



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, September 12, 2012**
Meeting Time: **7:00 pm**

1. **CALL TO ORDER**
2. **MOMENT OF SILENCE**
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL ATTENDANCE**
5. **PROCLAMATIONS/AWARDS – None**
6. **APPROVAL OF AGENDA**
7. **PUBLIC HEARINGS**
 - A. **APPROPRIATION AND COMMITMENT FOR MCCONNELL CENTER FITOUT PROJECT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)**
SPONSORED BY COUNCILOR CRAGO

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 22, 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**
 1. **APPROPRIATION AND COMMITMENT FOR MCCONNELL CENTER FITOUT PROJECT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)**
SPONSORED BY COUNCILOR CRAGO
 2. **APPROVAL OF SCENIC BYWAY APPLICATION (TO BE REMOVED FROM THE TABLE)**
SPONSORED BY MAYOR TREFETHEN BY REQUEST



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13. NEW BUSINESS

A. CONSENT CALENDAR

1. **RAFFLE – Amy’s Treat**
2. **RAFFLE – First Parish Church**
3. **RAFFLE – Sons of American Legion Post 8**
4. **RAFFLE – Zebra Crossings**
5. **ROAD RACE – Horne Street School PTG**
6. **ROAD RACE – Saint Mary Academy**
7. **TAG – Boy Scout Troop 173**
8. **TAG – Dover Little Green Cheerleading**
9. **TAG – Seacoast Titans**

10. RESOLUTION: B10033 AWARD OF ADDITIONAL SCOPE OF WORK TOLEND ROAD AND WATSON ROAD ENGINEERING SERVICES
SPONSORED BY MAYOR TREFETHEN BY REQUEST

11. RESOLUTION: B12038 SAFE ROUTES TO SCHOOL – ENGINEERING SERVICES, WOODMAN PARK SIDEWALK IMPROVEMENTS
SPONSORED BY MAYOR TREFETHEN BY REQUEST

12. RESOLUTION: B13002 HOUSEHOLD HAZARDOUS WASTE CLEAN UP DAY
SPONSORED BY MAYOR TREFETHEN BY REQUEST

COMMITTEE REPORTS

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

B. RESOLUTIONS

1. DEPARTMENT OF HEALTH AND HUMAN SERVICES LEASE AMENDMENT
SPONSORED BY MAYOR TREFETHEN BY REQUEST

2. B13007 REPLACEMENT OF PUBLIC SAFETY DISPATCH CONSOLE SYSTEM
SPONSORED BY MAYOR TREFETHEN BY REQUEST

**3. LEGISLATIVE POLICIES
(TO BE SUBSTITUTED AS A WHOLE)**
SPONSORED BY COUNCILOR GARRISON



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C. ORDINANCES IN 1ST READING

- 1. CHAPTER 3 – ADMINISTRATIVE CODE
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 22, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**
- 2. CHAPTER 5, BOARDS, COMMISSIONS AND COMMITTEES
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 22, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**
- 3. CHAPTER 3 – ADMINISTRATIVE CODE – N0
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 22, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**
- 4. CHAPTER 3 – ADMINISTRATIVE CODE – N1
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 22, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**
- 5. CHAPTER 3 – ADMINISTRATIVE CODE – N2
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 22, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**
- 6. CHAPTER 3 – ADMINISTRATIVE CODE – N3
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 22, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**
- 7. CHAPTER 3 – ADMINISTRATIVE CODE – N4
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 22, 2012)
SPONSORED BY COUNCILORS CRAGO AND CHENEY**
- 8. CHAPTER 3 – ADMINISTRATIVE CODE – N5
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 22, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**
- 9. CHAPTER 3 – ADMINISTRATIVE CODE – N6
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 22, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**
- 10. CHAPTER 3 – ADMINISTRATIVE CODE – N7
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 22, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**
- 11. CHAPTER 3 – ADMINISTRATIVE CODE – N8
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 22, 2012)
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**12. CHAPTER 3 – ADMINISTRATIVE CODE – N9
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 22, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**

14. COUNCIL CORRESPONDENCE – None

15. COUNCIL MATTERS OF INTEREST

16. ADJOURNMENT

CITY MANAGER'S REPORT



September 12, 2012

"Happiness does not come from doing easy work but from the afterglow of satisfaction that comes after the achievement of a difficult task that demanded our best." Theodore Rubin

SUBMITTED BY:

J. MICHAEL JOYAL, JR.
CITY MANAGER

**CITY OF
DOVER, NH**

AVAILABLE ONLINE:

WWW.DOVER.NH.GOV

STREETS, WATER, SEWER UPDATES

Utilities: The Utilities staff is in the process of notifying the businesses and residents in the north-end of town about the upcoming increase in water pressure. The increase will range from 15-30 psi and is anticipated to take effect between the middle to end of September. The project will also provide additional storage capacity throughout the entire water distribution system as well as added fire protection.

Crews continued to work on Broadway, in the area between Pierce Street and Central Avenue, to relocate water services. House services are being reconnected from an early 1900's eight-inch cast iron main onto the 1970's twelve-inch main, which run parallel to each other. Numerous water breaks on the old eight-inch main resulted in extensive damage to both City-owned and private properties. As part of the final phase, employees will tie-in Saint John Street and install a new hydrant at the corner of Pierce Street and Broadway.

The leak detection process has been ongoing, utilizing both computer and handheld devices. Leaks in private services were reported and repaired on Arcola Street and Dover Point Road. A leak was also discovered on Garrison Road but the homeowner is still waiting on the contractor to complete the repairs. On the City side, a leak was reported and repaired on Ham Street. S.U.R. Construction reported a saddle leaking on Newport Road. This tie-in device, which connects the service to the main, has since been repaired. A water break was reported and repaired in front of 6 Cedarbrook Drive where a portion of the six-inch AC main had blown out.

The challenging task of updating the City's water maps has continued and will be ongoing. Without an updated version within the past 20 years, a backlog of old projects still remains. Employees have been busy updating the old projects into the GIS system as well as keeping up with entering new developments.

Crews are still assisting with the water shut-downs as part of the Applevale Reconstruction project. The contractor has been working on the removal of the asbestos pipe in order to install new hydrants and gates. Crews are finishing the utility portion of the project, with only Middlebrook Road and a section of Applevale Drive left to complete.

Streets/Stormwater: The Highway Division continued patching various potholes throughout the city. Although street sweeping operations have been completed, crews returned downtown and to other trouble-spot areas as needed. Nicom has been contracted to perform the crack sealing this year. The sealing process typically takes at least one week to complete. Crews have been busy with brush cutting and have completed trimming on the following streets: Long Hill Road, Varney Road, Portland Avenue, Chapel Street, Atlantic Avenue, Country Club Estates, Gulf Road, Cocheco Street, Oak Street, Durham Road, Back River Road, Piscataqua Road, Rabbit Road, Bay View Road, Boston Harbor Road, Heaphy Lane, Leighton Road, Spur Road, Gerrish Road, Finch Lane, and Old Dover Point Road.

Curb repairs have been made on the streets scheduled for paving, with Oak Street and Tennyson Avenue nearing their completion. Some curbing had to be reset in order to match the reveal of existing curbing. Crews completed final preparations, such as adjusting certain catch basins, prior to the application of the top coat. Portions of the sidewalk were replaced in front of 180 Washington Street where sections had deteriorated, posing a trip hazard. The old sections were removed and new concrete was poured. Crews also finished the sidewalks on Chestnut Street and made necessary repairs after the removal of street lights. Sidewalk repairs were also performed in front of 648 Central Avenue.

Tri-State has continued to cut and patch as well as trim and shim a number of the larger potholes around town. Brox is still working on paving projects, with the following areas having been completed: New Rochester Road, Central Avenue, Old Rochester Road, Bellamy Road, Henry Law Avenue, sections of Oak Street, and Washington Street. Brox has hired a subcontractor to overlay four narrow streets within Pine Hill Cemetery that are in need of repair. City crews continued to work in the pit, located behind the Public Works Department, prepping materials for upcoming road projects. Employees mixed gravels and screened sand so that it would be ready and available as needed.

Catch basin cleaning has been ongoing. As part of this annual project, one-half of the basins within the city are cleaned one year and the other half the next, on a rotating basis. Crews have completed approximately three-quarters of the basins slated for cleaning this year. Catch basin repairs have also been conducted as needed, particularly those located in areas scheduled for paving.

The dirt parking lot next to the Shaw's Lane ball fields was graded and the area smoothed out. Crews also assisted staff at Garrison Elementary School with disassembling an old swing in the playground and helped prep the area for a new one. This process included the removal of cement blocks, where the legs of the old set had been anchored.

The Whittier Street Bridge, which had been closed down for inspections, has reopened. The bridge plates had to be pulled apart in order to evaluate the underlying structure. After having to make further repairs and await additional materials, a final inspection was performed and the bridge was able to pass inspection.

Highway crews assisted Engineering with digging test pits on Silver Street in order to locate underground utilities. This information will assist with the upcoming reconstruction and redesign of the road.

PROGRAMS AT CITY CENTERS/BUREAUS

Investigations/Legal Bureau: During the month of August 2012, there were 4 letters generated by the Dover Police Special Investigations Unit that were sent to certain licensed liquor establishments in Dover. The letters were a result of analysis of Police Reports involving overly intoxicated persons. When it is determined an overly intoxicated person had been over-served, a letter is sent from the Police Department to the establishment. The letter, along with the Police Report, is also sent to the NH Liquor Commission's Bureau of Enforcement.

A total of 10 registered sex offenders were processed during the month. The processing of a sex offender can range from the annual, semi-annual, quarterly, or initial registration, and can also include a change of address or other information that must be updated.

In August of 2012, detectives arrested two men for a burglary that had occurred on Abbey Sawyer Memorial Highway. The investigation began in March when a woman reported that she had returned to her residence to discover two strange men inside. When she confronted them, the men fled, taking with them numerous pieces of jewelry, cash, a cellular phone, and a laptop. It was later discovered that the men had forced entry by breaking a window in one of the doors to the house. In July the SIU received a break in the case when they received an anonymous tip regarding some of the stolen items. Through the investigation, Dover detectives were able to identify the two men and arrested them.

SIU detectives and Crime Scene Unit personnel responded to the scene of a downtown convenience store robbery on August 17, 2012. SIU detectives were able to arrest the robber, an eighteen year old Rochester man, the next day.

On August 20, 2012, SIU detectives and CSU members teamed up with Dover Fire and Rescue personnel to investigate the cause of a significant structure fire that occurred on Western Avenue. The fire went to three alarms and affected twelve apartments. There was significant damage to the building and multiple families were displaced. As a result of the combined investigation, it was determined that the fire was started by a ten-year-old child playing with a lighter.

The SIU also investigated one unattended death in August.

Parking Bureau: Parking Manager Bill Simons is working with other city staff to prepare drafts of the TIF enabling documents for presentation to the Parking Commission on Sept. 18th and DBIDA on October 4th. These documents will include recommendations for designating a TIF district administrator, the TIF district advisory board, along with the development and financing plans. He has also been working with two construction companies and numerous parking facility managers to obtain a better understanding of the building costs, construction options, operational costs and challenges of building and operating a parking garage.

Parking Manager Bill Simons has been working closely with OTI America to begin setting up the system for Dover's in-vehicle parking meter (IVPM) program which is scheduled for roll out on November 13th. In-vehicle parking meters are the third major enhancement of the paid parking system. The short visit exception to paying the meter for on-street spaces was the first, and the discount token program was the second. Bill Simons has been invited to attend the September meeting of the Portsmouth Parking Committee to assist in their evaluation of joining a regional network for the IVPMs.

Traffic Bureau: Sgt. Speidel, the Traffic Bureau Administrator, helped coordinate all traffic control particulars for the Rachel Legacy 5K race on Saturday, August 6th. This included the advance posting of parking restrictions, deployment of barricades and cones to facilitate road closures and traffic diversions, scheduling and assignment of police personnel, and coordinating with event organizers on other logistical matters.

On August 15th, Dover officers participated in another of the statewide coordinated efforts entitled "Operation Safe Commute". Extra patrols were performed during the morning and evening with a contract from the New Hampshire Highway Safety Agency to reimburse the agency's personnel costs. Targeted streets during these patrols included Littleworth Road, Portland Avenue, Tolend Road, Cushing Street, Glenwood Avenue, Indian Brook Drive and Sixth Street.

Sgt. Speidel has worked closely this month with a number of utility companies and construction contractors on various maintenance projects throughout the City. Sgt. Speidel worked with representatives of Brox Industries, the City's current asphalt paving contractor, to coordinate traffic control issues related to the resurfacing of several City streets. While much of the work on upper Central Avenue was performed at night, other streets such as Oak Street required daytime closures due to resurfacing and due to gas main work by Unitil. Sgt. Speidel coordinated a detour plan for the Oak Street closures.

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

Dover Youth Football jamboree at Dover High School
Lexington Street neighborhood block party
Seacoast Grower's Association's Farmer's Market on Sixth Street

Sgt. Speidel performed 13 child passenger seat inspections during the month of August. This includes several checks conducted on August 15th in partnership with Wentworth-Douglass Hospital's Childbirth Education Center to provide infant child safety seat inspections. Sgt. Speidel is a nationally certified Child Passenger Safety technician, and the Police Department provides this service free of charge.

Patrol: During the month of August, officers handled a total of 2,482 incidents. Please refer to the Operating Statistics document on the City's website for specifics.

On August 17, 2012, Patrol Officers responded to the Tedeschi Food Mart at 530 Central Avenue for a report of an armed robbery. The on-duty clerk reported that a male subject approached the counter, pointed a firearm at her and demanded money. The investigation ultimately led to the arrest of an 18-year-old Rochester resident for the robbery.

On August 20, 2012, Patrol Officers responded to 5 Western Avenue to assist the Dover Fire Department at a reported structure fire. Initial responding officers assisted in evacuating the 8 apartments located within the building. In addition to providing crowd control / scene security, officers began an investigation into the cause of the fire. The investigation ultimately led to the arrest of a ten-year-old male who admitted to lighting the fire. The juvenile was charged with crime of Reckless Conduct.

Diversion Program: The Diversion Committee did not meet in August 2012. During August 2012, via email, the committee did authorize the successful release of one active participant, leaving the committee with two new cases to review for the September 2012 meeting.

The next planned meeting for the Dover Court Diversion Committee is September 14, 2012.

Dover Housing Authority: On August 1, 2012, Officer Joslin taught a lesson on the four steps of "Saying No" at the Seymour Osman Community Center summer camp. The lesson included a talk about not accepting rides from strangers, entering someone's house and what to do if you get approached by a stranger.

During the month, Officer Joslin has been working with a 17-year-old resident who asked for assistance in obtaining a job. Officer Joslin was able to connect the resident with a local painting company. The resident was given a temporary job to demonstrate his abilities to possibly continue employment with the company.

The 22nd annual DHA Bike Parade and Field Day was held with the theme for this year's parade being a favorite movie or book character. Along with the parade there was a bike and participant decorating/costume contest, bounce house, face painting, animal balloons, field games, kickball game, food and an ice cream buffet.

Community Service Program: The Community Service program tracked 25 active participants in the month of August. Of the 25 juveniles in the program, 4 participated during the month of August. A total of 13 hours of community service work was completed with no members completing their obligations during the month of August.

In 2012, 91 hours of community service has been completed and no members have finished their court ordered hours.

Police Explorer Post Program: During the month of August the Explorer Post was renamed the Dover Police Academy (DPA) with an updated program. The new DPA will offer high school students in 11th and 12th grade who are interested in law enforcement the opportunity to apply for a one year police familiarization and orientation program. The goal of this new program, modeled after the Citizens Police Academy, is to expose its members to the many facets of law enforcement.

The first year of this program will be offered to those members currently enrolled as Dover Police Explorers. A meeting was held on August 9th and open to all current Explorers and their parents as an opportunity to introduce the new format. The new program was well received by all of those in attendance.

Dover Coalition for Youth: In August, the Coalition started a partnership with the Dover School Department to review the Health and Wellness Curriculum as it relates to substance abuse prevention. Through the Drug Free Communities Grant, the Coalition is able to provide money to pay for salaries for a committee of school employees to meet and identify gaps and recommend suggestions for improvement.

The Coalition continues to work with the regional prescription drug task force to address prescription drug abuse throughout Strafford County. The task force is looking at creative marketing strategies to bring attention to the prescription drug abuse problem. The group is also hosting educational training sessions for the medical and law enforcement fields. The first training will be on September 12th and will address HIPPA restrictions and guidelines in investigating prescription drug diversion cases.

Plans are underway for the 5th Drug Take Back event on Saturday September 29th. These events allow community members to safely dispose of unused, unneeded and expired medications that teens may abuse. The last 4 events resulted in over 420 pounds of prescription and over the counter drugs being removed from homes and safely disposed of.

Dover Youth to Youth: On August 1, 2012, Dana Mitchell, the Coordinator of Dover Youth to Youth received the Paul Harris Fellowship Award from the Rotary Club of Dover. The group recognized Dana Mitchell for his many years of dedicated service to the youth of Dover. This award is normally awarded to Rotary Club members but can be awarded to a non-member who has distinguished himself through service to his community.

On August 13-14, 2012 Dover Youth to Youth conducted a 2-day youth advocacy training program for youth advocates in the Mt. Ascutney, Vermont region. Six Dover Youth to Youth members provided the training and all their expenses for food, lodging and travel were paid by the local program based in Windsor, Vermont. The 25 Vermont youth received advanced training in public speaking, creating radio spots, and the process to propose local or state legislation. The students also received detailed instruction on how to conduct a wide variety of prevention programs in their community.

Teen Center: The Dover Teen Center calendar for August 2012 consisted of social programming for youth participants through the "Summer Zone" Teen Summer Adventure Program. See below for this month's highlights. The Dover Teen Center also returned to after-school programming as schools reopened during the last week of August.

For the month of August 2012 the Teen Center saw a total of 345 participants on 22 days of programming. This yielded an average of just under 16 participants per day.

In addition, the DoverPalooza Music Show attendance (55 total attendees) on August 9th, was not added into the daily average.

Some program highlights for the month of August 2012 included, but were not limited to the following:

TC Trip – “Alton Bay Picnic & Swim” (8/2)
TC Trip – “Biddeford Swimming Ocean Pools” (8/9)
TC Music Event – DoverPalooza “Summer Fun Show II” (8/9)
TC Trip – “Hampton Beach” (8/13)
TC Trip – “Portland Sea Dogs” Baseball Game (8/15)
TC Trip!– “FunSpot Arcade” (8/16)
TC Classic Trip – “Clark’s Trading Post” (8/21)
TC Event – Drop-In Day (8/23)
TC Trip – “Old Orchard Beach” (8/28)

As September arrives, the Teen Center will prepare for the increase in participants, as the After-School program returns. This will also bring new interns and volunteers on board as staff.

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

12 pedestrian crosswalk warnings
5 calls for assistance to the public
10 total MV warnings
5 MV cross walk warnings
4 MV one-way warnings
1 unattended MV warning
2 MV stop sign violations
5 parking assist
3 bicycle warnings
2 warnings for not wearing bicycle helmet
6 skateboard warnings
3 warnings for trespassing
1 protective custody
1 warning for control of dog

Animal Control: For the month of August, there were a total of 99 animal calls. Of those, 31 were handled by the Animal Control Officer, 27 were handled by Dispatch and 41 by Patrol Officers, requiring the Animal Control Officer to follow-up on 15 of them. The following is a breakdown of the calls handled by the Animal Control Officer:

- 9 found animals
- 6 welfare calls
- 4 loose dog
- 3 dog bites
- 2 lost animals
- 3 wildlife calls
- 2 deceased animals
- 1 barking dog

-1 possible reptile sighting

During the month ACO Ladisheff received 87 voicemails messages from citizens.

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

In August, the K-9 Unit conducted a total of 20 hours of training.

During the month, Officer Keefe conducted two tracks. The tracks were for the crimes of Resisting Arrest and Conduct After an Accident. Additionally, Officer Keefe and K-9 Grinko searched a business regarding a possible Burglary.

Traffic Accident Reconstruction Unit: There were no Traffic Accident Reconstruction Unit callouts during the month of August 2012.

Communications Bureau: During the month, the Communications Bureau handled 354 emergency calls, 81 alarms, and 292 customers in the Police Department's lobby. The number of phone calls and radio transmissions is not available this month due to an equipment malfunction.

Recreation Programs: The Playgrounds Program wrapped up with the last day on August 10th. The end of the year field trip to Water Country was on August 8th. Recreation began taking registrations for the new fall sessions of Shape up with Lisa Pilates Plus and Interval Toning classes along with Yoga and Zumba®. A beginner yoga class will be added on Tuesday nights this fall. All classes are held in the McConnell Center Dance Studio.

The gym was cleaned and the floor refinished to get ready for the upcoming season.

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

A Walking Program came together the first week in July and class will be held on Tuesday and Friday mornings at 9:30am. This Walking Program will run until the end of October. Participants will walk 1.5 miles per class. Participants will also be part of the N.H. Governor's Council on Physical Fitness & Health fitness program called, "Walk New Hampshire." This program is designed to promote walking in New Hampshire and sets the goal of walking the mileage equivalent to the length of the state (190 miles). Each participant will receive a log to record their walking and each person who completes this program will receive an 'I Walked NH' patch and a certificate signed by Governor John Lynch and First Lady Susan Lynch. As of July 25th, this class has 18 participants and grew to 26 participants by the 17th of August.

The Book Club Meeting was held on Tuesday, August 21st, discussing the book, "Pride and Prejudice". Next meeting will be held on Tuesday, September 25th to discuss, "Crooked Letter, Crooked Letter".

Craft groups and Spanish classes continue. The in-house ukulele band, The Silver Strummers, continue to practice at the center on Wednesday mornings at 9am. DCSC Mystery Luncheons are held the 1st Wednesday, 2nd Tuesday, and 3rd Saturday of every month. The Visiting Nurse was checking Blood Pressure on August 9th and August 23rd. She will visit again on September 13th and September 27th. The end of the summer Ice Cream Party was held on Friday, August 24th in the Senior Center Kitchen. Over 65 members attended! All ice cream, toppings, cones and cups were donated by Yogurt-Licious & Ben and

Jerry's. 12 members took a self-guided day trip to Prescott Park on August 19th, and 50 Members traveled to Boston on, August 8th for the 'Spirit of Boston' Trip.

The Dover Community Senior closed on August 25th for yearly maintenance.

Ice Cream Social: 65
Senior Advisory Meeting: 8
Senior Mystery Lunches: 43

Indoor / Outdoor Pool: Various groups continued to use the Dover pools for swim practice such as Seacoast Swimming, Oyster River Otters, Great Bay Masters, Cannonball Swim and the Exeter Swim Team. We also had various camp programs use the outdoor pool such as the City of Dover summer camps, Birch Hill Camp, Rollinsford Rec, Somersworth Rec, Kittery Rec, York Rec, Barrington Rec, St. Mary's Academy, Tri-Star Gymnastics camp and The Good Shepherd School just to name a few. Most of the summer staff has departed for school though some will be staying on for the school year as well.

The Jenny Thompson Pool closed for the season on Labor Day.

The indoor pool finished their swim lessons at the beginning of the month.

The indoor pool closed on August 20th to undergo their annual maintenance and reopened on Tuesday September 4th.

Rec Swim-JT Pool: 300 patrons per day
Lap Swimmers-JT Pool: 25 swimmers per day
ID Pool: 50 swimmers per day
Masters-JT Pool: 30 swimmers per day

Ice Arena August was a busy month at the arena with all summer programs running, with excellent attendance, for youth and adult skaters. Leagues were full and hockey instruction for adults and youth skaters had excellent registration numbers. Rec Public Skates, Stick Practices and Rock Night were all busy throughout the month.

The Ice Arena ended the month with CO-ED Hockey playoffs which is the largest program at the arena during the summer.

September will kick off with new registrations for fall events and the Dover Fall Home show.

Stick Practices: 564

Public Library: The "Dream Big... Read!" summer reading programs for children and teens had a record-setting 774 participants. Program-related attendance at special programs was 245 in August.

The library commenced the "Read Down Your Fines!" program for students K-12 to encourage library visits. For every ½ hour spent reading in the library, a student's fine balance will be reduced by \$1.00.

DEPARTMENTAL COLLABORATION & ENHANCEMENTS

The Public Library has successfully merged all Overdrive audiobook and eBook titles, available through the NH Downloadable Books Consortium, into the Dovertnet online catalog, making patron searches for these materials easier and faster.

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

- Gladiola Way
- Willand Pond
- Emerald Lane
- Olive Meadow Lane

The Director of Planning and Community Development continues to work with the SAU to review elementary school district boundaries and options for optimal student ratios in each district.

The Public Library's Technology Librarian successfully merged student ID data from the schools' database into the Dovertnet libraries' Horizon database, electronically populating required identification fields in our patron records with required data previously entered manually by library staff at the schools and public library. This merge has saved hundreds of hours of tedious data entry.

The Dover Public Library continues as a sales outlet for the Chamber's Shop Local Coupon Savings Card.

Library hosted the Children's Museum's "Up All Night in NH" program in August, in conjunction with our Children's Room summer reading program.

The public library's Systems Librarian assisted the school libraries on 12 issues.

The Information Technology Division successfully assisted Horne and Woodman Park elementary schools VoIP connection from BayRing.

The IT Director aided library staff with the copier selection and catalogue system bid request. The Director also continued to assist in the workings of GIS Maps / Property Record selection.

The Fire Department hosted the testing process for Police and Fire Dispatch for a new candidate search and actively participated in the oral board process.

The School year has started up and the Career Technical Center Firefighter 1 and Emergency Medical Technician classes have started. These two classes are taught at the North End Liberty Station by department personnel.

The Police and Fire had a joint fire investigation at 5 Western Avenue. This relationship was a great team effort to be able to determine the fire's cause. The Fire Department has taken the lead on the juvenile fire setter, utilizing the Oregon Juvenile Fire Setter program. This national program is innovative and effective rating the risk of the individual and potential for future issues.

The Fire Department re-programmed all radios in conjunction with Community Service's requirement to migrate to a narrow band frequency. This process was coordinated with the Police Department to reduce cost.

PLANNING & ZONING

This past July, the City of Dover was awarded a \$50,000 Community Planning Grant from the New Hampshire Housing Finance Authority to review the form and function of the corridors leading into the City of Dover's downtown area, and to suggest infrastructure and zoning amendments to continue the economic and community vitality of these areas. The grant funding will be used to hire a consultant to perform the work which includes defining the gateways to Dover's downtown, reinforcing the community's work on sustainability, reinforcing transit oriented development along Central and Portland Avenues and Broadway, and creating a positive environment of the development of affordable housing within walking distance of transit, employment and retail centers, etc. A Request for Proposals was issued on August 2, 2012 to engineering, planning, and architectural professionals and three (3) proposals were received by the August 30, 2012 response deadline. A committee will be established to review the proposals, interview the consultants, and make a selection. It is expected that the consultant will begin their work in October and complete the project by June, 2014.

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

Planning Board

- Tabled a request from 2830 Holdings LLC for a Vehicle Refueling and Recharging Station. This will be reviewed at the September 11, 2012 meeting.
- Adopted the Visioning Chapter of the Master Plan. The chapter is available for viewing in the Planning Department and on the City's web site under View Current City Reports.
- Held a second Public Hearing on proposed zoning amendments to the Zoning Ordinance. The Board will discuss these further on September 25, 2012.
- Tabled a request from STF Development Corp. for site plan approval. This would allow 8 attached single family homes to be constructed at 37 Dover Point Road. This will be reviewed at the September 11, 2012 meeting.
- Approved a Conditional Use application for Jerry and Lori Terpstra. This will allow for temporary wetland and buffer impacts at 620 Sixth Street.
- Approved a waiver request to allow for reduced setbacks in an Open Space Subdivision for Daniel & Stacy Furman. This allows for the installation of an above ground pool & deck at 10 Pacific Drive.
- Approved a Minor Subdivision of land for Eric Goldfine, SERPT. This created one additional lot on Old Rochester Road.
- Approved an Open Space Subdivision of land for Joanne Johnson. This created 2 new lots at 18 Freshet Road.
- Approved a Conditional Use application for The City of Dover. This is to Remove culvert & stabilize stream bed for Berry Brook.

Zoning Board

- Approved two variances for STF Development at 37 Dover Point Road. The first allowed for garages to be counted for the minimum parking required. The second allowed for the placement of the structure further back than the setbacks allowed.
- Approved two variances for Friends Forever LLC at 16 Summer Street. The first allowed an office in a residential structure. The second allowed for 13 people to live in a rooming house, where 10 are allowed.

Conservation Commission

- Endorsed a request from Jerry and Lori Terpstra. This will allow for temporary wetland and buffer impacts at 620 Sixth Street.
- Endorsed a request from Dean Peschel on the Berry Brook Restoration project. This project is restoring an important drainage way that exists in the Horne Street neighborhood.
- Discussed a proposed subdivision on Gulf Road and the wetlands impacts it may have.

Transportation Advisory Commission

- Did not meet in August.

Energy Commission

- Did not meet in August.

CITY GROUNDS – FACILITIES & PARKS

Facilities and Grounds employees conducted the normal day-to-day maintenance, clean-up and grounds maintenance of municipal buildings. Crews continued to handle daily requests for service at the City Hall and Police Department offices. Custodial duties were performed at the Public Works Facility, Train Station and City Hall, as well as filling in at the Library and McConnell Center as needed. The seam on the roof at City Hall was repaired by MJ Murphy and the F&G crew moved some of the cement pads around on the roof.

The floors at the Senior Center and McConnell Center gym were both refinished this past week. The sauna at the Indoor Pool was dismantled and brought to recycling.

Nineteen new trash containers, along with twelve old containers, were placed at various locations throughout the city. Mowing, trimming and trash clean-up continued on a daily basis throughout the City and at Pine Hill Cemetery. Employees are still clearing overgrown brush and trimming tree branches that have obstructed signs along the roadways. The adopt-a-spot island at the corner of Main Street and Washington Street had to be rebuilt after it was struck by a vehicle. Playground inspections took place at the 18 parks and playgrounds throughout the city; employees checked on the condition of the playground equipment, the surrounding grounds, etc.

Décor light bulbs and photo eyes continued to get replaced as needed. School-zone traffic signals were activated with the start of the new school year. Sign work continued with the posting of signs for new developments as well as the replacement of existing signs as needed. The tagging of signs continued, with new locations continually being targeted.

Traffic control was provided for the project at Oak Street and Central Avenue. The intersections at Weeks Crossing were marked out in preparation for grinding and pavement projects. Areas within Pine Hill Cemetery were also prepped for paving. A subcontractor with smaller equipment will be brought in to accommodate the narrow streets within the cemetery.

The seasonal help returned back to school during the last two weeks in August and their employment has been inactivated until next year.

GENERAL UPDATES

The Recreation Department has implemented the FY 13 McConnell Fitness Center budget and have already seen a significant increase in attendance and purchase of memberships in the first two months as compared to last July and August. Plans are to implement new marketing strategies this fall to further promote the Fitness Center.

Planning staff worked on the Community Trail to assist in its completion. This work included working with NHDES on the placement of a parking lot at the Watson Road end of the trail, and working with Community Trail Committee members on reaching out to abutters of the trail for work related to a trailhead on Fourth Street.

The Capital Improvements Program for Fiscal Years 2014-2019 is becoming more finalized in preparation for the City Council meeting in October. There is a new layout for the project requests which includes pictures of the listed projects. The images of the new and/or old CIP items were provided by each department head. The overall CIP budget has seen updates over the last month but is ready for the City Manager's review. The sections that still need to be added to the book include: the transmittal letter, the introduction, the project criteria and financing criteria, narratives, analytical information, and supporting information. Once all of these sections are included and edited, the book should be ready to print on schedule.

The Recreation Department assisted the Arts Commission and Children's Museum of NH on the development of a public art display for Henry Law Park for September.

Progress continues on the planning for improvements to the Henry Law Park playground area.

The McConnell Center and the Tenants Collaborative are preparing to host an Arts Pavilion on Apple Harvest Day this year.

The Director of Planning and Community Development has been asked to serve on a Chamber of Commerce committee overseeing a feasibility study for the reuse of the Strand Theater. This study will look at many different development scenarios for the reuse, including as a cultural center. The study is expected to be completed in 2012.

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

Library initiated a membership recruitment drive for the Friends of the Library.

First "Overdrive Advantage" ebooks and audiobooks now available to download. These titles are for the sole use of Dover Public Library patrons and supplement the NH Downloadable Books selections.

The Fire Department implemented VueWorks for tracking maintenance of vehicles. It was presented to one shift and the other 3 shifts will follow in September. This will automate the tracking of all maintenance for vehicles on the City management program.

The Deputy Chief covered 6 shifts to reduce over-time expenditures.

Fire Department personnel has started the replacement process for Capt. Joseph Fortier, who will retire after 28 years of service on Oct 1, 2012.

The Fire Staff participated in an After Action Review of the New England Rail Safety Exercise. This program finished its first year and is the beginning stages for a national program.

Emergency Management staff supported a recent POD activation to assist with the Hepatitis C testing in Rochester. Staff was part of the planning cell and helped with the foundation. The Department supplied a Paramedic to the actual testing day.

The Emergency Management Director performed a three day drill for the City's Emergency Operations Plan (EOP). The drill highlighted a severe weather event that identified the City's response and need for all leaders in the City to respond to the Emergency Operations Center and their possible roles.

The Department Fire Safety Festival hosted its third meeting. The script has been created and the set has started to be painted. Fundraising letters have been created and the process is moving along nicely. This all volunteer event promises to be exciting and educational for all schools K-4.

The Department of Planning and Community Development worked in August to review processes associated with abutter notices. This analysis included a review of the department's standard operating procedures and discussions with planning departments in the region. Additionally, staff reviewed State Statutes, and case law.

CITY OUTREACH

The Recreation Department has had a summer intern working on the development of a Facebook presence for the Recreation Department which has been launched this month.

Library has 1,021 subscribers to its e-newsletters, 778 Facebook fans, 180 Pinterest board followers, and 449 Twitter followers.

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

- 475 Tolend Road
- 26 Dover Point Road
- 28/30 Dover Point Road
- Thornwood Commons project
- 46 Arch Street
- Various properties owned by Robbins Auto Parts Realty
- 385 Sixth Street
- 500 Sixth Street
- 23 Atkinson Street
- 239 Knox Marsh Road

The Fire Department volunteered time and performed "Fill the Boot" toll on Central Avenue. This was for the Muscular Dystrophy Association. This annual event raises thousands of dollars from the Dover Community.

The Department performed a Safety talk to the Dover Children Center on Saint Thomas Street. Members did a presentation for staff and children.

Engine 8 participated with a bike parade at Mineral Park Drive. This event was hosted by the Dover Police Department. Engine 8 and Rescue 1 led the parade for the neighborhood.

The Department participated in a fire truck ride that was raffled off by the Chamber of Commerce as a fund raiser.

The Department performed multiple tours at the fire stations for local families and organizations.

The Fire & Rescue staff met with the new Nursing Supervisor that is the Department Head for the Emergency Department. This will foster a relationship for future endeavors with all EMS issues.

The Department of Planning and Community Development continued to update its blog, face book page and twitter feed to communicate with the public. The Department of Planning and Community Development has 181 Facebook (City of Dover NH Planning) friends and 335 followers on Twitter (@DoverNHPlanning). During the month of July, thirty (30) Planning blog posts were drafted, highlights include looking at transportation projects, the value of shopping local, the capital improvement's program, and the July City Manager's report. The blog has been relocated to <http://dovernhplanning.tumblr.com> and had over 233 page views in the month of August, which brings the total page views to over 12,000 for the blog. The Department of Planning and Community Development promoted the Dover Community Trail through the facebook fan page for the trail (with 379 fans), as well as a Sustainable Dover facebook fan page (with 144 fans).

The Director of Planning and Community Development filmed one promotional video for Dover Download to air on Channel 22. The video highlighted the Dover Planning Board meeting agenda for August 28th.

Planning staff worked with residents of the Atkinson, Belknap, Cushing and Lexington neighborhood as part of the traffic calming project contained within the CIP. This project is investigating options for traffic calming that will work best for the neighborhood. Jeffery Taylor and Associates has been retained to assist the neighborhood and staff in this project. A follow up meeting was held on August 21, 2012. At the meeting, the consultant reviewed the work completed so far and worked with residents to develop next steps for implementation.

ACKNOWLEDGEMENTS & EVENTS

Friends of the Library contributed \$1,264.87 to the library's Summer Reading programs, which this year set a record of 774 participants.

Friends of the Library renewed passes for the Seacoast Science Center (\$70).

Friends of the Library purchased 500 plastic change purses for new child borrowers (\$463).

\$100 was donated for the purchase of Civil War books by June Brogan in memory of Tony Brogan.

The Planning Board elected Dennis Ciotti to serve as the Chair of the Board for the remainder of 2012, after the resignation of Marcia Gasses in July. Dennis has served on the Board over the past two decades as well as serving on the City Council and Zoning Board.

PROFESSIONAL DEVELOPMENT

Staff of the Inspection Division attended the NFPA (National Fire Protection Association) 79 Electrical Standards for Industrial Machinery for the work week of August 13-17 as a member of the technical committee representing the IAEI (International Association of Electrical Inspectors) at the national level. These organizations (NFPA and IAEI) financially support expenses of qualified inspectors through the Enforcer Funding program so there is no cost to the City. This allows the Inspection Division to stay current with this state adopted standard and assist the City's business community.

Fire & Rescue employees attended 160 hours of training over the past month as part of the Boots on the Ground training grant provided by the State of New Hampshire Fire Standards & Training. This grant covers the cost of tuition, hours spent in class and backfill which allows our personnel to attend while on- or off-duty at no cost to the City.

The Fire Chief attended a national program in Denver, Colorado. He attended multiple classes on new innovative management techniques, as well as a review of new equipment.

Deputy Chief, Jody Provencher, has become a Certified Fire and Explosion Investigator. This certification is sponsored by the National Association of Fire Investigators. Its primary purpose is to increase knowledge and improve the skills of persons engaged in the investigation and analysis of fire, explosions, and arson or the litigation that ensues from such investigations. The application and testing process is quite extensive and we congratulate Jody on this significant achievement. To date, Jody is one of twenty-five individuals certified in the State of New Hampshire.

The Director of Planning and Community Development will be attending an upcoming annual LEAN management program.

Tim Corwin, Assistant City Planner and Certified Floodplain Manager, attended a floodplain management course from August 24 through August 27 in support of Dover's participation in the National Flood Insurance Program (NFIP). The course, titled "Advanced Floodplain Management Concepts," was held at the Federal Emergency Management Agency's (FEMA) Emergency Management Institute in Emmitsburg, MD. This was a free course, including housing, at no cost to Dover. The Advanced Concepts course consisted of the following four modules: Local Floodplain Manager Roles and Responsibilities, NFIP Rules and Regulations in Depth, Letters of Map Change and Local Floodplain Management, and Preparing for Post-Disaster Responsibilities. As a result of this training, staff will be recommending amendments to Chapter 113, the floodplain ordinance.

Capital Improvement Projects Update

Community Services Department

August 2012

APPLEVALE RECONSTRUCTION

- Current: Base pavement and curbing have been installed on Hawthorn Road and Stark Avenue. Base pavement has been installed on Applevale Drive. Various sewer and water services continue to be replaced on the remaining streets.
- Previous: New gravels have been installed on Hawthorn Road and will soon be installed on Applevale Drive. The gas company continues to replace gas mains within the project area. Various sewer and water services continue to be replaced.

NORTH END PRESSURE

- Current: The electrical needs to be done and some site work around the tank. The driveway to the facility will be completed in mid-September.
- Previous: The water tank is near completion. Some internal and external piping needs to be done. The driveway to the facility will be reconstructed towards the end of July. The water main contractor has completed the water main and services on Sixth Street and is working on punch-list items to finish. The booster pump station is near completion and is only waiting for some electrical components from the factory to finish the electrical work.

RE-ESTABLISHMENT OF WILLAND POND WELL

- Current: The draft pump test report for the additional well is complete and will be finalized once the City has a chance to review and comment. The final version is anticipated to be ready for submission to NHDES at the end of September.
- Previous: Emery and Garrett, the City's consultant, completed a pump test of the second well at Willand Pond at the end of March and is preparing a report for submission to NHDES to permit the new well. While snow fall last winter and rainfall so far this year is below normal, it is not expected that pumping the approved well will be necessary to control the pond level this year. We will continue to monitor precipitation during the year and the Willand Pond water level throughout the coming months.

TOLEND LANDFILL REMEDIATION

- Current: A small section of the perimeter ditch around the landfill was not filled in during the installation of the remedy as it was in close proximity to the Air Sparge system operating on top of the landfill to reduce contaminants in the hot spot area. The EPA has asked that the ditch be filled in now that the Air Sparge system is off. Construction activity is scheduled to begin the week of September 10th and is expected to last about three weeks. The neighborhood residents were sent a letter notifying them of the construction activity.
- Previous: The system start-up is currently underway and optimization of the operation will be ongoing for the next couple of months. It is expected that the system will transition to full operation and maintenance mode in the fall.

WASTEWATER TREATMENT PLANT FACILITIES PLAN

- Current: The meeting with EPA scheduled for August 6th was postponed and rescheduled for September 19th. The City continues to work with the Coalition to bring about a nitrogen reduction strategy that is appropriate given the existing condition and lack of attributable nitrogen impacts to the estuary.

- Previous: The City Council approved the design for the initial phase of upgrades at the WWTP in July. The design work includes building and mechanical improvements associated with 20 years of operation at the facility and the design of plant modifications which add processes to reduce nitrogen from the effluent discharge. A meeting has been scheduled with EPA to discuss the Dover permit on August 6th. The City has been an active participant in the Great Bay Municipal Coalition to insure that permit limits established for the WWTP in the new permit is appropriate and justified.

Total Permits Issued: August 2012

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map	Lot	Construction Value	Fee
12-069	WIDMARK	23	HORNE STREET	CHANGE OF USE, COMM. REC. FACILIT	C	30	18	1000	50
12-122	H&H CHESTNUT PROPERTIES,	11	CHESTNUT STREET	RESTORATION & REMODEL AN OFFICE	C	31	70	315000	3175
12-220	CHINBURG BUILDERS INC.	1	WASHINGTON STREET	SUITE 208, TATTOO STUDIO	C	23	14	3500	65
12-223	DOVER RA CENTRAL & OAK,	701	CENTRAL AVENUE	TENANT FIT-UP FOR BANK	C	28	19	400000	4025
12-257	AIREY	42A	DOVER POINT ROAD	CHANGE OF USE; TO A CAFÉ/COFFEE S	C	K	24	1000	35
12-100	DOVER POINT PROPERTIES DE	7	SHORE LANE	CONST. A SFD W/ATT. GARAGE	R	L	89G-1	190000	1925
12-101	DOVER POINT PROPERTIES DE	19	SHORE LANE	CONST. A SFD W/ATT. GARAGE	R	L	89G-5	190000	1925
12-118	STEWART	4A	HALL STREET	CONST./INSTALL A SFD MODULAR	R	37	17A	186500	1895
12-185	HOGAN	22	SAMUEL HANSON AVENUE	FINISH LOFT FOR MASTER BEDROOM	R	21	21	8000	105
12-205	SHEEHAN	16	TOFTREE LANE	INSTALL A FREE STANDING DECK FOR	R	M	147	400	35
12-206	RACIC	7	ROBINWOOD AVENUE	REPLACE & EXPAND SIDE/READ DECK	R	I	38	5400	85
12-225	MILLS	48	EAST CONCORD STREET	INT. RENO. OF SFD	R	27	114	25000	275
12-226	MIKULA	52	UPPER FACTORY ROAD	CONST. A FRONT FARMERS PORCH AD	R	E	52-B	15000	175
12-232	SEAVER	18	DEERFIELD DRIVE	INSTALL A HANDICAP RAMP	R	I	22	600	35
12-235	DOVER POINT PROPERTIES DE	26	SHORE LANE	CONST. SFD W/ATT. GARAGE	R	L	89G-6	250000	2525
12-237	VOLPE, NANCY	288	BACK ROAD	INSTALL MODULAR SFD W/ATT. GARAG	R	M	2-4	187900	1905
12-242	TONG	16	GLADIOLA WAY	CONST. A REAR DECK ADDITION	R	A	28C	4000	65
12-243	FULLERTON ORR	599	TOLEND ROAD	CONST A FRONT ENCLOSED PORCH	R	C	21R	8000	105
12-244	QUISUMBING	341	WASHINGTON STREET	INSTALL ABOVE GROUND POOL	R	32	16B	7000	95
12-245	BROWNE, JR.	324	MAST ROAD	REAR DECK ADDITION	R	H	5B-1	3000	55
12-246	TOWER	29	BOXWOOD LANE	CONST. A REAR DECK ADD./EXTENSIO	R	B	4-42	1500	45
12-247	BRAGDOMN	33	ARROWBROOK ROAD	3 SEASON PORCH ADDITION	R	I	22	6000	85

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map	Lot	Construction Value	Fee
12-2471	PARSONS	99	BACK RIVER ROAD	RMV. & RPLC. ROOF SHEATHING & CVR	R	I	48G	3000	55
12-248	ZELLEM	70-72	PORTLAND AVENUE	CONST. AN EGRESS BALCONY	R	23	68C	500	35
12-249	SPECTRUM TRUST	44	AYERS LANE	INSTALL INGROUND POOL	R	L	73-5	42000	445
12-250	ROCKWELL	61	DANIELLE LANE	FINISH INT. FOR CRAFT ROOM	R	I	47-18	10000	125
12-253	TOLEND ROAD PROPERTIES, L	21	MELODY TERRACE	CONST. SFD W/ATT. GARAGE	R	G	24F-2	134000	1365
12-254	HIGH RIDGE ASSOCIATES, LP	1-49	HIGH RIDGE DRIVE	DEMO. & REBUILD 32 EXISTING DECKS	R	28	25D	19200	225
12-255	BUNGERT	46	FOURTH STREET	RENO./RMDL A DWELLING UNIT (APT.)	R	31	19A	20000	225
12-258	HAUS	28	DOVER NECK ROAD	CONST. A REAR DECK ADDITION	R	M	90-D8	7500	105
12-261	BROWN	61	SPRUCE LANE	REPLACE 3 SEASON PORCH	R	I	87C	2000	45
12-262	PLANTE	97	DREW ROAD	INSTALL A SHED	R	I	25D	3500	65
12-265	SCOTT-KAY	49	CATARACT AVENUE	FRONT ENTRY DECK REPLACEMENT	R	14	8	1400	45
12-266	YUTAKA YAMAMOTO	141	SILVER STREET	CONST. A 3RD FLR. EGRESS BALCONY	R	10	165	1600	45
12-267	ROVA	78	GLENWOOD AVENUE	RMV. & RPLC. REAR ADD. & DECK	R	E	15	29000	315
12-268	HOGAN	95	COUNTY FARM CROSS ROAD	CONST. SFD W/ATT. GARAGE	R	B	10C-2	265000	2675

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map Lot	Construction Value	Fee
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Total Permits Issued: 36

Total Construction Value: \$2,347,500.00

Total Fees Collected: \$24,455.00

Type of Permits Issued		Certificate of Occupancy's	
Commercial	0	Change of Use	3
Commercial Renovations	5	Commercial	0
Convert 1 to 2 Fmly Dwlg	0	Convert 1 to 2 Fmly Dwlg	0
Two Family Dwelling	0	Two Family Dwelling	0
Multi-Family Dwelling Units	0	Industrial	0
Industrial	0	Renovations	2
Industrial Renovations	0	Manufactured Dwlg	0
Manufactured Dwelling	2	Multi-Family Dwelling Units	0
Single Family Dwelling	5	Single Family Dwellings	10
Renovations Dwelling Unit	13		
Demo. of a Dwelling Unit	0	Total	15

PLANNING BOARD APPROVED PROJECTS

NAME	STREET NAME		Total Units	Units Built*	Units left	DATE OF PE SIGNATURE	DATE OF PB APPROVAL	SCRD DATE	PLANNING FILE#	MAP	LOT	EXPIRATION DATE	SCHOOL	Students**
Code	H = Homes	A = Apts.	C = Condos											
Multi-Family:														
Woodbury Mills	Dover St	A	42	0	42		6/26/2012	Site	P12-07	27	20		H	4.62
Cochecho Falls Mills	Central Ave	A	120	0	120	12/20/2011	11/28/2011	Site	P11-60	3	3	12/20/2015	H	13.2
Brick Road	Jefferson Dr	A	24	0	24		10/25/2011	Site	P11-42	28	9-C		H	2.64
Paolini	Appaloosa	C	11	11	0	12/7/2011	9/27/2011	Site	P11-13	I	18-1	12/7/2015	G	1.76
Sherman School	School Street	C	48	0	48	9/27/2011	10/26/2010	Site	P10-39	3	10	9/27/2016	G	7.68
Paolini	54 Dover Point Road	C	12	12	0	10/6/2009	7/22/2008	Site	P08-15	K	20	10/6/2013	G	1.92
New Meadows Inc	Knox Marsh Rd	A	120	48	72	9/27/2005	9/27/2005	Site	P04-04	H	35C	9/27/2009	W	13.2
Total: Multi-family			335	71	264									15
Subdivisions:														
Child's Subdivision														
Kings Highway	Kings Highway	H	4	0	4		6/26/2012		P12-12	N	8A-1		H	1.48
Tidewater Farm	Winterberry Dr	H	7	4	3	6/16/2011	4/26/2011	6/20/2011	P10-51	N	8	6/16/2016	H	2.59
Olive Meadow	Olive Meadow Ln	H	9	8	1	7/19/2011	3/23/2010	7/19/2011	P10-50	A	45-A2	7/19/2016	H	3.33
Labrador Woods	Labrador Dr	H	9	2	7	7/19/2010	5/25/2010	7/19/2010	P10-19	A	51-9	7/19/2014	H	3.33
Hidden Valley Drive	Hidden Valley Dr	H	10	1	9	7/30/2009	3/24/2009	8/4/2009	P09-03	I	94C	7/30/2013	G	3.7
Harbor Hills	Shore Rd	H	16	5	11	8/10/2010	3/23/2010	8/11/2010	P07-39	L	89G	8/10/2014	G	5.92
Paddocks/Tidewater Farms	Saddle Trail Dr	H	9	3	6	2/21/2008	10/23/2007	2/21/2008	P07-43	N	8	2/21/2012	G	7.4
Long Meadow	Gladiola Way	H	20	20	0	1/30/2008	8/28/2007	2/6/2008	P06-40	A	28	1/30/2012	H	7.4
Picnic Rock	Back River Rd	H	21	6	15	10/31/2007	7/10/2007	11/6/2007	P07-32	16	20	10/31/2011	G	7.77
Schooner Landing	Schooner Dr	H	10	2	8	7/19/2007	4/10/2007	7/25/2007	P06-54	M	96A	7/19/2011	G	3.7
Pacific Landing	Pacific/Nye	H	15	14	1	2/8/2007	7/25/2006	2/8/2007	P05-72	E	49	2/18/2011	W	5.55
Goldberg/Tolend Rd Prop.	Stocklan Dr, etc	H	72	16	56	10/5/2006	7/14/2005	11/2/2006	P03-36	G	24	10/5/2010	W	26.64
Stern Subdivision	Lika Dr	H	3	0	3	3/23/2006	2/28/2006	3/23/2006	P05-71	E	45	3/23/2013	W	1.11
Emerald Woods III	Emerald Ln/Viridian Ln	H	37	0	37	1/31/2006	6/14/2005	2/1/2006	P05-10	F	15	1/31/2010	W	13.69
Narrows at Tidewater Farm	Wysteria Dr	H	5	5	0	12/16/2005	8/9/2005	12/21/2005	P05-38	N	8-3	12/16/2009	G	1.85
StoneCroft	Carriage Hill Ln	H	11	9	2	8/9/2005	5/24/2005	8/9/2005	P05-18	A	16	8/9/2009	H	4.07
Havenwood Farm at Alden	Boxwood/Wildewood	H	32	23	9	6/6/2005	5/10/2005	6/7/2005	P04-42	B	21	6/6/2009	H	11.84
Waldron Falls	Lennon/Cardinal	H	10	6	4	5/10/2005	1/11/2005	5/17/2005	P04-54	E	35	5/10/2009	W	6.29
White Tail	Picard Ln	H	17	14	3	1/10/2005	11/10/2004	1/10/2005	P04-47	A	19	1/10/2010	H	6.29
Emerald Woods I & II	Emerald Ln	H	25	19	6	12/6/2004	9/28/2004	12/10/2004	P02-01	F	27	12/6/2008	W	9.25
Weeden	Garrison Rd	H	4	3	1	9/28/2004	6/22/2004	10/4/2004	P04-25	I	1P	9/24/2008	G	1.48
Cornerstone Crossing III	Conerstone Dr	H	18	13	5	7/28/2005	4/12/2005	8/1/2005	P05-13	B	18	7/28/2011	H	6.66
Lionheart	Littleworth Rd.	H	4	2	2	2/24/2004	2/24/2004	3/8/2004	P03-66	G	28-1	2/24/2008	W	1.48
Ayer	McKone Ln	H	2	1	1	6/5/2003	6/5/2003	6/5/2003	P02-67	N	18	6/5/2007	G	0.74
Total: Single Family			366	176	190									142
TOTAL APPROVED UNITS			701	247	454									157
Elderly:														
The Village at Thornwood	Jacqueline Dr/Sonia Dr	H	48	30	18	7/2/2008	3/13/2007		P06-55	M	4	7/2/2011	G	
Arbor Woods	Cielo Dr	H	63	26	37	2/20/2007	1/9/2007	2/20/2007	P06-25	H	4	2/20/2011	W	
Total: Elderly			111	56	55									
APPROVED + ELDERLY			812	303	509									157

