



CITY OF DOVER

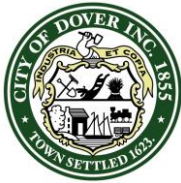
CITY COUNCIL – AGENDA

REVISED

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, March 9, 2016**
Meeting Time: **7:00 pm**

- 1. CALL TO ORDER**
- 2. MOMENT OF SILENCE**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ROLL CALL ATTENDANCE**
- 5. PROCLAMATIONS/AWARDS**
- 6. APPROVAL OF AGENDA**
- 7. PUBLIC HEARINGS**
 - A. CHAPTER 166, VEHICLES AND TRAFFIC: SECTION 37, HOURS OF OPERATION
SPONSORED BY MAYOR WESTON BY REQUEST**
- 8. CITIZEN'S FORUM**

*Citizens are invited to speak on any issue pertaining to the business of the City of Dover.
Statements shall be limited to five minutes.*
- 9. CITY MANAGER'S REPORT**
- 10. APPROVAL OF MINUTES**
 - A. February 17, 2016 – Workshop**
 - B. February 24, 2016 – Regular Meeting**
 - C. February 24, 2016 – Workshop**
- 11. MAYOR'S REPORT**
- 12. UNFINISHED BUSINESS**
 - A. ORDINANCES IN THE 2nd READING**
 - 1. CHAPTER 166, VEHICLES AND TRAFFIC: SECTION 37, HOURS OF
OPERATION**
SPONSORED BY MAYOR WESTON BY REQUEST
 - B. ORDINANCES IN THE 3RD READING**
 - C. RESOLUTIONS**



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CITY COUNCIL – AGENDA

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13. NEW BUSINESS

A. CONSENT CALENDAR

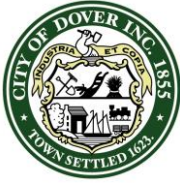
- 1. ROAD RACE – Dover Main Street**
- 2. ROAD RACE – Wentworth-Douglass Hospital**
- 3. POLICE DISPATCH EQUIPMENT**
SPONSORED BY MAYOR WESTON BY REQUEST

COMMITTEE REPORTS

- | | |
|--|---|
| 1. School Board | 13. Joint Building Committee – Dover High School and Regional Career Technical Center |
| 2. Planning Board | 14. Joint Building Committee – Garrison Elementary School |
| 3. Appointments Committee | 15. Dover Main Street |
| 4. Recreation Advisory Board | 16. Library Board of Trustees |
| 5. McConnell Center Advisory Committee | 17. Dover Downtown TIF Advisory Board |
| 6. Arts Commission | 18. Waterfront TIF Advisory Board |
| 7. Solid Waste Advisory Commission | 19. Energy Commission |
| 8. Transportation Advisory Commission | 20. Heritage Commission |
| 9. Pool Advisory Committee | 21. Tri-City Coalition |
| 10. Parking Commission | 22. Arena Commission |
| 11. Ordinance Committee | |
| 12. Police and Parking Facility Building Committee | |

B. RESOLUTIONS

- 1. REQUEST FOR PROHIBITION OF HUNTING ON WILLAND POND**
SPONSORED BY COUNCILOR GAGNON
- 2. MINIMUM FUND BALANCE FINANCIAL POLICY**
SPONSORED BY MAYOR WESTON BY REQUEST
- 3. OPPOSITION TO SB 349**
SPONSORED BY MAYOR WESTON
- 4. OPPOSITION TO HB 1687 AND 1688**
SPONSORED BY MAYOR WESTON
- 5. SUPPORT OF HB 1630**
SPONSORED BY MAYOR WESTON
- 6. DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DOVER AND VARNEY BROOK LANDS, LLC**
(TO BE REFERRED TO A PUBLIC HEARING ON MARCH 23, 2016)
SPONSORED BY MAYOR WESTON BY REQUEST



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C. ORDINANCES IN 1ST READING

- 1. CHAPTER 5, SECTION 25 – HERITAGE COMMISSION
(TO BE REFERRED TO A PUBLIC HEARING ON MARCH 23, 2016)
SPONSORED BY MAYOR WESTON BY REQUEST**

14. COUNCIL CORRESPONDENCE

- A. Letter from Charles Reynolds, received February 18, 2016.**

15. COUNCIL MATTERS OF INTEREST

16. ADJOURNMENT



THE CITY MANAGER'S REPORT

March 9, 2016

*Month Reporting on:
February 2016*

"It was one of those March days when the sun shines hot and the wind blows cold; when it is summer in the light and winter in the shade."

