



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **Media Access Center, McConnell Center**
Meeting Date: **Wednesday, August 14, 2013**
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 – None**
8. **CITIZEN'S FORUM**

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

9. **CITY MANAGER'S REPORT**
10. **APPROVAL OF MINUTES**
 - A. **July 17, 2013 – Workshop Session**
 - B. **July 24, 2013 – Regular Session**
 - C. **July 31, 2013 – Non-Public Session**

11. **MAYOR'S REPORT**

12. **UNFINISHED BUSINESS**

- A. **ORDINANCES IN THE 2nd READING – None**

1. **AUTHORIZATION FOR CITY TO PARTICIPATE IN STATE CLEAN WATER STATE REVOLVING FUND FOR WASTEWATER TREATMENT FACILITY (WWTF) UPGRADE CAPITAL IMPROVEMENT PROJECT (CIP) (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) SPONSORED BY MAYOR TREFETHEN BY REQUEST**

- B. **ORDINANCES IN THE 3rd READING – None**

- C. **RESOLUTIONS – None**



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13. NEW BUSINESS

A. CONSENT CALENDAR

1. **RAFFLE – American Legion Post 8**
2. **RAFFLE – Saint Mary Academy**
3. **ROAD TOLL – American Cancer Society Relay for Life “Angels of Hope”**

4. **RESOLUTION: B12085 BIO SOLIDS DISPOSAL SERVICES CONTRACT EXTENSION**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

5. **RESOLUTION: B14003 DOVER DRAW STRING TRASH BAGS**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

6. **RESOLUTION: OPERATING RULES FOR ARTS COMMISSION**
SPONSORED BY COUNCILOR SPULER

COMMITTEE REPORTS

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

B. RESOLUTIONS

1. **B13057 AWARD OF DESIGN SERVICE FOR DOVER POLICE FACILITY**
SPONSORED BY DEPUTY MAYOR CARRIER

2. **GENERAL LEGAL COUNSEL EMPLOYMENT AGREEMENT**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

3. **ESTABLISHMENT OF OTHER POST EMPLOYMENT BENEFITS (OPEB) IRREVOCABLE TRUST FUND**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

4. **B13075 PHASE II ENVIRONMENTAL SITE ASSESSMENT FIRST STREET**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

5. **MCCONNELL CENTER LEASE WITH COMMUNITY PARTNERS**
SPONSORED BY MAYOR TREFETHEN BY REQUEST



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6. CONTINUATION OF AUTHENTICATION AND CODIFICATION OF THE CITY ORDINANCES

SPONSORED BY COUNCILORS CHENEY, WEEDEN, AND WESTON

C. ORDINANCES IN 1ST READING

1. CHAPTER 170: ZONING, SECTION 28.2: RESIDENTIAL-COMMERCIAL MIXED USE (RCM) OVERLAY DISTRICT E) PROCEDURAL CONCEPTS (TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 11, 2013)

SPONSORED BY MAYOR TREFETHEN, PLANNING BOARD REPRESENTATIVE

14. COUNCIL CORRESPONDENCE

A. LETTER FROM STATE OF NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION, dated July 10, 2013.

B. LETTER FROM COMCAST, dated July 18, 2013.

15. COUNCIL MATTERS OF INTEREST

16. ADJOURNMENT

CITY MANAGER'S REPORT



August 14, 2013

"Even if you're on the right track, you'll get run over if you just sit there."

- Will Rogers

SUBMITTED BY:

J. MICHAEL JOYAL, JR.
CITY MANAGER

**CITY OF
DOVER, NH**

AVAILABLE ONLINE:

WWW.DOVER.NH.GOV

STREETS, WATER, SEWER UPDATES

Utilities: Due to inadequate water pressure, the Water Division installed a temporary four inch line from the Gulf Road water main to the Cocheco Country Club. Cocheco Country club has engaged with a contractor to install a larger line.

A temporary line was installed at Redden Gardens to feed water to another building until the contractor is hired to replace the leaking water line.

The Smith Well rehabilitation continues. A new well has been drilled and crews continue to assist in the project by installing required underground piping and plumbing into the well house.

Crews repaired a service leak at 18 Country Club Estates.

City wide leak detection has concluded. All leaks detected have been repaired. Water demand continues to be in the 2.4 to 2.7 MGD range.

Staff continues painting fire hydrants throughout the city.

Crews responded to Birch Drive for a sewer back-up. The blockage was found to be in the homeowner's service.

Streets/Stormwater: The Highway Division continues to patch various potholes throughout the city as needed. Roadside brush cutting has been completed on Portland Avenue, Broadway, Mount Vernon Street and Tolend Road. Brush removal, sweeping and asphalt patching took place in the Portland Avenue parking lot.

In preparation of paving, crews spot repaired on Broadway as well as Back River Road. On Back River Road, two sections of sidewalk were raised and repaired. Once this work was completed, Broadway was resurfaced with pavement. Back River Road is still undergoing preparation prior to being resurfaced.

Crushed gravel was laid along the shoulders of Columbus Avenue, to repair various washed out areas.

Tri-State Sealcoat & Paving performed cut and patch work as well as installing swales on Henry Law Avenue. After this work was completed, City of Dover crews loamed and seeded the swale in several areas. As part of the Broadway area pavement improvements, Tri-State paved the parking lot at Central Fire Station. Tri-State Sealcoat & Paving will continue to work with street crews to cut and patch problem areas throughout the city.

Stormwater crews replaced a catch basin structure on Academy Street. The swale leading to the catch basin will also be repaired.

Crews utilized the Jet truck to clean out catch basins in trouble areas. The City's annual contracted catch basin cleaning commenced July 1, 2013.

On Knox Marsh Road, crews pulled apart a beaver dam located under the railroad bridge. This area will continue to be monitored and maintained to keep the beavers from backing up drainage.

Streets & Stormwater crews brought along a dump truck and excavator and participated in the Dover Housing Authority Touch-a-Truck earlier in the month.

PROGRAMS AT CITY CENTERS/BUREAUS

Investigations/Legal Bureau: During the month of July 2013, there were three letters generated by the Dover Police Special Investigations Unit that was sent to certain licensed liquor establishments in Dover. The letters are sent as 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 eleven registered sex offenders were processed during the month. The processing of a sex offender can range from the annual, semi-annual, quarterly, or initial registration, and can also include a change of address or other information that must be updated.

The Dover Police Department's Special Investigations Unit and Crime Scene Unit continue the investigation into the murder of a University of New Hampshire student that occurred in Dover in October 2012. In July, a Portsmouth woman pled guilty in Rockingham County Superior Court to charges related to the murder.

The Dover Police Department's Special Investigations Unit and Crime Scene Unit have investigated numerous burglaries throughout the month of July. As a result, two men were arrested in connection with a burglary at a local church. Another man was arrested and charged with six separate residential burglaries throughout the city. These cases, and other burglaries, remain under investigation and more charges are possible.

Also in July, the Dover Police Department's Special Investigations Unit, working in conjunction with Patrol Officers, were able to identify and arrest a man after he committed a robbery on Fourth Street in Dover. In that case, the defendant displayed what appeared to be a handgun in the course of robbing an individual of illegal drugs.

The SIU and CSU also assisted Patrol Officers in the investigation of an attempted armed robbery. In that case, a man was arrested within minutes of attempting to rob a local shoe store at knife point.

The SIU also assisted the New Hampshire State Police and the New Hampshire Attorney General's Drug Task Force in a case involving a "controlled delivery" of illegal drugs. The investigation resulted in the arrest of a local man and the seizure of over twenty pounds of marijuana.

The SIU also investigated three unattended deaths during the month of July.

Parking: During the week of July 22-26, 2013, the city recorded its third busiest use of the parking meter system since its introduction in January of 2011. There were a total of 7,828 users. The two highest weeks were the weeks before Christmas each of the past two years. The increased visits to downtown Dover were likely due in part to the cool, rainy weather sending many visitors to the Children's Museum. During FY13, there were a total of 350,665 recorded uses of the meter system.

Recorded use of the parking system does not include those who arrive after 7 pm, those who park on weekends, or display a handicapped placard/plate. It also does not include the 275 daily permit holders and those who take advantage of the short visit exception to getting a meter receipt for on-street spaces. Recorded use of the system also does not include the use of non-metered parking areas.

Parking Manger Bill Simons continues to work with the Planning Department on the Phase II of the environmental assessments for First Street and Orchard Street parking lots. They are also reviewing potential lease options of the Transportation Center parking lot as well as the possible sale of the School Street parking lot.

The sale of the First Street parking lot will result in the loss of 76 parking spaces downtown. Currently, the parking system can absorb this loss, but careful review must be conducted on the long term needs.

The Parking Bureau has received some comments from merchants and visitors that the short visit exception to getting a meter receipt for on-street spaces could actually be detrimental to commerce as some visitors are making sure they leave the location within the timeframe rather than extend their visit if they bought meter time. The short visit exception policy was strongly welcomed during the introduction of the meter system but may benefit from a review.

Traffic Bureau: Sgt. Speidel, the Traffic Bureau Administrator, helped coordinate all traffic control particulars for the City of Dover Independence Day fireworks celebration on Wednesday, July 4. This included the advance posting of parking restrictions in the Henry Law Park area, deployment of barricades and cones to facilitate road closures and traffic diversions, scheduling and assignment of police personnel, and coordinating with event organizers on other logistical matters.

On July 3, Dover officers participated in the Operation Safe Commute statewide coordinated initiative. The date was selected by the New Hampshire Highway Safety Agency. Extra traffic patrols were performed during peak commuting hours under a contract from NHHSA which reimburses the agency's personnel costs. Targeted violations included following too closely, failure to signal lane changes, speeding, distracted driving, and other moving violations.

On July 13, Sgt. Speidel coordinated a child seat inspection event jointly with the Rollinsford Police Department and the NH Safe Kids Coalition. Parents and caregivers were invited go to the Dover Liberty North End Fire Station for a free safety check of their vehicle and car seat(s). Certified child passenger safety technicians from around the state were on hand to assist.

In addition to the July 13 event, Sgt. Speidel performed a total of 11 child passenger seat inspections during the month of July. This included several checks conducted on the evening of July 24 in partnership with Wentworth-Douglass Hospital's Childbirth Education Center to provide infant child safety seat inspections. Each safety check takes approximately 30 to 60 minutes and involves a review of child restraint systems in the caregiver's vehicle, instruction on proper child seat installation procedures, and discussion of safety precautions specific to the age group. Sgt. Speidel is a certified Child Passenger Safety technician through the Safe Kids Worldwide program, and the Police Department provides this service free of charge.

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

- Tanglewood Drive block party
- Coheco Mill Apartments move-in day
- Seacast Swimming Association swim meets at the Jenny Thompson Pool
- Florence Street block party
- Paving project on Broadway by Brox Industries
- Seacoast Growers Association Farmer's Market on Sixth Street

Patrol: During the month of July, officers handled a total of 2,650 incidents resulting in the following activity / criminal charges:

1020	Traffic Stops
53	Total arrests
7	DWI arrests
5	Arrests for MV charges other than DWI
7	Drug related arrests
4	Arrests for Assault
7	Theft related arrests
3	Arrests for Criminal Mischief
7	Arrests for electronic bench warrants
2	Arrest for violation of court orders
3	Arrests for Criminal Trespass
3	Arrests for Resisting Arrest
2	Arrests for Robbery
3	Arrests for other agency warrants
5	Arrests for Burglary
1	Arrested were juveniles

On July 21, 2013 at approximately 3:45 AM, an officer on patrol observed a vehicle parked in the parking lot of the closed Bellamy Park. The officer contacted the two female occupants of the vehicle and based upon discrepancies in their accounts as to why they were in the lot, and knowing that there had been several recent night time thefts and burglaries, the officer believed that the women were acting as either lookouts or a getaway driver for others in the area. The officer requested that other officers respond to the area to check for other potential suspects. A short time later, two male subjects were

located. A subsequent investigation determined that the men were committing burglaries in the area and that the two women were indeed accomplices sitting in the getaway car. One of the males was linked to several other burglaries in the Dover and Somersworth area.

On July 22, 2013 officers responded to Red's Shoe Barn on Broadway for a reported Robbery. It was reported that a male subject entered the store armed with a knife and demanded a bag of money. The subject left the store without taking any money or property. A responding officer observed a male matching the physical description running from the area. Several officers responded and were able to coordinate the capture of the suspect in the area of the railroad yard off of Forest Street. Additionally, officers were able to locate valuable evidence linking the suspect to the crime. The suspect was charged with Attempted Robbery, Resisting Arrest and Felon in Possession of a Deadly Weapon.

Diversion Program: Due to multiple scheduling conflicts, the Diversion Committee did not meet in July 2013.

Heading into the first August 2013 meeting, below is the current case breakdown:

- (5) cases in active Diversion Contracts
- (0) successful completion and release
- (0) new cases heard (now included w/active case count above)
- (0) new case awaiting review for August 8, 2013 meeting
- (1) case being referred back to juvenile detective for non-compliance

The next planned meeting for the Dover Court Diversion Committee is: Thursday, August 8, 2013.

Dover Housing Authority: Throughout the month, Officer Joslin worked with a particular resident on several issues that she is having with neighborhood juveniles. She has a wide range of complaints involving the children, so Officer Joslin will be meeting with the resident, the other involved parties, and DHA staff to try to mediate the situation.

Officer Joslin also held a neighborhood meeting with several residents at the Niles Park Neighborhood. They said that things are going well and they had no specific concerns or complaints to bring to his attention.

Officer Joslin also met with DHA and SOCC staff to begin planning the 23rd DHA Annual Bike Parade. The event, which will be held on August 15th, will feature the parade of decorated bicycles ridden by the neighborhood children, the police car and fire truck display, dinner, as well as a bounce house, field games and an ice cream buffet.

Also during the month, Officer Joslin met with George Philbrick, the owner of Philbrick's Sports to inquire about a loaner mountain bike for use by police officers during the summer months. Philbrick's Sports agreed to donate two mountain bikes to the Police Department for the rest of the summer season. One of those bikes will be used by Officer Joslin while he patrols the Dover Housing Authority area.

Community Service Program: The Community Service program tracked six active participants in the month of July 2013. Of the six youths in the program, two participated during the month. A total of 8 hours of community service work was completed with none of the participants finishing his/her allocated hours.

So far in 2013, 116 hours of community service have been completed.

Dover Coalition for Youth: From July 21-25, 2013, the Coalition Coordinator attended the Community Anti-Drug Coalitions of America National Leadership Training in Austin, TX. While at the conference, she networked with other coalitions and leaders in the drug prevention field. She also attended a variety of workshops on new drug trends, innovative prevention ideas and coalition sustainability

On July 18, 2013, Alison Glass was recognized as Intern of the Year by the NH Providers Association. Alison worked as an intern with the Dover Coalition for Youth and Dover Youth to Youth during the 2012-2013 school year while she completed her bachelor's degree in social work at UNH. She volunteered for over 450 hours which far exceeded her course requirements. While interning, Alison was able to help coordinate community outreach projects, train students, help facilitate meetings and so much more. Alison was awarded a plaque during the NH Providers Association's annual meeting and the Coalition received a \$100 donation.

Dover Youth to Youth: From July 8-12, 2013, Dover Youth to Youth held its annual Summer Training Camp for new members at the McConnell Center. Twenty-four prospective new Youth to Youth members participated in this year's training. In addition, staff and students from the Derry, NH Drug Prevention Coalition also attended the training.

During the week, these participants received a wide variety of drug prevention presentations, received advocacy skills training, and engaged in a wide assortment of prevention projects and activities. Some of these activities included recording PSAs at the radio station, placing informational stickers on alcohol products in local grocery stores, making presentations to several young children in local day care centers and camps, and presenting the information that they learned to their parents at the end of the week. Lastly, the participants held an informational demonstration and press conference in downtown Dover announcing a new focus on Y2Y's Fridge Campaign over the next year. This effort will include broad media and educational efforts to encourage parents to lock up or monitor the alcohol in their home if they have young kids.

Nine members of Dover Youth to Youth attended the Eastern States Drug Prevention Conference held at the University of Rhode Island on July 27-30, 2013. Three of those students were selected to act as youth staff at the conference and several students were also selected to provide two workshops during the week on "Effective Presentation Skills" for youth advocates.

Teen Center: The Dover Teen Center calendar for July 2013 consisted of social programming for our youth participants through our "Summer Zone" Teen Summer Adventure Program.

For the month of July 2013, the Teen Center saw a total of 231 participants, on 18 days of programming, which yielded an average of just under 13 participants per day.

Some program highlights for the month of July 2013 included, but were not limited to the following:

- TC Trip! – “NH Fisher Cats Baseball Game” (7/8)
- TC Classic Trip! – “Canobie Lake Park” w/ Y2Y (7/12)
- TC Trip! – “Old Orchard Beach (7/17)
- TC Sports Event – “Flag Football” (7/18)
- TC Trip! – “Wallis Sands State Beach” (7/23)
- TC Trip! – “Mousam Lake & Marden’s Trip (7/24)
- TC Event – Drop-In Day (7/29)
- TC Trip! – “White Lake State Park” (7/30)

There were three new Teen Center registrations during July 2013.

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 of the Mounted Patrol is below:

20 Pedestrian crosswalk warnings
16 Public assist calls
14 MV pedestrian right of way warnings
6 MV one way warning
3 Trespassing-railroad tracks
3 Speed warning
2 Dog warning
5 MV assist
8 Bicycle/Sidewalk
6 Parking assist
3 Improper Lane
1 MV incident
5 Stop sign violation
10 Skateboarding Downtown
12 Checkups

Animal Control: During the month of July the Police Department handled a total of 96 animal calls. Of those, 42 were handled by Police Officers, 29 were handled by Dispatch and 25 were handled by the Animal Control Officer. Of the 42 handled by officers, the Animal Control Officer followed up on 6

The following is a breakdown of the incidents handled by the Animal Control Officer:

Welfare checks = 6
Wildlife = 2
Found animals = 4

Deceased cats = 2
Lost cat/dog = 2
Dog bites = 2
Assistance = 1
Loose dogs = 5
Barking dog = 1

The Animal Control Officer received 61 voicemail messages during the month of July.

K-9: The Police Department has one K-9 handler, Officer Tim Keefe, who works with a German Shepherd K-9 partner named Grinko.

On May 1st K-9 Grinko underwent surgery to repair an injured ligament. The surgery went well and Grinko is expected to begin physical therapy in August. As a result, there was no training and no callouts during the month of July. Grinko is expected to return to full duty in the early fall.

Traffic Accident Reconstruction Unit: The Traffic Accident Reconstruction Unit had no callouts or training sessions for the month of July.

Communications Bureau: During the month, the Communications Bureau handled 10,401 radio transmissions, 9,219 phone calls, 364 emergency calls, 77 alarms, and 314 customers in the Police Department's lobby.

Recreation Programs: The playgrounds program had daily trips to the Jenny Thompson Pool, and weekly field trips to state parks. Two days were cancelled due to rain.

Theater camps with Jeff Leaf were full and ran at the City Hall Auditorium.

Interval Toning continued their early morning schedule of classes and Yoga continued meeting on Monday & Wednesday nights. Zumba® classes were on-going and a new Drums Alive® fitness program was introduced.

Fall field scheduling is on-going.

Indoor Pool: The Swim teams continued to practice at the Outdoor Pool during the month of July. Seacoast Swimming, Oyster River Otters, Exeter Swim Team, Cannonball Swim and Great Bay Masters have been consistent all season.

Seacoast Swimming Association also hosted a major swim meet which was very well attended. The Jenny Thompson Invitational ran from July 11th through the 14th.

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

Swim Lessons at the Indoor Pool have been very successful. Forty Five classes were offered and most spots filled well in advance. Besides swim lessons, the Indoor Pool has

seen its usual number of Adult Lap swimmers and therapy swimmers on a daily basis, averaging nearly 90 people every day.

ID Pool-Adult Lap Swimmers: 90 swimmers daily

JT Pool-Adult Lap Swimmers: 30 swimmers daily

JT Pool-Rec Swim: 300 swimmers daily

Ice Arena: The Dover Arena ice schedule opened for summer programs on July 7th with a full slate of programs for both youth skaters and adults. The adult hockey leagues are full and Learn to Skate programs and Youth Introduction to Hockey programs continue to be very popular.

Camp Kool is busy with over 50 campers every week this summer. The campers are enjoying the hot summer, especially with the Jenny Thompson pool as a daily activity.

The Seacoast Roller Derby had another bout in July and brought in a team from Bangor, Maine. They continue to practice three days per week at the arena. Their next summer bout is Saturday, August 24, 2013.

Adult and Youth Stick Practice: 556

Senior Center: The Dover Community Senior Center (DCSC) continues their recurring daily activities of Bingo, Bridge, Cribbage, and Mahjonn, Scrabble, Pay Me, and Whist, and many more. The Craft group, Rubber Stamping, Beginner Spanish Class, Intermediate Spanish Class, fitness classes continue to meet.

Dover Bowling Group outing as well as the golf outing took place in July.

The Walking Group continued their walking on Tuesday and Thursday mornings.

The monthly routine of the Visiting Nurse checking blood pressure continued as well.

Summer Ice Cream Party sponsored by Strafford Farms was held on Wednesday July, 17.

Wentworth Douglass Dental Center joined the Senior Center for a special presentation on oral health.

Senior Center Monthly social was held on Friday, July 26th with guest Rob Oultin, regional trainer of AC Delco.

The in-house ukulele band, The Silver Strummers, continue to practice at the center on Wednesday mornings. They have regularly scheduled free performances at many local assisted living facilities.

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

20 members of the self-guided day trip group traveled to Hammond Castle on Wednesday, July 10th.

49 Members went on the Bass River Tour Wednesday, July 24th.

Senior Mystery Lunches: 43

Senior Social: 24

Senior Advisory Meeting: 9

Senior Ice Cream Party: 46

Library Programs: Program attendance at library programs totaled 1,525 in July with 862 children and teens enrolled in the Summer Reading Programs, which is the highest total ever!

1,137 craft projects were made at the Children's Room's "Make-It, Take-It" table. The Dover Public Library hosted 113 public meetings and private tutoring sessions in its meeting rooms.

The library provided 1,849 hours of free public Internet access in July (does not count wi-fi use), plus the Early Literacy computer station in the Children's Room was used 321 times.

The "Book A Librarian" program instructed 4 appointment makers with e-reader help.

PLANNING & ZONING

This past March, the City of Dover was awarded a \$29,500 Community Planning Grant from the New Hampshire Housing Finance Authority to review and develop basic elements for a Tax Increment Financing District and a Transit Oriented Development allowance in the central business district. An RFP was developed in March and in April 2 respondents were interviewed for the role. The Council awarded the bid to hire Monadnock Economic Development Corporation as a consultant to perform the work.

To date, the consultant has interviewed stakeholders, including business owners, property owners, planning board members and members of the City Council. This work along with reviewing documents previously generated by legal and parking staff about the TIF was accomplished in July.

Planning staff worked on the Community Trail in July. This work included working with owners of the New Meadows, located on Lilac Lane, off Knox Marsh Road, to understand the portion of the trail, which is to be placed upon their property. The work will be completed by the developer of the project, in consultation with the Community Trail Committee.

In June, the Department of Planning and Community Development worked with the Massachusetts Institute of Technology to host a roll playing exercise designed to investigate climate adaptation and how it impacts communities. During the month of July staff and MIT students reviewed the exercise and survey results from the exercise. Follow up meetings were held to determine next steps and the process for promoting future exercises.