* Built or permit issued and unit under construction

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

PO Date	PO No.	Vendor Name	Amount	DAC
8/22/2012	201301605	WASTE MANAGEMENT OF TURNKEY LANDFILL	\$5,000.00	Community Services Department
8/14/2012	201301227	PUBLIC SERVICE CO OF NH-CITY	\$5,012.25	City Finance Office
8/7/2012	201300999	DENNIS MUNSON PLUMBING HEATING	\$5,475.47	Community Services Department
8/29/2012	201301840	PUBLIC SERVICE CO OF NH-CITY	\$5,586.69	City Finance Office
8/27/2012	201301725	CROSS ROADS HOUSE, INC.	\$5,700.00	Planning
8/13/2012	201301187	TRITECH ENGINEERING CORP	\$5,900.00	Community Services Department
8/15/2012	201301307	STATE OF NH-DOT	\$5,958.38	Fire and Rescue
8/2/2012	201300848	COCHECO FALLS JANITORIAL SERVICES, LLC	\$5,979.96	Executive
8/22/2012	201301612	WOODARD & CURRAN INC.	\$6,100.00	Community Services Department
8/27/2012	201301727	MY FRIENDS PLACE-CDBG GRANTS/SUBSIDYS	\$6,500.00	Planning
8/27/2012	201301723	AIDS RESPONSE OF SEACOAST	\$6,500.00	Planning
8/27/2012	201301726	HOMELESS CENTER FOR STRAFFORD COUNTY	\$6,500.00	Planning
8/1/2012	201300839	PUBLIC SERVICE CO OF NH-CITY	\$7,016.55	City Finance Office
8/29/2012	201301824	CCMSI	\$7,844.11	Executive
8/27/2012	201301724	COMMUNITY PARTNERS	\$8,600.00	Planning
8/15/2012	201301315	STATE OF NH-DOT	\$9,242.47	Community Services Department
8/15/2012	201301306	STATE OF NH-DOT	\$9,387.50	Police
8/27/2012	201301720	2 WAY COMMUNICATIONS SERVICE, INC.	\$9,795.00	Police
8/22/2012	201301598	INDUSTRIAL PROTECTION SERVICES, INC	\$10,400.00	Fire and Rescue
8/22/2012	201301533	FOX TOURS	\$10,629.55	Recreation
8/1/2012	201300840	PUBLIC SERVICE CO OF NH-CITY	\$10,962.75	City Finance Office
8/7/2012	201301008	BAYRING COMMUNICATIONS	\$10,978.63	City Finance Office
8/22/2012	201301534	STRAFFORD CAP	\$11,000.00	Human Services
8/22/2012	201301606	VERMONT RECREATION SURFACING & FENCING	\$11,075.00	Community Services Department
8/29/2012	201301826	VELLANO BROS., INC.	\$11,976.00	Community Services Department
8/16/2012	201301345	STATE OF NH-DEPT OF LABOR	\$13,552.44	Executive
8/9/2012	201301126	VERIZON WIRELESS	\$13,951.00	Police
8/6/2012	201300927	PUBLIC SERVICE CO OF NH-CITY	\$14,629.73	City Finance Office
8/1/2012	201300805	CCMSI	\$16,218.00	Executive
8/8/2012	201301077	PUBLIC SERVICE CO OF NH-CITY	\$20,568.02	City Finance Office
8/22/2012	201301600	SIEMENS INDUSTRY, INC.	\$23,525.00	Recreation
8/27/2012	201301657	WILLIAM A. MURRAY	\$24,385.00	Recreation
8/8/2012	201301041	CCMSI	\$25,000.00	Executive
8/27/2012	201301730	STRAFFORD CAP-CDBG GRANTS & SUBSIDYS	\$25,000.00	Planning
8/22/2012	201301604	TRI-STATE SEALCOATING & PAVING, INC.	\$25,419.00	Community Services Department
8/30/2012	201301857	ELECTRIC LIGHT CO, INC.	\$26,650.00	Community Services Department
8/27/2012	201301656	WILLIAM A. MURRAY	\$27,410.00	Recreation
8/8/2012	201301078	PRESBY STEEL, LLC.	\$39,833.78	Community Services Department
8/27/2012	201301731	TRIANGLE CLUB, INC.	\$40,000.00	Planning
8/29/2012	201301839	PUBLIC SERVICE CO OF NH-CITY	\$42,396.91	City Finance Office
8/22/2012	201301599	SANTORELLI CONSTRUCTION	\$46,760.00	Community Services Department
8/16/2012	201301332	CCMSI	\$62,464.99	Executive
8/16/2012	201301334	SHEEHAN, PHINNEY, BASS & GREEN	\$74,899.95	Executive
8/7/2012	201301010	PESCHEL CONSULTING, LLC	\$93,870.00	Community Services Department
8/27/2012	201301718	BAKER & TAYLOR, INC.	\$105,000.00	Public Library
8/16/2012	201301339	WRIGHT-PIERCE	\$496,500.00	Community Services Department

City of Dover

Bid Solicitation Report

For August 2012

9/4/2012

Department	PO Date	PO No	Vendor	Description	PO Amount
Bid Number	Bid Date	Bid Due	CC Meeting	Item No	PO Notes
	Approved By	Fund		Function/Division	
Recreation				Boiler Header and Piping Replacement for Indoor Pool	
B13008	08/01/2012	08/16/2012			
Police				Replacement of Public Safety Dispatch Console System	
B13007	08/01/2012	08/16/2012			
Planning				Professional Consulting Services-Expansion of Downtown Form Based Code/Action Plan	
B13009	08/02/2012	08/30/2012			
Finance				Commercial Appraisal Service 1st Street Parking Lot	
Q13-006	08/14/2012	08/27/2012			

City of Dover

Bid Solicitation Report

For August 2012

9/4/2012

Department	PO Date	PO No	Vendor	Description	PO Amount
Bid Number	Bid Date	Bid Due	CC Meeting	Item No	PO Notes
	Approved By	Fund		Function/Division	
Community Services				Segregation and Recycling of Construction and Demolition Debris	
B13013	08/28/2012	09/12/2012			

Total for

Grand Total All Departments

City of Dover

Revenues of Major Funds
August 31, 2012

(General Fund Includes Property Taxes and Education Revenues)

	<u>Budget</u>	<u>Range To Date</u>	<u>Year To Date</u>	<u>% Year To Date</u>	<u>Budget Balance</u>	<u>Encumbrance</u>	<u>Budget Available</u>	<u>% Uncollected</u>
REVENUES								
1000 General Fund								
Taxes	\$ 66,111,865	\$ 1,058,831	\$ 1,679,114	3.0%	\$ 64,432,751	\$ -	\$ 64,432,751	(97.5)%
Licenses & Permits	4,220,905	331,024	695,056	16.0	3,525,849	-	3,525,849	83.5
Intergovernmental	2,035,912	13,422	163,423	8.0	1,872,489	-	1,872,489	92.0
Charges for Services	3,056,986	197,960	385,233	13.0	2,671,753	-	2,671,753	87.4
Miscellaneous Revenue	440,437	51,568	68,557	16.0	371,880	-	371,880	84.4
Education	12,515,976	1,238,089	1,337,797	11.0	11,178,179	-	11,178,179	89.3
Operating Transfers In	292,725	-	-	0.0	292,725	-	292,725	100.0
Sub-total : 1000 General Fund	\$ 88,674,806	\$ 2,890,894	\$ 4,329,179	5.0%	\$ 84,345,627	\$ -	\$ 84,345,627	95.1%
3213 Parking Activity Fund								
Parking Income	\$ 325,000	\$ 10,350	\$ 52,123	16.0%	\$ 272,877	\$ -	\$ 272,877	84.0%
Parking Fines	168,000	8,693	18,302	11.0	149,698	-	149,698	89.1
Sub-total : 3220 Residential Solid Waste	\$ 493,000	\$ 19,042	\$ 70,425	14.0%	\$ 422,575	\$ -	\$ 422,575	85.7%
3320 Residential Solid Waste								
Charges for Services	\$ 950,663	\$ 93,434	\$ 154,680	16.0%	\$ 795,983	\$ -	\$ 795,983	83.7%
Miscellaneous Revenue	0	29	40	0.0	(40)	-	(40)	0.0
Sub-total : 3320 Residential Solid Waste	\$ 950,663	\$ 93,462	\$ 154,720	16.0%	\$ 795,943	\$ -	\$ 795,943	83.7%
3381 McConnell Center								
Miscellaneous Revenue	\$ 603,726	\$ 49,131	\$ 101,747	17.0%	\$ 501,979	\$ -	\$ 501,979	83.1%
Operating Transfers In	221,479	17,243	49,052	22.0	172,427	-	172,427	77.9
Sub-total : 3381 McConnell Center	\$ 825,205	\$ 66,374	\$ 150,799	18.0%	\$ 674,406	\$ -	\$ 674,406	81.7%
5300 Water Fund								
Charges for Services	\$ 4,688,762	\$ 245,491	\$ 674,165	14.0%	\$ 4,014,597	\$ -	\$ 4,014,597	85.6%
Miscellaneous Revenue	21,000	14,669	21,204	101.0	(204)	-	(204)	(1.0)
Sub-total : 5300 Water Fund	\$ 4,709,762	\$ 260,161	\$ 695,370	15.0%	\$ 4,014,392	\$ -	\$ 4,014,392	85.2%
5320 Sewer Fund								
Intergovernmental	\$ 6,840	\$ -	\$ -	0.0%	\$ 6,840	\$ -	\$ 6,840	100.0%
Charges for Services	5,354,011	250,725	720,653	13.0	4,633,358	-	4,633,358	86.5
Miscellaneous Revenue	31,000	16,429	24,473	79.0	6,527	-	6,527	21.1
Other Financing Sources	1,012,476	-	-	0.0	1,012,476	-	1,012,476	100.0
Sub-total : 5320 Sewer Fund	\$ 6,404,327	\$ 267,154	\$ 745,125	12.0%	\$ 5,659,202	\$ -	\$ 5,659,202	88.4%
Total : REVENUES	\$ 102,057,763	\$ 3,597,088	\$ 6,145,618	6.0%	\$ 95,912,145	\$ -	\$ 95,912,145	94.0%

City of Dover

Expenditures of Major Funds

August 31, 2012

(General Fund Includes County, School and Debt Service)

	<u>Budget</u>	<u>Range To Date</u>	<u>Year To Date</u>	<u>% Year To Date</u>	<u>Budget Balance</u>	<u>Encumbrance</u>	<u>Budget Available</u>	<u>% Available</u>
EXPENDITURES								
1000 General Fund								
City Council	\$ 461,065	\$ 23,706	\$ 48,150	10.0%	\$ 412,915	\$ 22,841	\$ 390,074	84.6%
Executive	778,979	47,062	91,144	12.0	687,835	279,415	408,420	52.4
Finance	1,587,765	144,530	292,496	18.0	1,295,269	855,409	439,860	27.7
Planning	463,527	39,489	80,296	17.0	383,231	241,893	141,338	30.5
Misc General Government	823,908	20,929	105,731	13.0	718,177	136,323	581,854	70.6
Police	6,918,903	555,911	1,235,972	18.0	5,682,931	3,480,803	2,202,128	31.8
Fire & Rescue	6,839,516	583,921	1,202,034	18.0	5,637,482	3,171,849	2,465,633	36.0
Community Service Public Works	5,397,091	361,661	629,668	12.0	4,767,423	1,938,438	2,828,985	52.4
Recreation	2,002,240	175,067	332,136	17.0	1,670,104	424,011	1,246,092	62.2
Public Library	1,056,273	88,825	180,185	17.0	876,088	620,854	255,234	24.2
Human Services	829,853	86,170	135,427	16.0	694,426	136,273	558,154	67.3
Debt Service	9,690,031	131,826	390,869	4.0	9,299,162	9,325,625	(26,463)	(0.3)
Other Financing Sources/Uses	2,122,757	-	-	0.0	2,122,757	-	2,122,757	100.0
School	42,264,590	1,709,178	2,454,535	6.0	39,810,055	23,200,058	16,609,997	39.3
Intergovernmental	7,482,308	-	-	0.0	7,482,308	-	7,482,308	100.0
Sub-total : 1000 General Fund	\$ 88,718,806	\$ 3,968,275	\$ 7,178,644	8.1%	\$ 81,540,162	\$ 43,833,792	\$ 37,706,370	42.5%
3213 Parking Activity Fund								
Police	\$ 614,320	\$ 27,384	\$ 59,405	10.0%	\$ 554,915	\$ 231,833	\$ 323,083	52.6%
Sub-total : 3213 Parking Activity Fund	\$ 614,320	\$ 27,384	\$ 59,405	9.7%	\$ 554,915	\$ 231,833	\$ 323,083	52.6%
3320 Residential Solid Waste								
Community Service Public Works	\$ 950,663	\$ 66,935	\$ 78,775	8.0%	\$ 871,888	\$ 795,862	\$ 76,026	8.0%
Sub-total : 3320 Residential Solid Waste	\$ 950,663	\$ 66,935	\$ 78,775	8.3%	\$ 871,888	\$ 795,862	\$ 76,026	8.0%
3381 McConnell Center								
Recreation	\$ 825,205	\$ 25,086	\$ 50,566	6.0%	\$ 774,639	\$ 543,645	\$ 230,994	28.0%
Sub-total : 3381 McConnell Center	\$ 825,205	\$ 25,086	\$ 50,566	6.1%	\$ 774,639	\$ 543,645	\$ 230,994	28.0%
5300 Water Fund								
Community Service Public Works	\$ 4,733,094	\$ 322,790	\$ 581,890	12.0%	\$ 4,151,205	\$ 1,146,882	\$ 3,004,322	63.5%
Sub-total : 5300 Water Fund	\$ 4,733,094	\$ 322,790	\$ 581,890	12.3%	\$ 4,151,205	\$ 1,146,882	\$ 3,004,322	63.5%
5320 Sewer Fund								
Community Service Public Works	\$ 6,534,439	\$ 461,232	\$ 880,977	13.0%	\$ 5,653,462	\$ 1,350,849	\$ 4,302,614	65.8%
Sub-total : 5320 Sewer Fund	\$ 6,534,439	\$ 461,232	\$ 880,977	13.5%	\$ 5,653,462	\$ 1,350,849	\$ 4,302,614	65.8%
Total : EXPENDITURES	\$ 102,376,528	\$ 4,871,701	\$ 8,830,257	8.6%	\$ 93,546,271	\$ 47,902,863	\$ 45,643,408	44.6%

City of Dover

Arena - General Fund
Revenue & Expenditure Report
(Including Arena Debt Service attributed to the General Fund)
August 31, 2012

	<u>Budget</u>	<u>Range To Date</u>	<u>Year To Date</u>	<u>% Year To Date</u>	<u>Budget Balance</u>	<u>Encumbrance</u>	<u>Budget Available</u>	<u>% Available</u>
Revenue	1,307,885	66,399	106,055	8.1	1,201,830	0	1,201,830	91.9
Expenditures	940,627	72,131	135,112	14.4	805,515	179,945	625,570	66.5
Debt Service								
Principal	242,190	0	0	-	242,190	0	242,190	100.0
Interest	74,185	0	504	0.7	73,681	0	73,681	99.3
	50,883	(5,732)	(29,561)	(58.1)	80,444	(179,945)	260,388	511.7



CITY OF DOVER

CITY COUNCIL - MINUTES

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

Councilor Weston led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

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

Absent: Councilor Spuler.

Also Present: City Manager Joyal and Deputy City Clerk Mistretta.

5. PROCLAMATIONS/AWARDS – None

6. APPROVAL OF AGENDA

Councilor Weeden moved to add as Item 13.B.3.: Citizen Presentations at City Council Workshop Sessions; seconded by Councilor Weston.

Vote: 8/0.

Councilor Weeden moved to suspend the rules to remove from the table the resolution for Approval of Scenic Byway Application and place on the agenda as Item 13.B.4.; seconded by Councilor Crago.

Mayor Trefethen said he was concerned that the public wasn't informed about this being placed on the agenda and therefore didn't plan to come to the meeting to speak at Citizen's Forum.

Councilor Hooper said she didn't have a clear picture, and suggested another workshop with a presentation from the Planning Board.

Councilor Garrison said he didn't expect this and wasn't prepared.

Councilor Weeden asked if it could be put on the next regular meeting agenda, because he wasn't in a rush.

Mayor Trefethen said it could be put on the next regular meeting agenda.

Councilor Crago said he was comfortable with waiting for the next regular meeting.

Vote: 0/7; Failed. Councilor Cheney didn't vote.

Deputy Mayor Carrier moved to add the Road Toll Permit Application as Item 13.A.1.b.; seconded by Councilor Weeden.

Vote: 8/0.

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

Vote: 8/0.

7. PUBLIC HEARINGS - None



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, August 22, 2012**
Meeting Time: **7:00 pm**

8. CITIZEN'S FORUM

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

David Montenegro, 55 Union Street: He spoke against the resolution for Citizen Presentations at City Council Workshop Sessions.

Shellie Lemelin, 9 Western Avenue: She read her statement to the Council about reinstating the FastTrans Route 34. (Her statement has been archived with these minutes.)

David Martin, 10 Linda Avenue: He spoke against the Scenic Byway Application and Agenda 21.

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

9. CITY MANAGER'S REPORT

City Manager Joyal presented his report in writing to the Council. He spoke about four items that he wanted to bring to the Council's attention. 1) He said Dickinson Development has agreed to pay the City \$10,000/month to extend their contract. 2) The Whittier Street Bridge will be completed in time for school. 3) Recreation summer programs have wrapped up. The indoor pool will be closing for its annual maintenance work. The McConnell Center Gymnasium and Senior Center will take a break to allow for maintenance. He said the City will be hosting the Women's hockey tournament involving multiple days in September. 4) He said the Dover Police helped cover President Obama's visit to Rochester. He said they have charged the Obama Campaign for the officers' time, but being part of a regional team they could not refuse to help. Councilor Hooper asked if Hillary Clinton's campaign ever paid for her visit in 2008. City Manager Joyal said she did pay, but the City has changed their procedure and collect the payment before the visit.

Deputy Mayor Carrier referred to Ms. Lemelin's comments during Citizen's Forum and asked about FastTrans Route 34.

City Manager Joyal said the City was successful in securing grant funds to provide inner city bus routes. He said Route 34 was cancelled when the grant funds ran out, and the City has not budgeted for it.

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

Vote: 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, August 22, 2012**
Meeting Time: **7:00 pm**

10. APPROVAL OF MINUTES

- A. **August 1, 2012 – Workshop**
- B. **August 8, 2012 – Regular Meeting**
- C. **August 8, 2012 – Workshop**

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

Vote: 8/0.

11. MAYOR'S REPORT

Mayor Trefethen spoke about openings on Boards and Commissions, and urged citizens to apply with the City Clerk's office. He said he attended several ribbon cuttings for new members of the Greater Dover Chamber of Commerce.

Councilor Garrison said he was glad to see new businesses join the Chamber of Commerce.

Mayor Trefethen said it shows the City's business community is vibrant.

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

Vote: 8/0.

12. UNFINISHED BUSINESS

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

13. NEW BUSINESS

A. CONSENT CALENDAR

- 1. **RAFFLE – Dover Elks #184**
- 1.b. **ROAD TOLL – Muscular Dystrophy Association**
- 2. **RESOLUTION: BOOKS & MEDIA PURCHASES**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
- 3. **RESOLUTION: B12074 IN VEHICLE PARKING METERS**
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 22, 2012**
Meeting Time: **7:00 pm**

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

Deputy Mayor Carrier moved to accept the Consent Calendar; seconded by Councilor Garrison. Mayor Trefethen asked the Council if they had items they would like to pull for further discussion. Councilor Hooper asked to pull the School Board Report. Mayor Trefethen asked for a roll call vote on the remaining items of the Consent Calendar. Roll Call Vote: 8/0.

Councilor Hooper gave an overview of the School Board Report to the Council. Deputy Mayor Carrier moved to accept the School Board Report; seconded by Councilor Garrison. Vote: 8/0.

B. RESOLUTIONS

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

Deputy Mayor Carrier moved for its approval; seconded by Councilor Garrison. Councilor Weeden asked what the expected cost was going to be. Mayor Trefethen said there were no costs to the City. Vote: 8/0.

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

Councilor Crago moved to refer to a public hearing on September 12, 2012; seconded by Councilor Weeden. Councilor Crago gave an overview of the resolution to the Council. Vote: 8/0.

3. **CITIZEN PRESENTATIONS AT CITY COUNCIL WORKSHOP SESSIONS** SPONSORED BY COUNCILOR WEEDEN AND COUNCILOR CRAGO

Councilor Weeden moved for its adoption; seconded by Councilor Crago. Councilor Weeden gave an overview of the resolution to the Council, and addressed Mr. Montenegro's comments during Citizen's Forum. Councilor Crago said this resolution encourages and invites participation from the citizens.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, August 22, 2012**
Meeting Time: **7:00 pm**

Councilor Hooper started a discussion about implementing a time limit for the presentations.

Councilor Cheney moved to make a friendly amendment to put a 15 minute time limit to the presentation; seconded by Councilor Garrison.

Mayor Trefethen said he doesn't believe they need a time limit. He said it would be added as #5 under Now, Therefore.

Councilor Cheney withdrew her motion.

Councilor Garrison objected to withdrawing his second, and asked for a vote.

Vote: 2/6; Failed. Councilors Hooper and Weston voted in favor.

Mayor Trefethen said he sees potential for abuse and potential to receive great information, but the Council can reverse this policy if it isn't working. He cautioned the Council to know the subject matter before bringing it before the Council.

Deputy Mayor Carrier asked where it stopped. He said saying no to a citizen is disrespectful. Who's more important than others? How many can the Council handle? He felt it should be brought forward during Citizen's Forum.

Councilor Weston moved for a friendly amendment to add #6, to have the Council decide if they wish to hold a workshop.

Mayor Trefethen said #1 and #2 go together and addresses the issue.

Councilor Garrison started a discussion about the extra staff time to address these presentations.

Vote: 5/3; Passed. Deputy Mayor Carrier, Councilors Garrison and Hooper were opposed.

C. ORDINANCES IN 1ST READING – None

14. COUNCIL CORRESPONDENCE – None

15. COUNCIL MATTERS OF INTEREST

Councilor Weeden talked about creating a rainy day fund to direct any revenue from Local Government Center (LGC) refund and funds from the Waterfront Development. He said he will be bringing a resolution to the Council.

Councilor Crago talked about scheduling a Speak Out session.

Councilor Cheney started a discussion about inviting the Secretary of State to speak in a Town Forum regarding the LGC decision and hear their side of the story.

Councilor Weston said they should wait until after the 30-day appeal period.

Councilor Weeden said he was having a personal public session on September 8, 2012 to speak with constituents, as he is running for New Hampshire State Representative.

16. ADJOURNMENT

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

Vote: 8/0.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2012.08.08 – 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#: 12.C.1.

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.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2012.05.09 – 64**

Resolution Re: **Approval of Scenic Byway Application**

WHEREAS: The Strafford Regional Planning Commission seeks to designate a portion of the Route 108 corridor from Newmarket to Rollinsford as a scenic byway; and

WHEREAS: The portion of the scenic byway through the City of Dover will be a part of a state and federal program to promote cultural, recreational and historic attributes of the State of New Hampshire; and

WHEREAS: The designation of the byway through Dover will provide eligibility for Federal Highway Administration Scenic Byway funds. These funds may fund signage, transportation improvements, such as scenic overlooks, interpretive markers, and marketing material.

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

The Mayor is authorized to sign a letter on behalf of the City of Dover from the Dover City Council supporting the designation of a scenic highway through the City of Dover as part of the application of the Strafford Regional Planning Commission for the establishment of a scenic highway in Strafford County.

REQUIRES A PUBLIC HEARING

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		

DOCUMENT HISTORY:

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2012.05.09 – 64**
Resolution Re: **Approval of Scenic Byway Application**

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.		

BACKGROUND:

In early 2009 the Strafford Regional Planning Commission began the process of designating a portion of the Route 108 corridor from Newmarket to Dover, and then follow the Route 4 corridor into Rollinsford as a scenic byway. The Commission has drafted a scenic byway plan (see attached handouts), that will promote the mills that are featured along the route.

Strafford Regional has developed this byway plan as part of a Corridor Management Plan (CMP) that it is submitting to the NH Department of Transportation for designation into the Scenic Byways Program.

The byway follows Route 108 starting in Newmarket at the Newfields town line and running north through Durham, turning right at the Courthouse and heading north again through Madbury and Dover. In downtown Dover, the proposed byway would turn right and head northeast on Route 4 to the Maine line in Rollinsford. The approximate length is 15 miles.

The New Hampshire Scenic and Cultural Byways Program was established in 1992 under RSA 238:19, "... to provide the opportunity for residents and visitors to travel a system of byways which feature the scenic and cultural qualities of the state within the existing highway system, promote retention of rural and urban scenic byways, support the cultural, recreational and historic attributes along these byways, and expose the unique elements of the state's beauty, culture and history."

New Hampshire's program is coordinated with the National Scenic Byways Program. The national program has three categories of byways (two are nationally designated categories, the third is a state designation). If the Byway is designated, it will become eligible for Federal Highway Administration Scenic Byway funds. This funding could be used to fund signage, transportation improvements, such as scenic overlooks, interpretive markers, and marketing material.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

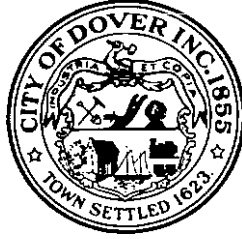
Agenda Item#: 12.C.2.

Resolution Number: **R – 2012.05.09 – 64**

Resolution Re: **Approval of Scenic Byway Application**

This is a project that the Planning and Community Development staff has worked on with the Commission coordinating the inventory of sites and views along the byway. In addition to staff, the process involved volunteers with Dover Main Street, The Dover Chamber of Commerce and the Community Trail Committee.

As part of the application, the Commission is requesting that the communities along the Byway submit a letter of support for the project. This letter will be forwarded, with the application, to the Department of Transportation. The application process requires a public hearing to be held prior to the Council adopting the letter of support.



288 Central Avenue
Dover, New Hampshire 03820-4169
(603) 516-6000
Fax: (603) 516-6666
www.dover.nh.gov

MAYOR
and
CITY COUNCIL
citycouncil@dover.nh.gov

City of Dover, New Hampshire

May 9, 2012

Cynthia Copeland, Executive Director
Strafford Regional Planning Commission
150 Wakefield Street, Suite 12
Rochester, NH 03867

Dear Ms. Copeland:

I am writing you on behalf of the Dover City Council, to express strong support from the City of Dover and citizen volunteers for the Strafford Regional Planning Commission's application for State Scenic Byway designation of the proposed "Mills" Scenic Byway Corridor. In addition, the City supports the preparation and submittal of associated application materials to initiate the corridor management planning process.

We believe that this designation will provide the municipalities along the corridor (Newmarket through Rollinsford) with opportunities to seek federal funding through the Federal Highway Administration Discretionary Grants program for byway-related projects each year. Not only will this project provide funding opportunities to Dover, it will work to showcase the many intrinsic values existing in our City, draw visitors to the area, preserve and protect the local quality of life, and add to the byway programs existing collection of unique American roads.

Again, the City of Dover is extremely excited and supportive of the Strafford Regional Planning Commission's application for State Scenic Byway designation of the proposed "Mills" Scenic Byway Corridor project.

Should you have any questions regarding our letter of support, please contact Christopher Parker, Director of Planning and Community Development at 603-516-6008.

Sincerely,

Dean Trefethen
Mayor

NATIONAL AND STATE SCENIC BYWAY PROGRAM OVERVIEW & PROPOSED MILLS SCENIC BYWAY

- National/State Scenic Byway Program Overview
- Types of Byway Designations
- Byway Nomination Process and Criteria
- Grant Funding Opportunities
- Proposed Route
- Corridor Management Plan
- Next Steps Moving Forward



Dover City Council: May 9, 2012

NATIONAL & NEW HAMPSHIRE SCENIC BYWAY PROGRAM OVERVIEW

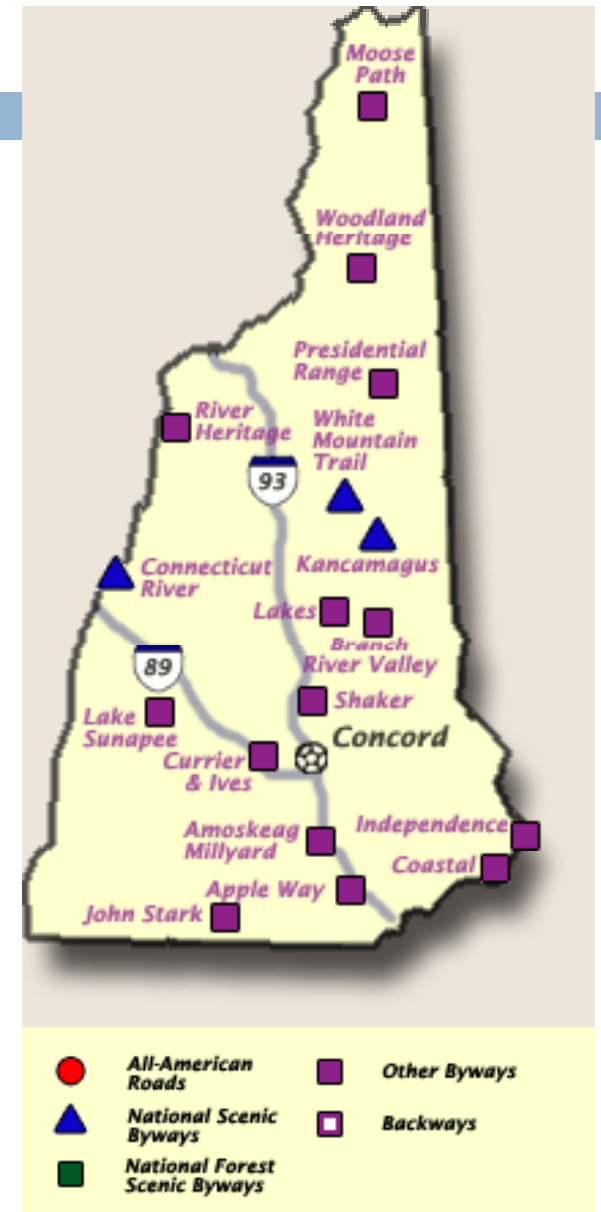
- The National Scenic Byways Program was established under the Federal Intermodal Surface Transportation Efficiency Act of 1991.
- The vision of the program is to create a distinctive collection of American roads.
- Provide resources to the byway community to create unique travel experiences and enhance local quality of life through efforts to preserve, protect, interpret, and promote the intrinsic qualities of designated byways.
- This designation is based on each byways archaeological, cultural, historic, natural, recreational, and scenic qualities.
- Managed in New Hampshire by NHDOT with input from NH Scenic & Cultural Byways Council.



NATIONAL SCENIC BYWAY PROGRAM: THREE LEVELS OF DESIGNATION

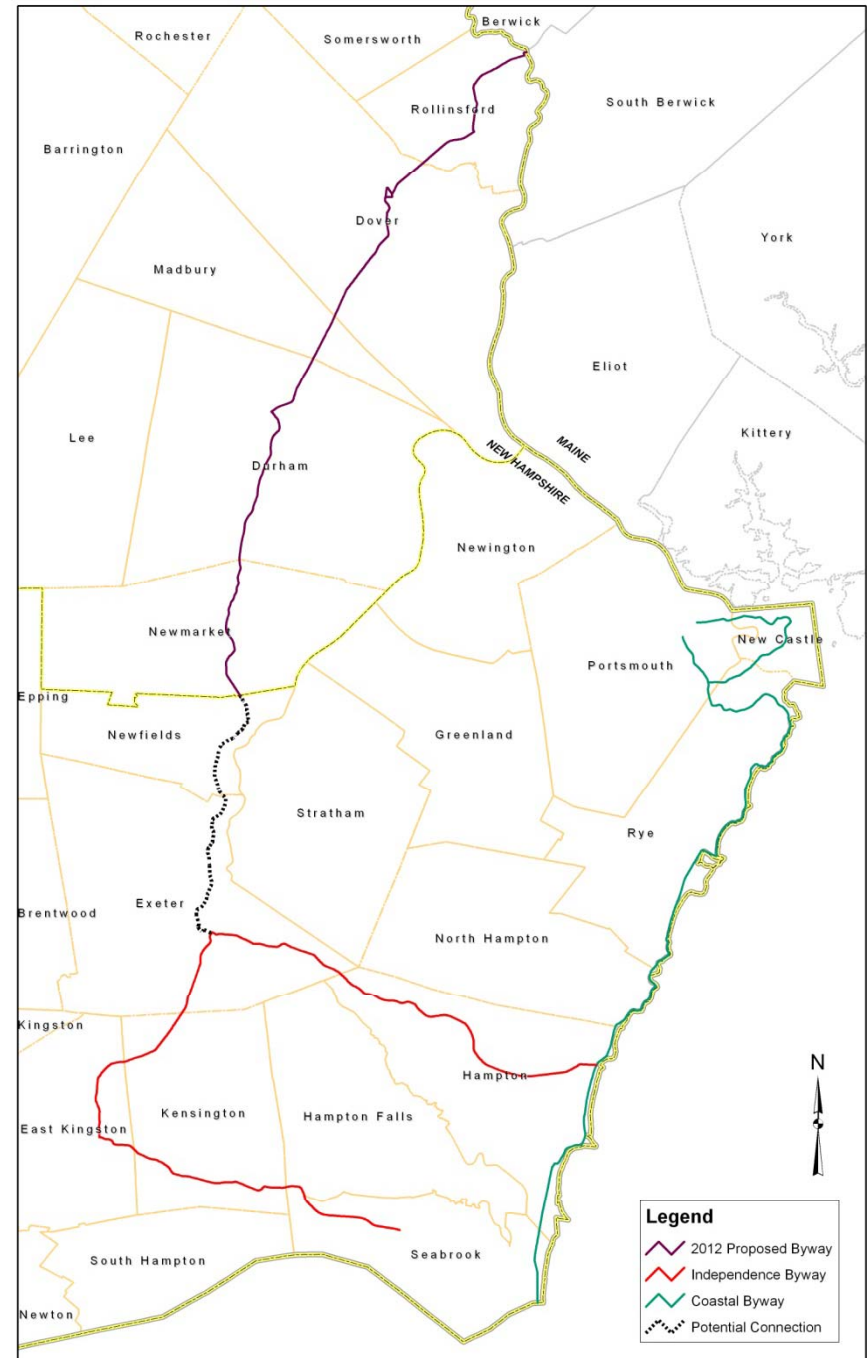
1. All- American Roads (31 nationally)
2. National Scenic Byways (120 nationally/3 in NH)
 - Connecticut River Byway
 - Kancamagus Scenic Byway
 - White Mountain Trail
3. State Scenic Byways (14 in NH/3 in the Lakes & Seacoast Regions)
 - Independence Byway
 - Coastal Byway
 - Branch River Valley

“New Hampshire has over 1,000 miles of designated scenic and cultural byways!”



PROPOSED SCENIC BYWAY ROUTE AND CONNECTING LOOP

- Proposed Mills Scenic Byways – 16.3 miles
- Coastal Byway – 18.5 miles
 - [Tour Details](#)
- Independence Way – 21 miles
 - [Tour Details](#)
- Potential Connection – 5.6 miles
 - Through Newfields & Exeter
- Long-term goal to work with Southern Maine RPC to develop a route through South Berwick, York/Eliot, and Kittery





Scenic Byway Program - Nomination Process

Nominations for Byway designation must demonstrate:

- State and/or regional significance of the intrinsic qualities of the byway:
- Scenic Resources
- Natural Resources
- Historic Resources
- Cultural Resources
- Archaeological Resources
- Recreational Resources

SCENIC BYWAY PROGRAM -NOMINATION PROCESS

- Planning to support preservation, enhancement and promotion of those intrinsic qualities
- Planning a quality visitor experience
- Community and organizational support for the byway



Mission: To provide resources to the byway community in creating a unique travel experience and enhanced local quality of life through efforts to preserve, protect, interpret, and promote the intrinsic qualities of designated byways.

SCENIC BYWAY PROGRAM – GRANT TYPES

- Nationally Competitive Process
- Since 1992 approximately \$560,000/year available in NH
- Categories of Eligible Activities
 1. State and Indian Tribe Scenic Byway Programs
 2. Corridor Management Plan
 3. Safety Improvements
 4. Byway Facilities
 5. Access to Recreation
 6. Resource Protection
 7. Interpretive Information
 8. Marketing



Summary for 1992- 2011

Total Amount Funded:

\$468,669,373

Total Projects Funded:

3049

Total for New Hampshire

\$11,245,460

Summary 2011

Total Amount Funded:

\$40,281,344

Total Projects Funded:

123

Total for New Hampshire

\$1,168,028 (2 projects)

Projects submitted for consideration should benefit the byway traveler's experience, whether it will help manage the intrinsic qualities that support the byway's designation, shape the byway's story, interpret the story for visitors, or improve visitor facilities along the byway.

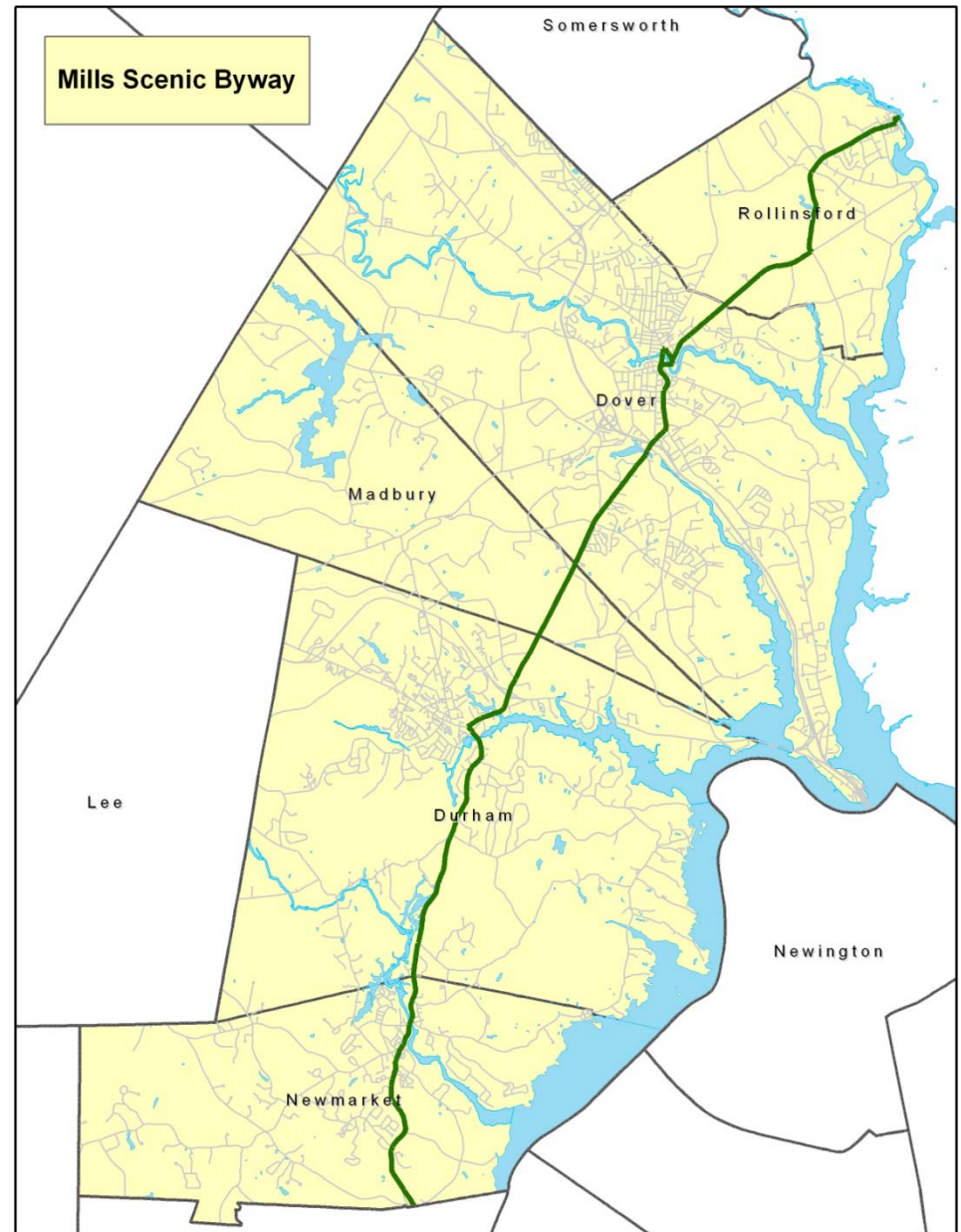
NEWMARKET, DURHAM, MADBURY, DOVER, AND ROLLINSFORD PROPOSED ROUTE

- Set up joint meeting with proposed corridor communities (Newmarket, Durham, Madbury, Dover, and Rollinsford).
- Form a regional corridor advisory committee.
- Submit nomination to develop byway corridor.
- Write a Corridor Management Plan.



The Mills Scenic Byway

Corridor Management Plan



CORRIDOR MANAGEMENT PLAN



A Corridor Management Plan inventories, and sets strategies to manage the scenic, natural, historic, recreational, archaeological, and cultural qualities that support the byway's designation.

General Requirements:

- Be a written plan developed through community involvement along a scenic byway
- Provide for conservation and enhancement of the byway's intrinsic qualities
- Address promotion of tourism and other economic development
- Identify management strategies to balance these concerns while providing for the user's enjoyment of the byway

Are community-based and "living documents" that outline the goals, strategies, and responsibilities for preserving and promoting the byway.



Built in 1768, The Dover Friend's Quaker meeting house is the oldest religious structure in Dover and is located on Central Avenue abutting the Pine Hill Cemetery. The building's entrance way has two doors, the left was once used by Women only and the right by Men. The sexes were separated during the religious services and the partitions were removed for business meetings.



The Woodman Museum building is approximately 200 years old and the institute was formed in 1916. Located on Central Avenue adjacent to the Garrison House, the museum offers visitors a unique opportunity to view extensive collections of minerals, animals, insects and Native American artifacts. Additionally, the museum houses a War Memorial and as many other items of historic significance. The museum is now listed on the National Register of Historic Places.

Historic Resources – Examples in Dover

- The William Hale House
- Garrison House
- Sawyer Woolen Mills
- First Parish Church
- Dover Armory
- Michael Reade House



The Joe Park's Riverwalk and Public Gardens began as an effort between the Dover Rotary Club and Dover Main Street program and developed into a project completed largely by help from local volunteers in 2008. The park is located on Central Avenue in downtown Dover and offers a walking path along the Cochecho River, benches and landscape areas for the public.



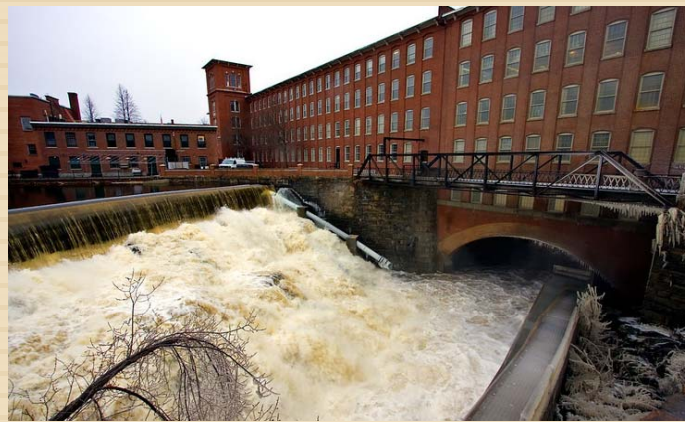
Located on Henry Law Avenue off Central Avenue in downtown Dover, the Cochecho River Walk is a central attraction in downtown Dover offers a canoe launch; picnic tables, outdoor grills, Skateboard Park, benches, outdoor theater, covered bridge and pathway following the Cochecho River bend around the historic mill buildings. The trail begins at the outdoor amphitheater in Henry Law Park and continues 1,200 feet before ending on River Street.

Recreational Resources – Examples in Dover

- Cochecho River Walk
- Immigrants Park
- Joe Parks Riverwalk
- Guppy Park
- Henry Law Park
- Fish Ladder Park



The Bellamy River is another local tributary to the Piscataqua River which runs through Dover along Route 108. Running for approximately 15 miles, the river rises at Swains Lake in Barrington, flows east through the Bellamy Reservoir in Madbury before traveling through Dover and into the tidal river to Little Bay, the channel connecting Great Bay with the Atlantic Ocean. During the 19th and 20th century, a series of dams were installed to provide power for machinery at local mills.



The Cochecho River Dam is located adjacent to Fish Ladder Park on Central Avenue in downtown Dover. Located at the tidal limit of the Cochecho River, the Dam offers scenic views of the falls and New Hampshire Fish and Game fish ladder.

Natural/Scenic Resources – Examples in Dover

- Bellamy River
- Cochecho River
- Cochecho River Dam



In 1883 the Mayor of Dover James E. Lothrop proposed a Public Library as part of his inaugural address. On January 14, 1884, the Dover Public Library opened its doors and recorded 2,300 borrowers in the first year. As the Library continued to grow, it changed locations three times before settling at the “Hale Lot” located on Locust Street in downtown Dover.



The Children’s Museum of New Hampshire is located on Franklin Pierce Highway (Route 108) at the Cochecho River Bridge adjacent to Henry Law Park and Rotary Arts Pavilion amphitheater. Occupying the site of the Dover Armory, the museum offers a variety of science, art and cultural experiences for children, educational institutions and families.

Cultural Resources – Examples in Dover

- Children’s Museum of NH
- Woodman Institute Museum
- McConnell Center
- Dover Public Library

PHYSICAL CONDITIONS

Traffic Volume

During 2010 and 2011, on behalf of NHDOT and municipalities, SRPC collected traffic data at 17 points. It should also be noted that traffic tends to increase substantially in the fall due to student enrollment at the University of New Hampshire.

Traffic Speed & Accident Data

In preparation for the corridor management plan for Route 108/Route 4 Byway, the Durham Police Department reviewed crash data and the citation history for the previous five (5) years. The data was sorted to its approximate location on the corridor and is depicted on the accompanying map and table.



	Speeding Citations & Warnings	Problematic Speeding Areas (highest frequency to lowest)	Collisions	Problematic Collision Areas (highest frequency to lowest)
2007	237	1) Durham Rd at Alumni Dr (524) 2) Portland Av at Atlantic Av (233) 3) Portland Av at Hancock St (126) 4) Durham Rd at Daley Dr (120) 5) Durham Rd at Dunns Bridge Ln (118) 6) Durham Rd at Adelle Dr (108) 7) Durham Rd at Bellamy Rd (105)	164	1) Central Av (South) at Washington St/Henry Law Av (62) 2) Central Av at Locust St (62) 3) Central Av (South) at Orchard St (51) 4) Main St (North) at Washington St (50) 5) Central Av (South) at First St (39) 6) Central Av at Court/Church/Hanson St (38) 7) Portland Av at Rollinsford Town Line/Oak Street (36)
2008	285		175	
2009	578		185	
2010	621		153	
2011	718		146	
TOTAL	2439		823	

EXISTING ROAD SIGNS AND LEVELS OF SERVICE

- In December 2011, SRPC conducted a sign inventory for the entire Byway route. The inventory consists of geocoded points for all warning, regulatory, guide and directional signs along the corridor.



- Commercial enterprises within the proposed Mills Scenic Byway are clustered mainly in Downtown Dover and Newmarket.
- Additional signs along the corridor, aside from regulatory and warning signs, consist mostly of Guide Signs, Recreational & Cultural Interest signs and General Information Signs.

- SRPC conducted two inventories for the Byway to determine its level of service for both pedestrian and bicycle traffic.
- Utilizing the Sustainable Cities Institute LOS Calculator, assessments were generated that provide insight relative to pedestrian and bicyclist comfort and safety levels for all segments of the Byway.
- The calculator uses a series of variables such as shoulder width, road width, traffic volume and classification, pavement condition, speed limit and percentage of sidewalk to estimate a level of service for each roadway segment.



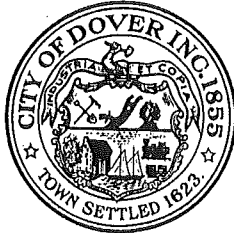


For more information:

Contact:
Kyle Pimental, Regional Planner
Tel. (603) 994-3500
Fax: (603) 994-3504
Email: kpimental@strafford.org

Strafford Regional Planning Commission
150 Wakefield Street, Suite 12
Rochester, NH 03867
www.strafford.org





CITY OF DOVER
12 AUG 13 AM 8:53

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: AMYS TREAT

Federal Tax ID number for Organization: 26-2550766

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

Contact Person: STEVE FOREN Day Time Telephone: 603 742 0777

Address: 12 SUNSET DR DOVER Email Address: SFOREN@COMCAST.NET

Purpose of Permit: FUNDRAISING RAFFLE

Date of Event: 10-6-2012 Specific Time: 9AM TO 4PM

Location of Event: DOWNTOWN DOVER

(Raffle Permit only)
Prize (s) To Be Awarded: SPORTS & DINING CERTIFICATES

Amount of Donation: 5 Date of Drawing: 10-19-12 Specific Time: 3PM

Place of Drawing: DOVER CHAMBER

* 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: 8-13-12

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

12 AUG 16 PM 2:55
CITY OF DOVER
All set
D



RECEIVED
DOVER CITY CLERK
DOVER, NH

2012 AUG -6 P 2:26

2012 AUG 21 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: First Parish Church

How Long Has Organization Been in Existence: 375 years

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

Contact Person: Norma Willard Telephone: 603-742-5664

Address: First Parish Church
218 Central Ave Dover, NH 03820

Purpose of Permit: Raffle for quilt as fundraiser for non-profit church

Date of Event: Oct 6 Specific Time: _____

Location of Event: _____

(Raffle Permit only)

Prize (s) To Be Awarded: Quilt

Amount of Donation: 1 or 6 bits Date of Drawing: Nov. 17, 2012 Specific Time: 3:00

Place of Drawing: First Parish Church, 218 Central Avenue

* 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.

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.

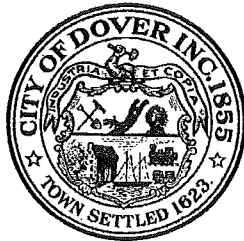
I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A , RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: Michelle [unclear] Date: 8/6/12

Police Department approval: [Signature] Date: 8/14/12

COUNCIL MEETING DATE: _____

All set [Signature]
Revised (08/01/07)



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: Sons of American Legion Post 8
Federal Tax ID number for Organization: 02-0215228V

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

Contact Person: James Wood Day Time Telephone: 603-978-0198

Address: 20 Elmview Cir. Dover NH 03820 Email Address: KLMQ@myfairpoint.net

Purpose of Permit: Children and Youth Fundraiser

Date of Event: start Sept. 15th End Jan 6, 2013 Specific Time: 3pm

Location of Event: Dover Legion

Prize (s) To Be Awarded: \$500 Dollar Bill Pay

Amount of Donation: \$1 per ticket Date of Drawing: Jan 1, 2013 Specific Time: 3pm

Place of Drawing: Dover Legion

* NOTICE TO RAFFLE AND TAG PERMIT APPLICANTS: Please be advised the City will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application.

