



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, August 22, 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**
8. **CITIZEN'S FORUM**

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

9. **CITY MANAGER'S REPORT**
10. **APPROVAL OF MINUTES**
 - A. **August 1, 2012 – Workshop**
 - B. **August 8, 2012 – Regular Meeting**
 - C. **August 8, 2012 – Workshop**
11. **MAYOR'S REPORT**
12. **UNFINISHED BUSINESS**
 - A. **ORDINANCES IN THE 2nd READING – None**
 - B. **ORDINANCES IN THE 3rd READING – None**
 - C. **RESOLUTIONS**
13. **NEW BUSINESS**
 - A. **CONSENT CALENDAR**
 1. **RAFFLE – Dover Elks #184**
 2. **RESOLUTION: BOOKS & MEDIA PURCHASES**
SPONSORED BY MAYOR TREFETHEN BY REQUEST



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3. RESOLUTION: B12074 IN VEHICLE PARKING METERS SPONSORED BY MAYOR TREFETHEN BY REQUEST

COMMITTEE REPORTS

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

B. RESOLUTIONS

1. **FRIENDSHIP FORCE HENRY LAW PARK TREE PLANTING
SPONSORED BY MAYOR TREFETHEN BY REQUEST**
2. **APPROPRIATION AND COMMITMENT FOR MCCONNELL CENTER FITOUT
PROJECT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 12, 2012)
SPONSORED BY COUNCILOR CRAGO**

C. ORDINANCES IN 1ST READING – None

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

CITY MANAGER'S REPORT



August 22, 2012

SUBMITTED BY:

J. MICHAEL JOYAL, JR.
CITY MANAGER

**CITY OF
DOVER, NH**

AVAILABLE ONLINE:

WWW.DOVER.NH.GOV

Dover Business & Industrial Development Authority Economic Development Overview

Dan Barufaldi

Summary:

Economic activity continues to expand with contacts in most sectors citing slightly slowing growth. Local commercial real estate markets show slight improvement and local residential real estate contacts are finally mentioning recovery, albeit fragile. Commercial prices remain down while local residential pricing is stable. Except for software and IT services where growth continues to be relatively strong, few firms are doing substantial hiring. Many firms are holding off on capital investments until they see the results of the presidential and legislative elections. The outlook is generally for more of the same, although a few manufacturers mention making contingencies for a potential slowdown.

Retail:

Contacts continue to report that while current business is good, consumer sentiment seems to be waning, and fears have returned with rising gasoline prices, that high fuel prices would hurt spending in other sectors. Recent year-over-year sales changes range from near-zero to gains of 2-5 percent. Consumer spending is currently strong in adult clothing, household goods, and items relating to home improvement and maintenance. While some respondents are concerned about domestic political tensions and negative spillovers from a European economic downturn; many respondents have positive, if weakening expectations for their business in 2012.

The travel and tourism sector continues to report strong results with local hotels benefitting from an influx of military personnel and specialists working on the USS Miami refit. Both business and leisure travel have been up in 2012 so far, and advance bookings continue to be up. For 2012, the industry expects a 9.5 percent increase over 2011.

Manufacturing and Related Services:

The manufacturing sector continues to grow regionally, but the outlook remains guarded, perhaps slightly more so in recent months.

A majority of responding firms report growing sales in the most recent period compared with a year earlier. Idiosyncratic factors appear to be driving one firm with declining sales; two others could only point to general macroeconomic weakness as an explanation. A manufacturer of industrial motors mentions the European situation but notes sales are soft everywhere the company sells. Some local DOD suppliers worry about the military budget when and if "sequestering" takes place at the congressional level.

The jury is still out on the role of weather in the evolution of business conditions over the last six months. Several contacts mentioned sales declines with no known cause at various

points which then corrected themselves. A hose manufacturer's sales were off markedly one month with "best ever sales" the next. One theory is that winter goods didn't sell and retailers left them on the shelves longer to avoid storing them over the summer, leaving no room for spring goods on the shelves.

Dramatic changes in the U.S. energy supply continue to affect economic activity according to manufacturers. The low current price of natural gas is restructuring the U.S. chemical industry causing it to build ethylene crackers for the first time in decades.

Locally, the "fracked" oil from shale in the Bakken shale oil fields of North Dakota, reputed to contain four times as much oil as Saudi Arabia, is causing a freight rail shipping bonanza and tanker trains of over 100 cars in length to roll through Dover on the Pan Am line on the way to a refining plant in St. Johns, Canada.

Contacts doing business in Europe report that the European manufacturing economy is near or in a recession. Asia continues relatively strong, but it is felt that the U.S. is the "best and most stable market".

88% of contacts report that their firms are hiring but are reluctant to add permanent headcount in any big way. Hiring of temporary staff seems to be the staffing mode of choice to increase production as it permits flexibility and precludes dealing with the uncertainties and expense of healthcare insurance and other benefits. Some industrial parts and distribution companies are contemplating hiring freezes or staff cuts.

Software and IT Services:

Area firms in this sector are reporting mixed results with some showing continuing growth and others citing modest slowdowns. Nevertheless, year-over-year revenue increases in the first quarter remained largely in the high single digits buoyed by steady demand from the healthcare and banking sectors, and a resurgence in the manufacturing sector. Some large projects are being inked by local companies with deal sizes beginning to grow. Others say clients are reluctant to finalize large deals. Most report headcount increases and additions to sales, marketing, and consulting staff.

Capital, technology spending, and selling prices remain at February levels. Going forward, area software and IT contacts remain cautiously optimistic with upticks in activity and strong pipelines tempered by concerns about the U.S. economy and the European debt crisis.

Staffing Services:

Area firms report conditions virtually unchanged since Q1 with year-over-year revenue increases in the mid-single digits. Labor demand from healthcare and manufacturing sectors is steady with some reporting renewed activity in the financial sector as more

banks come to Dover. Demand for general office and clerical assistance has weakened. Activity in construction, civil engineering, and accounting remains weak.

The number of permanent and temporary-to-permanent placements continue to grow modestly, but no real improvement in labor market fundamentals is seen. Regarding labor supply, candidates with high-end skill sets such as nurses, mechanical and electrical engineers, and software developers remain hard to find putting upward pressure on pay scales in these positions.

The outlook among area staffing contacts is consistent with that of three months ago, with most expecting their current growth rate to continue or increase slightly through year-end.

Commercial Real Estate:

Regionally, commercial markets are in a holding pattern, but commercial activity in Dover has begun to improve moderately at low prices, but not strong enough to warrant speculative construction on any scale. Strict lending standards are still the norm. The one exception is the Boston market that has taken off impressively.

The industrial sector remains flat in the region, but is beginning a slight uptick in Dover for both leased space and build/purchase deals.

The outlook, barring significant macroeconomic turmoil, is for flat to slightly improving conditions (now being experienced in Dover) for the rest of the year.

Residential Real Estate:

Residential markets continue to improve with year-over-year sales increases and viewing activity attributed to low interest rates and prices, as well as increasing confidence in economic conditions and, in Dover, low unemployment (4.1%). Inventories are falling. Condo and first-time buyer sales are up. Pricing varies in the region, but Dover pricing appears to have stabilized or moved up slightly. Conditions are recovering, but fragile, particularly relative to pricing.

Non-local content excerpted from the Federal Reserve Beige Book – Boston, July 18, 2012

Office of General Legal Counsel
Summary of Matters
 Allan Krans

GENERAL SUMMARY OF MATTERS OF THE OFFICE OF GENERAL LEGAL COUNSEL

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

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

REVIEW OF LEGAL SUPPORT SERVICES FOR THE MONTH: July 2012

	Current Month	FY2013	FY2012	FY2011
Legal Matters/Questions Handled	31	31	360	245
Document Creation & Review	16	16	126	140
Right to Know Requests Processed	2	2	61	40
Resolutions	2	2	23	-
Ordinances	1	1	12	-

SIGNIFICANT DEVELOPMENTS, TRENDS AND MATTERS:

- Right to Know requests pursuant to RSA 91-A in July:
 - Dover, NH – notices of sidewalk insufficiencies on Central Avenue
 - Derry, NH – request for EMG/rescue incidents
- Assistance to the City Council: drafting/review of resolutions, and ordinance revisions; attendance at meetings; virtual meetings
- Assistance to Schools: tuition contract
- Assistance to the Community Services Department: welfare matter
- Assistance to the Planning Department: conservation easement; drainage easement; speakers from out of town; abutter list service

- Assistance to Finance Department: foreclosure issues; LGC agreement; tax exemption criteria, certificates of liens
- Assistance to Executive: new potential litigation matters; outside legal services fees to date and panel of available attorneys; tobacco license; ordinance amendment process; tax increment calculation; contract procedure
- Assistance to Police: ordinance
- Assistance to Fire and Rescue: energy license
- Assistance to the City Manager: review of documents for signature; review of litigation; 91-A requests

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

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



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, August 1, 2012**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Garrison led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

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

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

5. DISCUSSION

Deputy Mayor Carrier moved to suspend the rules to have a Citizen's Forum after each topic of discussion, with a 3-minute time limit; seconded by Councilor Cheney.

Roll Call Vote: 4/4; Failed. Mayor Trefethen, Deputy Mayor Carrier, Councilors Garrison and Hooper voted in favor.

Mayor Trefethen asked for a roll call vote for 5-minute time limit.

Councilor Cheney motioned for a point of order, stating they don't have to vote for five minutes, because it's the Council rule.

Councilor Weston said the motion was to have a Citizen's Forum after each topic of discussion.

Roll Call Vote: 5/3; Passed. Mayor Trefethen, Councilors Garrison and Hooper were opposed.

A. SKATE PARK PRESENTATION

Recreation Director Gary Bannon gave a presentation to the Council regarding the relocation of Dover's Skate Park.

The Council discussed the new location, size of the park, and funding opportunities.

Director Bannon said they are researching grant opportunities. He said he was asking for a consensus for the site and to continue with creating a plan for the skate park.

CITIZEN'S FORUM

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

Joseph Tenuta, 262 Longhill Road, Recreation Advisory Board Chairperson: He said the Recreation Advisory Board strongly recommends the site for the new skate park.

Mary Hebbard, 97 Spruce Lane: She said this was about the money to fund this project, and felt the presentation should have shown more where the money was coming from. She felt the funding should be obtained before any commitment is made.



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Stephen Stripto, 9 Sonnett Street, Skate Park Subcommittee Member: He said they were confident that they will get the money through donations. He said the location of Maglaras Park is a perfect fit. He said it can be done in phases.

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

Mayor Trefethen said the City Manager and Recreation Director are looking for direction from the Council on whether they approve of the relocation site.

Councilor Weeden referred to the payment the City will be receiving from the Waterfront development project since they have not started work on the development, and asked if it could be used to pay for the skate park.

City Manager Joyal said the contract with the Dickinson Developers calls for a \$10,000 payment starting at the end of August if they had not started work on the waterfront. He said the Council can use the funds as they wish.

Mayor Trefethen asked for a show of hands for a consensus vote on the relocation site.
Vote: 9/0.

B. CREDIT CARD / ATM POLICY

Finance Director Daniel Lynch and Treasurer Julie Labonté gave a presentation to the Council regarding implementing a credit card / ATM policy.

The Council discussed the different options, fees, and volume requirements for ATM machines.

Councilor Weston shared her experiences with ATM machines, and suggested purchasing the ATMs. She suggested separating out the ATM machines as three RFPs.

Director Lynch explained more in depth the process with the City's current software to process credit card payments. He said the first step that they have started is to work with the State of New Hampshire to become a one check establishment for motor vehicle registrations. It has been recommended to wait a few months to get that established and they will start to implement credit card/ATM use. He hopes to have this process completed by the beginning of 2013. He spoke about the 2.95% convenience fees and said he was looking for direction from the Council regarding who would pay for the convenience fees.

Mayor Trefethen talked about electronic payments as an option.

Director Lynch said the City doesn't have an electronic payment option in our software.

Mayor Trefethen talked about the recent change in the law to allow the City to take credit cards and ATMs.

Councilor Garrison said he felt the public should pay for the convenience fee, but he would consider a split in the fee between the City and public.

Councilor Cheney spoke about her concern for additional staff time to process and reconcile these payments.

Treasurer Labonté talked about the additional work involved for the staff, and said most of it in the beginning will be learning the process.

Councilor Weston talked about the Durbin amendment and said the City should look into a third party payment processor.

Director Lynch said the City would be working with a third party processor.



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Councilor Weston asked if the City's software will be upgraded to protect the customer's information.

Director Lynch said the City will be PCI compliant.

Mayor Trefethen asked for clarification on who will get charged the convenience fee.

Director Lynch said for all online payments the City is allowed to charge a convenience fee.

He said Visa will not allow a convenience fee be charge for over the counter payments.

Mayor Trefethen agreed with the crawl method that the Finance Director is suggesting. He doesn't feel the taxpayers should pay for this convenience.

CITIZEN'S FORUM

Citizens are invited to speak on the subject matter of the Credit Card/ATM Policy. Statements shall be limited to five minutes.

Mary Hebbard, 97 Spruce Lane: She spoke about the locations for the ATM machines. She discussed the different options. She was concerned with security. She didn't see the need for these in any of the City's facilities.

Arthur Burke, 2 Union Street: He asked several questions: Is this change absolutely necessary? What are the advantages for the City? What are the advantages to Dover citizens? Will this change, especially in regards to property tax, tempt people to add to their financial debt? Should public space be occupied by a private entity? Why was legislation changed to allow use of credit card payments? Would a convenience fee be double taxation? Would this be a wise practice?

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

Mayor Trefethen said he would ask for a consensus vote on the three options for ATM machines:

Councilor Cheney said she will be abstaining because she has a potential conflict of interest. Councilor Weston clarified that if the City does purchase the machines that there is a service agreement to maintain the machines.

Consensus Vote: 8 in favor.

City Manager Joyal said he wanted to know if the Council wanted his staff to continue to pursue credit cards, and then if they want the City to absorb the convenience fee or pass it on to the customer.

Credit Cards: 8 in favor.

Service Fees passed on to customer: 7 in favor.



CITY OF DOVER

CITY COUNCIL - MINUTES

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C. CITY CHARTER AUTHENTICATION

Councilor Cheney gave a presentation to the Council regarding the authentication of the City's Charter.

Councilor Crago suggested to the Council that they fix it and move on. He said if Chapter 5 wasn't compliant then moved it back to be part of Chapter 3. He said the Council shouldn't waste time on figuring out how it happened.

City Manager Joyal strongly suggested that they get advice from an attorney, recommending Attorney Loughlin. He said the information and history the Council has been given is disconnected. He urged the Council to tread carefully.

Councilor Hooper supported the City Manager's comments. She said they needed an expert in this field. She spoke about the undertones of Councilor Cheney's presentation that this might have been done deliberately or nefariously. She agreed with Councilor Crago's comment that it should be fixed and the Council move on to the business of the City.

Councilor Weeden agreed with Councilor Crago that they should fix it and move on. He said he wasn't a lawyer, but he could see that the ordinance was not in the correct format and therefore it's not legitimate. He said they are paying a lot of money for General Legal Counsel Krans and they don't need to attain an outside attorney.

Councilor Cheney said the ordinances have to be set in place before the Council can authenticate the Charter. She said they don't need an attorney, because it's a Council matter.

Councilor Garrison said he felt there has been an accusing manner in these presentations. He said there has been some conflicting information and they should bring in an attorney. He said they should look at it, but doesn't feel they should just make these changes.

Councilor Crago spoke in favor of Councilor Cheney's suggestion to put together an ordinance committee. He said the City would save the money for an outside attorney.

City Manager Joyal said there are source documents that have the exact wording of the Charter, but they don't have the signature page from the Council. He said the same is true with all the ordinances. He said the Council needs to read Councilor Cheney's updated version of the Charter, agree that it's correct, and sign the cover page to authenticate it. He referred to the green books of the Charter and Code that the Council received in December and said it shouldn't have been given them, because they are not a complete version of the ordinances. He spoke about the intent of previous Councils when they adopted ordinances. He stressed again that they needed an expert attorney to look that this issue.

General Legal Counsel Krans spoke about the administrative code changes in 2010. He reminded the Council that nine elected officials, after a public hearing, voted to change the ordinance. He said the issue is – does the fact that the ordinance didn't have the proper form negate the action of the Council that evening. He doubts the people were confused about what they were voting on.

Councilor Weston moved to suspend the rules to continue discussions past 10:30 pm; seconded by Councilor Crago.

Roll Call Vote: 9/0.



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Deputy Mayor Carrier said this issue is now bigger than one Councilor. He said the information doesn't always line up. He said Councilor Cheney brought forth valuable information, but it's beyond her expertise. He said he was uncomfortable with the fact that a lot of the top key players have been kept out of the loop with her research.

Councilor Cheney said she didn't see the rush to authenticate the Charter.

Councilor Crago said he will put forward a resolution to put Chapter 5 back into Chapter 3. He also recommended that General Legal Counselor Krans give a workshop to address some of these issues.

Mayor Trefethen said he wasn't convinced that it was the right course of action. He said the Charter is ready to be authenticated and asked Councilor Cheney if she would vote to authenticate it.

Councilor Cheney said she didn't think the voters would want this Charter.

Mayor Trefethen asked Councilor Cheney if the words of the Charter are correct.

Councilor Cheney said it wasn't. She felt a committee needs to be put in place.

Mayor Trefethen paused for a brief recess.

Councilor Weston said the City Manager Joyal, General Legal Counselor Krans, and City Clerk Lavertu were supposed to review Councilor Cheney's version of the Charter, and asked if that took place.

City Manager Joyal said he asked the City Clerk and General Legal Counselor to review the Charter over the weekend. He said he has not asked them for anything more until Councilor Cheney said it was her final version.

Councilor Weston said she felt the Charter should be brought before the Council to be authenticated, and a committee formed to get started right away on the City's Code. She felt it could be completed within the six month time period.

Councilor Weeden agreed with the Mayor and Councilor Weston that the Charter should be authenticated next week. He supported the resolution to form a committee to work on the Code, and he also supported the ordinance to put Chapter 5 back into Chapter 3.

Mayor Trefethen said he was in favor of taking this one step at a time.

Councilor Cheney asked for a public hearing.

Mayor Trefethen asked if they needed to advertise it.

