept on file.

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.

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.

C11-12. (Reserved)*

C11-13. Violations and penalties.

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.

SAMPLE BALLOT



**OFFICIAL BALLOT
CITY OF DOVER, NEW HAMPSHIRE
MUNICIPAL ELECTION
NOVEMBER 8, 2011
WARD 5**

Karen S. Lavertu, City Clerk

INSTRUCTIONS TO VOTERS

- A. TO VOTE, completely fill in the OVAL to the RIGHT of your choice(s) like this: ●
- B. Follow directions as to the number of candidates to be marked for each office.
- C. To vote for a person whose name is not printed on the ballot, write the candidate's name on the line provided and completely fill in the OVAL.

FOR CITY COUNCIL

VOTE FOR not more than ONE

CATHERINE CHENEY

(Write-in)

FOR MAYOR

VOTE FOR not more than ONE

DEAN TREFETHEN

MARY HEBBARD

DONALD MEDBERY

(Write-in)

**FOR COUNCILOR
AT LARGE**

VOTE FOR not more than TWO

KAREN WESTON

DONALD ANDOLINA

ROBERT CARRIER

(Write-in)

(Write-in)

**FOR AT LARGE
SCHOOL BOARD**

VOTE FOR not more than SEVEN

CHRISTOPHER BUCK

PAUL BUTLER

ROCKY D'ANDREA

HOLLY FERGUSON

DORIS GRADY

ROBERT McCRORY

CAROLYN MEBERT

AMANDA RUSSELL

BETH SETEAR

ELIZABETH "BETSEY" ANDREWS PARKER

KENNETH APPEL

CHRISTOPHER AYER

KATHY BAKER

(Write-in)

(Write-in)

(Write-in)

(Write-in)

(Write-in)

(Write-in)

(Write-in)

FOR MODERATOR

VOTE FOR not more than ONE

(Write-in)

**FOR SUPERVISOR
OF CHECKLIST**

VOTE FOR not more than ONE

KENNETH STANLEY

(Write-in)

FOR SELECTMAN

VOTE FOR not more than THREE

STEPHEN L. GOREN

NANCY BOYLE

(Write-in)

(Write-in)

(Write-in)

FOR WARD CLERK

VOTE FOR not more than ONE

(Write-in)

QUESTION 1

QUESTION: SHALL DOVER APPROVE THE CHARTER AMENDMENT REPRINTED BELOW?

C1-3 Boundaries of Wards

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

Question continued on back

TURN BALLOT OVER AND CONTINUE VOTING

QUESTIONS CONTINUED

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

Ward Three begins at the intersection of Spaulding Turnpike and Central Avenue; thence following the center line of Central Avenue in a northeasterly direction to Locust Street; thence following the center line of Locust Street northerly to Fisher Street; thence following the center line of Fisher Street in an westerly direction to Elm Street; thence following the centerline of Elm Street northerly to the intersection with Silver Street; thence following the centerline of Silver Street easterly to the intersection of Central Avenue; thence following the centerline of Central Avenue in a northeasterly direction to Court Street; thence following the center line of Court Street southeasterly to Tennyson Avenue; thence following the center line of Tennyson Avenue in a northeasterly direction to Henry Law Avenue; thence following a block line established by the 2000 census in a northeasterly direction to the Cochecho River; thence following the Cochecho River southeasterly to its confluence with the Piscataqua River and the exterior block line established by the 2000 census located in the center of said Piscataqua River; thence following the exterior block line established by the 2000 census located in the center of the Little Bay channel where it intersects the Spaulding Turnpike at the Little Bay Bridge; thence following the exterior block line established by the 2000 census located in the center of Little Bay in a northwesterly direction to a point of intersection at the common boundary corner between Dover and Madbury near the Scammel Bridge; thence following the center line of the Bellamy River in a northwesterly direction to Spur Road Extension; thence following the center line of the Spur Road extension southerly to the intersection Spur Road; thence following the center line of Spur Road northwesterly to the Spaulding Turnpike; thence following the center line of the Spaulding Turnpike in a northwesterly direction to the point of beginning.

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

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

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

YES
NO

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

QUESTION 2

QUESTION: SHALL DOVER APPROVE THE CHARTER AMENDMENT REPRINTED BELOW?

6-3.1 Limitation on Property Tax Levy Increase

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

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

YES
NO

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

YOU HAVE NOW COMPLETED VOTING

SAMPLE BALLOT



**OFFICIAL BALLOT
CITY OF DOVER, NEW HAMPSHIRE
MUNICIPAL ELECTION
NOVEMBER 6, 2007
WARD 5
Karen S. Lavertu, City Clerk**

INSTRUCTIONS TO VOTERS

- A. TO VOTE, completely fill in the OVAL to the RIGHT of your choice (s) like this: ●
 B. Follow directions as to the number of candidates to be marked for each office.
 C. To vote for a person whose name is not printed on the ballot, write the candidate's name on the line provided and completely fill in the OVAL.

FOR CITY COUNCIL

VOTE FOR not more than ONE

CATHERINE ANN CHENEY

WILLIAM "BILL" McCANN

(Write-in)

FOR MAYOR

VOTE FOR not more than ONE

SCOTT MYERS

SEAN T. McCABE

CHARLES REYNOLDS

JOYCE EL KOUARTI

(Write-in)

**FOR COUNCILOR
AT LARGE**

VOTE FOR not more than TWO

MARY HEBBARD

"BILL" COLBATH

STEVEN McCUSKER

KAREN WESTON

THOMAS C. DUNNINGTON JR.

(Write-in)

(Write-in)

FOR SCHOOL BOARD

VOTE FOR not more than ONE

AUDRA LURVEY

(Write-in)

**FOR AT LARGE
SCHOOL BOARD**

VOTE FOR not more than ONE

KENNETH APPEL

DORIS GRADY

(Write-in)

ELECTION OFFICIALS

FOR MODERATOR

VOTE FOR not more than ONE

CAROL BOC

(Write-in)

FOR SELECTMAN

VOTE FOR not more than THREE

NANCY R. BOYLE

STEPHEN L. GOREN

BARBARA M. HOGINSKI

(Write-in)

(Write-in)

(Write-in)

FOR WARD CLERK

VOTE FOR not more than ONE

LORRAINE M. GOREN

(Write-in)

**FOR SUPERVISOR OF
CHECKLIST**

VOTE FOR not more than ONE

(Write-in)

TURN BALLOT OVER AND CONTINUE VOTING

SAMPLE BALLOT

AMENDMENTS

CITY CHARTER AMENDMENT #1

QUESTION: SHALL THE MUNICIPALITY AMEND THE CITY CHARTER BY VOTING FOR SCHOOL MEMBERS AT LARGE AND BY CONFORMING THE RESIDENCY REQUIREMENT AND PROCEDURE FOR FILLING VACANCIES TO STATE LAW?

C 2-1. Conduct of Elections

A. The election officers in each ward, whose duty it is to conduct regular biennial elections, shall conduct a nonpartisan municipal election, at the expense of the city, in the same manner as regular biennial state election, on the first Tuesday after the first Monday in November of each odd numbered year to choose Ward Councilors, Councilors at Large, and the Mayor, and School Board Ward Members, and one School Board At Large Member. The term of office shall be for a two year term.