- Charles Dickens

J. Michael Joyal, Jr.
City Manager

Legal Department

by Anthony Blenkinsop

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

Right to Know Requests, pursuant to RSA 91-A

→ Durham, NH – 2 Requests for agenda materials for meetings between 02.10.2016 and 03.10.16

Assistance to City Departments and/or Offices

City Council: Drafting/review of resolutions and ordinances;

City Manager: Review of documents for signature, 91-A requests; Resolutions; Willand Pond hunting issue; Testify before NH Legislature on certain bills of interest to Dover;

Community Services: Utility Easement; Dover Arena contracts; water/sewer easements

Finance: Discharge of Liens; Oak Street fire hydrant incident; Bond official statement; Property purchase; Sewer backup issue

McConnell Center: Senior citizen age restriction; Photo permission; Lease assignment

Planning: Acceptance of Utility Easement for Glen Hill Road; Water fowl inquiry; Vesting standard for subdivision

School: School Board budget inquiry; JBC establishment

DBIDA: Sign removal letter of agreement

Community Services: Utility Easement; Dover Arena Contracts; water/sewer easements

Litigation

Kelley's Row, et al v. First Street at Garrison etal: Settlement ongoing.

Clay v. City of Dover: Complied with Court Order on 12.02.2015 in providing candidate names to Plaintiff – awaiting judge's order on applicant scoring sheets.

City v. Nathaniel Figuers: Motion to Court regarding Lien to be filed with hearing scheduled for April 14, 2016.

Karl Leinsing v. City: Awaiting Court Order from 10.2015 hearing.

City v. Joel Bernier: Bernier was ordered to make monthly payments starting February 15, 2016, first payment received.

Cohen v. City: Trial rescheduled for June 21, 2016.

City of Dover v. State of NH: (adequacy lawsuit) Hearing scheduled for March 21, 2016

Ventas Realty Limited Partnership v. City: Propounded interrogatories on Plaintiff; Bench Trial scheduled for October 12, 2016.

The use of outside counsel to handle specialty matters continues and consists of environmental matters and labor negotiations. There are a small number of attorneys hired on a variety of smaller matters.

	Current Month	FY16 YTD	FY15	FY14
Legal Matters/ Questions Handled	25	149	276	251
Document Creation/Review	16	149	180	175
Right to Know Requests Processed	2	42	103	78
Resolutions	5	30	54	48
Ordinances	1	19	21	14

Economic Development

by Dan Barufaldi

Summary:

Most reporting retailers, manufacturers, consulting and advertising firms cite year-over-year sales increases for the same period. Residential real estate markets continue to be strong and commercial real estate remains at the upper performance range of the previous report. Contacts say pricing remains steady, with the exception of local residential apartment rents and single family housing prices. Our region continues to see a positive future outlook. Some firms indicate they are providing larger wage increases than in the past few years to most or to selected job categories to retain existing employees, others are not. About half of reporting firms are holding employment steady and most others plan to do modest net hiring. The current Dover unemployment rate is 2.4 %.

Selected Business Services:

Demand for consulting and advertising is up moderately over last year at this time. Software and IT services providers are experiencing mixed results with some 1% over or under previous year sales. Services to the healthcare

sector have recently increased as walk-in convenient care centers are being added. Some consolidation is now being experienced in the healthcare sector. Wages, while up significantly in critical skill areas, remain just above inflation. These firms usually hire in classes to be trained at once and usually do this in the summer season. To attract highly skilled workers in growing industries these firms are expanding their social media and technological attraction efforts. Increased health insurance costs remain a concern with the onset of the Affordable Care Act and the challenge of being able to increase pricing to cover the increased cost. Experienced wait staff is at a premium. Overall the sector is optimistic and expecting high single digit growth over the next two quarters and beyond.