City Manager Joyal said it didn't need advertising and would be put on the next City Council agenda.

CITIZEN'S FORUM

Citizens are invited to speak on the subject matter of the City Charter Authentication.

Statements shall be limited to five minutes.

David Montenegro, 55 Union Street: He spoke about the other people who left. He suggested that the Citizen's Forum should have been moved to when they suspend the rules at 10:30 pm. He said the Charter can be authenticated, but said the administrative code may not be valid. He said they should just pass another ordinance to reverse the previous ordinance. There would be no need to hire an attorney or create a committee.



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

6. ADJOURNMENT

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

Vote: 9/0.

Handouts will be archived with these minutes.



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1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Deputy Mayor Carrier led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

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

Absent: Councilor Garrison.

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

5. PROCLAMATIONS/AWARDS – None

6. APPROVAL OF AGENDA

Councilor Hooper moved to add a second School Board Report; seconded by Councilor Spuler.
Vote: 8/0.

Councilor Spuler moved to add a resolution to Authorize Public Art Displays as Item 13.B.2.;
seconded by Councilor Weeden.

Vote: 8/0.

Councilor Spuler moved to add the application for a Public Art Display

Mayor Trefethen suggested the Council revisit it and suspend the rules to add to the agenda after 13.B.2. has been approved.

Deputy Mayor Carrier withdrew Item 13.A.8.; seconded by Councilor Spuler.

Vote: 8/0.

Councilor Cheney moved to add a resolution to create an Ordinance Committee as Item 13.B.3.;
seconded by Councilor Weston.

Vote: 8/0.

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

Vote: 8/0.



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7. PUBLIC HEARINGS

A. AUTHENTICATION OF THE OFFICIAL CHARTER OF THE CITY OF DOVER SPONSORED BY MAYOR TREFETHEN BY REQUEST

Mary Hebbard, 97 Spruce Lane: She wanted to publicly thank Councilor Cheney for all her hard work on the Charter. She volunteered to be a citizen representative on the new committee if it passes this evening. She spoke about the Charter being in the City Clerk's office at all times, and felt it was a clear violation of the Charter if it wasn't. She said disciplinary action should be taken against the City Clerk, as well as anyone who told her that she could do this.

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

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

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

C. CHAPTER 166-44: VEHICLES AND TRAFFIC; IN-VEHICLE PARKING METERS SPONSORED BY MAYOR TREFETHEN BY REQUEST

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

8. CITIZEN'S FORUM

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

Mary Hebbard, 97 Spruce Lane: She spoke about the Ordinance change in 2010 and General Legal Counselor's comment that the intent of the Council had to be considered. She said intent has nothing to do with it if it was done incorrectly. She spoke about the intent of the City Clerk to work on the Charter at home, and that it's very clear in the Charter that it can't leave the City Clerk's office. She said the Council needed to look at the facts and not the intent, because it's a clear violation of the Charter.

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



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9. CITY MANAGER'S REPORT

City Manager Joyal notified the Council that he authorized a purchase order for \$41,364.80 to purchase steel plates for the Whittier Street Bridge, and he expected them to be delivered in a few days. He said the City is eligible for State funding but are waiting to hear if they are eligible for Federal bridge aid funding, and if that happens they will be able to proceed sooner with replacing the bridge. He said the City received a grant from the Department of Environmental Services (DES) to complete a survey on the water main system.

Councilor Weston referred to page 2 and asked about the gravel processing costs.

City Manager Joyal said the City owns the gravel pit and were just paying for the extra processing for the gravel to be used.

Councilor Weston referred to page 13, and asked if the higher fitness center fees were successful.

City Manager Joyal said it was too early to tell.

Councilor Hooper referred to the newspaper article that stated the Environmental Protection Agency (EPA) might cooperate and raise the nitrogen level in the water to 8%, and asked if the City has heard anything.

City Manager Joyal said they haven't.

Councilor Hooper asked how many police officers work per shift.

City Manager Joyal said it depended on the time of day.

Councilor Crago referred to page 22, and asked for an explanation of what that was.

City Manager Joyal said he would have to look into that, but said the City does have a laboratory to test the treated water going into the river.

Councilor Crago referred to page 16, and asked about the \$50,000 grant from New Hampshire Housing Finance Authority and if it had anything to do with the scenic byway.

City Manager Joyal said it was for a specific zoning project, form based code, and not the scenic byway. He said the grant is allowing the City to expand that project.

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

Mayor Trefethen reminded the Council that by accepting the City Manager's Report they were also accepting his authorization to award the bid for the Whittier Street bridge steel plates under an executive purchase order.

Vote: 8/0.

10. APPROVAL OF MINUTES

- A. July 18, 2012 – Workshop**
- B. July 25, 2012 – Regular Meeting**
- C. July 25, 2012 – Workshop**

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

Vote: 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, August 8, 2012**
Meeting Time: **7:00 pm**

11. MAYOR'S REPORT

Mayor Trefethen reminded the Council and citizens that Friday night was the closing of the Coheco Arts Festival.

Deputy Mayor Carrier moved to accept the Mayor's Report; seconded by Councilor Weeden.
Vote: 8/0.

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

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Weston.
Mayor Trefethen gave an overview of this ordinance with the Council.
Councilor Hooper asked if there was a price set yet.
Officer Simons said the total cost is \$19.95, which includes \$10 of free parking.
Councilor Hooper asked if it will work in other cities, such as Portsmouth.
Officer Simons said not yet, but there is interested in numerous cities.
Councilor Weston asked about the impact to the City.
Officer Simons said he would project that there will be a slight decrease in income. He said this device only pays by the minute, and not for the estimated time period the person pays for.
Councilor Crago started a discussion regarding the reload fees and the City not absorbing the cost.
Officer Simons talked about the functions of the device. How it is a computer and will only work during parking hours, 9:00am to 7:00pm. He gave a brief demonstration to the Council.
Councilor Weston said this addressed the inconvenience of using the parking meters. She said the only drawback is if you forget to turn it off.
Officer Simons said it does beep 30 seconds after you drive away from the parking spot to remind you to shut it off.
Deputy Mayor Carrier asked what happened if it's lost or stolen.
Officer Simons said they will replace it once.
Roll Call Vote: 8/0.

B. ORDINANCES IN THE 3rd READING – None



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, August 8, 2012**
Meeting Time: **7:00 pm**

C. RESOLUTIONS

1. AUTHENTICATION OF THE OFFICIAL CHARTER OF THE CITY OF DOVER SPONSORED BY MAYOR TREFETHEN BY REQUEST

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

Councilor Cheney said the version on the Council's table is the final version that the Council will be authenticating. She said she will not compromise on the Charter, and asked if the Council would be willing to sign a document to not obey the Charter. She said the word shall means no ifs, ands, or buts. She said if there is going to be any pushback from anybody that it would be anywhere besides the City Clerk's office then she would request from the Council that they audibly and for the record state that they would be willing to forego this provision of the Charter and allow it to be kept in another place. She said she would vote no.

Councilor Crago agreed with Councilor Cheney's comments that the "shall" is clear and it's understood that it be kept in the City Clerk's office.

Councilor Weeden also agreed that it's the law that it be kept in the City Clerk's office. He felt the City should not prosecute for past offenses, because he felt it was not done out of disrespect.

Councilor Cheney mentioned two things the Secretary of State said should be in the Charter. Editor's notes should include the date it was put into the Charter. She referred to section C11-10: "The City Clerk shall be responsible for the proper maintenance of the Charter, under the direction of the City Manager." She said she felt the City Clerk was responsible for her own actions, and "under the direction of the City Manager" should not be there. She also talked about the book, "The Final Report of the Dover Charter Commission", and asked to have it available to the public.

General Legal Counselor said he doesn't have a problem with keeping the City Charter in the City Clerk's Office, but reminded the Council that the City Hall has 11 vaults, 5 of which are under the control of the City Clerk. He said the City Clerk is very responsible of the vaults, and felt it should be in a vault in case the City Hall burnt down. He said it was the City Clerk's decision to put it in a vault.

Deputy Mayor Carrier talked about the cost to copy the report.

Mayor Trefethen said there were 50 copies made seven years ago, and he suspected there weren't any left.

Councilor Cheney said there weren't any, because they were authenticating the City Charter tonight.

City Manager Joyal said they were talking about two different things. The Council is authenticating the new Charter tonight that will be kept in the City Clerk's office. He said it was his understanding that Councilor Cheney was asking for copies of the Final Report of the Charter Commission be made available to the public and Council. He said they have the electronic copy of that report, and it is available to the public. He said copies will also be available of the Official Charter.

Councilor Cheney said they misunderstood. She was asking for copies of the authenticated City Charter.

Councilor Weston asked the City Clerk if there is a vault in the City Clerk's office.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, August 8, 2012**
Meeting Time: **7:00 pm**

City Clerk Lavertu said there is a vault in the City Clerk's/Tax Collection office.
Mayor Trefethen said there will also be an electronic version of the authenticated City Charter on the City's website.

Mayor Trefethen said the Council was voting to authenticate the City Charter.

Roll Call Vote: 8/0.

The Council signed the signature page to authenticate the City Charter.

Mayor Trefethen recessed the meeting to allow the City Clerk to put the authenticated City Charter in the City Clerk's vault.

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

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Hooper.
Councilor Weeded asked if this wasn't passed then the City would absorb the cost of the reload.

Officer Simons discussed the change in the costs to reload. He said the City would be subsidizing other towns included in the network.

Councilor Cheney started a discussion on the contract, and it not being part of this ordinance.

City Manager Joyal said there isn't a contract at this point. He will bring the contract before the Council when they have one.

Mayor Trefethen said this was a convenience.

Councilor Cheney said she would support this resolution, but she wanted to see the contract.

Roll Call Vote: 8/0.

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**



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, August 8, 2012**
Meeting Time: **7:00 pm**

- 7. RESOLUTION: B13004 #2 HEATING FUEL**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
- 8. RESOLUTION: B13005 NATURAL GAS SUPPLIER**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

Item was pulled from the Agenda.

COMMITTEE REPORTS

- | | |
|--|---|
| 1. School Board (2) | 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 Weston. Mayor Trefethen asked the Council if they had any items they would like pulled for further discussion.

Deputy Mayor Carrier asked to pull Items 13.A.6. and 13.A. 7. to be substituted in whole. Councilor Weston asked to pull item 13.A.5.

Councilor Hooper asked to pull both School Board Reports.

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

Vote: 8/0.

Deputy Mayor Carrier moved for the adoption of 13.A.5.; seconded by Councilor Weston. Councilor Weston referred to the first Whereas and moved to change to "In accordance with State RSA 659:4, the City Council must set voting hours in their respective communities; and"; seconded by Councilor Cheney.

Vote: 8/0.

Councilor Weeden said he has had several constituents asked that the polls open at 7:00 am. Mayor Trefethen said the people working at the polls get there at 6:00 am to open at 8:00 am. Mayor Trefethen asked for a roll call vote for the resolution.

Roll Call Vote: 8/0.

Deputy Mayor Carrier moved for the adoption of 13.A.6., and substitute as a whole; seconded by Councilor Weeden.

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

Roll Call Vote: 8/0.

Deputy Mayor Carrier moved for the adoption of 13.A.7., and substitute as a whole; seconded by Councilor Weeden.

Roll Call Vote: 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, August 8, 2012**
Meeting Time: **7:00 pm**

Councilor Hooper gave an overview of the School Board reports to the Council.
Deputy Mayor Carrier moved to approve both School Board reports; seconded by Councilor Cheney.
Vote: 8/0.

B. RESOLUTIONS

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

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

2. AUTHORIZING PUBLIC ART DISPLAYS SPONSORED BY COUNCILOR SPULER

Councilor Spuler moved for its adoption; seconded by Councilor Weeden.
Councilor Spuler gave an overview of the resolution to the Council.
City Manager Joyal said the City will review public safety, maintenance issues, and vandalism concerns. He said requests will be reviewed by the City's insurance carrier.
Vote: 8/0.

Councilor Spuler moved to suspend the rules to introduce the application; seconded by Councilor Weston.
Roll Call Vote: 8/0.

Councilor Spuler gave an overview of the application to the Council.
Vote: 8/0.

3. CREATION OF AN ORDINANCE COMMITTEE SPONSORED BY COUNCILOR CHENEY, COUNCILOR HOOPER, COUNCILOR WESTON AND COUNCILOR WEEDEN

Councilor Cheney moved for its adoption; seconded by Councilor Weston.
Councilor Cheney gave an overview of the resolution to the Council.
Mayor Trefethen asked if the four sponsoring Councilors also be the members of the committee.
Councilor Cheney said that was correct, with the caviat that the Council approves the appointment.
Mayor Trefethen said the resolution creates the committee, but does not appoint the members. He asked if there was going to be a resolution to appoint members at a subsequent meeting.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, August 8, 2012**
Meeting Time: **7:00 pm**

Councilor Cheney said she would like to appoint the members now.

Councilor Weston moved for a friendly amendment to the resolution to include as the first Now, Therefore: "Four sponsors will be appointed to the committee;" seconded by Deputy Mayor Carrier.

Vote: 8/0.

Councilor Spuler started a discussion on clarifying the difference between adoption and amending the Code.

Mayor Trefethen asked for a vote on adopting the amended resolution.

Vote: 8/0.

C. ORDINANCES IN 1ST READING – None

14. COUNCIL CORRESPONDENCE – None

15. COUNCIL MATTERS OF INTEREST

Councilor Weeden thanked Laurenne Ramsdell, Foster's Daily Democrat Reporter, for her work, and wished her the best of luck.

Councilor Weston also thanked Laurenne Ramsdell, and welcomed her replacement. She gave an update to the Council on the Horne Street School project.

Deputy Mayor Carrier said he walked the Community Trail and said it was unbelievable.

16. ADJOURNMENT

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

Vote: 8/0.



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: **Workshop Session**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, August 8, 2012**
Meeting Time: **Immediately following 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 Hooper, Councilor Spuler, Councilor Weeden, and Councilor Weston.

Absent: Councilor Garrison.

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

5. DISCUSSION

A. TIMELINE AND PROCESS FOR COMPLETING CITY MANAGER EVALUATION

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

Councilor Weeden said there should be more depth to the evaluation, instead of just the goals the Council had laid out.

Mayor Trefethen said the Council could add "general comments" at the end. He said they can't change the 20 expectations, because that is what the City Manager has been working on.

Councilor Crago asked if the City Manager will provide his own assessment on what he has accomplished.

Mayor Trefethen said the City Manager will provide a written summary to the Council. He went over the timeline with the Council.

Councilor Crago said the City Manager and City Council are tied together in the success and achievement of goals. He said some of the issues the Council is dealing with now are from previous disconnects between the Council and Administration.

6. CITIZEN'S FORUM

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

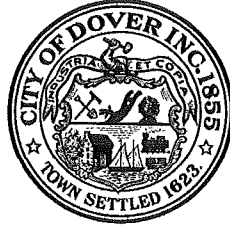
David Montenegro, 55 Union Street: He spoke about goals and objectives being selective and limited. He said evaluation based on a balanced score card would be more accurate.

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.



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 ELKS #184
Federal Tax ID number for Organization: 020127315
Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political
Contact Person: KEN KIRBY Day Time Telephone: 603-591-8651

Address: 282 DURHAM ROAD, DOVER 03820 Email Address KIRBYISLAND@COMCAST.NET

Purpose of Permit: QUEEN OF HEARTS

Date of Event: ONGOING STARTING 8/31/2012 Specific Time: EVERY FRIDAY 8:00PM

Location of Event: DOVER ELKS - 282 DURHAM ROAD, DOVER NH

Prize (s) To Be Awarded: PROGRESSIVE - 60% OF POT

Amount of Donation: 30% OF POT Date of Drawing: WEEKLY-FRIDAYS Specific Time: 8:00 PM

Place of Drawing: DOVER ELKS - 282 DURHAM ROAD, DOVER NH

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

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

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

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

Signature: [Signature] Date: 8/15/2012

Licensing Board approval [Signature] Date: 8/15/12 Revised 03/17/08

CITY OF DOVER
AUG 15 PM 12:28



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.2.

Resolution Number: **R – 2012.08.22 – 107**
Resolution Re: Books & Media Purchases

- WHEREAS: The City of Dover NH Public Library is a member of the New Hampshire State Library’s Book Purchasing Co-Op; and,
- WHEREAS: The State Library has identified Baker & Taylor as the book wholesaler most advantageous in terms of services and pricing for various children’s and adults books, tapes, CD’s and DVD’s; and
- WHEREAS: The City can take advantage of the substantial savings realized by using Baker and Taylor as their book jobber.

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

Per 3-29B, Exceptions to Competitive Bidding, of the Dover Purchasing Procedure, the purchasing Agent may, with approval of the city manager, waive bidding procedures when purchasing through the state of New Hampshire or at state bid prices

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

Financing

Account	Description	Appropriation	Balance
1000.1.390.45500.4748.00000	Books & Collections	95,869	95,869
3455.1.390.45500.4748.00000	Books & Collections Fines	44,865	44,865

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.2.

Resolution Number: **R – 2012.08.22 – 107**
Resolution Re: Books & Media Purchases

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.2.

Resolution Number: **R – 2012.08.22 – 107**
Resolution Re: Books & Media Purchases

RESOLUTION BACKGROUND MATERIAL:

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

Award Information:

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

Purchasing Information:

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

Resolution Number: **R – 2012.08.22 – 108**
Resolution Re: **B12074 In Vehicle Parking Meters**

WHEREAS: Sealed Request for Proposal B12074 was requested and received for in vehicle parking meters on May 31, 2012 at 2:00 pm; and

WHEREAS: Four vendors responded with varying rates and products offered. Two vendors replied offering meters and two others offering alternate barcode scan and pay by phone plans. On June 19, 2012, members of the parking commission and the city met to discuss the proposals. It is the recommendation to award to the low bid meeting specification submitted by On Track Innovations (OTT) America. The EasyPark System is an on-street or off-street parking system for estimated 900 controlled parking spaces; and

WHEREAS: Council authorization is required since it is a multi-year contract; and.

WHEREAS: The City of Dover and OTI America, Inc. will enter into a contract for the purpose of installation, technical and financial operation and maintenance of the EasyPark System.