C 4-2. School Board.

There shall be a School Board consisting of seven members, one from each ward and one member at large to be elected, elected at large, as prescribed for and they shall take office on the first Monday in January following their election and shall hold office until their successors are duly elected and qualified. The term of office shall be for a two year term. The term of office shall begin upon the member's election and qualification and end upon the election and qualification of the member's successor.

C4-3. Meetings; regulations; officers.

A. The members of the School Board shall meet on the first Monday of January following their election for the purpose of newly elected members taking their oaths, organizing for the ensuing year and adopting rules and regulations for the transaction of business.

B. A copy of such rules and regulations and any amendments thereto shall be filed in the office of the City Clerk and the office of the School Superintendent.

C. The School Board shall elect by ballot from their own number a Chairman, a Vice Chairman and a Secretary. The Treasurer of the City of Dover shall be the Treasurer of the School Board, and all checks authorized by the School Board shall be issued by the Treasurer upon warrant certified by the School Board and countersigned by such member of the School Board as may be officially designated.

C4-4. Qualifications of members.

In order to be qualified to be a candidate for election as a School Board Member 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 two years immediately preceding the election. In order to be a candidate for election as a Ward School Board Member, in addition to the aforementioned qualifications, a person must be a resident of the ward from which he or she is seeking election. In the event that the ward boundaries are redistricted in conjunction with the Municipal Election said Ward candidate elected which may result in removing them from said ward, the candidate shall be allowed to serve out their term as the representative of the Ward to which they are elected for one term. A Councilor shall not be eligible to hold any other municipal office except Chairperson or Vice Chairperson.

C4-5. Vacancies.

If a vacancy occurs on the School Board, the vacancy shall be filled by the School Board pursuant to RSA 67:33.

~~Vacancies occurring in the office of School Board member at any time shall be filled at a special election to be called by the City Council. Said election shall be held no later than 60 days following the creation of the vacancy with a filing period to be established by the City Clerk) except, however, in cases where such vacancy shall occur less than one year prior to the expiration of the term of office. In such case, the vacancy shall be filled by the election of a qualified person, as set forth in C4 4 above, by a majority vote of the School Board at the second regular meeting of the School Board following creation of the vacancy. Vacancies in the office of Ward School Board member shall be filled from the same ward as the prior incumbent. The School board shall declare the existence of vacancies among its membership.~~

Explanatory Note:

Currently, all but one member of the seven member Dover School Board are elected using the ward system. School Board members are elected one from each of the six wards. A seventh member of the School Board is elected at large by all city voters. The residency requirement for membership on the School Board is two (2) years. Vacancies are filled by special election and appointment in special circumstances.

The proposed changes are:

- All members of the Dover School Board will be elected At-Large;
- The residency requirement for members of the School Board and the procedure for filling vacancies will be amended to conform with state law.

YES

NO

CITY CHARTER AMENDMENT #2

QUESTION: SHALL THE MUNICIPALITY AMEND THE CITY CHARTER BY PLACING A CAP ON CITY SPENDING BASED ON THE ANNUAL NATIONAL CONSUMER PRICE INDEX?

6-3 BUDGET PROCEDURE:

6-3.1 Limitation on Budget Increase

A. Limitation on budget increase.

Recognizing that final tax rates for the City of Dover are set by the New Hampshire Department of Revenue Administration pursuant to RSA 21 J:35, I, the Administration, the School Department and the City Council of the City of Dover shall develop their annual budget proposals and the City Council shall act upon such proposals in accordance with the mandates of this section.

Override Provision. Budgetary restrictions described in any part of section 6-3.1 may be overridden upon a two-thirds vote of the Dover City Council. Such override expires following adoption of the annual budget. Subsequent budgets or supplemental appropriations require additional two-thirds override votes, or the limitations expressed below in section 6-3.1 will apply.

1. In submitting their proposed budgets to the City Council, the Administration and the School Department shall not propose total expenditures in an amount exceeding the tax rate established during the prior fiscal year increased by a factor equal to the change in the National Consumer Price Index - Urban as published by the United States Department of Labor for the calendar year immediately preceding the year of the budget adoption.

2. In establishing a combined municipal budget, the City Council shall be allowed to assume an estimated property tax rate only in an amount not to exceed the tax rate established during the prior fiscal year increased by a factor equal to the change in the National Consumer Price Index - Urban as published by the United States Department of Labor for the calendar year immediately preceding the year of the budget adoption.

B. Exception to budget increase limitation. Capital expenditures, and the total or any part of the principal and interest payments of any municipal bond, whether established for school or municipal purposes, may be excepted from being included in the expenditures that are subject to the prior limitation upon a two-thirds vote of the City Council. The exception made under this section shall expire upon adoption of the budget for the next budget year, unless the council votes by a two-thirds majority to renew the exception for the next budget year.

C. Budget limitation in a revaluation year. When the City Council accepts an increase in real estate values as the result of a City wide revaluation, the City Council shall adhere to a maximum increase in the combined real estate tax revenues as follows: The combined real estate taxes raised from the prior budget year shall be increased by a factor no more than the change in the National Consumer Price Index - Urban as published by the United States Department of Labor for the calendar year immediately preceding budget adoption, then this figure shall be used in establishing the new combined municipal budget.

D. Budget limitation with annual changes in assessments. When annual changes in real estate values occur as a result of State of New Hampshire assessing requirements, the City Council shall adhere to a maximum increase in the combined real estate tax revenues as follows:

1. The combined real estate taxes raised from the prior year shall be increased by a factor of no more than the change in the National Consumer Price Index - Urban as published by the United States Department of Labor for the calendar year immediately preceding budget adoption, plus real estate taxes calculated by applying the prior year real estate tax rate to the net increase in new construction. "Net increase in new construction" is defined as the total dollar value of building permits less total dollar value of demolition permits issued for the period of April 1 - March 31 preceding budget adoption.

E. Total Expenditures. Total expenditures for any given budget year shall not exceed the amount of funds reasonably calculated to be derived by the tax rate established pursuant to Paragraph A.2. herein, increased by the other revenues generated by the municipality.

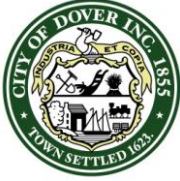
Explanatory Note:

- This amendment places a cap on the level of City spending based on the National Consumer Price Index. Capital expenditures and debt expenditures are included in the cap. The cap may be overridden by a 2/3 majority vote of the City Council.

YES

NO

YOU HAVE NOW COMPLETED VOTING



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2012.07.25 – 97**
Resolution Re: Amendment of FY2013 Fee Schedule Related to In-Vehicle Parking Meter Reload Fees

- WHEREAS: The City of Dover has metered parking in the downtown, and;
- WHEREAS: The Parking Commission held several hearings and the Parking Manager has noted strong support for the inclusion of a in-vehicle parking meter system in conjunction with the city's paid parking program, and;
- WHEREAS: The Dover Parking Commission at their June 19, 2012 voted to recommend the City Manager enter into a contract with OTI America for its EasyPark In-Vehicle Parking Meter system; and
- WHEREAS: The current fee structure in place for mobile parking meters is not compatible with a multi-city program.