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

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

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

Signature: James Wood Date: 8-28-12

Licensing Board approval Date: 8/30/12

Revised 03/17/08

RECEIVED DOVER CITY CLERK 182 AUG 28 4:09 PM 2012 All set w/ Charitable Trusts Unit.



CITY OF DOVER
12 AUG 23 PM 12:01

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: ZEBRA CROSSINGS

Federal Tax ID number for Organization: 80-0456257

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

Contact Person: ASTRID WIELENS Day Time Telephone: 603-312-2052

Address: 61 LOCUST ST., DOVER NH Email Address ASTRID@ZEBRA-CROSSINGS.ORG.

Purpose of Permit: RAFFLE CALENDAR

Date of Event: DECEMBER - DAILY DRAWINGS Specific Time: 1PM EACH DAY

Location of Event: MCCONNELL CENTER DOVER

(Raffle Permit only)

Prize (s) To Be Awarded: 31 PRIZES (ONE EACH DAY IN DECEMBER). ESTIMATED TOTAL VALUE: \$1,600
INCL CASH & GIFT CERTIFICATES

Amount of Donation: \$10/calendar Date of Drawing: DAILY IN DECEMBER Specific Time: 1PM DAILY

Place of Drawing: MCCONNELL CENTER DOVER (EXCEPT ON HOLIDAYS / WEEKENDS)

* 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

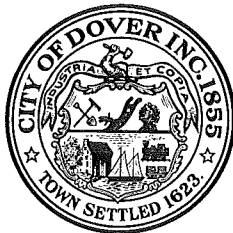
I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.
I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A, RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: [Signature] Date: 8/16/12

Licensing Board approval [Signature] Date: 8/28/12

Revised 03/17/08

All set w/ Charitable Trusts Unit.
[Signature]



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: Horne Street School PTG
Federal Tax ID number for Organization: 27-4610691 Charitable Trust #19515
Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: Fergus or Jenny Cullen Day Time Telephone: (603) 343-1444

Address: 152 Boxwood Lane, Dover Email Address Jennycullen2@comcast.net

Purpose of Permit: Horne Street School 5K or 2 mile walk

Date of Event: October 21, 2012 Specific Time: 9:00 AM

Location of Event: Horne Street School -> 6th St. -> Glenwood (5K run). (See attached)
Whittier (2 mile walk) or

(Raffle Permit only)

Prize (s) To Be Awarded: _____

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

Place of Drawing: _____

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

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I 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: Jenny Cullen Date: August 26, 2012

Licensing Board approval [Signature] Date: 8/21/12
Revised 03/17/08

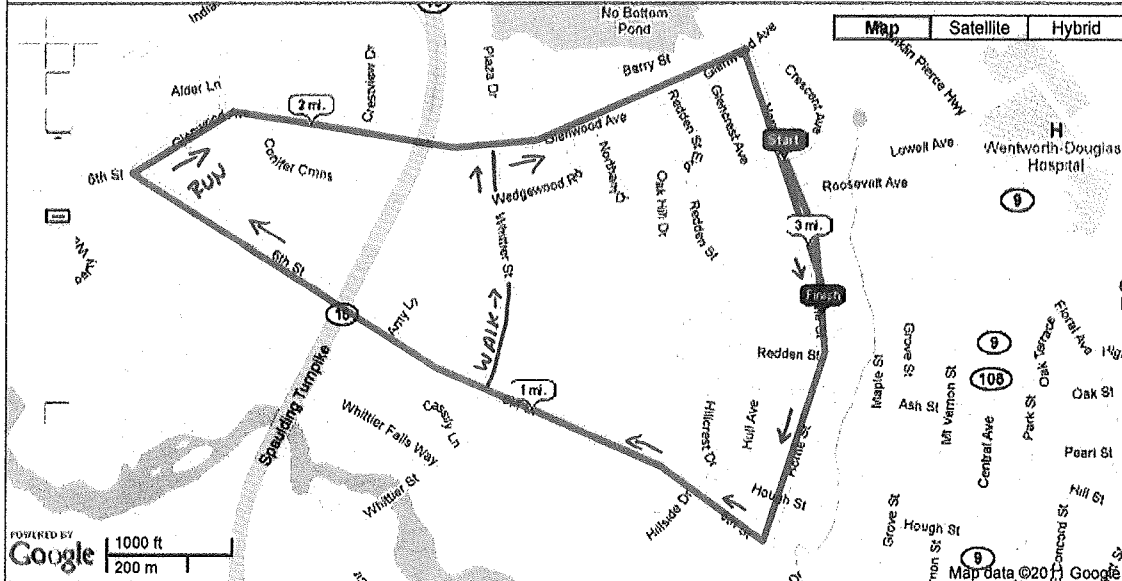
Traffic Bureau attachment
MES
All set with Charitable Trusts Unit.
[Signature]



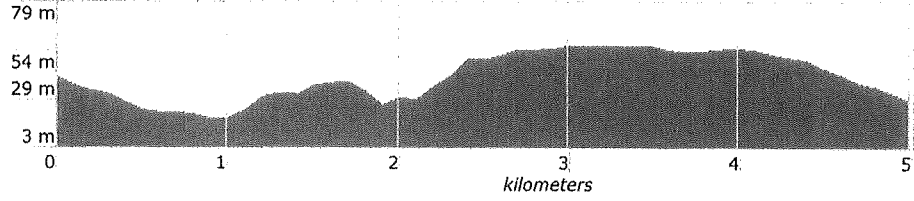
LOGIN | Become a member

View Route

Name: Horne Street School 5K
Rating: unrated
Distance: 3.11 miles / 5.00 km
Location: Start: Horne Street School - Dover, NH, US
Attributes: loop, mixed flat & hills, sidewalks
Description:



Elevation Profile



Total climb: 54 feet / 16 m
Total elevation change: 121 feet / 37 m

Added by Fergus Cullen on 4/13/2011
DISCLAIMER: USATF and the author of this route make no warranties as to the conditions, safety, distance accuracy, or suitability for running of this route. Run at your own risk!





DOVER POLICE DEPARTMENT

Dover, New Hampshire

Memorandum

TO: Chief Anthony F. Colarusso, Jr.

FROM: Sgt. Marn Speidel, Traffic Bureau

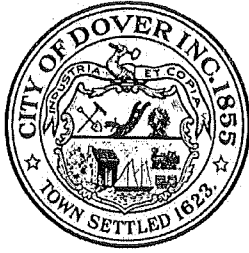
RE: Horne Street School Parent/Teacher Group 5K Road Race

DATE: September 4, 2012

Representatives of the Horne Street School Parent/Teacher Group are again holding a 5K run / 2 mile walk as a community event and fundraiser. The 5K course is a clockwise loop using Horne, Sixth, and Glenwood, and a concurrent 2 mile family fun walk uses these same streets plus a portion of Whittier.

The event date is **Sunday, October 21, 2012.**

The police department will assign and will be reimbursed for the cost of two (2) police officers to cover traffic control responsibilities at key conflict points along the route – including the signalized intersection of Sixth and Whittier - in addition to the services of an officer temporarily deployed from the patrol shift. Traffic volunteers (provided by the race committee) will be posted at other locations as determined by the event organizers and the police department.



APPLICATION
CITY OF DOVER, NEW HAMPSHIRE

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

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

Organization Name: Saint Mary Academy

Federal Tax ID number for Organization: _____

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

Contact Person: Molly Wade Day Time Telephone: 603-275-0050

Address: 20 Huckins Rd - madbury Email Address: mollywade@comcast.net

Purpose of Permit: 1 mile Fun Run

Date of Event: September 8 Specific Time: 11-12pm

Location of Event: Fieldstone Dr., Dover

(Raffle Permit only)

Prize (s) To Be Awarded: _____

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

Place of Drawing: _____

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

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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: 08/28/12

Licensing Board approval: [Signature] Date: 8/30/12


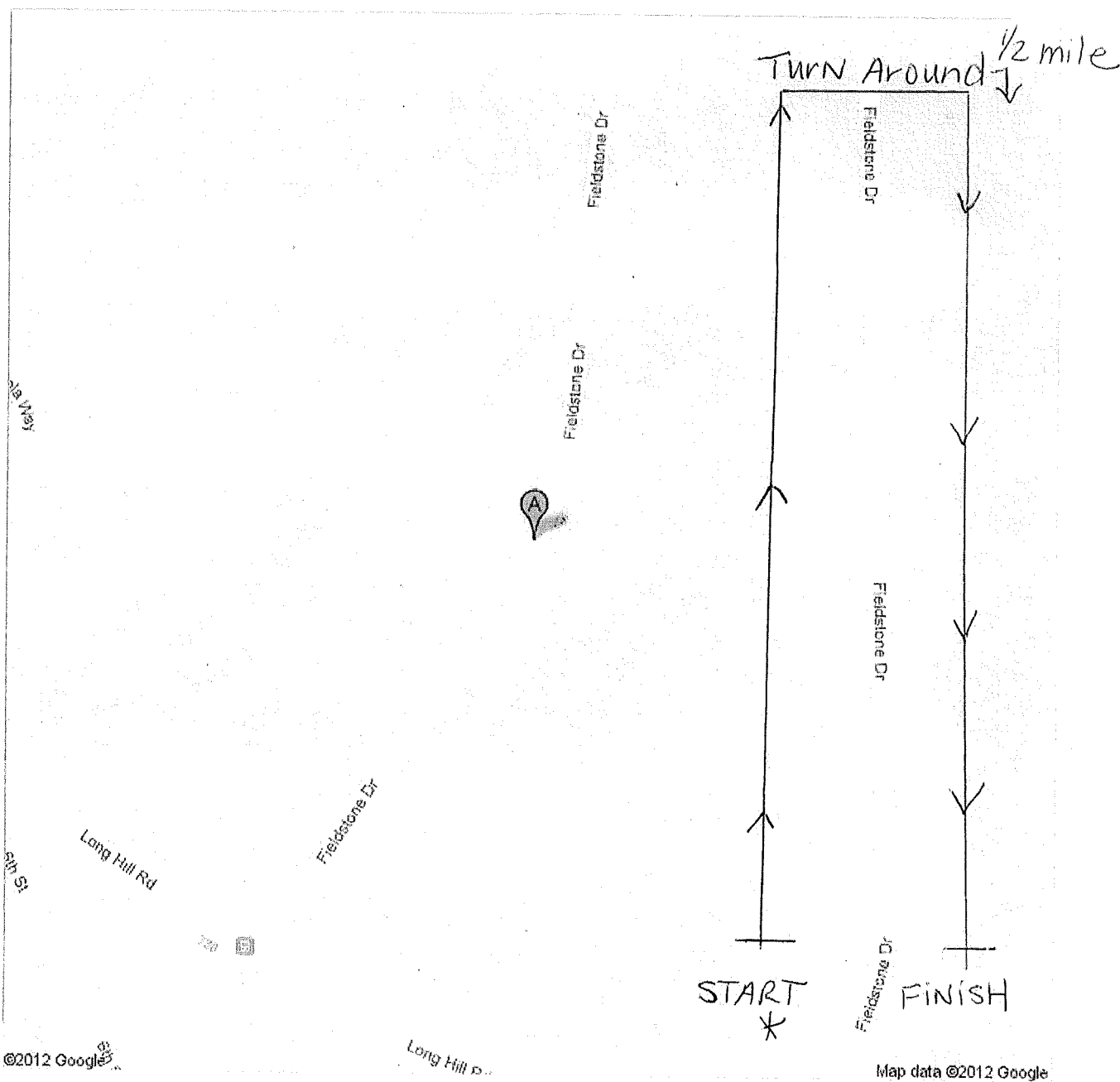
Revised 03/17/08

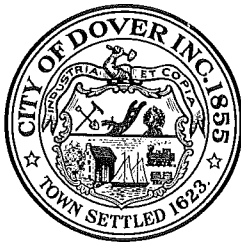
OK Traffic Bureau
MES
[Signature]



Address **Fieldstone Dr**
Dover, NH 03820

Get Google Maps on your phone
Text the word "GMAPS" to 466453



CITY OF DOVER
12 AUG -9 PM 4:09

APPLICATION CITY OF DOVER, NEW HAMPSHIRE

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

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

Organization Name: Boy Scout Troop 173

Federal Tax ID number for Organization: _____

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

Contact Person: Tracy Russell Day Time Telephone: 603-502-3525
~~603-502-3525~~ ~~10:00-4:00~~

Address: 74 Loughill Rd Email Address: Tracyrussell1227@aol.com

Purpose of Permit: Popcorn Sales

Date of Event: Oct 6, 2012 Specific Time: 10:00 - 4:00 pm

Location of Event: Shaw's Dover Central Ave

(Raffle Permit only)

Prize (s) To Be Awarded: _____

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

Place of Drawing: _____

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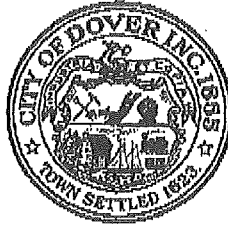
I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT.
I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE CITY COUNCIL PER the provisions of RSA 287-A, RSA 31:91 and/or RSA 286 and I agree to abide by same.

Signature: Tracy Russell Date: 8/9/12

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

12 AUG 16 PM 2:55

All set
25



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 Little Green Chees leading

Federal Tax ID number for Organization: 26-2543466

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

Contact Person: Diane McCombie Day Time Telephone: 603-866-1811

Address: 8 Deepwood Drive Email Address: dianemccombie@comcast.net

Purpose of Permit: Tagging

Date of Event: October 4th, 5th + 6th Specific Time: Thurs 4-8 Fri 4-8 Sat 8-8

Location of Event: Various locations around Dover

(Raffle Permit only)

Prize (s) To Be Awarded: _____

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

Place of Drawing: _____

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

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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: 8/29/12

Licensing Board approval: [Signature] Date: 8/30/12
Revised 03/17/08

All set w/ Charitable Trusts Unit.
[Signature]



CITY OF DOVER
12 AUG 29 PM 2: 22

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: Seacoast Titans

Federal Tax ID number for Organization: 02-0526109

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

Contact Person: Samantha Perez Day Time Telephone: (603) 422-3562

Address: PO Box 1143 Email Address McNulty03@gmail.com

Purpose of Permit: To tag at various locations throughout the city of Dover

Date of Event: Sept. 28th & 29th Specific Time: Sept. 28th 5pm-9pm & Sept. 29th 9am-9pm

Location of Event: Various Dover businesses - List included

(Raffle Permit only)

Prize (s) To Be Awarded: _____

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

Place of Drawing: _____

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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: August 28, 2012

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

All set w/
Charitable Trusts
Unit.
[Signature]

Dover Businesses we will be tagging in front of

CARE PHARMACY

STORE 24

CHILIS

Rogers Pizza

FIDDLEHEAD FARMS

DUNKIN DONUTS

FRIENDLY'S

HARVEY'S BAKERY

JANETOS

LA FESTA

PAPA JAY'S PIZZA

PIZZA HUT

REDS SHOE BARN

RITE AIDE

SHAW'S

STRAFFORD FARMS

WALGREENS

STATE LIQUOR STORE

Starbucks

Bed Bath And Beyond

Panera

Pet Co

Strafford House of Pizza

STORE 24

IRVING

DUNKIN DONUTS



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10

Resolution Number: **R - 2012.09.12 – 112**
Resolution Re: B10033 Award of Additional Scope of Work
Tolend Rd and Watson Rd Engineering Services

WHEREAS: Sealed bid B10033 was requested and received for engineering and design services for the re-construction of Tolend and Watson Roads on December 7, 2009 at 2:00 pm; and

WHEREAS: The city received proposals from eighteen (18) vendors. Award of the project, to low bidder CMA Engineers Inc of Portsmouth in the amount of \$189,207.00 was approved by council on 01.13.2010; and

WHEREAS: A scope of work for additional services was defined at a design-review meeting held in Oct 2010 with CMA Engineers Inc and city officials. Through this meeting and prior coordination with NHDES it was determined that a wetland mitigation package would be needed to satisfy wetland permitting requirements. The city negotiated an agreement in the amount of \$56,208.00 for the additional services and council approved on 01.12.2011; and

WHEREAS: The design has been completed and the permits have been obtained. The construction phase is ready to be bid out and CMA Engineers Inc has offered a cost for construction administration and oversight in the amount of \$255,816.00. It is the recommendation to award next phase to CMA Engineers Inc.

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

The purchasing agent is hereby authorized to issue a purchase order to CMA Engineers Inc of Portsmouth NH given the proposed amount of \$255,816.00 and corresponding rates provided 08.24.2012. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
4010.1.300.43121.4751.03142.10.0000	Tolend & Watson Roadway	400,000.00	236,327.50
4013.1.300.43121.4751.03142.13.0000	Tolend & Watson Roadway	2,500,000.00	2,500,000.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10

Resolution Number: **R - 2012.09.12 – 112**
Resolution Re: B10033 Award of Additional Scope of Work
Tolend Rd and Watson Rd Engineering Services

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.10

Resolution Number: **R - 2012.09.12 – 112**
Resolution Re: B10033 Award of Additional Scope of Work
Tolend Rd and Watson Rd Engineering Services

RESOLUTION BACKGROUND MATERIAL:

Sealed bid B10033 was requested and received for engineering and design services for the re-construction of Tolend and Watson Roads on December 7, 2009 at 2:00 pm. The city received proposals from eighteen (18) vendors with cost proposals being submitted in a separate sealed envelope. The evaluation committee made up of the City of Dover Engineering Department members and the Dover Purchasing Agent, reviewed all 18 and came up with a short list of the top seven (7) vendors based on the proposal criteria and those seven (7) cost proposals were opened on 12.15.09.

An interview with the low bidder, CMA Engineers Inc of Portsmouth NH was conducted on December 28, 2009 @ 10:00 am with the evaluating committee @ Mast Rd in Dover. Award of the project went to CMA Engineers Inc of Portsmouth in the amount of \$189,207.00.

City staff and CMA Engineers met in October, 2010 to discuss the wetland permitting and chart a course to resolve the mitigation issue. A scope of work for additional services was defined at the meeting and after negotiations between the city and CMA the original agreement was increased in the amount of \$56,208.00 for a total contract amount of \$245,415.00.

The full design has now been completed and the permitting has been approved. The construction phase is ready to be bid out and CMA has offered a cost for bidding assistance and construction oversight in the amount of \$255,816.00.

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	80	Number of Responses:	18
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until Completion	Estimated Delivery:	As needed
Recommended Award to:	CMA Engineers Inc	Fund:	CIP Tolend and Watson Rds
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount

Results and Vendor Solicitation List:

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.10

Resolution Number: **R - 2012.09.12 – 112**
Resolution Re: B10033 Award of Additional Scope of Work
Tolend Rd and Watson Rd Engineering Services

Project Tasks	original Contract	Add'l scope	total cost
PRELIMINARY DESIGN (PART A)	62,699		62,699
PRELIMINARY DESIGN (PART B)	45,338		45,338
PERMITTING COORDINATION	12,870		12,870
WETLAND MITIGATION PERMITTING & COORDINATION	17,598		17,598
CONSTRUCTION PHASE SERVICES (PART C)		230,916	230,916
TASK SUBTOTALS:	138,505	230,916	369,421
DIRECT EXPENSES			
Travel and printing:	6,500	8,000	14,500
CMA ENGINEERS TOTAL:	145,005	238,916	383,921
SUBCONSULTANTS			
DOUCET SURVEY, INC.	67,450	6,900	74,350
GREATWORKS DRILLING	5,000		5,000
GZA GEOENVIRONMENTAL, INC.	6,800		6,800
NORMANDEAU ASSOCIATES, INC.	21,160		21,160
Materials Testing Allowance (Terracon)		10,000	10,000
SUBCONSULTANT TOTAL:	100,410	16,900	117,310
PROJECT TOTALS:	245,415	255,816	501,231



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R – 2012.09.12 – 113**
Resolution Re: B12038 Safe Routes to School –Engineering Services,
Woodman Park Sidewalk Improvements

WHEREAS: Sealed Request for Qualifications B12038 was requested and received for Engineering Services related to the Safe Routes to School Grant, Woodman Park Sidewalk Improvements on July 2, 2012 at 2:00 pm. The budgeted amounts on the application were \$21,428.50 non infrastructure, \$15,000 engineering service and \$211,990.54 for construction phase; and

WHEREAS: Seven vendors submitted qualifications and these were evaluated by city staff. On July 18, 2012 a letter requesting approval to negotiate scope and fee with CMA was forwarded to the State NHDOT with approval being received July 19, 2012. The city met with CMA for negotiations and returned an agreement outlining a scope of services with a cost of \$36,850.00 to State NHDOT. A letter of approval was received 8/21/2012 for the budgeted amount of \$15,000 with conditional approval for the remaining \$21,850.00 pending approval by Federal Highway Administration; and

WHEREAS: The city anticipates receiving approval by mid September for the additional cost.

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

The Purchasing Agent is hereby authorized to issue a Purchase Order to CMA Engineers given the negotiated amount and corresponding rates provided in the agreement dated 8/22/2012. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
2240.1.210.42150.4339.02353.11	Safe Routes To School Grant	248,418.54	240,314.65

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.11.

Resolution Number: **R – 2012.09.12 – 113**
Resolution Re: B12038 Safe Routes to School –Engineering Services,
Woodman Park Sidewalk Improvements

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.11.

Resolution Number: **R – 2012.09.12 – 113**
 Resolution Re: B12038 Safe Routes to School –Engineering Services,
 Woodman Park Sidewalk Improvements

RESOLUTION BACKGROUND MATERIAL:

Safe Routes to School grant was awarded to the City of Dover for the Woodman Park School area in the amount of \$21,428.00 for non infrastructure, \$15,000 for engineering services and \$211,990.54 for infrastructure construction with 100% of the cost coming from Federal Highway funds. The city has solicited requests for qualifications for the Engineering phase of the infrastructure portion and has received approval from the State NHDOT to execute the engineering contract with CMA Engineers for the budgeted amount of \$15,000. Pending approval from FHWA for the additional \$21,850 required to complete the contracted amount of \$36,850.00

Purchasing Information:

Type:	Purchase Order	Advertised:	yes
Invitations Mailed:	195	Number of Responses:	7
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	until completion	Estimated Delivery:	As needed
Recommended Award to:	CMA Engineers	Fund:	Grant
Other Approvals Required:	Yes 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

Vendor Solicitation List:

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

RESULTS

<i>Vendor</i>	
Fay, Spofford & Thorndike 288 South River Rd Bedford NH	Underwood Engineering 25 Vaughan Mall Portsmouth NH
CMA Engineers 55 So Commercial St Manchester NH	KV Partners PO box 432 New Boston NH
Dubois and King 18 Constitution Dr Bedford NH	Holden Transportation Engineering PO box 480 Concord NH
HEB Engineers PO box 440 No Conway NH	



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.12.

Resolution Number: **R – 2012.09.12 – 114**

Resolution Re: B13002 Household Hazardous Waste Clean Up Day

WHEREAS: Sealed bid B13002 was requested and received for household hazardous waste collection day on August 13, 2012 at 2:00 pm; and

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

WHEREAS: Low bid meeting specifications was submitted by MXI Environmental Service LLC of Langhorne PA at varying rates for various household hazardous waste chemicals. The estimated annual expenditure is \$30,000.00. The Household Hazardous Waste Collection Day is to be held on September 22, 2012 from 8:30am - 12:30pm.

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

The Purchasing Agent is hereby authorized to issue a Purchase Order to MXI Environmental Services LLC for household hazardous waste day in September 2012 in the amount not to exceed \$30,000.00 and corresponding rates provided 8/13/2012. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
1000.1.300.43240.4420	Recycling Management Collection	30,000.00	30,000.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.12.

Resolution Number: **R – 2012.09.12 – 114**

Resolution Re: B13002 Household Hazardous Waste Clean Up Day

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.12.

Resolution Number: **R – 2012.09.12 – 114**
 Resolution Re: B13002 Household Hazardous Waste Clean Up Day

RESOLUTION BACKGROUND MATERIAL:

Sealed bid B13002 was requested and received for HHW collection on August 15, 2012 at 2:00 pm. Two qualified vendors responded with various price quotes for the various chemicals collected. Low bid meeting specifications was submitted by MXI Environmental Services LLC and is being recommended for award. The Household Hazardous Waste Collection Day to be held on September 22, 2012 from 8:30am - 12:30pm.

Purchasing Information:

Type:	Purchase Order	Advertised:	yes
Invitations Mailed:	76	Number of Responses:	2
Warranty:	na	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	until completion HHW	Estimated Delivery:	As needed
Recommended Award to:	MXI	Fund:	Recy Collections
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

Vendor Solicitation List:

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

RESULTS

B13002 HHW RESULTS	unit	MXI 297 Zimmerman Ln Langhorne PA	Clean Ventures Inc 133 Leland St Framingham MA
Aerosols/Propane/Fire Ext	55 gal	135.00	155.00
Flammable Liquids	55 gal	125.00	165.00
Flammable Liquids	cy box	375.00	495.00
Pesticides	55 gal	235.00	265.00
Mercury	5 gal	125.00	125.00
Oxidizers	55 gal	210.00	285.00
Acids	55 gal	210.00	265.00
Asbestos	55 gal	100.00	185.00
Resins Adhesives	55 gal	125.00	100.00
Bulk Organics	55 gal	155.00	265.00
Processable Paints	cy box	375.00	375.00
Fixed Costs			
Site Set Up - Mobilization/Demobilization		0.00	1,600.00



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2012.09.12 – 116**
Resolution Re: Department of Health and Human Services Lease
Amendment

WHEREAS: The Department of Health and Human Services is an existing tenant at the McConnell Center; and

WHEREAS: The Department of Health and Human Services seeks to enter into an extension of the lease agreement for two (2) additional years.

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

The City Manager is authorized to sign an Amendment with the Department of Health and Human Services for the term of two (2) years with provisions stated in the Amendment attached to the Background.

AUTHORIZATION

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2012.09.12 – 116**
Resolution Re: Department of Health and Human Services Lease
Amendment

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Dean Trefethen		
Deputy Mayor Robert Carrier, at Large		
Councilor Edward Spuler, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Michael Crago Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Michael Weeden, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		

RESOLUTION BACKGROUND MATERIAL:

The State of NH Department of Health and Human Services Juvenile Probation and Parole office for this area of the state is located in the McConnell Center. They have been a tenant since 2005.

The lease for the 1,676 square foot office is due for renewal on October 1, 2012 and is for two years based on the State of NH fiscal year budget. The State of NH uses its own contract document to outline the details of the agreement and the payment schedule for the two year period.

The cost per square foot in the contract is based on the budget to operate the McConnell Center as adopted for FY13. This rate is consistent with what the State of NH has been paying in the previous contract and is agreeable to them for the next contract period.

The following documents are attached:

1. The original 2006 Lease is attached
2. The 2012 Amendment is attached.

AMENDMENT

This Agreement (hereinafter called the "Amendment") is dated, _____, 2012 and is by and between the State of New Hampshire acting by and through the Department of Health and Human Services, (hereinafter referred to as the "Tenant") and the City of Dover, (hereinafter referred to as the "Landlord") with a place of business at 288 Central Avenue, Dover, New Hampshire 03820.

Whereas, pursuant to a five-year Lease agreement (hereinafter called the "Agreement"), for 1,676 square feet of space located at 61 Locust Street, First Floor, Suites 128 and 129, Dover, New Hampshire first entered into on September 19, 2006, which was approved by the Governor and Executive Council on October 25, 2006, item #63 and amendment approved by Governor and Executive Council on September 14, 2011, item #88 the Landlord agreed to lease certain premises upon the terms and conditions specified in the Agreement and in consideration of payment by the Tenant of certain sums as specified therein; and

Whereas, the Landlord and Tenant are agreeable to a holdover term to allow time to determine the fate of the Itinerant Office as it relates to regionalization of the District Offices. Regionalization could alter the location, size and/or existence of the Itinerant Office, and;

The Tenant will need up to twenty-four (24) months to determine the fate of this itinerant Office and if necessary, to finalize the RFP process and to obtain authorization of any new lease contract, however, the Agreement expires well in advance of this, and;

Amendment of the current Agreement to provide a delay in the expiration of the term will allow the Tenant to continue lawful payment of rent while continuing occupancy at the Premises and the Landlord is agreeable to providing such delay;

NOW THEREFORE, in consideration of the foregoing and the covenants and conditions contained in the Agreement as set forth herein, the Landlord and Tenant hereby agree to amend the Agreement as follows:

Amendment of Agreement:

3.1 Term: The expiration date of the current agreement, September 30, 2012 is hereby amended to terminate twenty-four (24) months thereafter, September 30, 2014. During the amended Term the Parties hereto may enter into a "renewal lease", if such a lease with the Landlord is entered into and subsequently authorized by the State of New Hampshire's Governor and Executive Council, the Amendment herein shall terminate upon the same date set for commencement of the "renewal lease", replaced by the terms and conditions of the authorized "renewal lease".

Initials: _____

Date: _____

4.1 Rent: The current annual rent of \$22,592.52, which is approximately \$13.48 per square foot, will decrease to \$22,374.60, which is approximately ~~\$13.35~~ per square foot, which shall be prorated to a monthly rent of \$1,864.55, which shall be due on the first day of the month during the amended term. The first monthly installment shall be due and payable October 1, 2012 or within 30 days of the Governor and Executive Council's approval of this agreement, whichever is later. The monthly rent shall continue to be paid on the 1st day of each month during the amended term unless the term is sooner terminated in accordance with the terms herein. The total amount of rent to be paid under the terms of this agreement shall not exceed ~~\$44,749.20.~~

EFFECTIVE DATE OF THE AMENDMENT: This Amendment shall be effective upon its approval by the Governor and Executive Council of the State of New Hampshire. If approval is withheld, this document shall become null and void, with no further obligation or recourse to either party.

CONTINUANCE OF AGREEMENT: Except as specifically amended and modified by the terms and conditions of this Amendment, the Agreement and the obligations of the parties there under shall remain in full force and effect in accordance with the terms and conditions set forth therein.

Initials: _____

Date: _____

IN WITNESS WHEREOF, the parties have hereunto set their hands;

TENANT: State of New Hampshire Department of Health and Human Services

Date: _____

By _____
Stephen J. Mosher, Chief Financial Officer

LANDLORD:

Date: _____

By _____
J. Michael Joyal, City Manager, City of Dover

Acknowledgement: State of _____, County of _____.

On (date) _____, before the undersigned officer, personally appeared _____, who satisfactorily proved to be the person identified above as the owner, and he personally executed this document.

Signature of Notary Public or Justice of the Peace: _____

Commission expires: _____ Seal:

Name and title of Notary Public or Justice of the Peace (please print):
_____.

Approval by New Hampshire Attorney General as to form, substance and execution:

By: _____, Assistant Attorney General, on _____.

Approval by the New Hampshire Governor and Executive Council:

By: _____, on _____.

**ATTACHMENT TO EXHIBIT B
TENANT'S FISCAL YEAR SCHEDULE OF RENTAL PAYMENTS**

<u>State Fiscal Year</u>	<u>Month</u>	<u>Payment</u>	<u>Yearly Total</u>	<u>Fiscal Year Total</u>	
2013	10/1/2012	\$ 1,864.55			
	11/1/2012	\$ 1,864.55			
	12/1/2012	\$ 1,864.55			
	1/1/2013	\$ 1,864.55			
	2/1/2013	\$ 1,864.55			
	3/1/2013	\$ 1,864.55			
	4/1/2013	\$ 1,864.55			
	5/1/2013	\$ 1,864.55			
2014	6/1/2013	\$ 1,864.55		\$ 16,780.95	
	7/1/2013	\$ 1,864.55			
	8/1/2013	\$ 1,864.55			
	9/1/2013	\$ 1,864.55	\$ 22,374.60		
	10/1/2013	\$ 1,864.55			
	11/1/2013	\$ 1,864.55			
	12/1/2013	\$ 1,864.55			
	1/1/2014	\$ 1,864.55			
	2/1/2014	\$ 1,864.55			
	3/1/2014	\$ 1,864.55			
	4/1/2014	\$ 1,864.55			
	5/1/2014	\$ 1,864.55			
	6/1/2014	\$ 1,864.55		\$ 22,374.60	
	2015	7/1/2014	\$ 1,864.55		
		8/1/2014	\$ 1,864.55		
		9/1/2014	\$ 1,864.55	\$ 22,374.60	\$ 5,593.65
		Total Rent		\$ 44,749.20	\$ 44,749.20

Initials: _____

Date: _____

STATE OF NEW HAMPSHIRE
DEPARTMENT OF ADMINISTRATIVE SERVICES
BUREAU OF PLANNING AND MANAGEMENT
STANDARD LEASE AGREEMENT

1. Parties to the Lease:
This indenture of Lease is made this 19th day of September, 2006, by the following parties:

1.1 The Lessor (who is hereinafter referred to as the "Landlord") is:

Name: City of Dover
(if corporation, give full corporate name)
State of Incorporation: _____
(if applicable)
Business Address: 288 Central Avenue
Street Address *(if corporation, give principal place of business)*
Dover NH 03820 (603) 516-6023
City State Zip Telephone number

1.2 The Lessee (who is hereinafter referred to as the "Tenant") is: THE STATE OF NEW HAMPSHIRE,
acting by and through its Director or Commissioner of:

Department Name: Department of Health and Human Services
Address: 129 Pleasant Street
Street Address *(official location of Tenant's business office)*
Concord NH 03301 (603) 271-4821
City State Zip Telephone number

WITNESSETH THAT:

2. Demise of the Premises:

For and in consideration of the rent and the mutual covenants and agreements herein contained, the Landlord hereby demises to the Tenant, and the Tenant hereby leases from the Landlord, the following premises (hereinafter called the "Premises") for the Term, (as defined herein) at the Rent, (as defined herein) and upon the terms and conditions hereinafter set forth:

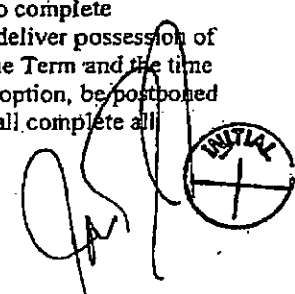
Location of Space to be leased: 61 Locust Street, First Floor - Suites 128, 129
(street address, building name, floor on which the space is located, and unit/suite # of space)
Dover NH 03820
City State Zip

The demise of the premises consists of: 1,676 square feet
(give square footage of the leased space, and attach a floor plan as "Exhibit A")
Demise of this space shall be together with the right to use in common, with others entitled thereto, the hallways, stairways and elevators necessary for access thereto, and the lavatories nearest thereto. A floor plan depicting the premises and delineating the extent of the leased space, is attached as Exhibit A hereto, and made a part hereof.

3. Term; Delays; Extensions; and Conditions upon Commencement:

3.1 Term: TO HAVE AND TO HOLD for a term (hereinafter called the "Term") of five year(s), commencing on the 1st day of October, in the year 2006, and ending on the 30th day of September, in the year 2011, unless sooner terminated in accordance with the Provisions hereof.

3.2 Delay in Occupancy: If for any reason including, but not limited to, Landlord's failure to complete preparation of the premises for occupancy by the Tenant, the Landlord shall be unable to deliver possession of the premises on the date of commencement of this lease, the date for commencement of the Term and the time for performance of all conditions and covenants of Tenant hereunder shall at the Tenant's option, be postponed until possession of the Premises is given, or until such reasonable time as the Landlord shall complete all necessary preparations.



3.2.1 Delay in Occupancy, Commencement Date Extensions: SELECTED

(optional clause, replaces 3.2 above, applicable only if the selection box is marked)

If for any reason whatsoever, the Landlord shall be unable to give possession of the Premises to the Tenant on the date set for commencement of the Term hereunder, the date for commencement of the Term and for The performance of all obligations of the parties hereunder shall be extended for a predetermined number of days, herein agreed to as thirty (30) days, except that Tenant's obligation to pay rent shall not commence until the premises are available for full occupancy. If the premises are not available for full occupancy by the Tenant after the number of days has passed, this Lease shall terminate and shall be null And void without recourse to the parties hereto.

3.3 Extension of Term: The Tenant shall have the option to extend the Term for *(insert text)* No

Additional term(s) of N/A year(s), upon the same terms and conditions as set forth herein. Notice from the Tenant exercising their option to extend the term shall be given by the Tenant delivering advance Written notice to the Landlord no later than thirty (30) days prior to the expiration of the Term, or any extensions thereof.

3.4 Conditions on the Commencement and Extension of Term:

Notwithstanding the foregoing provisions, it is hereby understood and agreed by the parties hereto that this lease and the commencement of the Term, and any extensions thereof, is conditioned upon its' approval by the Governor and Executive Council of the State of New Hampshire and, in the event that said approval is not given until after the date for commencement of the Term, the Term shall begin on the date of said approval. In the event that said approval request is denied, then this Lease shall thereupon immediately terminate, and all obligations hereunder of the parties hereto shall cease.

4. Rent, Additional Rent:

4.1 Rent: During the Term hereof and any extended Term, the Tenant shall pay the Landlord annual rent (hereinafter called the "Rent") of \$ See Exhibit B payable in advance at the Landlord's address set forth in section 1 above, in equal monthly installments of \$ See Exhibit B. The first such installment to be due and payable on the following date: *(insert month, date and year)* October 1, 2006. If the Rent varies during the Term, or any extended Term, or requires further definition for any other reason, it shall be as set forth in a "Schedule of Annual Rent", made part of and attached herein as "Exhibit B".

4.2 Additional Rent: *(optional escalation, applicable only if the selection box is marked)* **SELECTED**

The Tenant hereby agrees that during the Term hereof or any extended Term, the Tenant shall pay the Landlord an additional rent hereunder, which shall be the sum of the following:

4.2.1 Tenant's Share of Increased Operating Expenses: The Tenant agrees that a pre-established percentage of any increase in the Landlord's operating expenses over the cost of such expenses at the commencements of the Term, shall be paid to the Landlord. This percentage shall be hereinafter referred to as the "Tenant's Prorated Share" and shall be as defined in section 4.2.3 herein. Operating Expenses shall be defined for the purpose of this Lease as follows: *(insert definition in the space provided, or define in "Exhibit B" herein)*

4.2.2 Tenant's Share of Increased Taxes: The Tenant shall pay the Prorated Share of any increase in real estate taxes levied against the building of which the Premises are a part, this increase shall be based upon taxes exceeding those incurred or levied during the tax year ending on the following date: *(insert date)*

4.2.3 Determination of Prorated Share: Tenant's Prorated Share, used to determine the Tenant's share of additional operating expenses and increased taxes under sections 4.2.1 and 4.2.2, represents the ratio of The total square footage of the Premises against the total square footage of the building of which the Premises are a part.



4.2.4 Procedure for requesting Additional Rent: The Landlord shall give the Tenant written notice at least 30 working days in advance of any increase in rent, including within such notice all relevant documents as evidence of the validity of the request. After the Tenant receives the Landlord's notification of increased expenses or taxes, the Tenant shall make payment on the increases in equal installments corresponding to the payments of the Rent hereunder. Payment of increases shall begin with the next installment of Rent which is due at least thirty (30) days after the receipt of notice. Notwithstanding the foregoing, nothing contained herein shall obligate the Tenant to pay any increases in taxes due to improvements made by the Landlord (except for improvements made to, or benefiting the Premises) or any increase in operating expenses due to increased use. Any annual increase hereunder shall be prorated should the Lease terminate before the end of the calendar year.

4.2.5 Rebate or Refund of Rent to the Tenant: If the Landlord receives any rebate, credit or refund of the said taxes or operating expenses, the Landlord shall refund to the Tenant the prorated share of any such rebate, credit, or refund. If said rebate should result in a permanent reduction to the afore mentioned operating costs or taxes, the Rent hereunder shall be reduced in a corresponding manner.

5. Conditional Obligation of the State:

Notwithstanding the provisions of Section 4 or anything contained in this lease to the contrary, it is hereby expressly understood and agreed by the Landlord that the existence and continuance of this Lease and the obligations of the Tenant hereunder are contingent upon the availability of State funds appropriated by the General Court of New Hampshire (and if applicable, the availability of Federal funds) that are made available for this purpose, and that neither the State nor the Tenant shall be liable for payments under this Lease except from such funds. In the event that any portion of such funds are terminated, the Tenant may, at its option, serve thirty (30) days written notice to the Landlord of its' intention to cancel the Lease in whole or in part. It is further expressly understood and agreed by the Landlord that in the event the State of New Hampshire makes available State owned facilities for the housing of the Tenant the Tenant may, at its' option, serve thirty (30) days written notice to the Landlord of its intention to cancel the Lease in whole or in part. Whenever the Tenant decides to cancel the Lease in whole or in part under this section and has served the required notice to the Landlord, the Tenant shall vacate all or part of the Premises within the thirty (30) day period. The Lease to the portion of the Premises vacated shall henceforth be canceled and void, while the Lease to the portion of the Premises still occupied shall remain in effect, with a pro rata abatement of the rent made by the parties hereto.

6. Utilities: (select one of the clauses below, indicating the selection with an "x")

The Landlord shall furnish, and the Tenant shall remit reimbursement for, all utilities except those listed Below:

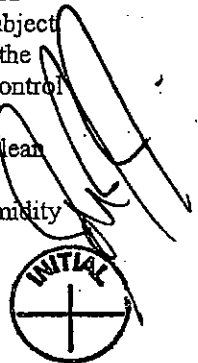
OR:

The Landlord shall at his own and sole expense furnish all utilities, except those listed below:

Utilities and maintenance items not included in the statement selected above shall be defined as the following: (document the utilities not to be provided in the space below, or further define in Exhibit E)

Tenant soley responsible for telephone and data with direct payment to provider thereof.

The Landlord agrees to furnish heat and air-conditioning to the Premises. In accordance with industry standards (The American Industrial Hygiene Association or AIHA and The American Society of Heating, Refrigeration and Air-Conditioning Engineers, Inc. or ASHREA) the temperature of the Premises during the Tenant's business hours shall be maintained within the range of 68 to 75 degrees F, and humidity shall be within the range of 20 to 60 percent. Heating and air-conditioning shall also be provided to the common hallways, stairways, elevators and lavatories during the Tenant's business hours. Tenant agrees that provision of heat and air-conditioning is subject to reasonable interruptions due to the Landlord making repairs, alterations, maintenance or improvements to the system, or the infrequent occurrence of causes beyond the Landlord's control. All Heating and Ventilation Control systems and filters shall be cleaned and maintained by the Landlord in accordance with ASHREA and AIHA standards, and maintained at levels that provide consistent compliance with the State of New Hampshire's "Clean Air Standards" (RSA 10:B). If the premises are not equipped with an air handling systems that provides air-conditioning and humidity control, then the foregoing requirements for cooling and artificially controlled humidity do not apply.



7. **Use of Premises; Compliance with Laws and Regulations Affecting the Same:**
7.1 **Use of Premises:** The Tenant shall use the premises for the purpose of *(write in the intended use of the leased premise in the space provided)* office space for its employees engaged in the delivery of health and human services
and for any other reasonable purposes that may arise in the course of the Tenant's business.

8. **Maintenance and Repair:**

8.1 **Maintenance by the Landlord:** The Landlord shall at its own expense, maintain the exterior and interior of the Premises in good repair and condition, including all "common" building spaces such as parking areas, walkways, public lobbies, and restrooms, and including all hallways, passageways, stairways, and elevators which provide access to the Premises. The Landlord shall keep all sidewalks, entrances, roadways, and parking areas free of refuse, snow and ice at all times, and maintain all lawns, grass areas and shrubs, hedges or trees in suitable condition and appearance. The Landlord agrees to make any and all repairs and perform all maintenance to the Premises, or any appurtenance thereto, which may become necessary during the Term or any extension or Term. These repairs and maintenance requirements shall be fulfilled whether they are ordered by a public authority, requested by the Tenant, or are dictated by reasonable and sound judgment, and include but are not limited to: The repair, and if necessary the replacement of, the roof, walls, floors, doors and entry ways, interior finishes, foundations, windows, sidewalks, ramps and stairs, heating, air-conditioning and ventilation systems, plumbing, sewer, and lighting systems, and all operating equipment provided by the Landlord. Maintenance is to include any and all pest control, which may be necessary within the leased facility. Maintenance to areas or equipment which provide compliance with the Federal "American's with Disabilities Act" and the State of New Hampshire's "Clean Air Standards" (RSA 10:B) shall be performed regularly and with due diligence, in order to insure continuity of compliance with these laws. All Heating and Ventilation System air ducts shall be cleaned, and all air filters replaced, on a quarterly basis. Maintenance within the Premises is to include the complete repainting of all interior spaces once every three years of the Term, if the requested by the Tenant.

8.2 **Janitorial Services:** *(Select one of the options below by marking the appropriate box)*

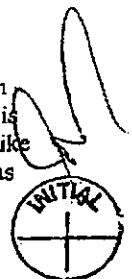
Janitorial Services shall be provided by the Landlord, as defined and specified in the schedule of services attached as Exhibit C hereto. **OR:**

Janitorial Services shall be the Tenant's responsibility.

8.3 **Failure to Maintain, Tenant's Remedy:** If the Landlord fails to maintain the Premises as provided herein, the Tenant shall give the Landlord written notice of such failure. If within fifteen (15) days after such notice is given to the Landlord no steps to remedy the condition(s) specified have been initiated, the Tenant may, at their option, and in addition to other rights and remedies of Tenant provided hereunder, contract to have such condition(s) repaired, and the Landlord shall be liable for any and all expenses incurred by the Tenant resulting from the Landlord's failure. Tenant shall submit documentation of the expenses incurred to the Landlord, who shall reimburse the Tenant within thirty (30) days of receipt of said documentation of work. If Landlord fails to reimburse Tenant within thirty (30) days, the Tenant shall withhold the amount of the expense from the rental payment, reimbursing the Landlord only after the cost of repair expenses have been recovered.

9. **Alterations, etc.:** The Tenant may, at its own expense, make any alterations, additions or improvements to the premises; provided that, where such work is of a structural nature, the Tenant obtains prior written permission from the Landlord to perform the work. Such approval shall not be unreasonably withheld.

9.1 **Manner of Work:** All alterations, additions or improvements, whether they are Tenant's or Landlord's responsibility, shall be performed in a good workmanlike manner, and when completed shall be in compliance with all Federal, and State statute's and local, building codes, rules, guidelines and zoning laws. Any permits required by any ordinance, law, or public regulation, shall be obtained by the party (tenant or landlord) responsible for the performance of alterations. The said alterations shall not weaken or impair the structure of the Premises, substantially lessen its value, or change the purpose for which it is used. All alterations, additions or improvements shall be made in a good, careful, proper and workmanlike manner, and in accordance with the plans, specifications and schedules, which shall be attached herein as Exhibit D Part III. Alterations to existing buildings and facilities shall comply with the following:



9.1.1 No alteration shall be undertaken which decreases, or has the effect of decreasing, accessibility or usability of a building or facility below the requirements for new construction at the time of the alteration.

9.1.2 If existing elements, (such as millwork, signage, or ramps), spaces, or common areas are altered, then each such altered element, space, or common area shall be altered in a manner compliant with all applicable provisions from the "Americans with Disabilities Act", "Accessibility Guidelines", Section 4.1.1 to 4.1.3 "Minimum Requirements" (for new construction).

9.1.3 The Landlord, upon the occasion of performing any alteration or repair work, shall in a timely manner clean all affected space and surfaces, removing all dirt, debris, stains, soot or other accumulation caused by such work.

9.2 **Ownership, Removal of Alterations, Additions or Improvements:** All alterations, additions or improvements which can be removed without causing substantial damage to the Premises, and where paid for by the Tenant, shall be the property of the Tenant at the termination of the Lease. The said property may be removed by the Tenant prior to the termination of the lease, or within ten (10) days after the date of termination. The Tenant shall leave the Premises in good order and condition, and shall repair any and all damages caused by said removal of property.

10. **Improvements to the Premises:** Selected (*applicable only if the "improvements" are to be performed and paid for by the landlord*). The Tenant and Landlord have agreed that prior to the commencement of the Term, the Landlord will make certain additions, alterations, and improvements to the Premises, (hereinafter collectively referred to as "Improvements") for the purpose of preparing the same for the Tenant's occupancy. Such improvements shall be as described in detail within the specifications and plans for improvements set forth, or attached as, Exhibit D Part III hereto. In connection with these improvements the Landlord warrants, represents, covenants and agrees as follows:

10.1 **Plans, Standard of Work, etc.:** All improvements shall be made at the Landlord's expense and in compliance with the provisions of section 9.1 contained herein.

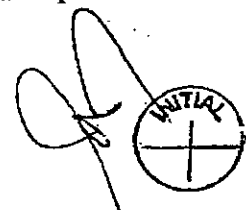
10.1.1 **Schedule for Completion:** All improvements shall be completed in accordance with the specifications, plans and schedules attached as Exhibit D hereto, and unless otherwise specified therein, shall be completed on or before the date set forth in 3.1 for the commencement of the Term.

10.2 **Landlord's Delay in Completion; Tenant's Options:**

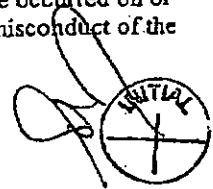
10.2.1 **Extension of Time for Completion:** If for any reason other than the neglect or fault of the Landlord, the Landlord shall be unable to complete the improvements in accordance with the provisions set forth in Exhibit D, this lease shall at the option of either party, be extended for a period of (*insert number of days the contract shall be extended*) _____ days, to allow additional time for the Landlord to complete the improvements. The Landlord shall give the Tenant written notice of the delayed occupancy date at least (*insert number of days needed for effective notice*) _____ days in advance of the originally scheduled date. The Tenant may however, elect to occupy the Premises "as is", subject to terms and conditions set forth in 10.2.2.B.

10.2.2 **Failure to Complete, Tenant's Options:** If by reason of neglect or willful failure to perform on the part of the Landlord improvements to the Premises are not completed in accordance with Exhibit D, or any other provisions of the agreement herein, or the Premises are not completed within the agreed time frame, the Tenant may at its' option:

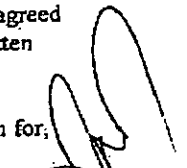

- A. **Termination of Lease:** Terminate the Lease, in which event all obligations of the parties hereunder shall cease; or
- B. **Occupancy of Premises "As is":** Occupy the Premises in its current condition, in which event the rent hereunder shall be decreased by the proportionate cost of the scheduled improvements, reflecting the Landlord's failure to complete the improvements. The decreased rent shall remain in effect until such time the landlord completes the scheduled improvements; or
- C. **Completion of Improvements by Tenant:** Complete the improvements at its' own expense, in which case the amount of money expended by the Tenant to complete the improvements shall be offset and withheld against the rent to be paid hereunder; or
- D. **Delay Occupancy:** In accordance with paragraph 3.2 herein.