Planning Board

- Tabled a request for an impact fee waiver by Cocheco Mills Holdings, LLC, Assessor's Map 2, Lots 37 & 37A and Map 3, Lots 63, 63B & 66. This would waive all or part of the recreation impact fee due for 100 Main Street.
- Approved a request for a Minor Lot Adjustment for Gary & Carol Allen, and Jeffrey & Rebekah Greason, Assessor's Map E, Lots 48B, and 49A, zoned R-40. This adjusted the lot line between 163 Tolend Road and a lot on Pacific Drive
- Forwarded a zoning request for adjustments to the RCM Overlay District for Varney Brook LLC. This would adjust the method used to calculate the use allocations within the concept plan for projects in the RCM.
- Approved a request for Site Review by Formax Paper Processing Solutions, Assessor's Map D, Lot 13-4 & 11-2, zoned I-4. This will allow a building addition of 10,643 sq.ft. and increase of 16 parking spaces parking spaces located at 44 Venture Drive.
- Approved a request for a Minor Lot Line Adjustment for Formax Paper Processing line between 44 Venture Drive and a vacant lot.
- Approved a one-year extension and Waiver Request for Six High Street, LLC, Assessor's Map M, Lot 96A , zoned R-40. This allows another year for completion of an approved Open Space Subdivision Plan for Schooner Landing located off Back Road.
- Approved request for a Minor Lot Line Adjustment for Peter H. Russell and Sean R. LaFrance, Assessor's Map 39, Lots 93 and 79, zoned B-5. This will adjust a lot line between a vacant lot on New Rochester Road and 11 Old Rochester Road.

Zoning Board

- Denied a variance request from Robert F. Fisher (Owner: Anne E. Tucker Revocable Trust), 49 Littleworth Road (Tax Map G, Lot 29) located in the Low Density Residential (R-20) District. This request would have allowed a lunch cart on the property where lunch carts are not a permitted use in the R-20 District.
- Approved a variance request from New England Veterinary Cremation Services (Owner: Jewett Commercial Park LLC), 24 Crosby Road, Unit 3 (Tax Map G, Lot 31-3). This would allow a pet crematory where a pet crematory is not a permitted use in the I-2 District

Conservation Commission

- Discussed/Approved funding for :
 - A booth at Apple Harvest Day
 - Mowing the Cassily Field

- Appraising two properties to determine conservation value
- Discussed recommendations from the Conservation and Open Space Chapter
 - Evaluate City-owned Tracts For Conservation Value and Permanent Protection
 - Raise Public Awareness of Accessible Conservation Lands
 - Re-invigorate the Conservation Commission

Transportation Advisory Commission

- Reviewed a request for a crosswalk on Silver Street near Exit 8
- Reviewed a parking concern at the intersection of Court and Union Streets as well as Central Avenue and Union Street

Energy Commission

Discussed:

- Apple Harvest Day
- Solar Power Purchase Agreement Project

DEPARTMENTAL COLLABORATION & ENHANCEMENTS

On three different occasions this month, Dover Police Department utilized the training room at the North End Fire Station for defensive tactics.

The Fire Department taught the Seacoast Titans organization CPR in the North End Training room, 15 personnel participated.

The Deputy Fire Chief covered two shifts in effort to control overtime expenditures.

Dover Fire and Rescue participated in a multi-agency training event with Strafford County Jail. This lays the foundation on a safer new procedure in transporting prisoners to the local hospital.

The new Koha, interlibrary loan system, shared with the 5 Dover public school libraries, is in the process of installation. Annual maintenance costs will be halved with this new open source, cloud-based system.

The Planning and Community Development staff worked with School staff to review previous CIP projects and revise those as part of the FY15 – 20 Capital Improvements Programming.

The Director of Planning and Community Development finalized to work with the Economic Development Director and Parking Manager to draft a Developer's Agreement, which the Council approved on July 24th relative to the redevelopment of the First Street parking lot.

Planning and Community Development staff assisted Inspection staff with a review of outstanding issues on a housing standards complaint on Central Avenue. This work involved meeting with the complainant twice, the owner of the property three times, and holding a site visit of the property. A resolution was worked out with both parties where

the complaints will be addressed in a timely and reasonable manner.

Additional work was completed with Inspections, and Community Services staff on several projects, and took the lead on reaching out to the developers. The plans/projects are as follows:

- Henry Law Park
- 202 Central Avenue
- Thornwood Ln
- Gulf Road
- Oak Street

CITY GROUNDS, FACILITIES & PARKS

Facilities, Grounds & Cemeteries fielded 233 work orders and 8 service calls for the month of July. Pine Hill has been very busy with burials; there were 4 full burials and 8 ash burials this month.

The summer season is underway and employees are working to keep the flower beds weeded, the grass mowed and trash picked-up. Turf treatments have been applied twice and curbside weed control was completed for the second time this season. Mowing of the public turf areas and ball fields is ongoing.

Seasonal employees worked in the Chapel repairing and painting walls and window enclosures and improving the interior appearance of the building. Public Works offices are receiving a fresh coat of paint as well.

There have been ongoing issues at the pools and most recently a chlorinator pump was replaced at the indoor pool.

Filters were replaced in all buildings, fire extinguishers were inspected and the play grounds were inspected. Work on the playgrounds has commenced, replacing kid safe mulch and elements or structures.

Sign work continues in the posting of signs for new developments and replacement of existing signs and posts as needed. Again this month the new trend in the vandalism has continued with most of the activity being in the Fourth Street, Lincoln Street, and Grove Street area. Tagging continues.

The Finance HVAC Replacement Project is underway at City Hall. The investigation to see which avenue is best to resolve the leaks in the roof at City Hall also continues.

An intense watering schedule is in place this summer to make sure the trees that crews planted will survive. There are also several lawn areas crews reseeded, requiring regular attention.

Facilities and Grounds employees continue normal day to day maintenance, clean-up of grounds of municipal buildings. Crews continued to handle daily requests for service at City Hall offices and the Police Department offices. Our employees performed custodial duties at PW Facility, Train Station and City Hall, filling in at the Library and McConnell Center as needed.

The concept plan for improvements to the Henry Law Park playground area is complete. The City and Children's Museum staff will be promoting the project over the summer to

the many park users to help gain more support.

GENERAL UPDATES

The City staff provided support for the Chamber of Commerce by setting up the summer schedule of events. Both worked together to put on the 4th of July celebration as well.

The Fire Department is a member of the Security Committee for the School Department and attended a meeting to review their communication plan.

The Fire Department's Command Staff has been participating with the Dover Chamber for the response and security plan of the Apple Harvest Day event.

The Command Staff of the Fire Department also participated in a RERP meeting, being a host Community for Seabrook Power Plant.

The Fire Chief attended a meeting with multiple state and federal agencies to prepare to participate in a state drill that will involve a crude oil train derailment in Dover. This drill, scheduled for October 22nd will include many agencies and will test Dover's ability to respond to a train derailment and leak of oil into the Cochecho and traveling into the Piscataqua Rivers.

Firefighter Matt Adams, a local resident, was hired recently to fill a vacancy. Matt is an AEMT and Firefighter 2 from Pease Fire Department. Matt grew up in Dover and is a great addition to Fire Department staff. He also has a background in wildland firefighting. It is believed he will complement current personnel with his knowledge and enthusiasm.

In addition to the construction activity noted on the attached Permit Spreadsheet, Inspection Division staff has been spending a significant amount of time conducting inspections at two large in-progress multi-family projects: 100 Main St (Cochecho Mills - 70 units) and 2 Dover St (Woodbury Mills - 42 units).

The Fire Department met with school administration to discuss fire drills for the up-coming school year.

Inspection Services met with Dover Housing Authority staff to discuss the relocation of Cochecho Arts & Technology Academy (CATA) to the Seymour Osman Community Center.

Library staff tweaked loan periods for various item types in anticipation of their new system installation and to enhance customer satisfaction.

The new Adult Services Librarian (Librarian II, 40 hours per week), which replaces the retiring Circulation Librarian, was hired on July 18.

1,485 eBooks and audiobooks were downloaded for free by library patrons in July via the state-wide consortium and the Overdrive Advantage program. There are now 2,686 patrons participating in this program.

The Planning and Community Development staff worked with Johnson Controls to review options for installing HVAC improvements to the second floor of City Hall where improvements were not made in 2011.

CITY OUTREACH

Seventeen citizen surveys were mailed out in July 2013 from the Police Department. Seven surveys were returned. The respondents were asked to rate the officers and dispatchers in terms of attitude, helpfulness, skills and abilities. Dispatcher attitude and helpfulness were rated by 5 of them as excellent; two reported no contact with dispatchers. Their skills/abilities were rated as excellent by six individuals and good by one individual. Officer ratings for attitude and helpfulness were rated excellent by 5 people, good by one person and fair by one person. Officer skills/abilities were rated the same.

The above survey asked the respondents to describe any concerns or suggestions. One respondent had concerns about illegal drugs, desperate homeless people, and the murder of the woman approximately one mile from his or her home.

The on-duty shift (Engine Company and Ambulance) participated in the 4th of July celebration at the Rotary Pavilion Stage.

The on-duty Fire Department shift has been participating in the Cocheco Arts Festival weekly concert series.

Engine 7 participated in the British Soccer Camp for a week by providing interaction and spraying water on the kids during the recent heat wave. Twice a day they went to Shaw Fields.

The North End Station with the Dover Police Department hosted a car seat check point.

The Fire Department hosted three tours at fire stations. Staff participated with Seymour Osman's 30 children on multiple days, Portsmouth Christian Academy and the Dover Children's Center. This is a great educational opportunity to educate the youth on basic fire safety concepts.

The Library continued regular daily exchanges with the public through regular postings on Facebook, Twitter, Pinterest, the library blog, and in two electronic newsletters emailed to over 1,380 customers. The library also re-tweets important notices posted by other community organizations.

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 223 Facebook friends and 410 followers on Twitter.

The Department of Planning and Community Development promoted the Dover Community Trail through the Facebook fan page for the trail (with 513 fans), as well as a Sustainable Dover facebook fan page (with 154 fans).

The Director of Planning and Community sent out 42 letters to new homeowners congratulating them on their purchase, as well as informing them of the current zoning for their property and alerting them to the various methods the department uses to inform and update the public.

Planning and Community Development staff met with residents and property owners to discuss development or redevelopment of over 27 properties in the City.

ACKNOWLEDGEMENTS & EVENTS

The annual 4th of July festivities were held and drew close to 10,000 people to downtown Dover. The Chamber of Commerce deserves credit for their efforts to sponsor and run this event.

Friends of the Library financial contributions for July totaled \$783.40.

The Barbi family donated \$100 to the Dover Public Library for Civil War books in memory of a relative.

Please be advised that Mr. Anthony Blenkinsop has been selected as Dover's new General Legal Counsel. Anthony comes to the City of Dover with considerable experience in providing legal counsel to public sector agencies. He has held progressively responsible positions in the Office of the Attorney General for the State of New Hampshire over the course of the past several years and also has experience serving previously as an appointed planning board member in the City of Portsmouth. Anthony is well respected and has developed successful working relationships with various state agencies providing counsel on matters pertaining to public education, the environment, contracts and general civil litigation. He received his law degree from Suffolk University, is admitted to the NH Bar and is a resident of the City of Portsmouth. Anthony is familiar with the City of Dover's needs and understands the importance of his role in assisting the Mayor and City Council, our various volunteer boards, and our City and School municipal administration in continuing to deliver the responsive and excellent services supporting and enhancing the quality of life in our community that our citizens expect and depend upon. I have selected Anthony after completing final interviews and background checks over the course of the past several weeks. Anthony's selection follows a selection process that involved a review of qualifications, reference and background checks and interviews with a panel consisting of a citizen from the Dover Planning Board, the School Department administration, and department administrators. Anthony was recommended to me unanimously by the interview committee and comes with excellent recommendations not only from the Office of the Attorney General and State agency heads but also other municipal attorneys and managers. I have great confidence that Anthony will serve the City well as our General Legal Counsel not only for his knowledge and proven experience but also the energy and continuing commitment to public service that he brings to the position.

Anthony will begin work starting the last week of this month. His annual salary will be \$88,500.

Once Anthony starts and when you have the opportunity, please do not hesitate to welcome and congratulate Anthony on his selection.

PROFESSIONAL DEVELOPMENT

Inspection staff attended a NH Seacoast Code Officials Assn. seminar concerning engineering & site plan codes.

Capital Improvement Projects Update

Community Services Department

July 2013

BERRY BROOK WATERSHED MANAGEMENT

- Current: The City has received an additional \$8,000 grant through the Gulf of Maine Council from the Royal Canadian Bank to construct a rain garden in the Berry Brook watershed. The rain garden will be constructed this summer.
- Previous: The Berry Brook III grant has been approved by Governor and Council and is now preparing to enter the planning and design phase. Once the BMP's from this grant are installed the effective impervious area in the watershed should be close to 10% down from 30% prior to any work in the watershed. The restoration and best management practices are expected to greatly improve water quality and conditions in Berry Brook.

WASTEWATER TREATMENT PLANT FACILITIES PLAN

- Current: The Great Bay Municipal Coalition communities and NHDES have come to agreement on the Scope of work and the charge questions to be given the expert review panel during the peer review. Selection of the independent peer review experts is under way and should be completed by the end of August.
- Previous: The design of the wastewater plant upgrade is proceeding on schedule with a goal of being ready to bid construction later in 2013. The City continues to work with the Coalition on permitting issues relating to nutrients. The NHDES has agreed to conduct a peer review in cooperation with the Coalition communities thanks to the help of Senator David Watters, Senator Jeb Bradley, and other Senators in the NH Senate. The peer review planning is proceeding with the establishment of charge questions and selection of the review participant experts. The peer review is scheduled to begin at the end of August.

STREET IMPROVEMENTS

- Current: Brox Industries completed paving on Broadway from Central Avenue to Hill Street. Grinding in the Back River Road area has been completed in preparation of paving.
- Previous: Brox Industries was awarded the bid and will continue paving for the City of Dover this summer.

APPLEVALE RECONSTRUCTION

- Current: SUR has minor punch-list items remaining.
- Previous: SUR will begin addressing punch-list items on the project and will finish the top coat of paving this spring.

Total Permits Issued: July 2013

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map	Lot	Construction Value	Fee
13-176	CROWN CASTLE	35	FINCH LANE	RMV. & RPLC. ANTENNAS ON EXISTING	C	M	13	20000	225
13-186	WOODMAN BLOCK HOLDINGS	266	CENTRAL AVENUE	CHANGE OF USE FROM RETAIL TO PERS	C	9	113	0	50
13-214	LIBERTY MUTUAL INS.	50	LIBERTY WAY	INT. RENOV./REMODELING OF OFFICE	A C	E	24	200000	2025
13-120	HOGAN	95	COUNTY FARM CROSS ROAD	CONST./INSTALL AN INGROUND POOL	R	B	10C-2	21000	235
13-181	FAGEN, IRENE	4	CHESLEY STREET	RENOV. A SFD TO INCLUDE AN ADU	R	29	79	60000	625
13-191	KARL	32	ISAAC LUCAS CIRCLE	RENOV./REMODEL A BATHROOM	R	M	90I	27000	295
13-193	SHERIDAN	321	BACK ROAD	REPAIR/RENOVATE THE FRONT PORCH	R	M	105	8000	105
13-199	TOLEND ROAD PROPERTIES	41	MELODY TERRACE	CONST. A SFD W/ATT. GARAGE	R	G	24J	145000	1475
13-200	TOLEND ROAD PROPERTIES, L	43	MELODY TERRACE	NEW CONST. SFD WITH ATT. GARAGE	R	G	24J-5	134000	1365
13-201	TOLEND ROAD PROPERTIES	38	MELODY TERRACE	NEW CONST. SFD WITH ATT. GARAGE	R	G	24J-3	134000	1365
13-204	DOVER POINT PROPERTIES DE	16	SHORE LANE	NEW CONST. SFD WITH ATT. GARAGE	R	L	89G-2	190000	1925
13-207	TUTTLE	22	PARSONS LANE	CONST. A READ DECK ADDITION	R	A	36-10	5400	85
13-208	ELSE	31	BOXWOOD LANE	RPR./RENOV. THE FRONT PORCH	R	B	4-4	7200	95
13-210	MACK, SALLY	2	LANDING WAY	CONST. ATT. GARAGE & FRNT ENTRY	A R	L	L-94D	240000	2425
13-211	SCHUMMRICK	2	CORNERSTONE DRIVE	CONST. A DETACHED GARAGE	R	B	18-51	30000	325
13-212	NOISIN	17	MELODY TERRACE	CONST. A REAR SUNROOM ADDITION	O R	G	24J-2	31000	335
13-213	JANELLE	80	DREW ROAD	ENCLOSE A BREEZEWAY	R	I	94A	5000	75
13-215	HARRINGTON	12	GLENCREST AVENUE	INT. RENO. OF A KITCHEN & 2 BTHRS	R	36	31-B	15000	175
13-216	RIVER VALLEY DRIVE CORP.	29	CHILDS DRIVE	FOUNDATION ONLY FOR SFD	R	N	8A-2	14000	165
13-217	BINGHAM	22	FAIRVIEW AVENUE	CONST. A REAR SCREEN PORCH ADDITI	R	25	27	15000	175
13-219	THAPA., JYOTI	4	BOXWOOD LANE	CONST./INSTALL AN ABOVE GROUND P	R	B	4-37	11000	135
13-220	TOLEND ROAD PROPERTIES, L	25	MELODY TERRACE	NEW CONST. SFD WITH ATT. GARAGE	R	G	24J-2	145000	1475

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map	Lot	Construction Value	Fee
13-221	PADLEY, MELINDA	1	HULL AVENUE	RENOV./RMDL. A KITCHEN & TO FINISH R	R	35	46	40000	425
13-225	SMALL	18	ROBERTS ROAD	CONST. A REAR DECK ADDITION	R	L	95Q	8000	105
13-226	POULIOT	1	ROSE STREET	DEMO. & REMOVE A SFD AND GARAGE	R	267	272-A		50
13-237	GREASON	163	TOLEND ROAD	FINISH ATTIC CONVERT. TO ADD. LIVIN	R	E	48B	3000	55

Total Permits Issued: 26

Total Construction Value: \$1,508,600.00

Total Fees Collected: \$15,790.00

Type of Permits Issued		Certificate of Occupancy's	
Commercial	0	Change of Use	0
Commercial Renovations	2	Commercial	1
Convert 1 to 2 Fmly Dwlg	0	Convert 1 to 2 Fmly Dwlg	1
Two Family Dwelling	0	Two Family Dwelling	0
Multi-Family Dwelling Units	0	Industrial	0
Industrial	0	Renovations	4
Industrial Renovations	0	Manufactured Dwlg	0
Manufactured Dwelling	0	Multi-Family Dwelling Units	0
Single Family Dwelling	5	Single Family Dwellings	19
Renovations Dwelling Unit	14	Accessory Dwelling Unit	0
Demo. of a Dwelling Unit	1		
Accessory Dwelling Unit	0		
		Total	27

PLANNING BOARD APPROVED PROJECTS

NAME	STREET NAME	Total Units	Units Built*	Units left	DATE OF PB SIGNATURE	DATE OF PB APPROVAL	SCRD DATE	PLANNING FILE #	MAP	LOT	EXPIRATION DATE	SCHOOL	Students**	
Code	H = Homes A = Apts. C = Condos													
Multi-Family:														
Paolini	Sheffield Dr	A	8	8	0		9/11/2012	Site	P12-19	K	38		G	0.88
Woodbury Mills	Dover St	A	42	42	0	10/26/2012	6/26/2012	Site	P12-07	27	20	10/26/2017	H	4.62
Cochecho Falls Mills	Central Ave	A	120	74	46	12/20/2011	11/28/2011	Site	P11-60	3	3	12/20/2015	H	13.2
Brick Road	Jefferson Dr	A	24	24	0	5/9/2012	10/25/2011	Site	P11-42	28	9-C	5/9/2017	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	72	48	9/27/2005	9/27/2005	Site	P04-04	H	35C	9/27/2009	W	13.2
Total: Multi-family			335	193	142									15
Subdivisions:														
Child's Subdivision	Kings Highway	H	20	0	20		10/23/2012		P12-20	N	8A-1		H	7.4
Tidewater Farm	Winterberry Dr	H	7	6	1	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	9	0	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	4	5	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	4	6	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	7	9	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	4	6	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	27	45	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
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	24	8	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	7	3	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	16	1	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	20	5	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	14	4	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			329	205	124									128
TOTAL APPROVED UNITS			664	398	266									144
Elderly:														
The Village at Thornwood	Jacqueline Dr/Sonia Dr	H	48	40	8	7/2/2008	3/13/2007		P06-55	M	4	7/2/2011	G	
Arbor Woods	Cielo Dr	H	63	27	36	2/20/2007	1/9/2007	2/20/2007	P06-25	H	4	2/20/2011	W	
Total: Elderly			111	67	44									
APPROVED + ELDERLY			775	465	310									144

* Built or permit issued and unit under construction

** Students are estimated based upon Impact Fee multipliers. THERE IS NO GUARANTEE TO THESE NUMBERS
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City of Dover

Bid Solicitation Report

For July 2013

8/7/2013

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				Household Hazardous Waste Collection	
B14001	07/01/2013	07/24/2013			
Community Services				Dover Draw String Trash Bags	
B14003	07/02/2013	07/30/2013			
Planning				Downtown Pedestrian and Vehicular Access and Streetscape Study	
B14005	07/16/2013	08/15/2013			
Planning				Appraisal Services for Two Properties in Dover	
Q14-002	07/24/2013	08/22/2013			

City of Dover

Bid Solicitation Report

For July 2013

8/7/2013

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				Well Sampling and Monitoring Services	
B14002	07/25/2013	08/22/2013			
Community Services				Non-Fibered Asphalt Emulsion Damproofing	
Q14-004	07/25/2013	08/13/2013			
Community Services				Chestnut Street Sidwalk Improvements	
B14006	07/31/2013	08/27/2013			

Total for

Grand Total All Departments

DAC	PO Date	PO No.	Vendor Name	Amount
Executive	7/9/2013	201400185	COMCAST	\$5,031.50
Community Services Department	7/3/2013	201400116	EJ PRESCOTT, INC	\$5,187.33
Community Services Department	7/16/2013	201400379	DIG SAFE SYSTEMS INC.	\$5,494.20
Community Services Department	7/3/2013	201400120	THE PIPE CONNECTION, LLC.	\$5,575.68
Community Services Department	7/16/2013	201400383	TRAFFIC & PARKING CONTROL CO., INC.	\$6,400.00
Executive	7/17/2013	201400436	SUMMIT TECHNOLOGIES	\$6,495.45
Community Services Department	7/9/2013	201400139	VERMONT RECREATION SURFACING & FENCING	\$6,600.00
City Finance Office	7/16/2013	201400416	PUBLIC SERVICE CO OF NH-CITY	\$7,106.51
Community Services Department	7/9/2013	201400132	MUNICIPAL PEST MANAGEMENT SERVICES, INC.	\$7,560.00
Fire and Rescue	7/9/2013	201400182	SEACOAST CHIEF FIRE OFFICERS MUTUAL AID	\$7,610.90
City Finance Office	7/10/2013	201400198	CANNON SOLUTIONS AMERICA, INC.	\$8,144.00
Tax Assessment	7/9/2013	201400144	TYLER TECHNOLOGIES, INC.	\$8,700.00
Recreation	7/23/2013	201400634	ADVANCED ROOF MANAGEMENT, INC	\$8,800.00
City Finance Office	7/23/2013	201400635	BAYRING COMMUNICATIONS	\$9,897.70
City Clerk Tax Collection	7/10/2013	201400197	NEW HAMPSHIRE PRINT & MAIL SERVICES	\$11,200.00
City Finance Office	7/31/2013	201400863	PUBLIC SERVICE CO OF NH-CITY	\$11,276.80
Community Services Department	7/9/2013	201400136	SOUTHWORTH-MILTON INC	\$11,844.00
Executive	7/16/2013	201400381	NATIONAL RESEARCH CENTER, INC	\$11,850.00
Community Services Department	7/24/2013	201400719	HALL & ASSOCIATES, PLLC	\$12,029.42
Executive	7/16/2013	201400378	CCMSI	\$12,120.96
City Finance Office	7/3/2013	201400113	FAIRPOINT COMMUNICATIONS, INC.	\$12,189.60
Community Services Department	7/9/2013	201400128	DUKES ROOT CONTROL, INC.	\$15,000.00
Police	7/24/2013	201400718	RANSOM ENVIRONMENTAL CONSULTANTS, INC.	\$15,960.00
Executive	7/9/2013	201400183	COMCAST	\$16,269.40
Recreation	7/16/2013	201400331	FILLION ASSOCIATES	\$17,640.00
Community Services Department	7/9/2013	201400140	THE DIRT DOCTORS, LLC	\$23,045.00
Community Services Department	7/24/2013	201400699	TRI-STATE SEALCOATING & PAVING, INC.	\$23,450.00
City Finance Office	7/3/2013	201400108	MS GOVERN	\$26,041.05
Executive	7/31/2013	201400822	CCMSI	\$26,966.10
Recreation	7/30/2013	201400770	D.M. BURNS SECURITY, INC	\$29,073.00
Community Services Department	7/9/2013	201400137	URBAN TREE SERVICE	\$30,000.00