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

The City Council of the City of Dover authorizes changes to the Police section, p. 9 of the approved FY 2013 Fee Schedule as follows:

PARKING METER RATES

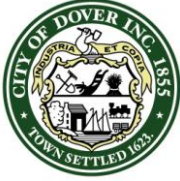
Remove:

<u>Services</u>	<u>Fee</u>	<u>Authorization</u>	<u>Authorizing Entity</u>
Mobile parking meter reloads	Full value of purchase (city pays reload fees)	Budget Resolution	City Council

REQUIRES PUBLIC HEARING AND A 2/3 MAJORITY VOTE OF THE COUNCIL.

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. General Legal Counsel		
Recorded by:	Karen Lavertu City Clerk		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2012.07.25 – 97**
 Resolution Re: Amendment of FY2013 Fee Schedule Related to In-Vehicle Parking Meter Reload Fees

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Dean Trefethen		
Deputy Mayor Robert Carrier, at Large		
Councilor Edward 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.		

RESOLUTION BACKGROUND MATERIAL:

In response to public input to include an In-Vehicle Parking Meter system (IVPM) in conjunction with the city’s paid parking program, the Parking Commission evaluated the available products and programs. On Track Innovations’ (OTI) EasyPark system was recommended for its ease of use and future compatibility with other NH municipalities.

Since EasyPark is intended to be a multi-city device and several municipalities are likely to join the system, our current fee schedule in which the city pays the entire reload fee, is not compatible. If we were to continue that structure, the city would be paying the reload fees for use in other towns. For example, if a driver loads \$50 of parking on their IVPM and uses all of value in Portsmouth where they work, Portsmouth would get \$50 and Dover would have to pay \$2.95; basically subsidizing Portsmouth’s parking. The reload fee cannot be dispersed to specific towns based on usage.

At their June 19, 2012 meeting, the Parking Commission voted to recommend eliminating the city picking up the cost of reload fees. Their opinion was that a discount is already provided in two ways. First, when the device is purchased; it comes with \$10 in parking fees. The cost of the IVPM will be \$19.95, so the net cost to the consumer is \$9.95. Second, there is also the benefit of being able to “pay by the minute” for actual use instead of projecting how much time they might need when they use the regular parking meter. There is also the convenience afforded drivers by not having to go to the on-street parking meter in the first place nor return to their car when their meter receipt is about to expire. As long as the vehicle does not stay past the indicated time limits, the driver can continue their visit.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2012.07.25 – 97**

Resolution Re: Amendment of FY2013 Fee Schedule Related to In-Vehicle
Parking Meter Reload Fees

CITY OF DOVER
12 JUL 17 AM 9:09



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: _____

Federal Tax ID number for Organization: _____

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

Contact Person: Carole Jaffe Day Time Telephone: 603-397-2131

Address: 24 Lexington St Email Address: carolejaffe@comcast.net

Purpose of Permit: block party - Lexington from West Concord to Washington

Date of Event: 8/11/12 Specific Time: 4:30 - 11:30

Location of Event: Lexington St

(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: Carole Jaffe Date: 8/7/12

Licensing Board approval: [Signature] Date: 7/23/12
Revised 03/17/08

Traffic Bureau
OK
MES
[Signature]

Speidel, Marn

From: Speidel, Marn
Sent: Friday, July 20, 2012 4:07 PM
To: 'carolejaffe@comcast.net'
Subject: block party

Ms. Jaffe,

I received a copy of your application for the block party event on August 11, 2012. It will be scheduled for an upcoming Council meeting for approval, which is likely to be at the August 8 meeting. If you haven't heard in the days before your event you should check with the City Clerk's office regarding the status of your permit.

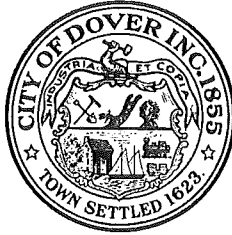
I have penciled your event into my calendar and will ensure that Road Closed signs and cones from the police department are delivered by early afternoon on Sat August 11. Your notes indicate you will occupy only the portion between West Concord and Washington.

There will be signs left in 3 locations: at Silver, at West Concord, and at Washington. Please appoint someone from the neighborhood to go set up the signs at the start of the event and then go back to set them aside when the event is over. At the Silver St end, do not block the road entirely – just half of it - so there is room to drive around. You may block the road with the signs at West Concord and Washington.

Feel free to contact me if you have any questions or concerns.

Regards,
Marn Speidel

Sgt. Marn E. Speidel
Traffic Bureau
Dover Police Department
46 Locust Street
Dover, NH 03820
(603) 742-4646
E-mail: m.speidel@dover.nh.gov



APPLICATION
CITY OF DOVER, NEW HAMPSHIRE

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

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

Organization Name: Dover High School Football Boosters Club

Federal Tax ID number for Organization: 02-0447380

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

Contact Person: Lynn Dow Day Time Telephone: (603) 238-8339

Address: PO Box 1236, Dover, NH Email Address dhsfootballnho.president@gmail.com

Purpose of Permit: 50/50 Raffle fundraiser for DHS football program

Date of Event: Aug 1 - Nov 22, 2012 Specific Time: During home football games

Location of Event: DHS Football Field (Donaway)

(Raffle Permit only)

Prize (s) To Be Awarded: 1/2 of the raffles proceeds

Amount of Donation: \$5.00 Date of Drawing: 8/1 - 11/22/2012 Specific Time: Halftime

Place of Drawing: DHS Football Field (Donaway)

* 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.

** 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

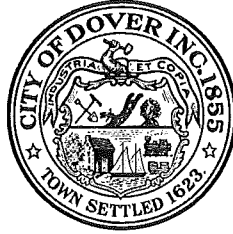
I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT. I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A: RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: Lynn Dow Date: 7/17/12

Licensing Board approval [Signature] Date: 7/20/12 Revised 03/17/08

RECEIVED CITY CLERK DOVER, NH 2012 JUL 19 A 10:49

All set with Charitable Trusts Unit.



APPLICATION
CITY OF DOVER, NEW HAMPSHIRE

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

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

Organization Name: Dover High School Football Boosters Club

Federal Tax ID number for Organization: 02-0447380

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

Contact Person: Lynn Dow Day Time Telephone: (603) 238-8339

Address: PO Box 1236, Dover, NH Email Address dhsfootball.nh.president@gmail.com

Purpose of Permit: Thanksgiving Raffle to raise funds for DHS football program.

Date of Event: Aug 1 - Nov 22, 2012 Specific Time: During home football games

Location of Event: DHS Football Field (Donaway)

(Raffle Permit only)

Prize (s) To Be Awarded: Cash prizes, giftcards

Amount of Donation: \$5.00 Date of Drawing: 11/22/12 Specific Time: Halftime

Place of Drawing: DHS Football Field (Donaway)

* 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.