Uncertainty regarding the Affordable Care Act, the slowing Chinese economy/ housing bubble, and the economic effects of Middle Eastern wars; the European migrant refugee problem and the Ukraine/Russia situation effect on the European economies continue to produce a prevailing air of caution in this and several other sectors with real local economic effect. Local walk-in healthcare centers are hiring strongly as these in demand skill sets become available.

Predictions for 2016 revenue growth are in the 5%- 15% range.

Commercial Real Estate:

Commercial real estate sales activity was unchanged over the quarter regionally with sustained strength in the local, Boston and Portland markets. Demand locally has remained positive with several local commercial developments, mixed use infill, multifamily and assisted living investment projects coming to fruition. Land sales continue to have momentum locally. Investment demand for commercial real estate remains strong. Leasing fundamentals maintained a moderate pace of improvement in recent weeks, consistent with minimal-to-slow employment growth. A small amount of speculative office construction as part of mixed use building is now being done. The lending environment remains highly favorable to borrowers, with historically low, slowly rising interest rates and increasingly tighter standards. Abundant investment capital continues to flow into commercial lease

properties across the Seacoast, sourced from private equity firms, pension funds, foreign investors, REITS and high net worth individuals. The projected end of "quantitative easing" over time was beginning to trigger a gradual rise in interest rates. The latest 25 basis points rate increase of the Fed will extend the current interest rate through year end with upward moves every quarter in 2016 anticipated if the economy and the inflation rate allow. Leverage ratios are on the rise among some investors, but remain low in absolute terms. Local multi-family and mixed use construction remains at a very healthy pace with local inventory in this category rising rapidly. The outlook remains cautiously optimistic across the region. Forecasts call for more slow improvement in fundamentals moving forward, pending steady (if slow) employment growth. Fiscal policy and uncertainty around the business and employment effects of the ACA and Medicaid expansion costs are producing uncertainty at both the state and federal levels and this is mentioned by some as a down side risk to employment growth that produces improvement in leasing and construction activity. Some major capital spending projects are underway and some about to be announced. One office/manufacturing building recently available in Enterprise Park will soon be purchased. The two formerly vacant buildings in the park are now occupied. See Local Major Development Projects Section below.

Residential Real Estate:

Residential real estate markets continue to exhibit strong performance in the Seacoast. Home buyer confidence is up. Completed sales of single family homes increased year-over-year through quarter four. Low inventory levels locally are still thought to be limiting sales, but appear to be easing somewhat as rising prices are convincing sellers to put homes on the market before interest rates go up any more. Median selling prices continue to rise locally. Condo sales though somewhat mixed regionally, are up locally as well, as are condo pricing and pending sales. Closed unit sales of both single family homes and condominiums improved slightly over the past month. Sales and prices are up in the sector. Median sale prices in NH and in Dover increased again in the period. Pending sales suggest the markets for single family houses and condos have

finished well in 2015 and will continue to do well throughout 2016.

Manufacturing & Related Services:

Manufacturers are now reporting some sustained strength in sales and improved year over year profits. A few local manufacturers are reporting lower sales than the same period a year ago due to a fall off in export sales brought on by the strong U.S. dollar and the reduction in mining and oil exploration equipment and parts sales caused by the low crude oil prices. Exporters to both Europe and China are concerned with the macro-economics they're seeing in both markets. The Chinese economy has slowed markedly and their investment in infrastructure, often purchased here, is also down significantly. Recent support of the Yuan may help going forward to mitigate the effects of the strong U.S. dollar in export markets. The recent EU economic problems and refugee influx from Iraq, Libya, Yemen and Syria, coupled with the economic problems in the Ukraine and Russia and the effects they will cause in world-wide markets and economies are a growing uncertainty and concern. Automotive car, truck and parts suppliers have been doing well so far, but are now experiencing some mixed results. Pickup truck and SUV sales are still at an all time high with low gasoline prices. Firms reporting on inventory levels are split with half citing flat inventory levels and half citing higher levels. Most contacts in the manufacturing sector indicate that both staffing levels and wage growth remain modest except for select scarce high demand skill sets. Capital investment is up locally. Aerospace parts manufacturers are reporting increasing sales. Some major capital spending projects are underway and some about to be announced. A number of other commercial projects are currently underway or about to be underway during this building season. Outlook for the balance of the year remains positive.