Public Library	7/9/2013	201400142	BYWATER SOLUTIONS, LLC	\$30,100.00
City Finance Office	7/3/2013	201400105	TYLER TECHNOLOGIES, INC.	\$34,227.14
City Finance Office	7/24/2013	201400706	PUBLIC SERVICE CO OF NH-CITY	\$34,969.24
Executive	7/31/2013	201400825	SHEEHAN, PHINNEY, BASS & GREEN	\$37,114.00
City Clerk Tax Collection	7/3/2013	201400106	RESERVE ACCOUNT	\$40,000.00
Recreation	7/23/2013	201400637	CAPITAL CONTRACTORS, INC.	\$42,837.30
Community Services Department	7/17/2013	201400422	HERCULES INCORPORATED	\$43,922.20
Executive	7/3/2013	201400096	CCMSI	\$54,954.98
City Finance Office	7/9/2013	201400131	MACDONALD PAGE & CO, LLC	\$55,000.00
City Finance Office	7/31/2013	201400862	MACDONALD PAGE & CO, LLC	\$55,000.00
Community Services Department	7/9/2013	201400141	SHOEM ROADWAY SERVICES, LLC.	\$59,972.00
Community Services Department	7/9/2013	201400127	BADGER METER INC	\$75,000.00
Public Library	7/30/2013	201400769	BAKER & TAYLOR, INC.	\$105,000.00
Tax Assessment	7/9/2013	201400143	CORCORAN CONSULTING ASSOCIATES, INC	\$135,199.92
Community Services Department	7/9/2013	201400135	PINARD WASTE SYSTEMS, INC.	\$330,000.00
Community Services Department	7/9/2013	201400133	PINARD WASTE SYSTEMS, INC.	\$350,500.00
City Finance Office	7/9/2013	201400130	LGC PROPERTY-LIABILITY TRUST, LLC.	\$380,167.63
Community Services Department	7/9/2013	201400134	PINARD WASTE SYSTEMS, INC.	\$407,000.00

City of Dover

Revenues of Major Funds July 31, 2013

(General Fund Includes Property Taxes and Education Revenues)

	Budget	Range To Date	Year To Date	% Year To Date	Budget Balance	Encumbrance	Budget Available	% Uncollected
REVENUES								
1000 General Fund								
Taxes	\$ 67,862,251	\$ 1,105,450	\$ 1,105,450	2.0%	\$ 66,756,801	\$ -	\$ 66,756,801	(98.4)%
Licenses & Permits	4,392,780	413,840	413,840	9.0	3,978,940	-	3,978,940	90.6
Intergovernmental	2,065,412	-	-	0.0	2,065,412	-	2,065,412	100.0
Charges for Services	3,159,253	179,893	179,893	6.0	2,979,360	-	2,979,360	94.3
Miscellaneous Revenue	1,316,805	33,168	33,168	3.0	1,283,637	-	1,283,637	97.5
Education	11,499,344	50,286	50,286	0.0	11,449,058	-	11,449,058	99.6
Operating Transfers In	327,688	-	-	0.0	327,688	-	327,688	100.0
Sub-total : 1000 General Fund	\$ 90,623,533	\$ 1,782,637	\$ 1,782,637	2.0%	\$ 88,840,896	\$ -	\$ 88,840,896	98.0%
3213 Parking Activity Fund								
Licenses & Permits	\$ 101,280	\$ 5,663	\$ 5,663	6.0%	\$ 95,617	\$ -	\$ 95,617	94.4%
Parking Income	310,000	31,399	31,399	10.0%	278,602	-	278,602	89.9%
Parking Fines	150,000	6,504	6,504	4.0%	143,496	-	143,496	95.7%
Other Financing Sources	0	-	-	0.0	0	-	0	0.0
Sub-total : 3213 Parking Activity Fund	\$ 561,280	\$ 43,565	\$ 43,565	8.0%	\$ 517,715	\$ -	\$ 517,715	92.2%
3320 Residential Solid Waste Fund								
Charges for Services	\$ 950,663	\$ 56,188	\$ 56,188	6.0%	\$ 894,475	\$ -	\$ 894,475	94.1%
Miscellaneous Revenue	0	96	96	0.0	(96)	-	(96)	0.0
Sub-total : 3320 Residential Solid Waste	\$ 950,663	\$ 56,284	\$ 56,284	6.0%	\$ 894,379	\$ -	\$ 894,379	94.1%
3381 McConnell Center Fund								
Miscellaneous Revenue	\$ 625,628	\$ 60,485	\$ 60,485	10.0%	\$ 565,143	\$ -	\$ 565,143	90.3%
Operating Transfers In	168,110	17,814	17,814	11.0	150,296	-	150,296	89.4
Sub-total : 3381 McConnell Center	\$ 793,738	\$ 78,299	\$ 78,299	10.0%	\$ 715,439	\$ -	\$ 715,439	90.1%
3410 Recreation Special Revenue Fund								
Charges for Services	\$ 428,123	\$ 40,182	\$ 40,182	9.0%	\$ 387,941	\$ -	\$ 387,941	90.6%
Miscellaneous Revenue	18,000	210	210	0.0	17,790	-	17,790	98.8
Operating Transfers In	15,500	-	-	0.0	15,500	-	15,500	100.0
Other Financing Sources	119,100	-	-	0.0	119,100	-	119,100	100.0
Sub-total : 3410 Recreation Special Revenue Fund	\$ 580,723	\$ 40,392	\$ 40,392	7.0%	\$ 540,331	\$ -	\$ 540,331	93.0%
5300 Water Fund								
Charges for Services	\$ 4,828,014	\$ 241,609	\$ 241,609	5.0%	\$ 4,586,405	\$ -	\$ 4,586,405	95.0%
Miscellaneous Revenue	25,500	9,981	9,981	39.0	15,519	-	15,519	60.9
Sub-total : 5300 Water Fund	\$ 4,853,514	\$ 251,590	\$ 251,590	5.0%	\$ 4,601,924	\$ -	\$ 4,601,924	94.8%
5320 Sewer Fund								
Intergovernmental	\$ 6,240	\$ -	\$ -	0.0%	\$ 6,240	\$ -	\$ 6,240	100.0%
Charges for Services	5,692,809	276,181	276,181	5.0	5,416,628	-	5,416,628	95.1
Miscellaneous Revenue	36,000	9,461	9,461	26.0	26,539	-	26,539	73.7
Other Financing Sources	1,012,476	-	-	0.0	1,012,476	-	1,012,476	100.0
Sub-total : 5320 Sewer Fund	\$ 6,747,525	\$ 285,642	\$ 285,642	4.0%	\$ 6,461,883	\$ -	\$ 6,461,883	95.8%
6100 Dovernet Fund								
Charges for Services	\$ 513,481	\$ 23,769	\$ 23,769	5.0%	\$ 489,712	\$ -	\$ 489,712	95.4%
Miscellaneous Revenue	25,000	-	-	0.0	25,000	-	25,000	100.0
Operating Transfers In	24,000	-	-	0.0	24,000	-	24,000	100.0
Other Financing Sources	75,289	-	-	0.0	75,289	-	75,289	100.0
Sub-total : 6100 Dovernet Fund	\$ 637,770	\$ 23,769	\$ 23,769	4.0%	\$ 614,001	\$ -	\$ 614,001	96.3%
Total : REVENUES	\$ 105,748,746	\$ 2,562,177	\$ 2,562,177	2.0%	\$ 103,186,569	\$ -	\$ 103,186,569	97.6%

City of Dover

Expenditures of Major Funds

July 31, 2013

(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	\$ 411,699	\$ 18,600	\$ 18,600	5.0%	\$ 393,099	\$ 23,672	\$ 369,427	89.7%
Executive	805,318	39,131	39,131	5.0	766,187	267,168	499,020	62.0
Finance	1,620,731	162,293	162,293	10.0	1,458,438	987,510	470,928	29.1
Planning	491,541	40,376	40,376	8.0	451,165	287,142	164,023	33.4
Misc General Government	903,358	63,191	63,191	7.0	840,167	134,334	705,833	78.1
Police	7,188,131	704,859	704,859	10.0	6,483,272	3,976,353	2,506,919	34.9
Fire & Rescue	7,285,481	683,622	683,622	9.0	6,601,859	3,567,190	3,034,669	41.7
Community Service Public Works	5,882,719	307,166	307,166	5.0	5,575,553	1,744,682	3,830,871	65.1
Recreation	2,008,829	164,483	164,483	8.0	1,844,346	478,186	1,366,160	68.0
Public Library	1,056,082	107,802	107,802	10.0	948,280	643,417	304,862	28.9
Public Welfare	843,167	48,469	48,469	6.0	794,698	157,270	637,427	75.6
Debt Service	9,785,929	224,444	224,444	2.0	9,561,485	-	9,561,485	97.7
Other Financing Sources/Uses	2,581,172	-	-	0.0	2,581,172	-	2,581,172	100.0
School	42,112,302	927,361	927,361	2.0	41,184,941	14,425,684	26,759,257	63.5
Intergovernmental	7,706,474	-	-	0.0	7,706,474	-	7,706,474	100.0
Sub-total : 1000 General Fund	\$ 90,682,933	\$ 3,491,797	\$ 3,491,797	3.9%	\$ 87,191,136	\$ 26,692,608	\$ 60,498,528	66.7%
3213 Parking Activity Fund								
Police	\$ 561,280	\$ 33,925	\$ 33,925	6.0%	\$ 527,355	\$ 176,017	\$ 351,339	62.6%
Sub-total : 3213 Parking Activity Fund	\$ 561,280	\$ 33,925	\$ 33,925	6.0%	\$ 527,355	\$ 176,017	\$ 351,339	62.6%
3320 Residential Solid Waste Fund								
Community Service Public Works	\$ 972,726	\$ 12,941	\$ 12,941	1.0%	\$ 959,786	\$ 789,018	\$ 170,767	17.6%
Sub-total : 3320 Residential Solid Waste Fund	\$ 972,726	\$ 12,941	\$ 12,941	1.3%	\$ 959,786	\$ 789,018	\$ 170,767	17.6%
3381 McConnell Center Fund								
Recreation	\$ 793,738	\$ 26,947	\$ 26,947	3.0%	\$ 766,791	\$ 117,867	\$ 648,923	81.8%
Sub-total : 3381 McConnell Center Fund	\$ 793,738	\$ 26,947	\$ 26,947	3.4%	\$ 766,791	\$ 117,867	\$ 648,923	81.8%
3410 Recreation Special Revenue Fund								
Recreation	\$ 580,723	\$ 53,755	\$ 53,755	9.0%	\$ 526,968	\$ 85,273	\$ 441,695	76.1%
Sub-total : 3410 Recreation Special Revenue Fund	\$ 580,723	\$ 53,755	\$ 53,755	9.3%	\$ 526,968	\$ 85,273	\$ 441,695	76.1%
5300 Water Fund								
Community Service Public Works	\$ 4,884,463	\$ 301,820	\$ 301,820	6.0%	\$ 4,582,643	\$ 697,386	\$ 3,885,256	79.5%
Sub-total : 5300 Water Fund	\$ 4,884,463	\$ 301,820	\$ 301,820	6.2%	\$ 4,582,643	\$ 697,386	\$ 3,885,256	79.5%
5320 Sewer Fund								
Community Service Public Works	\$ 6,833,751	\$ 454,934	\$ 454,934	7.0%	\$ 6,378,817	\$ 1,089,561	\$ 5,289,255	77.4%
Sub-total : 5320 Sewer Fund	\$ 6,833,751	\$ 454,934	\$ 454,934	6.7%	\$ 6,378,817	\$ 1,089,561	\$ 5,289,255	77.4%
6100 Dovernet Fund								
Other Financing Sources/Uses	\$ 662,211	\$ 38,575	\$ 38,575	6.0%	\$ 623,636	\$ 250,583	\$ 373,053	56.3%
Sub-total : 6100 Dovernet Fund	\$ 662,211	\$ 38,575	\$ 38,575	5.8%	\$ 623,636	\$ 250,583	\$ 373,053	56.3%
Total : EXPENDITURES	\$ 105,971,825	\$ 4,414,693	\$ 4,414,693	4.2%	\$ 101,557,131	\$ 29,898,315	\$ 71,658,817	67.6%

City of Dover

Arena - General Fund
Revenue & Expenditure Report
(Including Arena Debt Service attributed to the General Fund)
July 31, 2013

	<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	1,328,277	44,044	44,044	3.3	1,284,233	0	1,284,233	96.7
Expenditures	936,955	65,330	65,330	7.0	871,625	192,675	678,950	72.5
Debt Service								
Principal	242,190	0	0	-	242,190	0	242,190	100.0
Interest	74,185	0	0	-	74,185	0	74,185	100.0
	74,947	(21,286)	(21,286)	(28.4)	96,233	(192,675)	288,909	385.5



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Workshop Session**
Meeting Location: **Media Access Center, McConnell Center**
Meeting Date: **Wednesday, July 17, 2013**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Garrison led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Trefethen, Deputy Mayor Carrier, Councilor Cheney, Councilor Crago, Councilor Garrison, Councilor Spuler, and Councilor Weston. Councilor Hooper arrived at 7:10pm. Councilor Weeden arrived at 8:15pm.

Also Present: City Manager Joyal and City Clerk Lavertu.

5. DISCUSSIONS

A. DOWNTOWN INFILL DEVELOPMENT PROPOSAL

City Manager Joyal gave an overview of the Land Development Agreement (LDA) between the City and the First Street at Garrison LLC. He said this project will generate new tax dollars that will be available for additional parking needs. He said this will be brought to the Council for a vote at the July 24, 2013 City Council meeting. He asked Chris Parker to give an overview of the major points of the LDA.

Planning Director Parker gave an overview of the Summary of Land Development Agreement between the City of Dover and First Street at Garrison, LLC.

The Council discussed several areas of concerns: the sewer line, parking, and tax revenue being put aside for parking improvements in the City.

Mr. Kevin McEneaney, Developer, gave a presentation regarding the proposed development. Mayor Trefethen urged the Council to read the LDA, get questions answered by the City Manager or Planning Director, and be ready for the resolution vote next week.

6. CITIZEN'S FORUM

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

Human, 55 Union Street: He spoke against a Tax Increment Financing (TIF). He said this project is not a TIF, but has elements of a TIF. He spoke about the sales price of the First Street Parking Lot being \$800,000 less than the assessed value.

Mayor Trefethen said Human's figures were way off.

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



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Workshop Session**
Meeting Location: **Media Access Center, McConnell Center**
Meeting Date: **Wednesday, July 17, 2013**
Meeting Time: **7:00 pm**

7. ADJOURNMENT

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

The following handouts have been archived with the Minutes:

- Summary of Land Development Agreement between the City of Dover and First Street at Garrison, LLC
- Development Agreement by and between City of Dover, NH and First Street at Garrison, LLC
- Two pages of site plans.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Media Access Center, McConnell Center**
Meeting Date: **Wednesday, July 24, 2013**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Deputy Mayor Carrier led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

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

Also Present: City Manager Joyal and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS – None

6. APPROVAL OF AGENDA

Councilor Cheney moved to substitute as a whole Item #13.B.3.; seconded by Councilor Spuler.
Vote: 9/0.

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

Vote: 9/0.

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

Vote: 9/0.

7. PUBLIC HEARINGS

- A. AUTHORIZATION FOR CITY TO PARTICIPATE IN STATE CLEAN WATER STATE REVOLVING FUND FOR WASTEWATER TREATMENT FACILITY (WWTF) UPGRADE CAPITAL IMPROVEMENT PROJECT (CIP)
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL, WITH THE VOTE OCCURRING ON AUGUST 14, 2013)
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

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



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Media Access Center, McConnell Center**
Meeting Date: **Wednesday, July 24, 2013**
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.

Human, 55 Union Street: He spoke about the resolution for Additional Scope of work for video cameras and said the bid is from 2009 and felt it should be redone. He spoke about the misspelling of General Legal Counsel in the resolution for the Council Rule Change. He spoke about the sale of the First Street Parking Lot stating that the appraised value for the property is between \$500,000 and \$800,000, but is being sold for \$202,000. He spoke about developer's public improvements that allowed for the lower purchase price and why he didn't consider them public improvements. He recommended that the City put a lien on the property for the discounted price to allow the City to recoup the funds if the property is sold.

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

9. CITY MANAGER'S REPORT

City Manager Joyal spoke about Senator Watter's legislation SB163. He said the Bill has passed and Dover will have one seat on the Board. He appointed City Planner Steve Bird. He said the City will be participating in the National Citizen Survey. He said the Library will be closed on August 5th for upgrades. He said Back River Road will be paved over the next two weeks. He said they will be shimming and shoring up Piscataqua Road. He spoke about the memorandum from the Strafford Regional Planning Commission, which will make Dover eligible for grant funds. He said they have been asked to submit of a letter of support. He said Michelle Mears from the Strafford County Regional Planning Commission was here to answer any questions.

Councilor Crago commented that he and Councilor Spuler asked for information from the City Manager regarding the parking issues. He said the City Manager and his staff did an excellent job. He recommended that this process might be added to the City Manager's Report.

Councilor Cheney asked to hear from Michelle Mears from the Strafford County Regional Planning Commission.

Ms. Mears gave an overview of the regional project and the grant funds available to the City. Mayor Trefethen asked about the progress of hiring a General Legal Counselor.

City Manager Joyal talked about the interview process and said an announcement will be made in the next week or two.

Councilor Hooper asked if there was any new information on the Dickinson Project.

City Manager Joyal said there has been no new developments at this point, but did mention that he is expecting the \$25,000 agreed upon upfront payment by the end of the month.

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

Mayor Trefethen clarified that accepting the City Manager's Report included accepting the City Manager's appointment of Steve Bird to the Regional Planning and the letter of support for the economic development district.

Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Media Access Center, McConnell Center**
Meeting Date: **Wednesday, July 24, 2013**
Meeting Time: **7:00 pm**

10. APPROVAL OF MINUTES

A. July 10, 2013

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

11. MAYOR'S REPORT

Mayor Trefethen said next week's meeting will cover the City Manager's evaluation, in which the meeting will go into non-public session. He said they will be having a workshop on August 7, 2013 regarding new City Manager Goals. He announced that he will not be running for reelection in November.

Councilor Hooper said anyone in public service is a target. She has huge respect for the Mayor and felt it will be a great loss to the City.

Deputy Mayor Carrier moved to accept the Mayor's Report; seconded by Councilor Garrison.
Vote: 9/0.

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. TAG – Children's Museum of New Hampshire
2. TAG – Pen Ink Design Co.
3. TAG – Seacoast Titans

4. RESOLUTION: B09100 VIDEO SECURITY SYSTEM AWARD OF ADDITIONAL SCOPE OF WORK
SPONSORED BY MAYOR TREFETHEN BY REQUEST

5. RESOLUTION: B13076 ASPHALT PATCHER AWARD OF BID
SPONSORED BY MAYOR TREFETHEN BY REQUEST

6. RESOLUTION: BOOKS & MEDIA PURCHASES
SPONSORED BY MAYOR TREFETHEN BY REQUEST



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Media Access Center, McConnell Center**
Meeting Date: **Wednesday, July 24, 2013**
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. Legislative Liaison
10. Pool Advisory Committee
11. Parking Commission

Deputy Mayor Carrier moved to accept the Consent Calendar; seconded by Councilor Hooper. Mayor Trefethen asked the Council if they had items they would like pulled for further discussion. Councilor Weeden asked to pull Item 13.A.4.

Deputy Mayor Carrier asked to pull the Appointments Committee Report.

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

Roll Call Vote: 9/0.

Deputy Mayor Carrier moved to accept Item 13.A.4.; seconded by Councilor Weeden. Councilor Weeden referred to the 2009 bid comment made during Citizen's Forum and asked for an explanation from the City Manager.

City Manager Joyal said there are additional areas in the City Hall that needed to be improved.

He said it was a compatibility issue. He said they requested a quote from the current vendor and the purchasing agent said it was competitive and didn't require a new bid.

Roll Call Vote: 9/0.

Deputy Mayor Carrier went over his Appointments Committee Report with the Council. He requested the following appointments to be approved by the Council:

New Appointments:

- Aimee Blesing – Arts Commission, Regular Member
- Mark Cuddy – Arts Commission, Alternate Member
- Bill Rogers – Dover Business and Industrial Development Authority
- Jason Gagnon – Dover Utilities Commission
- Thomas Massingham – Parking Commission
- Christophe Cloitre – Pool Advisory Committee, Regular Member
- Elizabeth Comeau – McConnell Center Advisory Board

Appointments to another term:

- Richard Arnold – Pool Advisory Committee
- William Hunt – Conservation Commission
- Peter Mathieu – Ethics Commission
- Tom Parks – Personnel Advisory Board

He said they would like to discuss the application of Scott Johnson to the Dover Business and Industrial Development Authority. He said he was a business owner in Dover, but was not a resident.

Councilor Cheney discussed her opinion that the rules are members should be a resident of Dover.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Media Access Center, McConnell Center**
Meeting Date: **Wednesday, July 24, 2013**
Meeting Time: **7:00 pm**

Mayor Trefethen discussed the merits of making an exception to appoint Scott Johnson. He said Mr. Johnson is already helping DBIDA.

The Councilors gave their support to Scott Johnson's application.

Mayor Trefethen said accepting the Appointments Committee Report will accept all recommended appointments.

Deputy Mayor Carrier listed the remaining openings on Boards and Commissions.

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

Vote: 9/0.

B. RESOLUTIONS

1. SALE OF FIRST STREET PARKING LOT MAP 6 LOT 3 AND ACCEPTANCE OF DEVELOPMENT AGREEMENT WITH FIRST STREET AT GARRISON, LLC SPONSORED BY MAYOR TREFETHEN BY REQUEST

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

Councilor Weeden asked about the appraised value for the parking lot.

Planning Director Parker said the appraisals did come in at \$500,000 and \$800,000. He said the City felt that the surety and control the City requires covered the difference.