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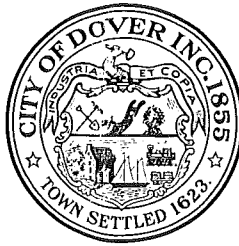
Signature: [Signature] Date: 7/17/12

Licensing Board approval [Signature] Date: 7/20/12 Revised 03/17/08

RECEIVED
FOR CITY CLERK
DOVER NH
2012 JUL 19 PM 10:50

All set with Charitable Trusts Unit.

Raising money to support our troops overseas



APPLICATION CITY OF DOVER, NEW HAMPSHIRE

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

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

Organization Name: American Legion Auxiliary

Federal Tax ID number for Organization: 02-6010289

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

Contact Person: Bette Wetherington Day Time Telephone: 603-692-3677

Address: 640 Central Ave, Dover Email Address: btalon2009@yahoo.com

Purpose of Permit: Toll Booth Fundraiser

Date of Event: 9/8/12 Specific Time: 10:00 - 2:00

Location of Event: 640 Central Ave, Dover

(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.

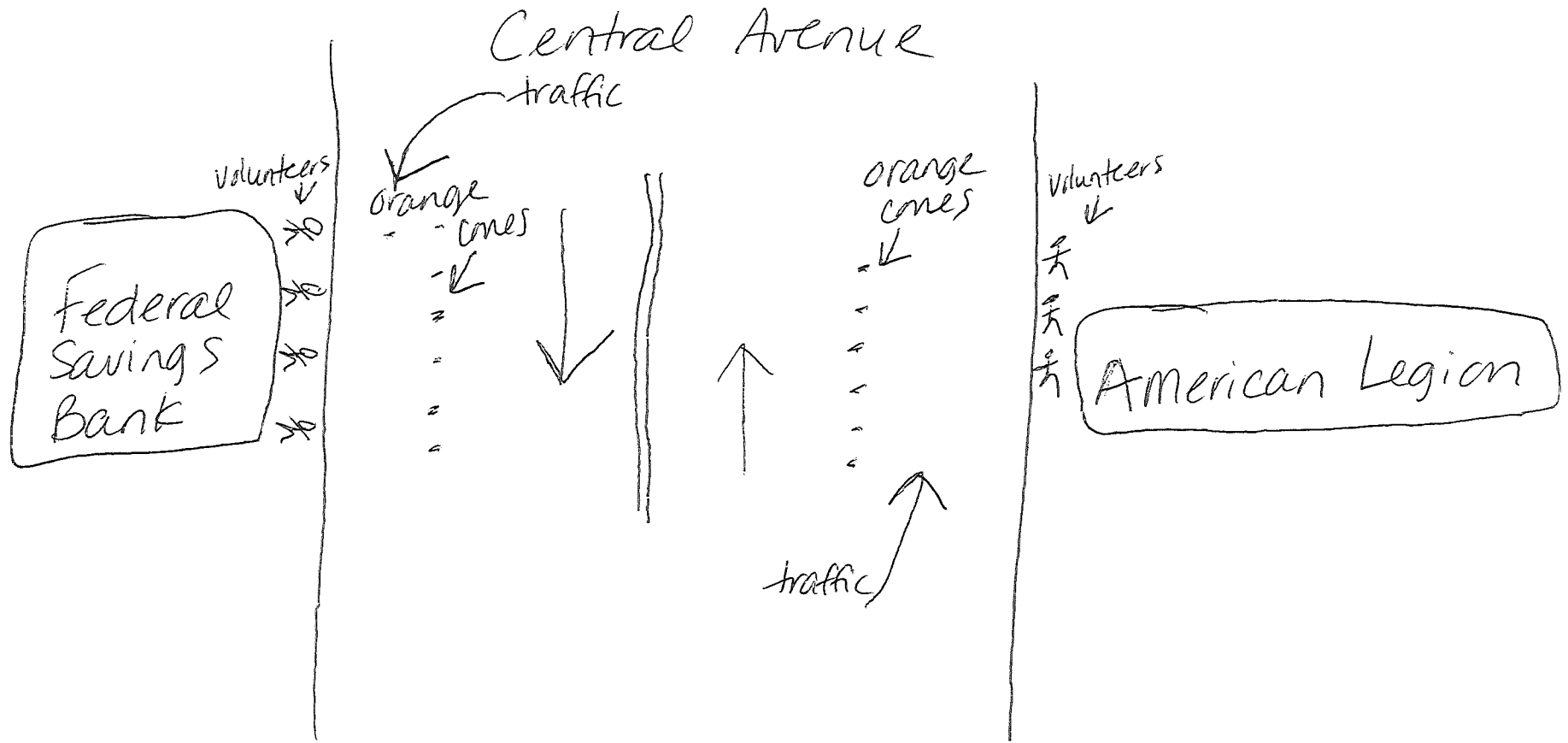
Signature: Bette Wetherington Date: 7/12/12

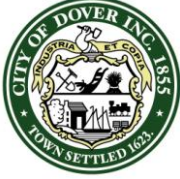
Licensing Board approval [Signature] Date: 7/19/12 Revised 03/17/08

Traffic Bureau OK [Signature] All set w/ NH AG's office Charitable Trusts Unit. DG

We will have volunteers on the side of the street notifying traffic of upcoming Toll Booth fundraiser. We will have vehicles wishing to donate pull to the right of orange cones.

*Last 2 years Dyer Police Department has let us use orange cones. We would like to borrow them again if possible. *





CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R – 2012.08.08 – 100**
Resolution Re: Setting Voting Hours for the November 6, 2012 General Election

WHEREAS: In accordance with State RSA, the City Council must set voting hours in their respective communities; and

WHEREAS: The General Election will be held on November 6, 2012.

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

The voting hours at all Wards in the City of Dover will be from 8:00 a.m. to 7:00 p.m. for the General Election on November 6, 2012

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.
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R – 2012.08.08 – 100**
Resolution Re: Setting Voting Hours for the November 6, 2012 General Election

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Dean Trefethen		
Deputy Mayor, Robert Carrier, At Large		
Councilor Edward 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.		

RESOLUTION BACKGROUND MATERIAL:

The Moderators and Supervisors of the Checklist have been contacted in regards to these hours and are in agreement. The City Clerk also concurs with these hours. Rules regarding absentee voting will allow people who work during these hours to vote via absentee ballot.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.6.

Resolution Number: **R - 2012.08.08 – 101**
Resolution Re: B13003 Off Road Diesel Fuel

WHEREAS: Sealed bid B13003 was requested and received for Off Road Diesel Fuel on August 6, 2012 at 2:00 pm for a one year agreement. Due to the changing market vendors can only hold pricing for five (5) days. Bid results will be available once opened on 8/6/2012, and

WHEREAS: The city has six locations where diesel fuel is utilized and supplied on an “as needed” or pre-arranged schedule. Based on last years usage the bid indicated a need for approximately 18,000 gallons to be purchased from September 1, 2012 to August 31, 2013, and;

WHEREAS: (---number--) responses were received with bid deemed most advantageous to the city being submitted by (--vendor--) at the rate of (00%) over Journal of Commerce Portsmouth Low rack price on day of delivery with no change in price for over or under estimated usages.