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

The purchasing agent is hereby authorized to issue a purchase order to OTI America in the amount of \$3,000 for the initial set up fees. The amount of this authorization shall be limited so as not to exceed available funding. The City manager is authorized to sign a contract containing the terms and conditions of the bid award.

Financing

Account	Description	Appropriation	Balance
3213.1.210.42130.4341.00000.00	Parking technical Services	\$ 3,000.00	\$ 3,000.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch Sponsored by: Mayor Dean Trefethen
Finance Director 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.3.

Resolution Number: **R – 2012.08.22 – 108**
Resolution Re: **B12074 In Vehicle Parking Meters**

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.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

Resolution Number: **R – 2012.08.22 – 108**
Resolution Re: **B12074 In Vehicle Parking Meters**

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, a Request for Proposal sealed bid B12074 was issued by the Finance Department. The Parking Commission evaluated the proposals and On Track Innovations' (OTT) EasyPark system was recommended for its ease of use, current availability, demonstrated success in other municipalities, pricing structure and future compatibility with other NH municipalities.

Bid Information:

Sealed Request for Proposal B12074 received May 31, 2012

Award Information:

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

Purchasing Information:

Type:	Purchase Order	Advertised:	yes
Invitations Mailed:	180	Number of Responses:	4
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Contact signing	Estimated Delivery:	As needed
Recommended Award to:	OTT America	Fund:	Parking
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	No	Reason for Council Approval:	Multi Year Contract

Agreement under separate cover

For Results and Vendor Solicitation List:

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

CONTRACT BETWEEN THE CITY OF DOVER, NH

And

OTI AMERICA, INC.

For

Installation, Technical and Financial Operation and Maintenance Of the EasyPark System

The City accepts the Contractor's Offer (as referenced in Section 1.1.3 below) for the above requirement and enters into the following Contract.

This Contract is between **OTI America, Inc.**, a Delaware Corporation, having offices at 111 Wood Avenue Iselin, NJ 08830 (hereinafter the "**Contractor**", or "**OTI**") and the city of Dover a municipality incorporated by the State of New Hampshire (hereinafter the "**City**"), and is effective as of the date executed by the last signing party ("**Effective Date**").

1.0 **This Contract is composed of the following documents:**

- 1.1 This Contract;
- 1.2 Request for Proposal ("**RFP**"), #B12074 In Vehicle Parking Meter, dated May 8, 2012 including all documents incorporated thereto by reference, attached hereto as **Exhibit A**;
- 1.3 The Contractor's Offer, dated May 31, 2012, including subsequent clarifications, attached hereto as **Exhibit B**;
- 1.4 Scope of Work Document ("**SOW**") attached hereto as **Exhibit C**;
- 1.5 Any subsequent documents, addendums, extensions and/or modifications that shall be subsequently agreed upon by the Parties, which shall be deemed as an integral part of this Contract.

2.0 **Order of Precedence.** Any inconsistency or conflict in the Contract documents between the Contract and its Exhibits, or between the Exhibits between themselves, shall be resolved by giving precedence in the following order:

- 2.1 This Contract;
- 2.2 Exhibit A, RFP, as referenced in Section 1.2 above, including all documents incorporated by reference;
- 2.3 Scope of Work Document, Exhibit C, as referenced in Section 1.4 above;
- 2.4 The Contractor's Offer, Exhibit B, as referenced in Section 1.3;
- 2.5 Without prejudice to the generally aforesaid, in the event of inconsistency or conflict between subsequent Annexes or modification documents and the foregoing documents the later shall prevail and govern the conflicting term for the specific amending document.

3.0 **Definitions**

The terms of this Contract should be interpreted in a literal sense, in the context thereof, and whose purpose clearly discloses the intention of the contracting parties, and unless otherwise expressly stated by the Parties, the following definitions shall mean:

- 3.1 **“The City’s MSA”** - The City’s Metropolitan Statistical Area (“MSA”) is made up of City of Dover, NH_ and any other area that should be by the applicable law under the jurisdiction of the City during the term of this Contract.
- 3.2 **“EasyPark System”** – means the Contractor’s Back Office Management Software Modules, the Contractor’s Database and Communication module, Web Reports Module, EasyPark Device management module, EasyPark Reloading module, terminals Management Module, the Contractor’s billing system and/or any other system elements or related components, as may be added or applied from time to time by the Contractor, as further specified in the Contractor’s Offer, Exhibit B hereto;
- 3.3 **“EasyPark Device”** – means the Contractor’s personal parking multi-application in-vehicle meter issued to end users to allow them to use the EasyPark System as further defined in the offer of the Contractor, Exhibit B hereto;
- 3.4 **“Users”** - The purchasers of EasyPark devices for use to pay parking fees to the City.
- 3.5 **Multi-Jurisdictional Parking Program** – means multiple cities in a certain geographical region that commonly accept the use of the same EasyPark device as parking payment method within the cities participating in said program.

4.0 **Contractor’s Obligations:**

- 4.1 The Contractor shall fully and timely provide all deliverables and services described herein and in the Contractor’s Offer in accordance with the terms, covenants, and conditions of the Contract and its Exhibits and in accordance to all applicable Federal, State, and local laws, rules, and regulations.
- 4.2 Contractor shall provide the services described in the Scope of Work, Exhibit C attached hereto.

5.0 **Object of the Contract and City’s Obligations** -

- 5.1 The City wishes hereby to introduce and integrate the Contractor’s EasyPark System as its on-street and or off-street modern and flexible Payment Parking System for paid areas.
- 5.2 The City hereby grants the Contractor a concession to integrate, sell, distribute, market and operate its EasyPark System in the City’s MSA during the term of this Agreement and any extension thereof, and undertakes to fully and timely perform its obligations as described herein in accordance with the terms, covenants, and conditions of the Contract, its Exhibits and all applicable Federal, State, and local laws, rules, and regulations for the successful implementation of this Contract.
- 5.3 OTI will enable the usage of the EasyPark device within a Multi-Jurisdictional Parking Program.

6.0 **Term of Contract-** This Contract shall be in effect for an initial term of sixty (60) months from the Effective Date and shall be automatically extended thereafter for up to five (5) consecutive 12-month extension options periods, unless either party notified in writing the other that it does not intend to extend the Term of this Contract, no later than 120 days prior to the expiration of each foregoing period.

7.0 **Implementation Costs to the City** - To begin implementation of the project the City shall pay the Contractor a onetime program set up fee in the amount of \$3,000 (**“Set up Fee”**) [*provided this Contract is signed no later than December 31, 2012. If Contract is signed later than this date the foregoing Setup Fee will be in the amount of \$5,000*] payable to the Contractor within 14 days of the Effective Date.

The foregoing Setup Fee includes a site survey, parking rates structure configuration, software and back office setup and up to one annual rate and configuration change or upgrade. Further upgrades, changes or modifications shall be quote and paid separately. The Payment processing costs are included in the fee structure. There are no transaction fees to the City and the City retains all parking fee revenues collected via the EasyPark system.

8.0 **Contract Managers.** The following individuals are designated by the Parties as Contract Managers and will act as the contact points between the City and the Contractor during the term of the Contract. In addition, the Contract Managers will be responsible for exercising general oversight of the Contractor’s activities in completing the requirements of the contract.

City’s Contract Manager	Contractor’s Contract Manager
Name: William Simons Title: Parking Manager	John Rego, Director of Sales – Emerging Markets & Technologies
Address: 46 Locust St. Dover, NH 03820	111 Wood Ave. South, Suite 105 Iselin, NJ 08830
Phone: 603-516-2277 Email: w.simons@dover.nh.gov	Phone: (201) 655-1396 Email: john.rego@otiamerica.com

9.0 **Reports.** Contractor will provide audit report/statements to be submitted to the city 3 months after the end of each EasyPark system deployment anniversary date.

10.0 **Applicable Law and Jurisdiction.** This Contract shall be governed by and interpreted in accordance with the laws of the State of New Hampshire and the competent courts in the State of New Hampshire, shall have exclusive jurisdiction in all matters pertaining or relating thereto

11.0 **Whole Understanding and Amendments.** This Contract (including any Exhibits) constitutes the entire agreement of the parties regarding the subject matter of this Contract and supersedes all prior and contemporaneous agreements and understandings, whether written or oral, relating to such subject matter. This Contract may be altered, amended, or modified only by a written instrument signed by the duly authorized representatives of both parties.

In witness whereof, the City and the Contractor have caused their duly authorized representatives to execute this Contract on the date set forth below

OTI AMERICA, INC.

CITY

Gonen Ziv

Printed Name of Authorized Person

J. Michael Joyal

Printed Name of Authorized Person

Signature

Signature

President

Title:

City Manager

Title:

Date:

Date:

List of Exhibits

Exhibit A – as applicable, The City’s Solicitation, Request for Proposal, #B12074, dated - May 8, 2012

Exhibit B – as applicable, OTI America, Inc. Offer, dated - May 31, 2012

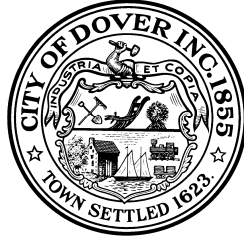
Exhibit C - Scope of Work Document

Exhibit A

The City's Solicitation, Request for Proposal, #B12074, dated May 8, 2012

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

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



288 Central Avenue
Dover, New Hampshire 03820-4169

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

City of Dover, New Hampshire OFFICE OF THE FINANCE DIRECTOR

May 8, 2012

REQUEST FOR PROPOSAL #B12074 **In Vehicle Parking Meters**

You are cordially invited to submit a Proposal for In Vehicle Parking Meters in accordance with the attached specifications, terms and conditions. Prospective respondents are advised to read this information over carefully prior to submitting a proposal.

Three (3) copies of the Proposal must be submitted in a sealed envelope, plainly marked:

**RFP #B12074 - In Vehicle Parking Meters
Purchasing/Finance Office
City of Dover
288 Central Ave 2nd. Floor
Dover NH 03820**

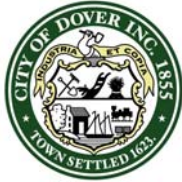
All proposals/bids must be received by May 31, 2012 at 2:00 p.m. EST

AML:kjn
Attachments

***IMPORTANT: IF you have not already,** In order to be notified of any future bids associated with your service, please visit our new web page, <https://www.dover.nh.gov/finbidjoin.htm> proceed to BIDS Join Notification List and add your company to our vendor database. Under contracted services code 55 Parking Consulting Services and/or Supplies code 63 Misc Meters - Parking and Parts.

Vendors wishing to respond to a bid request with alternates to specifications must notify the Purchasing Office no less than five (5) business days prior to the bid request opening date. If the proposed changes are acceptable, the City will advise other potential respondents, thereby maintaining equality in the bid process. Failure to advise the City could result either in rejection of the alternate proposal or in an untimely extension of the sealed bid process.

Vendors may be asked, as part of the bid evaluation process, to supply company financial information. This data will be held in the strictest confidence and be utilized only to help assess the stability of a responding firm. The records will be returned to you after identifying the successful respondent to the bid request.



CITY OF DOVER

REQUEST PROPOSAL

Request Type	Request for Proposal	Number:	B12074
Title	In Vehicle Parking Meters		
Date	May 8, 2012		

I. INTRODUCTION

The City of Dover, New Hampshire through the Parking Bureau is issuing this Request for Proposals (RFP) to provide an in vehicle parking meter program.

The City has an approximate population of 30,000 people, and has 900 metered parking spaces in the downtown area. Meter rate are \$0.75 per hour, and these fees are charged Monday through Friday from 9am-7pm. The city has 69 Pay & Display parking meters.

II. GENERAL REQUIREMENTS

Vendors making proposals must respond in writing to all requirements of this Request for Proposal (RFP). Responses should reflect detailed considerations of the issues and opportunities presented by this specific project. Any additional information or tasks that are felt to be relevant by the responding firm should be included together with the submittal requirements.

All proposals must be received and date/time stamped by the date and time listed on page one of this document by the office of the Purchasing Agent at:

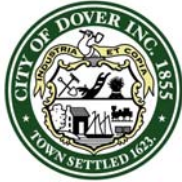
City of Dover Municipal Building
Finance Office 2nd Floor
288 Central Avenue
Dover, NH 03820

No late, email or facsimile proposals will be accepted.

Costs incurred for the preparation of a proposal in response to this RFP shall be the sole responsibility of the vendor submitting the proposal. The City of Dover reserves the right to select or reject any vendor that it deems to be in the best interest to accomplish the project specified. The City reserves the right to accept the proposal on one or more items of a proposal, on all items of a proposal or any combination of items. The City reserves the right to discontinue the selection process at any time prior to the awarding of a contract. The City reserves the right to waive defects and informalities of the proposals.

Questions should be directed to Ann M. Legere, Purchasing Agent, at a.legere@dover.nh.gov by May 23, 2012.

The City of Dover supports the concept of purchasing products that are biodegradable, can be or have been recycled, or are environmentally sound. Due consideration will be given to the purchase of such products. If you are bidding on any such products which qualify, please so indicate in a cover sheet by item number and description.



CITY OF DOVER

REQUEST PROPOSAL

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CONFIDENTIALITY OF PROPRIETARY INFORMATION

The City of Dover is an open and transparent municipal government. The Constitution of the State of New Hampshire provides:

“All power residing originally in, and being deprived from, the people, all the magistrates and officers of government are their substitutes and agents, and at all times accountable to them. Government, therefore, should be open, accessible, accountable and responsive. To that end, the public’s right of access to governmental proceedings and records shall not be unreasonably restricted.” *New Hampshire Constitution, Part I, Article 8.*

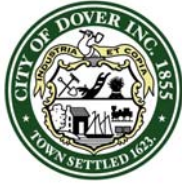
State statute provides **“openness in the conduct of public business is essential to a democratic society. The purpose of this chapter is to ensure both the greatest possible access to the actions, discussions and records of all public bodies, and their accountability to the people.”***RSA 91-A:1* Governmental records, including contracts within the City’s possession, control and custody, are subject to inspection by members of the public. *RSA 91-A:4.*

Confidential, commercial and/or financial information are protected as exemptions from the Right to Know law. *RSA 91-A:5 (IV)*. Proprietary information received from potential vendors and private partners interested in engaging in public-private partnerships qualifies under these exemptions. The City of Dover agrees to assert the provisions of *RSA 91-A:5 (IV)* in response to a request for information under the New Hampshire Right to Know law for governmental records clearly marked in advance by the Vendor and approved in advance by the City of Dover as confidential, commercial and/or financial information by the vendor or private party in order to deny the request for inspection. Disclosure of governmental records so marked shall only be made by the City of Dover based upon a court order, or further agreement of the vendor/private party and the City of Dover.

The Vendor agrees to pay for damages, fines, sanctions and the cost of attorney’s fees incurred by and expended by the City of Dover for court proceedings involved in the non-disclosure of governmental records.

III. EVALUATION CRITERIA

The purpose of this RFP is to further assist the City in evaluating IVPM systems. The City will make an assessment of a Firm's proposal based on the following evaluation criteria. Please note that all scores given to each Firm following the results of the pilot program will be re-evaluated based on responses to this RFP and the results of the pilot program as applicable.



CITY OF DOVER

REQUEST PROPOSAL

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In making its assessment regarding a Firm's proposal, the City will be evaluating the following criteria:

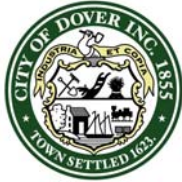
- A. Ease of use for consumer; to include initial purchase and reloads;
- B. Customer service;
- C. Responsiveness to parking management;
- D. Ease of administration by parking management;
- E. Accountability to parking management for revenues owed to the City;
- F. Handling of credit card information – PCI compliance;
- G. Ease of enforcement;
- H. Ability to accommodate a multi-city program;
- I. Cost to city;
- J. Cost to consumer to include initial device purchase and reload fees.
- K. Validated success in other jurisdictions.
- L. Length of term of contracts on reload fee.
- M. Consumers regret policy for return of device in the first year of service.
- N. Ability to become a multi-jurisdictional device and the program required to support same.

The City will use a numerical scoring system, based on a scale of 1 to 10, with 10 being the highest possible score for each criterion. No individual criterion will be weighted, although it is important to note that any Firm unable to document PCI compliance in a form acceptable to the City will be disqualified.

IV. RFP SCOPE OF SERVICES

The Firm selected will be required to provide a uniformly high level of equipment and services.

- A) Equipment



CITY OF DOVER

REQUEST PROPOSAL

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The Firm will provide IVPMs and any accessories necessary for their operation for the use of the consumer. A detailed description of the equipment proposed for the program, including technical specifications and method of operation should be provided.

B) Services.

The Firm shall provide the following services as a part of the program:

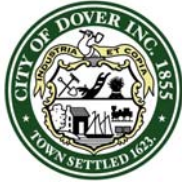
- Distribution of in vehicle parking meters.
- Programming of the rate structure specified by the City, including any future rate structure changes.
- Collection of payments by consumers.
- Customer service support for all consumers using the meters. A detailed description of the hours and methods of customer service support is required.
- Payment to the City on a monthly basis of revenues received and owed to the City.
- Marketing and advertising of the program. Please provide the Firm's expectations of the City with regard to promoting the program.
- Replacement of lost, stolen, defective or damaged devices.
- Processing of initial payments and account reloads.
- Administrative support for enforcement and management of the program required by the City.
- Reporting and accountability for revenues collected by the Firm, both those owed to the City and those owed to the Firm.

Alternative Recommendations

Each Firm is encouraged to make specific alternative recommendations and to submit a price for any other service that they recommend for the City's consideration.

Each Firm is expected to review the proposed Scope of Services and make any suggestions as to which items should be eliminated and any additional items the Firm would recommend to be added to the Scope. However, each Firm must submit as a minimum a proposal addressing the Scope of Services listed above. Firms should also include with their proposal any requirements they may have for the City to fulfill during the contract period.