Councilor Weeden said the City will now make money on this property and felt it was a smart decision.

Councilor Weston asked about fire access to the river-side of the building.

Planning Director Parker talked about options to make sure fire access is available. He said they will take all that into account and make sure it follows the fire code.

Mayor Trefethen allowed the Developer, Mr. Ray Bamford, to speak to the Council.

Mr. Bamford spoke to the Council regarding concerns that they weren't purchasing the property at the appraised value. He said the City's requirements will cost him more in the end. He said they weren't getting a deal.

City Manager Joyal said the City has no risk with this development. He said they are conducting an environmental study and may need to remove some soil.

Roll Call Vote: 9/0.

2. SALE OF COVERED PEDESTRIAN BRIDGE SPONSORED BY MAYOR TREFETHEN BY REQUEST

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

City Manager Joyal gave an overview of the resolution to the Council. He was asking for the Council's approval to sell the bridge to the Town of Belmont.

Mayor Trefethen asked about the process to return the donations to Save the Bridge.

City Manager Joyal said the process has already begun, and anonymous donations will be put towards a community project.

Roll Call Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Media Access Center, McConnell Center**
Meeting Date: **Wednesday, July 24, 2013**
Meeting Time: **7:00 pm**

3. COUNCIL RULE CHANGE – ORDINANCE COMMITTEE SPONSORED BY COUNCILORS CHENEY, WESTON, AND WEEDEN

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

Councilor Cheney gave an overview of the resolution to the Council.

Councilor Hooper commented that the resolution states the members of the committee, which is actually a Mayoral duty and she felt it was out of order. She said she would not be supporting this resolution.

Deputy Mayor Carrier talked about it being televised and the expense to the City.

Councilor Weston said it is a different committee and will not require staff time. She went over the process for an Ordinance change if this committee is formed. She said it was a check and balance process.

Councilor Garrison said the process they are talking about in the resolution is being done. He asked if other towns and city have this type of ongoing committee.

Councilor Cheney said the City of Rochester has a committee.

City Manager Joyal said this committee would be a second set of eyes to view the Ordinance between the first reading and the actual vote by the Council.

Councilor Garrison asked for a set of guidelines that will need City Council approval. He made a friendly amendment in the Now, Therefore – to include that the Committee will come up with a working set of guidelines to be approved by the City Council; seconded by Councilor Crago.

Councilor Weston said the amendment wasn't necessary and felt it was redundant.

Councilor Garrison said he had concerns and requests that it be included.

Councilor Cheney said this was a Council Rule change and could be changed again at any time. She said new Council Rules will be adopted with the new Council in January, 2014.

Councilor Weeden said if it's redundant then they are going to do it anyways.

Councilor Garrison said they haven't seen the work of the Ordinance and Codification Verification Committee. He wasn't comfortable with the wording of this resolution as it is now.

Councilor Weston said this Committee will simplify and save time for the next codification. Mayor Trefethen asked for a vote on the amendment.

Vote: 9/0.

Deputy Mayor Carrier asked about the Committee membership, and said he felt the resolution should not list any names since it's a Mayoral appointment.

Mayor Trefethen explained why he felt this resolution was additional step that is totally unnecessary and could be an impediment to the process.

Councilor Garrison moved to amend the resolution by striking the membership names and inserting: "with the membership to be appointed by the Mayor"; seconded by Deputy Mayor Carrier.

Councilor Cheney said the three Councilors listed had more experience with this process, and said it was only for the rest of the term.

Councilor Garrison said he found the comment that the three Councilors listed are more qualified insulting. He talked about the process of it being a Mayoral appointment and the Council should not set precedence.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Media Access Center, McConnell Center**
Meeting Date: **Wednesday, July 24, 2013**
Meeting Time: **7:00 pm**

Councilor Cheney said she was willing to take the names off and asked to submit her name for Chairperson. She said she wanted to get this committee up and running because they had a lot of work to do.

Mayor Trefethen asked for a vote on the second amendment.

Vote: 8/0. Councilor Weeden was absent from Council Chambers.

Mayor Trefethen spoke about his concern from Councilor Cheney's comment about the work needed to complete the codification. He said these are two separate committees.

Councilor Spuler made a motion for a friendly amendment under IX.C.i. after three (3) Council Members to add "recommended by the Mayor and affirmed by the City Council..."; seconded by Councilor Cheney.

Mayor Trefethen asked for a vote on the third amendment.

Vote: 9/0.

Councilor Spuler made a motion for a friendly amendment to add "IX.C.iii. The Ordinance Committee's duties shall include conducting a regular review of proposed ordinance changes and making recommendations to the City Council for those ordinances."; seconded by Councilor Weeden.

Mayor Trefethen asked for a vote on the fourth amendment.

Vote: 9/0.

Councilor Hooper called to move the question.

There was no second.

Councilor Spuler talked about the extra step in the process and compared the Appointments Committee to being an extra step. He spoke about Justine Roberts' application and how she was waiting to be appointed to the Arts Commission.

Councilor Crago discussed the integrity of the Council.

Councilor Weeden called to move the question; seconded by Councilor Hooper.

Roll Call Vote: 7/2; Passed. Mayor Trefethen and Councilor Hooper were opposed.

C. ORDINANCES IN 1ST READING – None

14. COUNCIL CORRESPONDENCE – None

15. COUNCIL MATTERS OF INTEREST

Councilor Spuler asked for confirmation that Justine Roberts was appointed to the Arts Commission.

Mayor Trefethen said she was appointed a few months ago.

Councilor Cheney reiterated that she would like to be appointed to the Ordinance Committee.

Councilor Crago asked the Mayor to consider the same three people for the Ordinance Committee that served on the Ordinance Codification and Verification Committee.

Mayor Trefethen asked the Councilors who wish to be considered for appointment to the Ordinance Committee email him.

16. ADJOURNMENT

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

Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Public Meeting to Enter Non-Public Session**
Meeting Location: **City Manager's Office, City Hall**
Meeting Date: **Wednesday, July 31, 2013**
Meeting Time: **7:00 pm**

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

Also present: City Manager Joyal

The Mayor and City Council convened in a public meeting at 7pm. Motion to move into a non-public meeting in accordance with NH RSA 91-A:3 II(b) for purposes of discussion relating to the hiring, promotion or compensation of any employee made by Hooper and seconded by Crago. Roll call vote was unanimous.

Upon entering the non-public session, Mayor Trefethen reviewed the purpose and importance of the City Manager evaluation process and distributed a summary of the comments and evaluation scores submitted to him previously by City Councilors. The Mayor and Councilors reviewed and elaborated on the various comments. The evaluation scores reflected that the City Manager had exceeded expectations overall and in some areas had performed beyond exceeding expectation. The evaluation comments and general discussion were positive and complimentary of the City Manager's achievements and continuing efforts. The City Manager expressed his gratitude for the opportunity to receive feedback and acknowledged the support the Mayor and Council have continued to provide. The Mayor was tasked with assembling a written summary of feedback from the comments made by the City Councilors and tallying the final scores submitted by each Councilor in order to provide to the City Manager and make available for review by the public.

Discussion ensued regarding the compensation of the City Manager in accordance with the terms of his employment agreement and providing a merit increase commensurate with performance and the results of the evaluation. A wage and benefit survey for municipal managers in comparable NH communities was reviewed. It was noted that the City Manager remains below the median level for compensation when comparing not only his base salary, but also the addition of car allowances and deferred retirement compensation provided in other communities. In addition, the City Manager contributes the highest percentage of premium cost share for health insurance and has the most experience serving with a single community. Councilors discussed awarding an appropriate level of base salary increase giving consideration not only to performance and the need to remain competitive with other communities but also affordability. Councilors discussed supporting an overall compensation philosophy of maintaining competitive median market levels that are neither the highest nor the lowest but in the middle for comparable public and private sector positions. Motion made by Councilor Hooper, seconded by Councilor Crago to award the City Manager a 2.4% merit increase to his base pay in addition to the contractually required minimum 2.6% cost of living adjustment for a total base pay increase of 5%. Motion was approved with Councilor Weeden opposed. Upon the request of the City Manager, a motion was made to authorize amending his employment agreement by replacing the words in Section 9 B. ... "for the employee"... with ... "which the employee may at his discretion"... the intent being to allow the City Manager the option to choose annually whether or not to have his longevity payment deferred into a 457B plan was made by Councilor Hooper and seconded by Councilor Crago. Motion was approved unanimously.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Public Meeting to Enter Non-Public Session**
Meeting Location: **City Manager's Office, City Hall**
Meeting Date: **Wednesday, July 31, 2013**
Meeting Time: **7:00 pm**

In accordance with the checklist for conducting non-public meetings, Councilors agreed there was no reason for sealing of the nonpublic meeting minutes.

A motion to adjourn the non-public meeting and return to a public meeting was made by Councilor Weeden and seconded by Councilor Hooper. Motion was approved unanimously.

A motion to adjourn the public meeting was made by Councilor Weeden and seconded by Councilor Weston. Motion was approved unanimously.

Respectfully submitted
Mayor Dean Trefethen



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.1.

Resolution Number: **R - 2013.07.10 - 78**

Resolution Re: Authorization for City to participate in State Clean Water State Revolving Fund for WWTF Upgrade CIP Project

WHEREAS: The City Council desires to make public improvements and finance these improvements through the most cost efficient means available to the city; and

WHEREAS: On December 12, 2012 the City Council appropriated \$8,937,236 for Waste Water Treatment Facility Upgrades and authorized issuance of general obligation bonds to finance the project as part of the adoption of the FY2014 CIP; and


WHEREAS: The City has the opportunity to participate in the NH Clean Water State Revolving Fund to finance the WWTF Upgrade project at rates more advantageous to the City than general obligation bonds;

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

Pursuant to the City Charter and the New Hampshire Municipal Finance Act and any other enabling authority, the City of Dover's participation in the NH Clean Water State Revolving Fund (CWSRF) Program is hereby authorized for financing the Waste Water Treatment Facility Upgrade project. The City Manager, Finance Director and Treasurer are authorized, on behalf of the City of Dover, to file for participation in the NH CWSRF Program and obtain loans through the program for the Waste Water Treatment Facility Upgrade project.

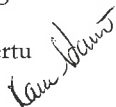
NOTE: This resolution requires a duly advertised public hearing and a 2/3 favorable vote of all members for passage with the vote deferred until at least three (3) days after public hearing.

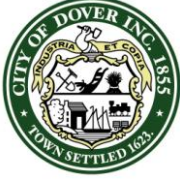
AUTHORIZATION

Approved as to Funding: 
Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By Request

Approved for Legal Compliance:
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk 



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.A.1.

Resolution Number: **R - 2013.07.10 – 78**

Resolution Re: Authorization for City to participate in State Clean Water
State Revolving Fund for WWTF Upgrade CIP Project

DOCUMENT HISTORY:

First Reading Date: 07/10/2013	Public Hearing Date: 07/24/2013
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#: 12.A.1.

Resolution Number: **R - 2013.07.10 – 78**

Resolution Re: Authorization for City to participate in State Clean Water
State Revolving Fund for WWTF Upgrade CIP Project

RESOLUTION BACKGROUND MATERIAL:

The purpose of this resolution is to authorize the City to participate in the NH Clean Water State Revolving Fund for the purpose of financing the Waste Water Treatment Facility upgrade project. The City believes that more favorable interest rates can be obtained through the CWSRF for financing the project in lieu of issuing General Obligation Bonds.

This resolution does not increase any amount of appropriations already adopted by the City Council for the project.

This resolution does not increase any amount of bonding authorization already adopted by the City Council.



RECEIVED
DOVER CITY CLERK
DOVER, NH

2013 JUL 22 A 11:38

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: American Legion Post 8

Federal Tax ID number for Organization: 02-2215228

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

Contact Person: Matthew Sullivan Day Time Telephone: (603) 343-4068

Address: 7 Meridian dr Dover 03820 Email Address mtthwsull@comcast.net

Purpose of Permit: Oil Raffle

Date of Event: ~~Oct 01 2013~~ November 11, 2013 Specific Time: ~~5:00 PM~~ 7:00 pm

Location of Event: American Legion Post 8

(Raffle Permit only)

Prize (s) To Be Awarded: 100 gallons oil

Amount of Donation: 100 gallons Date of Drawing: Oct 04 2013 Specific Time: 5:00pm

Place of Drawing: American Legion Post 8

*** 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: Math Sullivan Date: July 22 2013

Licensing Board approval AS Date: 7/23/13
Revised 03/17/08

Date change okayed by licensing board.

All set with Charitable Trusts.



RECEIVED
DOVER CITY CLERK
DOVER, NH
2013 JUL 22 A 9:25

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: Saint Mary Academy

Federal Tax ID number for Organization: 02-0342967

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

Contact Person: Beth Evans Day Time Telephone: 742-1850

Address: 222 Central Ave Email Address: bevans@stmaryacademy.org

Purpose of Permit: Calendar drawing

Date of Event: Sept. 1 - Sept. 30 Specific Time: 8-2:30 During School Day

Location of Event: Saint Mary Academy

(Raffle Permit only)
Prize (s) To Be Awarded: Range between \$50. - \$500.

Amount of Donation: \$5.00 Date of Drawing: OCT. 1 - OCT. 31 Specific Time: 8-2:30

Place of Drawing: Saint Mary Academy

*** 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: Beth Evans Date: 7/16/13

Licensing Board approval [Signature] Date: 7/23/13
Revised 03/17/08

All set with
Charitable Trusts Unit.
DE



CITY OF DOVER
13 JUL -9 PM 4:43

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: American Cancer Society Relay for Life "Angels of Hope"
Federal Tax ID number for Organization: 13-1788491
Nature of Organization: Religious, Educational, Charitable, Civic, Sports, Veterans, Fraternal or Political

Contact Person: Liz Lowell Day Time Telephone: 603 692 7460

Address: 43 Lily Pond Rd Somers Worth, NH Email Address: LizL1ak@comcast.net

Purpose of Permit: Fundraiser for Cancer

Date of Event: 10/6/2013 (Sunday) Specific Time: 9 AM - 5 PM

Location of Event: Central Ave / Oak St & Central Ave / Stark Ave

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

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

Place of Drawing: _____

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

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

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

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

Signature: Liz Lowell Date: 7/9/2013

Angels of Hope Team Captain

Licensing Board approval [Signature] Date: 7/17/13

Revised 03/17/08

We held a Roll Road Oct 7, 2012
American Cancer Society representative:
Tara Dickey 740-0340
tara.dickey@ cancer.org

All set with Charitable Trusts.
Traffic Bureau OK.
(MES)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R – 2013.08.14 – 85**
Resolution Re: **B12085 Bio Solids Disposal Services Contract Extension**

WHEREAS: Sealed Request for Proposals B12085 was requested and received for Bio Solids Disposal Services on June 26, 2012 at 2:00 pm; and

WHEREAS: Three vendors responded with varying rates and options. The low bid deemed most advantageous to the city was submitted by Resource Management of Holderness NH at the rate of \$68.75 per wet ton and award for year one went to this vendor.

WHEREAS: The city received notice of willingness to extend the current agreement for another year at an increase of 3%. Due to a great working relationship with the vendor and the limited number of vendors that can perform this service, it is the recommendation to award year two at a rate of \$70.81 per wet ton.


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 Resource Management Inc given the rates provided in conjunction with B12085 dated June 26, 2012 and 3% increase. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
5320.1.300.43256.4421.00000.00	Sludge Disposal	210,000.00	210,000.00

AUTHORIZATION

Approved as to Funding: 
Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

Approved for Legal Compliance:
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk 



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R – 2013.08.14 – 85**

Resolution Re: B12085 Bio Solids Disposal Services Contract Extension

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.4.

Resolution Number: **R – 2013.08.14 – 85**

Resolution Re: B12085 Bio Solids Disposal Services Contract Extension

RESOLUTION BACKGROUND MATERIAL:

The City of Dover, New Hampshire requested sealed proposal from qualified contractors for transport and composting, or other DES-approved Class A bio solids processing technology, or land filling of wastewater bio solids generated at the City’s wastewater treatment facility located at 484 Middle Road, Dover, New Hampshire.

The City of Dover operates an activated sludge wastewater treatment facility with primary settling basins. The current annual average daily flow is 3.0 MGD. The dewatered sludge is a blend of primary and secondary (waste activated) sludge. Dewatering is accomplished with screw presses and the solids content of the dewatered sludge is expected to range from 25% ODS (oven-dried solids) to 33% ODS. Based on historical production and anticipated dewatering performance, total annual dewatered sludge production is expected to range from 2,200 wet tons to 3,200 wet tons.

Award Information:

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

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	6	Number of Responses:	3
Warranty:	na	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	One year	Estimated Delivery:	Fy14
Recommended Award to:	Resource Management	Fund:	WWTP
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R – 2013.08.14 – 85**

Resolution Re: B12085 Bio Solids Disposal Services Contract Extension

Vendor Solicitation List:

RMI Shelagh Connelly
1171 NH Rte 175
Holderness NH 03245

New England Organics
135 Presumpscot St
Portland ME 04103

Waste Management
30 Rochester Neck Rd
Rochester NH 03839

Wecare Organics LLC
Soil Prep Inc Jeff Leblanc
9289 Bonta Bridge Rd
Jordan NY 13080

Synagro Technologoes
James Myers
345 East Shore Parkway
New Haven CT 06512

Interstate Waste Svs
Giles Wagoner
19 Kaiser Dr
Waterbury VT 05676

Results

Vendor	Resource Management Inc, Holderness	Soil Preparation Plymouth ME	Waste Management Rochester NH
Option A-Per wet ton including rental of Containers	\$75.00	\$89.66	\$86.00
Option B-Per wet ton excluding rental of Containers	\$68.75	\$87.66	\$84.00
Option C-Per wet ton in rented dump trailer	\$63.00	\$84.33	\$89.00 Min load 25 tons
Option D-Per wet ton City to Transport to site	\$47.75	\$66.00	\$76.00
Facility distance from WWTP	59 miles	85 MA-170 ME	15



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R - 2013.08.14 - 86**
Resolution Re: B14003 Dover Draw String Trash Bags

WHEREAS: Sealed bids B14003 were requested and received for Draw String Trash Bags on July 30, 2013 at 11:00 am for a possible two year agreement; and,

WHEREAS: Six bids were received and evaluated for total cost over the two year period. Low bid for the overall project was received from Waste Zero which is the current vendor with the city. It is the recommendation to award to Waste Zero at rates provided in the amount of \$137.00 per 1000 fifteen gallon draw string bags and \$208.00 per 1000 thirty gallon draw string bags for year one with maximum increase no to exceed 5% for year two.

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 Waste Zero at rates provided in conjunction with Bid B14003. The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Budget	Balance
3320.1.300.43230.4612.00000.00	Waste Mtg Operating Supplies	\$100,000.00	\$100,000.00

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

Approved for Legal Compliance:
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R - 2013.08.14 – 86**

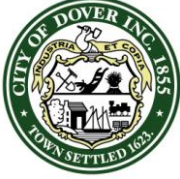
Resolution Re: B14003 Dover Draw String Trash Bags

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.5.

Resolution Number: **R - 2013.08.14 – 86**

Resolution Re: B14003 Dover Draw String Trash Bags

RESOLUTION BACKGROUND MATERIAL:

Sealed bid B14003 was requested and received for trash bags on July 30, 2013 at 11:00 am. Since approximately 1995, the City of Dover, NH has been operating a “bag and tag” trash collection program in which Dover residents using two (2) different size bags: 15 gallon and 30 gallon. The estimated annual usage for a one (1) year period is 600,000 bags, of which approximately 150,000 are 15-gallon bags and approximately 450,000 are 30-gallon bags. This estimate is based upon current usage. Actual quantities ordered may fluctuate and/or vary at the City’s discretion based upon vendor performance and actual demand.

It is the recommendation to remain with current vendor Waste Zero at rates provided.

Purchasing Information:

Type:	Purchase order	Advertised:	Yes
Invitations Mailed:	65	Number of Responses:	6
Warranty:	Meets Specifications	Terms:	Net 30, FOB Dover
Work Bonded:	Yes	Contract:	Yes
Prices will hold for:	June 30, 2015	Estimated Delivery:	As needed
Recommended Award to:	Waste Zero	Fund:	Waste Mtg 3320-
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	yes	Reason for Council Approval:	Cost estimated at \$25,000 or greater

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.6.

Resolution Number: **R – 2013.08.14 – 87**
Resolution Re: Operating Rules for Arts Commission

WHEREAS: Operating Rules are being updated for the Arts Commission; and

WHEREAS: The Arts Commission has reviewed and adopted the proposed Operating Rules.

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

The City Council approves the Operating Rules for the Arts Commission.

AUTHORIZATION

Approved as to Funding:


Daniel R. Lynch
Finance Director


Sponsored by:

Councilor Ed Spuler

Approved as to Legal Form:

General Legal Counsel

Recorded by:

Karen Lavertu
City Clerk 



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.6.

Resolution Number: **R – 2013.08.14 – 87**
Resolution Re: Operating Rules for Arts Commission

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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

RESOLUTION BACKGROUND MATERIAL:

See attached Operating Rules for the Arts Commission



DOVER ARTS COMMISSION OPERATING RULES

Article I. Name

The name of the commission is the Dover Arts Commission.

Article II. Authority and Duties

A. The Dover 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.

Article III. Membership

- A. **MEMBERSHIP:** The Dover Arts Commission shall consist of nine (9) regular 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 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.

Article IV. Officers and Staffing

- A. **Officers.** The officers consist of a Chair and Vice Chair who shall be selected by the membership and who shall serve at the pleasure of the membership for one-year terms. Officers may be re-elected.
- B. **Duties of the Chair.** The Chair shall have general supervisory and directional powers over the committee. The Chair shall preside at all committee meetings and set the committee's agenda. The Chair shall also be an ex-officio member of all subcommittees and shall be the sole spokesperson for the committee, unless this responsibility is delegated in writing.
- C. **Vice Chair.** The Vice Chair shall execute all powers of the Chair in the absence of the Chair.
- D. **Staff.** The City of Dover may provide staff support to the committee for meeting notification, typing, copying, and information gathering to the extent permitted by the city budget. All staff shall remain under the direction of the employer.

Adopted on May 13, 2013

Approved by City Council on June 26, 2013

Article V. Procedures

- A. **Meetings.** The committee shall hold regular meetings as necessary at a time and place designated by the Chair. The business of the public shall be conducted in public session unless otherwise permitted by state law. All meetings of the committee and subcommittees shall be posted to comply with state law. State law requires all meetings to be posted in two (2) places with a minimum of twenty-four (24) hours' notice.
- B. **Quorum.** Fifty-one percent (51%) of the voting membership of the committee shall constitute a quorum.
- C. **Parliamentary Authority.** The parliamentary authority for the committee is *Robert's Rules of Order Revised, 11th edition, or updated subsequent edition*, except as provided by these rules or local, state or federal law.
- D. **Minutes.** Minutes shall be kept for all meetings of the committee. The minutes shall include the names of the members in attendance, all actions, motions and resolutions coming before the public body including the votes of the members, and a summary of all discussions. Draft minutes shall be provided to the City Clerk within five (5) business days of each meeting for posting on the city website in draft form. Draft minutes shall be clearly marked "DRAFT". Draft minutes with or without revisions shall be approved by the committee at the next meeting of the committee, or as soon as possible. Final approved minutes shall be provided to the City Clerk for posting on the city website.
- E. **Recording of Meetings.** The committee shall arrange for video recording of all meetings. If video is not available, meetings shall be recorded using audio equipment. All recordings shall be provided to the City Clerk within five (5) business days of the meeting.
- F. **E-mail accounts.** Committee members may obtain a City of Dover e-mail address to facilitate communications regarding meetings, agendas and the dissemination of information. Committee members shall refrain from using e-mail to discuss issues with other members where the e-mail discussion directly or indirectly involves a quorum of the committee. In addition, committee members shall refrain from conducting the official business of the committee outside the view of the public and the press unless permitted by state law.
- G. **Nonpublic meetings.** The Committee shall conduct only nonpublic meetings pursuant to the laws of the State of New Hampshire. The Chair shall conduct nonpublic meetings utilizing the Checklist prepared by General Legal Counsel for nonpublic meetings.
- H. **Amendment of Rules.** These rules may be repealed or amended by a vote of the Dover City Council based upon the recommendation of the committee.