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

The Purchasing Agent is hereby authorized to issue a Purchase Order to (vendor), as needed, given the rate of (00%) per gallon over Journal of Commerce Portsmouth Low on day of delivery provided per bid on 8/6/12. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
xxxx.1.xxx.xxxxx.4626.xxxxx	Vehicle Fuels	345,896.00	343,949.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.6.

Resolution Number: **R - 2012.08.08 – 101**
Resolution Re: B13003 Off Road Diesel Fuel

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Dean Trefethen		
Deputy Mayor Robert Carrier, At Large		
Councilor Edward Spuler, Ward 1		
Councilor William Garrison III, 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.A.6.

Resolution Number: **R - 2012.08.08 – 101**
Resolution Re: B13003 Off Road Diesel Fuel

RESOLUTION BACKGROUND MATERIAL:

Sealed Bid B13003 was requested and received for Diesel fuel on August 16, 2012 at 2:00 pm. received with (vendor) being the low conforming bidder at the rate of 00% over Journal of Commerce Portsmouth low with no change in price for overages or shortage of estimated quantity. Due to the changing market vendors can only hold pricing for five (5) days. Bid results will be available once opened on 8/6/2012

The city has six locations where diesel fuel is utilized and supplied on an “as needed” or pre-arranged schedule. Locations include several pump station and WWTP along with the highway garage and the Liberty North End Fire Station. Based on last year’s usage the bid indicated a need for approximately 18,000 gallons to be purchased from September 1, 2012 to August 31, 2013.

Award Information:

A purchase order will be issued to authorize this expenditure.

Purchasing Information:

Type:	Purchase order	Advertised:	Yes
Invitations Mailed:	51	Number of Responses:	
Warranty:	Meets Specifications	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until 8/31/13	Estimated Delivery:	As needed
Recommended Award to:		Fund:	Various Fuel accts
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

RESULTS To Follow

Vendor Solicitation List:

<https://online.ci.dover.nh.us/energie/financeRequests.php>



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:13A6

Substituted in Whole

Resolution Number: **R - 2012.08.08-101**
Resolution Re: B13003 Off Road Diesel Fuel

WHEREAS: Sealed bid B13003 was requested and received for Off Road Diesel Fuel on August 6, 2012 at 2:00 pm for a one year agreement. Due to the changing market vendors can only hold pricing for five (5) days. Bid results will be available once opened on 8/6/2012, and

WHEREAS: The city has six locations where diesel fuel is utilized and supplied on an “as needed” or pre-arranged schedule. Based on last years usage the bid indicated a need for approximately 18,000 gallons to be purchased from September 1, 2012 to August 31, 2013, and;

WHEREAS: Three responses were received with bid deemed most advantageous to the city being submitted by Hanscom Truck Stop at the rate of .19 cents over Journal of Commerce Portsmouth Low rack price on day of delivery with no change in price for over or under estimated usages. This is the vendor awarded last year with great success.

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

The Purchasing Agent is hereby authorized to issue a Purchase Order to Hanscom Truck Stop, as needed, given the rate of .19 cents per gallon over Journal of Commerce Portsmouth Low on day of delivery provided per bid on 8/6/12. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
xxxx.1.xxx.xxxxx.4626.xxxxx	Vehicle Fuels	345,896.00	343,949.00

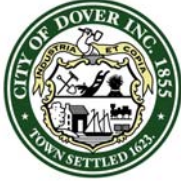
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:13A6

Substituted in Whole

Resolution Number: **R - 2012.08.08-101**

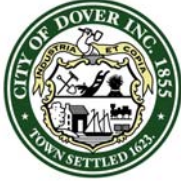
Resolution Re: B13003 Off Road Diesel Fuel

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Dean Trefethen		
Deputy Mayor Robert Carrier, At Large		
Councilor Edward Spuler, Ward 1		
Councilor William Garrison III, 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#:13A6

Substituted in Whole

Resolution Number: **R - 2012.08.08-101**
Resolution Re: B13003 Off Road Diesel Fuel

RESOLUTION BACKGROUND MATERIAL:

Sealed Bid B13003 was requested and received for Diesel fuel on August 16, 2012 at 2:00 pm. received with Hanscom's Truck Stop being the low conforming bidder at the rate of .19 cents over Journal of Commerce Portsmouth low with no change in price for overages or shortage of estimated quantity. Due to the changing market vendors can only hold pricing for five (5) days. This is the vendor awarded last year with great success.

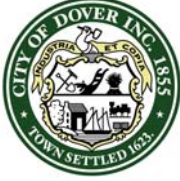
The city has six locations where diesel fuel is utilized and supplied on an "as needed" or pre-arranged schedule. Locations include several pump station and WWTP along with the highway garage and the Liberty North End Fire Station. Based on last year's usage the bid indicated a need for approximately 18,000 gallons to be purchased from September 1, 2012 to August 31, 2013.

Award Information:

A purchase order will be issued to authorize this expenditure.

Purchasing Information:

Type:	Purchase order	Advertised:	Yes
Invitations Mailed:	51	Number of Responses:	3
Warranty:	Meets Specifications	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until 8/31/13	Estimated Delivery:	As needed
Recommended Award to:	Hanscom's Truck Stop	Fund:	Various Fuel accts
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#:13A6

Substituted in Whole

Resolution Number: **R - 2012.08.08-101**

Resolution Re: B13003 Off Road Diesel Fuel

BID RESULTS

Vendor	Option One Locked in rate	OR Option Two Fix price over Journal of Commerce Portsmouth Low rack price on day of delivery
Hanscom's Truck Stop Inc 500 Maplewood Ave Portsmouth NH 03801	No Quote	.19
Hartmann Oil Co PO box 1068 Exeter NH 03833	No Quote	.1935
Simply Green Biofuels 3612 Lafayette Rd Portsmouth NH 03801	No Quote	.20

Vendor Solicitation List:

<https://online.ci.dover.nh.us/energie/financeRequests.php>



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R - 2012.08.08 – 102**
Resolution Re: B13004 #2 Heating Fuel

WHEREAS: Sealed bid B13004 was requested and received for #2 Heating Fuel on August 6, 2012 at 2:30 pm for a one year agreement. Due to the changing market vendors can only hold pricing for five (5) days. Bid results will be available once opened on 8/6/2012, and;

WHEREAS: The city has six (6) locations where #2 heating fuel is utilized and supplied on an “as needed” or pre-arranged schedule. Based on last years usage the bid indicated a need for approximately 28,500 to be purchased at a guaranteed rate from September 1, 2012 to August 31, 2013; and

WHEREAS: Due to the ever changing price of fuel, a locked in rate was the preferred method of purchasing. (-number) bid replies were received. The low bid meeting specifications and being recommended award was submitted by (vendor) at the rate of (\$0000) per gallon including all applicable taxes with no change in price for over or under estimated usage.

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

The Purchasing Agent is hereby authorized to issue a Purchase Order for one year to (vendor) for #2 heating fuel at the rate of (\$000) per gallon provided on 8/6/2012. The amount of this authorization shall be limited so as to not exceed available funding.