V. *PROPOSAL FORMAT AND CONTENT*



CITY OF DOVER

REQUEST PROPOSAL

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The Firm's proposal must include the following information:

A) Cover letter

The submittal must include a cover letter summarizing the Firm's proposal. The cover letter should be on the Firm's letterhead and be signed by a duly authorized representative of the Firm who can commit the Firm to all the conditions set forth in this RFP and at a minimum include:

1. Statement that the Firm will negotiate in good faith if the Firm wins the procurement;
2. Statement indicating that the Firm has read and understood all conditions as outlined in the RFP and will accept these terms as the basis of a Contract. The Firm should identify any conditions to which they take exception.
3. An affidavit should be provided which states that all information included with the Firm's RFP is true and correct.
4. The Firm should provide a brief overview of the proposal. Most importantly, the Firm should highlight those points which the interested Firm believes are most important to its RFP.

B. Supporting information

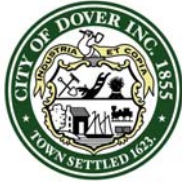
1. Management/Organization Structure

A specific description of the Firm's history and its administrative, management and organizational structure should be provided.

2. Resources

Each Firm should provide a description of the resources available to successfully provide the services. The following shall be included:

- a) Describe the administrative, supervisory and staffing levels to be provided and maintained.
- b) Describe the customer service resources, in all forms (live phone support, internet support, etc.), including hours and days each resource will be available to consumers and parking management.



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- c) Describe the marketing and advertising resources that will be used to promote the program. Include any involvement the City will have in this process.
- d) Describe the training and support that will be provided to the city with respect to enforcement services and administration of the program.

3. Operation of In Vehicle Parking Meters

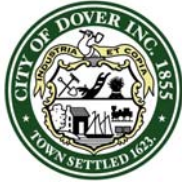
- a) Provide a detailed description of how in vehicle parking meters are obtained by the consumer.
- b) Provide a detailed description of how the in vehicle parking meter is operated for parking.
- c) Provide a detailed description of how accounts are reloaded and new funds are communicated to the in vehicle parking meter.

4. Payment Handling and PCI Compliance

- a) Describe each payment method that will be provided to consumers.
- b) Describe how payments flow through your organization.
- c) Provide evidence of PCI compliance, if applicable.

5. Other

- a) Provide a list of all service partners and detail their involvement in the services provided to the City. If the Firm is involved with payment processing, provide evidence of that firm's PCI compliance.
- b) Provide a list of all entities for which similar services are provided, along with contact names and phone numbers.
- c) Describe the expectations of the City in administration of the program.



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- d) Discuss the Firm's ability to accommodate a multi-city program.
- e) Describe the process for changing the rate structure.

VI. COST PROPOSAL

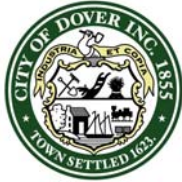
The cost proposal should include any fees the City is expected to pay as well as a pricing detail for costs to the consumer. Costs should be included for the following items at a minimum, and the Firm should indicate the party financially responsible for the cost (Firm, consumer or City).

- a) Initial cost for the in vehicle parking meter
- b) Cost to reload funds into the in vehicle parking meter
- c) Cost to replace a lost or stolen in vehicle parking meter
- d) Cost to replace a damaged or broken in vehicle parking meter
- e) Payment processing costs (Credit card, ACH costs), if not included in the reload cost
- f) Program management fee
- g) Cost to change rate structure
- h) Costs related to a multi-jurisdictional program
- i) Any other costs not addressed in this proposal

VII. INDEMNIFICATION AND INSURANCE

The successful Firm shall agree to indemnify and hold harmless the City from and against any and all claims whatsoever arising out of, or occurring, during the deliverance of these services or occurring and occasioned directly or indirectly by the Firm's error or omission, negligence or fault. Firm must provide evidence satisfactory to the City of adequate liability insurance coverage in this regard, naming the City as additional insured while the Firm is performing duties under contract with the City.

VIII. COST OF RESPONSE



CITY OF DOVER

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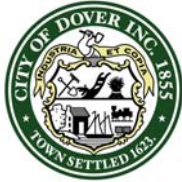
The Firm is responsible for all costs associated with the preparation of its response to this request. None of these costs will be the responsibility of the City.

IX. CITY'S RESERVATION OF RIGHTS

- A. The City reserves the right to accept any proposal, in whole or in part, to negotiate further regarding any terms of the proposal and to request written clarification of proposals and supporting materials to achieve the best proposal as determined by the City at its sole discretion and to reject any or all proposals for any reason whatsoever, should it be deemed in the best interests of the City to do so.
- B. Negotiation, if undertaken by the City, is intended to result in a contract which is deemed by the City, in its sole discretion, to be in the City's best interests. Any such negotiation will use the selected proposal as a basis to reach a final agreement. Any and all such negotiations shall be binding upon the Firm. The City also reserves the right to simultaneously negotiate with two or more Firms.
- C. If a Firm is selected by the City for negotiations, those negotiations will commence with a preliminary discussion of the process to be used during negotiations, and will conclude within the time established by the City for the completion of negotiations. Since the time to resolve the issues and conclude negotiations may be extremely limited, Firms will be asked to come prepared to resolve all issues and have persons present who have the authority to legally bind the Firm.
- D. The City reserves the right to include in the contract for services other terms and conditions not specifically set forth here, including but not limited to, terms and conditions required by funding sources, and additional work which may be identified subsequent to the starting date of the contract.
- E. The City reserves the right to waive or disregard any informality, irregularity or deficiency in any proposal received.
- F. The City may award a contract(s), based on initial proposals received, without discussing such proposals among the vendors.
- G. The City reserves the right to negotiate with the other proposers to this contract within the three year contract period if the Firm awarded the initial contract is deemed to be in default.

X. FIRM'S RESPONSIBILITIES

A Firm submitting a proposal for this project must make itself aware of all City, State, and Federal requirements, including Liability Insurance coverage for the City



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pertaining to contracting with the City for Contractual Services and proposed fees should reflect any costs in connection with these requirements.

XI. CONTRACT PERIOD

It is the intent of this procurement to engage the requested services for a term that is mutually agreed upon. The Firm should include a proposed contract period in its proposal.

XII. PROPOSAL HELD OPEN

No Firm shall be permitted to withdraw its proposal for a period of one hundred twenty (120) days after the time and date of the submission of the proposal. All proposals shall remain valid and binding for that period of time.

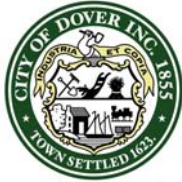
A Firm whose proposal is selected for negotiation shall not withdraw their proposal for an additional ninety (90) days after notice of negotiations. The selected Firm will be required to execute a contract for services at the end of the negotiation session. The negotiation session will be considered to be complete when the City determines the Contract is acceptable to the City.

XIII. PROPOSAL SUBMISSION AND EVALUATION

- A. Please send three (3) copies of your proposal plainly marked **B12074 – RFP In Vehicle Parking Meters** to the City for receipt by **2:00 PM on May 31, 2012** at the following address:

Ann M Legere, CPPB
Purchasing Agent
City of Dover City Hall
288 Central Ave, 2nd Floor
Dover, New Hampshire, 03820

- B. All correspondence pertaining to this RFP shall be addressed marking **B12074 - In Vehicle Parking Meters** on the envelope.
- C. Faxed or email proposals will not be accepted.
- D. It is the sole responsibility of the Firm responding to this RFP to ensure that their response arrives at the designated place on time.



CITY OF DOVER

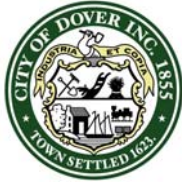
REQUEST PROPOSAL

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- E. Responses shall be submitted prior to the designated deadline. Responses may be withdrawn prior to the opening date and time, upon written request from the respective Firm. Responses received after the stated deadline will be returned to the respective Firm unopened.
- F. The City shall be under no obligation to return any responses or material submitted by a vendor as a result of this RFP.
- G. Firms may submit written questions concerning this RFP no later than six (6) calendar days before the deadline to the address specified herein to a.legere@dover.nh.gov. The City will review and consolidate all inquiries received before this deadline and will prepare and provide answers to questions it determines are of general interest in the form of an addendum.
- Therefore, Firms are cautioned that all inquiries should be in writing and expressed in general terms and shall not include any cost information associated with providing the requested services.
- Addenda will be mailed, faxed, or delivered to all participants in this RFP process.
- H. If it becomes necessary to revise any part of this RFP, or if additional data or information is necessary to clarify any of its provisions, an addendum will be published on the city web site.
- I. The City will select a Firm on the basis of the responsiveness to the RFP requirements and supporting materials and willingness to negotiate and execute an acceptable written agreement.
- J. Additional recommendations and references are welcome.

Insurance

The successful vendor will be required to submit a certificate of insurance showing minimum liability limits of \$2,000,000.00, types of liability coverage and workers compensation participation. Thirty day notice is required for cancellation of policy and City of Dover shall be listed as additional insured. The City has the option to request increase in coverage requirements depending upon an analysis of the risk of activities of the vendor



CITY OF DOVER

REQUEST PROPOSAL

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 Title **In Vehicle Parking Meters**
 Date May 8, 2012

CONTACT INFORMATION: SIGNATURE REQUIRED:

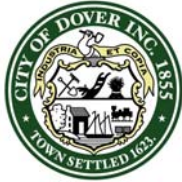
Official Entity Name		FOB Information:	
Address:			
City, State, Zip		Availability:	
Email address:		State of Incorporation	
Warranty/guarantee:		Price holds for:	
Date:		SSN or EIN:	
Telephone #:		Fax #:	
Signature:		Title:	

Check here if appropriate: _____ **(X) NO BID**

Any deviations from the above stated specifications must be so noted and any bid prices must be reflective of these deviations. The FOB point is always to be Dover unless otherwise stated by the bidder. A FOB point other than the City of Dover must be so stipulated by the bidder.

Bid Protests

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



CITY OF DOVER

REQUEST PROPOSAL

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Title **In Vehicle Parking Meters**
Date May 8, 2012

BID, RFP AND QUOTE TERMS AND CONDITIONS

- BID ACCEPTANCE AND REJECTIONS:** The City of Dover reserves the right to accept any bid, and to reject any or all bids; to award the bid to other than the low bidder if deemed "bid most advantageous to the City"; to accept the bid on one or more items of a proposal, on all items of a proposal or any combination of items of a proposal and to waive any defects in bids.
- FINAL BID PRICE:** Terms and FOB point are always part of the bid. FOB POINT IS ALWAYS TO BE DOVER, NH UNLESS OTHERWISE INDICATED BY THE BIDDER. IT IS THE BIDDER'S RESPONSIBILITY TO SO DESIGNATE A FOB POINT OTHER THAN DOVER. If the bidder has any special payment or delivery clauses which could effect the final delivery price of an item up for bid, that too shall be made part of the bid. If, however, this is not included in the bid, the seller will be solely responsible for any increased prices due to any circumstances.
- LATE PROPOSALS/BIDS:** Any bids received after specified date and time will not be considered, nor will late bids be opened.
- PAYMENT TERMS:** It is the custom of the City of Dover to pay its bills within 20 - 30 working days following delivery of, and receipt for, all items covered by the purchase order. In submitting bids under these specifications, bidders should take into account all discounts, both trade and time, allowed in accordance with the above payment policy.
- BRAND NAMES:** When the item is offered of a brand that is not known for use and/or reputation and financial stability is not well and favorably known to these officials, bids on such unknown brand may be rejected because of this lack of knowledge alone. Prospective bidders with such unknown brand should give information concerning it to the City Purchasing Agent so that it may be checked into for bids for the coming year. The bidder will state in the proposal the brand name and any guarantees of the material he/she proposes to furnish. The brand name is to be for the material that meets all specifications.
- SUBCONTRACTORS:** Where a project involves utilizing subcontractors, and the project is completed satisfactorily, the City of Dover reserves the right to request proof of payment to subcontractors by the general contractor prior to making final payment to the general contractor.
- PROPER DOCUMENTATION:** Any respondent to a bid request should sign off on and return to the Purchasing Department the original Bid Documentation Package which explains the scope of the bid request. Said signature, in the spaces provided, indicates receipt of, familiarity with and understanding of, and acceptance of the specifications provided, except as otherwise noted by the respondent.
- BID RESULTS:** The Purchasing Office will NOT respond to phone inquiries for Bid Results, other than to identify the apparent low bidder and his total bid price quotation. Individuals or company representatives may secure a comprehensive bid analysis of a particular bid request by either attending a bid opening (which is open to all interested parties); by coming to City Hall after a bid opening and asking to look through the file; by visiting our website at www.dover.nh.gov, or by sending a written request for the bid analysis along with a self-addressed stamped envelope.

Exhibit B

OTI America, Inc. Offer, dated May 31, 2012



Proposal for In Vehicle Parking Meters City of Dover, NH Office of the Finance Director

RFP No. B12074

May 31, 2012



Notice

This Document contains intellectual property, including but not limited, to trade secrets and know-how, operation procedures and production procedures that belong solely to OTI – On Track Innovations LTD.

Disclosure and/or use and/or production of any part of the above are strictly forbidden, except under a written license from OTI.

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Cover Letter

Dover, NH RFP # B12074

May 29, 2012

OTI America, Inc., a subsidiary of On Track Innovations (OTI), a financially solid NASDAQ publicly traded company (OTIV), is pleased to submit a proposal for our EasyPark in vehicle parking meter solution to the City of Dover, New Hampshire for the “In Vehicle Parking Meter” (IPVM) RFP number B12074. Our proposal meets and exceeds all the requirements of the solicitation as you will read within.

We are excited to offer an unbeatable value proposition to the City of Dover with our EasyPark System. This system provides a complete and comprehensive parking payment solution that is easy to operate, is cashless, eliminates fraud, is environmentally friendly, meets all financial and security standards, has been extensively field tested and is backed by a financially strong company. OTI has been in business since 1990 and the EasyPark product has been in production since 2000 with **over (1) one million** devices in use in many cities globally.

Our proposal is to be considered a service provider for EasyPark **at low cost to the City of Dover**, while complementing the existing parking infrastructure and payment methods for Dover residents and visitors to comply with paying for parking. The City of Dover will retain 100% of the parking revenue, set the rules & regulations, and enforcement procedures. There will not be any credit/debit transaction fees charged to the City of Dover. The city will also benefit from the ease of operation of the EasyPark system by eliminating direct cost associated with maintenance, eliminating cash collection & settlement, and increasing resident’s satisfaction from having a quick, easy to use convenient way to pay for parking.

The EasyPark system provides the ultimate solution for drivers, fleets and municipalities. The patented EasyPark System consists of a single in-vehicle-parking-meter (IPVM) and software that provides a simple and convenient solution that can be used for all parking needs including on-street/off- street, parking lots, permits, disability and events. The EasyPark device has the ability to accommodate multi-city parking programs today so drivers can use a single device while paying for parking in different cities.

The EasyPark system provides comprehensive reports. Such reports include Device Distribution, Diagnostic Reports, Inspection Reports, Parking Reports, Reloading Reports and more.

The advantages for the consumer are:

- No need to leave the vehicle to pay
- No need for exact change
- No need to walk to and from a pay and display machine (especially in inclement weather)
- No need to use a credit card/debit card for every parking event, thus saving the associated costs with such.

EasyPark USA website allows users to purchase an EasyPark device, add funds to their device, review parking activity, print receipts, access FAQ's and support.

OTI plans to market the program through websites, multiple media channels such as: social media, press releases, and direct marketing in coordination with the City of Dover. We will provide customer service via telephone and email support.

We anticipate the consumer to enroll into the program by purchasing an EasyPark device and an ongoing monthly membership subscription fee. The purchase of the EasyPark device can be done online through our website or at a location authorized by the City of Dover.

In conclusion, OTI America looks forward to negotiating in good faith should we receive the award for this proposal. OTI America has read, and understands all the conditions as outlined in the RFP and will accept these terms as the basis of a contract. All information provided herein, is true and correct. We are looking forward to working with the City of Dover to provide this solution to its residents, businesses, student population and visitors and to make it "Easy 2 Park"

Gonen Ziv
President
OTI America, Inc.

Contact Information

Official Entity Name	OTI America, Inc.	FOB Information:	Dover
Address:	111 Wood Avenue South		
City, State, Zip	Iselin, NJ 08830	Availability:	60 Days
Email address:	gziv@otiamerica.com , ohad@otiamerica.com , john.rego@otiamerica.com	State of Incorporation	Delaware
Warranty/guarantee:	One Year	Price holds for:	30 Days
Date:	May 31, 2012	EIN:	134014031
Telephone #:	732-429-1900	Fax #:	732-429-1960
Signature:		Title:	President

Environmental Consideration

The EasyPark device being proposed to the City of Dover, New Hampshire, is capable of being reused by returning devices back to the EasyPark operator.

The EasyPark device is an environmentally friendly device utilizing no paper and has an extremely low carbon footprint, utilizing a small C2302 3V battery that lasts on average two years with regular use.

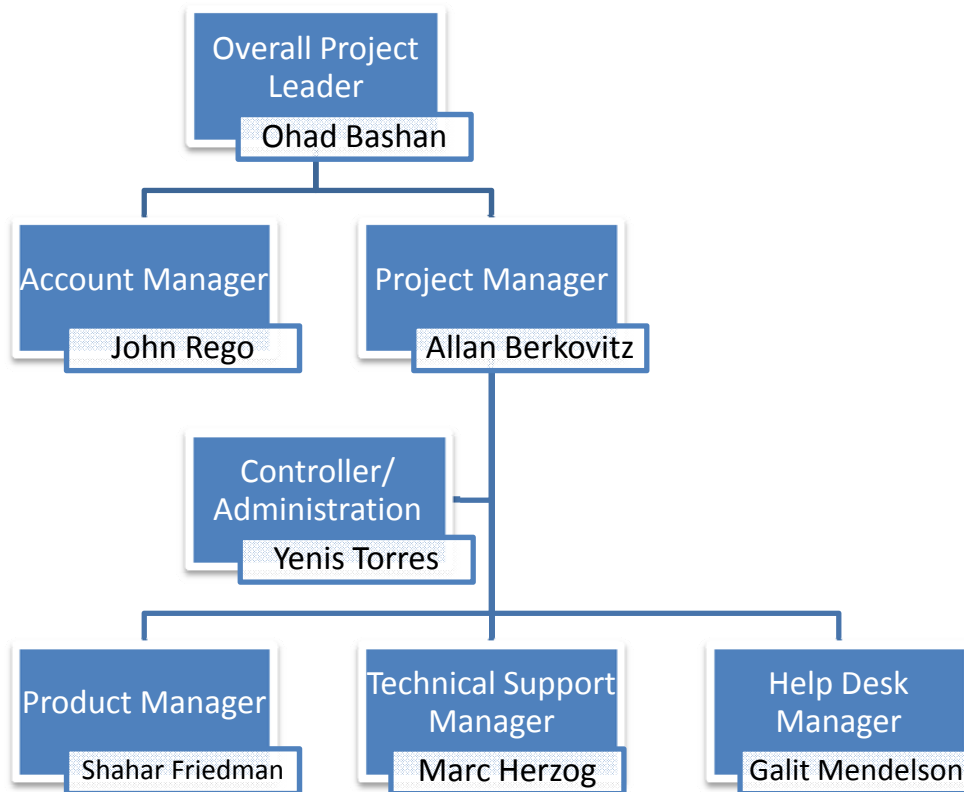
Business Management Structure

Full name:	OTI America Inc.
Address:	111 Wood Avenue South, Suite 105, Iselin, NJ 08830
Parent Company:	On Track Innovations, Ltd
Office branch/subordinate element:	N/A
Partnership/corporation/individual:	Corporation
State incorporated/License to Operate:	Incorporated in Delaware
Financial Statements:	See Appendix A

OTI America, Inc. will comply with all of the Cities Terms and Conditions in addition to all applicable rules and regulations of Federal, State, and Local governing entities.