To: Dover City Council

From: Dorothea Hooper, Counselor, Ward 4

Re: School Board Report

The Dover School Board met in Special Session on July 29, 2013.

Citizens Forum: No one spoke

Consent Agenda: Consisted of resignations, retirements, leaves of absence and nominations. Mrs. Grady pulled one of the items to inquire as to the status of staffing in the high school. Superintendent Briggs-Badger reported that when expected monies come into the district reinstating an Earth Science and Business teacher would be a top priority. She also noted some concern about class sizes in the 4th grade at Horne Street School with a possible need to hire an additional elementary school teacher. Consent agenda was adopted.

New Business: (1) Chair Rocky D'Andrea gave an update on the search for an interim Superintendent. Interviews were scheduled (as of the date of this report, three finalists are being considered – 8/6/13).

(2) Each year NESDEC provides the district with a demographic study in order for Dover to forecast enrollment for the next ten years. Last year's figures were skewed due to a lack of understanding of our enrollment by sending schools. The district belongs to NHSAA which has offered their services at a discount. After a fairly lengthy discussion, which covered Planning Department figures, impact fees, inaccuracies in past projections, and present contract negotiations with Nottingham and Barrington, the Board voted to give the contract to NHSAA.

School Board Matters of Interest: there were none

Meeting was adjourned.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2013.08.14 – 88**
Resolution Re: B13057 Award of Design Service for Dover Police Facility

WHEREAS: Sealed request for qualifications were solicited and received on April 30, 2013 at 2:00 pm for the Dover police facility needs assessment, site selection and conceptual design services. Fourteen responses were received and ranked by the Dover Police Facility Building Committee and city personnel; and

WHEREAS: A short list of four vendors was selected and interviews were conducted on July 1, 2013. By unanimous vote of the committee, Lavallee Brensinger Architects of Manchester NH was selected and the city began contract negotiations; and

WHEREAS: During negotiations an agreement was reached with Lavallee Brensinger Architects for Phase I to provide facility needs assessment, site selection and conceptual design services in the amount of \$92,358.00. For Phase II full architectural and engineering services a multiplier of 8% of building construction value shall be utilized. A scope of services and fees are attached to this resolution.

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 Lavallee Brensinger Architects at rates provided in conjunction with RFQ B13057. The amount of this authorization shall be limited so as not to exceed available funding

Financing

Account	Description	Appropriation	Balance
4009.1.210.42170.4720.02389.09	Police Facility	500,000	500,000
4013.1.210.42170.4720.02389.13	Police Facility	697,521	697,521
4014.1.210.42170.4720.02389.14	Police Facility	8,702,479	8,702,479

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Robert Carrier
Deputy Mayor

Approved for Legal Compliance: General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2013.08.14 – 88**

Resolution Re: B13057 Award of Design Service for Dover Police Facility

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.1.

Resolution Number: **R – 2013.08.14 – 88**

Resolution Re: B13057 Award of Design Service for Dover Police Facility

RESOLUTION BACKGROUND MATERIAL:

Sealed request for qualifications were solicited and received on April 30, 2013 at 2:00pm for the Dover police facility needs assessment, site selection and conceptual design services. Fourteen responses were received and ranked by the Dover Police Facility Building Committee and city personnel

A short list of four vendors was selected and interviews were conducted on July 1, 2013. By unanimous vote of the committee, Lavallee Brensinger Architects of Manchester NH was selected and the city began contract negotiations.

During negotiations an agreement was reached with Lavallee Brensinger Architects for Phase I to provide a facility needs assessment, site selection and conceptual design services in the amount of \$92,358.00. For Phase II full architectural and engineering services a multiplier of 8% of building construction value shall be utilized. A scope of services and fees are attached to this resolution.

Award Information:

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

Purchasing Information:

Type:	Purchase Order	Advertised:	yes
Invitations Mailed:	339	Number of Responses:	14
Warranty:	NA	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until completion	Estimated Delivery:	As needed
Recommended Award to:	Lavallee Brensinger Architects	Fund:	CIP
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	No	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

Results and Vendor Solicitation List:

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

Attachment "A"

City of Dover Police Headquarters
Architectural Scope and Fee Description

August 06, 2013

The Project

The project is understood to include architectural and engineering planning, design and construction administration services for a new police headquarters facility for the City of Dover New Hampshire. The following is a general description of overall scope of work and associated professional fees for the project. The Scope of Services, is generally described as an Updated Spatial Needs Assessment, Site Selection, Master Planning, and Standard and Architectural/Engineering Services for the Police Department Headquarters, to include the following City of Dover entities:

- Police Department Facility
- Future Facilities

This facility is initially identified as consisting of approximately 24,000 – 28,000 gross square feet and will be based upon an option established in the Updated Spatial Needs Assessment. This building is to be designed for 24/7 operational capability and is to be a hardened and survivable building in accordance with the following published standards and in accordance with the published City of Dover RFQ #B13057. If requested by the City of Dover, the following criteria can be utilized in the design of the facility:

- NFPA 1221, Standard for the Installation, Maintenance and Use of Emergency Services Communications Systems
- UFC 4-141-4, Unified Facilities Criteria, Emergency Operations Center Planning Design

The Phases of Services are herein identified as follows:

1. Phase I-A: Updated Spatial Needs Assessment:

- 1.1 The Architect shall participate in an initial meeting, with The City of Dover Police Department personnel and the City's Facilities Management Division, to review the proposed project and to establish project schedules for specific tasks.
- 1.2 The Architect shall conduct an analysis of the routine operations of the identified entities in order to fully understand their function, operations and the respective interaction, relationship, adjacency priorities and potential of joint use facilities.
- 1.3 A detailed update to the City-provided Spatial Needs Assessment shall then be conducted providing documentation as to current and future needs; future need being defined as those anticipated for the years 2022 and 2030, and the current need being defined as the year 2014.

The process for obtaining this information shall consist of a two-part endeavor; a detailed questionnaire and on-site interviews with the staff of the various departments/entities, as noted above.

The questionnaire shall relate to such information as:

- 1.3.1 Historical, Current and Projections for Future Staffing Levels.
 - 1.3.2 A Detailed Mission Statement.
 - 1.3.3 An Organizational Chart.
 - 1.3.4 An Assessment of Requested Spaces.
 - 1.3.5 A Definition of Functional Inter-Relationships.
 - 1.3.6 Documentation of Specialized Equipment.
 - 1.3.7 Documentation as to relationship to other Departments.
- 1.4 The Architect, as a part of this phase, shall consider and provide documentation to the extent possible, current and future staffing level projections and their spatial need impact upon future needs of facilities.
 - 1.5 Based upon the recommendations related to facility size, the architect shall identify the land area needed for the building, associated parking and related site requirements, such as stormwater retention, parking areas, landscape requirements and building setback requirements as well as future expansion areas. All identified development options will be verified to be able to be supported by the identified site with site diagrams included within the report.
 - 1.6 The Architect shall research and provide information relative to identifying potential additional grant funding sources, noting entities which provide funds for projects of the type envisioned for the Police Department facility.
 - 1.7 This phase shall result in a detailed report, which shall contain recommendations relative to potential solutions, and shall include up to three (3) alternative recommendations as to the size and associated potential costs of each such alternative. Eight (8) copies of this report shall be issued to the City for review and consideration.
 - 1.8 The results and recommendations of Phase I shall be presented to the City's project staff and subsequently, if so desired, to the City Commission, at a public meeting(s) and/or workshop meeting.

2. Phase I-B: Site(s) Evaluation/Selection and Master Planning:

- 2.1 The City shall submit to the consultant, any existing documentation relative to the proposed sites that have been previously identified and investigated. Based upon the site size determined to be necessary identified within the Spatial Needs Assessment, and with the direct input of the City, the Architect shall assist in the development of a listing of site candidates that merit consideration.
Up to twelve (12) sites will be evaluated for the appropriateness for the development of the proposed Police Department facility and site data sheets will be developed outlining the site characteristics of each site. A shortlisting of four (4) to five (5) site candidates will be conducted of those sites that merit further consideration. If none of the shortlisted sites are chosen, the Architect will conduct preliminary evaluations of up to 6 additional sites. This additional evaluation is included in the scope of Site Evaluation/Selection services.

- 2.2 The Architect shall then conduct an evaluation of these parcels utilizing nationally recognized criteria. The Architect shall prepare, and distribute to the appropriate City personnel, a detailed form for evaluation by the City as well as the Architects/Consultants.
- 2.3 Items to be considered will include:
 - 2.3.1 Ability of the site to accommodate appropriate public and Law Enforcement parking.
 - 2.3.2 Evaluation of property relative to a 100-year storm.
 - 2.3.3 Identification of potential hazards, such as the adjacent railroad.
 - 2.3.4 Ability and estimated cost to acquire adjacent parcels if deemed necessary and/or appropriate.
 - 2.3.5 Guidelines for the abandonment of right-of-way and/or roadways which may become internal to the site.
 - 2.3.6 Appropriateness (capacity) of existing utilities, such as power, gas, water, sewer, fiber optics, etc.
 - 2.3.7 The ability of the site to accommodate the space needs of the Police Department both in terms of current needs (year 2014) and future needs (year 2022 and 2030).
- 2.4 Obtain, to the extent possible, historical and current aerial photographs of the properties, the purpose being to illustrate previous site utilization.
- 2.5 The Consultant shall evaluate any structures on the proposed site (as potentially expanded) to determine if any historical or important buildings and/or features exist that could impact upon utilization of the properties.
- 2.6 Based upon the information assembled and documented, the Architect shall prepare a written report noting the information herein contained, and make a specific recommendation as to the appropriateness of the property. Eight (8) copies of this report shall be provided to the City.
- 2.7 Based upon the information obtained during development of the Spatial Needs Assessment, the Architect shall participate in a meeting(s) with representatives of the City of Dover to initiate the Master Planning effort. The premise of this meeting shall be to obtain consensus as to the appropriate land utilization of the designated property and the proposed facility, as well as future expansion requirements.
- 2.8 Based upon the adopted Development Alternative, the Architects shall prepare a Master Plan Document of the selected site, illustrating:
 - 2.8.1 Proposed land utilization of the selected site.
 - 2.8.2 Location and general configuration of "current need" facilities.
 - 2.8.3 Areas of potential expansion for future need.
 - 2.8.4 Location of vehicles access and egress, both staff and public.
 - 2.8.5 Pedestrian areas and site circulation.
 - 2.8.6 Vehicle Parking Areas (Staff, Public).
 - 2.8.7 Area(s) designated for stormwater retention.
 - 2.8.9 Required Standoff Distances

- 2.9 The Architect shall then prepare a final Master Planning Drawing illustrative of the proposed recommended solution and present same to the staff of the City of Dover.

3. Phase I-C: Conceptual Building Design:

The Architect will prepare conceptual design documents consisting of preliminary elevations and illustrating the following items:

- 3.1 Confirm the site development layout illustrating parking areas, vehicular/pedestrian circulation, public/private zones, site utility considerations, future expansion, etc.
- 3.2 Provide block diagram of major programmed spaces showing functional relationship.
- 3.3 Provide building size/shape configuration showing major entry points.
- 3.4 Provide graphic representation of proposed exterior building envelope components.
- 3.5 Provide list of proposed energy efficient systems/building components.
- 3.6 Provide optional solutions if necessary to address identified constraints.

4. Phase II: Basic Architectural and Engineering Services:

- 4.1 The Architect shall provide services for the standard phases, as defined in the Owner/Architect agreement, for the proposed facility.
- 4.2 The Architect and the Client recognize that the requested services are of significant magnitude, scheduling and complexity, which may include the facility being developed in terms of "survivability" as may be required by the City. The professional fee for "Basic Services" is noted on Attachment "C".
- 4.3 Additional Services, provided concurrent with Phase II services are noted in Attachment "B", with related fees itemized in Attachment "C".

Project Schedule

The project schedule is generally understood to be as follows.

Phase I: Programming, Site Selection and Master Planning, and Concept Design

- 1A: Space Needs Assessment August – October 2013
- 1B: Site Selection October - December 2013
- 1C: Preliminary Project Budget December 2013
- 1C: Concept Design on Preferred Site December 2013 – January 2014

Phase II: Basic Architectural and Engineering Services

- Schematic Design January – March 2014
- Design Development March – July 2014
- Construction Documents July – October 2014
- Bidding / Negotiation October – November 2014
- Construction Administration November 2014 – November 2015

ATTACHMENT "B"

CITY OF DOVER POLICE HEADQUARTERS
REQUIRED AND OPTIONAL ADDITIONAL SERVICES

August 06, 2013

1. **Required Additional Services:**

The Architect, or his consultants, shall provide the following additional services:

1.1 **Civil Engineering:**

Upon acceptance of the Conceptual Master Plan, civil engineering will be provided based upon a scope of work established with the City. The Professional Compensation Fees for these services shall be as noted in Attachment "C".

1.2 **Landscape Architectural Services:**

Landscape Architectural Services shall be provided by a registered Landscape Architect, selected by the Architect, to provide the Scope of Services to be defined by the accepted Master Site Plan. The Professional Compensation Fees for these services shall be as noted in Attachment "C".

1.3 **Permitting Coordination Services:**

The Architect shall provide permitting coordination services as follows:

- Define all permits and/or review agency requirements and provide a graphic chronological assessment.
- Prepare and/or coordinate the permitting applications and make the submittals in a timely manner and in accordance with the schedule to be submitted by the Architect upon execution of this agreement by the Owner.
- Monitor the permitting process and provide written progress reports to the City project management team.
- The Professional Fee for permitting associated with site and facilities shall be as noted in Attachment "C".

1.4 **Interior Services (furniture, fixtures, equipment):**

Services to include the planning, coordination, and specification of furniture, fixtures, and equipment to be included as part of the project.

1.5 **Site Boundary & Topographic Survey for selected site:**

The Architect shall obtain the services of a Registered Land Surveyor, acceptable to the Owner, for a site boundary and topographic survey for the subject property. This service is provided to the Owner with the understanding and agreement that the Architect shall have no liability for said services. The professional fee shall be established based upon a defined Scope of Services.

1.6 **Geotechnical Engineering:**

This service is to be provided by the Owner; however, in the event that the Architect is requested to provide these services, the Architect shall obtain the services of a Professional Geotechnical Engineering firm for purposes of sub-surface soils investigation, percolation testing, and foundation recommendations. This service is provided to the Owner with the understanding and agreement that the Architect shall have no liability for said services. The professional fee shall be established based upon a defined Scope of Services.

1.7 **Specialized Technology Services:**

The Architect and its consultant shall meet with the City Project Manager and establish the basic guidelines for a computer cable system for the facility and shall subsequently prepare a cable plan with appropriate distribution spaces within the facility.

The Architect shall obtain the services of a qualified Security Consultant for services related to site and building security systems, including C.C.T.V., access/egress controls, locking devices, and site security systems.

The Architect and its consultant shall be responsible for all services related to the coordination of the communications system(s) for this facility including, but not limited to, transfer of existing equipment, assistance with the selection and bidding of new equipment, itemization of facility services required (such as electrical, mechanical equipment, etc.) and any other criteria relative to the communications systems of this facility.

The professional fee for these services is as noted in Attachment "C".

2. **Phase II-C Optional Additional Services:**

If requested by the Owner, the Architect, or his consultants, shall provide the following additional services:

2.1 **Cost Estimating:**

The Architect shall retain the services of an independent cost estimator responsible for providing a detailed cost estimate at the completion of Schematic Design Phase.

The Construction Manager (CM) will provide the cost estimating services during the pre-construction phases. At the Owner's option, if the CM is selected prior to the Schematic Design Phase, the CM can provide the cost estimating services.

The professional fee is as noted in Attachment "C".

2.2 **Site and Building Identification/Graphic Design:**

Provide graphic design services associated with the design, bidding and construction observation of building identification, graphics and signage.

2.3 **Post Occupancy/Warranty Review:**

Prior to the end of the one year construction warranty period following occupancy of the building the Architect and M/E/P Engineers shall conduct a general review of the building

with the Owner and Construction Manager and shall document systems and elements that are in need of corrective action on the part of the Construction Manager. Following the completion of all corrective measures by the Construction Manager, the Architect shall review with the Owner that the items have been satisfactorily corrected.

The Professional Services Fee shall be as noted in Attachment "C".

2.4 **Record Drawings:**

In the event that the Owner desires a post construction record set of construction documents, provided at the conclusion of construction, then the Architect shall be entitled to a professional fee as noted in Attachment "C".

2.5 **Commissioning:**

If requested by the Owner, building systems commissioning can be provided as an additional service to help verify that systems are operating properly at the time of building start up and that the Owner's staff is trained and Operations and Maintenance manuals are in place for the future ongoing maintenance of the building. The Professional Services Fee shall be as noted in Attachment "C".

2.6 **Facility or Site Model:**

The Architect shall have constructed a "finished" scale model of the facility or the overall Master Plan, illustrating site utilization, building massing, access and egress roadways, parking areas, pedestrian walkways and storm water retention areas. The completed model shall be encased in a Plexiglas cover. The Professional Services Fee shall be as noted in Attachment "C".

3. **Undetermined Possible Additional Services:** The following services may be necessary or requested as part of this project but have not been included in the above list as fees for these services cannot be determined at this time until more information is available as the project develops.

3.1 **Off-Site Civil Engineering:**

Upon acceptance of the Conceptual Site Plan, if off-site services engineering are required, a scope of work shall be established. Work typically identified as the Scope of Services for Civil Engineering is construction falling outside the property lines or within on-site easements and/or the relocation of existing utilities. The Professional fee shall be agreed upon by the Owner, the Architect and Civil Engineer based upon a defined Scope of Services.

3.2 **Special Engineering:**

Special Structural Engineering services will be provided by the Architect/Engineer, when authorized by the City, if unusual site soil or geographical conditions are found to exist. An additional fee in an amount to be determined (TBD) shall be established, based upon the conditions discovered and the complexity of services necessary to correct said conditions.

3.3 **Grants Application:**

The Architect, if so requested by the City, shall provide grant preparation services. The professional fee(s) shall be established after identification of a potential grant and/or grants, and is noted in Attachment "C".

3.4 **Site Wetlands Investigations and Mapping:**

Depending on the specific site conditions encountered, investigations and mapping of existing wetlands may be necessary.

3.5 **Parking Garage design and engineering services:**

As part of the Phase-I master planning services, the planning for a parking garage may be included for some of the sites being considered. In the event a parking garage is to be included as part of the project, the Architect shall provide parking garage design and engineering services as an additional service, to be determine following the identification of the parking garage Scope of Services.

ATTACHMENT “C”

CITY OF DOVER POLICE HEADQUARTERS
ARCHITECTURAL FEE STRUCTURE

August 06, 2013

Fee Allocation:

The following is the professional fee allocation for the various services defined in Attachments “A” and “B”.

1.	<u>Phase I-A: Updated Spatial Needs Assessment:</u>		
1.1	Principals Time: 51 hrs @ \$178.00/hr	\$	9,078.00
1.2	Associates Time: 46 hrs @ \$132.00/hr.....	\$	6,072.00
1.3	Graphic Designer: 47 hrs @ \$65.00/hr	\$	3,055.00
1.4	Interior Design Principal: 36 hrs @ \$95.00/hr.....	\$	3,420.00
1.5	Staff (Word Processor I): 49 hrs @ \$45.00/hr	\$	2,205.00
1.6	Computer Draftsperson I: 26 hrs @ \$66.00/hr.....	\$	1,716.00
1.7	Reimbursable Expenses	\$	5,450.00
1.8	Subtotal	\$	30,996.00
2.	<u>Phase I-B: Site Selection & Master Planning:</u>		
2.1	Principals Time: 58 hrs @ \$178.00/hr	\$	10,324.00
2.2	Associates Time: 72 hrs @ \$132.00/hr.....	\$	9,504.00
2.3	Graphic Designer: 48 hrs @ \$65.00/hr	\$	3,120.00
2.4	Civil Engineering: 40 hrs @ \$120.00/hr	\$	4,800.00
2.5	Staff (Word Processor I): 48 hrs @ \$45.00/hr	\$	2,160.00
2.6	Landscape Architect: 8 hrs @ \$130.00/hr	\$	1,040.00
2.7	Reimbursable Expenses	\$	3,860.00
2.8	Subtotal	\$	34,808.00
3.	<u>Phase I-C: Conceptual Building Design:</u>		
3.1	Principals Time: 48 hrs @ \$178.00/hr	\$	8,544.00
3.2	Associates Time: 60 hrs @ \$132.00/hr.....	\$	7,920.00
3.3	Computer Draftsperson I: 55 hrs @ \$66.00/hr.....	\$	3,630.00
3.4	Graphic Designer: 40 hrs @ \$65.00/hr	\$	2,600.00
3.5	Reimbursable Expenses	\$	3,860.00
3.6	Subtotal	\$	26,554.00
	Phase-I-A,B,C Subtotal.....	\$	92,358.00
4.	<u>Phase II-A: Basic Architectural and Engineering Services:</u>		
	Professional Fee to be based upon the selected option, as outlined in the Spatial Needs Assessment. A multiplier of 8.0% shall be utilized by applying this figure to the approved Cost of the Work to determine the Basic Services A/E Fee.		

For planning and budgeting purposes, we are assuming a facility comprised of 26,000 SF on a site of approximately 3.0-3.5 acres in size. Please note that in the event that the scope of project increases beyond the stated limits and the construction values are increased beyond those

identified in the noted fee definition, then the professional A/E fees shall be increased proportionally to the approved construction values accordingly.

	TASK	FEE
4.1	Basic Services: (\$6,890,000 est. Cost of the Work x 8.0%)	\$ 551,200.00
4.2	Reimbursable Expenses Allowance (5% x Basic Services Fee)	\$ 27,560.00
4.3	Subtotal	\$ 578,760.00

5. **Phase II-B: Required Additional Services:**

Additional Services, consisting of a variety of tasks, are itemized and described in Attachment “B” of this Agreement. The following is a summary of these services and their related professional fee allocation.

	TASK	FEE
5.1	Civil Engineering (allowance).....	\$ 15,000.00
5.2	Landscape Architectural Services (allowance)	\$ 5,000.00
5.3	Permitting Coordination Services (allowance)	\$ 18,000.00
5.4	Interior Services (furniture, fixtures, equipment).....	\$ 30,000.00
5.5	Site Boundary & Topographic Survey for selected site (allowance).....	\$ 15,000.00
5.6	Geotechnical Engineering (allowance)	\$ 10,000.00
5.7	Specialized Technology Services [tel/data/AV/Security] (allowance).....	\$ 50,000.00
5.8	Subtotal	\$ 143,000.00

6. **Phase II-C: Optional Additional Services:**

Additional Services, consisting of a variety of tasks, are itemized and described in Attachment “B” of this Agreement. The following is a summary of these services and their related professional fee allocation.