Price pressures remain moderate. Regional manufacturers remain guardedly optimistic. Labor demand has been strong in IT and, software until very recently. Aerospace, nursing, electronics, engineering, quality assurance techs and legal skills demand remain strong. Recently, experienced retail sales people are in tight supply. Most firms in the

field have slowed additions to headcount with wages and prices remaining flat.

Retail & Tourism:

Retailers contacted for this period report store sales ranging from low to mid single digit increases year-over-year and favorable results for the Holiday season. The retail holiday sales for the region were listed at 7% over last year. The recent continuing fall off in gasoline prices has increased disposable income and is enhancing retail and tourism revenues slightly in the short term. Sales of apparel, electronics, furniture, household items and home improvement goods are selling well. Prices were up slightly (1 %) despite advertised sales. Inventories appear a little higher than anticipated for winter goods as the recent warm weather has delayed winter goods purchases until very recently. On-line shopping has also reinforced a "just-in-time" shopping mentality that has exacerbated erratic monthly sales results. Many retailers are making capital investments to participate more fully in on-line sales. Some local retail establishments are finding it difficult to hire experienced retail sales personnel.

Business travel remains strong, but leisure travel is entering slow period in the first quarter locally and the lack of snow has reduced ski travel markedly so far this season. Bus tours to Dover are scarce in the first quarter as well, but our hockey tournaments help local hotel occupancy rates during this period. Annual Dover occupancy rates have been very good and well over the previous year. Most high end restaurants are now doing well, benefiting from the parking garage downtown. The mid-tier restaurants are experiencing the usual post holiday doldrums and are finding it more difficult to find experienced wait staff even with higher wages.

Attendance at our museums, fairly flat so far this year, is beginning to anticipate an improvement with the coming spring weather and an increase in event frequency and quality. Pricing has remained steady.

* NOTE: Non-local content contains excerpts from the Federal Reserve Beige Book-Boston.

Local Major Development Projects:

- First street Development
- McIntosh properties Development
- Yacht Club Development
- Stonewall Kitchens Development
- Rand-Whitney Development
- Dover Parking Garage
- Dover Police Station
- 49,000 SF at 27 production drive leased for manufacturing with a buy option
- Broadway mixed use development
- Purchase of 44 Venture drive
- Well over \$100,000,000 in Dover development underway.
- Enterprise Park Developments