Project Management Structure

To successfully implement EasyPark in the City of Dover, OTI will provide the following structure to deal with the technical aspects as well as client coordination: project will be led by Ohad Bashan, OTI America's CEO. Mr. Bashan has been the project manager for some of OTI's most demanding and successful programs such as the MasterCard PayPass™ pilot and rollout program, General Motors payment program, the VeriPass payment program and different campus and ID programs. Mr. Bashan has more than 10 years of experience and holds an MBA from Pepperdine University in California. For project management, OTI has appointed Allan Berkovitz as the Project Manager to oversee scheduling, reporting, and issue resolution and will be the day-to-day contact for the City. For the complete resume, refer to the Appendix – Personnel. The Project Manager – Allan Berkovitz has already organized a team of individuals from OTI's engineering and production departments as functional contacts for the Program. The Project Manager will follow the guidelines of ISO 9001 v2000 and will solicit input from OTI's relevant departments. OTI's proposed EasyPark team is pictured in the organizational chart below. We propose the following key personnel as below:



System Concept

EasyPark is a comprehensive **easy-to-use** electronic parking payment system that provides the ultimate solution for drivers and municipalities. EasyPark enables drivers to have a convenient prepaid device without the need to look for coins or use paper, while simplifying the monitoring, collection and revenue distribution of parking fees, and provides a vast range of reports on usage and revenues for the municipality. EasyPark easily operates in conjunction with existing parking systems, providing a convenient alternate way to pay for parking. It can be used for payment in for both on-street / off-street parking and **requires minimal investment from the City of Dover to implement it in the field. The City of Dover will retain 100% of the parking revenue, set the rules & regulations, and enforcement procedures. There will be no transaction fees incurred by the City of Dover.**



EasyPark In Vehicle Parking Meter Device

The core of the EasyPark system lies in a durable, adaptable, contactless, multi-application smartcard device. The EasyPark is a In Vehicle Parking Meter device that is owned by the driver. **The driver will purchase the EasyPark device online** through the EasyPark USA website or at designated locations authorized by the City of Dover. The EasyPark device will be accepted as an additional form of payment at all of the 900 on-street metered spaces. In addition, the **EasyPark device has the capability to become a multi-jurisdictional parking solution** in its current form.

EasyPark for the City of Dover

The inclusion of EasyPark as an alternate pay option for parking requires minimal investment from the City of Dover, as fees for the EasyPark device and for loading it with prepaid parking funds will be charged directly to the device owner, i.e. the driver. Based on the data regarding the number of parking spaces, we anticipate a one-time enrollment fee which includes the EasyPark device of \$19.95, and an ongoing monthly membership subscription fee of \$2.45 to \$3.95.

Operating an EasyPark Device

To use the EasyPark device, drivers need only to turn it on and select the correct zone and sub-zone. The device is then displayed in a holder on the window inside the vehicle. The parking rate is decremented from the prepaid value stored on the device during the period of time actually parked. The device can be programmed to deduct funds in increments of minutes as designated by the City. When funds run low, the driver can replenish the funds by connecting the device through a USB

cable to a computer and accessing a secure website, or by going to designated locations where the driver can use both cash and credit cards to load funds to the device. The **EasyPark USA website accepts multiple electronic payment methods including credit and debit cards** for payment via a secure, PCI compliant gateway. In addition, the **EasyPark back office system is PCI compliant** as well (please note the certificate of PCI compliance in the Appendix).

Enforcement

With EasyPark, **enforcement is fast, simple, and efficient**. EasyPark's bright color and convenient location make it highly visible to parking enforcement officers. Therefore, enforcement can be done by the City of Dover through the existing parking attendants of the police departments without the need for additional equipment. The City of Dover enforcement personnel will be trained.



Reports

EasyPark provides detailed reports according to the City's requirement. Through secured online access, the City can receive reports as required. This way the City of Dover can have relevant information about parking activity, including detailed description of transactions, dollar amounts and date and time of transactions. Additionally, summary and statistics parking reports will be provided (average parking event cost, usage percentage in each zone and more).

The City of Dover will have complete control of all parking policies including rates, zones, time limits, disability, permits, commercial and event parking. The reporting data as well as the consumer data is protected with the highest level of security. Below you can find sample reports:

List of available reports: (additional reports will be made available upon request)

1. Device Reports
 - a. Device Refund
 - b. Device Status - Detailed
 - c. Device Status – Summary
2. Diagnostics Reports
 - a. Device Operation Errors
 - b. POS Diagnostic
3. Inspection Reports
 - a. Inspection
4. Parking Lot Reports
 - a. Parking Lot By Device
 - b. Parking Lot By Lot
5. Parking Reports
 - a. Parking History
 - b. Parking History By City
 - c. Parking History By Company
 - d. Parking History By Device
6. Reloading Report
 - a. Prepaid Balance by POS
 - b. Prepaid Balance Usage
 - c. Reloading
 - d. Reloading By CompanyReloading By DeviceReloading By Payment FormReloading By POS
7. Permit ReportsCity Active SubscriptionCity Active Subscription SumCity Subscription DetailsCity Subscription Summary

System Concept – Parking History Report

Sample Parking History: report displaying parking history by device serial number

Note: city names were intentionally omitted.

10-27-2011 02:35:06 PM

PARX EasyPark Global Report Center
Parking History
 From Date: 10-25-2011
 To Date: 10-25-2011

No	Device Number	Company	City	Zone	Start Time	End Time	Total Parking	Previous Balance	New Balance	Resumed
1	8040632			1	10-25-2011 05:29:19 AM	10-25-2011 05:31:19 AM	0.00	3.18	3.18	False
2	8044422			25	10-25-2011 06:45:52 AM	10-25-2011 05:31:52 PM	7.00	44.32	37.32	False
3	8036086			18	10-25-2011 06:54:00 AM	10-25-2011 11:00:00 AM	5.25	5.34	0.09	False
4	8020650			15	10-25-2011 06:59:00 AM	10-25-2011 02:27:00 PM	11.29	14.80	3.51	False
5	7013115			5	10-25-2011 07:05:00 AM	10-25-2011 03:18:00 PM	7.00	8.72	1.72	False
6	8020654			2	10-25-2011 07:32:00 AM	10-25-2011 08:15:00 AM	0.50	166.36	165.86	False
7	8034516			35	10-25-2011 07:43:00 AM	10-25-2011 11:00:00 AM	5.25	26.22	20.97	False
8	8033998			5	10-25-2011 07:50:00 AM	10-26-2011 11:59:59 PM	7.00	17.20	10.20	False
9	7015380			25	10-25-2011 07:58:00 AM	10-25-2011 04:05:00 PM	7.00	17.10	10.10	False
10	7026635			1	10-25-2011 08:00:00 AM	10-25-2011 08:56:00 AM	1.86	5.73	3.87	False
11	7017085			25	10-25-2011 08:00:00 AM	10-25-2011 06:00:00 PM	7.00	24.06	17.06	False
12	7025259			25	10-25-2011 08:00:00 AM	10-25-2011 06:00:00 PM	7.00	20.20	13.20	False
13	7024794			5	10-25-2011 08:00:00 AM	10-25-2011 06:00:00 PM	7.00	18.57	11.57	False
14	7012967			45	10-25-2011 08:00:00 AM	10-25-2011 04:51:00 PM	15.48	26.43	10.95	False
15	7013526			28	10-25-2011 08:00:00 AM	10-25-2011 11:11:00 AM	4.77	19.15	14.38	False

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System Concept - Reloading History Report

Sample Reloading History: report displaying the reloading transaction events by device serial number and POS location

10-27-2011 02:33:26 PM

PARX EasyPark Global Report Center
Reloading
 From Date: 10-25-2011
 To Date: 10-25-2011

No	Network Number	POS Number	Device Number	Payment form	Reload Amount	Previous Balance	New Balance	Reloading Date	Company
1	39	14	8040632	Credit/Debit card	47.74	3.18	50.92	10-25-2011 05:33:31 AM	
2	1	1	8018585	Cash	114.56	9.07	123.63	10-25-2011 06:36:34 AM	
3	39	14	8045287	Credit/Debit card	47.74	5.74	53.48	10-25-2011 07:43:08 AM	
4	33	66	7026169	Credit/Debit card	47.74	7.19	54.93	10-25-2011 07:54:08 AM	
5	383	30	8031131	Cash	19.10	1.19	20.29	10-25-2011 07:58:08 AM	
6	39	14	7012470	Credit/Debit card	95.47	0.90	96.37	10-25-2011 07:59:11 AM	
7	29	23	8018181	Credit/Debit card	47.74	0.33	48.07	10-25-2011 08:05:12 AM	
8	29	23	7026137	Credit/Debit card	95.47	3.49	98.96	10-25-2011 08:10:39 AM	
9	40	21	7018518	Cash	95.47	6.91	102.38	10-25-2011 08:19:26 AM	
10	33	66	7024959	Credit/Debit card	28.64	-2.13	26.51	10-25-2011 08:20:24 AM	
11	29	23	7016850	Credit/Debit card	19.10	3.20	22.30	10-25-2011 08:20:53 AM	
12	29	23	7013961	Credit/Debit card	28.64	1.42	30.06	10-25-2011 08:21:38 AM	
13	29	23	7013744	Cash	19.10	6.34	25.44	10-25-2011 08:24:54 AM	
14	39	14	8019160	Credit/Debit card	47.74	1.73	49.47	10-25-2011 08:27:41 AM	
15	43	18	8033074	Credit/Debit card	95.47	20.34	115.81	10-25-2011 08:47:05 AM	
16	436	15	8021257	Credit/Debit card	19.10	2.06	21.16	10-25-2011 08:47:36 AM	
17	29	23	8049045	Credit/Debit card	47.74	0.10	47.84	10-25-2011 08:48:20 AM	
18	44	24	8018963	Credit/Debit card	47.74	-2.49	45.25	10-25-2011 08:55:28 AM	
19	1617	37	8019604	Credit/Debit card	50.00	0.03	50.03	10-25-2011 08:58:09 AM	
20	40	21	7015636	Credit/Debit card	95.47	4.02	99.49	10-25-2011 08:58:24 AM	
21	44	24	8020221	Cash	19.10	2.34	21.44	10-25-2011 09:01:36 AM	

Page 1 from 9

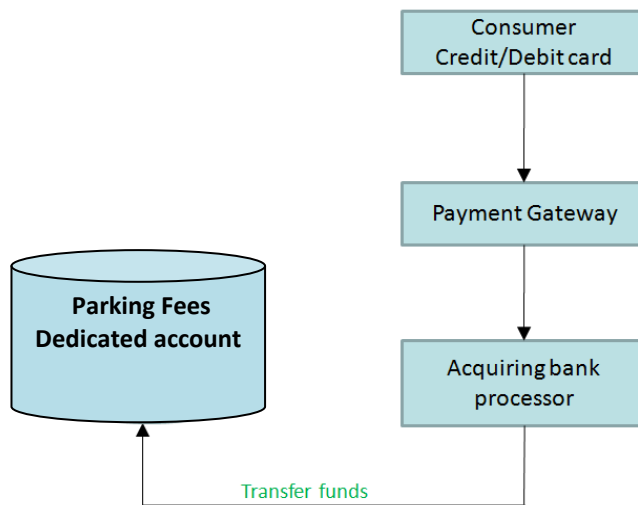
System Concept - Help Desk and Funds Transfer

Help Desk

OTI has years of experience in providing customer support through the EasyPark help desk. The same level of service will be provided to the City of Dover where a toll free number, 1-855-US-EASYPARK as well as an extensive FAQ section on the website will be created to allow easy trouble shooting.

Funds Transfer to the City of Dover

Parking Funds will be electronically cleared and deposited, through the acquiring bank processor company, into a designated account on a periodical basis. These funds can be transferred within seven days to one month as to be coordinated with the City. Our payment processor is Vantiv, Inc. in collaboration with IP Commerce, Inc. for PCI compliance. Should OTI America be awarded a contract we will furnish all relevant PCI compliance documents. Funds will be held by Bank of America in a designated account and allocation of payments to Dover will be issued (ACH) from this Bank of America account. OTI guarantees acceptance and remittance of all qualified transactions.



Funds Allocation for Multi-Jurisdictional Program

In case of multi Jurisdictional program, where multiple cities participate, all parking fees will be deposited to a single dedicated account and will be transferred on a monthly basis to the respective city according to actual consumer parking usage in each jurisdiction. Each Municipality will be able to view its own parking data activity via the reports provided by the EasyPark back office system.

Multi city regional capability is available today with one such region operating with more than 40 cities enrolled. When cities in the vicinity form a regional parking payment program, Dover will have the option to join at no additional cost.

System Concept – Marketing Plan

Marketing Plan

EasyPark will be seen as innovative and very progressive, offering the residents of the City and suburbs great benefits of convenience and ease of use that the EasyPark system delivers. The system deserves to be heralded as such, with recognition being given to the City of Dover for introducing such state-of-the-art technology. As such, all promotional and marketing efforts by EasyPark, and all associated messaging, will be by agreement with the City of Dover, and EasyPark will ensure that there is consistency in agreed messaging with the City.

A promotional and marketing campaign would be recommended to ensure significant levels of uptake of the new system. It is proposed that maximum effort would be made at the outset to secure the highest levels of penetration of the market. A well-planned launch campaign strategy incorporating strong promotional and marketing tactics is essential to the success of the project, particularly at launch.

At the first stage, EasyPark will try to reach professionals who live in the area and come frequently to the business district (lawyers, doctors, government workers etc.) as well as university employees and students who we believe will be open to the idea of a new innovative solution for parking.

A specific program will be tailored to the City of Dover once the program has been approved and may include some of the following elements:

- Designated website: the site will also promote the EasyPark program, while users can access a secure section of the web site to load funds and download usage reports.
- Public relations campaign to gain local media attention. Campaign will specify the benefits of the device to the driver while lauding the City for providing convenient payment options for parking.
- Social media campaign will involve a page on Facebook and Twitter to promote awareness to the alternate payment option in Dover. The campaign may include a raffle of EasyPark devices among those who sign up for the EasyPark pages

Below is a suggested marketing launch for EasyPark in the City of Dover:

Upon the award of the contract, a press release agreed with the City would be issued to the local daily and weekly newspapers, business, motor, and technology sections of those papers, and also to other relevant magazines, announcing the award of the contract and indicating the proposed date for launch.

A roadmap of communications would be agreed between the City and EasyPark, from the point of the award of contract through to the launch date when the system would 'go live' in the city. At the core of this roadmap of communications will be a heavyweight PR and promotional launch campaign around the designated introduction date for the system.

Working with the City, a high-profile launch strategy of media placement will be undertaken in the weeks leading to the launch date for EasyPark. Media to be targeted will include News, Environment, Motoring, Technology, Lifestyle, Business, and other relevant correspondents in both the print and broadcast media, both local and regional.

On the day of launch, it is intended that a Press Conference is held in the City of Dover, attended by media, dignitaries from Dover and other high profile individuals as appropriate. We anticipate that there will be a high degree of press interest (print and broadcast) around the launch, and that this will be an opportunity for Dover to demonstrate its commitment to innovating to improve the day-to-day lives of those parking in the city.

Additionally, post-launch, press releases would be offered to all relevant media, providing updates on the system and its success.

Technical Plan

Task	Time	Assigned to	Due Date
T0	Award is provided		
T1	Site Survey is conducted	T0 + 1 week	OTI
T2	Usage Scenario is built with information from Site Survey and Customer requirements & Meeting with parking garage operator	T1 + 2 weeks	Dover
T3	Rates, Limits, and Fund amounts are set up for EasyPark Dover website according to specifications in Usage Scenario; require customer input	T2 + 4 weeks	OTI & Dover
T4	Server and Back Office Configuration set up and tested according to requirements	T2 + 6 weeks	OTI
T5	Device production; (depending on level of customization)	T2 + 5 weeks	OTI & Dover
T6	Training for Dover employees on usage of Back Office software, reporting website, terminals and readers, and device usage	T4 + 6 weeks	OTI

Security

The EasyPark solution is PCI compliant.

Please see the Appendix for the EasyPark PCI Compliance certificate.

Cost Proposal to the City of Dover

Based on the current understanding of the scope of the RFP, the only cost to begin implementation is a onetime program set up and management fee of \$3,000.00, if an agreement is signed by December 31, 2012. After December 31, 2012 this setup fee will be \$5,000.00

This setup fee includes a site survey, parking rates structure configuration, software and back office setup, and up to one annual rate and configuration change. Payment processing costs are included in the fee structure. There are no transaction fees to the City of Dover.

Contract Period

OTI America and the EasyPark system request a five year contract period with a five year extension option.

Cost Proposal to the Consumer

The cost for the EasyPark device will be \$19.95 to the consumer and it will be purchased online. There is a service fee of \$1.00 per month, which includes annual battery replacement, access to parking activity reports, customer support, and warranty. Consumers can load funds up to \$50.00 via credit, debit or ACH transactions for \$2.95.