	TASK	FEE
6.1	Cost Estimating (concept design): pending selection of CM	\$ 6,800.00
6.2	Site and Building Identification / Signage	\$ 10,000.00
6.3	Post Occupancy/Warranty Review	\$ 5,000.00
6.4	Record Drawings (allowance)	\$ 10,000.00
6.5	Commissioning Services.....	\$ 28,000.00
6.6	Facility or Site Model.....	\$ 9,600.00

7. **Undetermined Possible Additional Services:** The following services may be necessary or requested as part of this project but have not been included in the above list as fees for these services cannot be determined at this time until more information is available as the project develops.

- 7.1 Off-Site Civil Engineering: as required for facilitating the site development such as extending utilities, for example.
- 7.2 Special Engineering: as required to accommodate unforeseen, unexpected, or unusual conditions.
- 7.3 Grants Application Services: necessary to apply for and facilitate funding grants.
- 7.4 Site wetlands investigations and mapping.
- 7.5 Parking Garage design and engineering services.

8. **Summary of Fees for Professional Services:**

The following is a summary of services to be provided as well as related expenses:

8.1	Phase I-A: Space Needs Assessment.....	\$	30,996.00
8.2	Phase I-B: Site Selection & Master Planning.....	\$	34,808.00
8.3	Phase I-C: Conceptual Design.....	\$	<u>26,554.00</u>
8.4	Phase I Subtotal:.....	\$	92,358.00
8.5	Phase II-A: Basic Architectural Services and Reimbursable Expenses	\$	578,760.00
8.6	Phase II-B: Required Additional Services.....	\$	<u>143,000.00</u>
8.7	Phase II Subtotal:.....	\$	721,760.00
8.8	Total Estimated Professional Fees	\$	814,118.00

Note 1. The above fee does not include any Phase-IIC Optional Additional Services as outlined in item 6 above, which the Owner may elect to include as part of this project.

Note 2. The fees defined herein do not represent all fees required for this project. The Owner, with assistance from the Architect, is expected to develop a total project budget to identify all hard and soft costs associated with this Project.

2013

ATTACHMENT "D"

LAVALLEE/BRENSINGER PROFESSIONAL ASSOCIATION

PROFESSIONAL FEE SCHEDULE

PRINCIPAL	\$207.00
ASSOCIATE	\$189.00
SENIOR PROJECT MANAGER	\$169.00
PROJECT MANAGER	\$157.00
SENIOR PROJECT DESIGNER	\$151.00
PROJECT DESIGNER	\$147.00
INTERIOR DESIGNER	\$140.00
GRAPHIC DESIGNER	\$140.00
SENIOR TECHNICIAN.....	\$151.00
TECHNICIAN I	\$117.00
TECHNICIAN II	\$94.00
ADMINISTRATOR.....	\$75.00
CONSULTANTS.....	INV. x 1.20

REIMBURSABLE EXPENSES

(Direct Project Expenses)

PLOTS (BLACK & WHITE)	\$1.10 / SF
PLOTS (COLOR)	\$30.00 / SHEET
COPIES	\$0.30 / PAGE
PRINTING (OUT OF OFFICE)	INV. x 1.20
TRAVEL	\$0.60 / MILE
AUTHORIZED OUT-OF-TOWN LODGING AND SUBSISTENCE	INV X 1.00
OVERNIGHT/SPECIAL DELIVERY	INV. x 1.20
BUILDING INFORMATION MODELING	\$14.00 / HOUR
OTHER PROJECT EXPENSES	1.5% OF GROSS FEES INVOICED
(TELEPHONE, FAX, POSTAGE, SUPPLIES)	

Fees for custom models, renderings, photography, FTP services, Web-based meetings, dedicated cell phone service, graphics, presentation materials and equipment, etc. to be invoiced on a per project basis. Lavallee/Brensinger may perform 3D computer modeling/rendering for its own use in studying project design. Plots of such modeling can be made available to the Owner on an "as-is" basis for the cost of related printing only. Should the Owner request that such modeling/rendering be enhanced or modified for other purposes, related time and expenses will be separately invoiced as additional services.

Rates are adjusted on January first of each year.

2013

ATTACHMENT "D"

ARCHITECTS DESIGN GROUP, INC.

PROFESSIONAL FEE SCHEDULE

Per hour rates of the Architects, Interior Designers and other personnel are established as follows:

Principals.....	178.00/hr.
Studio Department Principals/Project Architects	158.00/hr.
Associates	132.00/hr.
Project Managers	132.00/hr.
Designers	79.00/hr.
Computer Draftsperson I.....	66.00/hr.
Computer Draftsperson II.....	59.00/hr.
Computer Supervisor	86.00/hr.
Threshold Inspector (Certified)	75.00/hr.
Construction Administrators.....	\$102.00/hr.
Specification Writer	89.00/hr.
Senior Draftsperson	79.00/hr.
Draftsperson I.....	66.00/hr.
Draftsperson II.....	59.00/hr.
Accounting Services.....	75.00/hr.
Staff (Word Processor I).....	45.00/hr.
Graphic Designer	65.00/hr.
Interior Design Principal	95.00/hr.
Interior Design Designer	70.00/hr.
Interior Design Specification Writer.....	69.00/hr.
Interior Design Draftsperson I.....	60.00/hr.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2013.08.14 - 89**
Resolution Re: **General Legal Counsel Employment Agreement**

- WHEREAS: Anthony I. Blenkinsop has been appointed as General Legal Counsel for the City of Dover by the City Manager; and,
- WHEREAS: It is the desire of the City Manager to ensure the commitment and full productivity of the Employee in providing service to the City as General Legal Counsel; and,
- WHEREAS: Mr. Blenkinsop has agreed to accept employment as General Legal Counsel of said City subject to certain terms and conditions intended to be memorialized in an Employment Agreement; and,
- WHEREAS: In accordance with the Merit Plan, the Dover City Charter and the Laws of the State of New Hampshire, compensation, benefits, and other working conditions for the employment of Mr. Blenkinsop may be established in the form of an Employment Agreement; and,
- WHEREAS: No additional appropriations beyond those presented in the annual budget and subsequently adopted by the City Council are necessary for funding the costs associated with such Employment Agreement,

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

The City Manager is hereby authorized to enter into the attached Employment Agreement.

Approved as to Funding:


Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

Approved for Legal Compliance:

General Legal Counsel

Recorded by:

Karen Lavertu
City Clerk 



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2013.08.14 - 89**
Resolution Re: General Legal Counsel Employment Agreement

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 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 – 2013.08.14 - 89**
Resolution Re: General Legal Counsel Employment Agreement

RESOLUTION BACKGROUND MATERIAL:

This resolution shall ratify the employment agreement related to the employment of Anthony I. Blenkinsop as General Legal Counsel for the City of Dover. The agreement outlines wages, benefits and other conditions of employment as follows:

EMPLOYMENT AGREEMENT BETWEEN THE CITY OF DOVER, NH AND ANTHONY I. BLENKINSOP

This Agreement made and entered into this ____ day of _____, 2013 by and between the CITY OF DOVER, a municipal corporation within the County of Strafford and the State of New Hampshire (hereinafter called the "CITY"), as party of the first part and ANTHONY I. BLENKINSOP, of the City of Portsmouth, County of Rockingham, and State of New Hampshire (hereinafter called "EMPLOYEE"), as party of the second part;

WITNESETH:

WHEREAS, the City desires to employ the services of the Employee as General Legal Counsel of the City of Dover.

WHEREAS, it is the desire of the City Manager, in accordance with the Dover City Charter and the Laws of the State of New Hampshire, to establish compensation, benefits, and other working conditions for the employment of the Employee; and

WHEREAS, it is the desire of the City Manager to ensure the commitment and full productivity of the Employee in providing service to the City as General Legal Counsel; and

WHEREAS, it is the desire of the City Manager to provide inducement for the Employee to remain in service to the City while also ensuring a just means for the termination of employment at such time as may be required; and

WHEREAS, Employee agrees to accept employment as General Legal Counsel of said City.

NOW, THEREFORE, in consideration of the promises and mutual covenants contained herein, the parties agree as follows:

SECTION 1 – DUTIES AND AUTHORITY

City hereby agrees to employ ANTHONY BLENKINSOP as General Legal Counsel of said City. Employee accepts such employment and agrees to perform the functions and duties specified in the City Ordinances, and the Laws of the State of New Hampshire, and to perform such other legally permissible and proper duties, and reasonable functions as the City Manager shall from time-to-time assign.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2013.08.14 - 89**
Resolution Re: General Legal Counsel Employment Agreement

SECTION 2 – TERM

This Agreement shall remain in full force and effect from August 26, 2013 until employment is terminated by the City or Employee as provided in Section 3 of this Agreement. Solely for the purposes of merit review and benefit eligibility, Employee's anniversary date of employment with the City shall remain as August 26, 2013.

SECTION 3 – TERMINATION OF EMPLOYMENT AND SEVERANCE

- A. The City Manager, at any time, may terminate the employment of the Employee for cause after thirty (30) days written notice of the basis for the termination.
- B. In the event the Employee is terminated by the City Manager with cause, the City agrees that it shall pay to the Employee all unused, accrued vacation leave said amount to be paid to the Employee on or before the effective date of termination of his employment.
- C. In the event the City in any fiscal year intentionally reduces the base salary, compensation or any other financial benefit of the Employee in a percentage greater than is applied in an across the board reduction in the same fiscal year applicable to all other employees of the City, or in the event that the City refuses, following a thirty (30) day period after receipt of written notice delivered to the City Manager, to comply with any of the financial provisions benefiting the Employee set forth herein, or if the City abolishes the position of General Legal Counsel without establishment of the position under a different title with substantially similar duties and responsibilities or similar action, the Employee may, at his option, deem himself to have been terminated without cause as of the date of such reduction or refusal to comply with the provision herein claimed to have been violated.
- D. In the event the Employee is terminated without cause, the City agrees that it shall pay to the Employee all unused, accrued vacation leave, together with a lump sum severance payment equal to one (1) month aggregate salary for each year of completed service as General Legal Counsel, not to exceed six (6) months total, said amount to be paid to the Employee on or before the effective date of termination of his employment.
- E. In the event the Employee voluntarily resigns his position with the City, the Employee shall give the City thirty (30) days written notice in advance, unless the parties agree otherwise. Such notice of resignation shall be directed to the City Manager. If the Employee voluntarily resigns, he shall not be entitled to salary after the date of resignation or to the severance benefits specified in this Section except he shall be paid for all unused, accrued vacation leave not to exceed thirty (30) days.

SECTION 4 – SALARY

- A. The City agrees to pay the Employee for services rendered under this Agreement, an annual base salary of \$88,500, subject to applicable withholdings and deductions, payable in installments at the same time as other employees in the City are paid.
- B. Effective the first full pay period following Employee's anniversary date, the City agrees the Employee shall be awarded a merit increase following completion of an evaluation of his performance as specified by Section 5 of this Agreement. Such increase is only to be applied to the Employee's base salary up to the maximum amount specified in the Class and Pay Plans attached to the City's Merit Plan. The amount of the merit increase shall be determined by the City Manager at his sole discretion, but shall not be more than 5% per annum subject to a satisfactory performance review.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2013.08.14 - 89**
Resolution Re: General Legal Counsel Employment Agreement

SECTION 5 – PERFORMANCE EVALUATION

- A. The City Manager shall review and evaluate the Employee’s performance as General Legal Counsel at least once every year, provided, at a minimum, one performance evaluation occurs within forty-five (45) days of the Employee’s anniversary date each year. Said review and evaluation shall be based on the goals and objectives developed by the City Manager and the Employee in accordance with paragraph B of this Section. Upon completing the evaluation, the City Manager shall provide the Employee with a written copy of the City Manager’s remarks. There shall be an adequate opportunity for the Employee to discuss the evaluation with the City Manager.
- B. Annually during the month of July, or such other month as may be mutually agreed upon, the City Manager and the Employee shall define goals and objectives which they determine necessary for the proper operation of the City and the attainment of the City Manager’s policy objectives, said goals and objectives to be reduced to writing. They shall generally be attainable within the time limits specified and within the annual operating and capital budgets and appropriations provided by the City and the events that have occurred during the year.

SECTION 6 – HOURS OF WORK

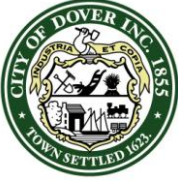
- A. The Employee will devote full time and attention to the business of the City and will not engage in any other business during office hours, except with the approval of the City Manager.
- B. It is recognized that the Employee must devote a great deal of time outside the normal office hours to the business of the City, and to that end the Employee will be allowed to have flexibility in scheduling his time.

SECTION 7 – PAID LEAVE AND HOLIDAYS

- A. The Employee shall accrue twenty (20) days paid vacation leave per year which shall be awarded annually on the Employee’s anniversary date. To limit excessive accruals, up to thirty (30) days of accrued unused vacation leave may be carried over from year to year Employee may opt to be paid for any portion of accrued and unused vacation leave not used during the year.
- B. The Employee will be eligible for ten (10) sick days per fiscal year prorated in the first year from the Employee’s anniversary date to the end of the fiscal year. Sick days are only available to be utilized in the fiscal year awarded and shall not accrue or otherwise accumulate from year to year.
- C. The Employee shall be responsible for accurately recording leave usage which shall be verified and approved by the City Manager.
- D. The Employee is entitled to time off for the holidays as recognized by the City on the day they are observed.

SECTION 8 – INSURANCE BENEFITS

Insurance benefits, including health, dental, life and disability insurances provided to City employees as part of its Flexible Benefits Program will be made available to the Employee and paid by the City excepting the Employee shall pay twenty percent (20%) and the City will pay eighty percent (80%) of the applicable premiums for the Employee’s chosen health insurance plan and, further, the City shall pay an amount up to and not exceeding the cost for two (2) person base dental coverage with Employee paying the difference for any higher



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2013.08.14 - 89**

Resolution Re: General Legal Counsel Employment Agreement

cost plan and/or coverage levels. The Employee health contribution may be subject to change as applicable to other City Employees. The employee shall receive a buy back for health and/or dental insurance coverages not selected equal to fifty percent (50%) of the City's avoided costs provided Employee presents evidence of satisfactory coverage from another source.

SECTION 9 – RETIREMENT BENEFITS

- A. The Employee shall be allowed to participate in the NH Retirement System per the requirements established by State of New Hampshire Retirement System.
- B. The Employee may enroll in the City's 457 Deferred Compensation Plan.

SECTION 10 – CITY BUSINESS RELATED EXPENSES

- A. The Employee shall be reimbursed for all reasonable and approved business-related expenses incurred in the performance of his duties.

SECTION 11 – PROFESSIONAL DEVELOPMENT

- A. The City shall pay for the Employee's individual membership dues and assessments by the New Hampshire Bar Association and the International Municipal Lawyers Association.
- B. The City agrees to purchase subscriptions, books, training materials, course tuition and other professional association memberships for the Employee dependent upon budget availability.
- C. The City agrees to pay the expenses associated with the Employee's attendance at the annual conference of the International Municipal Lawyers Association or, subject to prior approval, another related professional association..

SECTION 12 – INDEMNIFICATION/THIRD PARTY CLAIMS

- A. The City agrees to indemnify and hold harmless the Employee from any and all losses, including Employee's reasonable attorney's fees and other expenses of defense, in connection with any claim, demand, action, or suit, or judgment arising out of any act or omission of the Employee if at the time of the act or omission, the Employee was acting within the scope of his employment and without malice or bad faith.
- B. The City agrees to provide liability coverage for the Employee against third party claims through the City's public employee insurance coverage.

SECTION 13 – BONDING

The City shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance.

SECTION 14 – OTHER TERMS AND CONDITIONS

The City Manager may fix such other reasonable terms and conditions of employment, as he/she may determine from time to time, relating to the performance of the Employee, provided such terms and conditions are not



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2013.08.14 - 89**
Resolution Re: General Legal Counsel Employment Agreement

inconsistent with or in conflict with the provisions of this Agreement, the City Merit Plan, the City Charter, or any other Federal or State law.

SECTION 15 – SEVERABILITY

If any provisions, or provision thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement or portion thereof, shall be deemed severable and shall not be affected and shall remain in full force and effect.

SECTION 16 – MERGER

The text of this written Agreement and any amendments approved and executed by the City Manager and the Employee constitute the entire understanding between the parties with respect to the employment of ANTHONY I. BLENKINSOP as the General Legal Counsel of the City of Dover.

SECTION 17 – NOTICES

Notices pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service, postage prepaid, addressed as follows:

City: The City Manager
City of Dover, NH
288 Central Avenue
Dover, NH 03820

Employee: ANTHONY I. BLENKINSOP, GENERAL LEGAL COUNSEL
City of Dover, NH
288 Central Avenue
Dover, NH 03820

Alternatively, notices required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission in the United States Postal Service.

SECTION 18 – GENERAL PROVISIONS

- A. This Agreement shall be binding upon the City and Employee, as well as their heirs, assigns, executors, personal representatives and successors in interest.
- B. This Agreement shall become effective upon execution.

IN WITNESS WHEREOF, the City of Dover has caused this Agreement to be signed and executed in its behalf by the City Manager, and the Employee has signed and executed this Agreement, all in duplicate, as of the day and year first above written.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2013.08.14 – 90**
Resolution Re: **Establishment of OPEB Irrevocable Trust Fund**

WHEREAS: The Governmental Accounting Standards Board (GASB) released Statement No. 45 *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions* (OPEB) in June 2004; and

WHEREAS: On June 30, 2006 the City of Dover obtained its initial actuarial determined accrued OPEB liability; and

WHEREAS: GASB Statement No. 45 defines employer contributions for financing an OPEB liability as actual premium payments made on behalf of a retiree to an insurer or irrevocably transferred assets to a trust in which the trust is dedicated to providing benefits to retirees; and

WHEREAS: In 2012 the NH Legislature enacted RSA 31:19-c *Authorization for Municipalities to Establish OPEB Trusts*; and

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

The City of Dover, in accordance with RSA 31:19-c hereby establishes an irrevocable OPEB Trust for the purpose of pre-funding the City’s actuarial determined OPEB liability. The principal, any investment income and any contributions to the trust are to be disbursed for the purpose of the trust. The City of Dover Board of Trustees of Trust Funds will be trustees of these funds.

AND FURTHER BE IT RESOLVED THAT:

A transfer of 95% of the audited June 30, 2013 unreserved fund balance of the OPEB Internal Service Fund will be made to the OPEB Irrevocable Trust.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

Approved for Legal Compliance: City General Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2013.08.14 – 90**

Resolution Re: Establishment of OPEB Irrevocable Trust Fund

RESOLUTION BACKGROUND MATERIAL:

The Governmental Accounting Standards Board (GASB) released Statement No. 45 *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions* (OPEB) in June 2004. This statement requires governmental entities that provide retirees and their beneficiaries with health and dental benefits to perform an actuarial determination of a 30-year liability and an estimated Annual Required Contribution (ARC) for providing those benefits. The annual unfunded portion of the ARC is required to be reported in the governmental entity's financial statements as a liability.

On June 30, 2006 the City of Dover obtained its initial actuarial determined accrued OPEB Liability. In accordance with GASB 45 the City is required to obtain an updated actuarial calculation every two years. The most recent actuarial calculation was done for June 30, 2012. The OPEB liability is determined to be \$51 million and the ARC is determined to be \$3.9 million.

GASB Statement No. 45 defines employer contributions for financing an OPEB liability and the annual required contribution (ARC) as:

- 1) Actual premium payments made on behalf of a retiree or beneficiary to an insurer.
- 2) Irrevocably transferred assets to a trust in which the trust is dedicated to providing benefits to retirees and is legally protected from creditors of the employer or plan administrator.

Currently the City of Dover is operating under a “pay-as-you-go” funding mechanism; paying approximately \$1.3 million per year in insurance premiums for retirees. The Pay-As –You-Go approach results in about \$2.3 million of the ARC being unfunded each year, a liability that compounds each year the ARC is underfunded.

NH Cities and Towns were not authorized by State statutes to establish OPEB Irrevocable Trusts. In 2012 the NH Legislature enacted RSA 31:19-c *Authorization for Municipalities to Establish OPEB Trusts*.

The City is requesting to establish an OPEB Trust in order to pre-fund the OPEB liability. The assets placed in the trust will be incorporated into future actuarial calculations and reduce the estimated liability.

This action is consistent with City Council adopted Financial Policy No. 2 regarding funding the City's OPEB liability.

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

TITLE III

TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 31

POWERS AND DUTIES OF TOWNS

Trust Funds

Section 31:19-c

31:19-c Authorization for Municipalities to Establish OPEB Trusts. –

I. The legislative body of a municipality that created, on or before January 1, 2012, an actuarial liability to pay other post-employment benefits (OPEB) to employees or officers after their termination of service may establish an irrevocable trust to pay those benefits. In this section, the term "other post-employment benefits" means employee benefits other than pensions that are received after employment ends, and may include such medical, disability, or other health benefits, as are covered by Statement No. 45 of the Governmental Accounting Standards Board (GASB). The term "trust" means a trust qualified under GASB Statement No. 43.

II. Deposits to any fund under such a trust and any earnings on those deposits shall be irrevocable and shall be held in trust for the exclusive benefit of retirees and their beneficiaries in accordance with the terms of the plans or programs providing other post-employment benefits, except that funds governed by the trust may be withdrawn for other purposes only when an employer's liability owed to former officers or employees for other post-employment benefits has been satisfied or otherwise eliminated pursuant to subparagraph V(b). The assets of any trust created pursuant to this section or in which a municipality participates pursuant to this section shall be exempt from taxation and execution, attachment, garnishment, or any other process. No public officer, employee, or agency shall divert, use, or authorize the use of such funds for any purpose other than as provided in law for other post-employment benefits covered by the trust and administrative expenses.

III. The trustees of any trust created pursuant to this section shall have the full power to invest, reinvest, and manage the assets of the trust. The trustees shall invest the assets of the trust with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims. The trustees shall also diversify such investments so as to minimize the risk of large losses unless under the circumstances it is clearly prudent not to do so. The board of trustees may engage a trust administrator, investment consultants, or other qualified professionals to assist with management and investment of the funds of the trust and may pay for these services out of the funds of the trust.

IV. Trusts created by a municipality pursuant to this section shall be administered by the board of trustees established by the municipality pursuant to RSA 31:22. The accounts of the trustees shall be subject to the auditing and reporting requirements of RSA 31:33. Other provisions of RSA 31:19 through 31:38-a governing trusts shall also apply unless they are contrary to this section.

V. The municipality may withdraw money from the funds of a trust created pursuant to this section only:

- (a) As needed to pay other post-employment benefits owed to former officers and employees; or
- (b) When all other post-employment benefits liability owed to former officers or employees of the employing entity has been satisfied or otherwise defeased.

Source. 2012, 219:1, eff. July 1, 2012.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2013.08.14 – 91**
Resolution Re: B13075 Phase II Environmental Site Assessment First St

WHEREAS: Sealed Request for Proposals #B13075 were requested and received for professional consulting services for the Phase II Environmental Site Assessment for the First Street parking lot on June 18, 2013 @10:00 am. An additional scope of service and cost was also requested for the development of an action plan contingent upon the results of the site assessment; and

WHEREAS: Fifteen proposals were received and evaluated for qualifications. Three vendors were shortlisted and cost proposals opened. Low bid meeting specification for the phase II environmental site assessment was received from Ransom Environmental Consultants in the amount of \$13,900 and award was made in this amount. Samples were taken and the need for additional testing of these samples created a change order #1 to this project in the amount of \$2,060.00. A soil management plan was developed and thereby generated change order 2 in the amount of \$4,600.00; and

WHEREAS: Due to the levels of contaminants for petroleum detected, which are above allowable levels by the State, the need for the additional services of an action plan is needed. Ransom Environmental provided a revised price of \$8,050 bringing the total for this project over the \$25,000 threshold, thereby requiring council approval.