Total Permits Issued: February 2016

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map	Lot	Construction Value	Fee
15-374	ST. MARYS CHURCH	31	THIRD STREET	REPLACE A DETACHED GARAGE	C	31	24	82000	845
15-453	SUMMIT LAND DEVELOPMEN	447	CENTRAL AVENUE	INT. RENO. FOR A COFFEE SHOP	C	3	64	2000	45
16-001	SOJOURN PROPERTY MGNT, L	66	THIRD STREET	RENOV. OFFICE FOR FITNESS STUDIO	C	31	7	3500	65
16-010	DOS AMIGOS	286	CENTRAL AVENUE	RENVO./REMODEL A RESTAURANT	C	9	114	10000	125
16-029	GLOBAL SIGNAL ACQUISITIO	38	PARSONS LANE	INSTALL ANTENNAS ON A TOWER	C	A	36-0-	20000	225
16-036	CADIEUX	6	MILK STREET	INT. RENO. CONST. SHOWRM & OFFICE	C	30	108	23000	255
16-037	HEMINGWAY	590	CENTRAL AVENUE	INT. RENO. OF A HAIR SALON	C	30	125A	3500	65
16-017	WALLACE	26	CROSBY ROAD	CONST. TWO DEMISING WALLS (UNITS	I	6	31-3	7000	95
15-323	LULL	289	DOVER POINT ROAD	INSTALL AN INGROUND GUNITE SWIM	R	L	48	30000	325
15-337	PATEL	33	EMERALD LANE	INGROUND POOL INSTALL	R	F	22A-2	30000	325
15-384	SCHUMAN	136	COUNTY FARM ROAD	INSTALL A STORAGE SHED	R	C3	B1	4000	65
15-452	TOWLE MCKENNEY	60	BACK RIVER ROAD	FINISH ADU ABOVE DETACHED GARAG	R	I	67	56600	595
16-002	BURPEE, SHEILA	31	CRANBROOK LANE	FINISH THE BSMNT FOR ADD'L LIVING	R	D	89	13000	155
16-015	SPRAGUE	27	WOODLAND ROAD	FINISH BASEMENT FOR ADD'L LIVING A	R	17-9	8	16000	185
16-016	STABILE HOMES @ POINT PLA	4	SIERRA DRIVE	CONST. A SFD WITH ATT. GARAGE	R	K-1	2-31	220000	2225
16-018	COFFEY	22	COLUMBUS AVENUE	INSTALL ROOFTOP SOLAR PV SYSTEM	R	G	24J-2	20000	225
16-019	SHATNEY	9	CRESTVIEW DRIVE	INSTALL ROOFTOP SOLAR PV ARRAY	R	D	22-1	16000	185
16-020	KEIMAN	36	MATHES HILL DRIVE	INSTALL ROOF MOUNTED SOLAR PANE	R	I	49-14	12000	145
16-021	TOMPKINS	3	IVANS LANE	INSTALL ROOFTOP SOLAR PV ARRAY	R	M	52-11	21000	235
16-024	CORNWELL	40	DANIELLE LANE	REVIEW & REPLACE WINDOW UNITS	R	I	47-1	7000	95
16-026	COON	63	BAY VIEW ROAD	DEMO/RMV. COTTAGE/DWELLING UNIT	R	J	22C	0	50
16-027	STABILE HOMES @ POINTE PL	3	SIERRA DRIVE	CONST. A SFD WITH ATT. GARAGE	R	K-1	2-1	200000	2025

Permit #	Owner's Last Name	Street #	Street	Description	Type	Map	Lot	Construction Value	Fee
16-032	MGLT ENTERPRISE	105-107	MOUNT VERNON STREET	TINT. RENOVATION OF A DUPLEX	R	29	14	49000	515
16-033	O'CONNOR	5	BEVERLY LANE	RENO./REMODEL THE KITCHEN & INST	R	H	29-8	72000	745
16-035	SMITH	13	CHURCH STREET	RENOV./RMDL EXPAND TWO BATHROO	R	9	90	24000	265
16-038	SYLVESTER	9	PEARSON DRIVE	FINISH BASEMENT FOR ADD'L LIVING A	R	L	46C	10000	125
16-039	GAMBLE	4	RIVERDALE AVENUE	CONST. A ONE-STORY REAR ADDITION	R	I	77	65000	675
16-041	COLFORD	24	HUBBARD ROAD	INSTALL ROOF MOUNTED SOLAR PANE	R	K	14-22	31000	335
16-044	McCabe, Robert	24	RUTLAND STREET	const. a rear deck addition & install a patio do	R	12	131A	12000	145

Total Permits Issued: 29

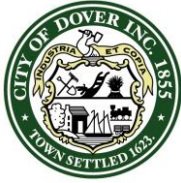
Total Construction Value: \$1,059,600.00

Total Fees Collected: \$11,360.00

Type of Permits Issued		Certificate of Occupancy's	
Commercial	3	Change of Use	0
Commercial Renovations	4	Commercial	5
Convert 1 to 2 Fmly Dwlg	0	Convert 1 to 2 Fmly Dwlg	0
Two Family Dwelling	0	Two Family Dwelling	0
Multi-Family Dwelling Units	0	Industrial	0
Industrial	0	Renovations	1
Industrial Renovations	1	Manufactured Dwlg	0
Manufactured Dwelling	0	Multi-Family Dwelling Units	0
Single Family Dwelling	2	Single Family Dwellings	2
Renovations Dwelling Unit	17	Accessory Dwelling Unit	0
Demo. of a Dwelling Unit	1		
Accessory Dwelling Unit	1		
		Total	8