Damaged or broken EasyPark devices will be replaced for \$19.95 and funds on device, if data is retrievable, it will be added to a new device. If the device malfunctions, OTI will replace the device at no charge within the one year warranty period and as per warranty conditions. Stolen or lost devices will not be refunded and any funds on them will be treated as lost cash and no refund will be provided for the lost funds.

IVPM Rebate Exchange Program

In support of the City's efforts to improve service to its residents, OTI America offers a promotion for existing, if any, IVPM programs. OTI America will offer a rebate exchange program of \$5 off our \$19.95 EasyPark device for every, non EasyPark, IVPM device exchanged.

In the event of activating this rebate program, the City must acquire an equal amount of EasyPark devices to be exchanged with any existing IVPM units used at the City. The exchange program will be administered by the City directly.

Indemnification and Insurance

We, OTI America, agree to indemnify and hold harmless the City from and against any and all claims whatsoever arising out of, or occurring, during the deliverance of these services or occurring and occasioned directly or indirectly by OTI America's error or omission, negligence or fault. OTI America will provide evidence satisfactory to the City of adequate liability insurance coverage in this regard, naming the City as additional insured while OTI America is performing duties under contract with the City.

OTI America will submit a certificate for insurance in the amount of \$2,000,000 which will cover liability coverage and workers compensation participation.

Prior Experience

EasyPark in Israel – 2000 - Present

Since 2000, EasyPark Israel Ltd has been operating the EasyPark parking solution in Israel. As the operator, EasyPark Israel is responsible for promoting the solution with local authorities and adding new cities to adapt it, setting up sales networks and distribution channels, selling and marketing the devices to consumers, setting up reloading stations at merchants locations and providing them training and guidance services, clearing proceeds between different cities, providing customer service in the form of a helpdesk, and managing a local web site.

Today EasyPark is operating nationwide in more than **30 municipalities and 100 parking zones** in Israel, and it **services more than 700,000 subscribers**.

About 70% of the on-street parking payment in Israel is done using EasyPark, replacing legacy municipal parking punch cards which drivers had to buy in advance in designated stores. EasyPark Israel is operating a network of **over 300 loading locations** including post offices, city halls and convenience stores. In order to respond to new market requirements as the project matured, new features such as continuous parking and daily marketing material from Israel parking were added to the system.

The management of the program suggested for the City of Dover is actively involved in the EasyPark Israel program.



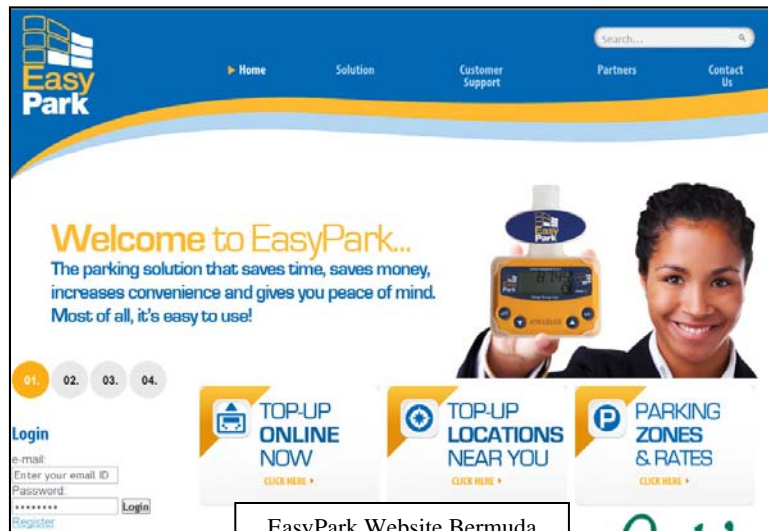
EasyPark Website Israel

EasyPark in Bermuda – 2009 - Present

The small group of islands in the North Atlantic Ocean was using paper based parking booklets for on- street parking. With cumbersome cash collection process and high operating expenses, Bermuda was looking for a better solution for parking payment. In 2009, Agility Ltd, a local company, became an EasyPark franchisee in the Caribbean Islands.

EasyPark in Bermuda implemented an aggressive marketing campaign which included a launch press conference with the Mayor of the capital city of Hamilton, TV and radio commercials, newspaper ads, website, social marketing strategies and more.

Within six months, EasyPark in Bermuda reached a 25% penetration rate and has more than 30 loading stations across the island situated in convenience stores, gas stations and at Hamilton airport. EasyPark Bermuda won a prestigious local award for new technology in 2010.



EasyPark Website Bermuda

EasyPark in Italy – 2009 - Present

EasyPark has been introduced in Italy through a local operator, Neos Tech S.r.l. In this project, OTI is responsible for marketing electronic parking solutions in international markets, and Neos Tech responsible for the marketing, sales, help desk, customer support, installation and all local services in Italy.

After a successful marketing and media campaign which included radio, newspapers and consumer website (www.neos-park.it) to promote Neos Park (the Italian name for EasyPark), the program has reached 17 municipalities in the country. The mayor of Alessandria, one of the first municipalities to come on board said that: “We believe that the initiative is a practical way to provide citizens with a useful tool to avoid any daily hassles linked to searching for parking meters and change. Using the parking device allows drivers to pay only for the exact time parked without risking fines.”



EasyPark Website Italy

Appendixes

Appendix A Financial Reports

The financial reports attached include both OTI America, Inc. and On Track Innovations Ltd. reports. On Track Innovations Ltd.(OTI) is the parent of OTI America, Inc.

1. OTI America, Inc. Balance Sheet
2. OTI America, Inc. Statements of Income
3. OTI December 31, 2011 Audited Financial Reports

Appendix B - Key Personnel Professional Experience

- Ohad Bashan
- John Rego
- Allan Berkovitz
- Yenis Torres
- Shahar Friedman

Ohad Bashan

Overall Project Manager

PROFESSIONAL EXPERIENCE

Mr. Bashan joined On Track Innovations Ltd. (OTI) in 1996 after completing 5 years as an officer in the Israeli Air Force. In 1998 Mr. Bashan founded OTI America Inc., as a wholly owned subsidiary of On Track Innovations, Ltd. (OTI), a global leader in contactless based smart card technology. Mr. Bashan has managed a number of the Company's projects. Apart of his duties as project manager Mr. Bashan was responsible for maintaining the project schedule; overseeing project cost control and cost projections. Mr. Bashan is knowledgeable in the use of the project management tools for activity assignment, resource planning, and cost control. Mr. Bashan has ensured smooth coordination, problem resolution and customer satisfaction. Mr. Bashan managed some of OTI's most demanding and successful programs such as the MasterCard PayPass program, the VeriPass payment program, General Motors payment program and different campus and ID programs. Mr. Bashan has more than 10 years of experience with managing resources, schedule and complex IT programs. Mr. Bashan has managed people with different job categories and skills, and has significant experience in managing full development, certification and product cycle, from Pilot stages to full production.

RELATED EXPERIENCE

2009 – 2011 Several National ID program

- Managed a group of 50 engineers involved in the program
- Oversaw product definition, design, and production
- Managed all project scheduling, invoicing and resources allocation.

2003-2004 MasterCard PayPass Program Rollout

- Managed a group of 25 engineers who were involved in this program.
- Oversaw integration of inlay with multiple secured card providers. Preparing for the production of millions of units. Including upgrading of production line and full testing and QC tools integration.
- Responsible for establishing reader interface with different point-of-sale providers. Complete product certification and integration with processors, terminal providers and payment networks in the US.
- Managed the company's infrastructure upgrade to support mass deployment including improvements in QA and QC procedures.
- Oversaw product definition, design, and production for both Card and Reader elements
- Managed development and certification cycle in accordance with MasterCard's CQM (Card Quality Management) and TQM (Terminal Quality Management).
- Managed day-to-day relationship with the customer.
- Managed all project scheduling, invoicing and resources allocation.
- Responsible for contract negotiations, subcontractor relationship
- Bring products application certification in less then 3 month to exceed customer delivery expectation.

2002 - 2003 MasterCard PayPass Pilot Program

- Managed a group of 15 engineers.
- Responsible for establishing installation and support team, to install and support a Pilot program with MC for 6 month in Orlando, FL.
- Oversaw product definition, design, and production for both Card and Reader elements
- Managed day-to-day relationship with the customer.
- Managed all project scheduling, invoicing and resources allocation.
- Met and Exceeded customer and project delivery schedule with meeting all provided deadlines.

2001-2002 General Motors Shortcut Product

- Oversaw a group of 20 engineers and was responsible for a timely delivery of a new payment product General Motors intended to launch.
- Responsible for new key fob payment device, including all development cycle. From Preliminary Design Review to final product release.
- Managed a group of engineers to develop a new product according to GM specification for vehicles. Managed prototype cycle, certifications process
- Managed program schedule

- Managed day-to-day relationship with the customer, project scheduling, invoicing, and resources allocation.
- Responsible for contract negotiations, customer relationship, subcontractors
- Managing standards and product UL certification. UL certification completed in 45 days, half of the standard time for such process.
- Managed integration with third party equipment providers

1998-2002 VeriFone VeriPass – Contactless Payment and Loyalty Program

- Oversaw a group of 10 engineers and was responsible for a timely delivery of a new payment product VeriFone intended to launch.
- Responsible for new key fob payment device, including all development cycle. From Preliminary Design Review to final product release.
- Managed day-to-day relationship with the customer, project scheduling, invoicing and resources allocation.
- Responsible for contract negotiations, customer relationship
- Managing standards and product UL certification.

1997-1998 Campus Program

- Managed 6 professionals and multiple subcontractors in a multi-application contactless smart card in a closed community environment. Some of the applications include e-purse, time and attendance, fleet management, vending machine payment, gate access and more.
- Managed day-to-day relationship with the customer.
- Managed all project scheduling, invoicing and resources allocation.

1997-1998 Senior Home Campus Program

- Managed 6 professionals and multiple subcontractors in a multi-application contactless smart card in a closed community environment
- Overseeing project schedule, integration of a multi-application contactless smart card program with existing suppliers.
- Managed day-to-day relationship with the customer, all project scheduling, invoicing and resources allocation.

MILITARY SERVICE

1991 – 1994 Lieutenant – Air Traffic Control Officer, Israeli Air Force

- Managed secured IT projects involving constant procedures update under the highest quality assurance standards
- Commanded a group of 20 soldiers in around-the-clock shifts

1989 – 1991 Pilot Training, Israeli Air Force

- Rigorous physical, academic and mental training

EDUCATION

Pepperdine University, California

Master's Degree in Business Administration, 1999- June 2001

College of Business Management – Tel Aviv, Israel

B.A in Business Administration, 1993 - July 1996

Wingate Institute - Swimming Coach Diploma 1993-1995

John Rego

Director of Sales – Emerging Markets & Technologies - EasyPark

PROFESSIONAL EXPERIENCE

Having worked for OTI America, Inc. (OTI) since 2005, Mr. Rego has filled a number of positions for EasyPark ranging from Director of Sales, Business Development, and Marketing Manger. Under his supervision, the company gained control over the majority of the on street parking in the Bermuda market. Mr. Rego has vast experience in marketing and sales, including over 20 years of experience in the smart card contactless based payment systems. Mr. Rego has continuously reached every goal OTI has set for him.

RELATED EXPERIENCE

2005 – Present Director of Sales –Emerging Markets & Technologies – OTI America, Inc.

- Developed marketing & sales effort for Easy Park
- Manage relationships with card associations (MC, VISA, DIS, AMEX).
- Manage relationships with issuing banks for contactless payment products.
- Develop and manage ongoing relationship with card manufacturers.
- Manage ID solutions for Health authentication and payment
- Work with OTI development team for new applications/solutions.
- Developed & grew vending, transit and parking markets in USA.
- Developed marketing strategy for payment sticker, key fob and other forms.

2000 – 2005 Vice President Sales & Business Development (Partner), USIS America, Inc.

- Began start-up firm providing secure online identity, web-based solutions, data storage/mining based on smart card authentication for health market.
- Established customer base in Health, Financial and Corporate markets.
- Developed and implemented a market presence in United States/Canada.
- Recruited and managed integrators, resellers, distributors and consultants.
- Secured early stage angel investors

1996 – 2000 Business Segment Sales Manager North America – Gov't, Health & Financial Smart Cards, Schlumberger

- Developed business relationships with industry leading integrators, value added resellers, distributors, financial partners and consultants.
- Launched new market segment in health, increased revenue by 200%.
- Closed the largest smart card program in Federal Government/EBT/DoD.
- Negotiated alliances/consortiums with multiple partners to deliver solutions.
- Negotiated two GSA government contracts.
- NJ Smart Card Drivers License project

1992 – 1996 Regional Sales Manager Mid Atlantic - Campus Market, Danyl Corp

- Closed deals for multi-application university smart card programs.
- Implemented market for Corporate Campuses, new revenue source.
- Initiated government business segment, won government contract.
- Promoted to Smart Card division.

EDUCATION

Montclair State University, NJ

Pace University, NY

Allan Berkovitz

Director of Technical Support

PROFESSIONAL EXPERIENCE

Mr. Berkovitz joined OTI America, Inc. (OTI) in 2008. Prior to joining OTI, Mr. Berkovitz fulfilled technical support roles for a Medical Imaging facility, Real Estate Agencies, and a Graphic Design Firm. Mr. Berkovitz has supported a number of the Company's projects. Apart of his duties as technical support manager, Mr. Berkovitz was responsible for product and customer support, product integration, and customer training. Mr. Berkovitz is knowledgeable in the area of Information Technology and Technical Support for customers and company staff alike. Mr. Berkovitz has ensured non-interrupted workflow, problem resolution, ease of technological transitioning for customers, and customer satisfaction. Mr. Berkovitz oversees support for several of OTI's programs including EasyPark Bermuda and EasyFuel throughout North America. Mr. Berkovitz has more than 10 years of experience with managing an IT department and providing customer technical support. Mr. Berkovitz has demonstrated skills in the areas of application engineering, sales engineering, hardware and software integration, and has significant experience in providing foresight and troubleshooting techniques to ensure successful projects.

RELATED EXPERIENCE

2011 – Present: EasyPark UC Davis

- Project Manager
- Provide training for UC Davis Staff,
- Acting as operator for the EasyPark devices being used at UC Davis
- Provide troubleshooting and problem resolution for any issues that may arise.
- Installed and configured terminals and contactless readers.
- Built parking rules configuration via back office software.
- Configuration of permissions on back end for users at all levels from Administrator to end user cashiers.
- Manage issue tracking for support tickets.
- Testing and support for future upgrades and versions.

2009 – Present: EasyPark Bermuda

- Provide training for Agility, LTD, the parking operator for Bermuda, on back office software and end user support
- Provide server side support for Agility.
- Provide troubleshooting and problem resolution for any issues that may arise.
- Installed and configured terminals and contactless readers.
- Built parking rules configuration via back office software.
- Configuration of permissions on back end for users at all levels from Administrator to end user cashiers.
- Manage issue tracking for support tickets.
- Testing and support for future upgrades and versions.

2009 – Present: EasyPark Sales Engineering Support

- Responsible for establishing demonstration architecture for shows, conferences and conventions as well as personal demonstrations.
- Giving speeches and leading tutorials on EasyPark use.
- Providing technical explanations and summaries to prospective clients for sales team.
- Providing configured demonstration devices for sales staff.
- Managing a fully functional EasyPark server and its back office software components.
- Configuring and building scenarios for prospective clients to understand the EasyPark process.
- Assisting in RFP and SOW stages of projects with technical writing.

EDUCATION

Colorado Technical University

Matriculated in Bachelor's Degree Program in Software Systems Engineering, 2010 – 2013

IT Certifications – A+, Network+, MCSE, MCITP, MCTS: Exchange

Yenis Torres

Controller and Administrative Manager

PROFESSIONAL EXPERIENCE

2008 – Present Controller and Quality Assurance Manager, OTI America, Inc.

- Administration of Accounts Payable, employee monthly expense report, processing of all invoicing, and preparation of check runs.
- Administration of Accounts Receivables, including collections.
- Processing the monthly payroll and quarterly commissions, prepare the monthly payroll journal entries, resolve all payroll related issues.
- Fixed Assets and Depreciation.
- Preparation of the annual budget and the monthly analysis of actual expenses as they compare to budget.
- Processing and maintenance of all journal entries. Preparation of monthly quarterly reporting package, Balance Sheet, P & L.
- Support benefits process for all employees. This would be inclusive of adding/removing members from the medical, dental and 401k plans.
- Establish and maintain manual and computer files of information for reference and documentation purposes.
- Perform a variety of clerical duties as required to facilitate workflow in the unit, such as: sorting mail, checks and forms, typing routine correspondence; filing documents; and ordering office supplies.

2008 Bookkeeper/Office Manager, Information Strategies Group

- Manage and execute billing of all clients; management and submission of clients Purchase Orders, remittance advice, EFT, and check payments.
- Prepare, reconcile and issue checks to vendors.
- Ensure all office policies are followed by all staff members. This would include time off reporting, time card reporting, payroll functions, and supporting new hire training.

2004 – 2008 Full Charge Bookkeeper/Office Manager, Hudson Supply of Newark, LLC

- Daily posting to the specialized journals: Cash Receipt Journal, Sales Journal, Disbursement Journal, and Purchase Journal.
- Balance receipts to cash on hand; prepare bank deposit.
- Process new credit applicants, maintain customer's files enforce credit limits and terms- Collection and billing of customers- handle all customers' inquiries.
- Auditing and paying vendor invoices, handle all vendors inquiries.
- Assist Controller in month end reports and bank reconciliation.
- Weekly payroll of employees, maintain personnel files, monitor vacation time and sick days.

EDUCATION

Kean University, Union, NJ.

Bachelor of Science in Accounting – 1999 - 2003

Computer Skills

Oracle, QuickBooks, Quicken, Yardmaster, MS Word, Excel, Outlook, PowerPoint, and Acrobat.

Shahar Friedman

Product Manager

PROFESSIONAL EXPERIENCE

2008 – Present Product Manager, EasyPark, OTI America, Inc.