Financing

Account	Description	Appropriation	Balance
xxxx.1.xxx.xxxxx.4624.xxxxx	#2 heating oil	105,286.00	105,286.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R - 2012.08.08 – 102**
Resolution Re: B13004 #2 Heating Fuel

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Dean Trefethen		
Deputy Mayor Robert Carrier, At Large		
Councilor Edward Spuler, Ward 1		
Councilor William Garrison III, 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.A.7.

Resolution Number: **R - 2012.08.08 – 102**
Resolution Re: B13004 #2 Heating Fuel

RESOLUTION BACKGROUND MATERIAL:

Sealed bid B13004 was requested and received for #2 heating fuel on August 6, 2012 at 2:30 pm. The city has six locations where #2 heating fuel is utilized and supplied on an “as needed” or pre-arranged schedule.

Due to the changing market vendors can only hold pricing for five (5) days. Bid results will be available once opened on 8/6/2012.

Based on last year’s usage the bid indicated a need for approximately 28,500 gallons to be purchased from September 1, 2012 to August 31, 2013.

Low bid was submitted by (vendor) in the amount of (\$000) per gallon.

Award Information:

A purchase order will be issued to authorize this expenditure.

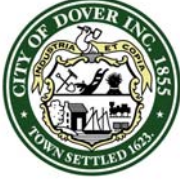
Purchasing Information:

Type:	Purchase order	Advertised:	Yes
Invitations Mailed:	51	Number of Responses:	
Warranty:	Meets Specifications	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until 8/31/13	Estimated Delivery:	As needed
Recommended Award to:		Fund:	GF /water/sewer
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

Vendor Solicitation List:

<https://online.ci.dover.nh.us/energie/financeRequests.php>

Results
TO FOLLOW



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#13A7

Substituted in Whole

Resolution Number: **R - 2012.08.08-102**
Resolution Re: B13004 #2 Heating Fuel

WHEREAS: Sealed bid B13004 was requested and received for #2 Heating Fuel on August 6, 2012 at 2:30 pm for a one year agreement. Due to the changing market vendors can only hold pricing for five (5) days. Bid results will be available once opened on 8/6/2012, and;

WHEREAS: The city has six (6) locations where #2 heating fuel is utilized and supplied on an “as needed” or pre-arranged schedule. Based on last years usage the bid indicated a need for approximately 28,500 to be purchased at a guaranteed rate from September 1, 2012 to August 31, 2013; and

WHEREAS: Due to the ever changing price of fuel, a locked in rate was the preferred method of purchasing. Four bid replies were received. The low bid meeting specifications and being recommended award was submitted by Hanscom’s Truck Stop at the locked in rate of \$3.14 per gallon including all applicable taxes with no change in price for over or under estimated usage. This is the vendor award last year with great success.

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

The Purchasing Agent is hereby authorized to issue a Purchase Order for one year to Hanscom’s Truck Stop for #2 heating fuel at the rate of \$3.14 per gallon provided on 8/6/2012. The amount of this authorization shall be limited so as to not exceed available funding.

Financing

Account	Description	Appropriation	Balance
xxxx.1.xxx.xxxxx.4624.xxxxx	#2 heating oil	105,286.00	105,286.00

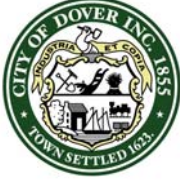
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#13A7

Substituted in Whole

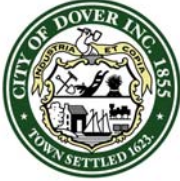
Resolution Number: **R - 2012.08.08-102**
Resolution Re: B13004 #2 Heating Fuel

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Dean Trefethen		
Deputy Mayor Robert Carrier, At Large		
Councilor Edward Spuler, Ward 1		
Councilor William Garrison III, 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#13A7

Substituted in Whole

Resolution Number: **R - 2012.08.08-102**
Resolution Re: B13004 #2 Heating Fuel

RESOLUTION BACKGROUND MATERIAL:

Sealed bid B13004 was requested and received for #2 heating fuel on August 6, 2012 at 2:30 pm. The city has six locations where #2 heating fuel is utilized and supplied on an “as needed” or pre-arranged schedule.

Due to the changing market vendors can only hold pricing for five (5) days. Bid results will be available once opened on 8/6/2012.

Based on last year’s usage the bid indicated a need for approximately 28,500 gallons to be purchased from September 1, 2012 to August 31, 2013.

Low bid was submitted by Hanscom’s Truck Stop in the amount of \$3.14 per gallon.

Award Information:

A purchase order will be issued to authorize this expenditure.

Purchasing Information:

Type:	Purchase order	Advertised:	Yes
Invitations Mailed:	51	Number of Responses:	4
Warranty:	Meets Specifications	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until 8/31/13	Estimated Delivery:	As needed
Recommended Award to:	Hanscom’s Truck Stop	Fund:	GF /water/sewer
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#13A7

Substituted in Whole

Resolution Number: **R - 2012.08.08-102**

Resolution Re: B13004 #2 Heating Fuel

Results

Vendor Bid states contract period of 09/01/11-08/30/12	Option One Fixed Price per Gallon Price includes applicable taxes	Option Two Fixed price over rack price on day of delivery
Hansom Truck Stop Inc PO Box 4670 Portsmouth NH 03802	\$3.14	.20
Hartmann Oil Co PO box 1068 Exeter NH	\$3.2035	No bid
Simply Green Biofuels 3612 Lafayette Rd Portsmouth NH	\$3.199	No bid
Dead River Company /Webber Energy 420 Rte 108 Somersworth NH	\$3.2222	No Bid

Vendor Solicitation List:

<https://online.ci.dover.nh.us/energie/financeRequests.php>



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R - 2012.08.08 – 103**
Resolution Re: B13005 Natural Gas Supplier

WHEREAS: Sealed bid B13005 was requested and received for Natural Gas on August 6, 2012 at 3:00 pm for a one year agreement; Due to the changing market vendors can only hold pricing for five (5) days. Bid results will be available once opened on 8/6/2012; and

WHEREAS: The city, in combination with the Dover School District and Dover Housing Authority have several locations where natural gas is utilized and supplied on an “as needed” schedule. The purchase would be at a guaranteed rate from September 1, 2012 to August 31, 2013.

WHEREAS: The city grouped the three entities in an effort to get the best price and requested a group price as well as individual pricing. (number) replies were received and it is in the best interest of the city to accepted pricing on an individual/group basis and therefore recommends award to (vendor) at the rate of (\$.00) per therm.

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

The Purchasing Agent is hereby authorized to issue a Purchase Order to (vendor) for the city portion of natural gas at the rate of (\$.000) per therm provided 8/6/12. The amount of this authorization shall be limited so as to not exceed available funding.

Financing

Account	Description	Appropriation	Balance
xxxx.1.xxx.xxxxx.4621.xxxxx.xx	Natural Gas City	220,163.00	214,692.00
xxxx.2.xxx.xxxxx.4621.xxxxx.xx	Natural Gas School	364,327.00	361,885.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

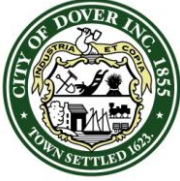
Resolution Number: **R - 2012.08.08 – 103**
Resolution Re: B13005 Natural Gas Supplier

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Dean Trefethen		
Deputy Mayor Robert Carrier, At Large		
Councilor Edward Spuler, Ward 1		
Councilor William Garrison III, 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.A.8.