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 Ransom Environmental Consultants, Inc at rates provided in conjunction with B13075. The amount of this authorization shall be limited so as not to exceed available funding.

Financing


Account	Description	Appropriation	Balance
4011.1.210.42130.4741.02380.11	pay & Display	\$268,902.87	\$266,765.16

AUTHORIZATION

Approved as to Funding: 
Daniel R. Lynch
Finance Director

Sponsored by: Mayor Dean Trefethen
By request

Approved for Legal Compliance:
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk 



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2013.08.14 – 91**

Resolution Re: B13075 Phase II Environmental Site Assessment First St

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.4.

Resolution Number: **R – 2013.08.14 – 91**

Resolution Re: B13075 Phase II Environmental Site Assessment First St

RESOLUTION BACKGROUND MATERIAL:

Bid Pricing Phase II Environmental Site Assessment \$13,900 Optional (if needed) Action plan \$11,300
 Change order #1 additional testing \$2,060.00
 Change order #2 soil management plan \$4,600
 Revised action plan \$8,050
 Total project \$28,610.00 thereby requiring council approval.

This project is associated with the sale of the First Street parking lot to First Street at Garrison LLC. During the sales process, it became apparently that there was potential for petroleum buried under the lot. The City went out to bid to have a Phase II Environmental Study conducted, to supplement the Phase I completed in 2011. As part of the ongoing work for the Phase II, staff has determined that a soil management plan and remedial action plan are necessary to further the process along.

Purchasing Information:

Type:	Purchase order	Advertised:	Yes
Invitations Mailed:	225	Number of Responses:	15 shortlisted 3
Warranty:	Meets Specifications	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until delivered	Estimated Delivery:	weeks
Recommended Award to:	Ransom Environmental	Fund:	Police
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	yes	Reason for Council Approval:	Cost estimated at \$25,000 or greater

Vendor Solicitation List & RFP Results:

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



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.5.

Resolution Number: **R – 2013.08.14 – 92**
Resolution Re: **McConnell Center Lease with Community Partners**

Whereas: Community Partners seeks to lease three rooms #246, #247 and #248 for a period of five (5) years at the McConnell Center.

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

The City Manager is authorized to sign a lease with Community Partners for a term of five (5) years at the McConnell Center.

AUTHORIZATION

Approved as to Funding:


Daniel R. Lynch
Finance Director

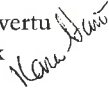
Sponsored by:

Mayor Dean Trefethen
By request

Approved for Legal Compliance:

General Legal Counsel

Recorded by:

Karen Lavertu
City Clerk 



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.5.

Resolution Number: **R – 2013.08.14 – 92**
Resolution Re: **McConnell Center Lease with Community Partners**

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

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

RESOLUTION BACKGROUND MATERIAL:

The City of Dover leases space at the McConnell Center to non-profit organizations and state agencies.



CITY OF DOVER

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

LEASE AGREEMENT

THIS LEASE made this _____ day of _____, 2013, by and between **Community Partners**, a non-profit corporation located at 113 Crosby Road, Suite 1, Dover, New Hampshire 03820 (hereinafter referred to as "TENANT"), and The City of Dover, New Hampshire, of 288 Central Avenue, Dover, County of Strafford and State of New Hampshire (hereinafter referred to as "LANDLORD").

WITNESSETH:

1. Description and Term.

That the LANDLORD does hereby demise and lease to the TENANT the space within the City's McConnell Center located at 30 St. Thomas Street, Dover, New Hampshire, which space is intended to contain 768 square feet and more particularly identified on the McConnell Center Plans dated February 6, 2006 as Rooms 246, 247 and 248.

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

The term of the Lease shall be for five (5) years beginning on August 19, 2013 through August 18, 2018. The parties agree to negotiate in good faith for an additional term.

Monthly rent shall be paid the first of each month to the City of Dover Finance Director, 288 Central Avenue, Dover, NH 03820. Your first year's rent charges are based upon space allocation of 768 square feet and calculated using the following components:

Component	Rate	Assessment	
		Annual	Monthly
Fixed Base Rent	\$ 6.50	\$ 4,992.00	\$416.00
Capital Reserve	\$ 0.40	\$ 307.20	\$ 25.60
Utilities (*)	\$ 5.26	\$ 4,039.68	\$336.64
Other as agreed	\$ 0.00	\$ 0.00	\$ 0.00
Total Rent Assessment	\$12.16	\$ 9,338.88	\$778.24



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

Either party may terminate this Lease Agreement upon providing a written notice with three (3) months advance notice of the termination.

2. Utilities and Maintenance

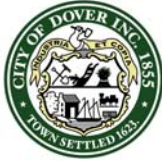
The TENANT shall be responsible for payment of all operations and maintenance costs associated with the Space, including utilities (electricity, water, gas, heat) and shared custodial, snow removal and associated supplies. Operations and Maintenance costs of this lease is established at current rates. Thereafter these costs shall be revised annually and prorated per square foot based upon the previous year's actual cost of operating and maintaining the building. The total square footage of leased space is 768 square feet. The annual revision of operation and maintenance costs shall occur and tenants will be notified in February of the current budget year in time to prepare for the July 1 budget.

3. Condition of Premises.

The LANDLORD leases the Space "as is". TENANT shall be solely responsible for all associated costs for desired original and future build out of the Space; and plans for such build out must be reviewed for potential approval by LANDLORD. TENANT shall be solely responsible for insuring all improvements and contents of the Space, and shall name LANDLORD as an additional insured.

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

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



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4. Access to Premises.

The LANDLORD shall also have the right to enter upon the premises at all reasonable times to inspect same and to expel the TENANT if the TENANT shall fail to comply with or breach in any way this Lease. The LANDLORD shall provide the TENANT with reasonable notice of any inspections of or visits to the premises.

5. Unavoidable Casualty and Eminent Domain.

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

In the event these premises shall be taken either under threat of eminent domain or by eminent domain proceedings in whole then this Lease shall be terminated and the rent shall be pro-rated and returned to the TENANT as of the date of such taking. A condemnation award shall belong exclusively to the LANDLORD.

6. Use.

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

7. Renewal of Lease.

The parties shall negotiate in good faith for an additional term.

8. Subletting and Assignment.

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

9. Personal Property.

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



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10. Default/Early Termination.

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

Both the TENANT and the LANDLORD shall be bound to give a three (3) month vacancy notice if the terms of the Lease are to be broken by either party.

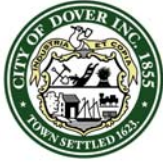
11. Indemnification.

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

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

12. Insurance.

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



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13. Liens and Encumbrances.

TENANT will not create or allow any lien, encumbrance or charge on the TENANT Space or on the McConnell Center or on the rents or income there from which may be superior to the LANDLORD's rights hereunder.

14. Parties Bound.

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

15. Notice.

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

16. Modification of Lease.

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

17. Section Headings.

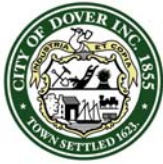
The section headings throughout this instrument are for convenience and reference only, and the words contained herein shall in no way be held to explain, modify or amplify, or aid in the interpretation, construction or meaning of the provisions of the Lease Agreement.

18. Severability.

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

19. Laws Governing.

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



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LEASE AGREEMENT

20. Security Deposit.

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

21. Merger.

This Lease contains all terms and conditions agreed upon by the parties hereto and not other agreements or representations, oral or otherwise, regarding the subject matter of this Lease shall be deemed to exist, provided, however, that any subsequent modifications or agreements affecting this Lease shall be in writing and signed by the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto executed this Lease agreement this ____ day of _____, 2013.

COMMUNITY PARTNERS

Witness

Duly Authorized

CITY OF DOVER

Witness

J. Michael Joyal
Duly Authorized



CITY OF DOVER

CITY OF DOVER – RESOLUTION

Agenda Item#: 13.B.6.

Resolution Number: **R – 2013.08.14 – 93**

Resolution Re: Continuation of Authentication and Codification of the City Ordinances

- Whereas: Per Resolutions R-2012.08.08-106 and R-2012.12.12-154 the City Council had a Committee that was currently charged with Authentication and Codification of the City Ordinances; and
- Whereas: The Committee was working to complete this task per Charter C3-10 as it was progressing and is nearing completion; and
- Whereas: The task completion had a due date of April 30th; and
- Whereas: The Committee met nearly everyday during the final weeks up to April 30th with updates coming from departments up to and through April 29th; and
- Whereas: The City Attorney recommended on April 29th to the committee that to reach completion the committee might need to extend the effort through August; and
- Whereas: The Committee has been unable to meet since the end of April and the codification effort still needs completion;

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

The Dover City Council further continues the Ordinance Codification and Verification Committee’s current efforts to complete the review, authentication and codification process and present the results for public hearing and approval by the City Council by December 31, 2013. The Ordinance Codification and Verification Committee will continue to provide updates to the Council concerning its progress during committee reports scheduled for each Regular City Council Meeting.

AUTHORIZATION

Approved as to Funding:	 Daniel R. Lynch Finance Director	Sponsored by:	Committee Members Catherine Cheney Ward 5 Councilor Karen Weston At-large Councilor Michael Weeden Ward 6 Councilor
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.6.

Resolution Number: **R – 2013.08.14 – 93**

Resolution Re: Continuation of Authentication and Codification of the City Ordinances

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 Ed Spuler, Ward 1		
Councilor William Garrison, Ward 2		
Councilor Michael Crago, Ward 3		
Councilor Dorothea Hooper, Ward 4		
Councilor Catherine Cheney, Ward 5		
Councilor Michael Weeden, Ward 6		
Councilor, Karen Weston, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER – RESOLUTION

Agenda Item#: 13.B.6.

Resolution Number: **R – 2013.08.14 – 93**

Resolution Re: Continuation of Authentication and Codification of the City Ordinances

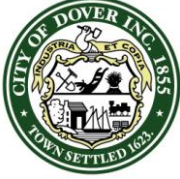
Resolution Background Material:

The intent of this resolution is for the Ordinance Codification and Verification Committee to complete the authentication and codification of the City ordinances.

The committee is nearing completion of the authentication and codification of the City Ordinances, which is 20 years overdue. City staff was working up until April 29th still delivering code to the committee to review and though the committee met almost daily, including Saturdays, for most of April there was not enough time to finish all of the effort and provide the complete package to the City Council for adoption by April 30th.

The committee needs to complete the codification process and would like to set an outside date deadline of December 31st for final public hearing and vote (actual last meeting in December falls on December 11th). The committee does expect that this is an outside date and it is expected by the committee that by mid-October or November the public hearing and council vote will be complete. In an out-of-the-ordinary fashion and unprecedented manner, the committee, as was mentioned, met almost daily receiving changes and requests nearly up through the final moment of the effort's deadline. The original resolution for the extension (R-2012.12.12-154) was to have no deadline but to be completed as expected, as-soon-as-possible, however the night the resolution for the extension was voted on, it was changed to August, then the end of May and finally to the end of April. Though prior codification efforts have taken many years, this codification is nearly complete and the committee can finish the effort and get the code to the public and the Council as-soon-as-possible and practical.

Councilors Cheney, Weston and Weeden concur as the Committee Members that this action by the Committee per this resolution is essential to aid the City Council in fulfilling the process of the Codification and Authentication last completed in 1983.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O-2013.08.14 – 12**
Ordinance Title: **Zoning**
Chapter: **170-28.2 Residential-Commercial Mixed Use (RCM) Overlay District E) Procedural Concepts**

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 170 of the Code of the City of Dover, entitled Zoning, adjusting the provisions of the RCM Overlay District to revise the calculations of uses.

2. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the Section 170-28.2 section E of said Chapter as follows:

E) Procedural Concepts

The developer shall prepare a Development Plan, which locates the proposed types of non-residential and residential development, utilities, access roads, and public ways. The parcels comprising the development may be under separate ownership, but shall be treated as one development and shall be bound by the approval granted for the entire Development Plan. If approval is granted, individual LOTS must be developed as part of the larger Development Plan and phasing outlined below, and not separately. The Development Plan must identify the percentage of the non-residential uses, residential uses and OPEN SPACE. Non-residential and/or mixed use uses must ~~exceed forty~~ comprise at least fifty-five percent (4055%) of the original tract total proposed FLOOR AREA for the development (outdoor display areas may be counted towards the minimum required FLOOR AREA); residential uses must not exceed thirty-five ~~thirty-five~~ forty-five percent (35 45%) of the original tract, and a total proposed FLOOR AREA for the development. A building shall be considered "mixed use" provided that at least 50% of the FLOOR AREA of the first floor is reserved as commercial space, and provided that such commercial space is located roughly in the front half of the building and extends the length of the building façade. Residential accessory uses (e.g. mechanical, storage, laundry, etc.) are permitted to be located within the back half of the first floor of any mixed use building.

A minimum of twenty percent (20%) of the area of the original tract shall be reserved as OPEN SPACE and identified as such on the Development Plan. Fifty percent (50%) of the required OPEN SPACE (as defined in Chapter 155-60) must be usable uplands and reasonably accessible to all property owners in the project. Any OPEN SPACE provided above twenty percent (20%) may be mixed wetlands and upland.

Residential uses require that the calculation of permitted density shall be completed through the submission of a yield plan (as defined in Chapter 155-60) applied to the Development LOT and not individually to the Internal Dwelling LOTS.

For residential development that includes two (2) family, three (3) to four (4) family or MULTI-FAMILY DWELLINGS, density shall be based upon calculating one (1) unit per forty thousand (40,000) square feet of CONTIGUOUS upland, and using one hundred fifty (150) feet of FRONTAGE on a public roadway.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O-2013.08.14 – 12**
Ordinance Title: **Zoning**
Chapter: **170-28.2 Residential-Commercial Mixed Use (RCM)
Overlay District E) Procedural Concepts**

For single family residential development, density shall be based upon calculating one unit per ten thousand (10,000) square feet of CONTIGUOUS upland, and using one hundred (100) feet of FRONTAGE on public a roadway.

The Development Plan may be phased for a term of five (5) years. The phasing plan shall contain provisions which promote the mixed use of the site consistent with Section 170-28.2 A. For the purposes of this section, development shall include:

- (1) construction of STRUCTURES;
- (2) environmental remediation;
- (3) site preparation or demolition;
- (4) roadway utility or recreation and common area design and construction; and
- (5) bonding or other security for site development.

The phasing plan shall provide that no more than fifty percent (50%) of the residential development may be occupied prior to completion of between twenty-five percent (25%) and fifty percent (50%) of the non-residential STRUCTURES as negotiated between the PLANNING BOARD and the Developer.

Provided that the developer is making reasonable efforts to develop the site, the PLANNING BOARD may extend the initial five-year phasing period provided a request for extension is submitted before the expiration of the initial five (5) year phasing term.

- (1) Residential Development Plan Guidelines

The developer shall be permitted to allocate permitted density among Internal Dwelling LOTS in a flexible and creative manner. The sum total of the permitted density shall not exceed the permitted density of the Development LOT or Legal LOT. Layouts may include individual LOTS or a cluster of units without LOT LINES.

Dwelling layouts shall be so designed that parking is screened from external roadways by garages, BUILDING locations, grading or screening. Major topographical changes or removal of existing trees shall be avoided wherever possible, and water, wetlands, and other scenic views from the external streets shall be preserved as much as possible.

Where possible, it is desirable and encouraged to mix residential and nonresidential uses. This may be achieved through situating the BUILDINGS close to each other, or though allowing STRUCTURES to house residential – preferably on the second or above floor, with non-residential on the first floor. Creativity and flexibility is encouraged and the development plan may offer another option for mixing uses. Units created through the TDR program are not required to be housing for the elderly, that term is defined under RSA 354-A:15 and 42 USCA §3607(b)(2).



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O-2013.08.14 – 12**
 Ordinance Title: **Zoning**
 Chapter: **170-28.2 Residential-Commercial Mixed Use (RCM) Overlay District E) Procedural Concepts**

All residential development must adhere to architectural design guidelines. Said standards will reflect a New England village motif and include STRUCTURES with peaked roofs, and architectural shingles. The guidelines for this development are included in Chapter 149, section 14.2.

All MANUFACTURED HOUSEs shall adhere to the standards outlined in Chapter 126, MANUFACTURED HOUSE PARKS, with the exception of Sections 126-3, 126-4, 126-5, 126-6, and 126-7.H which shall be controlled by the provisions hereof and unless noted below. Where there is a difference in the requirements between this Overlay District and the provisions of Chapter 126, "MANUFACTURED HOUSE PARKS", the provisions of the Overlay District shall apply.

(2) Nonresidential Development Plan Guidelines

The general character of the nonresidential STRUCTURES within the development LOT is intended to be a pedestrian friendly setting, with emphasis on the natural characteristics of the site. The site design should create a sense of character and cohesiveness through landscaping, façade treatment, and SIGNAGE.

The guidelines for this development are included in Chapter 149, section 14.2.

3. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Dean Trefethen
Mayor, Planning Board
Representative

Approved for Legal Compliance: General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O-2013.08.14 – 12**
 Ordinance Title: **Zoning**
 Chapter: **170-28.2 Residential-Commercial Mixed Use (RCM) Overlay District E) Procedural Concepts**

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:		
Ordinance does does not pass.		

ORDINANCE BACKGROUND MATERIAL:

On June 12, 2013, Varney Brook Holdings LLC and Changing Places LLC, owners of property on Thornwood Lane, petitioned the City to amend certain provisions of the Residential-Commercial Mixed Use (RCM) Overlay District. The substance of the proposed amendments resulted from the work of a Planning Board subcommittee that met in the winter and spring to prepare updates to the RCM Overlay District.

The request appeared on the June 25, 2013 Planning Board agenda. The petitioners, as well as members of the Planning Board subcommittee and Planning Department staff, explained the purpose of the amendments which are designed to adjust the percentages of maximum permitted residential development and minimum required commercial development and to clarify ambiguities in the existing language. The Planning Board determined that a public hearing should be held and voted to post the amendments and notice abutters for a public hearing.

The Planning Board held a public hearing on July 23, 2013. At that meeting additional information was presented about the proposal. After the public hearing, by a vote of 7-2, the Planning Board approved the applicants' request to amend the RCM Overlay District, and forwarded the request to the City Council for ratification.

Attached is the application and information presented to the Planning Board, along with the required (per 170-53) report on impacts the zoning amendment would have on the community.

Document Created by: Planning	O-2013.08.14-Chapter 170-28.2 RCM
Document Posted on: August 8, 2013	Page 4 of 5



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O-2013.08.14 – 12**
Ordinance Title: **Zoning**
Chapter: **170-28.2 Residential-Commercial Mixed Use (RCM)
Overlay District E) Procedural Concepts**

As per 170-53) G) 2), the Council may waive the abutter notice should an amendment be deemed “comprehensive in nature”, which is defined as an amendment which “affects more than one (1) of the zoning districts”. This amendment affects the ETP, B-4 and I-4 districts. All abutters were noticed for the Planning Board hearing, and no one attended the public hearing to speak on the item.”

To: Dover City Council
From: Christopher Parker, AICP
CC: J. Michael Joyal, City Manager
Dover Planning Board
Date: July 30, 2013
Re: RCM Overlay District Amendment

ISSUE:

On July 23, 2013, the City of Dover Planning Board by a vote of 7-2 approved a property owner request to amend certain provision of the Residential-Commercial Mixed Use (RCM) Overlay District.

INTENT:

This memo will briefly describe the findings of the Planning Board and ensure compliance with Chapter 170 section 53, subsection F of the City of Dover Code.

GOALS:

The proposed zoning amendment must meet certain criteria for the Planning Board to support its adoption. This memo will review the report criteria laid out in Chapter 170 to explain to the City Council the findings of the Planning Board.

PROCESS:

On June 7, 2013, staff received a petition from property owners of land on Thornwood Lane to amend certain provisions of the RCM Overlay District. The petition resulted from the work of a Planning Board subcommittee that met in the winter and spring to prepare updates to the RCM Overlay District. The Planning Board posted the amendment after consideration on June 25, 2013, and held a public hearing on July 23. On July 23, 2013, the Board approved the amendment and forwarded it to the City Council for ratification. The Board did not amend the petition and by a vote of 7-2 approved it as presented.

ATTACHMENTS:

- Rezoning Application
- Staff Memo to Planning Board

As per section 170-53 F), the Planning Board shall provide to the City Council a report on each proposed amendment that has been proposed and endorsed by it. This report shall include the Board's findings and recommendations on the following:

The consistency of the proposed amendment with the Master Plan;

The 2007 update to the City's Land Use Chapter of its Master Plan is entitled "It's All About Context." This chapter emphasizes the need for diverse economic development opportunities, and also promotes urban vibrancy and a mixture of uses.

The proposed amendments adjust the required mixture of non-commercial and residential uses in response to market conditions as they relate to those properties that qualify for the RCM Overlay. In this way, the amendments are designed to help ensure that the properties within the Overlay are actually developed. The RCM Overlay is specifically designed to further the Master Plan goals of promoting economic development, urban vibrancy and a mixture of uses. Therefore, by improving the viability of projects within the Overlay, the amendments are consistent with the Master Plan.

The consistency of the proposed amendment with other plans, studies, or technical reports prepared by or for the Board and the City;

This proposed amendment does not conflict with any other plans, studies or technical reports.

The effect of the proposed amendment on the City's municipal services and capital facilities as described in the Capital Improvements Program;

The Capital Improvements Program does not include any projects within this area of Dover. Through the site review process the applicant will be required to review existing infrastructure and make improvements, where necessary as part of the project development.

The effect of the proposed amendment on the natural, environment, and historical resources of the City;

The RCM Overlay requires that twenty percent (20%) of the tract to be developed remains open space. The proposed amendments retain this 20% minimum open space requirement.

The effect of the proposed amendment on neighborhood including the extent to which nonconformities will be created or eliminated;

The underlying zoning is not changing. Rather, the amendment adjusts the way the mixture of uses is calculated. As this is a modification to an existing mixed use zone, there should be minimal impact to existing abutters and the neighborhood. The amendments do not create any nonconformities.

The effect of the proposed amendment on the City's economy and fiscal resources; and

The proposed amendments will help to ensure that the areas of the City that qualify for the RCM District Overlay are developed with a strong and robust commercial component, which will serve to increase the City's tax base, provide new employment opportunities, and overall strengthen the City's general economic outlook.

The recommendation of the Planning Board relative to whether the proposed amendment should be adopted or rejected, and any recommendations for modifications to the proposed amendment.

The Planning Board approved the citizen petition by a vote of 7-2 and hereby submits it to the City Council for ratification.



CITY OF DOVER

PLANNING BOARD - STAFF MEMO FILE #P13-31

Application Type:	Citizen Petition for Rezoning
Applicant(s):	Varney Brook Holdings, LLC and Changing Places, LLC
Owner(s):	Summit Development
Location:	Residential-Commercial Mixed Use Overlay District

INTENT: A request by the applicant to amend Chapter 170-28.2-E - Residential-Commercial Mixed Use Overlay District (RCM).

LOTS/UNITS PROPOSED: N/A

AGENDA ITEM #: 4-A

ACREAGE: N/A

ZONING DISTRICT: Residential-Commercial Mixed Use Overlay District (RCM)

EXISTING LAND USE: N/A

PROPOSED LAND USE: N/A

SURROUNDING LAND USE: N/A

ZBA ACTION: N/A

ATTACHMENTS: Rezoning application and letter; draft ordinance

APPLICATION IS COMPLETE: Yes

NOTICES SENT: Abutter notices were sent by first class mail for this meeting

PERMITS REQUIRED: N/A

WAIVERS REQUESTED: N/A

Summary of Request and Background

The applicant is requesting to amend Chapter 170-28.2-E - Residential-Commercial Mixed Use Overlay District (RCM) to adjust the minimum percentage of non-residential development and the maximum percentage residential development, and to base those percentages on the total floor area proposed for the project instead of the area of the tract.