- Inbound product manager; responsible for product roadmap and life cycle management.
- Product combined of web based software and hardware devices.
- Articulated and prioritized customer and internal business stakeholder requirements in MRDs, PRDs, and functional specifications
- Initiated successful introduction of the solution in global markets in Europe and USA.
- Lead cross-functional teams (R&D, verification, IT, production, professional services) throughout all product management phases
- Performed competitors analysis and market research to identify target countries for business development efforts
- Provided content for sales and marketing collateral including brochures, presentations, business and ROI models, and web site
- Technologies used: ASP.NET , SQL Server, java , Ajax , XML , Soap , web services

2006 – 2007 Director of Implementation, OTI America, Inc.

- Responsible for professional services activity in the US market.
- Managed 3 sales support engineers.
- Managed multiple projects including the successful New York City Subway PayPass trial
- Supervised the implementation of nation-wide rollouts of micro payments solutions at various locations including gas stations, quick-service restaurants, and sporting arenas.
- Managed business relationships of major strategic accounts such as MasterCard, Visa, Citibank, Bank of America, BART, Husky Energy, First Data and more.
- Served as primary point of contact of the payments division solutions and products.
- Product offering included contactless credit cards, smart stickers, NFC products, Point of sale terminals and banking payment forms personalization software.
- Initiated, coordinated and prioritized inbound product development tasks for the US market.
- Defined project's scope and proposals (SOW) including business and technical aspects.
- Technologies used: C# , .NET , SQL Server, Encryption & Decryption , NFC , Contactless ISO 14443

2005 – 2006 Technical Support Manager, OTI America, Inc.

- Responsible for pre sale and post sale activities in the US market.
- Participated in professional conferences and sales meetings.
- Wrote technical support documentation including manuals for NFC and ISO 14443 contactless technology solutions, troubleshooting and specifications.
- Developed and maintained RF readers drivers for POS terminals
- Technologies used: C# , .NET , NFC , Contactless ISO 14443, USB , RS232

2003 – 2005 Software Engineer, TARO

- Developed database management applications for cross functional departments within the enterprise.
- Created an expenditure system which substantially reduced misdirected payments and improved cash flow for the entire division.
- Developed (in .Net) an active-x control for systems validation and audit trail retention. Ensured computer system compliance with FDA regulations (21 CFR part 11)
- Managed the implementation of the MS-Project Enterprise system from initial installation to live global rollout.
- Created a human resources application for the IT and R&D departments. The system was used to record employee's hours against project activities. Designed summary reports for senior management based on this DB.
- Technologies used: C# , SQL , MS project enterprise

EDUCATION

Baruch College, New York, NY

MBA, Major in finance and marketing – 2005 – 2007

College of Tel Aviv – Yaffo, Tel Aviv, Israel

Bachelor of Arts in Computer Science, 2001 - 2003

MILITARY SERVICE

Lieutenant, Armored Brigade, 1995 – 1999

LANGUAGES

Hebrew and English - first language level

Appendix C EasyPark PCI Compliance Certificate

EasyPark achieved an overall compliance to the PCI-DSS SAQ D version 1.2.1
Based upon information provided by the client / customer regarding its policies,
procedures, and technical systems that store, process and / or transmit card holder data:

Certificate

Is Hereby Awarded To

איזון פארק
חוגים חכמים, חוגים אינדיאנאים
חוגים חכמים, חוגים אינדיאנאים
ON TRACK INNOVATIONS LTD
SCIENCE – NON FICTION

EasyPark LTD (On Track Innovations LTD)

- I This certificate offers no guarantees or warranty to any third party that the company is invulnerable to security attacks, breaches or any other technology weakness. Accordingly, NSAP IT-consider IT done™ accepts no liability of any third party in the event of loss or damage of any description caused by any failure in or breach of customers security.
- II The certificate is valid for a one year period from date of issue.
- III NSAP IT-consider IT done™ has issued this certificate to indicate that the aforementioned has been assessed against the objectives of the PCI-DSS programs and were found to be compliant to PCI-DSS on the date of issue.
- IV This certificate is issued in conjunction with a ROC (Report On Complaint), ROV (Report On Validation) or SAQ (Self Assessment Questionnaire) and is only valid as long as the terms and conditions stipulated by the PCI-DSS and in the report upheld.

March, 10, 2011 Ronnie Gilboa Benjamin Baruch
DATE CUSTOMER SIGNATURE QSA SIGNATURE

NSAP
NSAP IT - Information Security Consulting, www.QSA.company.com
Consider IT done

PCI
Security Standard Council
QUALIFIED ASSessor

Appendix D - Certificate of Liability Insurance

Exhibit C
Scope of Work (“SOW”)

This document defines the roles and responsibilities of the Parties and supplements the Contract signed between the City/ Municipality* of Dover, NH (the “City”) and OTI America Inc. (the “Contractor”).

1. General Scope of Work

- 1.1. The City wishes to introduce and integrate on an exclusive basis the Contractor’s EasyPark System as its on-street or off-street modern and flexible Parking System for central and/or other areas with significant amounts of commercial activity and/or where the supply of parking spaces cannot satisfy the demand. According to a preliminary study the number of estimated controlled parking spaces is 900.
- 1.2. The Contractor shall provide all deliverables and services described herein and in its Offer in accordance with the terms and conditions set forth herein.

2. EasyPark System Concept.

- 2.1. EasyPark is a comprehensive easy-to-use electronic parking payment system that provides a parking solution for drivers and municipalities. EasyPark enables drivers to have a convenient in-vehicle prepaid electronic device, while simplifying the monitoring, collection and revenue distribution of parking fees, and provides a vast range of reports on usage and revenues for the municipality. EasyPark can easily operate in conjunction with existing parking systems, providing a convenient alternate way to pay for parking. It can be used for payment in both on-street and off-street parking and requires no major investment from the City to implement it in the field. The City is intended to retain 100% of the parking revenue, without any transactions fees imposed on the city, which shall set the rules, regulations and enforcement procedures.

A. **EasyPark In Vehicle Personal Parking Meter Device** - The core of the EasyPark system lies in a durable, adaptable, contactless, multi-application smartcard device. The EasyPark is a Personal Parking Meter in-vehicle device that can be owned or leased by the driver. The driver will purchase the EasyPark device online through the Contractor’s designated website dedicated to the City or it may be purchased at designated merchants in the city. The EasyPark device will be accepted as the form of payment at all of the City’s on-street or off-street spaces along with the City-owned parking garages.

B. **EasyPark for the City.** The inclusion of EasyPark as the payment system for paying parking fees to the City requires no major investment from the City, as fees for the EasyPark device and for loading it with prepaid parking funds will be charged directly to the device owner - the driver.

- (1) Contractor’s initial pricing for the EasyPark device shall be \$19.95 (which includes \$10.00 of parking, preloaded), plus purchasers will pay to Contractor a monthly Membership Fee (“Membership Fee”) of \$1.00 per month and a Loading Fee (“Loading Fee”) for each reloading of parking funds. For amounts up to \$50 a Loading Fee of 2.95; for \$75 a Loading Fee of \$3.45 and for \$100 a Loading Fee of \$3.95. The Contractor may select to provide volume discount at its sole discretion. Loading Fees may be impacted by financial transaction fees charged to OTI America by Visa, MasterCard and other financial banking associations which may result in future adjustments of the Reload Fees over the term of the contract.

The foregoing OTI fees, Membership Fee and Loading Fee, may be readjusted by the Contractor annually after the start of the implementation of the system and every year thenceforth, each not to exceed 10% per year.

- (2) The Contractor will provide a USB cable and a User Manual in every EasyPark package. Zones information, with the details of the zones codes and the parking fees of each zone, which as shall be established by the City, may be provided in a sticker form to be attached to the back of the device. All zones and rates information will be available online at the EasyParkUSA website at the City’s designated page.

- (3) In the event the device malfunctions, the unit has a one-year manufacturer's warranty. If damaged, lost, or stolen, customer must purchase a replacement at the original unit price. Damaged devices can be returned to the Contractor and Contractor will transfer the remaining amount of parking time at no charge, as long as the amount is retrievable from the device.
- (4) If customer reports the device serial number of a stolen or lost to the Contractor, the device will be canceled and additional reloading will be blocked.
- (5) The EasyPark system is PCI compliant.
- (6) The EasyPark device may be utilized at City overflow parking locations.
- (7) Prior to implementation, Contractor will provide training onsite for meter reading and a "train-the-trainer" one-day training session on Back Office software for the City's Finance Department.
- (8) Contractor will maintain the EasyPark system through the term of the contract, including at the City garages and lots, if applicable. Where applicable, the Contractor will maintain backup devices (such as EasyPark readers) to enable the garage operators to replace any Contractor's faulty hardware device, which needs to be returned to Contractor for repair. The City will be responsible for current garage operator to service the EasyPark system and installing it. The Contractor will be solely responsible for the EasyPark system components to be installed at the City's garage systems. The City will be responsible for any costs associated with the installation and integration of the EasyPark system with the City's owned garages including but not limited to cutting into infrastructures or the opening of third party equipment or third party software.

- C. **Operating an EasyPark Device.** To use the EasyPark device, drivers need only to turn it on and select the correct City, zone and sub-zone (if applicable). The device is then displayed in a holder on the window inside the vehicle. The parking fees are deducted incrementally from the prepaid value stored on the device during the period of time actually parked. The device can be programmed to deduct funds in pre-determined intervals, as required by the City. When funds run low, the driver can replenish the funds by connecting the device through a USB cable to their computer and accessing a secure website, or if available by going to designated locations where the driver can use both cash and credit cards to load funds to the device.

The user shall place the EasyPark device in their vehicle as designated by the City, either on the side front windows or dashboard near the windshield at a clearly visible spot, which will allow City's officials to check the legality and operation of the device, and the time still remaining. The EasyPark device has an automatic option which will deactivate it within a predetermined number of hours after the time it was turned on, in case the user has forgotten to turn it off.

- D. **Easy Enforcement by the City.** With EasyPark enforcement becomes fast, simple, easy and measurable. EasyPark's bright color and convenient location make it highly visible to parking enforcement officers. Therefore, enforcement can be done easily by the City through the existing parking attendants of police department without the need for special additional equipment or personnel training.

E. **IVPM (In Vehicle Parking Meter) Rebate Exchange Program.**

In support of the City's efforts to improve service to its residents, OTI offers a promotion for existing, if any, IVPM programs. OTI will offer a rebate exchange program of \$5 off our \$19.95 EasyPark device for every, non EasyPark, IVPM device exchanged. In the event of activating this rebate program, the City must acquire an equal amount of EasyPark devices to be exchanged with any existing IVPM units used at the City. The exchange program will be administered by the City directly.

3. Reports.

EasyPark may provide detailed reports according to the City's requirement. Through secured online access, the City can receive reports as shall be priority established. This way the City can have relevant information about parking activity, including detailed description of transactions, dollar amounts and date and time of transactions. Additionally, summary and statistics parking reports may be provided (average parking event cost, usage percentage in each zone and more). The City will also have access all device management reports, point of sale management reports (*if applicable*) and activity reports via a mirror server, all easily accessible through the internet. The City will have complete control and responsibility of all parking policies and their enforcement, including rates, zones, time limits, handicap, permits, commercial and event parking. The reporting data as well as the consumer data is protected with the highest level of security.

Herein below are just some sample reports (the final customized reports shall be established by the parties prior to implementation of the Project as set forth hereunder):

A. List of available reports: (*additional reports will be made available upon request*)

- (1) ***Device Distribution Reports***
- (2) ***Device Reports***
 - a. Device Refund
 - b. Device Status - Detailed
 - c. Device Status – Summary
- (3) ***Diagnostics Reports***
 - a. Device Operation Errors
 - b. POS Diagnostic
- (4) ***Inspection Reports***
- (5) ***Parking Lot Reports***
 - a. Parking Lot by Device
 - b. Parking Lot by Lot
- (6) ***Parking Reports***
 - a. Parking History
 - b. Parking History by City
 - c. Parking History by Company
 - d. Parking History by Device

(7) **Reloading Report**

- a. Prepaid Balance by POS
- b. Prepaid Balance Usage
- c. Reloading
- d. Reloading By Company
- e. Reloading By Device
- f. Reloading By Payment Form
- g. Reloading By POS

(8) **Subscription Reports**

- a. City Active Subscription
- b. City Active SumCity
- c. SumCity Subscription Details
- d. City Subscription Summary

B. Sample Parking History: Report displaying parking history by device serial number

07-02-2012 01:12:48 PM



EasyPark Global Report Center
Parking History

No	Device Number	City	Zone	Start Time	End Time	Total Parking (USD)	Previous Balance (USD)	New Balance (USD)	Resumed	Company
1	8040800	Bayonne - 6	1	04-07-2011 09:25	04-07-2011 12:25	3.00	77.00	74.00	False	
2	8040660	East Orange - 15	1	04-07-2011 10:42	04-07-2011 01:42	4.50	60.00	55.50	False	
3	8040166	Weehawken - 69	2	04-07-2011 10:50	04-08-2011 11:59	25.00	60.00	35.00	False	
4	8040182	Englewood - 21	2	04-07-2011 10:54	04-08-2011 11:59	10.00	50.00	40.00	False	
5	8040195	East Orange - 15	1	04-07-2011 11:02	04-07-2011 01:40	3.92	50.00	46.08	False	
6	8040019	Fort Lee - 24	1	04-07-2011 11:06	04-07-2011 01:06	6.00	50.00	44.00	False	
7	8038613	Newark - 42	2	04-07-2011 11:09	04-08-2011 11:59	35.00	100.00	65.00	False	
8	8040029	Jersey City - 30	7	04-07-2011 01:15	04-07-2011 02:32	0.63	100.00	99.37	False	
9	8038613	Metuchen - 33	1	04-07-2011 01:16	04-07-2011 02:32	1.27	65.00	63.73	False	
10	8040182	East Orange - 15	1	04-07-2011 01:16	04-07-2011 02:32	1.87	40.00	38.13	False	
11	8040019	Nutley - 48	1	04-07-2011 01:21	04-07-2011 02:32	1.17	94.00	92.83	False	
12	8040800	Fort Lee - 24	1	04-07-2011 01:25	04-07-2011 02:32	3.30	84.00	80.70	False	
13	8040386	Hackensack - 27	1	04-07-2011 01:30	04-07-2011 02:32	5.00	100.00	95.00	False	
14	8040371	Englewood - 21	1	04-07-2011 01:35	04-07-2011 02:32	2.85	100.00	97.15	False	
15	8040195	Elizabeth - 18	1	04-07-2011 01:40	04-07-2011 02:32	2.17	46.08	43.91	False	
16	8040800	Bayonne - 6	1	04-07-2011 03:36	04-07-2011 04:03	2.00	50.00	48.00	False	
17	8040371	Hackensack - 27	1	04-07-2011 03:53	04-07-2011 04:30	5.00	97.15	92.15	False	
18	8040019	North Bergen - 45	1	04-07-2011 03:54	04-07-2011 04:30	1.17	92.83	91.66	False	
19	8040386	New Brunswick - 39	1	04-07-2011 03:54	04-07-2011 04:30	0.90	95.00	94.10	False	

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C. **Sample Reloading History:** report displaying the reloading transaction events by device serial number and POS location

07-02-2012 01:18:14 PM

No	Network	POS	Device Number	Payment Form	Transaction Reference Number	Reload Amount (USD)	Previous Balance (USD)	New Balance (USD)	Reloading Date	Company	Session
1	OTI America-3	3	8040300	Cash	6	10.00	67.00	77.00	04-07-2011 09:23:06 AM		37
2	HOMELoADING - 1	1	8040550	Cash	7	50.00	0.00	50.00	04-07-2011 10:25:31 AM		43
3	HOMELoADING - 1	1	8014680	Cash	1	10.00	10.00	20.00	04-07-2011 10:32:36 AM		1
4	HOMELoADING - 1	1	8040550	Cash	8	10.00	50.00	60.00	04-07-2011 10:34:04 AM		55
5	OTI America-3	3	8040195	Cash	9	50.00	0.00	50.00	04-07-2011 10:44:39 AM		79
6	HOMELoADING - 1	1	8040195	Cash	10	10.00	50.00	60.00	04-07-2011 10:49:41 AM		85
7	HOMELoADING - 1	1	8040192	Cash	11	50.00	0.00	50.00	04-07-2011 10:53:32 AM		90
8	HOMELoADING - 1	1	8040195	Cash	12	50.00	0.00	50.00	04-07-2011 11:02:18 AM		101
9	HOMELoADING - 1	1	8040219	Cash	13	50.00	0.00	50.00	04-07-2011 11:06:26 AM		115
10	HOMELoADING - 1	1	8039613	Cash	14	100.00	0.00	100.00	04-07-2011 11:09:20 AM		123
11	OTI America-3	3	8014680	Cash	2	10.00	20.00	30.00	04-07-2011 11:24:01 AM		9
12	HOMELoADING - 1	1	8040229	Cash	15	100.00	0.00	100.00	04-07-2011 01:14:53 PM		131
13	OTI America-3	3	8040219	Cash	16	50.00	44.00	94.00	04-07-2011 01:21:13 PM		139
14	OTI America-3	3	8040300	Cash	17	10.00	74.00	84.00	04-07-2011 01:25:22 PM		150
15	OTI America-3	3	8040396	Cash	18	100.00	0.00	100.00	04-07-2011 01:26:42 PM		161
16	OTI America-3	3	8040271	Cash	19	100.00	0.00	100.00	04-07-2011 01:34:50 PM		165
17	HOMELoADING - 1	1	8040300	Cash	3	50.00	0.00	50.00	04-07-2011 03:35:41 PM		17
18	OTI America-3	3	8040300	Cash	4	10.00	40.00	50.00	04-07-2011 04:04:37 PM		25
19	OTI America-3	3	8040300	CreditCard	5	10.00	50.00	60.00	04-07-2011 04:06:46 PM		31
20	HOMELoADING - 1	1	8036416	Cash	27	100.00	0.00	100.00	04-08-2011 06:43:52 AM		216

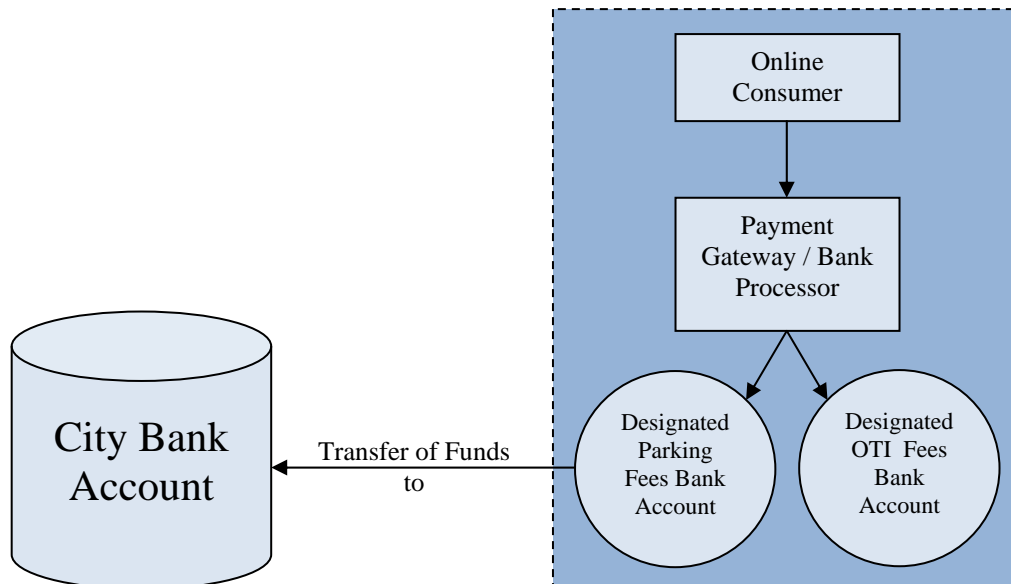
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4. **Help**

Desk.