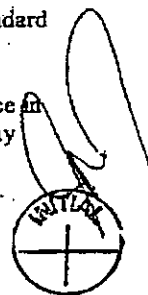
11. **Quiet Enjoyment:** Landlord covenants and agrees the Tenant's quiet and peaceful enjoyment of the Premises shall not be disturbed or interfered with by the Landlord, or any person claiming by, through or under the Landlord. Routine maintenance or inspection of the Premises shall be scheduled with Tenant at least one week in advance, to Occur during a mutually agreeable time frame, and to be negotiated in good faith by both parties. Notwithstanding the provisions of this section, the Tenant agrees and covenants that in the event of an emergency requiring the Landlord to gain immediate access to the Premises, access shall not be denied.
12. **Signs:** Tenant shall have the right to erect a sign or signs on the Premises identifying the Tenant, obtaining the consent of the Landlord prior to the installation of the signs; such consent shall not be unreasonably denied. All signs shall be removed by the Tenant, at the Tenant's expense, at the end of the Term or any extension thereof. All damage due to such removal shall be repaired by the Tenant.
13. **Inspection:** Three (3) months prior to the expiration of the Term, the Landlord or Landlord's agents may enter the Premises during all reasonable working hours for the purpose of inspecting the same, or making repairs, or of showing the Premises to persons interested in renting it, providing that such entrance is scheduled at least 24 hours notice in advance with the Tenant. Six (6) months prior to the expiration of the term the Landlord may affix to any suitable part of the Premises, or of the property to which the Premises are a part, a notice or sign for the purpose of letting or selling the Premises.
14. **Assignment and Sublease:** This lease shall not be assigned by the Landlord or Tenant without the prior written consent of the other, nor shall the Tenant sublet the Premises or any portion thereof without Landlord's written consent, such consent is not to be unreasonably withheld or denied. Notwithstanding the foregoing, the Tenant may sublet the Premises or any portion thereof to a government agency under the auspices of the Tenant without Landlord's prior consent.
15. **Insurance:** During the Term and any extension thereof, the Landlord shall at it's sole cost and expense, maintain with respect to the Premises and the property of which the Premises are a part, comprehensive general liability insurance against all claims of bodily injury, death, or property damage occurring on, (or claimed to have occurred on) in or about the Premises. All such insurance shall cover both the Landlord and Tenant (who is to be listed as "additionally insured" within the policy) against liability. Such insurance is to provide minimum protection, in limits of not less than two hundred fifty thousand (\$250,000.00) per claim and two million (\$2,000,000) per incident. Fire and extended coverage insurance covering property shall be in an amount of not less than eighty percent (80%) of the whole replacement value of the property. All insurance shall be in the standard form employed in the State of New Hampshire, issued by underwriters acceptable to the State, and authorized to do business in the State. Each policy shall contain a clause prohibiting cancellation or modification of the policy earlier than 10 days after written notice thereof has been received by the Tenant. The Landlord shall deposit with the Tenant certificates of such insurance, (or for the renewal thereof) which shall be attached herein as "Exhibit F".
- 15.1 **Waiver of Subrogation:** *(optional clause, applicable only if selected)* Selected
Any insurance carried by either party with respect to the Premises and property therein, or occurrences thereon, shall if the other party so requests and it can be so written without additional premium, (or with additional premium, provided the other party agrees to pay the premium) include a clause or endorsement denying the insurer rights of subrogation against the other party, to the extent the rights have been waived by the insured prior to occurrence of injury or loss. Notwithstanding any provision of this Lease to the contrary, each party hereby waives any rights of recovery against the other for injury or loss which are due to causes and hazards covered by insurance.
16. **Indemnification:** Landlord will save Tenant harmless and will indemnify Tenant from and against any and all losses suffered by the Tenant, and from and against any and all claims, liabilities or penalties asserted by, or on behalf of, any person, firm, corporation, or public authority:
- 16.1 **Acts or Omissions of Landlord:** On account of, or based upon, any injury to a person or loss or damage to property, sustained or occurring, or which is claimed to have been sustained or to have occurred on or about the Premises, on account of or based upon the act, omission, fault, negligence or misconduct of the Landlord, its agents, servants, contractors, or employees.



- 16.2 **Landlord's Failure to Perform Obligations:** On account of or resulting from, the failure of the Landlord to perform and discharge any of its covenants and obligations under this Lease and, in respect to the foregoing from and against all costs, expenses (including reasonable attorney's fees) and liabilities incurred in, or in connection with, any such claim, or any action or proceeding brought thereon; and in the case of any action or proceeding being brought against the Tenant by reason of any such claim, the Landlord, upon notice from Tenant shall at Landlord's expense resist or defend such action or proceeding.
- 16.3 **Tenant's Acts or Omissions Excepted:** Notwithstanding the foregoing, nothing contained in this section shall be construed to require the Landlord to indemnify the Tenant for any loss or damage resulting from the acts, omissions, fault, negligence or misconduct of the Tenant or its agents, servants, and employees. Notwithstanding the foregoing, nothing herein contained shall be deemed to constitute a waiver of the sovereign immunity of the State, which immunity is hereby reserved to the State.
17. **Fire, Casualty and Eminent Domain:** Should a substantial portion of the Premises, or of the property of which they are a part, be substantially damaged by fire or other causality, or be taken by eminent domain, the Landlord or the Tenant may elect to terminate this Lease. When such fire, causality or taking renders the Premises substantially unsuitable for their intended use, a just and proportionate abatement of the rent shall be made as of the date of such fire, causality, or taking, until such time as the Landlord repairs the Premises, provided however, that the Tenant may elect to terminate this lease if:
- 17.1 **Landlord's Failure to Provide:** The Landlord fails to provide written notice within thirty (30) days of the causal event of his intention to restore the Premises, or:
- 17.2 **Landlord's Failure to Repair:** The Landlord fails to restore the Premises to a condition that is substantially suitable for their intended use within ninety (90) days of said fire, causality, or taking. The Landlord reserves, and the Tenant grants to the Landlord, all rights which the Landlord may have for damages or injury to the Premises, or for any taking by eminent domain, except for damage to the Tenant's fixtures, property, or equipment, or any award for the Tenant's moving expenses.
- 18 **Event of Default; Termination by the Landlord and the Tenant:**
- 18.1 **Event of Default; Landlord's Termination:** In the event that:
- 18.1.1 **Tenant's Failure to Pay Rent:** The Tenant shall default in the payment of any installment of the rent, or any other sum herein specified, and such default shall continue for thirty (30) days after written notice thereof; or:
- 18.1.2 **Tenant's Breach of Covenants, etc.:** The Tenant shall default in the observation of or performance of, any other of the Tenant's covenants, agreements, or obligations hereunder and such default is not corrected within thirty (30) days of written notice by the Landlord to the Tenant specifying such default and requiring it to be remedied then: The Landlord may serve ten (10) days written notice of cancellation of this Lease upon the Tenant, and upon the expiration of such ten days, this Lease and the Term hereunder shall terminate. Upon such termination the Landlord may immediately or any time thereafter, without demand or notice, enter into or upon the Premises (or any part thereon) and repossess the same.
- 18.2 **Landlord's Default: Tenant's Remedies:** In the event that the Landlord defaults in the observance of any of the Landlord's covenants, agreements and obligations hereunder, and such default shall materially impair the habitability and use of the Premises by the Tenant, and is not corrected within thirty (30) days of written notice by the Tenant to the Landlord specifying such default and requiring it to be remedied, then the Tenant at its option, may withhold a proportionate amount of the rent until such default is cured, or it may serve a written five (5) day notice of cancellation of this Lease upon the Landlord, and upon the expiration of such a five day period the Lease shall terminate. If any such default of the Landlord does not materially impair the habitability and use of the Premises by the Tenant, the Landlord shall cure such default within thirty (30) days of written notice or within a reasonable alternative amount of time agreed upon in writing by Tenant, failing which, Tenant may terminate this Lease upon ten (10) days written notice to Landlord.
- 18.3 **Rights Hereunder:** The rights granted under this Section are in addition to, and not in substitution for, any rights or remedies granted herein to the parties, or any rights or remedies at law, or in equity.

19. **Surrender of the Premises:** In the event that the Term, or any extension thereof, shall have expired or terminated, the Tenant shall peacefully quit and surrender the Premises to the Landlord, together with all improvements, alterations, or additions made by the Tenant which cannot be removed without causing damage to the Premises. The Tenant shall remove all of its' personal property and shall repair any damage caused by such removal. The Tenant's obligations to observe or perform the covenants contained herein shall survive the expiration or termination of this Lease.
20. **Broker's Fees and Indemnification:** The Landlord agrees and warrants that the Tenant owes no commissions, fees or claims with any broker or finder with respect to the leasing of the Premises. All claims, fees or commissions with any broker or finder are the exclusive responsibility of the Landlord, who hereby agrees to exonerate and indemnify the Tenant against any such claims.
21. **Notice:** Any notice sent by a party hereto to the other party shall be deemed to have been duly delivered or given at the time of mailing by registered or certified mail, postage prepaid, in a United States Post Office, addressed to the parties at the addresses provided in Section 1 herein.
22. **Miscellaneous:**
- 22.1 **Extent of Instrument, Choice of Laws, Amendment, etc.:** This Lease, which may be executed in a number of counterparts, each of which shall have been deemed an original but which shall constitute one and the same instrument, is to be construed according to the laws of the State of New Hampshire. It is to take effect as a sealed instrument, is binding upon, inures to the benefit of, and shall be enforceable by the parties hereto, and to their respective successors and assignees, and may be canceled, modified, or amended only by a written instrument executed and approved by the Landlord and the Tenant.
- 22.2 **No Waiver or Breach:** No assent by either party, whether express or implied, to a breach of covenant, condition or obligation by the other party, shall act as a waiver of a right for action for damages as a result of such breach, nor shall it be construed as a waiver of any subsequent breach of the covenant, condition, or obligation.
- 22.3 **Unenforceable Terms:** If any terms of this Lease, or any application thereof, shall be invalid or unenforceable, the remainder of this Lease and any application of such terms shall not be affected thereby.
- 22.4 **Meaning of "Landlord" and "Tenant":** Where the context so allows, the meaning of the term "Landlord" shall include the employees, agents, contractors, servants, and licensees of the Landlord, and the term "Tenant" shall include the employees, agents, contractors, servants, and licensees of the Tenant.
- 22.5 **Headings:** The headings of this Lease are for purposes of reference only, and shall not limit or define the meaning hereof.
- 22.6 **Entire Agreement:** This Lease embodies the entire agreement and understanding between the parties hereto, and supersedes all prior agreements and understandings relating to the subject matter hereof.
- 22.7 **No Waiver of Sovereign Immunity:** No provision of this Lease is intended to be, nor shall it be, interpreted by either party to be a waiver of sovereign immunity.
- 22.8 **Third Parties:** The parties hereto do not intend to benefit any third parties, and this agreement shall not be construed to confer any such benefit.
- 22.9 **Special Provisions:** The parties' agreement (if any) concerning modifications to the foregoing standard provisions of this lease are set forth in Exhibit E attached hereto.
- 22.10 **Incompatible Use:** The Landlord will not rent, lease or otherwise furnish or permit the use of space in this building or adjacent buildings, or on land owned by or within the control of the Landlord, to any enterprise or activity whereby the efficient daily operation of the Tenant would be adversely affected by the subsequent increase in noise, odors, or any other objectionable condition or activity.



IN WITNESS WHEREOF; the parties hereto have set their hands as of the day and year first written above.

TENANT: The State of New Hampshire, acting through its' Department of Health and Human Services

Authorized by: (give full name and title) Kevin E. J. Connor, Director of Planning and Management


LANDLORD: (give name of either the corporation or the individual) City of Dover

Authorized by: (give full name and title) 

NOTARY STATEMENT: As Notary Public and/or Justice of the Peace, REGISTERED IN THE STATE OF: NH COUNTY OF: Stratford
UPON THIS DATE (insert full date) September 19, 2006, appeared before me (print full name of notary) J. Michael Loyal the undersigned officer personally appeared (insert Landlord's signature) City of Dover who acknowledged him/herself to be (print officer's title, and the name of the corporation) City Manager

and that as such Officer, they are authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing him/herself in the name of the corporation.

In witness whereof I hereunto set my hand and official seal. (provide notary signature and seal)



JUDITH GAQUETTE
Notary Public / Justice of the Peace
My Commission Expires February 6, 2007

APPROVALS:

For recommendations regarding approval submitted by the "Architectural Barrier-Free Design Committee" of the "Governors' Commission on Disability", see the letter attached hereto as "Exhibit G".

Approved by the Department of Justice as to form, substance and execution:

Approval date: _____

Approving Attorney: _____

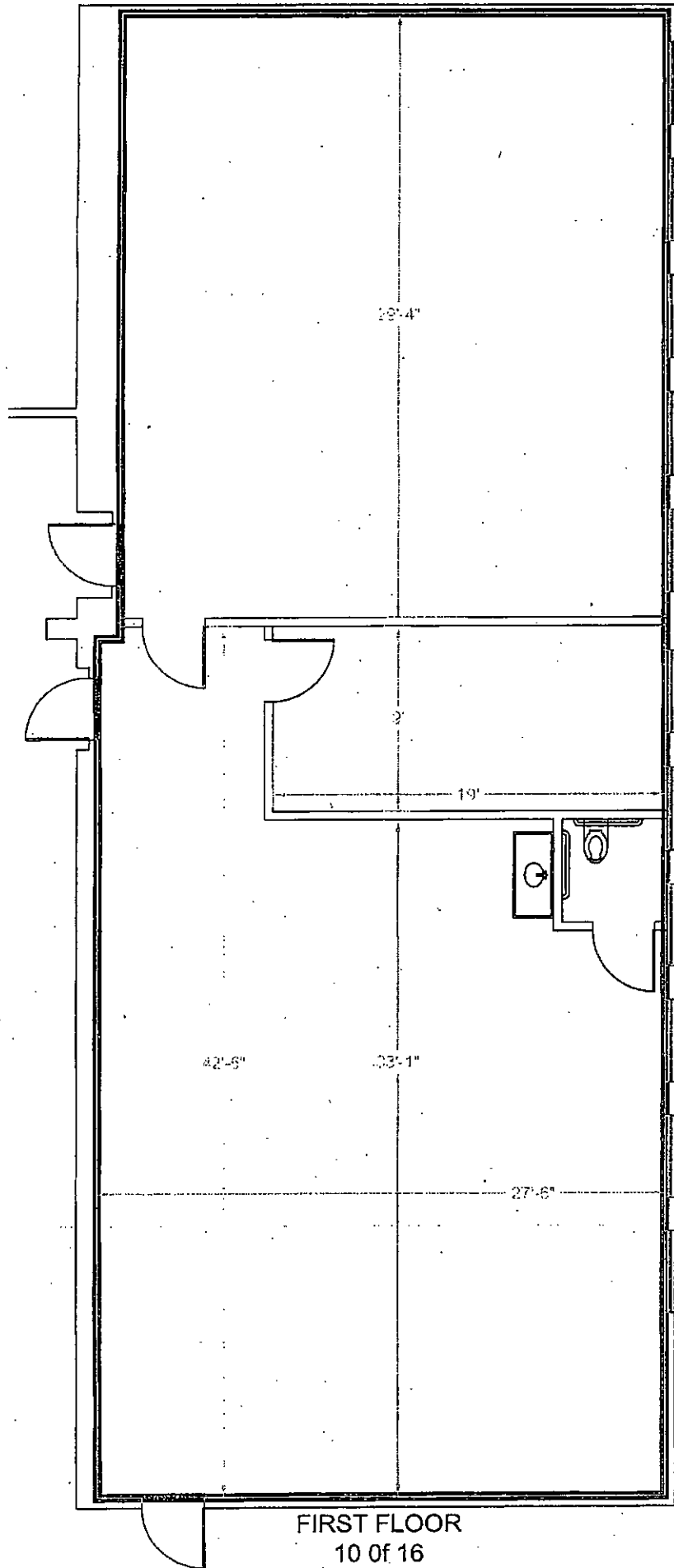
Approved by the Governor and Executive Council:

Approval date: _____

Signature of the Deputy Secretary of State: _____

The following Exhibits shall be included as part of this lease:

EXHIBIT A



FIRST FLOOR
10 Of 16

[Handwritten Signature]
INITIAL
⊕

ATTACHMENT TO EXHIBIT A#1

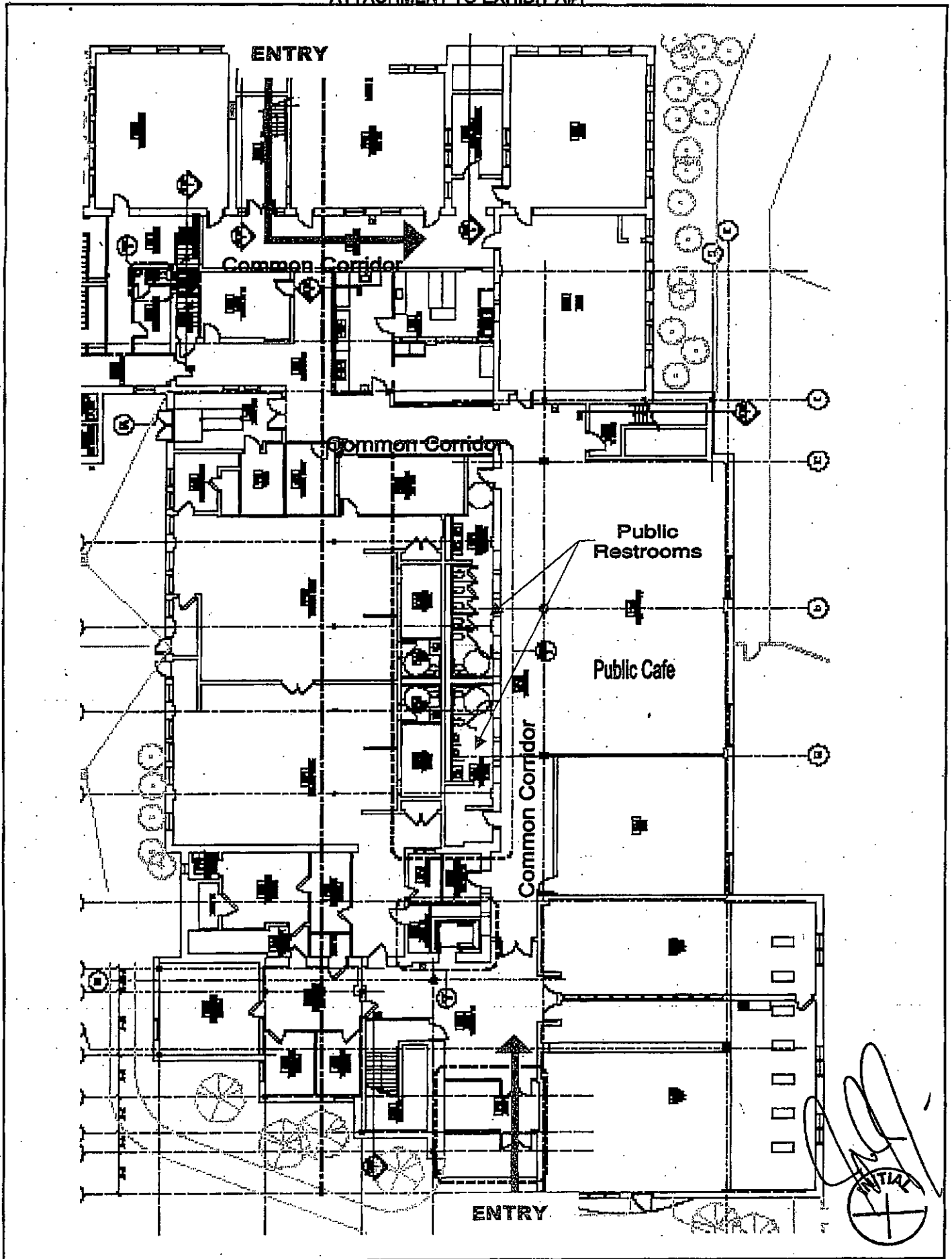
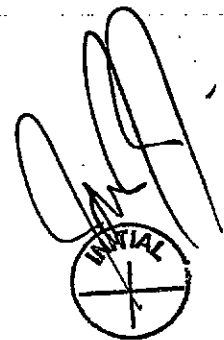


EXHIBIT B
RENTAL SCHEDULE

<u>Term</u>	<u>Dates</u>	<u>Per Square Foot</u>	<u>Monthly</u>	<u>Annual Rent</u>
Year 1	10/01/06 – 9/30/07	\$13.29	\$1,856.17	\$22,274.04
Year 2	10/01/07 – 9/30/08	\$13.48	\$1,882.71	\$22,592.52
Year 3	10/01/08 – 9/30/09	\$13.67	\$1,909.24	\$22,910.88
Year 4	10/01/09 – 9/30/10	\$13.86	\$1,935.78	\$23,229.36
Year 5	10/01/10 – 9/30/11	\$14.06	\$1,963.71	<u>\$23,564.52</u>

Total five-year term: \$114,571.32



ATTACHMENT TO EXHIBIT B
 TENANT'S FISCAL YEAR SCHEDULE OF RENTAL PAYMENTS

<u>State Fiscal Year</u>	<u>Month</u>	<u>Payment</u>	<u>Yearly Total</u>	<u>Fiscal Year Total</u>
2007	10/1/2006	\$ 1,856.17		
	11/1/2006	\$ 1,856.17		
	12/1/2006	\$ 1,856.17		
	1/1/2007	\$ 1,856.17		
	2/1/2007	\$ 1,856.17		
	3/1/2007	\$ 1,856.17		
	4/1/2007	\$ 1,856.17		
	5/1/2007	\$ 1,856.17		
	6/1/2007	\$ 1,856.17		\$ 16,705.53
2008	7/1/2007	\$ 1,856.17		
	8/1/2007	\$ 1,856.17		
	9/1/2007	\$ 1,856.17	\$ 22,274.04	
	10/1/2007	\$ 1,882.71		
	11/1/2007	\$ 1,882.71		
	12/1/2007	\$ 1,882.71		
	1/1/2008	\$ 1,882.71		
	2/1/2008	\$ 1,882.71		
	3/1/2008	\$ 1,882.71		
	4/1/2008	\$ 1,882.71		
	5/1/2008	\$ 1,882.71		
	6/1/2008	\$ 1,882.71		\$ 22,512.90
2009	7/1/2008	\$ 1,882.71		
	8/1/2008	\$ 1,882.71		
	9/1/2008	\$ 1,882.71	\$ 22,592.52	
	10/1/2008	\$ 1,909.24		
	11/1/2008	\$ 1,909.24		
	12/1/2008	\$ 1,909.24		
	1/1/2009	\$ 1,909.24		
	2/1/2009	\$ 1,909.24		
	3/1/2009	\$ 1,909.24		
	4/1/2009	\$ 1,909.24		
	5/1/2009	\$ 1,909.24		
	6/1/2009	\$ 1,909.24		\$ 22,831.29
2010	7/1/2009	\$ 1,909.24		
	8/1/2009	\$ 1,909.24		
	9/1/2009	\$ 1,909.24	\$ 22,910.88	
	10/1/2009	\$ 1,935.78		
	11/1/2009	\$ 1,935.78		
	12/1/2009	\$ 1,935.78		
	1/1/2010	\$ 1,935.78		
	2/1/2010	\$ 1,935.78		
	3/1/2010	\$ 1,935.78		
	4/1/2010	\$ 1,935.78		
	5/1/2010	\$ 1,935.78		
	6/1/2010	\$ 1,935.78		\$ 23,149.74
2011	7/1/2010	\$ 1,935.78		
	8/1/2010	\$ 1,935.78		




ATTACHMENT TO EXHIBIT B
TENANT'S FISCAL YEAR SCHEDULE OF RENTAL PAYMENTS

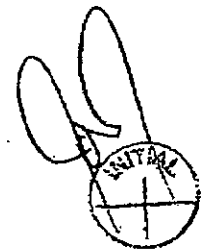
<u>State Fiscal Year</u>	<u>Month</u>	<u>Payment</u>	<u>Yearly Total</u>	<u>Fiscal Year Total</u>
	9/1/2010	\$ 1,935.78	\$ 23,229.36	
	10/1/2010	\$ 1,963.71		
	11/1/2010	\$ 1,963.71		
	12/1/2010	\$ 1,963.71		
	1/1/2011	\$ 1,963.71		
	2/1/2011	\$ 1,963.71		
	3/1/2011	\$ 1,963.71		
	4/1/2011	\$ 1,963.71		
	5/1/2011	\$ 1,963.71		
	6/1/2011	\$ 1,963.71		\$ 23,480.73
2012	7/1/2011	\$ 1,963.71		
	8/1/2011	\$ 1,963.71		
	9/1/2011	\$ 1,963.71	\$ 23,564.52	\$ 5,891.13
<i>Total Rent</i>				\$ 114,571.32




EXHIBIT C

JANITORIAL SERVICES: *If janitorial services for the leased space are to be provided by the Landlord, (as stipulated in section 8.2 herein) define what those services will be, and how often they will be performed.*

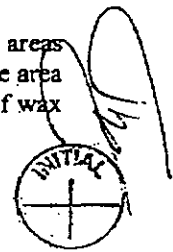
Janitorial services to be provided by the landlord as described in Attachment 1.



**EXHIBIT C
ATTACHMENT I**

STATEMENT OF WORK

- 1-01. **SCOPE:** These specifications provide for accomplishing custodial services in a professional and workmanlike manner, in strict and complete compliance with these specifications and subject to the terms and conditions of this contract.
- 1-02. **DESCRIPTION OF WORK:** The work to be accomplished under this specification consists of performing all custodial services as hereinafter specified in the attachments hereto.
- 1-03. **HOURS OF SERVICE:** All work is to be performed after regular business hours. Work shall commence nightly, Monday through Friday at 6:00 pm.
- 1-04. **DEFINITIONS OF SERVICES:**
- A. **Sweeping** - Includes brush or mop sweeping compound if required, or mechanical brush-vacuum sweeping, without damage or disfigurement of furniture, doors or base trim.
 - B. **Damp-Mopping** - Cleaning of floor surfaces using cotton or sponge yarn mops, appropriate stain removal agents, heated water and detergent, if required, using as small amount of water as possible.
 - C. **Buffing** - Includes buffing with tampico brush and periodic buffing with cylindrical floor machine using fine steel wool cylinder to remove traffic marks, heavy soil, etc.
 - D. **Floor Scrubbing** - Cleaning of floors by use of deck brush, cylindrical or disc type machine, or automatic machine scrubber and detergent solution using as small amount of water as possible, followed by plain water rinse and pick-up. This scrubbing will be followed by the application of one coat of wax or finish and buffing.
 - E. **Floor-Dry-Cleaning** - Cleaning to remove marks, imbedded dirt and debris by buffing with steel wool disc or drum on machine having vacuum soil pick-up.
 - F. **Floor Stripping** - Removal or stripping of all wax or floor finish down to the flooring material, using compound especially prepared for this purpose, with brush or steel wool agitation as required, followed by rinsing with plain water to remove all wax or finish, solution, dirt and film.
 - G. **Primary Floor Finishing** - Application of two coats of water-emulsion wax or floor finish with clean applicator over entire floor after stripping as above, with thorough buffing after each coat. Wax and floor finish may not be used one after the other unless floor stripping (see para F. above) is first accomplished.
 - H. **Touch-Up of Floor Surfaces** - Application of wax or finish in heavy traffic areas between primary floor finishing. This includes thorough damp-mop cleaning of entire area prior to application of wax or floor finish, and buffing entire area after application of wax or finish.

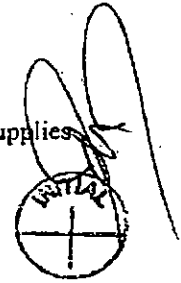


- I. High Dusting - Removal of dust from walls, ceilings, and other structural components; equipment and fixtures above six-foot reach from floor, with hand dusters or vacuum cleaner.
- J. Resilient Floor Coverings - Includes linoleum - plastic asphalt, rubber and cork.
- K. Vacuum Carpets (spot clean) - Vacuum all carpeted common areas, heavy traffic areas and entranceways.
- L. Vacuum Carpets - Vacuum all carpeted surfaces, inclusive of all offices and workstations.
- M. Carpet Shampooing and Cleaning - A truck-mounted hot water, approximately 180° at the wand, (or steam) extraction system to be used. Prior to carpet shampooing, general vacuuming will be provided to remove all particulates. In heavily soiled areas, a pre-treatment of an aggressive alkaline-based solution will be used to assist to break the bond between ground-in particulate and contaminants from the carpet fiber. In extremely soiled areas, a pile lifter will also be required. Rinsing/extracting will be accomplished with a very mild acidic solution or Ph neutral water rinse cleaner, to remove soil and the detergent residue from past cleanings. A high production unit, consisting of a cleaning wand with a motorized power brush, will be used.

The process utilized to be according to recommendations by the carpet manufacturer and the Institute of Inspection Cleaning Restoration Certification (IICRC), a trade organization.

1-05. SUPPLIES AND EQUIPMENT: The LANDLORD will furnish all supplies and equipment for accomplishment of all work. LANDLORD's equipment shall be of the size and type suitable for accomplishing the various phases of work described herein, shall operate from existing sources of electrical power and shall have low noise level of operations. Equipment considered to be improper or inadequate for the purpose shall be removed from the job and replaced with satisfactory equipment. All equipment shall be stored on site.

- A. Major Items of Supplies:
 - Detergent, General Purpose
 - Soap, toilet (Floating White)
 - Soap, toilet, powder - Plain and with Borax
 - Sweeping Compound
 - Polish - Metal
 - Wax, Floor, Water Emulsion - or State approved substitute
 - Liquid floor finish - an acrylic resin floor finish acceptable as an alternate to water.
 - Waste Container Liners (plastic)
 - Remover, Water Emulsion Type Floor Wax
- B. Material and Supplies - The LANDLORD shall furnish all materials and supplies required.



C. Supplies Used - Unless otherwise specified, supplies shall be of the highest quality and most suitable type or grade for the respective work under contract. Any item with potentially flammable or otherwise harmful qualities shall not be used.

D. Personal Protection Equipment (PPE) - LANDLORD shall be responsible to provide, instruct and replace/upgrade as necessary, any and all PPE, as required or recommended by OSHA 1910.132 or other such regulation, for all of their employees.

1-06. STORAGE - The Tenant will not be responsible in any way for damage to the LANDLORD's stored supplies, materials or equipment kept throughout the buildings in janitor's closets; or the LANDLORD's employees' personal belongings brought into the building; occasioned by fire, theft, accident or otherwise.

A. Safeguarding by building standard lockset shall be provided, providing the storage area is used exclusively by the LANDLORD.

1-07. LANDLORD QUALIFICATIONS:

A. Employees: The LANDLORD shall employ only personnel skilled in janitorial work. Because of possible contact with classified equipment or papers, no person shall be employed whose loyalty to the United States is questionable. The LANDLORD assumes total responsibility of their employees, subcontractors, agents and invitees.

1-08. SUPERINTENDENCE BY LANDLORD: The LANDLORD shall at all times during hours specified for service, provide an on-site working janitorial supervisor who can efficiently and effectively communicate, in written and verbal forms, with both the Tenant and to their subordinate janitorial staff. Supervisor to provide adequate supervision of his employees to ensure complete and satisfactory performance of all work in accordance with information as to how and where he/she or his/her representative can be contacted during the regular business hours (8:00 a.m. to 5:00 p.m.). Once a month the LANDLORD's agent will contact the Department's Manager of Administration to go over any problems and/or suggestions.

1-09. INSPECTION:

Daily inspection of all the LANDLORD's work will be made by the Department's Manager of Administration or his/her representative. The representative has authority to point out to the LANDLORD, incomplete or defective work and necessary corrective measures, but does not have authority to alter the terms or conditions of the contract. In addition, the on-site facility contact shall maintain a "Jani Log" to note any deficiencies and/or special needs. LANDLORD is responsible to check this log daily, attend to requests and initial when complete.

1-10. DEFECTIVE WORK AND DAMAGES: The Department of Health and Human Services will require correction of defective/insufficient work or damages to any part of a building or its appurtenances when caused by LANDLORD's employees, equipment or supplies. The LANDLORD will place, in satisfactory condition, all defective/insufficient work and damages rendered thereby, or any other damages incurred. Upon failure of LANDLORD to proceed immediately with corrections, the Department of Health and Human Services may withhold any amount necessary to correct all defective/insufficient work or damages from payments due or to become due to the LANDLORD.

1-11. STANDARDS: The following standards shall be used in evaluation of custodial services:



A. Dusting - A properly dusted surface is free of all dirt and dust, dust streaks, lint and cobwebs.

B. Plumbing Fixtures and Dispenser Cleaning - Plumbing fixtures and dispensers are clean when free of all deposits and stains so that item is left without streaks, dust, film, odor or stains.

C. Sweeping - A properly swept floor is free of all dirt, dust, grit, lint and debris except imbedded dirt and grit.

D. Spot Cleaning - A surface adequately spot cleaned is free of all stains, deposits and is substantially free of cleaning marks.

E. Damp Mopping - A satisfactorily damp-mopped floor is without dirt, dust, marks, film, streaks, debris or standing water.

F. Metal Cleaning - All cleaned metal surfaces are without deposits or tarnish and with a uniformly bright appearance. Cleaner is removed from adjacent surfaces.

G. Glass Cleaning - Glass is clean when all accessible glass surfaces are without streaks, film, deposits, and stains, and has a uniformly bright appearance and adjacent surfaces have been wiped clean.

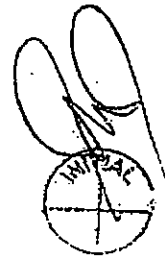
H. Scrubbing - Scrubbing is satisfactorily performed when all surfaces are without imbedded dirt, cleaning solution, film, debris, stains and marks and standing water in all areas and floor has a uniformly clean appearance. A plain water rinse must follow the scrubbing process immediately.

I. Light-Fixture Cleaning - Light fixtures are clean when all components, including bulbs, tubes, lenses and diffusers are without insects, dirt, lint, film and streaks. All articles removed must be replaced immediately.

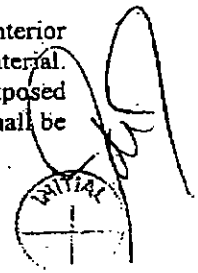
J. Wall Cleaning - After cleaning, the surfaces of all walls, ceilings, exposed pipes and equipment will have a uniformly clean appearance, free from dirt, stains, streaks, lint and cleaning marks, painted surfaces must not be unduly damaged. Hard finish wainscot or glazed ceramic tile surfaces must be bright, free of film, streaks and deposits.

K. Buffing of Floor Surfaces - All waxed and/or acrylic finished areas will be buffed sufficiently for maximum gloss, as to provide the removal of surface dirt and yield a uniform appearance.

1-12. SERVICES: The following services shall be performed to comply with the aforementioned specified standards:



- A. Cleaning Rest Rooms - This work includes cleaning all plumbing fixtures; lavatories, toilet bowls, group wash fountains, dispensers, baby changing stations; spot cleaning wainscot, doors, stall partitions and all laminate counters as required; and filling all paper, soap and feminine napkin dispensers as needed. Scouring powder may be used on plumbing fixtures or ceramic tile to remove stubborn stains or deposits. A toilet bowl cleaner may be used for water closets and urinals if required. All stains or spots shall be removed from ceramic tile, wainscot and stall partitions using a damp cloth, with detergent and chlorine bleach. Floors shall be dry swept and damp mopped. Shower walls shall be wiped dry and the floor cleaned.
- B. Cleaning Sinks and Drinking Fountains - All items will be cleaned using detergent or scouring powder if required. Cabinets of water chillers shall be wiped clean with a damp cloth. Any spillage on floors or walls adjacent to fixture shall be wiped clean with a damp cloth.
- C. Sweeping - All tile, wood or concrete floors, stairways, landings and stoops shall be swept, using an approved sweeping compound and dust and debris removed to receptacles provided for this purpose outside the building.
- D. Damp Mopping Floors - Damp mop all resilient floors, quarry tile and concrete floors. All resilient floors shall be buffed. (Resilient floors may be dry cleaned provided satisfactory results are demonstrated by the LANDLORD). Damp mopped resilient floors shall be buffed with appropriate brushes.
- E. Scrubbing - Scrub all resilient floors, ceramic tile and smooth concrete floors. Resilient floors that have been scrubbed shall be waxed and buffed as specified.
- F. Prime Waxing - Primary wax resilient flooring wax shall be applied as recommended by the manufacturer of the product furnished. Primary waxing shall follow immediately the operation of wax removal or stripping and scrubbing.
- G. Stripping and Wax Removal - Wax removal shall be accomplished on all resilient floors. All dirt, stain, old wax and debris shall be completely removed down to the original flooring material. When floors are completely clean and dry, apply two coats of wax and buff each coat.
- H. Buffing - Touch up wax and/or finish and buff after damp mopping all resilient flooring in entrances, lobbies and corridors.
- I. Glass Cleaning - Clean all mirrors, glass cases, windows and glass at building entrances, using plain water or cleaning solution prepared for this purpose. Adjacent rim shall be wiped clean with a damp cloth. Scouring powder or ammonia shall not be used. Doors and windows shall be washed on both sides.
- J. Cleaning Interior Walls and Ceilings - When not otherwise washed, clean all interior painted walls, partitions and ceiling surfaces and window trim, except acoustical material. Beginning at the highest point, dust shall be first removed from all surfaces, exposed overhead pipes and equipment with untreated dusters or by vacuuming. Cobwebs shall be removed with an upward stroke to avoid streaking.



K. Cleaning Wainscot and Laminate Counter Tops - Clean all tile or impervious finish wainscot, laminate counter tops, toilet stall partitions and doors. Cleaning shall be accomplished with detergent solution and sponge followed by plain water rinse and drying with a clean cloth. Abrasive cleaners will not be used on painted or resilient surfaces. All spillage or marking of adjacent surfaces shall be wiped clean with a damp cloth.

L. Cleaning Doors and Trim: Clean doors and adjacent trim not otherwise cleaned.

M. Dusting Horizontal Surfaces Other Than Furniture, Fixtures and Equipment - Dust with treated dust cloth or vacuum all horizontal surfaces of windows, radiators, baseboards and other horizontal surfaces in reach from the floor.

N. Empty Waste Receptacles - Empty all waste receptacles, inclusive of all exterior cigarette receptacles, and remove trash and paper from building and deposit in collection facilities provided for this purpose.

O. Washing Waste Receptacles - Wash specified waste receptacles to keep in sanitary condition. Washing shall be accomplished with brush and detergent solution. Use of steam or cleaning agents harmful to paint or receptacle material will not be permitted. Receptacles will be left free of deposits, stains, dirt streaks and odor.

P. Clean Light Fixtures - Dust all accessible components of incandescent and fluorescent light fixtures including bulbs, tubes, lenses and diffusers with a cloth or yarn duster. Clean fixtures with a damp cloth at frequencies indicated.

Q. Mat Cleaning - Clean all dirt, removing mats at entrance and remove all dirt and dust deposits underneath.

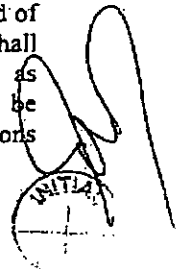
R. Metal Cleaning and Polishing - All door and rest room hardware shall be polished using approved polishing compound.

S. Dust and Wash Vertical/Horizontal - Vertical/Horizontal blinds shall be dusted with soft cloths, dusters, brushes manufactured for this purpose, or vacuumed. Blinds to be washed shall be removed from the windows and thoroughly washed, rinsed and dried before reinstalling at proper windows.

T. Burned-Out Lights - Incandescent and fluorescent lamps will be furnished and replaced by the LANDLORD.

U. Turning off Lights - Janitorial staff shall be responsible to turn off interior lights post the conclusion of their nightly operations.

- 1-13. CLEAN UP: All supplies, equipment and machines shall be kept free of traffic lanes or other areas where they might be hazardous and shall be secured at the end of each work period in areas provided for this purpose. Cloths, mops, or brushes, containing residue of wax or other combustible material subject to spontaneous ignition, shall not be disposed of or stored within the building or dumped in the on site disposal facility. LANDLORD shall be responsible to legally dispose of any and all hazardous or flammable materials as required by law. All dirt and debris resulting from work under this contract shall be disposed of each day at the completion of work. Only biodegradable cleaning solutions shall be disposed of in plumbing fixtures provided for this purpose.



- 1-14. LOST, FOUND OR MISSING ARTICLES: The LANDLORD will be responsible in the event of theft of State property or personal property by his employees. All unclaimed articles found in or about the work areas by the LANDLORD will be turned in immediately to the Department's Manager of Administration.
- 1-15. SNOW AND ICE REMOVAL: It shall be the responsibility of the Landlord to make certain that all sidewalks, entrances, roadways and parking areas are kept free of refuse, snow and ice at all times.
- 1-16. SUPPLIES: The LANDLORD will furnish supplies to fill all dispensers in the rest rooms and lounge. This is to include toilet paper, paper towels, sanitary toilet seat covers, baby changing station bed liners, anti-bacterial soap (specifically, Citrus Magic) and sanitary napkins.
- 1-17. PEST CONTROL: The LANDLORD is to include any and all pest control, which may be necessary within the facility.



EXHIBIT D

Provisions for "barrier - free" access, renovations, "clean air compliance", and recycling.

Part I "Barrier-Free" access is to be provided by making certain alterations (if any), which are to include all recommendations for change requested by the "Architectural Barrier-Free Access Committee" in "Exhibit G" herein. *Specify any alterations not listed in "Exhibit G" that will be made in order to provide "barrier-free" access. Define who (Landlord or Tenant) shall be responsible for the cost, and the time frame allowed for completion.*

The Landlord and at the Landlord's sole expense, shall be solely responsible for the provision of all renovations and improvements. All renovations must comply with all applicable building codes, including but not limited to the Architectural Barrier-Free Design Code for the State of New Hampshire (ANSI A117.1-1998), the NH State Building Code (IBC 2000, ANSI A117.1-1998, NFPA 101), and the Americans with Disabilities Act Standards for Accessible Design (ADAAG), within 30 days of Governor and Council approval.

Part II Compliance with State of New Hampshire RSA 10:B "Clean Air Indoor Air in State Buildings", has been attained (attach "certificate of compliance") or shall be attained as follows:
The Landlord and Tenant hereby agree that "Clean Air" testing, defined by the "Department of Environmental Services" rules Chapter Env-A 2200, will be performed at the premises after lease inception and completion of any and all renovations. All testing and submission of testing results to the "Radon/Indoor Air Quality Program" shall be completed no later than thirty (30) days after Tenant's occupancy

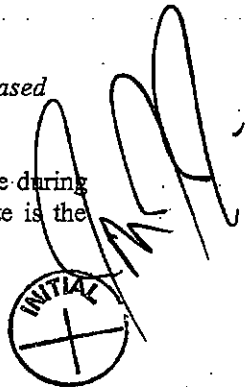
No later than thirty (30) days after commencement of the term herein, the Landlord (at Landlord's sole expense) shall be responsible for hiring technicians (who meet "Environmental Services" criteria of professional accreditation) to perform the State of New Hampshire "Clean Air" tests as set forth in "Environmental Services" Administrative Rules Chapter Env - A2200. In accordance with these rules the landlord shall submit notarized air testing results to the "State of New Hampshire, Department of Environmental Services, "Radon/Indoor Air Quality Program" for their review and certification of compliance. After reviewing the testing results "Environmental Services" will either issue a "certificate of compliance" to the Landlord, or send a letter delineating the deficiencies. The Landlord shall consult with "Environmental Services" and the testing lab that performed the initial test to gain their recommendation of how to remedy any deficiencies. The Landlord shall (at their sole expense) proceed to remedy the air quality deficiencies through repair and/or renovations to the premises. Any and all required repairs or renovations shall be completed within a reasonable time frame, which shall in no instance exceed four (4) months after the deficiency was revealed in the testing results. After the completion of all repairs to the air handling systems, the Landlord shall have the premises re-tested for compliance, again submitting the testing results to Environmental Services for their review and recommendations or issuance of their "Certificate of Compliance".

Part III **Improvements, Renovations or New Construction:** *Any improvements or renovations to be made to the premises other than those listed in Part I above, are to be specified below, or attached under separate cover.*

See attached Exhibit D, Part III, Improvements

Part IV **Recycling:** *document whether or not there is a readily accessible community-recycling program the leased premises will utilize.*

The Tenant shall use any recycling services that are economically feasible and become readily available during the term. At this time the only readily accessible recycling program the leased premises will utilize is the aluminum can recycling offered by the City and at no charge.



**SECTION II
FREQUENCIES OF SERVICE**

SERVICE	DAILY	WEEKLY	MONTHLY	QUARTERLY	SEMIANNUALLY	ANNUALLY
Floors (Resilient)						
Sweep/Dust Mop	X					
Damp Mop	X					
Damp Mop Entrances	X					
Buff		X				
Strip and re wax main corridors and public areas				X		
Scrub and apply one coat of wax			X			
Walls						
Clean						X
Spot clean (as required)						
Dust (include piping ducts, etc.)				X		
Woodwork and Doors						
Clean						X
Spot clean walls, doors, trim, folding doors, etc. as required						
Dust		X				
Light Fixtures						
Dust			X			
Damp Wipe				X		
Burned-out lights to be replaced as necessary						
Drinking Fountains						
Clean	X					
Dust horizontal surfaces of all fixtures, ledges, woodwork, doors, etc.		X				
Waste Receptacles						
Empty Waste Receptacles	X					
Wash Waste Receptacles			X			
Mat Cleaning	X					
Exterior Doors						
Glass Cleaning, Other		X				
Metal Cleaning and Polishing (as required)						
High Dusting				X		
Toilets						
Clean Water Closets	X					
Clean Urinals	X					
Clean Wash Basins	X					
Dispensers, fill and clean	X					
Mirrors	X					
Mop floors with disinfectant	X					
Vacuum Carpets (spot clean)	X					
Vacuum Carpets		X				
Window Cleaning - Interior and Exterior					X	
Removal and replacement of window screens as necessary						
Skylight Cleaning (where applicable)				X		
Window Covering						
Clean and Re-hang					X	
Shampoo Carpets with Power Brush				X		


INITIALS


EXHIBIT D
PART III, IMPROVEMENTS
Dover Itinerant Office Toilet Room

Landlord to provide the renovations discussed herein and as depicted in the attached floor plan (see Attachment to EXHIBIT D, PART III). Toilet room to be added to the leasehold space identified as Room 129, Landlord to invoice Tenant for the toilet room renovation upon satisfactory completion and for the amount up to and not to exceed \$15,000.00. Toilet to include the following:

Concrete

Cut slab, excavate for plumbing, backfill, replace concrete

Rough Carpentry

Install blocking

Millwork

Counter and base cabinet

Doors, Frame and Hardware

Door, frame and hardware

Drywall

Build Type II walls and install doorframe

Paint

Paint walls and doorframe

Flooring

Sheet vinyl flooring

Specialties

Install toilet accessories

HVAC/Plumbing

Toilet, lavatory, exhaust fan/light, duct to outside

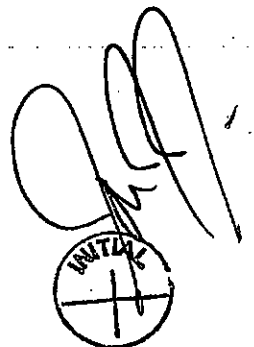
Fire Protection

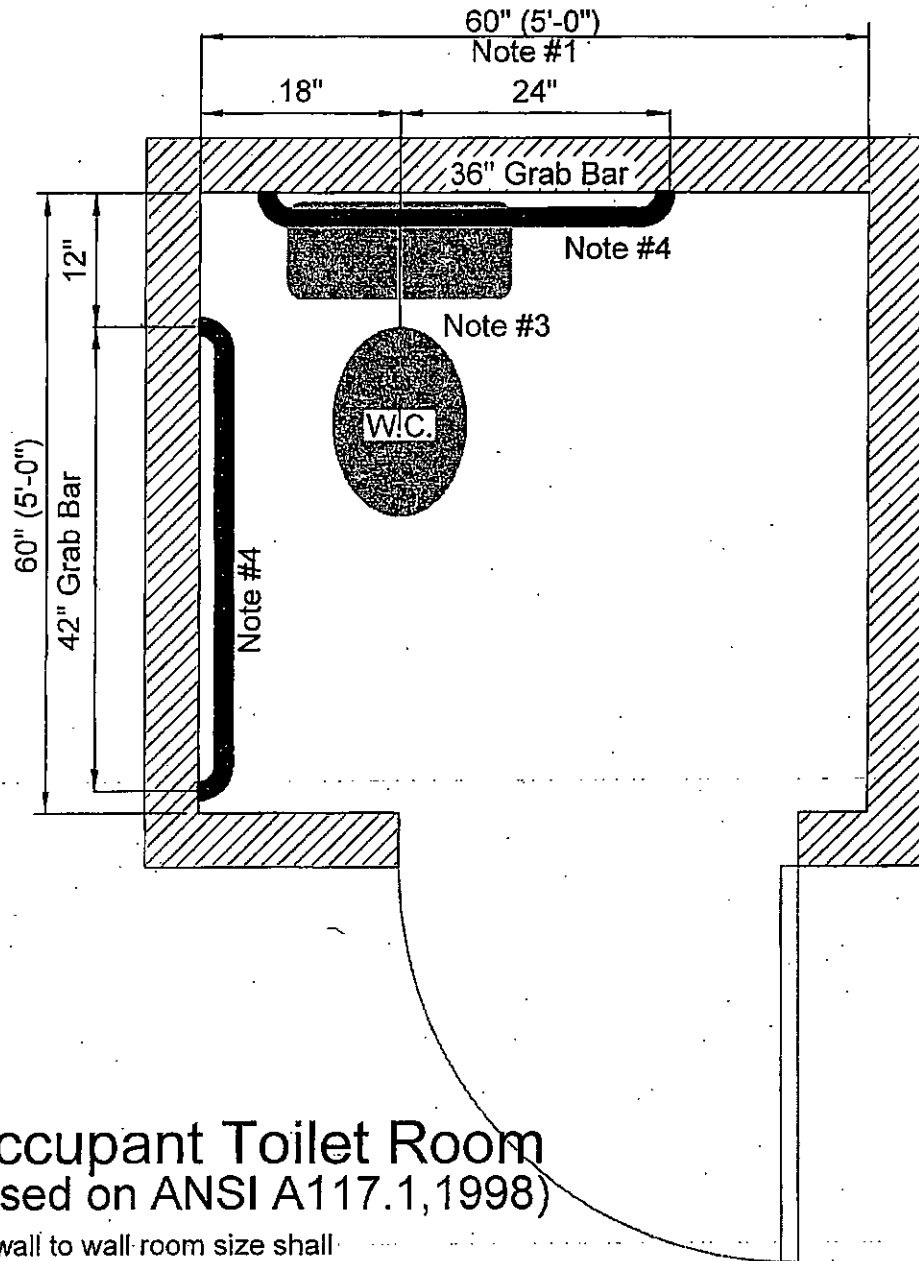
Provide head in room

Electrical

Lighting, switching, emergency lighting, fire alarm GFCI receptacle, switch for exhaust fan

- Landlord will have sixty days, from the date of Governor and Executive Council Approval in which to complete the toilet improvements, as defined above.





Single Occupant Toilet Room (Design based on ANSI A117.1, 1998)

Note #1 : Finish wall to wall room size shall be 60" x 60". NO OTHER FIXTURE OR OBSTRUCTION SHALL BE WITHIN THIS SPACE.

Note #2 : Any manufacturer's wall hung ACCESSIBLE lavatory may be used.

Note #3 : Install flush valve control on room side of water closet. (ADAGG requirement only, 308.3.2)

Note #4 : Install grab bars 33" to 36" above finished floor. (609.4)

Note #5 : 32" CLEAR WIDTH door must swing as shown. Review latchset req'rms w/tenant.

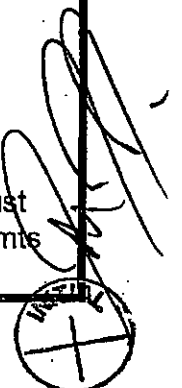


EXHIBIT E
SPECIAL PROVISIONS

The parties' agreement concerning modifications (if any) to the foregoing standard provisions of this lease are set forth below: *document any and all modifications, deletions or additions to, the standard text of the lease.*

1. State of New Hampshire
Department of Health and Human Services
Office of Business Operations

Lease Addendum
Special Provisions

- Additional payments may be made to the Landlord by the State as unencumbered payments under this agreement for alterations, renovations and modifications to the subject premises, up to \$1,000.00 per event, not to exceed a maximum of \$5,000.00 per year, subject to the mutual agreement of both the Landlord and the State, and without further approval of the Governor and Council for the duration of this lease agreement as indicated in Section 3.1 of the General Provisions.

2. One Time Payment

- The Tenant agrees to pay the Landlord a one-time payment not to exceed \$15,000.00 upon satisfactory completion of the toilet room installation as specified in Exhibit D, Part III, Improvements.

3. Required Property Management

- Provide assurances that the Landlord will employ and identify a full time professional property manager or management team.
- Provide Tenant with a 24 hour emergency response telephone number and contact person(s).

4. Additional requirements to be provided by the Landlord

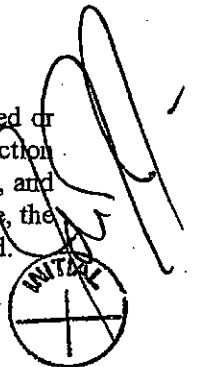
- The Landlord will issue permits for 20 spaces within the library parking lot; however, specific spaces will not be designated. The library parking lot is located at 61 Locust Street in Dover, New Hampshire and Landlord will keep that number of spaces free, cleared, and usable. The lighting in said parking lot will be adequate to the Tenant's standards.