The proposed language is set forth on the attached draft ordinance, and is summarized as follows:

- Residential use shall be limited to no more than 45% of the total floor area proposed for the project (residential is currently limited to no more than 35% of the "original tract").
- A minimum of 55% of the total floor area must consist of non-residential and or/mixed use (currently, a minimum of 40% of the "original tract" must be non-residential and/or mixed use).
- "Outdoor display areas" can be used to meet the minimum non-residential/mixed use percentage requirement.
- "Mixed use" means any building that has at least 50% of the floor area of the first floor reserved as commercial space, provided that:
 - such commercial space is located in the front half of the building; and
 - the commercial space extends the length of the building façade.The remainder upper floors of the building may be used for residential. Residential accessory uses (e.g. mechanical, storage, laundry, etc.) are permitted to be located within the back half of the first floor.

The process for handling the petitioned amendment is outlined in Chapter 170-53-C-3.

STAFF RECOMMENDATION:

The Planning Board should hold a public hearing and approve the proposed amendment as set forth in the attached draft ordinance.



City of Dover, New Hampshire ZONING AMENDMENT APPLICATION

[Revision Date: February 13, 2013]

Office Use Only	File #: <u>P13-31</u>	Date Received:	 By <u>G Pare</u>
	Amount Paid: _____	Time Received:	

APPLICANT INFORMATION

Name of Applicant: Varney Brook Holdings LLC/Changing Places LLC

Address of Applicant: c/o Summit Development 340 Central Ave # 202 Dover NH

Telephone # (603) 749-2800

Email Address chad@summitlanddev.com

DESCRIPTION OF PROPOSED AMENDMENT

Revise the method used to calculate the distribution of uses in the RCM district.

AREA REZONING INFORMATION

Assessor's Map and Lot #s of all properties within the area proposed to be rezoned:

Map	Lot(s)
<u>M</u>	<u>4</u>
<u>K</u>	<u>19-1</u>
<u>K</u>	<u>19</u>
<u>K</u>	<u>19-2</u>

Current Zoning District(s) ETP/RCM OVERLAY Size of Area: _____

Existing Use(s) Within Area: RESIDENTIAL AND COMMERCIAL

Proposed Zoning District(s) ETP/RCM OVERLAY Proposed Use of Area: RESIDENTIAL / COMMERCIAL / MIXED USE

ORDINANCE AMENDMENT INFORMATION

Article# VII_ Section(s) # 28.2_ Section Title(s) Residential-Commercial Mixed Use Overlay District

Current Provision(s) Language:

The developer shall prepare a Development Plan, which locates the proposed types of non-residential and residential development, utilities, access roads, and public ways. The parcels comprising the development may be under separate ownership, but shall be treated as one development and shall be bound by the approval granted for the entire Development Plan. If approval is granted, individual LOTS must be developed as part of the larger Development Plan and phasing outlined

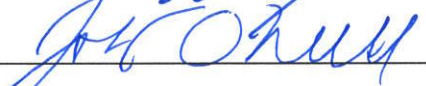
hundred (100) feet of the subject area. The list shall be current within ten (10) days of submittal;

- A non-refundable fee of eight dollars (\$8.00) per property owners and abutter required to be notified included on the lists of properties;
- A non-refundable fee of one hundred fifty dollars (\$150.00) to cover the cost of staff review and processing of the amendment;
- A non-refundable fee of eighty dollars (\$80.00) to cover the cost of the newspaper notice; and
- For district or citywide zoning map amendments, or for zoning ordinance text amendments, please contact the Planning Department for cost of mailing and abutter notice requirements.

SIGNATURE OF APPLICANT(S)

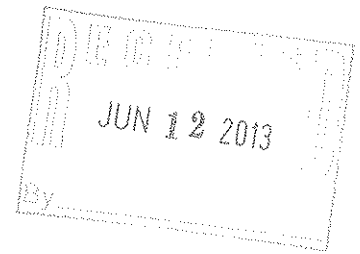
I /We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of Applicant:  Date: 6/12/13

Signature of Applicant:  Date: 6-12-13



P/3-31



June 12, 2013

Mr. Christopher Parker, AICP
Director of Planning and Community Development
City of Dover
288 Central Avenue
Dover, NH 03820

RE: RCM Overlay District Zoning Amendments

Dear Chris,

As part of the attached Zoning Amendment Application I am hereby providing answers to questions on Page 2 of the application.

- The purpose and intent of the amendment;
 1. The purpose of this ordinance is to amend Chapter 170 of the Code of the City of Dover, entitled Zoning, adjusting the provisions of the RCM Overlay District to revise the calculations of uses. Consistency with RSA 674:17;
- Consistency with Dover's Master Plan:
 1. Dover's Master Plan supports a context sensitive mixture of uses and encourages flexibility in land uses and layouts. The RCM Overlay District brings these ideas to fruition.
- Consistency with other plans, studies, or technical reports prepared by, or for, the Planning Board and the City;
 1. This proposal does not conflict with other plans or reports prepared for, or by the City.
- Effect on the City's municipal services and capital facilities as described in the Capital Improvements Program;
 1. The utilities that would be installed per this project would handle any increased loads, and the trunk lines which would be tied into for sewer have capacity to accommodate any changes in intensity.
- Effect on the natural environment and historical resources of the City;
 1. This proposal requires that 20% of the parent parcel remain in a natural state. Additionally, a conservation easement was previously placed over a portion of the parcel.

- Effect on neighborhood including the extent to which non-conformities will be created or eliminated; and
 1. There would be no non-conformities created by this change.
- Effect on the City's economy and fiscal resources.
 1. This would allow for continued improvements to be made to this area of Dover Point, bringing in a diverse scope of businesses. The Economic Development Director has served on the committee which drafted this amendment and supports the ideas.
 2. Our forthcoming Economic Impact Study will confirm the proposed project has a positive financial effect on the City.

Thank you for your cooperation throughout this process.

Sincerely,



Chad Kageleiry

c: John O'Neill, Changing Places



State of New Hampshire Department of Revenue Administration

109 Pleasant Street
PO Box 487, Concord, NH 03302-0487
Telephone (603) 230-5000
www.nh.gov/revenue



John T. Beardmore
Commissioner

Margaret L. Fulton
Assistant Commissioner

MUNICIPAL AND PROPERTY
DIVISION
Stephan W. Hamilton
Director

July 10, 2013

David M. Cornell
Assistant Director

City of Dover
Attn: City Council
288 Central Avenue
Dover, NH 03820

RE: USPAP Report for the 2012 Partial Update of Assessments

Dear Honorable Members of the Council,

In 2006 the New Hampshire Legislature passed RSA 21-J:14-b,I(c), which became effective May 30, 2006. Pursuant to the provisions of this statute, the Assessing Standards Board (ASB) was tasked with creating guidelines for revaluations based upon the most recent edition of the Uniform Standards of Professional Appraisal Practice (USPAP) Standard 6, Mass Appraisal Development and Reporting.

21-J:14-b,I(c): The establishment of guidelines for revaluations by July 1, 2006 based on the most recent edition of USPAP Standard 6. The department of revenue administration shall in its assessment review process incorporate these guidelines and report its findings to the assessing standards board and the municipality, in accordance with RSA 21-J:11-a, II. These guidelines shall be reported to the assessing standards board for all reviews conducted on or after the April 1, 2006 assessment year. These guidelines shall be incorporated in the assessment review process for all reviews conducted on or after the April 1, 2007 assessment year.

In that regard, the DRA has reviewed the final USPAP Standard 6 report submitted by Dover's Assessing Department for Dover on the Mass Appraisal Evaluation Report relative to the DRA checklist (PA-50) enclosed with this letter. Our review indicates that the report submitted for the City of Dover is in fact **compliant** with Standard 6 of the most recent edition of the Uniform Standards of Professional Appraisal Practice (USPAP) as required by RSA 21-J:14-b,I(c).

Sincerely,

Charles K. Reese
Property Appraisal Supervisor

Enclosure (PA-50)
Cc: file & Dover's Assessing Department

TDD Access: Relay NH 1-800-735-2964

Individuals who need auxiliary aids for effective communication in programs and services of the Department of Revenue Administration are invited to make their needs and preferences known to the Department.

USPAP Compliance Checklist

Prepared by the NH Department of Revenue Administration Property Appraisal Division

Client:	New Hampshire Assessing Standards Board (ASB)
Intended Users:	ASB, NH Department of Revenue Administration
Intended Use:	1) To assist the ASB in evaluating compliance with USPAP Standard 6. 2) To provide feedback to the Municipality / Contractor / Assessor
Purpose of the Assignment:	To measure how closely New Hampshire Municipal revaluation practices conform to the most current iteration of USPAP Standard 6.
Effective Date of Value:	4/1/2012
Type of Revaluation: (Circle/Select one)	Partial
Municipality:	Dover
Company / Appraiser:	Corcoran Consulting Associates, Inc

DISCLAIMER ON GUIDELINES BASED UPON USPAP STANDARD 6

The following guidelines are to be applied for all mass appraisals defined in RSA 21-J:14-b, 1(c), and serve to advance the legislative objective of bringing greater credibility, uniformity, transparency, and accountability to statewide assessment practices. In so doing, this document serves as an analytical tool for identifying and documenting compliance with recognized assessment methods and techniques for the Assessing Standards Board. This document also provides a mechanism for communicating these guidelines to the appropriate municipalities, assessors, and contractors.

PA-50 CHECKLIST

REFER TO INSTRUCTIONS

Item #	Section 1 - Letter of Transmittal	Page #	<u>Yes</u>	<u>No</u>	<u>Partial</u>	<u>USPAP</u>
			Select One, and Enter "1"			
1	Identify the appraised properties	2	1			SR 6-8 (i)
2	Identify the effective date of the appraisal	19	1			SR 6-2(d) SR 6-8(g)
3	Identify the intended use of the appraisal	2	1			SR 6-2 (b) SR 6-8(e)
4	Identify the client of the appraisal	2	1			SR 6-2(a) SR 6-8(d)
5	Identify the intended users of the appraisal	7.2.13 Letter	1			SR 6-2(a) SR 6-8(d)
6	Identify the type and definition of value, and cite source	See 2009 USPAP	1			SR 6-2(c) SR 6-8(h)
7	Identify the property interests assessed	7.2.13 Letter	1			SR 6-2(f,iv) SR 6-8(l)
8	Signed and dated Certification of Value	68	1			SR 6-8(q)

Section 1 - "Score"/Compliance:

8 0 0

Item #	Section 2 - Scope of Work	Page #	<u>Yes</u>	<u>No</u>	<u>Partial</u>	<u>USPAP</u>
			Select One, and Enter "1"			
9	Identify type of revaluation performed (partial, cyclical, statistical, full revaluation)	6	1			SR 6-2(j) SR 6-8(i)
10	Identification of any limiting conditions adopted for the development and reporting of value	69	1			SR 6-2(i) SR 6-8(f)
11	Identify any extraordinary assumptions adopted for the development and reporting of value	70	1			SR 6-2(l) SR 6-8(c)
12	Identify the extent of property inspections as reflected in the attached signed contract or in-house work plan	10/11	1			SR 6-4(a) SR 6-5(d)
13	If no physical inspection of sales performed, provide an explanation	10/11	1			SR 6-1(a) SR 6-5(a)
14	Identify the steps taken to complete the final review	10/11	1			SR 6-7(a)
15	Provide a definition of highest and best use	See 2009	1			SR 6-1(a) SR 6-8(n)
16	Explain any departures from highest and best use	See 2009	1			SR 6-1(a) SR 6-8(n)
17	Identify approaches to value considered and utilized	11-14	1			SR 6-2(j) SR 6-8(i)
18	Identify approaches to value <u>not</u> utilized, and explain why not utilized	11-14	1			SR 6-2(j) SR 6-8(i)

Section 2 - "Score"/Compliance:

10 0 0

PA-50 CHECKLIST

REFER TO INSTRUCTIONS

<u>Item #</u>	<u>Section 3 – Development of Values</u>	<u>Page #</u>	<u>Yes</u>	<u>No</u>	<u>Partial</u>	<u>USPAP</u>
			Select One, and Enter "1"			
19	Brief description of basic valuation theory/mass appraisal	See 2009	1			SR 6-4(a) SR 6-8(b)
20	Identify period of time from which sales were utilized for the <u>development of values (in the sales analysis)</u>	7	1			SR 6-4(a,b)
21	Describe how sales utilized in the sales analysis were selected	40	1			SR 6-4(a,b)
22	Describe extent of sale verification and data collection <u>procedures</u>	10	1			SR 6-4(a,b)
23	Identify the number of sales utilized in sales analysis by <u>property type</u>	6	1			SR 6-8(a,b)
24	Provide a brief description of data calibration methods	See 2009	1			SR 6-4 (a,b,c)

Section 3 - "Score"/Compliance:

6 0 0

<u>Item #</u>	<u>Section 4 – Time Trending</u>	<u>Page #</u>	<u>Yes</u>	<u>No</u>	<u>Partial</u>	<u>USPAP</u>
			Select One, and Enter "1"			
25	Provide a brief narrative discussion of the methodology utilized to develop a market-supported time trend analysis	19	1			SR 6-2(f,h) SR 6-1(a)
26	Provide documentation and analytical support for the time <u>trending analysis and conclusions</u>	20-27	1			SR 6-2(f,h) SR 6-1(a)

Section 4 - "Score"/Compliance:

2 0 0

<u>Item #</u>	<u>Section 5 - Land and Neighborhood Data</u>	<u>Page #</u>	<u>Yes</u>	<u>No</u>	<u>Partial</u>	<u>USPAP</u>
			Select One, and Enter "1"			
27	Provide supporting explanation and documentation for base <u>land rate, and base land rate adjustment factors</u>	46-57, 28	1			SR 6-2(h), SR 6-8(l)
28	Provide supporting explanation and documentation for neighborhood classification and neighborhood adjustment factors	See 2009	1			SR 6-2(h), SR 6-8(l)
29	Provide supporting explanation and documentation to explain the increment of value for "site improvement" above base land value	See 2009	1			SR 6-2(h), SR 6-8(l)
30	Provide land area adjustment table	46-57 Pg 29*	1			SR 6-4(b) SR 6-8(b)
31	Provide documentation and support for any other adjustments associated with site specific adjustments	30	1			SR 6-4(b) SR 6-8(b)
32	Provide supporting documentation and support for any positive or negative land adjustments for external influences	See 2009	1			SR 6-3(a) SR 6-4(b) SR 6-8(b)
33	Provide a list of land sales utilized in analysis	28	1			SR 6-4(a,b)
34	Provide a list of land sales <u>NOT</u> utilized in analysis	66	1			SR 6-1(b) SR 6-8(l)

Section 5 - "Score"/Compliance:

8 0 0

PA-50 CHECKLIST

REFER TO INSTRUCTIONS

<u>Item #</u>	<u>Section 6 - Improved Property Data</u>	<u>Page #</u>	<u>Yes</u>	<u>No</u>	<u>Partial</u>	<u>USPAP</u>
			Select One, and Enter "1"			
35	Provide a brief narrative explanation for types of depreciation utilized	See 2009	1			SR 6-1(a) SR 6-4(a) SR 6-8(b)
36	Provide documentation and support to explain derivation of depreciation utilized in the analysis	46-57	1			SR 6-5(aii) SR 6-8(b)
37	Provide documentation and support for derivation of effective area factors	See 2009	1			SR 6-4(b) SR 6-8(b)
38	Provide documentation and support for derivation of story height adjustments	See 2009	1			SR 6-1(a) SR 6-8(b)
39	Provide documentation and support for derivation of quality adjustments	See 2009	1			SR 6-1(a) SR 6-8(b)
40	Provide documentation and support for derivation of building cost tables	33, 54, 67	1			SR 6-1(a) SR 6-8(b)
41	Provide documentation and support for derivation of building style adjustments	See 2009	1			SR 6-1(a) SR 6-8(b)
42	If Income Approach is utilized– describe support for income and expense data utilized	See 2009	1			SR 6-1(a) SR 6-5(b)
43	If Income Approach is utilized– provide documentation and analytical support for vacancy and cap rates utilized	See 2009	1			SR 6-1(a) SR 6-5(b)
44	Provide list of improved sales utilized in analysis	46-57	1			SR 6-4(a,c) SR 6-5(aiv)
45	Provide list of Property Record Cards (of improved sales) NOT utilized in analysis	60-65	1			SR 6-8(a,b)

Section 6 - "Score"/Compliance:

11 0 0

<u>Item #</u>	<u>Section 7 - Statistical Analysis, Testing and Quality Control</u>	<u>Page #</u>	<u>Yes</u>	<u>No</u>	<u>Partial</u>	<u>USPAP</u>
			Select One, and Enter "1"			
46	Ratio study using new assessed values	41-45	1			SR 6-7(b) SR 6-8 (b,o)
47	Ratio study using old assessed values	41-45	1			SR 6-7(b) SR 6-8 (b,o)
48	COD study using new assessed values	45	1			SR 6-7(b) SR 6-8 (b,o)
49	COD study using old assessed values	45	1			SR 6-7(b) SR 6-8 (b,o)
50	PRD study using new assessed values	45	1			SR 6-7(b) SR 6-8 (b,o)
51	PRD study using old assessed values	45	1			SR 6-7(b) SR 6-8 (b,o)
52	Provide strata analysis using new assessed values for each strata	45	1			SR 6-7(b) SR 6-8 (b,o)
53	Provide strata analysis using old assessed values for each strata	45	1			SR 6-7(b) SR 6-8 (b,o)

Section 7 - "Score"/Compliance:

8 0 0

CHECKLIST

REFER TO INSTRUCTIONS

Item #	Section 8 - Appendices	Page #	<u>Yes</u>	<u>No</u>	<u>Partial</u>	<u>USPAP</u>
			Select One, and Enter "1"			
54	Appendix A: Copy of contract or in-house work plan, if not already provided	10-11	1			SR 6-8(b,I)
55	Appendix B: Copy of neighborhood map(s) or electronic file, if not already provided	See 2009	1			SR 6-8(b,I)
56	Appendix C: Individuals responsible and/or assisting in the development of the USPAP compliant report	71-77	1			SR 6-8(b) SR 6-9
57	Appendix D: Identify CAMA System codes. Identify any codes that are unique to your municipality	See 2009	1			SR 6-8(b,I)
58	Appendix E: Provide identification of zoning district(s)	See 2009	1			SR 6-8(b,I)
59	Appendix F: Provide list of "qualified" and "unqualified" sale codes	60-66, 41-45	1			SR 6-8(b,I)
60	Appendix G: Qualifications. Provide copies of the DRA certifying documents for each individual identified in Line #56.	71-77	1			SR 6-1(a)
61	Appendix H: Definitions. A summary of useful definitions is available from the DRA.	See 2009	1			SR 6-8(b,I)
Section 8 - "Score"/Compliance:			8	0	0	
TOTAL "SCORE"/COMPLIANCE:			61	0	0	



July 18, 2013

Dover City Council
City of Dover
288 Central Avenue
Dover, NH 03820

Dear Council Members:

Having completed our digital network enhancement to an all-digital system, on or shortly after September 24, 2013 we will begin encrypting our Limited Basic service in your area. Encryption has a number of consumer benefits; including the reduced need for home service calls and the enhanced security of our network by reducing service theft that impacts our customers' service experience.

When Limited Basic service is encrypted, all XFINITY Video customers will need equipment supplied by Comcast connected to each television in order to continue receiving services.

A customer that has a set-top box, digital adapter, or a retail CableCARD™ device connected to each TV will be unaffected by this change. A customer that is currently receiving Comcast's Limited Basic service on any TV **without** equipment supplied by Comcast will lose the ability to view any channels on that TV. These customers will be entitled to receive equipment at no additional charge or service fee for a limited period of time. The number and type of devices the customer is entitled to receive, and for how long, will vary depending on the customer's situation.

Enclosed please find a sample of the customer notice that the FCC requires be sent to customers regarding encryption and the availability of devices at no additional charge or service fee. You'll note that we have established a special toll free number and website so that our customers can learn more about the equipment offer and eligibility.

In addition, the encryption of our Limited Basic service will impact those accounts receiving courtesy services pursuant to our Franchise/License Agreement. Courtesy accounts are entitled to receive up to three digital adapters or CableCARDS at no additional monthly charge, including those they may have previously received as part of our digital network enhancement to an all-digital platform. A sample of the courtesy notice to be received by these accounts is enclosed.

As always, if you have any questions or concerns please feel free to contact me at 603-224-1871, ext. 202.

Sincerely,

Bryan Christiansen

Bryan Christiansen, Sr. Manager
Government & Regulatory Affairs

Enclosures

IMPORTANT SERVICE MESSAGE:

On September 24, 2013, Comcast will start encrypting Limited Basic service on your cable system.

If you have a set-top box, digital adapter, or a retail CableCARD™ device connected to each of your TVs, you will be unaffected by this change. However, if you are currently receiving Comcast's Limited Basic service on any TV without equipment supplied by Comcast, you will lose the ability to view any channels on that TV.

If you are affected, you should contact Comcast at **855-860-8989** to arrange for the equipment you need to continue receiving your services. In such case, you are entitled to receive equipment at no additional charge or service fee for a limited period of time. The number and type of devices you are entitled to receive, and for how long, will vary depending on your situation:

- If you are a Limited Basic customer and receive the service on your TV without Comcast-supplied equipment, you are entitled to up to two devices for two years (five years if you also receive Medicaid).
- If you subscribe to a higher level of service and receive Limited Basic service on a secondary TV without Comcast-supplied equipment, you are entitled to one device for one year.

You can learn more about this equipment offer and eligibility at comcast.com/digitaladapterinfo or by calling 855-860-8989.

To qualify for any equipment at no additional charge or service fee, you must request your equipment between August 25, 2013 and January 22, 2014 and satisfy all other eligibility requirements.

You can learn more about this equipment offer and eligibility at comcast.com/digitaladapterinfo or by calling 855-860-8989.

**IMPORTANT INFORMATION
ABOUT YOUR COURTESY VIDEO SERVICES**

DATE

Account Holder
Address
City, ST 00000

Dear _____:

On XX/XX/XXXX, Comcast will begin encrypting Limited Basic service on the cable system in your community.

TVs connected to a set-top box, digital adapter (DTA) or retail CableCARD™ device will be unaffected by this change. However, if you have any TVs that are currently receiving Comcast's Limited Basic service **without** equipment supplied by Comcast, you will lose the ability to view any channels on those TVs.

If you are affected, you should contact Comcast at the number below to arrange for the equipment you will need to continue receiving services. We will provide you with **up to three digital adapters or CableCARDS at no additional charge** (including those you may already have on your account), unless digital equipment is otherwise provided for by your community's agreement with us. Please know that if you choose not to take a digital device for any TV, you will not receive Comcast service on that TV. If you request **more than the three digital devices mentioned above**, you will incur a monthly charge of either \$0.50 or \$1.99 depending on your service level for each additional digital adapter and a monthly equipment charge of no more than \$1.50 for each additional CableCARD in the same retail device.

For more information or to obtain your digital equipment, please call 1.800.581.5122 and reference this letter.

Sincerely,

Installation, taxes and other fees extra. Pricing subject to change. ©2013 Comcast. All rights reserved.