The Contractor, OTI America Inc. and its affiliates shall provide customer support through a help desk dedicated toll free number 1-855-US EASYPARK. As well, an extensive FAQ section on the Contractor’s website will be created to allow easy trouble shooting.

5. **Funds Transfer to the City.** Contractor shall ensure Parking Funds are electronically deposited through Automated Clearing House (“ACH”) into the City’s dedicated bank account within an agreed upon period, (“Transfer Period”), either weekly or monthly, which will include all Parking funds uploaded to the device. Each Transfer Period the Contractor shall provide a report of the wire transfer to the City’s bank account. The City may verify independently the loading amounts through online access to the EasyPark system. Contractor guarantees acceptance and remittance of all qualified transactions.



6. Funds Allocation for Multi-Jurisdictional Parking Program

In case of City participating in a multi-Jurisdictional EasyPark program, where multiple cities participate in, all related parking fees bought with the EasyPark system will be deposited to a single dedicated account and will be transferred on a monthly basis to the respective cities according to consumer parking usage in each jurisdiction based on information downloaded from the EasyPark devices. Each Municipality will be able to view its own parking data activity via the reports provided by the EasyPark back office system.

7. Roles and Responsibilities of the City

The City shall have the following roles and responsibilities relating the Project:

- 7.1 Install and maintain the infrastructure for the proper operation of the Parking System, including without limitation, design and placement of main and supplementary parking signs, road surface markings and in general all that is required.
- 7.2 Assistance to the Contractor for informing the public and promoting the EasyPark system for its proper integration;
- 7.3 Enforce the payment of parking fees and enact promptly all and any relevant regulations and ordinances required for the operation of the parking system, to discourage long term parking and increase parking space "turn over" in order to facilitate commercial activity and the delivery of services;
- 7.4 Policing and parking ticket management - Policing of controlled parking areas and of illegal parking in places adjacent to controlled parking spaces affecting the operation of the latter shall be carried out by the City. Two of the most important factors for the successful implementation of the parking system are effective policing and the payment of parking fines. Therefore, the effective performance of the system greatly depends on actions (policing and fine management) that will be under the control of the City and under its corresponding departments, which shall ensure the vigorous enforcement of its parking regulations and ordinances through the means at its disposal, such as, without limitation, towing away vehicles making severe parking violations, clamping vehicles making parking violations, imposing fines etc.
- 7.5 Establish the days and times of System Operation. Any extensions in the number of days and hours that will be decided for the whole area of implementation or for particular areas shall be provided by the City to the contractor for device configuration.

8. Roles and Responsibilities of the Contractor

The Contractor shall have the following roles and responsibilities relating the Project:

- 8.1 Develop and install the EasyPark software and databases necessary for the overall management of the system;
- 8.2 Informing users and promoting acceptance of the parking system by the public in general. Operate the EasyPark system and be responsible for its uninterrupted operation;
- 8.3 Manufacture and deliver the EasyPark devices to the City as time, as set forth in this Contract;
- 8.4 Collect the City's parking fee through the EasyPark devices and transfer the parking fees to the City's designated account.
- 8.5 If required, the Contractor may supply handheld devices used by parking officials to identify and record illegally parked cars. Such devices may communicate wirelessly with the system management desk, sending and receiving data and may also speed print tickets and transfer ticket information to the electronic database of the manager and the City.

9. Implementation Plan

9.1 The Parties shall implement the Project subject matter of the Contract according to the following implementation schedule:

Task	Time	Assigned to	Due Date
T0	Signing of Contract	TBD	
T1	Site Survey is conducted	TBD	Contractor
T2	Usage Scenario is built with information from Site Survey and a requirements meeting is held with City's parking authorities	TBD	City
T3	Rates, Limits, and Fund amounts are set up for EasyPark website according to specifications in Usage Scenario; require customer input	TBD	Contractor and City
T4	Server and Back Office Configuration set up and tested according to requirements	TBD	Contractor
T5	Device production; (depending on level of customization)	TBD	Contractor and City
T6	Training of City's employees on usage of Back Office software, reporting website, terminals and readers, and device usage	TBD	Contractor
T7	EasyPark System enters into Operation	TBD	Contractor and City

9.2 If the Contractor is delayed in any way by acts attributable to the City, its representatives or because of changes ordered in the work or authorized delays or force majeure or fortuitous circumstances or any other reason, the Parties will agree upon a new schedule for the implementation of the Project considering the delaying circumstances.

10. Liability

10.1 In no event shall the Contractor be liable to the City for loss of data, loss of profits or for indirect, incidental, special or consequential damages. This limitation and exclusion of liability shall apply regardless of whether the liability claim is based on breach of contract, breach of warranty, negligence, strict liability, tort, by way of indemnity or other legal theory, and shall also apply for the benefit of employees, agents and subcontractors of the City.

10.2 The parties agree that the warranties expressly given in this Contract are in lieu of and exclude all other terms, representations, conditions or warranties, express or implied by statute, law or otherwise as to the quality, merchantability or fitness for any particular purpose of the EasyPark System subject matter of this Contract.

10.3 Unless otherwise expressly provided herein, any statement, condition or warranty, express or implied, statutory or otherwise, as to the quality, merchantability, or suitability or fitness for any particular purpose of the EasyPark System is hereby disclaimed, and the Contractor shall not be liable to the City or to any other person or entity for loss or damage (whether direct or consequential) arising directly or indirectly in connection with the use or performance of the EasyPark System or any modification, variation or enhancement thereof, and any documentation or training relating thereto.

10.4 The City shall indemnify and hold the Contractor harmless against all claims, damages and liabilities asserted by any person or entity resulting directly or indirectly from any breach or negligence by the City, or by any of its employees or agents, of the Contract or of any warranty or representation of the City contained herein or made in connection herewith. Such exposure to risk shall include payment of reasonable attorneys' fees and other costs incurred by the Contractor in defending such claims.

11 Warranty and Representations

11.1 The Easy Park System and device is provided hereunder "AS IS". The Contractor hereby warrants the Product against any major defects, which prove to be the result of bad workmanship or faulty materials, for a period of twelve (12) months after delivery. This limited warranty is given to the City only (as opposed to end users) and shall be void if failure of the defective Product has resulted from: (i) accident, abuse or misapplication and/or modifications which have been made to the Product by anyone other than the Contractor; (ii) if Product is used in a non-standard environment; or (iii) if non-conformance of the Product results from excess usage of the maximum values (temperature limit, maximum voltage etc.) defined by the Contractor, or from use other than in accordance with the relevant specifications or Contractor's instructions or (iv) any other default not attributable to the Contractor. Such warranty shall be valid for 12 Months of the date of delivery of the EasyPark Products (the "**Warranty Period**"). The warranty and remedies set forth herein are exclusive and except for and to the extent expressly provided herein, the Contractor makes no other or additional warranty or representation, either expressed or implied, with respect to the Product, including its quality, performance, merchantability or fitness for a particular purpose. The parties agree that all other warranties given or implied by any applicable law including any warranty given to users by the City, shall be the sole responsibility of the City, without recourse to the Contractor.

11.2 The parties hereby expressly agree that the liability of the Contractor will be limited only to the replacement of any faulty Product or, at the Contractor's sole choice and discretion, return of their price, and that the Contractor will bear no liability toward the City, end users, or towards any third party for: (i) for any amounts in excess in the aggregate of 50% of the fees actually paid to the Contractor during the preceding year before the submission of a claim against it; (ii) for any cost of procurement of substitute goods, technology, services or rights; (iii) for interruption of use or loss or corruption of data; (iv) for any matter beyond its reasonable control, or (v) for any direct, indirect, consequential, incidental, punitive, special or exemplary damages or losses arising out of the use of the Product, or the inability to use the Product, or otherwise in connection with this Contract, even if it has been advised of the possibility thereof.

12 The Contractor's Intellectual Property

12.1 The City recognizes and acknowledges that all of the Contractor's and/or its affiliates Intellectual Property, including without limitation, all updates and new versions, improvements and development to the EasyPark System and/or related products, belong solely to the Contractor which is and shall remain its sole owner, and it is hereby expressly agreed that nothing in this Contract shall constitute or be considered as constituting a transfer or license of the Contractor's Intellectual Property rights or any part thereof to the City.

12.2 Without prejudice to the aforesaid, The City undertakes not to disassemble, decompile, modify, reverse engineer, or create derivative works of the Product or any of the Contractor's Technology and/or Intellectual Property. The provisions of this Section 12 shall survive the termination of this Contract.

OTI

The City

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

To: Dover City Council

From: Dorothea Hooper

Re: School Board Report (1)

The Dover School Board met in regular session on August 13, 2012.

Citizens Forum: No one spoke

Consent Agenda: Contained resignations, teacher/aide/para nominations and election, and a preliminary request for the DMS Washington, DC trip to be held from May 28 – June 1, 2013. Passed without discussion.

Superintendent's Report: Superintendent Jean Briggs-Badger showed a video clip produced by author Jamie Vollner highlighting the ever increasing burdens on schools in the modern day. The clip outlined all the physical, social, and mental issues that teachers have had added to their academic responsibilities. It also outlined the additional academic curriculum that has been added to the original "basics" that began with America's early public schools. We are now asking the schools to raise our kids and the educational system cannot do it alone. The basic point made by the video is that the whole community (whether you have children in the schools or not) must help the next generation to maturity.

The Superintendent noted that the board was reading Mr. Vollner's book and noted it might be a good idea to make it the Dover Reads book for the community.

Superintendent Briggs-Badger went on to report on the administrative retreat that took place and discussed the goals they decided to focus on this year. These goals included more school events, increase community understanding and a better marketing of our educational system. She went on to report on varied summer activities, up-coming Open Houses, the calendar for the next school year including hours of operation, and Freshman Orientation at the high school.

At the end of the Superintendent's report, one board member stated that she did not think things had changed that much over the years.

Committee Reports: Secretary Betsy Parker Andrews gave a report on the make-up of the new Revenue Committee membership. They will be looking at potential fund raising, policies, fees, and a capital campaign. More will be coming in September.

Board Member Grady reported that the Horne Street School project is near completion. They have one more bill to pay. There was some discussion concerning the lack of lighting in the parking lot. The funds left over will not be enough to correct the problem and they will have to be supplemented with facility funds.

Policy Adoptions: The majority of the policies dealt with Acceptable Use (students and personnel) Policies and Forms. The only other policy was the Student Wellness Policy. They were all accepted without discussion.

Bills: Mr. Lamanni, District Business Administrator, reported on the bills to be paid. The board voted to pay the bills.

Old Business: Alternative School --- Working with a memo from the Director of Special Education, Sandy Crossin, the board discussed the Alternative School. Seven, tuition paying, students are enrolled in the Alt School. Twelve students are coming from DHS. Two students are coming back from outsourcing which will save the district some monies. There is a new director and a new curriculum being introduced to energize the school.

New Business: 1) Tim Knowles of UNICO gave an update on the facilities operations over the summer ----painting, carpeting, parking lot, etc.

2) DHS Principal Christine Boston gave an update on our graduation policy. There needs to be clarification as to which students can or cannot walk at graduation. Our current policy tends to be a bit brief and does not clearly address the problem. The board asked principal Boston to come up with some revisions and recommendations for the board.

3) Mr. Lamanni gave updates on the special funds, state and federal funds, and scholarship and trust funds. Fund balances were reported.

Matters of Interest: Class size was discussed in response to parental e-mails concerned with the number of students enrolled in each class and the assumed inequity between elementary schools. The superintendent read off the class sizes in each school. There was not much of a difference between schools. There were, however, two concerns. One was how close some sections were to the state suggested maximum (example --- 24.5 in Woodman Park Kindergarten ---state number is 25). Another concern were the numbers at the 3rd and 4th grade at Woodman (27 in grade 3 and 26 in grade 4). The board requested that the superintendent look for some funds (saved by retirement/resignation) to hire an additional teacher (it is not in the budget). There would be money for an additional aide.

Meeting adjourned.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2012.08.22 – 109**
Resolution Re: **Friendship Force Henry Law Park Tree Planting**

- WHEREAS: Henry Law Park was bequeathed to the City for use as a public park; and
- WHEREAS: The Seacoast NH Friendship Force club seeks to enhance the park with the creation and maintenance of a garden area to provide an additional amenity for the public; and
- WHEREAS: To commemorate the arrival of Friendship Force clubs from around the world, the Seacoast NH Friendship Force club seeks permission to plant a tree and erect a small plaque for each visiting club.

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

The City Council supports the activities of the NH Seacoast Friendship Force and authorizes the use of an area of Henry Law Park to be designated by the club and the Community Services Department, and to be maintained by the club, for the purpose of creating a “tree garden” to honor each of the Friendship Force clubs that will visit Dover in the future.

FURTHERMORE:

Any plantings will be consistent with the use of Henry Law Park as a public park and under the supervision of city staff regarding all aspects of the garden and tree plantings, including but not limited to the location and type of planting and design of the plaques.

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.B.1.

Resolution Number: **R – 2012.08.22 – 109**
Resolution Re: **Friendship Force Henry Law Park Tree Planting**

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.		

RESOLUTION BACKGROUND MATERIAL:

The mission of Friendship Force, a non-profit humanitarian group, is to promote understanding among peoples of the world across borders in order to overcome differences and biases. The organization was formed in 1977 and includes local groups from around the world.

The signature event of Friendship Force is foreign travel. Visiting members stay in the homes of local citizens to learn about the culture and life styles of host families during the stay. Dover citizens travel to foreign countries in similar fashion. No public funds are expected or expended.

This resolution does not involve any City expenditure. The tree, planting cost and the plaque will be donated to the City.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2012.08.08 – 110**
Resolution Re: Appropriation and Commitment for McConnell Center
Fitout Project

WHEREAS: The City completed a major renovation of the McConnell Center, a former public school building, allowing the facility to be returned to use as a public community center housing social, recreational, educational and other public human service agencies, and;

WHEREAS: The leasing of available space within the McConnell Center is important to the fiscal health of the McConnell Center Fund and the McConnell Center Advisory Board and City administration have been diligently working to attract tenants to lease vacant available space within the McConnell Center; and

WHEREAS: The leasing of office space is currently a very competitive market and the goal is to reverse the McConnell Center’s vacancy trend, the need exists to provide a favorable first impression with perspective tenants viewing available space within the McConnell Center; and;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
In accordance with City Charter provision C6-6, an appropriation of \$200,000 from the proceeds reflected as sale of city property – gravel is hereby established for completion of the McConnell Center Fitout project.

AND, FURTHER BE IT RESOLVED;
The City Manager is hereby directed to expeditiously complete the fitout of the McConnell Center facility and is authorized to award purchase order(s) to the qualified firm(s) having proposal(s) meeting specifications and deemed most advantageous for completion of the fitout work in an amount not to exceed \$200,000.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor Michael Crago
Ward 3

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

Recorded by: Karen Lavertu
City Clerk

NOTE: In accordance with City Charter provision C6-6, this resolution requires a public hearing and two-thirds majority favorable vote of the City Council for passage.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2012.08.08 – 110**
Resolution Re: Appropriation and Commitment for McConnell Center
Fitout Project

RESOLUTION BACKGROUND MATERIAL:

In accordance with City Charter C6-6, after adoption of the annual budget the City Council may, after a public hearing has been held, adopt by a two-thirds majority vote of the City Council an appropriation.

The McConnell Center Advisory Board and City Administration have been diligently working to lease available space within the McConnell Center. The leasing of available space within the Center is important to the fiscal health of the McConnell Center Fund.

The McConnell Center Advisory Board has been working with a realtor to market the Center to prospective tenants. During a recent Advisory Board meeting, the Center's realtor reported that there would be a much better chance of leasing vacant space if the unfinished/never before leased areas were semi-finished/fitted out to such a degree as to make them more appealing to potential tenants. The Center's realtor indicated that there would be a good chance at being a very attractive alternative for leasing if the available space was in a more presentable and marketable state. The Advisory Board recognizes that first impressions of the available space are critical to being successful in leasing the space in the current competitive market, particularly since the per square foot rate for the Center is higher than other comparative "finished spaces" in and around Dover.

The McConnell Center has a competitive advantage since it is recognized for having attracted and co-located in a single location a group of community centered social and human service agencies and organizations. However, potential tenants that are drawn to the Center because of its social service commitment, view unfinished spaces that have been vacant for 5 years, and the Center seems to lose its competitive advantage.

Since time is important in this competitive market, the resolution authorizes the City Manager to award purchase order(s) to complete the necessary fitout work based on proposal to be solicited in accordance with the City's Purchasing regulations.

By passage of this resolution the Mayor and City Council will be appropriating the funds for and authorizing the completion of the fitout work in the McConnell Center. The source of funding for this appropriation is available proceeds from the FY12 sale of gravel.