5. Maintenance and Repair of Broken Glass

- Landlord must replace any and all structurally damaged or broken glass the same day that they are notified or observe the damage. In the event that the Landlord is unable to procure and/or install the replacement glass within said day, the Landlord must notify the Tenant, in writing prior to the close of business that day, and provide an explanation as to the cause for the delay and the date the deficiencies will be corrected. In this case, the Landlord must remove the damaged or broken glass and secure the opening and/or damaged area to the satisfaction of the Tenant.

6. Maintenance and Repair of HVAC

- Landlord must replace any and all malfunctioned HVAC systems or parts the same day that they are notified or observe the damage. In the event that the Landlord is unable to procure and/or install the replacement part, section or unit within said day, the Landlord must notify the Tenant, in writing prior to the close of business that day, and provide an explanation as to the cause for the delay and the date the deficiencies will be corrected. In this case, the Landlord must provide a back-up source of HVAC to accommodate the Tenant until the deficiency is remedied.



7. Leasehold Improvement Communication/Coordination

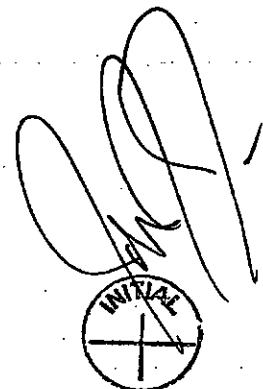
- Landlord shall directly communicate and coordinate any and all non-routine (excluding emergency) repairs, replacements and any/all property improvements to the Tenant. Such communication and coordination shall be provided with sufficient advance notice as to allow for effective planning and communication from Tenant to the affected on-site Manager of Operations and/or the facility's general staff population. Dependent on the scope of the project, Tenant may require Landlord to provide a graphical Phase Plan and/or a written estimated timeline for the project prior to the project's commencement.

8. Debarment, Suspension, and Other Responsibility Matters – Primary Covered Transactions

- The "List of Parties Excluded From Federal Procurement or Nonprocurement Programs" was reviewed and the Landlord was not on the list (see the attached search results).

9. Operating Expenses

- The Landlord, upon written notification from the Tenant, shall provide the Tenant with the accurate annual utility (including but not limited to heat and electricity), Real Estate taxes and janitorial expenses for the premises. The Landlord shall provide these expenses in writing within 30 days of written notice by the Tenant.





STATE OF NEW HAMPSHIRE

EXHIBIT G

GOVERNOR'S COMMISSION
ON DISABILITY

ARCHITECTURAL BARRIER-FREE
DESIGN COMMITTEE

John H. Lynch, Governor
Paul Van Blarigan, Chairman
Carol A. Nadeau, Executive Director

Mark Weir, Chair
Jeffrey Marden, Vice Chair
Cheryl L. Killam, Accessibility Specialist

57 Regional Drive
Concord, NH 03301-8518
(603) 271-2773
1-800-852-3405 Toll Free] Voice or TTY
(603) 271-2837 FAX

Direct Line (603) 271-4177
Email: cheryl.killam@nh.gov
Website: www.nh.gov/disability/abcommittee.html

April 18, 2006

To The Honorable Governor John Lynch and Members of the Executive Council:

REQUESTED ACTION

RECOMMENDATION REGARDING LEASE APPROVAL

Lessee: Department of Health and Human Services, Division for Juvenile Justice Services
Location: 61 Locust Street, First Floor, Suites 128 and 129, Dover, NH 03820
Lessor: City of Dover, 288 Central Avenue, Dover, NH 03820
Term: July 1, 2006 – June 30, 2011 with No extensions

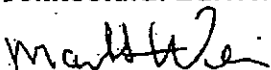
The Architectural Barrier-Free Design Committee respectfully recommends that the subject NEW lease for 1676 square feet of space be approved, **with the following condition:**

All renovations must comply with all applicable building codes, including but not limited to the Architectural Barrier-Free Design Code for the State of New Hampshire (ANSI A117.1-1998), the NH State Building Code (IBC 2000, ANSI A117.1-1998, NFPA 101), and the Americans with Disabilities Act Standards for Accessible Design (ADAAG), within 30 days of Governor and Council approval.

This recommendation is based upon the assurances of the leasing agencies' ADA Coordinator that this facility will be accessible upon completion of Exhibit D renovations.

Should future inspection prove that areas of non-compliance exist, the agency should either withhold rent until the landlord brings the facility into compliance or the agency should negotiate to remedy the non-complying areas with the state.

Respectfully Submitted and Approved by the
Architectural Barrier-Free Design Committee:


Mark Weir, Chairperson

clk

cc: James P. Fredyma, Controller, ADA Coordinator
Leon J. Smith, Jr., Administrator, Bureau of Facilities and Assets Management, Lease Processor



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2012.09.12 – 115**
Resolution Re: B13007 Replacement of Public Safety Dispatch Console System

- WHEREAS: Sealed bid B13007 was requested and received for the replacement of the public safety dispatch console system on August 16, 2012 at 2:00 pm; and
- WHEREAS: On August 9, 2012 @ 10:00am a mandatory prebid meeting was held with one qualified firm attending. Due to the nature of the equipment and the need for the system to integrate with existing equipment, a Motorola system was requested in the bid specifications; and
- WHEREAS: The city received one bid reply submitted by 2 Way Communications Services Inc of Newington NH in the amount of \$112,163.00 and it is the recommendation to award to this vendor.

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

The Purchasing Agent is hereby authorized to issue a Purchase Order to 2 Way Communications Services Inc given the bid amount and corresponding rates provided 8/16/2012. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
1000.1.210.42150.4745.00000	Police Computers and equipment	115,000.00	115,000.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2012.09.12 – 115**
Resolution Re: B13007 Replacement of Public Safety Dispatch Console System

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.B.2.

Resolution Number: **R – 2012.09.12 – 115**
Resolution Re: B13007 Replacement of Public Safety Dispatch Console System

RESOLUTION BACKGROUND MATERIAL:

A new radio system and console are needed to replace the existing system. The current Motorola Gold Elite System is 11 years old. Motorola is no longer manufacturing replacement parts for the system. Parts will only be available for the next few years. This system is essential to communicate to Police, Fire, EMS and Community Services. A reliable system is paramount. This project will replace the two primary dispatch radio console systems. The budget is \$115,000.00.

Purchasing Information:

Type:	Purchase Order	Advertised:	yes
Invitations Mailed:	83	Number of Responses:	1
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	until completion	Estimated Delivery:	As needed
Recommended Award to:	2 way Communications	Fund:	PD Computers
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

Vendor Solicitation List:

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

RESULTS

<i>Vendor</i>	<i>\$</i>
2-Way Communication Service Inc 29 River St Newington NH 03801	\$112,163.00



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

TO BE SUBSTITUTED AS A WHOLE

Resolution Number: **R – 2012.09.12 - 117**
Resolution Re: ~~Legislation~~ Policies

WHEREAS: ~~—~~Representatives of New Hampshire municipalities have developed recommendations to set priorities for legislative advocacy in the coming year relating to municipal interests that may arise before the NH legislature and State agencies; and

WHEREAS: ~~—~~The City of Dover is a member of the NH Municipal Association (NHMA) and the Dover City Council may therefore designate a delegate to the NHMA Legislative Policy Conference on Friday, September 21, 2012 to be held at the NHMA/LGC building in Concord, NH at 9 am where legislative policy positions will be adopted; and

WHEREAS: ~~—~~The NHMA monitors legislative bills of interest and provides legislative advocacy representing the collective interests of the 233 municipal member communities and their residents.

Comment [BG1]: Although there are 234 communities, Manchester is the only one in the state that is not a member, so membership is 233.

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

The Dover City Council wishes to endorse the attached recommended legislative policies that have been vetted by the Council through a workshop on September 5, 2012 and brought forth with this resolution to formalize the Council's position on these recommendations including any suggested revisions, deletions or additions thereof. A Voting Delegate shall be designated by the Mayor and is authorized to vote accordingly during the NHMA Legislative Policy Conference and, when deemed necessary, provide testimony to State of NH officials on behalf of the City of Dover consistent with these endorsed legislative policies.

AUTHORIZATION

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Councilor <u>William Garrison</u> <u>By Request</u>
Approved as to Legal Form:	Allan B. Krans, Sr. General Legal Counsel		
Recorded by:	Karen Lavertu City Clerk		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

TO BE SUBSTITUTED AS A WHOLE

Resolution Number: **R – 2012.09.12 - 117**
Resolution Re: ~~Legislation~~ Policies

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Dean Trefethen		
Deputy Mayor Robert Carrier, at Large		
Councilor Edward Spuler, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Michael Crago Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Michael Weeden, Ward 6		
Councilor Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		

RESOLUTION BACKGROUND MATERIAL:

See attached documents:

1. 2012 General Government, Revenue, Intergovernmental Relations
2. 2012 Planning and Environmental Quality
3. 2012 Municipal Administration and Finance Management
4. 2012 Floor Proposals
5. Legislative Principals from the 2011-2012 Legislative Policy Positions handbook

Comment [BG2]: I have been made aware that the delegate will also be voting on the Legislative Principles that are contained in the back of the current Policy Position booklet.



RECEIVED
City Manager's Office

AUG 21 2012

Dover, New Hampshire

TO: Key Officials

FROM: Judy A. Silva, Deputy Director for Legal Services and Government Affairs
Cordell A. Johnston, Government Affairs Counsel

DATE: August 20, 2012

RE: 2013-2014 Legislative Policy Conference ~ Friday, September 21, 2012

Floor Proposals and Legislative Principles

Enclosed please find a copy of the two floor proposals that have been submitted for discussion and vote at the NHMA Legislative Policy Conference. These floor policies supplement the policy recommendations prepared by the Committee on Government Affairs, which were mailed to each municipality on June 29, 2012. In addition to the policy recommendations and the floor proposals, delegates at the conference will vote on NHMA's Legislative Principles, which also were included in the June 29 mailing. If you need copies of any of these documents, you can find them on the LGC website, www.nhlgc.org. (From the home page, move your cursor to "NH Municipal Association," then click on "NHMA Policy-Setting Process.")

Voting Delegate

Each member municipality has one vote at the Policy Conference. Each governing body is asked to appoint a voting delegate to cast the municipality's vote on the policy proposals presented. **We are sending a pre-stamped voting delegate card to the top management person in each municipality (or the governing body chair if no management staff) to return to us indicating the governing body's appointment for voting delegate.** Please mail this card back to us no later than Wednesday, September 12. See the Legislative Policy Process Questions & Answers document, also sent with the June 29 mailing and available on the LGC website, for a description of who will have voting privileges for a municipality in the absence of any formal designation.

Policy Conference

The Legislative Policy Conference is scheduled for **Friday, September 21, 2012 at 9:00 a.m.** at the **Local Government Center** in Concord. You can find directions on the LGC website by clicking on *Directions* on the home page, or you can call if you need further assistance.

We urge the governing body of each municipality to discuss the full slate of policy recommendations, along with these floor proposals, and to take a position on each proposal to give guidance to your voting delegate. Otherwise, your voting delegate is free to vote at the Policy Conference as he/she desires! At the conference, delegates may vote to approve, reject, or table a policy proposal. They may also vote to change the order of priority of the various policies.

This is an important opportunity for each member municipality to participate in determining NHMA legislative policy for the 2013-2014 biennium—we count on your input! As always, please do not hesitate to call or e-mail (governmentaffairs@nhlgc.org) the Government Affairs Staff with any questions, comments, or concerns. We look forward to seeing you on September 21st!

New Hampshire Municipal Association
2013-2014 Legislative Policy Process

Floor Policy Proposal

Submitted by (name) Betsy McClain (on behalf of the Town of Hanover Trustees of Trust Funds) Date 8/6/201

City or Town Town of Hanover Title of Person Submitting Policy Dir. of Admin. Svcs.

Approved by the Town of Hanover Board of Selectmen at their 8/6/2012 Public Meeting.

To see if NHMA will SUPPORT/OPPOSE:

To see if NHMA will SUPPORT amendments to RSA 292-B:2 to include funds held by a town or other municipality under RSA 31:10, RSA 202-A:23, or a fund created by a town or other municipality under RSA 31:19-a to be included in those institutional funds subject to the Uniform Prudent Management of Institutional Funds Act.

Municipal interest to be accomplished by proposal:

To allow for more active investment (vs. income-centric investment) to achieve more substantive long-term growth in overall fund value of funds overseen by municipal Trustees of Trust Funds.

Explanation:

Please see attached.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to PO Box 617, Concord, NH 03302-0617; or email to governmentaffairs@nhlgc.org. **Must be received by August 17, 2012.**



June 19, 2012

Ms. Terry M. Knowles, Registrar
Charitable Trusts Unit
Office of the New Hampshire Attorney General
33 Capitol Street
Concord, NH 03301-6397

Dear Terry:

It has been just over two years since your visit to Hanover where we had a lively discussion about the prospect of allowing New Hampshire municipal Trustees of Trust Funds to participate in Total Return Spending and Investment. When we met in January 2009, your office was helping Trustees across the State understand the implications of the 2008 legislation allowing for the *Prudent Investor* standard vs. the long-held *Prudent Man* standard. You indicated that your office supports the notion of allowing Trustees to adopt Total Return Spending Formulas, but this change would simply be too much too soon after the implementation of the *Prudent Investor* standard. Referring to the minutes from this meeting, you described your office's priorities over the last several years as: (a) require Trustees to submit an Investment Policy Statement [done]; (b) adopt Prudent Investor Rule [done]; and (c) allow for Total Return Investment. We as Trustees very much appreciate the efforts of your office to support and adopt the *Prudent Investor* standard, and we look forward to your office leading the way on introducing Total Return Spending as an option to municipal Trustees of Trust Funds.

This letter expresses our sincere wish that your office now actively pursue this last goal of allowing for Total Return Spending and Investment. As you know, the Uniform Prudent Management of Institutional Funds Act (UPMIFA) allows for Total Return Spending and Investment. In an extremely cautious measure to protect those municipalities without knowledgeable Trustees of Trust Funds, all funds currently held by New Hampshire municipal Trustees of Trust Funds are specifically excluded from the provisions of UPMIFA. In our opinion, it is time to overturn this restriction.

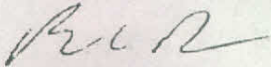
Working with our Investment Management firm, we have developed the attached 'talking points' to support the move to Total Return Investment for municipal trust funds. We stand ready to support your office in this effort and would be happy to meet with you sometime over the coming months to talk about how to move forward.

We would appreciate a reply from your office indicating your office's current thoughts on: (1) moving forward on allowing municipal Trustees the same investment reporting and spending options as institutional endowment managers; and (2) how we as Town of Hanover Trustees of Trust Funds can best support that effort.

We look forward to hearing from you soon.

Sincerely,

TOWN OF HANOVER TRUSTEES OF TRUST FUNDS



Brian C. Doyle



Paul B. Gardent



Judson T. Pierson

cc: Matthew Houde, NH State Senator (District 5) – via e-mail
Bernard Benn, NH State Representative (District 9) – via e-mail
Beatriz Pastor, NH State Representative (District 9) – via e-mail
Sharon Nordgren, NH State Representative (District 9) – via e-mail
David Pierce, NH State Representative (District 9) – via e-mail

Advantages of Total Return Spending Policy vs. Income Only Spending Policy

The vast majority of endowments and not for profit organizations utilize a total return spending policy. A total return spending policy takes a specific percentage of the market value of the account for distribution. The percentage normally ranges between 3 to 5%, and the market value is typically calculated using a rolling 3 year quarterly value.

There are many advantages to a total return spending policy vs. an account that only distributes income earned:

- ◆ Total return allows a fund to be better diversified amongst all asset classes. By not focusing on income producing assets, i.e. fixed income, the portfolio can be more diversified, which may serve to enhance the return as well as reduce the overall risk and volatility.
- ◆ Under total return, distributions can often be higher than income only distributions. This is particularly true for portfolios that have large equity holdings. Typical endowments have a portfolio that is 60-80% equities and 20-40% fixed income.
- ◆ A total return spending policy is very flexible. The percentage rate of distributions can be modified to reflect market conditions. Allows for more flexibility to change investment priorities.
- ◆ Total return portfolios allow for more active management vs. static fixed income portfolios.
- ◆ Allows Trustees to exercise a higher degree of fiduciary responsibility.
- ◆ Modernize accounting methods allowing for time weighted treatment of new funds, so as not to penalize older funds as current accounting standards do.

New Hampshire Municipal Association
2013-2014 Legislative Policy Process

Floor Policy Proposal

Submitted by (name) R. Loring Carr Date 8/10/12

City or Town Alton Title of Person Submitting Policy Vice-Chairman BAS

Voted on 8/9/12 meeting

To see if NHMA will SUPPORT/OPPOSE:

see attached

Municipal interest to be accomplished by proposal:

see attached

Explanation:

see attached

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to PO Box 617, Concord, NH 03302-0617; or email to governmentaffairs@nhlgc.org. **Must be received by August 17, 2012.**

PROPOSED LEGISLATION

Support legislation regarding public notice requirements, voter information communications, and voter "reminders" controlled by a governing body or taxpayer funded, must be equally available to all voters.

Alton School Board used the school's emergency automated "snow phone" to remind parents to vote in upcoming elections which included a \$22 million dollar school bond. The "snow phone" only calls those parents with registered students in the school. Tax dollars paid for by voters with students in the school received a phone call the night before reminding them to vote tomorrow. Voters with no students in the school received no phone call. This is not equal treatment for all voters.

Planning and Environmental Quality

2013-14 Final Legislative Policy Recommendations

ACTION POLICIES

1. Planning Board Appeals

To see if NHMA will **SUPPORT** legislation that (a) protects parties from losing their appeal rights when they appeal a planning board decision to the superior court under RSA 677:15 or to the ZBA under RSA 676:5, III, and either body determines that the appeal should have gone to the other, and (b) allows all issues to be appealed to the superior court after the conclusion of any appeal to the ZBA. Any such legislation should preserve the existing 30-day appeal period under RSA 677:15. **Existing Policy.**

2. Public Notification Responsibility Under RSA 482:13:II (Dam Owners)

To see if NHMA will **SUPPORT** legislation requiring the owner of a dam, rather than a local governing body, to publish notice of the informational meeting required under RSA 482:13 for the breaching of a dam or lowering of a water body, and allowing more time for scheduling and publishing notice of the informational meeting.

Explanation: The existing law requires a dam owner to notify all municipalities where the dam or body of water is located before breaching the dam or lowering the water body, with certain exceptions. The governing body must hold a public informational meeting with 15 days after receiving the notice, and it must publish notice of the meeting in a newspaper of general circulation at least seven days before the meeting.

The publication requirement is an unfunded mandate that appears to violate part 1, article 28-a of the New Hampshire Constitution. The municipality has no jurisdiction over the breaching of the dam or lowering of the water body, so the mandate is particularly troubling. Further, the statute gives the governing body only eight days after receipt of the notice to publish notice of the informational meeting. Given that most governing bodies meet no more often than bi-weekly, this requirement creates an undue burden. **Submitted by: Pittsburg Board of Selectman.**

3. Incidental Burning of C&D Debris at Municipal Transfer Stations

To see if NHMA will **SUPPORT** legislation seeking a permanent exception to allow the incidental combustion of untreated construction and demolition debris at municipal transfer stations.

Explanation: In 2007 the legislature enacted a prohibition on burning construction and demolition debris. The legislation included a temporary exception for “the incidental combustion, under the supervision of a solid waste facility operator, of untreated wood at a municipal transfer station

subject to regulation under RSA 149-M.” Essentially, this authorizes the continued use of “burn piles” for small amounts of untreated wood at municipal transfer stations.

This exception is scheduled to expire on January 1, 2014. If it is allowed to expire, municipalities will no longer be permitted to burn untreated wood from construction and demolition and will need to employ more expensive means to dispose of the wood. **Submitted by: Town of Wolfeboro.**

4. Restoration of Full General Revenue Funding for Municipal State Aid Grant (SAG) Programs

To see if NHMA will SUPPORT legislation to restore full general revenue funding of municipal wastewater, public drinking water and landfill closure grants administered by the NH Department of Environmental Services.

Explanation: Since November, 2008, the legislature has deferred general revenue funding of the State Aid Grant (SAG) program for municipal wastewater, public drinking water and landfill closure projects. Eligible municipal projects for state aid grants were not funded in state fiscal years 2009, 2010, 2011 and 2012. This has left a backlog of: 87 wastewater projects totaling \$36,781,137 in grant requests; 17 water supply projects totaling \$7,586,104 in grant requests; and 7 landfill closure projects totaling \$805,025 in grant requests, spread across over 40 communities whose state aid grants have been deferred.

This policy proposal seeks to support legislation that encourages the state to fulfill its existing statutory obligation to municipalities. In the long term, New Hampshire needs a sustainable funding source to support the state’s environmental infrastructure needs, especially when project costs become unaffordable to the local taxpayers. Future investments will be necessary to address both increasing infrastructure asset renewal demands to comply with new and more stringent federal water pollution control regulations and to accommodate increased growth and demand. **Submitted by: City of Concord.**

PRIORITY POLICIES

5. Conservation Investment

To See if NHMA will SUPPORT permanent funding for the Land and Community Heritage Investment Program and **OPPOSE** any diversion of such funds to other uses. **Existing Policy.**

6. Permitting Municipalities to Establish Central Business Utility Districts to Protect Water Supplies

To see if NHMA will SUPPORT legislation that would enable municipalities to establish mechanisms to finance the provision of public utility services, with oversight by the governing and legislative bodies, with costs to be borne by the users and/or property owners within the areas served.

Explanation: A bill (SB 353) was introduced in the 2012 session seeking to permit municipalities to establish central business utility districts to protect the water supply and to enable municipalities

to provide utility services in compliance with federal, state and local requirements. SB 353 was ultimately re-referred to interim study by the senate.

MAC ADOPTED POLICY VOTE, 1/20/12: Support legislation that would enable municipalities to establish mechanisms to finance the provision of public utility services in designated areas within municipalities, with oversight by the governing and legislative bodies, with costs to be borne by the property owners within those designated areas. **Submitted by: Town of Stratham.**

7. Clarifying Statutory Procedure for Resolving Highway Culvert/Drainage Disputes

To see if NHMA will SUPPORT legislation clarifying that RSA 231:75 provides a landowner's sole remedy for damages from a municipality's changing the grade of a highway or installation or maintenance of ditches or culverts.

Explanation: Orford was recently ordered to pay damages (and also had to go through the expense of a jury trial) on an issue involving the replacement of a failed culvert with a culvert of a larger size. The downstream landowner claimed that her property had been damaged due to the increase in water flow. The jury awarded her \$20,000 -- even though not one single expert provided any evidence of actual damage -- based solely on her own testimony (and the rule that a landowner has the right to testify about his/her own property's value). Given that she was elderly and lives alone with her dog, the verdict could easily have been simply a vote of sympathy. My argument (for the Town) that RSA 231:75 constituted the landowner's exclusive remedy (rather than a tort lawsuit) was rejected by the Court. Unfortunately that statute is worded awkwardly, has an inconsistent case-law history, and has not been amended for many decades. In my view, culvert/drainage issues should not subject a town to the possibility of a jury trial. The vast majority of older roads in New Hampshire include culverts and drainage ditches for which there are no recorded easements, and for which the drainage rights are solely by implication. The law relating to such interests is specialized and complex enough that a jury cannot truly be expected to understand it (as just one example, the attorney for the landowner attempted to portray any water coming onto his client's property from the highway right-of-way as a trespass, whereas the case law - scant and old as it may be - makes it clear that the town has not merely the right but the duty to divert water from the uphill side of a road to the downhill side). **Submitted by: Attorney Bernard Waugh on behalf of Town of Orford.**

STANDING POLICIES

8. Environmental Regulation and Preemption

To see if NHMA will SUPPORT legislation that (a) recognizes municipal authority over land use and environmental matters, (b) limits state preemption of local environmental regulation, and (c) recognizes that even when local environmental regulation is preempted, compliance with other local laws, such as zoning and public health ordinances and regulations, is still required. **Existing Policy.**

9. Energy, Renewable Energy and Energy Conservation

To see if NHMA will **SUPPORT** legislation encouraging state and federal programs that provide incentives and assistance to municipalities to adopt energy use and conservation techniques that will manage energy costs and environmental impacts, promote the use of renewable energy sources, and promote energy conservation, and opposes any legislation that overrides local regulation. **Existing Policy.**

10. Open Space Retention and Sprawl Prevention

To see if NHMA will **SUPPORT** legislation encouraging statewide programs that provide incentives and assistance to municipalities to adopt land use planning and regulatory techniques that will better prevent sprawl, retain existing tracts of open space, and preserve community character. **Existing Policy.**

11. Sludge/Biosolids

To see if NHMA will **SUPPORT** reliable enforcement of scientifically based health and environmental standards for the management of sludge, septage, and biosolids; **SUPPORT** the funding of the New Hampshire Department of Environmental Services and the New Hampshire Department of Agriculture, Markets and Food at a level allowing full and adequate development and enforcement of such scientifically based health and environmental standards; **SUPPORT** an increase in the amount of state aid grants or other financial assistance for wastewater treatment plant upgrades to improve the quality of biosolids produced from Class B to Class A biosolids; **OPPOSE** any state legislation that would curtail the ability of municipalities to dispose of municipally-generated biosolids through land spreading, when done in accord with such scientifically based health and environmental standards; and **OPPOSE** any preemption of local authority to regulate in this field. **Existing Policy.**

12. Current Use

To see if NHMA will **OPPOSE** any legislative attempt to undermine the basic goals of the current use program and **OPPOSE** any reduction in the 10-acre minimum size requirement for qualification for current use, beyond those exceptions now allowed by the rules of the Current Use Board. **Existing Policy.**

Municipal Administration and Finance Management

2013-14 Final Legislative Policy Recommendations

ACTION POLICIES

1. Welfare Lien Priority

To see if NHMA will SUPPORT legislation giving welfare liens arising under RSA 165:28 higher priority, and specifically making liens for welfare payments made directly to mortgage companies subordinate only to tax liens. **Existing Policy with Amendment.**

Explanation: If welfare funds are paid directly to a mortgage holder on behalf of the mortgagor, and that mortgage holder subsequently forecloses on the property, the municipality should have a priority lien on amounts paid to the mortgage holder.

2. Counting Absentee Ballots

To see if NHMA will SUPPORT legislation to eliminate the requirement that absentee ballots cannot be counted prior to 1:00 P.M., and instead allow them to be counted throughout the time when polls are open. **Existing Policy.**

3. Revoking Permits and Licenses

To see if NHMA will SUPPORT legislation authorizing municipalities to adopt an ordinance or by-law granting authority to the municipality to suspend any permit, license or other statutory permit granted to an individual who owes money to the municipality, including property taxes, building permit fees, water or sewer fees, etc.

Explanation: In more than a few cases, individuals will be delinquent on tax payments, fees, or other moneys owed to a municipality, and selectively paying those late or not at all, while paying for other items such as a building permit. For example a person may be two years delinquent on taxes but pull a building permit and pay a fee to build a house. This does not make sense. Communities should not be put in the awkward position of issuing a building permit or a dog license while someone is delinquent for years on tax payments. It may lead to a situation where the municipality is spending legal resources pursuing payments in court, while having to issue permits or licenses, knowing the individual is a scofflaw. **Russell Dean, Exeter Town Manager**

4. Signing Manifests

To see if NHMA will SUPPORT legislation clarifying that the signing of a manifest by a majority of a governing body shall not be a public meeting.

Explanation: Current statute allows school boards to designate two or more members to authorize payments. Select boards are only able to authorize payments as a quorum during a noticed, public meeting. Some select boards conduct full business meetings only twice a month. The weeks that

there is not a full business meeting, the Board of Selectmen holds a 30 second noticed, public meeting to authorize payments. **Leslie Boswak, Deerfield Town Administrator.**

PRIORITY POLICIES

5. Swearing in Town Officers

To see if NHMA will SUPPORT legislation to reconcile RSA 669 with RSA 42:3 regarding when certain town officers may be sworn in.

Explanation: RSA 669:10, II (added in 1989) says that “no person shall assume a town office until after the time period for requesting a recount is over. If a recount is requested for a town office, no person shall assume that office until after the recount is completed.”

However, RSA 42:3 (amended in 2008, part of the chapter on “Oaths of Town Officers”) now says that “any person elected to an office where no other person was a candidate on the ballot for that office and no write-in candidate received 5 percent or more of the votes cast for that office may be sworn in after the results are declared from the election and the annual business meeting has ended or at any time thereafter provided the oath is taken by the deadline established by RSA 42:6. If no recount of the office is requested, any person elected to an office that was contested or for which a write-in candidate received 5 percent or more of the votes cast may be sworn in upon expiration of the period for requesting a recount provided in RSA 669:30.”

It seems clear that the intent was to allow people to be sworn in earlier, and it was likely just an oversight that RSA 669:10 was not amended to conform to this or at least mentioned in the amended language of RSA 42:3. The result, unfortunately, is some confusion. **Chris Rose, Former Raymond Town Administrator**

6. Budget Year Conversion

To see if NHMA will SUPPORT legislation to simplify the process of a municipality’s converting from a calendar year budget cycle to a fiscal year budget cycle.

Explanation: The benefits to being on the same budget cycle with the state and local school district are commonly recognized, however, many communities have not made the switch because of the administrative and budgetary difficulties with the current process; it requires a municipality to appropriate revenue for an 18 month period, rather than the historical 12 month period in a single warrant article. This creates considerable confusion with the public (it appears to the casual observer that the governing body is proposing a 50 % budget increase). If approved by the voting public it creates a financial burden on the tax payer. Taxes are temporarily increased and revenue prematurely collected to cover an 18 month period, or the municipality is required to budget for the normal 12 month period plus borrow for the additional six months so that the entire 18 month appropriation is secured in advance. This process seems to be mandated only for the purpose of satisfying an accounting change. In the private sector, businesses routinely change their fiscal year with no similar administrative and financial burden; it is recognized as an accounting change, not a liability exposure. **Guy Scaife, Milford Town Administrator.**

7. Human Resources Record Retention

To see if NHMA will SUPPORT legislation that amends the record retention requirements for successful job applications and personnel records from 50 years after termination or retirement to 20 years after termination or retirement.

Explanation: Federal law does not require any personnel records to be retained for this length of time. The Society for Human Resources Management (SHRM) has an excellent grid that shows federal timelines for record retention. Seven years is the standard for personnel records. It seems as though 20 years following the retirement or termination of an employee is a compromise that we would like to advocate for and to implement. **Jennifer Johnston, Concord, Director of Human Resources.**

8. Mandatory Tax Liens

To see if NHMA will SUPPORT legislation to change RSA 80:59 to read: “The real estate of every person or corporation shall be subject to the tax lien procedure by the collector, in case all taxes against the owner shall not be paid in full on or before December 1 next after its assessment, provided that the municipality has adopted the provisions of RSA 80:58-86 in accordance with RSA 80:87. A real estate tax lien imposed in accordance with the provisions of RSA 80:58-86 shall have priority over all other liens.” **Existing Policy.**

9. Bonds on Official Ballot in Non-SB 2 Towns

To see if NHMA will SUPPORT amending RSA 33:8 and/or RSA 33:8-a to permit warrant articles requesting authorization of bonds or notes in excess of \$100,000 to appear on the official ballot in non-SB2 towns for any annual or special town meeting at the discretion of the governing body; provided the legislative body gives authorization to the governing body. **Existing Policy.**

10. Solid Waste Revolving Funds

To see if NHMA will SUPPORT legislation to allow municipalities to establish, by vote of the legislative body, revolving funds for their solid waste programs, including solid waste collection, disposal, and the operation of any municipally operated transfer station, in addition to recycling. **Existing Policy.**

11. Prorating Disabled Exemption

To see if NHMA will SUPPORT legislation prorating the disabled exemption under RSA 72:37-b when a person entitled to the exemption owns a fractional interest in the residence, in the same manner as is allowed for the elderly exemption under RSA 72:41. **Existing Policy.**

12. Extend Time to Adopt Codes and Ordinances

To see if NHMA will SUPPORT legislation amending RSA 41:14-b to give the selectmen up to 21 days, rather than 14, after a second public hearing to vote on the adoption or amendment of an ordinance or code.

Explanation: If municipalities schedule their selectmen's meetings on the same day of the week twice a month, some months contain five incidents of that same day of the week, which then necessitates scheduling an additional meeting to process an amendment to a code in order to meet the requirements of the RSA (e.g., if selectmen meet the 2nd and 4th Monday of each month, and they wish to amend a code in April of 2012, an additional session would need to be scheduled because there are three weeks between the 4th Monday of April and the 2nd Monday of May). **Dawn Griska, Milford Administrative Assistant.**

STANDING POLICIES

13. Default Budget for Enterprise Funds

To see if NHMA will SUPPORT legislation to allow for a default budget for enterprise funds submitted as stand-alone warrant articles.

Explanation: For SB 2 Towns, the default budget provision of RSA 40:13 paragraphs IX, X, XI only applies to enterprise funds if they are combined with the general fund and presented to voters as a single warrant article. If the enterprise fund is presented to the voters as a stand-alone warrant article and it fails, there is no provision for a default budget. To insure that there is the backup of a default budget for each fund when presented separately, the RSA must be changed. Our desire is to allow enterprise funds to be on separate warrant article specific to that operating budget with the normal provisions of a default budget applicable to that individual fund, therefore giving the voter the maximum flexibility. **Guy Scaife, Milford Town Administrator.**

14. Income and Expense Statements on Appeal

To see if NHMA will SUPPORT legislation that prohibits the use of income and expense information by a taxpayer in any appeal of value if the taxpayer, after request by the municipality, has not submitted the requested information. **Existing Policy.**

15. Penalty for Failure to Submit Current Use Information

To see if NHMA will SUPPORT legislation imposing a penalty for failure to submit current use information as needed to update municipal records—*i.e.*, Marlow matrix. **Existing Policy with Amendment.** (The word “fine” is replaced with “penalty.”)

16. Supervisor of the Checklist Sessions

To see if NHMA will SUPPORT legislation to reduce to one the number of required sessions that the supervisors of the checklist must hold prior to town elections. **Existing Policy.**

17. Municipal Recreation Programs

To see if NHMA will SUPPORT the continued exemption from state child care licensing for municipal recreation department programs and also support the exemption from state camp licensing for municipal recreation department summer programs. **Existing Policy with Amendment.** (“Continued” is inserted before “exemption.”)

18. Requirement to Hold Elected Office

To see if NHMA will SUPPORT legislation clarifying that to run for and hold a local elected office, one must be a registered voter. **Existing Policy.**

19. Tax Bill Information

To see if NHMA will SUPPORT legislation to amend RSA 76:11-a to allow those municipalities which have adopted the deaf exemption to include the word “deaf” following the word “blind” in the information contained on tax bills. **Existing Policy.**

20. Appointment of Town Clerks and Town Clerks/Tax Collectors

To see if NHMA will SUPPORT legislation to allow the legislative body to authorize the governing body to appoint or elect town clerks and town clerk/tax collectors. **Existing Policy.**

21. Recording Fees for Elderly Deferrals

To see if NHMA will SUPPORT legislation to waive municipal recording fees for the establishment and release of elderly deferrals at the county Registry of Deeds. **Existing Policy.**

22. Flood Control Payments

To see if NHMA will SUPPORT legislation to fully fund flood control payments in lieu of taxes to municipalities. **Bruce Johnson, Webster Selectman.**

23. Warrant Article Language; Adoption by Reference

To see if NHMA will SUPPORT legislation to amend RSA 48-A, Housing Standards, to allow a town to adopt a proposed housing standards ordinance on the ballot by reference, as opposed to printing the entire ordinance on the warrant.

Explanation: Housing standards are not adopted in many towns because of the lengthy ordinances required. These may run to 50 pages or more. A warrant with 50 pages for one article is just prohibitive. **Fred Welch, Hampton Town Manager.**

24. Study the Official Ballot Form of Government

To see if NHMA will SUPPORT legislation to study issues and concerns under the official ballot form of government.

Explanation: The MAF committee received several policy proposals concerning the official ballot form of government. Knowing that the legislature is intending to study this matter, the committee decided to support, and have NHMA actively participate in, the study committee.

25. Clarify Establishing Highways

To see if NHMA will SUPPORT legislation clarifying that the dedication and acceptance method of highway creation is limited to acceptance by vote of the legislative body, or the board of selectmen if so delegated.

Explanation: Amend RSA 229:1 to make it clear that the dedication and acceptance method of highway creation is limited to acceptance by vote of the legislative body (or Board of Selectmen by delegation) and not by haphazard implied acceptance revived by the Court in Hersh v. Plonski. (See article in Nov/Dec Town and City) **Elizabeth Dragon, Franklin City Manager.**

General Government, Revenue, and Intergovernmental Relations

2013-14 Final Legislative Policy Recommendations

ACTION POLICIES

1. Right to Know Costs and Specificity Required

To see if NHMA will **SUPPORT** amendments to RSA 91-A allowing municipalities to recover the actual costs of retrieving, reviewing and reproducing documents, and clarifying the level of specificity required when requesting public records. **Existing Policy.**

2. Consultation with Counsel Expansion Under RSA 91-A

To see if NHMA will **SUPPORT** legislation to amend RSA 91-A so that exempt consultation with legal counsel would also include discussions about written legal correspondence provided by legal counsel, without requiring the presence of counsel at the meeting.

Explanation: This would correct a NH Supreme Court interpretation of the statute. It is very expensive for taxpayers to have an attorney present or available to communicate with the governing body every time an issue arises. In addition, it is sometimes conducive to better decision-making if the governing body can discuss the advice of counsel among themselves.

Ettinger v. Madison is adversely affecting our ability to get a clear understanding of legal options and obligations. The requirement that an attorney be present to discuss legal advice (vs. discussing a letter) will drive up costs and delay decision-making. At times, legal opinion may not be sought due to cost or delay considerations, and the decision made may not stand up to subsequent legal challenge. To the extent that this can be "fixed" with legislation, that would be very helpful. **Submitted by Scott Dunn, Gilford TA and Arthur Cunningham, Bow PB.**

PRIORITY POLICIES

3. Tax Rate Setting

To see if NHMA will **SUPPORT** legislation allowing the legislative body of a municipality to authorize the governing body to establish the local property tax rate, overlay, and other reserves, independent of DRA, so long as the municipality has an annual audit performed by an independent certified public accountant.

MAC adopted policy 3/18/11

4. Site Evaluation Committee and Local Input

To see if NHMA will **SUPPORT** legislation establishing a procedure similar to RSA 674:54 requiring applicants to the state's Site Evaluation Committee (SEC) to notify and appear before the local planning board prior to the issuance by the SEC of certificates for the construction of energy facilities under RSA 162-H.

Explanation: The state's Site Evaluation Committee is charged with coordinating/expediting the permitting process for energy facilities, including commercial wind farms and bio-mass plants. Local planning boards are increasingly developing ordinances permitting these sites while protecting the health and well-being of their residents. The SEC's enabling legislation needs to be amended to require compliance with these new ordinances as a component of their review process. **Submitted by John Kieley, Selectman, Temple and Tom McCue, Planning Board, Berlin.**

5. Sharing Background Information

To see if NHMA will SUPPORT legislation that allows background check information obtained by municipalities and other governmental entities to be shared between governmental entities if the subject of the background checks agrees.

Explanation: This would save the taxpayer money as most volunteers do so at both the school and the town, especially in the Town's Recreation Programs. This would also expedite the Rec Program event/sport getting under way quicker as there is usually a 3 week or more response time from the time the person is brought on to the position & the background check is back. In the past 10 years there have been numerous times where someone has volunteered to be a coach, assist in an event, or participate in the Town's Recreation program where that person has already had a background check done through the school & is working or volunteering at the school. The school has not been able to write a note stating that person's background check was clean and the person is cleared to work/volunteer. The Town has written notes to the school when the volunteer/employee has requested so they can either work or volunteer at the school. **Submitted by: Sue Stacy, Madison, Deputy Town Administrator.**

6. Health Insurance Coverage

To see if NHMA will SUPPORT legislation redefining the status quo concept to provide that the employer dollar cost for non-mandated benefits shall remain level upon the expiration of a collective bargaining agreement until a new contract is approved, except where the parties have approved an evergreen clause.

Explanation: The interest served will be considerable savings to municipalities. Many unions have lucrative contracts requiring the best, and increasingly expensive, health insurance coverage. Legislation that would allow municipalities to modify the contract language and allow each to shop for less expensive plans would be a financial benefit for municipal taxpayers. **Submitted by Roger Coutu, Hudson BOS.**

7. RSA 162-K: Authority for Inter-municipal Cooperation

To see if NHMA will SUPPORT legislation to provide more explicit authority for inter-municipal cooperation in economic development and revitalization districts (*see* RSA 162-K).

Explanation: The broad municipal interest served by this proposal is that towns will have more explicit authority to work together on development projects that serve the interest of multiple municipalities. This policy proposal derives from the Towns of Hanover and Lebanon and their mutual desire for inter-municipal cooperation on their proposed N.H. Route 120 Transportation Innovation Project. The two towns are actively exploring the various options for implementing their vision for the Route 120 corridor and have encountered a few legal hurdles along the way. Both towns have expressed interest in establishing an inter-municipal development district under

RSA 162-K, and this policy proposal will explicitly authorize inter-municipal action on the implementation of development districts. **Submitted by: Jessie Levine, Asst. Town Manager, Hanover.**

8. RSA 162-K: Authority to Use TIF District Revenue Beyond District.

To see if NHMA will SUPPORT legislation to allow municipalities to use tax increment revenue generated from designated development districts established under RSA 162-K for related development or projects outside the district.

Explanation: This proposal provides more flexibility to municipalities in designating and utilizing tax revenues generated pursuant to RSA 162-K on development projects both within and outside the development district.

This policy proposal is related to the preceding proposal on TIF district authority for economic development. This proposal reflects the mutual desire between the towns for authority to utilize tax increment revenues generated under 162-K on development projects outside the designated development districts, such as park-and-ride lots, for example. This proposal would explicitly allow TIF funds to be diverted to projects outside the established district for purposes of achieving the overall goals within the district. **Submitted by: Jessie Levine, Asst. Town Manager, Hanover.**

9. Petition Signature Requirements

To see if NHMA will SUPPORT legislation amending RSA 39:3 to require that in towns with an official ballot referendum town meeting (SB2/RSA 40:13), petitioned warrant articles must be signed by not less than 2% of registered voters, but in no case fewer than 10 voters or more than 150 voters.

Explanation: This increases exposure of petitioned warrant articles to more voters, thereby enhancing transparency. The increased threshold is a better indicator of voter support of an issue. In official ballot referendum towns, it is common for towns to be faced with 5-6 petitioned articles each year on the town warrant. In most instances, the current threshold of 25 signatures can be achieved through a couple of house parties or trips to the local coffee shop. Citizen petitions can be submitted on any subject and in recent years legislation has been passed making it harder for any amendments to be made at the town meeting or deliberative session. By increasing the threshold of registered voters, petitioners would have to be organized in a far more significant way, and it is likely far more voters would be made aware of a petitioned article circulating in the community prior to it being presented to the Selectmen. This would give communities an opportunity to know what is being discussed prior to the warrant being published. **Submitted by: Russ Dean, Exeter Town Manager.**

STANDING POLICIES

10. Clarifying What Information Is To Be Included In Town Reports In SB2 Towns

To see if NHMA will SUPPORT legislation to clarify which version of the budget and warrant articles is to be included in town reports in SB2 towns.

Explanation: There appears to be confusion relative to the requirements of RSA 40:13, II, DRA's interpretation, and the practical realities of putting original and/or amended warrants and budget forms in the Town Report. **Submitted by: Julie Glover, Lee TA.**

11. Modifying the Adoption, Revision, and Amendment of Municipal Charters

To see if NHMA will vote to SUPPORT legislation similar to HB 379 in 2008 that modifies the adoption, revision, and amendment of municipal charters.

Explanation: This proposal will make the process for changing the form of government easier to comprehend, especially if it allows for the election of charter commission members concurrently with the adoption of the charter commission. **Submitted by Ben Moore, Selectman, Hampton.**

12. New Hampshire Retirement System (NHRS)

To see if NHMA will SUPPORT the continuing existence of a retirement system for state and local government employees that is strong, secure, solvent, fiscally healthy and sustainable, that both employees and employers can rely on to provide retirement benefits for the foreseeable future. Further, **to see if NHMA will SUPPORT** continuing to work with legislators, employees, and the NHRS to accomplish these goals.

To that end, **to see if NHMA will:**

- a) **SUPPORT** legislation that will strengthen the health and solvency of the NHRS and ensure the long term financial sustainability of the retirement system for public employers;
 - b) **OPPOSE** any legislation that: 1) expands benefits that would result in increases to municipal employer costs; or 2) assesses additional charges beyond NHRS board approved rate changes on employers, including but not limited to spiking assessments and charges on part-time employees;
 - c) **SUPPORT** the restoration of the state's 35% share of employer costs for police, teachers, and firefighters in the current defined benefit plan and any successor plan; and
 - d) **SUPPORT** the inclusion of municipal participation on any legislative study committee or commission formed to research alternative retirement system designs (such as a defined contribution or a hybrid plan) and the performance of a complete financial analysis of any alternative plan proposal in order to determine the full impact on employers and employees.
- Modified Existing Policy.**

13. Consolidated Policy on Collective Bargaining Items

Evergreen Clause: **To see if NHMA will OPPOSE** legislation to enact a mandatory so-called "evergreen clause" for public employee collective bargaining agreements. **Existing Policy (#7).**

Binding Arbitration: **To see if NHMA will OPPOSE** mandatory binding arbitration as a mechanism to resolve impasses in municipal employee collective bargaining. **Existing Policy (#17).**

Right to Strike: **To see if NHMA will OPPOSE** a right to strike for public employees. **MAC 2007 (#53).**

Mandated Employee Benefits: To see if NHMA will **OPPOSE** any proposals to mandate employee benefits, including any proposal to enhance retirement system benefits which may increase employer costs in future years, for current or future employees. **Existing Policy (#22).**

14. Pollution Control Exemption

To see if NHMA will **SUPPORT** repeal of the so-called "pollution control exemption" (RSA 72:12-a) or, in the alternative, amending the statute to: a) exclude any devices that are required by law; b) require that the primary purpose of the device is to control pollution; and c) impose a term limitation on any exemption granted. **Existing Policy.**

15. Highway Funding: Increase in Road Toll (Gas Tax) and Registration Fees

To see if NHMA will **SUPPORT** an increase in any state revenue source dedicated to highway improvements, including the road toll (gas tax) under RSA 260:32, a motor vehicle registration surcharge, or any other source, so long as all additional revenues are used for highway purposes, and provided that the proportionate share of such additional revenues is distributed to cities and towns as required by existing law.

Explanation: This will improve roads that bring visitors to our towns. We have an unnumbered state road in our town that desperately needs repair, though there is no money in the state highway department to even do makeshift repairs. **Combination of existing policy and language submitted by David Weathers, Conway BOS.**

16. Public Notice Requirements

To see if NHMA will **SUPPORT** legislation to amend all public notice requirements to allow the choice of electronic notification and/or newspaper print, as well as posting in public places, for official public legal notification. **Existing Policy.**

17. Highway Fund

To see if NHMA will **SUPPORT** legislative and administrative proposals to limit or eliminate the diversion of highway funds for non-highway purposes, and further **SUPPORT** working with the legislature and the Department of Transportation on alternative funding sources that will assure the maintenance of existing state and local transportation infrastructure and greater focus and financial support for public transportation, including rail and bus services. **Existing Policy.**

18. Charitable Definition and Mandated Property Tax Exemptions

To see if NHMA will **SUPPORT** legislation redefining the term "charitable" in RSA 72:23-l, adopting a stricter review of property owned by religious, charitable, and educational entities for compliance with the statutes, and creating a method of reimbursement to municipalities for state-owned property, and **OPPOSE** legislation which requires the granting of additional local property tax exemptions, unless the state reimburses municipalities for the loss of revenue. **Existing Policy.**

19. Municipal Use of Structures in the Right-of-Way

To see if NHMA will SUPPORT legislation to authorize municipalities to use, for any municipal purpose, the space designated for municipal good upon all poles, conduit and other structures within their rights-of-way without paying unreasonable make-ready costs. This includes the right to use that space for data and voice transmission to, from, and by the municipal government, schools, library, and other governmental institutions. This includes a requirement that the owners of utility poles and conduit do the necessary work for that space to be available. **Existing Policy.**

20. Downshifting of State Costs

To see if NHMA will OPPOSE legislation which will downshift state costs or state program responsibilities, either directly or indirectly, to municipalities and/or counties, resulting in increased municipal and/or county expenditures, whether in violation of Article 28-a or not, and **SUPPORT** adequate state funding of Medicaid costs. **Existing Policy.**

21. Telecom Company Property Tax Exemption

To see if NHMA will OPPOSE any exemption from the property tax for poles, wires, and conduits owned by telecom companies. **Existing Policy.**

22. State Revenue Structure and State Education Funding

To see if NHMA will SUPPORT asking the state to use the following principles when addressing the state's revenue structure in response to its responsibility to fund an adequate education:

- a) That revenues are sufficient to meet the state's responsibilities as defined by constitution, statute, and common law;
- b) That revenue sources are predictable, stable and sustainable and will grow with the long term needs and financial realities of the state;
- c) That changes to the revenue structure are least disruptive to the long-term economic health of the state;
- d) That the revenue structure is efficient in its administration;
- e) That changes in the revenue structure are fair to people with lower to moderate incomes.

To see if NHMA will SUPPORT legislation prohibiting retroactive changes to the distribution formula for adequate education grants after the notice of grant amounts has been given.

To see if NHMA will OPPOSE reductions in state revenue to political subdivisions, such as revenue sharing, meals and rooms tax distribution, highway block grants, water pollution moneys, adequate education grants, or catastrophic aid. **Existing Policy.**

23. Utility Appraisal Method

To see if NHMA will OPPOSE mandating the exclusive use of the unit method of valuation in the appraisal of utility property, by either administrative or legislative action, and **SUPPORT** the right of municipalities to use any method of appraisal upheld by the courts. **Existing Policy.**

24. Minimum Vote Required for Bond Issues

To see if NHMA will **OPPOSE** legislation to increase the 60% bond vote requirement for official ballot communities. **Existing Policy.**

25. Underground Utilities

To see if NHMA will **SUPPORT** legislation to continue to allow municipalities to incur debt for the purpose of removing overhead utilities and replacing them with underground utilities. **Existing Policy.**

26. Collection of Statewide Education Property Tax

To see if NHMA will take **NO POSITION** on the collection of the statewide property tax *by the* state or by municipalities, but will continue to work to ensure that any system based on the property tax coordinates and synchronizes as seamlessly as possible with existing local property tax assessment and collection procedures. **Amended Existing Policy.**

27. Contracted Services and Bargaining

To see if NHMA will **SUPPORT** legislation to give public employers greater flexibility to privatize or use contracted services.

Explanation: This policy would counter a decision by the New Hampshire Supreme Court which provides that public services covered by a collective bargaining agreement cannot be privatized unless the change is negotiated. Such a policy would result in savings to property tax payers. The town is precluded from replacing full-time positions with contracted services unless such language is included in a collective bargaining agreement. **Submitted by Scott Dunn, Gilford TA.**

28. Maintenance & Policing of State-owned Property

To see if NHMA will **SUPPORT** legislation to enable municipalities to recover the expenses of policing publicly-owned land against all illegal activity (including public consumption of alcohol and littering), including the ability to receive reimbursement/compensation from individuals engaged in the illegal activity. And further, to see if NHMA will **SUPPORT** legislation to require the State of NH to provide for the management of all state-owned property, including maintenance, and to compensate any town for any financial burden created by having said state property located within its borders.

Explanation: This policy will relieve cities and towns from any financial costs associated with the maintenance and policing of any state-owned property. Within the towns of Holderness, Plymouth and Campton is a state-owned park property along the Pemigewasset River that is a constant burden to the police and fire/recue agencies in all three towns resulting from people littering, drinking and being injured from water-related activity in the summer months. **Submitted by: Walter Johnson, Administrator, Holderness**

29. Negotiated PILOTs for Water System Property

To see if NHMA will **SUPPORT** a change in current law (RSA 72:11) which would allow municipalities that are host to another municipality's land holdings for water supply or control to negotiate a payment in lieu of taxes (PILOT) if the municipalities are willing to do so; **and OPPOSE** legislation that eliminates the current obligation of the public water entity to make a

PILOT equal to what the property taxes would be for the property in the absence of a negotiated PILOT.