Resolution Number: **R - 2012.08.08 – 103**
Resolution Re: B13005 Natural Gas Supplier

RESOLUTION BACKGROUND MATERIAL:

The city combined with the Dover School District and Dover Housing Authority for the solicitation of natural gas B13005 to be provided for several locations as needed. Based on last years usage the bid indicates a need for:

- City of Dover of approximately 166,392 therms,
- Dover School District of approximately 286,677therms
- Dover Housing Authority in the estimated amount of 258,576 therms

Due to the changing market vendors can only hold pricing for five (5) days. Bid results will be available once opened on 8/6/2012.

Due to the ever changing price of fuel and in an effort to get the best price the city requested a combined price for all locations as well as pricing to be listed separately for each entity.

It is in the best interest of the City of Dover and Dover School District to award bid to (vendor) at individual/group rate of \$.000 per therm.

Award Information:

A purchase order will be issued to authorize this expenditure.

Purchasing Information:

Type:	Purchase order	Advertised:	Yes
Invitations Mailed:	51	Number of Responses:	
Warranty:	Meets Specifications	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until 8/31/2013	Estimated Delivery:	As needed
Recommended Award to:		Fund:	GF
Other Approvals Required:	City and School Board	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R - 2012.08.08 – 103**
Resolution Re: B13005 Natural Gas Supplier

Vendor Solicitation List:

<https://online.ci.dover.nh.us/energie/financeRequests.php>

Results
To Follow



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13A8

To be Substituted in Whole

Resolution Number: R - 2012.08.08 - 103
Resolution Re: B13005 Natural Gas Supplier

WHEREAS: Sealed bid B13005 was requested and received for Natural Gas on August 6, 2012 at 3:00 pm for a one year agreement; Due to the changing market vendors can only hold pricing for five (5) days. Bid results will be available once opened on 8/6/2012; and

WHEREAS: The city, in combination with the Dover School District and Dover Housing Authority have several locations where natural gas is utilized and supplied on an "as needed" schedule. The purchase would be at a guaranteed rate from September 1, 2012 to August 31, 2013.

WHEREAS: The city grouped the three entities in an effort to get the best price and requested a group price as well as individual pricing. Two replies was received and it is in the best interest of the city to accepted pricing on a group basis and therefore recommends award to Patriot Energy at the rate of \$.65per therm.

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

The Purchasing Agent is hereby authorized to issue a Purchase Order to Patriot Energy for the city portion of natural gas at the rate of \$.65 per therm provided 8/6/12. The amount of this authorization shall be limited so as to not exceed available funding.

Financing

Account	Description	Appropriation	Balance
xxxx.1.xxx.xxxxx.4621.xxxxx.xx	Natural Gas City	220,163.00	214,692.00
xxxx.2.xxx.xxxxx.4621.xxxxx.xx	Natural Gas School	364,327.00	361,885.00

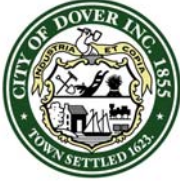
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13A8

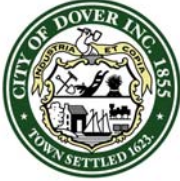
To be Substituted in Whole
Resolution Number: **R - 2012.08.08 - 103**
Resolution Re: B13005 Natural Gas Supplier

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Dean Trefethen		
Deputy Mayor Robert Carrier, At Large		
Councilor Edward Spuler, Ward 1		
Councilor William Garrison III, 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#: 13A8

To be Substituted in Whole

Resolution Number: R - 2012.08.08 - 103
Resolution Re: B13005 Natural Gas Supplier

RESOLUTION BACKGROUND MATERIAL:

The city combined with the Dover School District and Dover Housing Authority for the solicitation of natural gas B13005 to be provided for several locations as needed. Based on last years usage the bid indicates a need for:

- City of Dover of approximately 166,392 therms,
- Dover School District of approximately 286,677therms
- Dover Housing Authority in the estimated amount of 258,576 therms

Due to the changing market vendors can only hold pricing for five (5) days. Bid results will be available once opened on 8/6/2012.

Due to the ever changing price of fuel and in an effort to get the best price the city requested a combined price for all locations as well as pricing to be listed separately for each entity.

It is in the best interest of the City of Dover to award bid to Patriot Energy Group at group rate of \$.65 per therm.

Award Information:

A purchase order will be issued to authorize this expenditure.

Purchasing Information:

Type:	Purchase order	Advertised:	Yes
Invitations Mailed:	51	Number of Responses:	2
Warranty:	Meets Specifications	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until 8/31/2013	Estimated Delivery:	As needed
Recommended Award to:		Fund:	GF
Other Approvals Required:	City and School Board	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13A8

To be Substituted in Whole
Resolution Number: **R - 2012.08.08 - 103**
Resolution Re: B13005 Natural Gas Supplier

Results

Vendor	Price per therm
Global Companies LLC PO box 9161 Waltham MA 02454	City .9319 School 1.0248 Dover Housing Authority .8770 All Combined. No Bid
Patriot Energy Group 1 Rounder Way Burlington MA 01803	All Combined \$.65

Vendor Solicitation List:

<https://online.ci.dover.nh.us/energie/financeRequests.php>

To: Dover City Council

From: Dorothea Hooper

Re: School Board Report

The Dover School Board met in Special Session July 30, 2012 for the purpose of deciding which food services bid to accept. This was a follow up of the presentations made last week by three companies competing for the bid to run our cafeterias. Each company had made presentations and provided samples of the foods they would be serving.

Mr. Lamanni, District Business Manager, had sent a chart to board members as a guide in evaluating each company in the areas of finance, management, and quality of food. Some board members indicated they were ready to accept his recommendation while others had questions and comments.

Concerns were again raised about the fate of our current cafeteria workers who have been with the district for many years. Also discussed was the distance in which some of the companies were housed favoring a more local company.

A motion was made and seconded to hire Café Services (the recommendation of Mr. Lamanni). More discussion followed concerning: 1) comparative quality of food and its consistency, 2) the attractiveness of one company's universal breakfast and their honesty concerning the time involved in turning a profit, 3) the problems in hiring a big corporation.

Mr. Lamanni indicated he had gotten some negatives about food from 2 companies but none for the Abby Groups. He also noted that the success of any company will depend on district oversight and that larger companies tended to do a better job with management.

There was continued concern over the waste in the cafeteria. All three companies had a compost program.