Explanation: For those municipalities who are the hosts of such publicly-owned properties (the Towns of Auburn, Candia, Chester, Harrisville, Hooksett, Nelson, Randolph and Roxbury at a minimum), state statute, for approximately 100 years, has required the public water entities whose land holdings are in another community to make a payment to the host community equal to what the property taxes would be for the property. This has been subject to numerous legislative and judicial actions in the past; modifying the law to allow municipalities to negotiate and reach a mutually acceptable resolution would serve the interest of all parties.

In both 1981 and 2011, the New Hampshire Legislature defeated proposals which would allow such public water entities to qualify for Current Use taxation status in an effort to reduce property value for taxation purposes. The Legislature specifically exempted them from inclusion in Current Use under RSA 79-A and 79-B. In 2004, 2007 and 2011 there has been litigation, including appeals to the Supreme Court, on this issue. If RSA 72:11 was amended to allow for the *negotiation* of a PILOT, future issues in this area may be eliminated or reduced. **Submitted by: Bill Herman, Administrator, Auburn**

30. State Budget/Tax Cap

To see if NHMA will OPPOSE the adoption of any variation of a state budget cap or state tax cap which will impose on the Legislature pre-established limitations on state spending.

Explanation: The municipal concern is the likelihood that a budget or tax cap will result in increased municipal costs borne by property tax payers. In recent state budget discussions, the legislature has suspended the distribution of revenue sharing funds to municipalities with an expectation that it will be reconsidered during better economic times, and has frozen the meals and rooms distribution far short of the statutorily required state-municipal split. When the state finds itself in a difficult financial position, it cuts state aid and reduces state programming, thus passing additional costs to municipalities. Decisions to control spending should be thoroughly discussed and voted upon by the legislature, and should not simply result from an artificially imposed cap.

MAC adopted policy 2/17/12

31. Emergency Generator Exemption

To see if NHMA will SUPPORT legislation to delete the RSA 72:8 exemption of emergency generators from the property tax.

Explanation: A large and growing number of properties have emergency generators which add value which should be subject taxation. **Submitted by: Rob Upton, Attorney for Berlin & Gorham**



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number	O – 2012.08.08 – 12
Ordinance Title:	Chapter 3, Administrative Code
Chapter	3 – Administrative Code

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 3, entitled “Administrative Code.”

2. AMENDMENT

Chapter 3, entitled “Administrative Code,” is hereby amended as follows by deleting the entire Chapter and inserting a new Chapter 3, entitled “Administrative Code,” as attached hereto.

Per Dover City Charter C3-8, the deleted text is provided in struck out format and the new text is attached. Both Restored and Deleted language Chapters follow before background information.

3. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING

AUTHORIZATION

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Councilor Michael Crago Councilor Catherine Cheney Councilor Michael Weeden
Approved as to Legal Form:	Allan B. Krans, Sr. General Legal Counsel		
Recorded by:	Karen Lavertu City Clerk		



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number **O – 2012.08.08 – 12**
 Ordinance Title: **Chapter 3, Administrative Code**
 Chapter **3 – Administrative Code**

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Dean Trefethen		
Deputy Mayor, Robert Carrier, At Large		
Councilor Edward Spuler, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Michael Crago, Ward 3		
Councilor Dorothy 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

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Ordinance Title: Chapter 3, Administrative Code
Chapter 3 – Administrative Code

Insertion Language Administrative Code: Per Charter C3-8.

ADMINISTRATIVE CODE

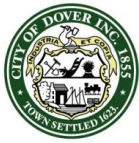
Chapter 3

ARTICLE I DEPARTMENTAL ORGANIZATION

- 3-1. *Departments.***
- 3-2. *Powers and duties of department heads.***
- 3-3. *Appointment of department heads; compensation.***
- 3-4. *Department staff.***
- 3-4.1 *City Hall hours.***

ARTICLE II MUNICIPAL DEPARTMENTS

- 3-5. *Executive Department.***
- 3-6. *(Reserved)***
- 3-7. *(Reserved)***
- 3-8. *(Reserved)***
- 3-9. *Finance Department.***
- 3-10. *Fire & Rescue Department.***
- 3-11. *Human Services Department.***
- 3-12. *(Reserved)***
- 3-13. *Library Department.***
- 3-14. *Community Services Department.***
- 3-15. *(Reserved)***
- 3-16. *(Reserved)***



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number **O – 2012.08.08 – 12**
Ordinance Title: **Chapter 3, Administrative Code**
Chapter **3 – Administrative Code**

- 3-17. (Reserved)**
- 3-18. *Planning and Community Development Department.***
- 3-19. (Reserved)**
- 3-20. *Police Department.***
- 3-21. (Reserved)**
- 3-22. (Reserved)**
- 3-23. (Reserved)**
- 3-24. (Reserved)**

ARTICLE III PURCHASING PROCEDURE

- 3-25. *Title.***
- 3-26. *Definitions.***
- 3-27. *Purpose.***
- 3-28. *Applicability of Article and Compliance with Charter.***
- 3-29. (Reserved)**
- 3-30. *Division of Purchases established.***
- 3-31. *Appropriations for purchases.***
- 3-32. *Requisitions; forms.***
- 3-33. *Field purchase orders.***
- 3-34. *Informal bidding requirements.***
- 3-35. *Formal bidding requirements.***
- 3-36. *Optional purchasing methods.***
- 3-37. *Exception reporting.***



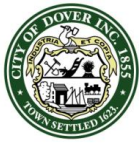
CITY OF DOVER

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Agenda Item#: 13.C.1.

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Ordinance Title: **Chapter 3, Administrative Code**
Chapter **3 – Administrative Code**

- 3-38. *Exemptions to Bidding and Approval Requirements.***
- 3-39. *Approval of purchases by the City Council.***
- 3-40. *Competitive bidding procedure.***
- 3-41. *Rebidding.***
- 3-42. *Contract processing.***
- 3-43. *Conditions of purchase.***
- 3-44. *Duties of department heads.***
- 3-45. *Exchange for goods and services.***
- 3-46. *(Reserved)***
- 3-47. *(Reserved)***
- 3-48. *(Reserved)***
- 3-49. *(Reserved)***
- 3-50. *(Reserved)***
- 3-51. *Conflicts of interest.***



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Chapter 3 – Administrative Code

ARTICLE IV BOARDS AND COMMISSIONS

- 3-52. *Establishment.***
- 3-53. *Board of Health.***
- 3-54. *(Reserved)***
- 3-55. *Cemetery Board.***
- 3-56. *(Reserved)***
- 3-57. *Housing Authority.***
- 3-58. *Library Board.***
- 3-59. *Recreation Advisory Board.***
- 3-60. *Dover Arena Commission.***
- 3-61. *Personnel Advisory Board.***
- 3-62. *Planning Board.***
- 3-63. *Dover Utilities Commission.***
- 3-64. *Zoning Board of Adjustment.***
- 3-65. *Board of Trustees.***
- 3-66. *Parking Commission.***
- 3-67. *Building Code Board of Appeals.***
- 3-68. *Solid Waste Advisory Commission.***
- 3-69. *Dover Arts Commission.***
- 3-70. *Transportation Advisory Commission.***
- 3-71. *Joint Fiscal Committee***
- 3-72. *Business and Industrial Development Authority***



CITY OF DOVER

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Chapter **3 – Administrative Code**

3-73. McConnell Center Advisory Committee

[HISTORY: Adopted by the City Council of the City of Dover 12-14-77.* Sections 3-1, 3-52A and 3-62 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

General References

Conservation Commission -- See Ch. 14.

Licensing Board -- See Ch. 35.

Planning Board -- See Ch. 41.

* **Editor's Note: Provisions of this chapter are derived from Ch. 5 of the former Code, adopted 12-14-77.**



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3-1

3-2

**ARTICLE I
DEPARTMENTAL ORGANIZATION**

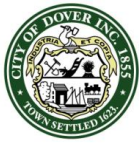
3-1. Departments.

The administrative service of the city shall consist of the following departments, and the department head shall be known by the titles shown: [Amended 12-19-90 by Ord. No. 20-90; amended 07-01/92 by Ord. No. 19-92; amended 05-18-94 by Ord. No. A05/94; amended 12-21-05 by Ord. No. 20-2005]

Department	Department Head
<i>Planning and Community</i>	<i>Planning and Community Development Development Director</i>
<i>Community Services</i>	<i>Community Services Director</i>
<i>Finance</i>	<i>Finance Director</i>
<i>Fire</i>	<i>Fire Chief</i>
<i>Human Services</i>	<i>Human Services Director</i>
<i>Library</i>	<i>Library Director</i>
<i>Police</i>	<i>Police Chief</i>
<i>Recreation</i>	<i>Recreation Director</i>

3-2. Powers and duties of department heads. [Amended 2-21-90 by Ord. No. 1-90]

- A. Department heads shall be responsible for the courteous and efficient operation of their department. They shall perform all the duties and exercise all the powers conferred upon their office by applicable laws, ordinances and resolutions.*
- B. Department heads may prescribe departmental rules and regulations not inconsistent with general law, the City Charter, this Administrative Code and the provisions of the Merit Plan for the administration of their various departments, conduct of the employees and the proper performance of the department's business.*



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C. Department heads may, with the approval of the Manager, establish such departmental divisions and the subunits as may be deemed desirable in the interest of economy and efficiency and in accordance with sound administrative principles and practices



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3-2

3-4

D. Department heads shall be responsible for maintaining the operation of their department on a close, courteous and friendly basis of cooperation with the citizens of Dover and with all other departments.

E. Department heads shall be responsible for satisfactory maintenance and care of all city property and buildings assigned into their department.

F. Each department head shall be responsible for preparing and submitting both routine and special reports on the operation of their department to the Manager or to any state or federal agency as required.

G. At such time as may be requested by the City Manager, department heads shall submit an itemized estimate of the expenditures for the next fiscal year for their department for use in preparation of the proposed budget for said year.

H. Department heads shall be responsible for following the provisions of this Administrative Code establishing a purchasing and control system with respect to purchases and contracts for their department.

3-3. Appointment of department heads; compensation.

A. All department heads shall be appointed, as provided by the City Charter, for indefinite terms, on the basis of merit and fitness to perform their duties and may be removed by the City Manager for misconduct or inefficiency as provided for in the Merit Plan.

B. The compensation of all department heads shall be fixed by the City Council.

3-4. Department staff.

A. Department heads may establish subordinate positions and make appointments and removals as may be necessary, within the limitations of the appropriations provided and subject to the provisions of the City Charter, the Merit Plan and the approval of the City Manager.

B. All employees shall be under the immediate supervision of their respective department heads, and all employees in the competitive service shall be compensated on the basis of a uniform pay plan.



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3-4.1

3-5

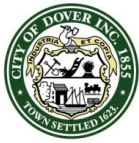
3-4.1 Administrative Office Hours. *[Added 9-22-82 by Ord. No. 17-82; amended 8-27-86 by Ord. No. 13-86; amended 03-19-97 by Ord. No. 06-97; amended 04-08-98 by Ord #04-98]*

- A.. *All Administrative Offices of the City of Dover whether located in City Hall or elsewhere in the City, shall be open at least 40 hours per week at times which are convenient for the conduct of business by the citizens of Dover and others wishing to do business with the city.*
- B. *The specific hours of operation shall be established by the City Council, with the advice of the City Manager, by resolution.*

ARTICLE II MUNICIPAL DEPARTMENTS

3-5. Executive Department. *[Amended 12-19-90 by Ord. No. 20-90; amended 05-18-94 by Ord. No. A05-94; amended 12-21-05 by Ord. No. 20-2005]*

- A. *There shall be an Executive Department, under the direct supervision of the City Manager, which shall consist of the Office of the City Attorney, Office of the City Clerk, Business Assistance Division, Human Resources Division, and Information Technology Division. Each division shall consist of such supervisory, clerical and labor staff as may be deemed appropriate by the City Manager.*
- B. *Pursuant to section C5-5 of the City Charter, the City Manager shall have the following authority and shall perform the following functions:*
 - (1) *The City Manager shall be the administrative head of the city and shall perform all the duties and have all the responsibilities prescribed by the City Charter, by ordinance and resolution.*
 - (2) *The City Manager shall supervise the heads of all departments established by this code and shall have the power to suspend and discipline and to perform or delegate the duties and responsibilities of such department heads.*
 - (3) *The City Manager may prescribe such rules and regulations not inconsistent with the City Charter and city ordinances as he or she may deem necessary for the conduct of the various departments, and he or she may investigate and inquire into the affairs of any department at any time.*



CITY OF DOVER

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C. The Human Resources Division shall be administered by a Human Resources Director who shall perform the following functions:

- (1) Establish and operate a merit system of personnel administration, including a uniform classification and compensation plan, as prescribed by section C7-2 of the City Charter.*
- (2) Prepare and maintain all personnel records and systems and work to insure compliance with all applicable federal and state regulations.*
- (3) Establish and operate a risk management and safety program for all city employees.*
- (4) Perform all other related functions as required by the City Manager.*

D. The Office of the City Attorney shall be administered by a City Attorney who shall perform the following functions:

- (1) Represent the city in all matters in which the city has an interest coming before any court, tribunal, quasi-judicial or legislative body, except in such cases as other arrangements may be specifically made by the City Manager and/or City Council.*
- (2) Advise the City Manager, Mayor, City Council and department heads in all cases when a legal opinion is required, in writing, insofar as practicable.*
- (3) Draft all deeds, leases, contracts, ordinances, and such other legal instruments as required on behalf of the city.*
- (4) Examine and approve all deeds, leases and other legal instruments tendered by the city prior to their acceptance.*
- (5) Call to the attention of the City Manager or City Council all matters of law affecting the city.*
- (6) Render counsel and service in person or by nominee as may be related to this office, upon direction of the City Manager.*
- (7) Perform all other related functions as required by the City Manager.*

E. The Business Assistance Division shall perform the following functions: [Added 05-18-94 by Ord. No. A05-94]



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- (1) *Coordinate and direct a program for the promotion of the development of industry and business in the City of Dover.*
- (2) *Provide encouragement and assistance to new businesses and industries seeking to move to the City of Dover and work to promote and provide support for the retention of existing businesses and industries within the City.*
- (3) *Perform all other related functions as may be required by the City Manager.*

F. The Office of the City Clerk shall be administered by a City Clerk who shall perform the following functions: [Added 05-18-94 by Ord. No. A05-94]

- (1) *Serve as Clerk of the City Council and prepare, maintain, publish and index all proceedings of the City Council as required.*
- (2) *Arrange for all elections, maintain all election records and have custody of all property used in connection therewith.*
- (3) *Obtain and maintain all statistics on births, marriages and deaths as required by law.*
- (4) *Notify the City Manager, at least thirty (30) days prior thereto, of the expiration of terms of all members of boards and committees.*
- (5) *File and preserve, as required, all contracts, bonds, oaths of office and other documents.*
- (6) *Issue all licenses and permits and collect all fees, as required by statute and ordinance unless otherwise provided, and deposit these collections with the City Treasurer.*
- (7) *Be custodian of the official City Seal.*
- (8) *Notify promptly the City Manager and board chairpersons of Council actions of concern to the department and/or employees under their jurisdiction.*
- (9) *Keep the ordinances of the city up to date and maintain a record of all amendments thereto.*



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(10) *Perform all duties and exercise all powers incumbent upon or vested in city clerks by the laws of the State of New Hampshire.*

(11) *Schedule the use of special rooms, council chambers, and auditoriums as required.*

(12) *Perform all other related functions as required.*

G. *The Director of Information Technology shall be responsible for the operation of and supervision of the Information Technology Division, with the following duties and responsibilities; [Added 12-21-05 by Ord. No. 20-2005]*

(1) *Maintain close coordination with department heads to establish information technology requirements.*

(2) *Determine information technology procedures.*

(3) *Provide advice on feasibility of desired information technology products.*

(4) *Perform system analysis and design, establish and monitor information networks, write computer software, test and debug computer software and complete system documentation.*

(5) *Prepare and administer the DoverNet budget.*

(6) *Maintain the technical reference library.*

(7) *Perform other related duties as required by the City Manager.*

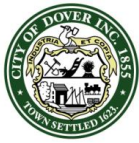
3-6. (Reserved)

3-7. (Reserved)

3-8. (Reserved) [Repealed 07-01-92 by Ord. No. 19-92]

3-9. Finance Department.

A. *There shall be a Finance Department, headed by the Finance Director and appointed in accordance with the City Charter, which shall consist of the following divisions: Financial Control and Management, Treasury, Assessing, Tax Collection and Accounts Receivable, Data Processing and Purchasing. The Finance Director shall be responsible for the administration, coordination and direction of the Finance Department and its divisions.*



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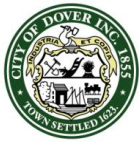
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- (1) *The Financial Control and Management Division shall be responsible for the following:*
 - (a) *Preaudit and approve all purchases.*
 - (b) *Approve all authorized claims against the city before authorizing payment.*
 - (c) *Post audit all receipts and disbursements.*
 - (d) *Maintain the financial accounts of the city and exercise accounting control over them.*
 - (e) *Prepare financial reports as required by the City Manager.*
 - (f) *Negotiate loans and borrowing moneys upon the authorization of the City Council and City Manager.*
 - (g) *Maintain custody of all insurance policies.*
 - (h) *Countersign all checks and drafts of the city.*
 - (i) *Maintain employee personnel action records and sick-leave records.*
 - (j) *Perform other related duties as required.*
- (2) *The City Treasurer shall be responsible for the operation and supervision of the Treasury Division, with the following duties and responsibilities:*
 - (a) *Have all the statutory powers and perform all the statutory duties of city or town treasurers.*
 - (b) *Have custody of all city funds, investments and securities, including the deposit, withdrawal and recording thereof, as required by law.*
 - (c) *Keep records of the trust funds and invest them as permitted by law.*
 - (d) *Carry out the duties of treasurers of municipal corporations as set forth in RSA Chapter 33, Municipal Finance Act, and any amendments thereto, relating to bonds, notes and records thereof, and all other statutory requirements of city or town treasurers.*
 - (e) *Sign all checks, drafts, notes and bonds of the city.*



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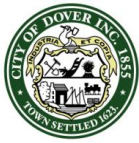
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- (f) Deposit all public moneys daily in the depositories designated by the City Council.*
 - (g) Deposit all moneys received from parking meters in a separate account, which money shall be used exclusively for the purposes provided by law.*
 - (h) Maintain a register of all bonds and notes of the city, as required by law.*
 - (i) Maintain all city employee earning records, including records of all deductions from earnings for retirement, social security, Blue Cross, Blue Shield, United States savings bonds and any other purposes.*
 - (j) Perform other related duties as required.*
- (3) The Tax Collector shall be responsible for the operation and supervision of the Tax Collection and Accounts Receivable Division, with the following duties and responsibilities:*
- (a) Have all the statutory powers and perform all statutory duties of city or town tax collectors.*
 - (b) Mail out all tax notices.*
 - (c) Collect all accounts due the city, including taxes, rentals, water and sewer charges, resident taxes, licenses and fees, unless otherwise provided.*
 - (d) Maintain accurate records pertaining to the collection function.*
 - (e) Turn over daily to the City Treasurer all moneys received and record and account for all moneys on the date received.*
 - (f) Collect fees for the registration of motor vehicles as required by law.*
 - (g) Conduct all tax sales of property and executive tax collector's deeds in accordance with applicable law.*
 - (h) Other related duties as required.*



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(4) *The Assessor shall be responsible for the operation and supervision of the Assessing Division, with the following duties and responsibilities:*

(a) *Have all the statutory powers and perform all statutory duties of city assessors.*

(b) *Carry out the duties relative to taking the inventory and the appraisal for taxation and to the assessment and abatement of taxes and issuing warrants for the collection of taxes as required by law.*

(c) *Prepare all assessments, tax rolls and tax notices.*

(d) *Check all property transfers and maintain all property records.*

(e) *Prepare and maintain up-to-date tax maps, assessment records, cards and all other necessary records.*

(f) *Assure that all taxable property is being accurately reported.*

(g) *Perform other related duties as required.*

(5) *[Repealed 07-01-92 by Ord. No. 19-92] **NOTE:** The Information Technology Division is being reflected within the Executive Department instead of within the Finance Department per the current organizational reporting relationships.*

(6) *The Purchasing Agent shall be responsible for the operation and supervision of the Purchasing Division, with the following duties and responsibilities:*

(a) *Receive all requests for supplies, materials, service and equipment from the various departments.*

(b) *Advertise all items to be purchased by competitive bids as required by law and the Charter.*

(c) *Receive and tabulate bids, make recommendations and award bids and contracts.*

(d) *Develop and distribute the proper forms to effectuate centralized purchasing.*



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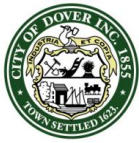
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- (e) Advise department heads on methods of standard-izing purchases and utilizing quantity prices.*

- (f) Follow the purchasing procedure as set forth by the Charter and ordinance.*



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(g) Perform other related duties as required.

B. The Finance Director, Treasurer, Tax Collector, Deputy Tax Collector and such other officers and employees within the Finance Department handling and responsible for city moneys shall be bonded in such amounts as required by law and prudent fiscal management.

3-10. Fire & Rescue. [Amended 12-21-05 by Ord. No. 20-2005]

A. The Department of Fire & Rescue, under the supervision of a Fire Chief, appointed as specified by the City Charter, who shall have all the powers conferred upon fire wardens by the laws of the State of New Hampshire, RSA Chapter 154:5 shall consist of such forces of permanent officers and call officers as may be recommended by the Fire Chief and approved by the Manager. [Amended 2-21-90 by Ord. No. 1-90]

B. The Fire & Rescue Department shall perform the following functions: [Amended 10-25-78 by Ord. No. 23-78]

(1) Extinguish fires and protect life and property against fires.

(2) Provide emergency and non-emergency medical aid and transportation to local hospitals.

(3) Plan, organize and direct matters related to emergency management and preparedness for natural and man-made disasters.

(4) Prepare and maintain all Fire Department records as required.

(5) Mitigate minor hazardous materials leaks and spills and coordinate the response to major hazardous material incidents.

(6) Educate the public on matters related to fire and life safety along with self-preparedness for natural and man-made disasters.

(7) Care for and maintain all property and equipment assigned to the Fire & Rescue Department.

(8) Prepare and maintain all Fire & Rescue records as required.

(9) Issue fire permits as required.

(10) Plan and carry out a training program of instruction for all regular and call fire & rescue personnel.



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(11) Cooperate with surrounding communities through mutual aid programs so that additional firefighting and emergency medical personnel and equipment may be made available when needed.

(12) Perform all other related functions as required.

3-11. Human Services Department. *[Amended 12-13-89 by Ord. No. 26-89; amended 09-28-94 by Ord. No. 16-94; amended 12-21-05 by Ord. No. 20-2005]*

A. *There shall be a Human Services Department, under the supervision of a Human Services Director appointed in accordance with the City Charter. The Human Services shall consist of such supervisory, technical, and clerical staff as may be recommended by the Director and approved by the City Manager.*

(1) The Human Services Department shall be responsible for the following:
[Amended 07-17-91 by Ord. No. 27-91]

(a) Plan, budget, report on and control the city welfare program.

(b) Investigate all requests for relief and authorize such relief aid as may be deemed necessary.

(c) Exercise all powers and perform all duties conferred or imposed by law upon overseers of the poor.

(d) Keep full and accurate records of the persons fully supported and the travelers and vagrants lodged at the expense of the city, together with the amount paid by them for such support and relief, and make such reports as required by law.

(e) Administer and coordinate all grants and subsidies as may be established or awarded by the City of Dover for the purpose of supporting and promoting the maintenance and development of social service agencies which provide direct support and services to the people of Dover.

(f) Perform all other related work as required.

3-12. Reserved.



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3-13. Library Department.

A. The Library Department shall consist of the Library Director appointed as provided in the City Charter and shall consist of Divisions of Cataloging, Reference, Circulations, Young People and Children's and such professional and clerical staff as may be recommended by the Library Director and approved by the City Manager.

B. The Library Department shall perform the following functions:

- (1) Select and procure books, magazines, periodicals and other printed material for use by Dover residents.*
- (2) Catalog and classify all such printed material.*
- (3) Circulate printed material for home use.*
- (4) Provide a reference service for answering requests for specific information.*
- (5) Distribute printed materials by the establishment and maintenance of branch libraries, when such are approved by the City Manager and City Council.*
- (6) Promote the availability of the library material to stimulate a wider general interest in its use.*
- (7) Promote special reading services for children and young people to aid in development of desirable reading habits.*
- (8) Maintain and care for all property assigned to the library.*
- (9) Prepare and maintain all records pertaining to the Library Department.*
- (10) Perform all other related functions as required.*

C. Depository and reference library. [Added 10-27-82 by Ord. No. 21-82]

- (1) The Dover Public Library is hereby designated as a depository and reference library for city documents hereinafter identified.*



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(a) The head of each city department and division, board, commission and committee shall promptly send or deliver to the Public Library, as soon as printed or otherwise reproduced at the expense of the city, one (1) copy of each special study, consultant report, newsletter, brochure or other document intended for public distribution. Such reports shall be preserved for the use of the City Council, city officials and employees and the general public.

(2) Any department, division, board, commission or committee which concludes that compliance with the requirements of this subsection shall produce a hardship may request exemption from the City Manager.

(3) Nothing in this subsection shall be construed to conflict with the duties of the City Clerk as set forth in the New Hampshire Statutes or elsewhere in these city ordinances.

3-14. Community Services Department. [Amended 05-18-94 by Ord. No. A05-94; amended 12-21-05 by Ord. No. 20-2005]

A. The Community Services Department, under the supervision of a Community Services Director, appointed as specified in the City Charter, shall consist of the following divisions: Facilities, Grounds and Cemetery, Fleet Services, Streets, Utilities, Environmental Programs and Engineering. Each division shall consist of such supervisory, labor and clerical staff as may be recommended by the Community Services Director and approved by the City Manager.

B. The Facilities, Grounds and Cemetery Division shall perform all functions related to the maintenance and upkeep of all City-owned properties with the exception of streets, bridges, sidewalks and utilities.

C. The Streets Division shall perform all functions related to the construction, maintenance and repair of all City roads, streets, bridges, drains and sidewalks.

D. The Utilities Division shall perform all functions related to the construction and operation of the City's water supply system and sewer system.

E. The Engineering Division shall perform all functions related to the performance of all general engineering and engineering inspection services as may be



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required for the design, layout and mapping of all municipal construction projects.

F. The Environmental Programs Division shall perform all functions related to the operation of the City's residential solid waste, recycling and environmental hazard mitigation programs.



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- G. *The Fleet Services Division shall perform all functions related to the maintenance and repair of the City fleet of vehicles and mobile equipment.*
- H. *Perform all other related functions as required by the City Manager.*

3-15. Recreation Department *[Added 12-21-05 by Ord. No. 20-2005]*

- A. *The Recreation Department, under the supervision of the Recreation Director appointed as specified by the City Charter, shall consist of such other professional, program and clerical staff as may be recommended by the Recreation Director and approved by the City Manager.*
- B. *The Recreation Department shall perform the following functions.*
 - (1) *Develop a general recreational program for the City.*
 - (2) *Operate the recreational activities on all city parks, playgrounds, swimming pools, tennis courts and all other recreation facilities, including buildings, if any.*
 - (3) *Prepare and maintain all records pertaining to the Recreation Department.*
 - (4) *Cooperate with private groups, as well as with public officials, in the development and promotion of recreational activities in the city.*
 - (5) *Cooperate with the Community Services Department and all other departments of the city.*
 - (6) *Perform all other related functions as required by the City Manager.*

3-16. (Reserved) *[Repealed 05-18-94 by Ord. No. A05-94]*

3-17. Reserved.

3-18. Planning and Community Development Department. *[Amended 12-13-89 by Ord. No. 26-89; Amended 07-17-91 by Ord. No. 25-91]*

- A. *The Department of Planning and Community Development, under the supervision of a Planning and Community Development Director, appointed as provided in the City Charter, shall consist of an Inspection Division, a Community Development Division, and a Planning Division. Each Division shall consist of such supervisory, technical, and clerical staff as may be recommended by the Planning and Community Development Director and approved by the City Manager.*



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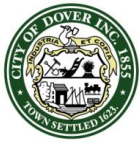
B. The Planning Division shall perform the following functions:

- (1) Act in the capacity as advisor to the Planning Board and the Zoning Board of Adjustment.*
- (2) Investigate, study, report and recommend on all matters relating to land use, zoning, traffic, parking, highways, public facilities, population, urban renewal, subdivisions, parks, playgrounds and other related phases of city planning.*
- (3) Revise the Zoning Map as changes are made therein by city ordinance.*
- (4) Develop and implement the various elements of a general comprehensive plan to be used as a guide for the development of the city.*
- (5) Perform all research work that might be assigned by the City Manager, City Council, Planning Board or the Zoning Board of Adjustment.*
- (6) Investigate, study and report on all matters relating to construction and use of municipal structures and buildings.*
- (7) Perform all other related functions as required.*

C. The Inspection Division shall be responsible for the following duties: [Added 10-25-78 by Ord. No. 21-78; Amended 09-28-94 by Ord. No. 16-94]

- (1) Enforce the zoning and health ordinances and the building, electrical, plumbing and health codes of the city of Dover. * [Amended 07-17-91 by Ord. No. 25-91]*
- (2) Enforce all statutes and ordinances, except as otherwise provided relating to the construction, equipment, alteration, and condition of buildings within the city.*
- (3) Inspect plans and specifications of proposed buildings and issue building permits, therefore, maintaining a file of all applications for permits and providing the tax assessment division with copies.*
- (4) Visit and inspect every structure upon which work is being done, where a permit is required, as often as necessary.*

* Editor's Note: See Ch. 170, Zoning; Ch. 68, Building Construction; and Ch. 120, Electrical Standards; and Chapter 135, Plumbing; respectively.



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- (5) *Turn over all permit fees received to the City Treasurer daily, keeping a record of the same.*
- (6) *Investigate all complaints relating to nuisances affecting public health that may be brought to its attention. The designated Health Officer shall act as the executive officer of the board of health, shall serve all notices and order issued by the board.*
- (7) *Prepare and maintain all necessary records required by law by the State or City Ordinances.*
- (8) *Procure, study and analyze data concerning public health.*
- (9) *The Health Officer shall investigate and render assistance in reference to private water supplies and septic tanks.*
- (10) *The Health Officer shall investigate all communicable diseases, all sanitary hazards and enforce sanitary laws.*
- (11) *Issue all burial permits.*
- (12) *Inspect all restaurants, cafes, other eating places and vendors of food as required by the city ordinances.*
- (13) *Issue licenses and perform any other functions required by the city ordinances or by the state laws.*
- (14) *The Health Officer shall have and exercise the same power to make arrests as is, by law or ordinance, conferred upon the regular police of the city in all cases where there is a violation of the health laws of the state, city ordinances, orders or regulations.*
- (15) *Perform all other related functions as required.*

3-19. (Reserved)

3-20. Police Department.

- A. *The Police Department, under the supervision of the Police Chief, appointed as specified by the City Charter, shall consist of such forces of permanent officers and reserve officers as may be recommended by the Chief and approved by the City Manager. [Amended 2-21-90 by Ord. No. 1-90]*



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B. The Police Department shall perform the following functions:

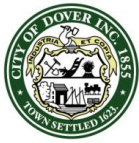
- (1) Enforce the laws and ordinances of the State of New Hampshire and the City of Dover.*
- (2) Prevent crime and maintain peace and order.*
- (3) Protect lives and property from malicious damage and injury.*
- (4) Operate, maintain and care for all city parking meters.*
- (5) Maintain and care for all property assigned to the Police Department.*
- (6) Prosecute all violations of the law within its jurisdiction.*
- (7) Prepare and maintain all necessary records pertaining to the Police Department.*
- (8) Perform all other related functions as required.*

3-21. Reserved. *[Repealed 05-18-94 by Ord. No. A05-94]*

3-22. Reserved. *[Repealed 05-18-94 by Ord. No. A05-94]*

3-23. Reserved.

3-24. Reserved.



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ARTICLE III Purchasing Procedure

[Amended 2-13-80 by Ord. No. 2-80, Amended 04-01-92 by Ord. No. 08-92]

3-25. Title.

This Article shall be known as the "City Purchasing Ordinance" and may be cited as such.

3-26. Definitions.

For the purposes of this Article, the following terms, phrases, words and their derivations shall have the meanings ascribed to them in this section:

BID MOST ADVANTAGEOUS TO THE CITY - *Not necessarily the low bid; in addition to price, the quality of the commodity and the service reputation of the vendor must be considered in determining the "bid most advantageous to the city"*

COMPETITIVE BIDDING - *The process of achieving the lowest bid or the bid most advantageous to the city for the goods and services desired by the city.*

EMERGENCY PURCHASE - *A purchase occasioned by a threat to public health, safety or to property.*

FIELD PURCHASE ORDER - *The direct, informal purchase by a department head from a vendor of supplies needed in small quantities for day-to-day operation. Re: Purchase Amount*

GOODS AND SERVICES - *The complete array of purchases of the city, including but not limited to; supplies, commodities, equipment, construction materials and labor, consulting services, and training.*

GROUP PURCHASE - *A purchase made by the City Purchasing Agent by grouping two (2) or more departmental requisitions in one (1) purchase order.*

INFORMAL BIDS - *Quotations obtained from the vendor in writing or by oral communication.*

LIST OF APPROVED VENDORS - *The list of vendors who have qualified to bid on city purchases on the basis of responsibility, quality, delivery and performance.*



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PURCHASE AMOUNT - *The total cost of goods or service including all determinable associated costs, e.g. construction, engineering, delivery, setup and training. Where the purchase consists of small frequent charges, the aggregate twelve month cost of goods or services shall be used to determine the amount of a purchase and the applicability of the specific sections of the Purchasing Ordinance.*

SEALED FORMAL BIDS - *Quotations from all vendors which are submitted in sealed envelopes.*

SPECIFICATIONS - *The qualitative standards set by department heads as a guide to the City Purchasing Agent and as a measure of quality which successful vendors must achieve. Specifications shall not restrict purchases as to trade name or eliminate bids being submitted on items that have the same specifications but not as to a specific trade name.*

3-27. Purpose.

The purpose of this Article shall be to standardize the purchasing procedures of the city, thereby increasing savings and protection of the taxpayer's money, to set forth the duties and responsibilities of the department heads in order to foster interdepartmental cooperation and trust with the office of the City Purchasing Agent, and to assign all responsibility for purchasing to the Purchasing Agent.

3-28. Applicability of Article and Compliance with Charter.

Subject to the provisions of C6-16 of the City Charter, this Article shall apply to all purchases for all departments and agencies of the city.

[3-29. Reserved.]

3-30. Division of Purchases established.

A. A Division of Purchases in the Department of Finance is hereby created.

B. Director of Finance. The Finance Director, or his/her designee, shall be the head of said Division and shall be known, for the purposes of this Article, as the "purchasing agent" the powers and duties of whom shall be as directed by C6-16 of the City Charter.



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3-31. Appropriations for purchases.

No purchases shall be made until such time as the Council has approved the necessary appropriation, or in the case of federal or state grants to the city, the grant award has been received. The Purchasing Agent shall verify the availability of funds to be used for a purchase greater than one thousand dollars (\$1,000) prior to issuance of a purchase order. The Finance Director shall certify the availability of funds of all purchases approved by the City Council prior to their vote.

3-32. Requisitions; forms.

All goods and services in an amount greater than one thousand dollars (\$1,000) shall be requisitioned by department heads to the Purchasing Agent on a prescribed requisition form to be provided by the Purchasing Division.

3-33. Field purchase orders.

- A. Field purchases for one thousand dollars (\$1,000) and under may be executed by informal, direct purchasing by the head of a department.*
- B. In addition, field purchases may be executed for emergency purchases up to but not exceeding five thousand dollars (\$5,000.). A copy of the field purchase order and report must be sent to the Purchasing Agent within seventy-two (72) hours of the emergency. [Amended 03-19-99 by Ord. No. 01-99]*
- C. Field purchases may be made only on field purchase order forms provided and approved by the Purchasing Division.*
- D. The Purchasing Division copy of the field purchase order shall always be turned in to the Purchasing Division within twenty-four (24) hours of the time the purchase is made.*
- E. Field Purchase Orders should not be used for small frequent purchases if it is known or estimated that the aggregate twelve month cost of such purchases would exceed one thousand dollars (\$1,000). Re: Purchase Amount definition.*
- F. Department heads should take the appropriate steps to attain the best pricing practical when using field purchase orders.*



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3-34. Informal bidding requirements.

The City Purchasing Agent shall conduct and document informal, competitive bidding for purchases over one thousand dollars (\$1,000) and under five thousand dollars (\$5,000). A minimum of three quotes will be solicited whenever possible. A written quote from vendors shall be required for purchases from five thousand dollars (\$5,000) and under ten thousand dollars (\$10,000). Informal bidding may be employed by the City Purchasing Agent when requested by a department where the purchase price is under one thousand dollars (\$1,000). [Amended 03-19-99 by Ord. No. 01-99]

3-35. Formal bidding requirements.

The City Purchasing Agent shall advertise and conduct competitive, formal, sealed bidding pursuant to specifications on file in his/her office for purchases of goods and services of ten thousand dollars (\$10,000) or more, and he/she shall report all such purchases to the Director of Finance. [Amended 03-19-99 by Ord. No. 01-99]

3-36. Optional purchasing methods.

Notwithstanding any other provision of this ordinance to the contrary, the following methods may be employed for the purpose of purchasing goods and services.

- A. Emergency waiver of bidding requirements - The bidding procedures may be waived by the City Manager when there exists an emergency as determined by the City Manager. All attempts shall be made to obtain the most competitive price within the time available. The City Manager shall report all such emergency purchases to the City Council at their next regular meeting.*
- B. Purchases made through state; state bid prices - The Purchasing Agent may, with approval by the City Manager, waive bidding procedures when purchasing through the State of New Hampshire or at State bid prices but not superseding 3-39. The bid requirements may apply, at the discretion of the Purchasing Agent.*
- C. Blanket purchases - The Purchasing Agent is empowered to bid and award blanket purchase orders for goods and services at an agreed price and/or quantities, but in quantities delivered and paid for as needed, subject to other provisions of the Purchasing Ordinance.*



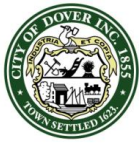
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D. Change purchase orders - The Purchasing Agent is empowered to issue change purchase orders for changes in scope or quantity of an existing purchase. The change purchase amount is subject to other provisions of the Purchasing Ordinance.



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E. Requests for proposals (RFP) - The Purchasing Agent may solicit competitive proposals if he/she determines that compiling detailed technical specifications is not feasible or advantageous. Solicitation and award of RFPs is subject to other provisions of the Purchasing Ordinance.

F. Regional purchasing - The Purchasing Agent may participate in solicitations to bid conducted by himself or another city or town purchasing agent where the goal is to bid for goods and services for more than one city or town subject to other provisions of the Purchasing Ordinance.

3-37. Exception reporting.

The Purchasing Agent shall report apparent exceptions to the bidding and award requirements to the City Manager.

3-38. Exemptions to Bidding and Approval Requirements.

Payments exempt from the bidding and City Council approval requirements due to their nature or other statutory provisions include:

- A. Utility consumption costs including electrical, natural gas, water and sewer.*
- B. Telephone call charges.*
- C. Advertising.*
- D. Postage.*
- E. Federal, state and local taxes.*
- F. Court judgments.*
- G. Workers Compensation claims.*
- H. Debt service payments.*
- I. Police special investigative costs where disclosure may jeopardize an investigation.*



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3-39. Approval of purchases by the City Council.

All purchases of goods and services of twenty-five thousand dollars (\$25,000) or more shall be approved, rejected or negotiated by majority vote of the City Council prior to the awarding of such purchases. All purchases of goods and services of \$5,000 or more shall be reported to the City Council by the City Manager's Report for each department on a monthly basis following said purchases. [Amended 03-19-99 by Ord. No. 01-99; amended 05-21-03 by Ord. No. 08-2003]

3-40. Competitive bidding procedure.

The procedure for competitive bidding is established as follows:

- A. Competitive bidding shall be opened by the City Purchasing Agent by notice of solicitations for bidding which shall be sent to vendors and/or by advertising. The notice shall contain specifications as to the quantity and quality, date and time at which bidding shall be closed and the date and time at which bids shall be opened and read and the purchase awards made. All solicitations shall note that all purchases are subject to the conditions set forth in the City Purchasing Ordinance.*
- B. The City Purchasing Agent shall solicit at least three (3) vendors on every purchase requiring bidding; provided, however, that in all cases a bid most advantageous to the city shall be awarded. In the event that less than three (3) bids shall be received, the City Purchasing Agent may either award the purchase on the basis of the best bid of those submitted or he/she shall order a rebidding on that item.*
- C. Technical specifications for bids shall state information as broadly as practicable, yet shall be specific enough to describe the requirements of the department. Nontechnical specifications for bids shall state the quality required in general terms.*
- D. Formal, sealed bids shall be submitted by qualified vendors before that stated deadline, and may be withdrawn by any bidder before the deadline. After the deadline the City Purchasing Agent shall receive no further bids, and no bidder shall withdraw a bid. The city shall have custody of all bids submitted pursuant to this Article.*
- E. In accordance with RSA 447:16, the Purchasing Agent shall require security from vendors for construction projects estimated to be in excess of*



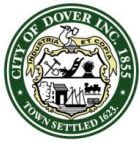
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\$25,000. The elements of a purchase to be secured include, but are not limited to, the following:



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Bid Price - To insure a margin above the bid price, from the time of bid opening until signing of the contract, in case of default by the bidder. The amount is used to offset the cost of accepting the next lowest qualified bidder. Minimum of 10% of bid price.

Performance - To insure compliance with and completion of the contract. 100% of contract.

Labor and Material Payment - To insure payment to suppliers and subcontractors by the contractor. 100% of contract.

The form of the security will be prescribe by the Purchasing Agent and can consist, but is not limited to, bonds issued by surety companies licensed within the United States, certified checks and irrevocable letters of credit at banks acceptable to the City.

The Purchasing Agent may include security requirements for projects less than \$25,000 and in other types of purchases where doing so is advantageous to the City.

F. In the event of a tie for low bid by equally qualified bidders where one bid is not considered a bid most advantageous, the following rules shall apply to the tied bidders:

- 1. Preference for award shall be given first to any bidder who is located within Dover. If none of the bidders are located in Dover preference shall then be given to any bidder located within the State of New Hampshire.*
- 2. If preference cannot be determined the purchasing agent shall, in the presence of such bidders if possible or in the presence of a witness, draw lots to determine who shall be awarded the bid in accordance with the City Purchasing Ordinance.*

G. In each and every case where bids are presented to the City Council for award, the spread sheets shall show terms and f.o.b. and shall be made a part of determining who is awarded the low bid. Bidding firms shall be made aware of this in the issuing of bids.

H. The Purchasing Agent shall open bids, read them in public, inspect them and process for award. In determining the low bid or the bid most advantageous, the Purchasing Agent shall, whenever possible, analyze the bids so that the bids are compared on an equal basis.



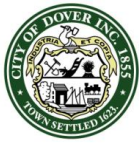
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1. The competitive bid procedure may be waived by a majority vote of the City Council.



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3-41. Rebidding.

The City Purchasing Agent shall be empowered to solicit the rebid for any or all items which have been noticed for bidding where less than three bids have been received, notwithstanding solicitations seeking the same, or where no bid most advantageous to the city has been received.

3-42. Contract processing.

The City Manager is designated as the contracting officer of the city unless otherwise designated by vote of the City Council. Execution of a contract or contract change order accompanying a purchase order or purchase change order greater than one thousand dollars (\$1,000) shall occur only after the contract has been reviewed as to form by the City Attorney and funding confirmed by the Finance Director. Purchases involving contracts are subject to all other provisions of the Purchasing Ordinance.

3-43. Conditions of purchase.

All purchases which shall be made by the city shall be subject to the following conditions:

- A. All purchases shall be awarded on the basis of the lowest bid or the bid most advantageous to the city and meeting specifications.*
- B. All purchases shall be subject to the reservation of the right by the city to accept or reject any or all bids.*
- C. When an award of purchase shall be recommended to other than the lowest qualified bidder, the Purchasing Agent shall submit such recommendation to the City Manager for approval or disapproval. Should the City Manager reject such recommendation, the award shall be made to the lowest responsible bidder, unless all bids are rejected.*

3-44. Duties of department heads.

All department heads shall:

- A. Determine acceptable quality of commodities and supplies to be purchased.*



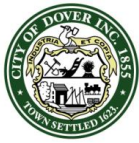
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B. Cooperate with the City Purchasing Agent in establishing lists of approved specifications and vendors.



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- C. Share knowledge of special factors which will implement a policy designed to enable the city to minimize cost and maximize quality.*
- D. Supply the City Purchasing Agent with a list of estimated annual requirements of frequently used supplies, thereby fostering group purchasing.*
- E. Prepare requisitions with a view toward group purchasing and keep corresponding records to facilitate debiting on city financial records.*
- F. Be empowered to reject any unacceptable supply or commodity on grounds of high cost or low quality, and provide the City Purchasing Agent with a detailed written report explaining the reasons for such rejection.*
- G. Report to the Purchasing Agent obsolete and excess fixed assets, including:
 - (1) Items beyond use.*
 - (2) Items being replaced or to be replaced.*
 - (3) Items no longer of use to the departmental operation.**
- H. Foster regular purchasing procedures to minimize direct purchases.*

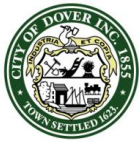
3-45. Exchange for goods and services.

Any transfer of city assets, waiving or abatement of fees, or performance of city services in exchange for goods and services to be received by the city shall be deemed a purchase and shall be subject to the provisions of the Purchasing Ordinance as determined by the fair market value of the city assets, fees, and/or services being exchanged.

[3-46 through 3-50 Reserved.]

3-51. Conflicts of interest.

No employee of the city shall solicit the favorable treatment of himself or others with vendors customarily bidding for city purchase awards, nor shall any employee accept any gift from any vendor interested in obtaining city purchases, except for an advertising token of insignificant value.



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ARTICLE IV Boards and Commissions

3-52. Establishment.

A. *There shall be the following boards and commissions in the City of Dover:*
[Amended 4-27-83 by Ord. No. 10-83]

- (1) *Board of Health.*
- (2) *(Reserved) [Repealed 04-21-99 by Ord. No. 05-99]*
- (3) *Cemetery Board.*
- (4) *(Reserved) [Repealed 03-17-93 by Ord. No. 01-93]*
- (5) *Housing Authority.*
- (6) *Library Board.*
- (7) *Recreation Advisory Board.*
- (8) *Dover Arena Commission.*
- (9) *Personnel Advisory Board.*
- (10) *Planning Board.*
- (11) *Dover Utilities Commission.*
- (12) *Zoning Board of Adjustment.*
- (13) *Board of Trustees. [Added 7-25-84 by Ord. No. 14-84]*
- (14) *(Reserved) [Repealed 04-16-97 by Ord. No. 10-97]*
- (15) *Building Code Board of Appeals [Added 01-15-92 by Ord. No. 49-91]*
- (16) *Solid Waste Advisory Commission [Added 11-20-96 by Ord. No. 18-96]*
- (17) *Dover Arts Commission [Added 04-18-01 by Ord. No. 06-2001]*
- (18) *Transportation Advisory Commission [Added 05-16-2001 by Ord. No. 10-01]*
- (19) *Joint Fiscal Committee [Added 02-20-2002 by Ord. No. 02-2002]*
- (20) *Business and Industrial Development Authority [Added 06-16-04 by Ord. #10-2004]*
- (21) *McConnell Center Advisory Committee [Added 02-21-07 by Ord. #02-2007]*

B. *All boards and commissions shall serve in an advisory capacity only, unless otherwise empowered by state statute, City Charter or ordinance.*



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- C. All appointments to boards and commissions shall serve for the terms appointed and until a successor shall have been appointed and qualified, unless any board or commission member is absent for four (4) consecutive meetings, whereby a vacancy shall be created in the position, and said vacancy shall be filled by the appointing authority. Appointments made to fill any vacancies shall be for full terms to begin the date of appointment by the appointing authority. Conditions for removal of any board member shall be defined by statute, ordinance or the Administrative Code. [Amended 3-28-79 by Ord. No. 6-79; amended 06-20-01 by Ord No. 15-2001]*
- D. All board and commission members shall be residents of the City of Dover except for those members presently serving. All exceptions must be approved by the City Council. [Added 06/30/99 by Ord. No. 08-99]*



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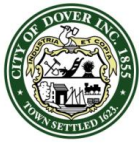
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3-53. Board of Health.

A. *The Board of Health shall consist of the Health Officer, City Physician, a dentist and two (2) associate members, who shall hold office until their successors shall have been elected and qualified, but shall be removable, however, at any time, for cause, but only after a fair and impartial hearing. In the month of February, annually, the City Council shall appoint a member of said Board of health for the full term of three (3) years to fill the vacancy annually occurring. Vacancies in said Board shall be filled by the City Council at its first regular meeting after such vacancy shall occur, but only for the unexpired term.*
[Amended 03-20-91 by Ord. No. 11-91]

B. *The Board of Health shall perform the following functions:*

- (1) The Board of Health may make such rules and regulations for the prevention and removal of nuisances, for the control and restriction of infections and contagious disease and such other regulations relating to the public health as, in its judgment, the health and safety of the people may require, which shall take effect when approved by the City Council and published in one (1) or more newspapers of the city. The members of the Board, except the Health Officer, shall serve without pay.*
- (2) The Board of Health shall meet at such times and places as it may deem necessary for the consideration of matters relating to the public health; it shall investigate, inquire into and advise in all cases referred to it for such purpose by the Health Officer and shall direct him in such cases. In case the Health Officer is unable to act as the executive officer of the Board through sickness or other good cause, the Board may appoint a suitable person to act temporarily in his stead. Said person shall, while so acting, possess all the authority and receive the same compensation which the Health Officer would otherwise receive under the provisions of the city ordinances.*
- (3) The Board of Health shall provide itself with such blanks and record books, at the expense of the city, as are necessary and shall promptly, at the close of each fiscal year, report in writing to the City Manager, giving a classification of all complaints made to them, together with such suggestions pertaining to the health of the city as it may deem expedient to present; so much of the vital statistics as is necessary; the cause of death, so far as possible; and such other sanitary information as may be called for the City Manager.*
- (4) The Board of Health shall prescribe a blank form upon which a complete record of the inspections made by the Health Officer shall be entered. A record shall also be kept by the Health Officer of all complaints made to*



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him or to the Board, of all orders issued, notices served and nuisances abated. All records kept by the Health Officer shall be submitted to the Board of Health whenever called for and shall at the end of each fiscal year be placed in the hands of the City Clerk.

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3-54. [Repealed 04-21-99 by Ord. No. 5-99]

3-55. Cemetery Board.

- A. *The Cemetery Board shall consist of five (5) members and two (2) alternates appointed by the City Council. Board members shall serve terms of three (3) years. [Amended 6-12-85 by Ord. No. 8-85; amended 4-08-98 by Ord.# 5-98]*
- B. *The Cemetery Board shall organize annually by the choice of a Chairman and other officers and committees if necessary. The Board shall establish its own bylaws and procedure.*
- C. *The Cemetery Board shall perform the following functions:*
 - (1) *To consider and recommend general policies for the operation of municipal cemeteries.*
 - (2) *To make recommendations on the investment and expenditure of donations and bequests made to the city for the benefit of said cemeteries.*
 - (3) *Make an annual report of all cemetery activities to the City Manager and keep such other records and reports as he shall direct.*



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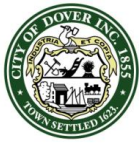
3-56. (Reserved) *[Repealed 03-17-93 by Ord. No. 01-93]*

3-57. Housing Authority.

- A. *The Housing Authority shall consist of five (5) members appointed by the City Manager and is created by Chapter 203 of the New Hampshire Revised Statutes Annotated, qualifying as a supplementary public corporation.*
- B. *The functions and duties of the Housing Authority shall be as provided in Chapter 203 of the New Hampshire Revised Statutes Annotated.*

3-58. Library Board.

- A. *The Library Board shall consist of five (5) members appointed by the City Council. Appointments shall be for a term of five (5) years. [Amended 03-20-91 by Ord. No. 11-91]*
- B. *The Library Board shall organize annually by the choice of a chairman and other officers and committees if necessary. The Board shall establish its own bylaws and rules of procedure.*
- C. *The Library Board shall perform the following functions:*
 - (1) *To consider and recommend general policies regarding the operation of the Dover Municipal Library, so far as they are consistent with the City Charter and other applicable laws, statutes and ordinances.*
 - (2) *Receive and deposit with the City Treasurer any trust funds and, upon invitation of the Treasurer, make recommendations on the investment of donations and bequests of funds made to the city for the benefit of the City Library.*
 - (3) *Maintain such records of library trust funds and trust income as will ensure proper management of principal and use of income in accordance with the donors or testators directions, and continuously solicit donations and bequests for the benefit of the library.*
 - (4) *Make an annual report of all library activities to the City Manager and keep such records and other reports as he directs.*
 - (5) *Exercise their best efforts by every allowable means to promote and perpetuate the growth, prosperity and the usefulness to the public library.*



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3-59. Recreation Advisory Board. *[Amended 1-28-81 by Ord. No. 2-81; Amended 05-18-94 by Ord. No. B05-94]*

A. *The Recreation Advisory Board shall consist of nine (9) regular members and (3) three alternates; said members to be citizens of Dover, appointed by the City Council, for a term of three (3) years. There may also be a City Council liaison who shall be appointed by the Mayor for the length of their Council term. [Amended 03-19-99 by Ord. No. 03-99; amended 02-18-04 by ord. No. 04-2004]*

B. *The Recreation Advisory Board shall perform the following functions:*

- (1) Study the general recreational development in the City of Dover and advise and recommend to the Community Services Director as to such items which would result in a general improvement of the entire recreational system.*
- (2) Study the entire general recreational programming of the City of Dover and recommend to the Community Services Director such additions or deletions that should result in an improved recreational program.*
- (3) Aid and assist the Community Services Director in the formulation of future plans and programs for the ultimate benefit of all users of recreational facilities.*
- (4) Study and recommend methods for financing proposed recreation developments.*

3-60. Dover Arena Commission. *[Added 6-14-78 by Ord. No.4-78; amended 05-14-80 by Ord. No. 6-80; amended 05-18-94 by Ord. No. B05-94; amended 04-19-2000 by Ord. No. 04-2000; amended 06-20-2001 by Ord. No. 13-2001; Amended 03-20-2002 by Ord. No. 04-02]*

A. *The Dover Arena Commission shall consist of five regular members and 2 alternate members, said members to be citizens of Dover, appointed by the City Council, for a term of three (3) years and to serve without compensation. The Commission shall also include a City Councilor approved by the majority of the Council who shall serve as an ex-officio member for the duration of his or her term, and who shall keep the Council informed with monthly reports.*

B. *The Dover Arena Commission shall perform the following functions:*

- (1) Aid, assist and advise the Community Services Director in formulating future plans for maintaining, equipping, operating, regulating and setting a fee schedule for the Dover Arena.*



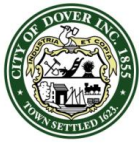
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- (2) The Commission shall inform itself of the ways and means by which it plans and programs may be best achieved and may advise the Community Services Director, the City Council and the public of the manner in which these objectives may best be accomplished.*



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3-61. Personnel Advisory Board.

*The composition, functions and duties of the Personnel Advisory Board shall be as provided by Section 42 of the Charter of the City of Dover.**

3-62. Planning Board. [Amended 05-28-97 by Ord. No. 09-97]**

The composition, function and duties of the Planning board shall be as provided by RSA 672-677, and the Code of the City of Dover.

A. TERMS:

- 1. The ex-officio council member's terms shall be the same as the council term.*
- 2. The administration official term shall coincide with the term of the mayor who appointed the official.*
- 3. All other board members terms shall be for three (3) years. The initial terms of members first appointed shall be staggered so that no more than three (3) appointments occur annually, except when a vacancy in office occurs.*

B. ALTERNATE:

- 1. The council may appoint three (3) alternates whose terms shall be three (3) years pursuant to RSA 673:6.*

C. PLANNING BOARD MEMBERS SERVING ON OTHER LOCAL BOARDS.

- 1. Members of the Planning Board may also serve on any other municipal board or commission, provided that such multiple membership does not result in two (2) Planning Board members serving on the same board or commission.*

* Editor's Note: See Charter, C7-6.

** Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.



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2. *Members shall not hold any other municipal office except that:*

- a. *One of the appointed members may be a member of the Zoning Board of Adjustment;*
- b. *Either one appointmented members or one ex-officio member may be a member of the Conservation Commission if one exists in the city; and*
- c. *Either one appointed member or one ex-officio member may be a member of the Heritage Commission, or the Historic District Commission, or both, if such a commission exists in the city.*

D. CHAIR:

1. *The Planning Board shall elect a chair and may create other officers it deems necessary. The term shall be for one (1) year. The Chair is eligible for re-election. The ex-officio member shall not serve as Chair.*

E. MEETINGS:

1. *The Planning Board shall hold at least one (1) regular meeting per month. The Chair shall designate an alternate if a member is absent or disqualified. A majority of the members shall constitute a quorum.*

F. FILLING VACANCIES:

1. *The City Council shall appoint any membership which becomes vacant for the unexpired term.*

G. REMOVAL OF MEMBERS:

1. *In accordance with RSA 673:13, the City Council may remove any member, or alternate, after a public hearing and a written finding of inefficiency, neglect of duty, or malfeasance in office. The written reasons shall be filed with the City Clerk.*

H. DISQUALIFICATION:

1. *All members shall comply with relevant sections of the City Code of Ethics (Chapter 22) concerning conflicts, and disqualification rules pursuant to RSA 673:14.*



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I. FINANCES:

1. *Any Planning Board expenses shall be paid in accordance with RSA 673:16.*

J. BY-LAWS:

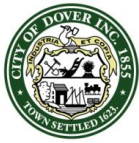
1. *The Planning Board shall adopt rules of procedure for governing the conduct of meetings.*

K. DUTIES:

1. *All other duties and procedures shall be in accordance with RSA 672-677.*
2. *Any other section of the Code which is inconsistent with this ordinance is hereby repealed.*

3-63. Dover Utilities Commission. [Amended 03-20-91 by Ord. No. 10-91]

- A. *The Dover Utilities Commission shall consist of seven (7) members and one (1) alternate appointed by a majority of the City Council. Said members shall serve for terms of three (3) years or until their successors have been appointed and sworn in. The Dover Utilities Commission shall meet monthly or more often as circumstances may require. The Community Services Director and the Superintendent of Public Works and Utilities shall act as technical advisors to the Dover Utilities Commission and shall attend all meetings of the Commission. [Amended 02-19-92 by Ord. No. 05-92; amended 05-18-05 by Ord. No. 15-2005]*
- B. *The Dover Utilities Commission shall have the following powers and shall perform the following functions:*
 - (1) *Study, advise and assist in the development, maintenance, operation and expansion of the water supply system in the City of Dover.*
 - (2) *Assist in an advisory capacity in the determination of the Water Department policy, rate structure, public relations and matters of general public interest.*
 - (3) *Subject to the review and approval of the City Council, the Dover Utilities Commission shall have the power to formulate necessary rules and regulations with regard to the use of the public water and sewer systems in the City of Dover. [Amended 07-01-92 by Ord. No. 17-92]*
 - (4) *The Dover Utilities Commission shall be responsible for reviewing the sewer user charges annually and periodically recommending to the City*



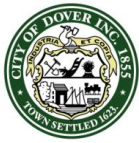
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Council necessary revisions to reflect actual treatment work operation and maintenance costs.



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3-64. Zoning Board of Adjustment. [Amended 05-28-97 by Ord. No. 09-97]

The composition, functions and duties of the Zoning Board of Adjustment shall be as provided by RSA 672-677, and the Code of the City of Dover.

A. MEMBERS:

- 1. The Zoning Board of Adjustment shall consist of five members appointed by the City Council, in a manner prescribed by the Council, pursuant to RSA 673:3 and 673:5. Members terms shall be for three (3) years. The initial terms of members first appointed shall be staggered so that no more than two (2) appointments occur annually, except when a vacancy in office occurs.*

B. ALTERNATE:

- 1. The City Council shall appoint three alternates, whose terms of shall be three (3) years pursuant to RSA 673:6.*

C. CHAIR:

- 1. Pursuant to RSA 673:9, the Zoning Board of Adjustment shall elect a chair and other officers if desired to serve one year terms. Said chair and officers are eligible for re-election.*

D. BY-LAWS/MEETINGS:

- 1. The Zoning Board of Adjustment shall adopt rules of procedures for governing the conduct of meetings as set forth in RSA 676:1. The rules shall also designate meeting times and the role of alternates in place of members who are absent consistent with RSA 673:10, 673:11. The schedule of meetings shall be held at the call of the chair and at such other times as the board may determine. A majority of the membership shall constitute a quorum.*

E. VACANCY:

- 1. The City Council shall appoint new members when a vacancy occurs for the unexpired term in accordance with RSA 673:12.*

F. DISQUALIFICATION:



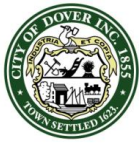
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- 1. All members shall comply with the relevant sections of the City Code of Ethics (Chapter 22) concerning conflicts, and disqualification rules pursuant to RSA 673:14.*



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G. REMOVAL OF MEMBERS:

- 1. In accordance with RSA 673:13, the City Council may remove any member, or alternate, after a public hearing and a written finding of incompetency, neglect of duty, or malfeasance in office. The written reasons shall be filed with the City Clerk.*

H. FINANCES:

- 1. Any Zoning Board expenses shall be paid in accordance with RSA 673:13.*

I. DUTIES:

- 1. All other duties and procedures shall be in accordance with RSA 672-677.*
- 2. Any other section of the Code which is inconsistent with the ordinance is hereby repealed.*

3-65. Board of Trustees. [Added 7-25-84 by Ord. No. 14-84]

A. There is hereby created a Board of Trustees to serve for the purpose of administering all trust funds which may be taken and held by the City of Dover pursuant to RSA 31:19. The Board of Trustees shall be comprised of three (3) members, one (1) of whom shall be the City Treasurer. The other two (2) members shall be citizens of Dover who shall have some experience in the field of professional banking and whom shall be appointed by the City Council.

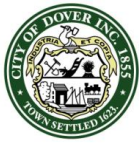
(1) The City Treasurer shall hold his position as member of the Board of Trustees for a term which is concurrent with his term of office as City Treasurer.

(2) One of the two (2) other members of the Board of Trustees shall serve for an initial term of one (1) year, with all successor appointments to serve for a term of two (2) years.

(3) The third member of the Board of Trustees shall serve for a term of two (2) years.

B. The City Treasurer shall also serve as bookkeeper of the Board of Trustees.

C. The Board of Trustees shall have all of the authority and perform all of the duties as may be provided by state law.



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3-66. [Repealed 04-16-97 by Ord. No. 10-97]

3-67. Building Code Board of Appeals. [Added 01-15-92 by Ord. No. 49-91]

A. Authority. The Building Code Board of Appeals is hereby established pursuant to the authority granted by RSA 673:3.IV.

B. Composition of Board and Qualifications of Members. The Building Code Board of Appeals shall consist of five (5) members, appointed by the City Council, who shall be residents of Dover and who shall all have a reasonable amount of familiarity with and experience in the building construction field.

C. Term of Members. Pursuant to RSA 673:5, the terms of members of the Building Code Board of Appeals shall be as follows:

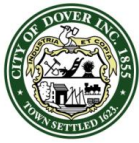
(1) One (1) of the members of the Building Code Board of Appeals originally appointed by the City Council shall serve an initial term of one (1) year, with all successor appointments to serve for terms of three (3) years.

(2) Two of the members of the Building Code Board of Appeals originally appointed by the City Council shall serve initial terms of two (2) years with all successor appointments to serve for terms of three (3) years.

(3) The remaining two (2) members of the Building Code Board of Appeals originally appointed by the City Council shall serve for terms of three (3) years with all successor appointments to serve for terms of three (3) years.

D. Alternate Members. Three (3) alternate members of the Building Code Board of Appeals shall be appointed by the City Council subject to the same qualifications set forth in Section 3-67B. of this ordinance. The terms of said alternate members shall be three (3) years.

E. Powers. Pursuant to RSA 674:34, The Building Code Board of Appeals shall have the power, upon an appeal filed with it by any person aggrieved by a decision of the building inspector dealing with the building code, to vary the application of any provision of the building code to any particular case when, in its opinion, the enforcement of the building code would do manifest injustice and would be contrary to the spirit and purpose of the building code and the public interest. For the purposes of this ordinance, pursuant to RSA 47:22, any reference to the building code contained herein shall be construed to include any ordinances, codes, rules and regulations adopted by the City Council relating to the construction of buildings and to the installation of plumbing; the installation of electric wiring; the use of concrete, masonry, metal, iron, wood



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and other building materials; and to the installation of building materials for the purpose of fire protection and the prevention of fires.



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3-68. Solid Waste Advisory Commission. [Added 11-20-96 by Ord. #18-96]

A. The Solid Waste Advisory Commission shall consist of 8 members, 6 persons appointed by the City Council and 1 member of the City Council who shall be nominated by the Mayor and appointed by the City Council and a City Manager appointee to serve as a non-voting ex-officio. Said members shall serve initial staggered terms as follows: 2 members for a one year term; 2 members for a two year term; and 2 members for a three year term. The member of the Council will serve for the duration of their term. Thereafter, all renewal terms shall be for 3 years. The Council may appoint three (3) alternates whose term shall be 3 years. [Amended 04-30-97 by Ord. No. 12-97]

B. The Solid Waste Advisory Commission shall hold at a minimum, quarterly meetings and more often as circumstances may require.

C. The Solid Waste Advisory Commission shall have the following and perform the following functions:

(1) Assist in an advisory capacity to the City's Environmental Manager in the development of the city's solid waste policy and programs.

(2) The Committee will serve to collect factual information and citizen/property owner input as necessary to determine policy recommendations.

(3) Shall be responsible for reviewing the management and charges of the Bag and Tag program annually and periodically recommending to the City Council necessary revisions to reflect the actual operation and cost.

3-69. Dover Arts Commission. [Added 04-18-01 by Ord. No 06-2001; amended 03-19-03 by Ord. No. 06-2003; amended 04-20-05 by Ord. No. 14-2005]

A. The Dover Arts Commission shall consist of nine (9) members appointed by the City Council. Members shall be appointed for three (3) years. The City Council liaison shall be appointed for the length of their term and all members shall serve without compensation.

B. The Commission shall elect a chair and secretary at their first organizational meeting.

C. The Commission shall be tasked with developing programs, forums and exhibits that highlights the talent and active venues that currently exists within the City and promote those activities as they see appropriate. The Commission is not a governing body, but an advisory body to the City Council.



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3-70. Transportation Advisory Commission. [Added 05-16-01 by Ord. #10-2001]

A. The Parking and Traffic Committee established under City Council Rules 9B is hereby vacated and re-established under this Chapter as the Transportation Advisory Committee.

B. The Transportation Advisory Commission shall consist of nine (9) members:

- 1. One representative, designated by the City Manager from Police, Planning and Community Services;*
- 2. One representative from the City Council, Coast Public Transit and four (4) resident citizens,*

And shall be appointed by the City Council for three-year terms. Vacancies in said Commission shall be filled by the City Council at its first regular meeting after such vacancy shall occur.

C. The Transportation Advisory Commissions duties shall include a review of all transportation policy and safety matters. Additionally, the Commission shall review policies concerning all forms of transportation affecting the City such as conventional vehicles, transit, alternative modes (i.e. pedestrian and bicycles), commercial vehicles, and attendant amenities. A core responsibility shall be serving as a sounding board for citizens' traffic, pedestrian and safety issues and making recommendations to Council or staff for appropriate action. The Commission shall coordinate with and solicit feedback from the School Department Transportation Committee regarding sidewalk and crosswalk safety issues on a quarterly basis. The Commission shall aid in the development of the City Transportation Improvement Program (TIP) by soliciting citizen input on needed projects for submission to the Planning Board and City Council. Further, the Commission shall study issues arising under the City of Dover Master Plan as they relate to transportation. The Commission shall make recommendations to the City Council and/or Planning Board and shall study and prepare reports to aid in the development, implementation and general improvement of the Master Plan relating to the transportation in the City of Dover.

D. The Commission shall establish its own by-laws and appoint a Chairperson annually.



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E. *Public Sounding Board for Road Improvement Projects. [Added 12-15-04 by Ord. No. 22-2004]*

1) The Community Services/Engineering Departments will notify neighborhood residents in advance of road reconstruction projects by mail or public notices. All reconstruction projects, background, history and implementation will be updated periodically on the City of Dover website. Road reconstruction shall be defined as widening, additional sidewalks, drainage, etc.

2) After Council adoption of the Capital Improvement Program (CIP) in December, the Transportation Advisory Commission will hold a public comment period during the design work for proposed reconstruction projects for any neighborhoods being affected.

3-71. Joint Fiscal Committee [Added 02-20-02 by Ord. #02-2002]

A Joint Fiscal Committee is hereby established for the purpose of facilitating communications between the Dover School Board and Dover City Council pertaining to budget matters.

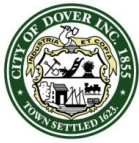
A. The Joint Fiscal Committee shall consist of six (6) members;

(1) Three representatives from the City Council appointed by the Mayor; and

(2) Three representatives from the School Board appointed by the Chairperson.

Each appointment shall run for one-year terms. In even calendar years, the Mayor shall appoint the Chair. In odd calendar years, the School Board Chair shall appoint the Chair.

B. The Joint Fiscal Committees duties shall include review of future financial requests of the School District. School Board members shall review the impact of their requests on the City's total Budget or Capital Improvements Program. The Joint Fiscal Committee may, in its sole discretion, make recommendations to either the School Board or City Council.



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C. The Joint Fiscal Committee shall meet at least twice each year as follows:

- (1) In February, for discussion of the next Annual City Budget; and*
- (2) In September, for discussion of the Capital Improvement Program.*

Additional meetings may be scheduled upon a majority vote of members present at either of the two mandatory meetings. Special meetings may be called at the discretion and with the agreement of both the Mayor and School Board Chair.

3-72 Business and Industrial Development Authority [Added 06-16-04 by Ord. #10-2004]

A. Membership.

- (1) The Dover Business and Industrial Authority shall consist of a Board of Directors of not less than 9, and no more than 15 members appointed for 3 year terms. The majority of board members shall reside in Dover. The appointment of member shall be in accordance with the Council Rules in effect at the time.*
- (2) The City Manager and the Economic Development Director, the Mayor or other Councilor Representative shall serve as ex-officio members of the board.*
- (3) The terms of the initial members shall be staggered so that 1/3 of the board will be appointed each year.*

B. All actions of the Authority shall be authorized by resolutions of the board passed on the affirmative votes of at least 2/3 of the board members present and voting.

C. All other functions and duties shall be in accordance with the authority provided in RSA Chapter 162-G.



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3-73 McConnell Center Advisory Committee [Added 02-21-07 by Ord. #02-2007, Revisions by Ord No 09-02 adopted March 11, 2009]

A. MEMBERSHIP: THE MCCONNELL CENTER ADVISORY COMMITTEE SHALL CONSIST OF ELEVEN (11) MEMBERS APPOINTED BY THE CITY COUNCIL, WITH REPRESENTATION AS FOLLOWS:

- I. Two (2) CITY REPRESENTATIVES*
- II. THREE (3) TENANT REPRESENTATIVES*
- II. SIX (6) COMMUNITY MEMBERS*

B. TERMS OF MEMBERS: ALL COMMISSION MEMBERS, EXCEPT CITY REPRESENTATIVES, SHALL BE APPOINTED FOR A TERM OF THREE (3) YEARS.

I. THE LENGTH OF TERMS FOR THE INITIAL APPOINTMENTS SHALL BE THREE (3) MEMBERS WITH THREE (3) YEAR TERMS; THREE (3) MEMBERS WITH TWO (2) YEAR TERMS; AND THREE (3) MEMBERS WITH ONE (1) YEAR TERMS THEREBY ALLOWING FOR SUBSEQUENT APPOINTMENTS TO OCCUR ON A THREE (3) YEAR STAGGERED BASIS.

II. CITY REPRESENTATIVES SHALL BE APPOINTED AS NEEDED BY THE CITY COUNCIL. THE TERM OF A CITY COUNCIL REPRESENTATIVE AND RECREATION ADVISORY BOARD SHALL EXPIRE WHEN THE TERM OF OFFICE FOR THE APPOINTMENT EXPIRES.

C. AUTHORITY AND DUTIES: THE MCCONNELL CENTER ADVISORY COMMITTEE SHALL SERVE IN AN ADVISORY CAPACITY TO THE CITY COUNCIL AND THE CITY MANAGER. THE MAJOR RESPONSIBILITIES OF THE ADVISORY BOARD INCLUDE THE FOLLOWING:

- i. ADVOCATE FOR ACHIEVING THE MISSION OF THE MCCONNELL COMMUNITY CENTER.*
- ii. REVIEW THE OPERATIONS BUDGET RECOMMENDED TO CITY MANAGER.*
- iii. SEEK AND RECOMMEND TENANTS TO THE CITY OF DOVER.*
- iv. ASSIST IN THE CREATION AND DISSEMINATION OF PUBLICITY RELATED TO THE MCCONNELL COMMUNITY CENTER.*
- v. FOSTER COLLABORATIVE PROGRAMMING BETWEEN TENANTS OF THE MCCONNELL COMMUNITY CENTER AND OTHER AGENCIES.*
- vi. RECOMMEND AND REVIEW THE POLICIES COVERING THE FOLLOWING:*
 - USE OF SHARED SPACE*
 - USE OF TENANT SPACE*
 - CONFLICT AND GRIEVANCE RESOLUTION*
 - SUBLETTING OF LEASED SPACE*
 - PARKING*
 - FINANCES*
 - SECURITY*
 - SAFETY*
 - USE OF CAFETERIA SERVICES AND KITCHEN*
 - SIGNAGE PLANS AND REQUIREMENTS*
 - CLEANLINESS OF THE MCCONNELL COMMUNITY CENTER*
 - REVIEW THE GOVERNANCE STRUCTURE PERIODICALLY.*



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B. THE COMMITTEE SHALL ESTABLISH ITS OWN OPERATING RULES SUBJECT TO APPROVAL OF THE CITY

COUNCIL AND SHALL APPOINT A CHAIRPERSON ANNUALLY.

C. THE COMMITTEE SHALL MEET AT LEAST ONCE QUARTERLY AND REPORT TO THE CITY COUNCIL PERIODICALLY.

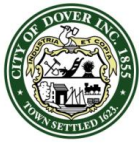
3-74. PARKING COMMISSION Established by Ord No. 08-18 which passed January 28,2009

A. MEMBERSHIP: The Parking Commission shall consist of six (6) members appointed by the City Council, with representation as follows:

- i. Four (4) Dover residents; and*
- ii. Two (2) Dover commercial property or business owners.*

B. TERMS OF MEMBERS: All commission members shall be appointed for a term of three (3) years.

- i. The length of terms for the initial appointments shall be two members with three (3) year terms, two members with two (2) year terms and two members with one (1) year terms thereby allowing for subsequent appointments to occur on a three (3) year staggered basis.*



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C. AUTHORITY AND DUTIES: The Parking Commission shall serve in an advisory capacity to the City Council and City Manager (or his/her designee) assisting with the development, implementation and continued monitoring of a comprehensive public parking system throughout the City. The Parking Commission shall review and develop recommendations for the ongoing financing and operation of public parking services and facilities to include:

- i. Making recommendations to the City Council and City Manager for the maintenance and implementation of an overall public parking plan that defines goals, policies, regulations and their enforcement.*
- ii. Making recommendations to the City Council and City Manager with respect to funding for a parking activity fund.*
- iii. Making recommendations to the Planning Board, the City Council and City Manager with respect to capital improvement programming as it relates to public parking facilities.*
- iv. Making recommendations to the City Council and City Manager with respect to special parking districts, related maintenance programs and their funding and management.*
- v. Promoting communication and the exchange of ideas and concerns between users of public parking, property owners, merchants, and City agencies.*
- vi. Acting to promote public awareness of public parking areas in the city.*



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DELETED STRUCKOUT LANGUAGE: Per Charter C3-8.

ADMINISTRATIVE CODE

Chapter 3

~~Appropriations for purchases;
availability of funds~~

ARTICLE I: GENERAL PROVISIONS

~~3-1 Legislative authority~~

~~3-19~~

~~3-2 Departments.~~

~~Authority of the Purchasing Agent~~

~~3-3 Powers and duties of department heads~~

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~~3-4 Appointment of department heads; compensation;~~

~~Use of credit cards~~

~~3-5 Authority and functions of the City Manager~~

~~3-21~~

~~Small purchases (less than \$1,000)~~

ARTICLE II: MUNICIPAL DEPARTMENTS

~~3-22~~

~~Emergency purchases~~

~~3-6 Executive~~

~~3-23~~

~~Quote purchases (\$1,000-\$9,999.99)~~

~~3-7 Finance~~

~~3-24~~

~~3-8 Fire and Rescue~~

~~Competitive bidding purchases (\$10,000 or more); waiver~~

~~3-9 Public Welfare~~

~~3-25~~

~~3-10 Public Library~~

~~Competitive bidding~~

~~3-11 Community Services~~

~~3-26~~

~~Major construction projects; Pre-qualification of bidders~~

~~3-12 Planning and Community Development~~

~~3-27~~

~~Negotiations after bidding~~

~~3-13 Police~~

~~3-28~~

~~Professional services~~

~~3-14 Recreation Programs~~

~~3-29~~

~~Exceptions to competitive bidding~~

ARTICLE III: PURCHASING CODE

~~3-15 Purpose~~

~~3-30~~

~~3-16~~

~~Applicability of Article and compliance with Charter~~

~~Exception reporting~~

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~~Definitions~~

~~Other exemptions to bidding and approval requirements~~

~~3-18~~



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~~City Council approval (\$25,000 or more)~~

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~~Re-bidding~~

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~~Contract processing~~

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~~Conditions of purchase~~

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~~Bid protests~~

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~~Duties of department heads~~

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~~Exchange for goods and services~~

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~~Environmental concerns;
required language~~

3-40

~~Conflicts of interest~~

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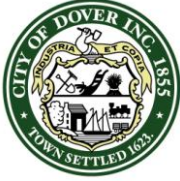
~~Pecuniary benefit~~

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~~Public access to procurement
information~~

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~~Savings provision~~



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~~[HISTORY: Adopted by the City Council of the City of Dover 12-14-77 as the Administrative Code. Departments amended 10-25-78 by Ord. #23-78; amended 9-22-82 by Ord. #17-82; amended 10-27-82 by Ord. #21-82; amended 12-13-89 by Ord. #26-89; amended 12-19-90 by Ord. #20-90; amended 2-21-90 Ord. #1-90; amended 7-17-91 by Ord. # 25-91; repeal 7-1-92 Ord. #19-92; amended 5-18-94 by Ord. #A05/94; repeal 5-18-94 by Ord. # A05-94; amended 5-18-94 by Ord # A05-94; amended 9-28-94 by Ord. #16-94; amended 9-28-94 by Ord. #16-94; amended 8-27-96 by Ord. # 13-96; amended 3-19-97 by Ord. #06-97; amended 4-8-98 by Ord. # 04-98; amended 12-21-05 by Ord. # 2-2005; Generally revised in 2010. Purchasing Code amended 2-13-80 Ord. # 2-80; amended 4-1-92 by Ord. # 08-92; amended 3-19-99 by Ord. 01-99; generally amended in 2010. Boards and commissions. Repeal 4-21-99 by Ord. #05-99; repeal 3-17-93 by Ord. 01-93; repeal 4-16-97 by Ord. 10-97. Adding boards and commissions 7-25-84 by Ord. #14-84 (Board of Trustees); 1-15-92 by Ord. #49-91 (Building Code Board of Appeals); 11-20-96 by Ord. # 18-96 (Solid Waste Advisory); 4-18-01 by Ord. #06-2001 (Arts); 5-16-01 by Ord. # 10-01 (Transportation Advisory); 2-20-02 by Ord. #02-2002 (Joint Fiscal); 6-16-04 by Ord. # 10-2004 (DBIDA); 2-22-07 by Ord. # 02-2007; Generally amended in 2010; repeal of provisions for boards, commissions and committees in the Administrative Code in 2010 with the creation of a new Chapter 5 (new) Boards, Commissions and Committees.]**~~

ARTICLE I

GENERAL PROVISIONS

3-1. Legislative authority.

~~_____A.~~

~~This Administrative Code is established in accordance with the provisions of RSA 49-C:21. The Administrative Code may be amended from time to time pursuant to the provisions of RSA 49-C:21.~~

~~_____B.~~

~~Should any section or provision of the Administrative Code be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the~~



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~~validity of this Administrative Code as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.~~

~~_____C.~~

~~The City Manager may issue administrative regulations promulgating procedures, administrative policies and programs of the City to supplement this Administrative Code. These regulations, together with the Administrative Code and any other standard operating procedures established by subordinate departments, shall conform to the requirements of the ordinances of the City of Dover, existing collective bargaining agreements and all other applicable state and federal laws.~~

~~3-2 Departments.~~

~~The administrative service of the city shall consist of the following departments, and the department head shall be known by the titles shown:~~

~~**Department — Department Head**~~

~~_____*~~

~~Executive — City Manager~~

~~*~~

~~Finance — Finance Director~~

~~*~~

~~Fire and Rescue — Fire Chief~~

~~*~~

~~Public Welfare — Director of Public Welfare~~

~~*~~

~~Public Library — Director of Public Library~~

~~*~~

~~Community Services — Director of Community Services~~

~~*~~

~~Planning and Community Development — Director of Planning and Community Development~~

~~*~~

~~Police — Police Chief~~

~~*~~

~~Recreation — Director of Recreation~~

~~3-3 Powers and duties of department heads.~~



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~~_____A.~~

~~Department heads shall be responsible for the efficient and cost effective operation of their departments on a courteous, cooperative and friendly basis while interacting with citizens of Dover and all other departments. They shall perform all duties and exercise all the powers conferred upon their office by applicable laws, ordinances and resolutions.~~

~~_____B.~~

~~Department heads may prescribe departmental rules and regulations not inconsistent with general law, the City Charter, the Administrative Code, City ordinances, administrative regulations, and the provisions of the Merit Plan for the administration of their departments, conduct of the employees and the proper performance of department functions.~~

~~_____C.~~

~~Department heads may, with the approval of the City Manager, establish department divisions and subunits as may be desirable in the interest of economy and efficiency in accordance with sound administrative principles and practices.~~

~~_____D.~~

~~Department heads shall be responsible for satisfactory maintenance and care of all city property and buildings assigned to their department.~~

~~_____E.~~

~~Department heads shall be responsible for preparing and submitting routine and special reports on the operation of their departments to the City Manager or to any state or federal agencies as required.~~

~~_____F.~~

~~All employees shall be under the immediate supervision of their respective department heads and or designees, and all employees in the Classified Service shall be compensated on the basis of a uniform pay plan.~~

3-4 Appointment of department heads; compensation ;



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_____A.

~~All department heads shall be appointed, as provided by the City Charter, for indefinite terms, on the basis of merit and fitness to perform their duties and may be removed by the City Manager for misconduct or inefficiency as provided for in the City Charter, Merit Plan and state statute.~~

_____B.

~~The compensation of all department heads shall be fixed by the provisions of the Merit Plan.~~

~~3-5 Authority and functions of the City Manager~~

_____A.

~~Pursuant to section C5-5 of the City Charter, the City Manager shall have the following authority and shall perform the following functions:~~

_____1)

~~The City Manager shall be the administrative head of the city and shall perform all the duties and have all the responsibilities prescribed by the City Charter, by ordinance, resolution and state law.~~

2)

~~The City Manager shall supervise the heads of all departments established by this Code and shall have the power to suspend and discipline, and to perform or delegate duties and responsibilities to the department heads.~~

ARTICLE II MUNICIPAL DEPARTMENTS

~~3-6 Executive.~~

~~There shall be an Executive Department, under the direct supervision of the City Manager, who shall be responsible for human resources, legal, economic~~



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~~development and information systems functions and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff.~~

3-7 Finance

~~There shall be a Finance Department, under the direct supervision of a Director, who shall be responsible for accounting, purchasing, tax collection, treasurer, assessment, water/sewer billing, audit, city clerk services, elections and budget functions and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff.~~

3-8 Fire & Rescue

~~There shall be a Fire & Rescue Department, under the direct supervision of a Fire Chief, who shall be responsible for fire and emergency medical services, emergency management and inspection functions and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff. The Fire Chief shall have all the powers conferred upon fire wardens by law. The Fire Chief shall be the emergency management director with all duties and powers associated with the position pursuant to state law.~~

3-9 Public Welfare

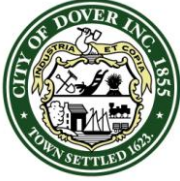
~~There shall be a Public Welfare Department, under the direct supervision of a Director, who shall be responsible for providing public welfare and benefit functions and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff.~~

3-10 Public Library

~~There shall be a Public Library Department, under the direct supervision of a Director, who shall be responsible for providing library service functions and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff.~~

3-11 Community Services

~~There shall be a Community Services Department, under the direct supervision of a Director, who shall be responsible for providing engineering, public works, utilities, facilities and grounds, environmental, solid waste and recycling, and fleet maintenance functions, and who shall administer the functions of the department~~



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~~with appropriate supervisory, clerical and labor staff. The Community Services Director, or designee, shall be the tree warden and road agent pursuant to state law.~~

3-12 Planning and Community Development

~~There shall be a Planning and Community Development Department, under the direct supervision of a Director, who shall be responsible for planning and community development functions, and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff.~~

3-13 Police

~~There shall be a Police Department, under the direct supervision of a Police Chief, who shall be responsible for public safety and public parking functions, and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff. The Police Chief shall have all powers contained in state law.~~

3-14 Recreation Programs

~~There shall be a Recreation Department, under the direct supervision of a Director, who shall be responsible for recreational programming and who shall administer the functions of the department with appropriate supervisory, clerical and labor staff.~~

ARTICLE III PURCHASING CODE

3-15 Purpose.

~~The purposes of this Chapter are to standardize the purchasing procedures of the City, thereby increasing savings and protection of the taxpayers' money, to set forth the duties and responsibilities of the department heads in order to foster interdepartmental cooperation and trust with the office of the Purchasing Agent, and to assign all responsibility for purchasing to the Purchasing Agent.~~

3-16 Applicability of Article and compliance with Charter.

~~This Chapter shall apply to all purchases for all departments and agencies of the city pursuant to C6-16 of the Dover City Charter.~~



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3-17 Definitions.

For the purposes of this Chapter, the following terms, phrases, words and their derivations shall have the following meanings:

_____A.

~~**BID MOST ADVANTAGEOUS TO THE CITY** means the lowest responsible and responsive bid taking into consideration the price, the quality of the commodity or service, and the service reputation and experience of the bidder.~~

_____B.

~~**COMPETITIVE BIDDING** means the formal process involving sealed written bids as a means of achieving the bid most advantageous to the City for goods and services.~~

_____C.

~~**EMERGENCY PURCHASE** means a purchase occasioned by a potential threat to public health, safety or to property.~~

_____D.

~~**PURCHASE ORDER** means the document used to accomplish the purchase of goods and/or services.~~

_____E.

~~**GOODS AND SERVICES** means the complete array of purchases of the city, including but not limited to, supplies, commodities, equipment, construction materials and labor, consulting services, and training.~~

_____F.

~~**GROUP PURCHASE** means the purchase made by the Purchasing Agent by combining two (2) or more department requisitions in one (1) purchase order.~~

_____G.

~~**INFORMAL BID** means a quotation obtained from the vendor(s) in writing or by oral communication.~~



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— H.

~~LIST OF APPROVED VENDORS~~ means the list of vendors who have qualified to bid on city purchases of goods and services.

— I.

~~PURCHASE AMOUNT~~ means the total cost of goods or services including all determinable associated costs, e.g. construction, engineering, delivery, setup and training. Where the purchase consists of small frequent charges, the aggregate twelve (12) month cost of goods or services shall be used to determine the amount of a purchase and the applicability of the specific sections of the Purchasing Code.

— J.

~~SPECIFICATIONS~~ means the quantity and qualitative standards set by department heads as a guide to the Purchasing Agent and as a measure of quality which successful vendors must achieve. Specifications shall not unnecessarily restrict purchases as to trade name or eliminate bids being submitted on items that have the same specifications without a specific trade name.

~~3-18 Appropriations for purchases; availability of funds~~

~~No purchases shall be made until the City Council has approved the necessary appropriation, or in the case of federal or state grants to the city, the grant award has been received. The Finance Director, or designee, shall certify the availability of funds for all purchases.~~

~~3-19 Authority of the Purchasing Agent~~

— A.

~~The Purchasing Agent is authorized to purchase goods and/or services for the use of one or more departments. All requests for goods and services shall be made to the Purchasing Agent by the department heads, or their designees.~~

— B.

~~The Purchasing Agent shall maintain a list of approved vendors.~~

~~3-20 Use of credit cards~~



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~~_____A.~~

~~Credit cards issued by the City may be used for the purchase of goods and services pursuant to administrative regulations on the use of credit cards.~~

~~3-21 Small purchases (less than \$1,000)~~

~~_____A.~~

~~Small Purchases of less than One thousand dollars (\$1,000) may be executed by informal, direct purchasing by the head of a department, or designee, on forms provided by the Purchasing Agent.~~

~~_____B.~~

~~A copy of the purchase order shall be turned in to the Purchasing Agent within seven (7) days of the purchase.~~

~~C.~~

~~Small Purchases shall not be used if it is known or estimated, based on historic experience, that the aggregate twelve (12) month total cost of said purchases may exceed One thousand dollars (\$1,000).~~

~~_____D.~~

~~Department heads should take appropriate steps to attain the best pricing practical when making Small Purchases.~~

~~_____E.~~

~~Informal bidding may be employed by the Purchasing Agent when requested by a department head.~~

~~3-22 Emergency purchases~~

~~_____A.~~

~~Emergency Purchase orders may be executed for emergency purchases not exceeding Five thousand dollars (\$5,000). A copy of the Emergency Purchase Order and report shall be sent to the Purchasing Agent within seven (7) days of the Emergency~~



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~~Purchase. The Purchasing Agent shall report the Emergency Purchase Order to the Finance Director and the City Manager.~~

~~3-23 Quote purchases (\$1,000-\$9,999.99)~~

~~_____A.~~

~~The Purchasing Agent shall conduct bidding for Quote Purchases of One thousand dollars (\$1,000) to Nine thousand nine hundred ninety nine dollars and ninety nine cents (\$9,999.99). Quote bidding shall consist of a minimum of three quotes whenever possible..~~

~~_____B.~~

~~Verbal or oral quotes shall be required for Quote Purchases from \$1,000 to \$4,999.99.~~

~~_____C.~~

~~Written quotes from vendors are required for Quote Purchases from \$5,000 to \$9,999.99.~~

~~_____D.~~

~~Oral, verbal and written quotes shall be solicited by telephone, direct mail, direct conversation or by electronic means..~~

~~3-24 Competitive bidding purchases (\$10,000 or more); waiver~~

~~_____A.~~

~~The Purchasing Agent shall advertise and conduct Competitive Bidding for purchases of goods and services of Ten thousand dollars (\$10,000) or more.~~

~~_____B.~~

~~Competitive Bidding may be waived by a majority vote of the City Council.~~

~~3-25 Competitive bidding~~

~~The procedure for Competitive Bidding is:~~

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~~_____A.~~

~~Competitive Bidding shall be initiated by the Purchasing Agent with a notice of solicitations for bidding sent to vendors and/or by advertising. The notice shall contain Specifications as to quantity and quality, date and time for the closing of bids, the date and time for opening bids, and other details regarding the bidding process. All solicitations shall note that all purchases are subject to the conditions set forth in the City Purchasing Code.~~

~~_____B.~~

~~The Purchasing Agent shall solicit at least three (3) vendors when available on every purchase requiring Competitive Bidding unless exempted by the provisions of this ordinance. Bids shall be awarded to the vendor whose bid is the most advantageous to the City of Dover. In the event less than three (3) bids are received, the City Purchasing Agent may award the purchase on the basis of the bid most advantageous bid to the City of those submitted, or, may order a re-bidding.~~

~~_____C.~~

~~Technical specifications for bids shall state information as broadly as practicable, yet shall be specific enough to describe the requirements of the purchase. Non-technical specifications for bids shall state the quality required in general terms.~~

~~_____D.~~

~~Formal, sealed bids shall be submitted by qualified vendors before the bidding deadline, but may be withdrawn by any bidder before the deadline. After the bidding deadline the Purchasing Agent shall receive no further bids, and no bidder shall withdraw a bid. The City shall have custody of all bids submitted pursuant to this Purchasing Code.~~

~~_____E.~~

~~In accordance with RSA 447:16, the Purchasing Agent shall require security from vendors for construction projects estimated to be in excess of Twenty five thousand dollars (\$25,000). The elements of a purchase to be secured include, but are not limited to, the following:~~

~~_____1)~~



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~~A Bid Bond to secure the bid price plus an additional ten percent (10%) of the bid price from the time of bid opening until signing of the contract, in case of default by the bidder.~~

~~_____2)~~

~~A Performance Bond in the amount of one hundred percent (100%) of the contract price to insure compliance with and completion of the contract.~~

~~_____3)~~

~~A Labor and Materials Bond in the amount of one hundred percent (100%) of the contract price to insure payment to suppliers and subcontractors by the contractor.~~

~~_____F.~~

~~The form of the security shall be prescribed by the Purchasing Agent and may consist, but is not limited to, bonds issued by surety companies licensed within the United States, certified checks and irrevocable letters of credit at banks acceptable to the City. The Purchasing Agent may waive the bond requirements on a case-by-case basis with the approval of the City Manager. The Purchasing Agent may include security requirements for projects less than Twenty-five thousand dollars (\$25,000) and in other types of purchases where doing so is advantageous to the City with the approval of the City Manager.~~

~~_____G.~~

~~In each and every case where bids are presented to the City Council for award, information presented to the City Council shall include solicitation information and bid amounts.~~

~~_____H.~~

~~The Purchasing Agent shall open bids, read them in public, inspect them and process for award. In determining the bid most advantageous to the City, the Purchasing Agent shall, whenever possible, analyze the bids so that the bids are compared on an equitable basis as determined in the sole discretion of the Purchasing Agent.~~

3-26 Major construction projects; prequalification of bidders



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~~_____A.~~

~~In the case of contracts for the construction, reconstruction, alteration, repair, or refurbishing of real property where the estimated cost of the project is in excess of One hundred thousand dollars (\$100,000), a determination of the responsibility of interested contractors may precede the issuance of invitations to bid. Invitations to bid shall be issued only to firms who have, in the Purchasing Agent's sole determination, been pre-qualified.~~

~~_____B.~~

~~The pre-qualification process shall include the following:~~

~~_____1)~~

~~The ability, capacity, and skill of the bidder to perform the contract or provide the service required.~~

~~2)~~

~~Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference.~~

~~3)~~

~~The character, integrity, reputation, judgment, experience, efficiency of the bidder.~~

~~4)~~

~~The quality of performance of previous contracts or services.~~

~~5)~~

~~The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service.~~

~~6)~~

~~The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.~~

~~7)~~

~~The quality, availability, and adaptability of the supplies or contractual services to the particular use required.~~

~~8)~~

~~The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.~~

~~9)~~

~~The number and scope of conditions attached to the bid~~

~~10)~~

~~The amount of total direct and indirect costs which would accrue to the city on account of the bid.~~

~~11)~~



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~~These rules and regulations may also include other special considerations not contrary to the law.~~

3-27 Negotiations after bidding

~~_____A.~~

~~The Purchasing Agent shall reserve the right to reject any and all bids together with the right to negotiate with the bidder submitting the bid most advantageous to the City for a lower price.~~

3-28 Professional services

~~In the purchase of accounting, architectural, auditing, engineering, legal and medical services and purchases of independent professional consultant services for personnel, data processing, insurance, actuarial, planning, management, and other comparable purchases the following procedures may be followed:~~

~~_____A.~~

~~An invitation shall be developed which will include a description of the scope of services and desired result and which shall request qualifications and an expression of interest.~~

~~_____B.~~

~~The invitation shall be given adequate public notice by posting in two public places, and by publication in a newspaper of general circulation.~~

~~_____C.~~

~~Depending on the scope of the project, up to six applicants shall be selected to submit formal proposals.~~

~~_____D.~~

~~The Purchasing Agent shall develop a request for proposals, including terms, conditions, and other requirements and identifying the purpose of the work, the result desired, the specific work components the consultant is expected to perform, and the responsibilities of the applicant and the City.~~



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_____E.

~~Proposals shall be evaluated and selection made on the basis of demonstrated competence and qualification for the services required at a fair and reasonable price. In addition to price, and where applicable to a particular project, the following factors shall be used in awarding the contract:~~

_____1)

~~Specific experience with similar projects.~~

2)

~~Specific experience with earlier phases of the same project.~~

3)

~~Background and experience of staff members who would be assigned to the job.~~

4)

~~Availability.~~

5)

~~Locality of the firm.~~

6)

~~Ability to communicate ideas.~~

7)

~~Ability to supply all of the major disciplines necessary to perform the work.~~

8)

~~Qualifications of subcontractors.~~

9)

~~Conceptual designs.~~

10)

~~Accuracy of the firm in estimated time and cost requirements.~~

_____F.

~~Interviews may be a part of the selection process.~~

_____G.

~~On award, all contracts for professional services shall be formalized in a written agreement signed by the applicant and the City Manager.~~

3-29 Exceptions to competitive bidding

~~Competitive Bidding shall not apply to the following:~~



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~~_____A.~~

~~Emergency Purchases: The City Manager may waive the competitive bidding procedures when there exists an emergency as determined by the City Manager. All attempts shall be made to obtain the most competitive price within the time available. The City Manager shall report all such emergency purchases to the City Council at their next regular meeting.~~

~~_____B.~~

~~Purchases made through the State of New Hampshire, other governmental agencies, or cooperative buying groups: The Purchasing Agent may, with approval by the City Manager, waive bidding procedures when purchasing can be accomplished through the State of New Hampshire or at State bid prices, other governmental agencies or cooperative buying groups.~~

~~_____C.~~

~~Change orders: The Purchasing Agent is authorized to issue change purchase orders for changes in scope or quantity of an existing purchase. Changes orders for a vendor may be permitted up to the limits of the available appropriation when the services are within the original scope of services. A change order may also be issued up to a cumulative amount of Twenty-five thousand dollars (\$25,000) without further City Council approval.~~

~~_____D.~~

~~Requests for proposals (RFP): The Purchasing Agent may solicit competitive proposals if he/she determines that compiling detailed technical specifications is not feasible or advantageous. Solicitation and award of RFP's is subject to other provisions of the Purchasing Ordinance.~~

~~_____E.~~

~~Regional purchasing: The Purchasing Agent may participate in solicitations to bid conducted by the City of Dover or another city or town where the goal is to bid for goods and services for more than one city, town or other government entity subject to other provisions of the Purchasing Ordinance.~~

~~_____F.~~



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~~Sole Source purchases where the proposed purchase is manufactured or provided by only one entity.~~

~~_____G.~~

~~Purchases under extensions of contracts when the same or lower price is extended for another year or part of a year.~~

~~_____H.~~

~~Purchases under intergovernmental agreements or contracts which require use of procurement procedures consistent with the provisions of this section~~

~~_____I.~~

~~Expert consulting for litigation~~

3-30 Reporting.

~~A. The Purchasing Agent shall report exceptions to the bidding and award requirements to the City Manager.~~

~~B. All purchases of goods and services of Five thousand dollars (\$5,000) or more shall be reported to the City Council by the City Manager on a monthly basis following said purchases.~~

3-31 Other exemptions to bidding and approval requirements.

~~Payments and purchases exempt from the bidding and City Council approval requirements due to their nature or other statutory provisions include:~~

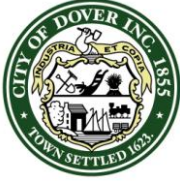
~~_____A.~~

~~Utility consumption costs including electrical, natural gas, water and sewer.~~

~~_____B.~~

~~Telecommunication charges.~~

~~_____C.~~



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~~Advertising.~~

~~_____D.
Postage.~~

~~_____E.
Federal, state and local taxes.~~

~~_____F.
Court judgments.~~

~~_____G.
Workers Compensation claims.~~

~~_____H.
Debt service payments.~~

~~_____I.
Police special investigative costs where disclosure may jeopardize an investigation.~~

3-32 City Council approval (\$25,000 or more)

~~All purchases of goods and services of Twenty five thousand dollars (\$25,000) or more shall be approved or rejected by majority vote of the City Council prior to the awarding of such purchases. The City Manager is authorized to sign a contract containing the terms and conditions of the bid award. The amount of the authorization shall be limited so as not to exceed available funding.~~

3-33 Re-bidding.

~~The City Purchasing Agent is authorized to re-bid any or all items which have been noticed for bidding where less than three (3) bids have been received, or where no bid most advantageous to the City has been received.~~



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~~3-34 Contract processing.~~

~~The City Manager is designated as the contracting officer of the City. Purchases involving contracts are subject to all other provisions of the Purchasing Code.~~

~~3-35 Conditions of purchase.~~

~~All purchases which shall be made by the City shall be subject to the following conditions:~~

~~_____A.~~

~~All purchases shall be awarded on the basis of the bid most advantageous to the City;~~

~~_____B.~~

~~All purchases shall be subject to the reservation of the right by the City to accept or reject any or all bids.~~

~~_____C.~~

~~When an award of purchase shall be recommended to other than the low bidder, the Purchasing Agent shall submit such recommendation to the City Manager for approval or disapproval. Should the City Manager reject such recommendation, the award shall be made to the bid most advantageous to the City, unless all bids are rejected.~~

3-36 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.~~



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~~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.~~

~~3-37 Duties of department heads for Purchasing Code.~~

~~All department heads shall:~~

~~_____A.
Determine acceptable quality of good and services to be purchased.~~

~~_____B.
Cooperate with the Purchasing Agent in establishing lists of approved specifications and vendors.~~

~~_____C.
Share knowledge of special factors which will implement a policy designed to enable the City to minimize cost and maximize quality.~~

~~_____D.
Supply the Purchasing Agent with a list of estimated annual requirements of frequently used supplies, thereby fostering group purchasing.~~

~~_____E.
Prepare requisitions with a view toward group purchasing and keep corresponding records to facilitate debiting on city financial records.~~

~~_____F.~~



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~~Be empowered to reject any good or services on grounds of high cost or low quality, and provide the Purchasing Agent with a detailed written report explaining the reasons for such rejection.~~

~~_____G.~~

~~Report to the Purchasing Agent obsolete and excess assets, including:~~

~~_____1)~~

~~Items beyond use.~~

~~2)~~

~~Items being replaced or to be replaced.~~

~~3)~~

~~Items no longer of use to the departmental operation.~~

~~_____H.~~

~~Foster regular purchasing procedures to minimize direct purchases.~~

3-38 Exchange for goods and services.