The question was called to hire Café Services. The vote was 3 to 3 with the Chairman Rocky D'Andrea abstaining (he had missed the presentations and felt he did not have enough information). It was declared passed.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2012.08.08 – 104**
Resolution Re: Setting of Property Tax Exemptions for Elderly, Blind and Disabled for FY13

WHEREAS: In 2007 the City Council last reviewed and adopted property tax exemption qualifying criteria; and

WHEREAS: In order for elderly, disabled and deaf applicants to be eligible for an exemption they must meet certain income and asset criteria; and

WHEREAS: The City Council desires to provide continued tax relief to the elderly, blind, disabled and deaf in the form of property tax exemption based on qualifying criteria that is consistent with CPI adjusted income levels;

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

Under the provisions of RSA 72:27- that the qualifying income levels for an exemption for elderly, disabled and deaf exemptions are changed as follows:

Maximum Income	Current Levels	New Levels	Change
Single	35,000	38,000	3,000
Married	48,000	52,000	4,000

FURTHER BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

In accordance with provisions of RSA 72:27-a this resolution is effective April 1, 2012.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen

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 – 2012.08.08 – 104**
Resolution Re: Setting of Property Tax Exemptions for Elderly, Blind and Disabled for FY13

RESOLUTION BACKGROUND MATERIAL:

The resolution increases the exemption qualifying criteria for the elderly, disabled and deaf. This resolution does not change the amount of assessed value exempt from property taxes for eligible elderly, blind, disabled and deaf persons. The amounts of each exemption level and qualifying criteria were last set for FY08. If the applicant qualifies, the exemption amount is deducted from the total assessed value in order to arrive at the net taxable value. The effect of granting exemptions is that the taxpayer receiving the exemption has a reduction in taxes.

In order for elderly, disabled and deaf applicants to be eligible for an exemption level, they must meet certain income and asset criteria. Income and assets from the previous calendar year is used determine eligibility. Exemptions for the blind have no income or asset qualifying criteria. Income is defined as the total annual income from all sources including Social Security, but does exclude life insurance proceeds, expenses and cost incurred conducting a business and proceeds from the sale of assets; these items are accounted for as assets. Asset criteria include all forms of tangible and intangible assets; however, the actual residence (including land up to 2 acres) is not included toward the maximum amount.

CPI COLA adjustments to Social Security benefits over the past 5 years have been made resulting in recipients receiving more income over the levels that existed in FY08.

The City recertifies all credits and exemptions once in every five years. The City assessing office has seen some pending applications where the situation exists that some taxpayers who qualified for an exemption 5 years ago would no longer qualify because of the COLA adjustments made to their Social Security income over the past 5 years. Since the qualifying criteria limits would be exceeded, these elderly taxpayers could receive an increase in taxes of approximately \$2,700 this fall. City officials believe this would result in a hardship for these taxpayers least able to adjust to such a significant increase in their property taxes.

The proposed income levels have been adjusted by the CPI-U Boston Area annual average from each of the past five years:

CPI-U BOSTON

2007	1.90%
2008	3.50%
2009	-0.70%
2010	1.60%
2011	2.70%



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2012.08.08 – 104**
Resolution Re: Setting of Property Tax Exemptions for Elderly, Blind and Disabled for FY13

In order to become effective for the taxes due in December 2012, this resolution must be passed with an effective date of April 1, 2012. In accordance with RSA 72:27-a the City Council can set the effective date for the adoption of this resolution. Absent an identified effective date, this resolution would become effective on April 1, 2013. An effective date of April 1, 2013 could result in pending recertification applications being denied and an elderly resident property owner facing a \$2,700 increase in property taxes in the fall.

Exemption and Credit Application Filing

All applications for exemptions or credits must be made to the local assessing officials by April 15th, prior to the setting of the tax rates in October 2012.

CURRENT EXEMPTION LEVELS:

Description	Type	Current Level
Age 65 - 74	Value Exemption	107,000
Age 75 - 79	Value Exemption	149,000
Age 80 & over	Value Exemption	191,000
Blind	Value Exemption	107,000
Disabled	Value Exemption	107,000

Exemption for the Elderly

RSA 72:39-b To qualify for an exemption for the elderly, a person must be 65 years of age or older and meet income and asset limitations. The amount of a qualified elderly exemption is based on the applicant's age. Applicants for elderly exemptions must also have been a resident of New Hampshire for at least three consecutive years preceding April 1st of the year in which the exemption is claimed. Only one elderly exemption is allowed on the primary residence.

Exemption for the Blind

RSA 72:37 To qualify for an exemption for the blind, the person must be legally blind as determined by the administrator of Blind Services Program, Bureau of Vocational Rehabilitation of the Department of Education. There are no income or asset restrictions for a blind exemption. Applicants for blind exemptions must be a resident of New Hampshire as of April 1st of the year in which the exemption is claimed. Blind exemptions can be received in conjunction with an elderly exemption.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2012.08.08 – 104**

Resolution Re: Setting of Property Tax Exemptions for Elderly, Blind and Disabled for FY13

Exemption for the Disabled

RSA 72:37-b To qualify for an exemption for the disabled, a person must be eligible under Title II or Title XVI of the Federal Social Security Act for benefits to the disabled and meet income and asset limitations. Applicants for disabled exemptions must also have been a resident of New Hampshire for at least five years preceding April 1st of the year in which the exemption is claimed. Disabled exemptions are received until age 65, at which time the property owner may apply for an elderly exemption.

Exemption for the Deaf

RSA 72:38-b To qualify for an exemption for the deaf, a person must have a 71 Db hearing loss or greater in the better ear as determined by a licensed audiologist or qualified otolaryngologist and meet income and asset limitations. Applicants for deaf exemptions must also have been a resident of New Hampshire for at least five consecutive years preceding April 1st of the year in which the exemption is claimed. Applicants must meet income and asset limitations. Deaf exemptions can be received in conjunction with an elderly exemption.

Exemption for Certain Disabled Veterans – 100% Exemption

RSA 72:36-a To qualify for a total tax exemption for certain disabled veterans a person must be honorably separated from the military service of the US and have been totally and permanently disabled and is a double amputee, paraplegic, or has blindness in both eyes with visual acuity of 5/200 or less and who owns a specially adapted homestead acquired with VA assistance. The surviving spouse of such a person is also eligible to receive this credit. The credit applies to the person's primary residence.

Tax Rate Impact

The adoption of the proposed changes to the qualifying income levels is expected to not increase the number of taxpayers eligible for exemptions. The changes are proposed in an effort to allow elderly taxpayers to maintain their existing exemptions. Therefore, there is no estimated increase in tax impact for these proposed changes. The existing value exempted from assessed tax value is \$49,544,400 based on October 2011 DRA tax rate certification. The tax equivalent impact of the currently existing exemptions is approximately \$1,244,555, which represents approximately \$.48 of the City's existing tax rate. The table below provides a breakdown of existing elderly, blind and disabled exemptions granted by the City.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2012.08.08 – 104**
Resolution Re: Setting of Property Tax Exemptions for Elderly, Blind and Disabled for FY13

Level	Current		
	Actual	Levels	Total
65-74	79	107,000	8,453,000
75-79	67	149,000	9,983,000
80+	125	191,000	23,918,900
Blind	19	107,000	2,033,000
Disabled	0	107,000	4,601,000
Deaf	2	107,000	214,000
100% Dis Vet	1		341,500
Total	293		49,544,400

Imputed Tax Levy Effect 1,244,555
Estimated Tax Rate Impact 0.48