~~Any transfer of City assets, waiving or abatement of fees, or performance of City services in exchange for goods and services to be received by the city shall be deemed a purchase and shall be subject to the provisions of the Purchasing Code as determined by the fair market value of the City assets, fees, and/or services being exchanged.~~

3-39 Environmental concerns, required language

~~_____A.~~

~~Solicitations utilized by the City or any agency thereof for the purpose of soliciting bids, proposals, price quotations, or providing instructions to bidders shall contain the following language: "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.~~



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~~3-40 Conflicts of interest.~~

~~No employee, officer, agent of the City shall participate in the award or administration of a contract in which he or she, or any member of his or her immediate family has an interest. No such employee, officer, or agent shall participate in the award or administration of a contract with any person, firm, partnership, or corporation in which he or she or any member of his or her immediate family is an officer or employee or is about to become an officer or employee.~~

~~3-41 Pecuniary benefit~~

~~No employee, officer, or agent of the City who is participating or is about to participate in the award or administration of a contract shall either solicit or accept any pecuniary benefit from any firm, person, partnership, or corporation involved in such contract. For the purpose of this section, the definition of “pecuniary benefit” shall mean any advantage in the form of money, property, commercial interest, or anything else, the primary significance of which is economic gain.~~

~~3-42 Public access to procurement information~~

~~Procurement information shall be a governmental record to the extent provided in New Hampshire RSA 91-A:4 and RSA 91-A:5 and shall be available to the public. Proprietary information shall be considered a governmental record.~~

~~3-43 Savings provision~~

~~Nothing in this Purchasing Code is intended to invalidate or in any way limit the term of any contract or special service agreement lawfully made prior to the effective date of this subchapter.~~



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ORDINANCE BACKGROUND MATERIAL:

In January of 2012 the Council began Authenticating the Charter and noted that the Administrative Code was missing a key Article that historically belonged in the Administrative Code. Where the Code consists of:

Article I - Departmental Organization
Article II - Municipal Departments
Article III - Purchasing Procedure
Article IV - Boards and Commissions

Article IV was moved and a new Chapter 5 in the CODE was instead used. This is contrary to proper Council Administration and to the Charter as historic references throughout voter history and Charter Revisions has referred to C5-9 Departments in our Charter to refer to the Administrative Code inclusive of all 4 sections.

The Dover City Council wishes to restore the appropriate Article IV and all the descriptions of the Departments and Committees that were presumably removed in 2010.



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Ordinance Number: **O – 2012.08.22 – 13**
Ordinance Title: Boards, Commissions and Committees
Chapter: 5

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to delete Chapter 5, entitled “BOARDS, COMMISSIONS AND COMMITTEES”

2. AMENDMENT

Chapter 5 entitled “BOARDS, COMMISSIONS AND COMMITTEES” is hereby deleted. This Chapter will be included in Chapter 3 “Administrative Code” through O-2012.08.22.

Per Charter C3-8 the deleted text is provided in struck out.

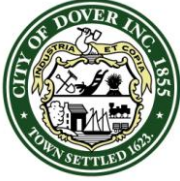
3. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING

AUTHORIZATION

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Councilor Michael Crago Councilor Catherine Cheney Councilor Michael Weeden
Approved as to Legal Form:	Allan B. Krans, Sr. General Legal Counsel		
Recorded by:	Karen Lavertu City Clerk		



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Ordinance Title: **Boards, Commissions and Committees**
Chapter: **5**

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Dean Trefethen		
Deputy Mayor, Robert Carrier, At Large		
Councilor Edward Spuler, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Michael Crago, Ward 3		
Councilor Dorothy 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.		



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Chapter: **5**

~~BOARDS, COMMISSIONS AND COMMITTEES~~

~~CHAPTER 5~~

~~5-1. Establishment 5-2. Board of Health 5-3. Cemetery Board 5-4. Library Board of Trustees 5-5. Recreation Advisory Board 5-6. Dover Arena Commission 5-7. Personnel Advisory Board 5-8. Planning Board 5-9. Dover Utilities Commission 5-10. Zoning Board of Adjustment 5-11. Board of Trustees 5-12. Solid Waste Advisory Commission 5-13. Dover Arts Commission 5-14. Transportation Advisory Commission 5-15. Joint Fiscal Committee 5-16. Dover Business and Industrial Development Authority 5-17. McConnell Center Advisory Committee 5-18. Parking Commission 5-19. Conservation Commission 5-20. Dover Pools Advisory Committee 5-21. Dover Housing Authority 5-22. Energy Commission~~

~~5-1. Establishment~~

~~A) There shall be the following boards, commissions and committees in the City of Dover:~~

- ~~— 1) Board of Health~~
- ~~— 2) Cemetery Board~~
- ~~— 3) Library Board of Trustees~~
- ~~— 4) Recreation Advisory Board~~
- ~~— 5) Dover Arena Commission~~
- ~~— 6) Personnel Advisory Board~~
- ~~— 7) Planning Board~~
- ~~— 8) Dover Utilities Commission~~
- ~~— 9) Zoning Board of Adjustment~~
- ~~— 10) Board of Trustees~~
- ~~— 11) Building Code Board of Appeals~~
- ~~— 12) Solid Waste Advisory Commission~~
- ~~— 13) Dover Arts Commission~~
- ~~— 14) Transportation Advisory Commission~~
- ~~— 15) Joint Fiscal Committee~~



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- ~~— 16) Dover Business and Industrial Development Authority~~
- ~~— 17) McConnell Center Advisory Committee~~
- ~~— 18) Parking Commission~~
- ~~— 19) Conservation Commission~~
- ~~— 20) Dover Pools Advisory Committee~~
- ~~— 21) Dover Housing Authority~~
- ~~— 22) Energy Commission~~

~~— B) All boards and commissions shall serve in an advisory capacity only, unless otherwise empowered by state statute, City Charter or ordinance.~~

~~— C) All appointments to boards, commissions and committees shall serve for the terms appointed and until a successor shall have been appointed and qualified, unless any board or commission member is absent for four (4) consecutive meetings or four (4) regular meetings in a calendar year, whereby a vacancy shall be created in the position, and said vacancy shall be filled by the appointing authority. Appointments made to fill any vacancies shall be for full terms to begin the date of appointment by the appointing authority unless otherwise provided in state statute. Conditions for removal of any board member shall be defined by statute, ordinance or the Charter.~~

~~— D) All board and commission members shall be residents of the City of Dover except for those members presently serving. All exceptions shall be approved by the City Council.~~

~~— E) All boards, commissions and committees shall adopt rules subject to the approval of the City Council. Rules may contain provisions for the establishment of subcommittees consisting of members appointed by the City Council.~~

~~— F) The City Council may appoint a City Councilor as an ex-officio non-voting liaison to any board, commission or committee to report to the City Council on a periodic basis.~~

~~— G) The City Council shall appoint members to boards, commissions and committees to achieve a membership consisting of staggered terms to assure continuity~~



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~~in the functioning of boards, commissions and committees. Exceptions to the length of the term of appointment may be made by the City Council at the time of appointment to achieve staggered terms.~~

~~_____ H) Staff members may be assigned as liaisons to assist the board, commission or committee at the discretion of the City Manager.~~

~~_____ I) The City Council may appoint ad hoc committees for special projects for limited durations.~~

~~_____ J) All appointments of city councilors as regular or alternate members of a board, commission or committee shall be on an ex-officio non-voting basis, said appointment not to exceed the two-year term of office, this provision applies prospectively.~~

5-2. Board of Health

~~_____ A) MEMBERSHIP. The Board of Health shall consist of five (5) members including a physician and a dentist.~~

~~_____ B) TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.~~

~~_____ C) AUTHORITY AND DUTIES: The Board of Health shall perform the following functions:~~

~~_____ 1) Study, consider and recommend to the City Council and the City Manager, or designee, general policies for public health in the City of Dover.~~

5-3. Cemetery Board

~~_____ A) MEMBERSHIP: The Cemetery Board shall consist of five (5) members and~~



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~~two (2) alternates.~~

~~_____ B) TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.~~

~~_____ C) AUTHORITY AND DUTIES: The Cemetery Board shall perform the following functions:~~

~~_____ 1) Study, consider and recommend to the City Council and the City Manager, or designee, general policies for the operation of the Cemetery Division of the Community Services Department.~~

5-4. Library Board of Trustees

~~A) MEMBERSHIP: The Library Board of Trustees shall consist of five (5) members.~~

~~B) TERMS OF MEMBER: Members shall be appointed to terms of five (5) years.~~

~~C) AUTHORITY AND DUTIES: The Library Board shall perform the following functions:~~

~~_____ 1) Study, consider and recommend to the City Council and the City Manager, or designee, general policies regarding the operation of the Dover Public Library;~~

~~_____ 2) Advocate, promote and perpetuate the growth, prosperity and the usefulness of the public library.~~

5-5. Recreation Advisory Board

~~_____ A) MEMBERSHIP: The Recreation Advisory Board shall consist of nine (9) members and three (3) alternates.~~

~~_____ B) TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.~~



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~~_____ C) AUTHORITY AND DUTIES: The Recreation Advisory Board shall perform the following functions:~~

~~_____ 1) Study, consider and recommend, to the City Council and the City Manager or designee, general policies for the provision of recreation programs and facilities.~~

5-6. ~~Dover Arena Commission~~

~~_____ A) MEMBERSHIP: The Dover Arena Commission shall consist of five (5) members and two (2) alternate members,~~

~~_____ B) TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.~~

~~_____ C) AUTHORITY AND DUTIES: The Dover Arena Commission shall perform the following functions:~~

~~_____ 1) Study, consider and recommend to the City Council and the City Manager or designee, general policies for the operation of the Dover Arena.~~

5-7. ~~Personnel Advisory Board~~

~~_____ A) MEMBERSHIP. The Personnel Advisory Board shall consist of three (3) members according to the provisions of C7-6 of the Dover Charter. The duties shall conform to the Charter.~~

5-8. ~~Planning Board~~

~~_____ A) MEMBERSHIP. The Dover Planning Board shall consist of nine (9) members pursuant to the provisions of RSA 673:2 (I-a) and three (3) alternates pursuant to RSA 673:6 and consistent with Dover ordinance Chapter 41. Planning Board members may only serve on other municipal boards and commissions pursuant to RSA 673:7.~~

~~_____ B) TERMS OF MEMBERS. Members shall be appointed to terms of three (3) years consistent with the provisions of RSA 673:5 (II). The terms for member~~



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~~appointments shall be made to allow for subsequent appointments to occur on a staggered basis.~~

~~——— C) AUTHORITY AND DUTIES: The duties and authority of the Planning Board shall comply with RSA 672-677 and Chapter 41.~~

~~5-9. Dover Utilities Commission~~

~~——— A) MEMBERSHIP: The Dover Utilities Commission shall consist of seven (7) members and one (1) alternate.~~

~~——— B) TERM OF MEMBERS: Members shall be appointed to terms of three (3) years.~~

~~——— C) AUTHORITY AND DUTIES: The Dover Utilities Commission shall perform the following functions:~~

~~——— 1) Study, consider and recommend to the City Council and the City Manager, or designee, general policies for the operation of the water and sewer functions of the Community Services Department;~~

~~——— 2) Hear and decide abatement appeal requests filed by citizens regarding administrative abatement decisions.~~

~~5-10. Zoning Board of Adjustment~~

~~——— A) MEMBERSHIP: The Zoning Board of Adjustment shall consist of five (5) members, and three (3) alternates.~~

~~——— B) TERMS OF MEMBERS. Members shall be appointed to terms of three (3) years.~~

~~——— C) AUTHORITY AND DUTIES: The Zoning Board of Adjustment shall have duties and responsibilities pursuant to RSA 672-677. The members shall also perform the duties of a Building Code Board of Appeals pursuant to RSA 674:34. The members~~



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shall also perform the duties of Building Code of Appeals, pursuant to RSA 674:34.

5-11. Board of Trustees

~~A) MEMBERSHIP: The Board of Trustees shall be comprised of five (5) members, one (1) of whom shall be the Finance Director on an ex-officio basis with voting privileges. Other members shall be citizens of Dover who shall have experience in the field of professional banking and financial matters.~~

~~——— B) TERM OF MEMBERS: The Finance Director shall hold a position as a member of the Board of Trustees for a term concurrent with the term of office as Finance Director. Remaining members shall be appointed to terms of three (3) years.~~

~~——— C) AUTHORITY AND DUTIES: The Board of Trustees shall have all of the authority and perform all of the duties as may be provided by state law relating to the administration of trust funds of the municipal corporation.~~

5-12. Solid Waste Advisory Commission

~~——— A) MEMBERSHIP: The Solid Waste Advisory Commission shall consist of seven (7) members~~

~~——— B) TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.~~

~~——— C) AUTHORITY AND DUTIES: The Solid Waste Advisory Commission shall perform the following functions:~~

~~——— 1) Study, consider and recommend to the City Council and the City Manager, or designee, general policies for provision of solid waste and recycling programs and facilities.~~

5-13. Dover Arts Commission



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~~_____ A) MEMBERSHIP: The Dover Arts Commission shall consist of nine (9) members~~

~~_____ B) TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.~~

~~_____ C) AUTHORITY AND DUTIES: The Arts Commission shall perform the following functions:~~

~~_____ 1) Study, consider and recommend to the City Council and the City Manager or designee, general policies for the arts in the City of Dover.~~

~~_____ 2) Develop and promote programs, forums and exhibits that highlight the talent and active art related venues currently existing within the City.~~

5-14. Transportation Advisory Commission

~~_____ A) MEMBERSHIP: The Transportation Advisory Commission shall consist of nine (9) members and two (2) alternates including one (1) member of the City Council, one (1) representative of the Cooperative Alliance for Seacoast Transportation (Coast) Public Transit System, and three (3) staff members assigned by the City Manager. All as ex-officio members shall have voting privileges. Four members shall be citizen members~~

~~_____ B) TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.~~

~~_____ C) AUTHORITY AND DUTIES: The Transportation Advisory Commission shall perform the following functions:~~

~~_____ 1) Review transportation policy and safety matters involving conventional vehicles, transit, alternative modes (i.e. pedestrian and bicycles), and commercial vehicles, and attendant amenities;~~

~~_____ 2) Serve as a sounding board for citizens' traffic, pedestrian and safety issues and making recommendations to Council or staff for appropriate action.;~~

~~_____ 3) Solicit feedback from the School Department regarding sidewalk and crosswalk safety issues on a quarterly basis;~~



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- ~~4) Assist with developing the City Transportation Improvement Program (TIP) by soliciting citizen input on needed projects for submission to the Planning Board and City Council;~~
- ~~5) Study issues arising under the City of Dover Master Plan as they relate to transportation;~~
- ~~6) Make recommendations to the City Council and/or Planning Board and study and prepare reports to aid in the development, implementation and general improvement of the Master Plan relating to transportation in the City of Dover;~~
- ~~7) May hold public hearings for neighborhood transportation related reconstruction projects~~

5-15. ~~Joint Fiscal Committee~~

~~A) MEMBERSHIP: The Joint Fiscal Committee shall consist of all elected members of the Dover School Board and the Dover City Council.~~

~~B) TERMS OF MEMBERS: The members shall serve for the length of their respective terms on the Dover School Board and the Dover City Council.~~

~~C) MEETINGS AND AGENDAS: The Joint Fiscal Committee shall meet at dates and time mutually agreeable to the Chair of the School Board and the Mayor, but at least three times per year.~~

- ~~1) The first regular meeting of the year shall be called to discuss the formulation of the annual budget and shall occur prior to February 1 of each year;~~
- ~~2) The second regular meeting shall be called to discuss the general fund budget and shall occur prior to May 1 of each year;~~
- ~~3) The third regular meeting of the year shall be called to discuss the Capital Improvements Plan (CIP) and shall occur prior to October 15 of each year.~~
- ~~4) Other subjects may be discussed at any meeting pursuant to an advance agenda prepared by mutual agreement of the Chair of the School Board and the Mayor in consultation with their respective bodies.~~



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~~5) In addition, either the Chair of the School Board or the Mayor may initiate additional special meetings throughout the year by contacting his or her counterpart. An agenda for special meetings shall be prepared in advance by mutual agreement of the Chair of the School Board and the Mayor in consultation with their respective bodies.~~

~~6) The location of meetings and seating arrangements shall be selected to promote effective communication, to enhance collegiality, and to honor the elected status of the members of each body on an equal basis.~~

~~7) The Chair of the School Board and the Mayor shall alternate presiding over the meetings on a meeting by meeting basis.~~

5-16. ~~Dover Business and Industrial Development Authority~~

~~_____ A) MEMBERSHIP. The Dover Business and Industrial Authority shall consist of not less than nine (9) and no more than fifteen (15) members including the City Manager, Economic Development Director and Mayor as ex-officio non-voting members. The majority of board members shall reside in Dover.~~

~~_____ B) TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.~~

~~_____ C) AUTHORITY AND DUTIES: The duties and functions of the Dover Business and Industrial Development Authority shall be governed by RSA 162-G.~~

5-17. ~~McConnell Center Advisory Committee~~

~~_____ A) MEMBERSHIP: The McConnell Center Advisory Committee shall consist of seven (7) members and two (2) alternates including three (3) tenant representatives.~~

~~_____ B) TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.~~

~~_____ C) AUTHORITY AND DUTIES. The McConnell Center Advisory Committee shall have the following functions:~~

~~_____ 1) Advocate for achieving the mission of the McConnell Community Center.~~

~~_____ 2) Review the operations budget recommended to City Manager.~~

~~_____ 3) Seek and recommend tenants to the City of Dover.~~

~~_____ 4) Assist in the creation and dissemination of publicity related to the McConnell~~



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Community Center:

- ~~_____ 5) Foster collaborative programming between tenants of the McConnell community center and other agencies.~~
- ~~_____ 6) Study, consider and recommend policies for the operation of the McConnell Center.~~

5-18. ~~Parking Commission~~

~~_____ A) MEMBERSHIP: The Parking Commission shall consist of six (6) members with representation as follows:~~

- ~~_____ 1) Four (4) Dover residents; and~~
- ~~_____ 2) Two (2) Dover commercial property or business owners.~~

~~_____ B) TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.~~

~~_____ C) AUTHORITY AND DUTIES: The Parking Commission shall perform the following functions:~~

- ~~_____ 1) Assist with the development, implementation and continued monitoring of a comprehensive public parking system throughout the City.~~
- ~~_____ 2) Review and develop recommendations for the ongoing financing and operation of public parking services and facilities to include:~~
- ~~_____ 3) Making recommendations to the City Council and City Manager for the maintenance and implementation of an overall public parking plan that defines goals, policies, regulations and their enforcement.~~
- ~~_____ 4) Making recommendations to the City Council and City Manager with respect to funding for a parking activity fund.~~
- ~~_____ 5) Making recommendations to the Planning Board, the City Council and City Manager with respect to capital improvement programming as it relates to public parking facilities.~~
- ~~_____ 6) Making recommendations to the City Council and City Manager with respect to special parking districts, related maintenance programs and their funding and management.~~
- ~~_____ 7) Promoting communication and the exchange of ideas and concerns between users of public parking, property owners, merchants, and City agencies.~~



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~~8) Acting to promote public awareness of public parking areas in the city.~~

5-19. Conservation Commission

~~A) MEMBERSHIP: The Conservation Commission shall consist of not less than three (3) and not more than seven (7) members. One member may be a member of the Planning Board pursuant to RSA 36-A.~~

~~B) TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years.~~

~~C) AUTHORITY AND DUTIES. The Conservation Commission shall have the powers and duties established by state law pursuant to RSA 36-A and consistent with Dover ordinance Chapter 14.~~

~~D) OPEN LANDS COMMITTEE. The Conservation Commission may establish an Open Lands Committee as a subcommittee within its Rules subject to the appointing authority of the City Council and subject to the approval of the rules by the City Council.~~

5-20. Dover Pools Advisory Committee

~~A) MEMBERSHIP: The Dover Pool Advisory Committee shall consist of seven (7) members and two (2) alternate members. In addition, there shall be one city councilor appointed on an ex officio non-voting basis.~~

~~B) TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years~~

~~C) AUTHORITY AND DUTIES: The Dover Pool Advisory Committee shall perform the following functions:~~

~~1) Study, consider and recommend to the City Council and City Manager, or~~



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~~designee, general policies for the operation of the Dover Pools.~~

5-21. ~~Dover Housing Authority~~

~~_____ A) MEMBERSHIP: The Housing Authority shall consist of five (5) members appointed by the City Manager pursuant to state statute.~~

~~_____ B) TERMS OF MEMBERS. The Commissioners shall be appointed to five (5) year terms pursuant to state statute.~~

~~_____ C) AUTHORITY AND DUTIES: The functions and duties of the Housing Authority shall be as provided in Chapter 203 of the New Hampshire Revised Statutes Annotated.~~

5-22. ~~Energy Commission~~

~~_____ A) MEMBERSHIP: The Energy Commission shall consist of seven (7) members, and two (2) alternates.~~

~~_____ B) TERMS OF MEMBERS: Members shall be appointed to terms of three (3) years consistent with the provisions of RSA 38-D:3.~~

~~_____ C) AUTHORITY AND DUTIES. The Energy Commission shall have the powers and duties established by state law pursuant to RSA 38-D:~~

~~_____ 1) Any appropriation established by the City Council for use by the Energy Commission shall be held in an Energy Commission Fund and disbursed in accordance with RSA 38-D subject to the requirements of the City's purchasing procedures and accounting requirements as administered by the City Manager.~~



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Chapter: 5

ORDINANCE BACKGROUND MATERIAL:

This resolution is to delete Chapter 5 BOARDS COMMISSIONS and COMMITTEES which will be restored to Article IV – Boards and Commissions in Chapter 3 Administrative Code under a separate Ordinance. The Ordinance change was presented contrary to the Charter C3-8, information was not provided in the format outlined and the Council voted without that material present. In January of 2012 the Council began Authenticating the Charter and noted that the Administrative Code was missing a key Article that historically belonged in the Administrative Code. Where the Code consists of:

- Article I - Departmental Organization
- Article II - Municipal Departments
- Article III - Purchasing Procedure
- Article IV - Boards and Commissions



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.3.

Ordinance Number: **O – 2012.09.12- 14 - n0**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 3, entitled “Administrative Code”

2. AMENDMENT

Chapter 3 entitled “Administrative Code” is hereby amended as follows:

ARTICLE I

DEPARTMENTAL ORGANIZATION

3-2. Powers and duties of department heads. [Amended 2-21-90 by Ord. No. 1-90]

- A. Department heads shall be responsible for the ~~courteous and efficient operation of their department.~~ efficient and cost effective operation of their departments on a courteous, cooperative and friendly basis while interacting with citizens of Dover and all other departments. They shall perform all the duties and exercise all the powers conferred upon their office by applicable laws, ordinances and resolutions.
- B. Department heads may prescribe departmental rules and regulations not inconsistent with general law, the City Charter, ~~this~~ the Administrative Code, City ordinances, administrative regulations, and the provisions of the Merit Plan for the administration of their various departments, conduct of the employees and the proper performance of the ~~department's business~~ department functions.
- C. Department heads may, with the approval of the Manager, establish ~~such~~ departmental divisions and the subunits as may be ~~deemed~~ desirable in the interest of economy and efficiency ~~and in accordance~~ with sound administrative principles and practices



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.3.

Ordinance Number: **O – 2012.09.12- 14 - n0**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

3-2

3-4

~~D. Department heads shall be responsible for maintaining the operation of their department on a close, courteous and friendly basis of cooperation with the citizens of Dover and with all other departments.~~

E. D. Department heads shall be responsible for satisfactory maintenance and care of all city property and buildings assigned into their department.

F. E. ~~Each department head~~ Department heads shall be responsible for preparing and submitting ~~both~~ routine and special reports on the operation of their departments to the City Manager or to any state or federal agencyies as required.

G. ~~At such time as may be requested by the City Manager, department heads shall submit an itemized estimate of the expenditures for the next fiscal year for their department for use in preparation of the proposed budget for said year.~~

H. ~~Department heads shall be responsible for following the provisions of this Administrative Code establishing a purchasing and control system with respect to purchases and contracts for their department.~~

E. All employees shall be under the immediate supervision of their respective department heads and or designees, and all employees in the Classified Service shall be compensated on the basis of a uniform pay plan.

3. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.3.

Ordinance Number: **O – 2012.09.12- 14 - n0**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor Michael Crago
Councilor Catherine Cheney
Councilor Michael Weeden

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

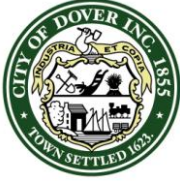
Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.3.

Ordinance Number: **O – 2012.09.12- 14 - n0**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

ORDINANCE BACKGROUND MATERIAL:

This ordinance changes the compensation of department heads from the City Council direction to the City Manager direction.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.4.

Ordinance Number: **O – 2012.09.12 – 15 - n1**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 3, entitled “Administrative Code”

2. AMENDMENT

Chapter 3 entitled “Administrative Code” is hereby amended as follows:

ARTICLE II MUNICIPAL DEPARTMENTS

3-5. Executive Department.

~~F. The Office of the City Clerk shall be administered by a City Clerk who shall perform the following functions: [Added 05-18-94 by Ord. No. A05-94]~~

- ~~(1) Serve as Clerk of the City Council and prepare, maintain, publish and index all proceedings of the City Council as required.~~
- ~~(2) Arrange for all elections, maintain all election records and have custody of all property used in connection therewith.~~
- ~~(3) Obtain and maintain all statistics on births, marriages and deaths as required by law.~~
- ~~(4) Notify the City Manager, at least thirty (30) days prior thereto, of the expiration of terms of all members of boards and committees.~~
- ~~(5) File and preserve, as required, all contracts, bonds, oaths of office and other documents.~~
- ~~(6) Issue all licenses and permits and collect all fees, as required by statute and ordinance unless otherwise provided, and deposit these collections with the City Treasurer.~~
- ~~(7) Be custodian of the official City Seal.~~
- ~~(8) Notify promptly the City Manager and board chairpersons of Council actions of concern to the department and/or employees under their jurisdiction.~~



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.4.

Ordinance Number: **O – 2012.09.12 – 15 - n1**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

- ~~(9) Keep the ordinances of the city up to date and maintain a record of all amendments thereto.~~
- ~~(10) Perform all duties and exercise all powers incumbent upon or vested in city clerks by the laws of the State of New Hampshire.~~
- ~~(11) Schedule the use of special rooms, council chambers, and auditoriums as required.~~
- ~~(12) Perform all other related functions as required.~~

3-9. Finance Department.

(7) The Office of the City Clerk shall be administered by a City Clerk who shall perform the following functions: [Added 05-18-94 by Ord. No. A05-94]

- (1) Serve as Clerk of the City Council and prepare, maintain, publish and index all proceedings of the City Council as required.
- (2) Arrange for all elections, maintain all election records and have custody of all property used in connection therewith.
- (3) Obtain and maintain all statistics on births, marriages and deaths as required by law.
- (4) Notify the City Manager, at least thirty (30) days prior thereto, of the expiration of terms of all members of boards and committees.
- (5) File and preserve, as required, all contracts, bonds, oaths of office and other documents.
- (6) Issue all licenses and permits and collect all fees, as required by statute and ordinance unless otherwise provided, and deposit these collections with the City Treasurer.
- (7) Be custodian of the official City Seal.
- (8) Notify promptly the City Manager and board chairpersons of Council actions of concern to the department and/or employees under their jurisdiction.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.4.

Ordinance Number: **O – 2012.09.12 – 15 - n1**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

(9) Keep the ordinances of the city up to date and maintain a record of all amendments thereto.

(10) Perform all duties and exercise all powers incumbent upon or vested in city clerks by the laws of the State of New Hampshire.

(11) Schedule the use of special rooms, council chambers, and auditoriums as required.

(12) Perform all other related functions as required.

3. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING

AUTHORIZATION

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Councilor Michael Crago Councilor Catherine Cheney Councilor Michael Weeden
Approved as to Legal Form:	Allan B. Krans, Sr. General Legal Counsel		
Recorded by:	Karen Lavertu City Clerk		



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.4.

Ordinance Number: **O – 2012.09.12 – 15 - n1**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.4.

Ordinance Number: **O – 2012.09.12 – 15 - n1**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

ORDINANCE BACKGROUND MATERIAL:

This ordinance delete the City Clerk's Office, removing it from Article II Municipal Departments 3-5 Executive Department F. The Office of the City Clerk.

This ordinance adds (6) The Office of the City Clerk to 3-9. Finance Department.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.5.

Ordinance Number: **O – 2012.09.12 – 16 - n2**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 3, entitled “Administrative Code”

2. AMENDMENT

Chapter 3 entitled “Administrative Code” is hereby amended as follows:

ARTICLE I

DEPARTMENTAL ORGANIZATION

~~3-4.1 Administrative Office Hours. [Added 9-22-82 by Ord. No. 17-82; amended 8-27-86 by Ord. No. 13-86; amended 03-19-97 by Ord. No. 06-97; amended 04-08-98 by Ord #04-98]~~

~~A.. All Administrative Offices of the City of Dover whether located in City Hall or elsewhere in the City, shall be open at least 40 hours per week at times which are convenient for the conduct of business by the citizens of Dover and others wishing to do business with the city.~~

~~B. The specific hours of operation shall be established by the City Council, with the advice of the City Manager, by resolution.~~

3. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING

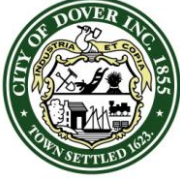
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor Michael Crago
Councilor Catherine Cheney
Councilor Michael Weeden

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

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.5.

Ordinance Number: **O – 2012.09.12 – 16 - n2**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.5.

Ordinance Number: **O – 2012.09.12 – 16 - n2**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

ORDINANCE BACKGROUND MATERIAL:

This ordinance deletes 3-4.1 Administrative Office Hours from the Administrative Code Article I Departmental Organization and removes Council oversight.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.6.

Ordinance Number: **O – 2012.09.12 – 17 - n3**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 3, entitled “Administrative Code”

2. AMENDMENT

Chapter 3 entitled “Administrative Code” is hereby amended as follows:

ARTICLE I

DEPARTMENTAL ORGANIZATION

3-3. Appointment of department heads; compensation.

B. The compensation of all department heads shall be fixed by the ~~City Council~~
Merit Plan.

3. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING

AUTHORIZATION

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Councilor Michael Crago Councilor Catherine Cheney Councilor Michael Weeden
Approved as to Legal Form:	Allan B. Krans, Sr. General Legal Counsel		
Recorded by:	Karen Lavertu City Clerk		

DOCUMENT HISTORY:

Document Created by:	O-2012.09.12-n3 Chapter 3, Administrative Code
Document Posted on:	Page 1 of 3



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.6.

Ordinance Number: **O – 2012.09.12 – 17 - n3**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

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

DOCUMENT ACTIONS:

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



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.6.

Ordinance Number: **O – 2012.09.12 – 17 - n3**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

ORDINANCE BACKGROUND MATERIAL:

This ordinance changes the compensation of department heads from the City Council direction to the City Manager direction.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.7.

Ordinance Number: **O – 2012.09.12 – 18 - n4**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 3, entitled “Administrative Code”

2. AMENDMENT

Chapter 3 entitled “Administrative Code” is hereby amended as follows:

ARTICLE II Municipal Departments

3-18. Planning and Community Development Department. [Amended 12-13-89 by Ord. No. 26-89; Amended 07-17-91 by Ord. No. 25-91]

A. The Department of Planning and Community Development, under the supervision of a Planning and Community Development Director, appointed as provided in the City Charter, shall consist of ~~an Inspection Division~~, a Community Development Division, and a Planning Division. Each Division shall consist of such supervisory, technical, and clerical staff as may be recommended by the Planning and Community Development Director and approved by the City Manager.

~~C. The Inspection Division shall be responsible for the following duties: [Added 10-25-78 by Ord. No. 21-78; Amended 09-28-94 by Ord. No. 16-94]~~

~~(1) Enforce the zoning and health ordinances and the building, electrical, plumbing and health codes of the city of Dover.* [Amended 07-17-91 by Ord. No. 25-91]~~

~~(2) Enforce all statutes and ordinances, except as otherwise provided relating to the construction, equipment, alteration, and condition of buildings within the city.~~

~~(3) Inspect plans and specifications of proposed buildings and issue building permits, therefore, maintaining a file of all applications for permits and providing the tax assessment division with copies.~~

~~(4) Visit and inspect every structure upon which work is being done, where a permit is required, as often as necessary.~~

* Editor's Note: See Ch. 170, Zoning; Ch. 68, Building Construction; and Ch. 120, Electrical Standards; and Chapter 135, Plumbing; respectively.

Document Created by:

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CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.7.

Ordinance Number: **O – 2012.09.12 – 18 - n4**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

- ~~(5) Turn over all permit fees received to the City Treasurer daily, keeping a record of the same.~~
- ~~(6) Investigate all complaints relating to nuisances affecting public health that may be brought to its attention. The designated Health Officer shall act as the executive officer of the board of health, shall serve all notices and order issued by the board.~~
- ~~(7) Prepare and maintain all necessary records required by law by the State or City Ordinances.~~
- ~~(8) Procure, study and analyze data concerning public health.~~
- ~~(9) The Health Officer shall investigate and render assistance in reference to private water supplies and septic tanks.~~
- ~~(10) The Health Officer shall investigate all communicable diseases, all sanitary hazards and enforce sanitary laws.~~
- ~~(11) Issue all burial permits.~~
- ~~(12) Inspect all restaurants, cafes, other eating places and vendors of food as required by the city ordinances.~~
- ~~(13) Issue licenses and perform any other functions required by the city ordinances or by the state laws.~~
- ~~(14) The Health Officer shall have and exercise the same power to make arrests as is, by law or ordinance, conferred upon the regular police of the city in all cases where there is a violation of the health laws of the state, city ordinances, orders or regulations.~~
- ~~(15) Perform all other related functions as required.~~

ARTICLE II Municipal Departments



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.7.

Ordinance Number: O – 2012.09.12 – 18 - n4
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

3-10. Fire & Rescue. [Amended 12-21-05 by Ord. No. 20-2005]

A. The Department of Fire & Rescue, under the supervision of a Fire Chief, appointed as specified by the City Charter, who shall have all the powers conferred upon fire wardens by the laws of the State of New Hampshire, RSA Chapter 154:5 shall consist of such forces of permanent officers and call officers as may be recommended by the Fire Chief and approved by the Manager. [Amended 2-21-90 by Ord. No. 1-90]

B. The Fire & Rescue Department shall perform the following functions: [Amended 10-25-78 by Ord. No. 23-78]

C. The Inspection Division shall be responsible for the following duties: [Added 10-25-78 by Ord. No. 21-78; Amended 09-28-94 by Ord. No. 16-94]

(1) Enforce the zoning and health ordinances and the building, electrical, plumbing and health codes of the city of Dover.* [Amended 07-17-91 by Ord. No. 25-91]

(2) Enforce all statutes and ordinances, except as otherwise provided relating to the construction, equipment, alteration, and condition of buildings within the city.

(3) Inspect plans and specifications of proposed buildings and issue building permits, therefore, maintaining a file of all applications for permits and providing the tax assessment division with copies.

(4) Visit and inspect every structure upon which work is being done, where a permit is required, as often as necessary.

(5) Turn over all permit fees received to the City Treasurer daily, keeping a record of the same.

(6) Investigate all complaints relating to nuisances affecting public health that may be brought to its attention. The designated Health Officer shall act as the executive officer of the board of health, shall serve all notices and order issued by the board.

* Editor's Note: See Ch. 170, Zoning; Ch. 68, Building Construction; and Ch. 120, Electrical Standards; and Chapter 135, Plumbing; respectively.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.7.

Ordinance Number: **O – 2012.09.12 – 18 - n4**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

(7) Prepare and maintain all necessary records required by law by the State or City Ordinances.

(8) Procure, study and analyze data concerning public health.

(9) The Health Officer shall investigate and render assistance in reference to private water supplies and septic tanks.

(10) The Health Officer shall investigate all communicable diseases, all sanitary hazards and enforce sanitary laws.

(11) Issue all burial permits.

(12) Inspect all restaurants, cafes, other eating places and vendors of food as required by the city ordinances.

(13) Issue licenses and perform any other functions required by the city ordinances or by the state laws.

(14) The Health Officer shall have and exercise the same power to make arrests as is, by law or ordinance, conferred upon the regular police of the city in all cases where there is a violation of the health laws of the state, city ordinances, orders or regulations.

(15) Perform all other related functions as required.

3. TAKES EFFECT

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

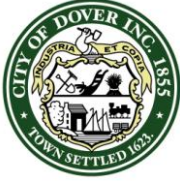
REQUIRES A PUBLIC HEARING

AUTHORIZATION

Document Created by:
Document Posted on:

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CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.7.

Ordinance Number: **O – 2012.09.12 – 18 - n4**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

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

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

Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.7.

Ordinance Number: **O – 2012.09.12 – 18 - n4**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

ORDINANCE BACKGROUND MATERIAL:

This ordinance delete the Inspection Division from 3-18. Planning and Community Development to 3-10 Fire and Rescue.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.8.

Ordinance Number: **O – 2012.09.12 – 19 - n5**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 3, entitled “Administrative Code”

2. AMENDMENT

Chapter 3 entitled “Administrative Code” is hereby amended as follows:

ARTICLE III Purchasing Procedure

[Amended 2-13-80 by Ord. No. 2-80, Amended 04-01-92 by Ord. No. 08-92]

~~3-25. Title.~~

~~This Article shall be known as the "City Purchasing Ordinance" and may be cited as such.~~

3. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING

AUTHORIZATION

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Councilor Michael Crago Councilor Catherine Cheney Councilor Michael Weeden
Approved as to Legal Form:	Allan B. Krans, Sr. General Legal Counsel		
Recorded by:	Karen Lavertu City Clerk		

DOCUMENT HISTORY:

Document Created by:	O-2012.09.12-n5 Chapter 3, Administrative Code
Document Posted on:	Page 1 of 3



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.8.

Ordinance Number: **O – 2012.09.12 – 19 - n5**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

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

DOCUMENT ACTIONS:

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



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.8.

Ordinance Number: **O – 2012.09.12 – 19 - n5**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

ORDINANCE BACKGROUND MATERIAL:

This ordinance deletes the title designation of the Purchasing Ordinance further distancing it from Charter:

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

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



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.9.

Ordinance Number: **O – 2012.09.12 – 20 - n6**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 3, entitled “Administrative Code”

2. AMENDMENT

Chapter 3 entitled “Administrative Code” is hereby amended as follows:

ARTICLE III Purchasing Procedure

[Amended 2-13-80 by Ord. No. 2-80, Amended 04-01-92 by Ord. No. 08-92]

3-36. Optional purchasing methods.

Notwithstanding any other provision of this ordinance to the contrary, the following methods may be employed for the purpose of purchasing goods and services.

A. Emergency waiver of bidding requirements - The bidding procedures may be waived by the City Manager when there exists an emergency as determined by the City Manager. All attempts shall be made to obtain the most competitive price within the time available. The City Manager shall report all such emergency purchases to the City Council at their next regular meeting.

~~B. Purchases made through state; state bid prices - The Purchasing Agent may, with approval by the City Manager, waive bidding procedures when purchasing through the State of New Hampshire or at State bid prices but not superseding 3-39. The bid requirements may apply, at the discretion of the Purchasing Agent.~~

B. Purchases made through the State of New Hampshire, other governmental agencies, or cooperative buying groups: The Purchasing Agent may, with approval by the City Manager, waive bidding procedures when purchasing can be accomplished through the State of New Hampshire or at State bid prices, other governmental agencies or cooperative buying groups.

3. TAKES EFFECT

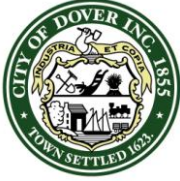
This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

REQUIRES A PUBLIC HEARING

Document Created by:
Document Posted on:

O-2012.09.12-n6 Chapter 3, Administrative Code

Page 1 of 3



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.9.

Ordinance Number: **O – 2012.09.12 – 20 - n6**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor Michael Crago
Councilor Catherine Cheney
Councilor Michael Weeden

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

Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.9.

Ordinance Number: **O – 2012.09.12 – 20 - n6**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

ORDINANCE BACKGROUND MATERIAL:

Article III: 3-36B (also See Article III:3-39 Approval of Purchases by the City Council) changed to Article III:3-29B which Added “cooperative buying groups”;

Before 07-14-2010

3-36. Optional purchasing methods.

- B. Purchases made through state; state bid prices - The Purchasing Agent may, with approval by the City Manager, waive bidding procedures when purchasing through the State of New Hampshire or at State bid prices but not superseding 3-39. The bid requirements may apply, at the discretion of the Purchasing Agent.

3-39. Approval of purchases by the City Council.

All purchases of goods and services of twenty-five thousand dollars (\$25,000) or more shall be approved, rejected or negotiated by majority vote of the City Council prior to the awarding of such purchases. All purchases of goods and services of \$5,000 or more shall be reported to the City Council by the City Manager’s Report for each department on a monthly basis following said purchases. [Amended 03-19-99 by Ord. No. 01-99; amended 05-21-03 by Ord. No. 08-2003]

Subsequent 07-10-2010

3-29 Exceptions to competitive bidding

- B. Purchases made through the State of New Hampshire, other governmental agencies, or cooperative buying groups: The Purchasing Agent may, with approval by the City Manager, waive bidding procedures when purchasing can be accomplished through the State of New Hampshire or at State bid prices, other governmental agencies or cooperative buying groups.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.10.

Ordinance Number: **O – 2012.09.12 – 21 - n7**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 3, entitled “Administrative Code”

2. AMENDMENT

Chapter 3 entitled “Administrative Code” is hereby amended as follows:

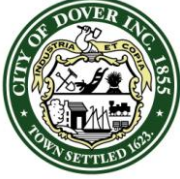
ARTICLE III Purchasing Procedure

[Amended 2-13-80 by Ord. No. 2-80, Amended 04-01-92 by Ord. No. 08-92]

3-36. Optional purchasing methods.

Notwithstanding any other provision of this ordinance to the contrary, the following methods may be employed for the purpose of purchasing goods and services.

- A. Emergency waiver of bidding requirements - The bidding procedures may be waived by the City Manager when there exists an emergency as determined by the City Manager. All attempts shall be made to obtain the most competitive price within the time available. The City Manager shall report all such emergency purchases to the City Council at their next regular meeting.
- B. Purchases made through state; state bid prices - The Purchasing Agent may, with approval by the City Manager, waive bidding procedures when purchasing through the State of New Hampshire or at State bid prices but not superseding 3-39. The bid requirements may apply, at the discretion of the Purchasing Agent.
- C. Blanket purchases - The Purchasing Agent is empowered to bid and award blanket purchase orders for goods and services at an agreed price and/or quantities, but in quantities delivered and paid for as needed, subject to other provisions of the Purchasing Ordinance.
- ~~D. Change purchase orders - The Purchasing Agent is empowered to issue change purchase orders for changes in scope or quantity of an existing purchase. The change purchase amount is subject to other provisions of the Purchasing Ordinance.~~



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.10.

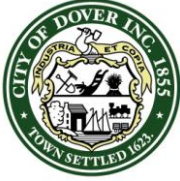
Ordinance Number: **O – 2012.09.12 – 21 - n7**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

D. Change orders: The Purchasing Agent is authorized to issue change purchase orders for changes in scope or quantity of an existing purchase. Changes orders for a vendor may be permitted up to the limits of the available appropriation when the services are within the original scope of services. A change order may also be issued up to a cumulative amount of Twenty-five thousand dollars (\$25,000) without further City Council approval.

3. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.10.

Ordinance Number: **O – 2012.09.12 – 21 - n7**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor Michael Crago
Councilor Catherine Cheney
Councilor Michael Weeden

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

Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.10.

Ordinance Number: **O – 2012.09.12 – 21 - n7**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

ORDINANCE BACKGROUND MATERIAL:

Article III: 3-36D changed to Article III: 3-29C, which took out the \$25K “cap” in accordance with pre-2010 Article III: 3-39

Before 07-14-2010

3-36. Optional purchasing methods.

Notwithstanding any other provision of this ordinance to the contrary, the following methods may be employed for the purpose of purchasing goods and services.

- A. Emergency waiver of bidding requirements - The bidding procedures may be waived by the City Manager when there exists an emergency as determined by the City Manager. All attempts shall be made to obtain the most competitive price within the time available. The City Manager shall report all such emergency purchases to the City Council at their next regular meeting.
- B. Purchases made through state; state bid prices - The Purchasing Agent may, with approval by the City Manager, waive bidding procedures when purchasing through the State of New Hampshire or at State bid prices but not superseding 3-39. The bid requirements may apply, at the discretion of the Purchasing Agent.
- C. Blanket purchases - The Purchasing Agent is empowered to bid and award blanket purchase orders for goods and services at an agreed price and/or quantities, but in quantities delivered and paid for as needed, subject to other provisions of the Purchasing Ordinance.
- D. Change purchase orders - The Purchasing Agent is empowered to issue change purchase orders for changes in scope or quantity of an existing purchase. The change purchase amount is subject to other provisions of the Purchasing Ordinance.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.10.

Ordinance Number: **O – 2012.09.12 – 21 - n7**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

3-36

3-38

- E. Requests for proposals (RFP) - The Purchasing Agent may solicit competitive proposals if he/she determines that compiling detailed technical specifications is not feasible or advantageous. Solicitation and award of RFPs is subject to other provisions of the Purchasing Ordinance.
- F. Regional purchasing - The Purchasing Agent may participate in solicitations to bid conducted by himself or another city or town purchasing agent where the goal is to bid for goods and services for more than one city or town subject to other provisions of the Purchasing Ordinance.

Subsequent 07-10-2010

3-29 Exceptions to competitive bidding

Competitive Bidding shall not apply to the following:

A. Emergency Purchases: The City Manager may waive the competitive bidding procedures when there exists an emergency as determined by the City Manager. All attempts shall be made to obtain the most competitive price within the time available. The City Manager shall report all such emergency purchases to the City Council at their next regular meeting.

B. Purchases made through the State of New Hampshire, other governmental agencies, or cooperative buying groups: The Purchasing Agent may, with approval by the City Manager, waive bidding procedures when purchasing can be accomplished through the State of New Hampshire or at State bid prices, other governmental agencies or cooperative buying groups.

C. Change orders: The Purchasing Agent is authorized to issue change purchase orders for changes in scope or quantity of an existing purchase. Changes orders for a vendor may be permitted up to the limits of the available appropriation when the services are within the original scope of services. A change order may also be issued up to a cumulative amount of Twenty-five thousand dollars (\$25,000) without further



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.10.

Ordinance Number: **O – 2012.09.12 – 21 - n7**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

City Council approval.

D. Requests for proposals (RFP): The Purchasing Agent may solicit competitive proposals if he/she determines that compiling detailed technical specifications is not feasible or advantageous. Solicitation and award of RFP's is subject to other provisions of the Purchasing Ordinance.

E. Regional purchasing: The Purchasing Agent may participate in solicitations to bid conducted by the City of Dover or another city or town where the goal is to bid for goods and services for more than one city, town or other government entity subject to other provisions of the Purchasing Ordinance.

F. Sole Source purchases where the proposed purchase is manufactured or provided by only one entity.

G. Purchases under extensions of contracts when the same or lower price is extended for another year or part of a year.

H. Purchases under intergovernmental agreements or contracts which require use of procurement procedures consistent with the provisions of this section

I. Expert consulting for litigation



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.11.

Ordinance Number: **O – 2012.09.12 – 22 - n8**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 3, entitled “Administrative Code”

2. AMENDMENT

Chapter 3 entitled “Administrative Code” is hereby amended as follows:

ARTICLE III Purchasing Procedure

[Amended 2-13-80 by Ord. No. 2-80, Amended 04-01-92 by Ord. No. 08-92]

3-38. Exemptions to Bidding and Approval Requirements.

Payments exempt from the bidding and City Council approval requirements due to their nature or other statutory provisions include:

- A. Utility consumption costs including electrical, natural gas, water and sewer.
- B. Telephone call charges.
- C. Advertising.
- D. Postage.
- E. Federal, state and local taxes.
- F. Court judgments.
- G. Workers Compensation claims.
- H. Debt service payments.
- I. Police special investigative costs where disclosure may jeopardize an investigation.

J. Expert consulting for litigation



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.11.

Ordinance Number: **O – 2012.09.12 – 22 - n8**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

3. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor Michael Crago
Councilor Catherine Cheney
Councilor Michael Weeden

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

Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.11.

Ordinance Number: **O – 2012.09.12 – 22 - n8**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

ORDINANCE BACKGROUND MATERIAL:

2010 Article III: 3-29I added expert consulting for litigation as an exception to competitive bidding requirements, and should have been added as pre-2010 Article 3-

Before 07-14-2010

3-38. Exemptions to Bidding and Approval Requirements.

Payments exempt from the bidding and City Council approval requirements due to their nature or other statutory provisions include:

- A. Utility consumption costs including electrical, natural gas, water and sewer.
- B. Telephone call charges.
- C. Advertising.
- D. Postage.
- E. Federal, state and local taxes.
- F. Court judgments.
- G. Workers Compensation claims.
- H. Debt service payments.
- I. Police special investigative costs where disclosure may jeopardize an investigation.

Subsequent 07-10-2010

3-29 Exceptions to competitive bidding

Competitive Bidding shall not apply to the following:

A.

Emergency Purchases: The City Manager may waive the competitive bidding procedures when there exists an emergency as determined by the City Manager. All attempts shall be made to obtain the most competitive price within the time available.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.11.

Ordinance Number: **O – 2012.09.12 – 22 - n8**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

The City Manager shall report all such emergency purchases to the City Council at their next regular meeting.

B.

Purchases made through the State of New Hampshire, other governmental agencies, or cooperative buying groups: The Purchasing Agent may, with approval by the City Manager, waive bidding procedures when purchasing can be accomplished through the State of New Hampshire or at State bid prices, other governmental agencies or cooperative buying groups.

C.

Change orders: The Purchasing Agent is authorized to issue change purchase orders for changes in scope or quantity of an existing purchase. Changes orders for a vendor may be permitted up to the limits of the available appropriation when the services are within the original scope of services. A change order may also be issued up to a cumulative amount of Twenty-five thousand dollars (\$25,000) without further City Council approval.

D.

Requests for proposals (RFP): The Purchasing Agent may solicit competitive proposals if he/she determines that compiling detailed technical specifications is not feasible or advantageous. Solicitation and award of RFP's is subject to other provisions of the Purchasing Ordinance.

E.

Regional purchasing: The Purchasing Agent may participate in solicitations to bid conducted by the City of Dover or another city or town where the goal is to bid for goods and services for more than one city, town or other government entity subject to other provisions of the Purchasing Ordinance.

F.

Sole Source purchases where the proposed purchase is manufactured or provided by only one entity.

G.

Purchases under extensions of contracts when the same or lower price is extended for another year or part of a year.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.11.

Ordinance Number: **O – 2012.09.12 – 22 - n8**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

H.

Purchases under intergovernmental agreements or contracts which require use of procurement procedures consistent with the provisions of this section

I.

Expert consulting for litigation



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.12.

Ordinance Number: **O – 2012.09.12 – 23 - n9**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 3, entitled “Administrative Code”

2. AMENDMENT

Chapter 3 entitled “Administrative Code” is hereby amended as follows:

ARTICLE I

GENERAL PROVISIONS

3-1. Legislative authority.

A.

This Administrative Code is established in accordance with the provisions of RSA 49-C:21. The Administrative Code may be amended from time to time pursuant to the provisions of RSA 49-C:21.

B.

Should any section or provision of the Administrative Code be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this Administrative Code as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

C.

The City Manager may issue administrative regulations promulgating procedures, administrative policies and programs of the City to supplement this Administrative Code. These regulations, together with the Administrative Code and any other standard operating procedures established by subordinate departments, shall conform to the requirements of the ordinances of the City of Dover, existing collective bargaining agreements and all other applicable state and federal laws.

3. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.12.

Ordinance Number: **O – 2012.09.12 – 23 - n9**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor Michael Crago
Councilor Catherine Cheney
Councilor Michael Weeden

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

Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.12.

Ordinance Number: **O – 2012.09.12 – 23 - n9**
Ordinance Title: Chapter 3, Administrative Code
Chapter: 3

ORDINANCE BACKGROUND MATERIAL:

Article I of the Administrative Code did not have a Legislative Authority Section. This section is not needed as The New Hampshire Constitution through Article 39 points to a Charter wherein our Charter Article C5-9 describing our Administrative Code. Prior to 07-14-2010 all further authorities to the City Manager and Department Heads is found in other parts of the Administrative Code:

Article I Departmental Organization

3-2 Powers and duties of department heads

3-3 Appointment of department heads; compensation

3-4 Department staff

Article II Executive Department

ARTICLE I

GENERAL PROVISIONS

3-1. Legislative authority.

- a. A. This Administrative Code is established in accordance with the provisions of RSA 49-C:21. The Administrative Code may be amended from time to time pursuant to the provisions of RSA 49-C:21.
- b. B. Should any section or provision of the Administrative Code be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this Administrative Code as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.
- c. C. The City Manager may issue administrative regulations promulgating procedures, administrative policies and programs of the City to supplement this Administrative Code. These regulations, together with the Administrative Code and any other standard operating procedures established by subordinate departments, shall conform to the requirements of the ordinances of the City of Dover, existing collective bargaining agreements and all other applicable state and federal laws.