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:														
Clay Hill	Henry Law Avenue	C	10	0	10		7/28/2015	Site	P15-17	22	3		W	1.1
Yacht Club	Portland Ave	A	19	19	0	12/23/2014	10/14/2014	Site	P14-45	24	104	12/23/2019	H	2.09
Bradley Commons	Central Ave	A	47	0	47	2/10/2015	9/23/2014	Site	P14-34	27	2/3	2/10/2020	H	5.17
First Street @ Garrison	First Street	A	32	32	0	6/12/2014	2/25/2014	Site	P14-03	6	3	6/12/2019	H	3.52
First Rate Realty	Silver/Central	A	16	16	0	9/24/2013	6/25/2013	Site	P13-20	12	28	9/24/2018	W	1.76
Field and Foster	Central Ave	A	18	18	0	2/11/2014	11/12/2013	2/13/2014	P13-60	3	42	2/11/2019	H	1.98
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
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	Clancy Drive	C	12	12	0	1/9/2014	10/22/2013	Site	P13-37	1	12	1/9/2019	G	1.92
Lilac Gardens	Lilac Ln	A	120	72	48	9/27/2005	9/27/2005	Site	P04-04	H	35C	9/27/2009	W	13.2
Total: Multi-family			442	243	199									50.52
Subdivisions:														
Indian Ridge	Emerald Ln	H	49	0	49	8/25/2015	6/23/2015		P14-58	F	15	8/25/2015	W	18.13
Bellamy Ridge	Red Barn Dr	H	7	0	7	10/13/2015	8/25/2015		P15-05	I	6-C	10/13/2020	G	2.59
Kelly Brook Meadows	Old Stage Road	H	9	9	0	4/29/2014	3/25/2014	5/9/2014	P14-01	G	36	4/29/2019	W	3.33
Foster's Way	Fosters Dr	H	5	2	3	9/17/2014	12/17/2013		P13-49	L	89-1	9/17/2019	G	1.85
Kemen	Sixth St	H	1	0	1	4/29/2014	8/27/2013	5/1/2014	P13-43	B	1D	4/29/2019	H	0.37
Child's Subdivision	Childs Dr	H	19	14	5	4/9/2013	3/28/2013	3/29/2013	P12-20	N	8A-1	3/28/2018	H	7.03
Arch St	Fresian Drive	H	11	2	9	7/30/2013	10/23/2012	8/1/2013	P12-28	11	16	7/30/2018	W	4.07
Labrador Woods	Labrador Dr	H	9	6	3	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	8	2	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	12	4	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	4	5	2/21/2008	10/23/2007	2/21/2008	P07-43	N	8	2/21/2012	G	3.33
Picnic Rock	Back River Rd	H	21	7	14	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	9	1	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	15	0	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	53	19	10/5/2006	7/14/2005	11/2/2006	P03-36	G	24	10/5/2010	W	26.64
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	27	5	6/6/2005	5/10/2005	6/7/2005	P04-42	B	21	6/6/2009	H	11.84
Emerald Woods I & II	Emerald Ln	H	25	25	0	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	17	1	7/28/2005	4/12/2005	8/1/2005	P05-13	B	18	7/28/2011	H	6.66
Total: Single Family			353	222	131									109.89
TOTAL APPROVED UNITS			795	465	330									160
Elderly:														
Pointe Place	Sierra Dr	H	33	0	33		11/19/2014		P14-77	K	19		G	
The Village at Thornwood	Jacqueline Dr/Sonia Dr	H	62	55	7	7/2/2008	3/13/2007		P06-55	M	4	7/2/2011	G	
Arbor Woods	Cielo Dr	H	61	46	25	2/20/2007	1/9/2007	2/20/2007	P06-25	H	4	2/20/2011	W	
Total: Elderly			156	101	65									
APPROVED + ELDERLY			951	566	395									160



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, February 17, 2016**
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 Weston, Deputy Mayor Carrier, Councilor Ciotti, Councilor Gagnon, Councilor Greenshields, Councilor Nicolella, Councilor O'Connor, Councilor Shanahan, and Councilor Thibodeaux.

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

5. CITIZEN'S FORUM

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

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

6. DISCUSSIONS

A. DISCUSSION WITH THE CITY OF DOVER'S STATE LEGISLATORS

Mayor Weston invited the State Legislators to speak to the Council on Bills that they are sponsoring.

New Hampshire Senator Watters addressed items that the Senate is working on with the Council. He discussed the heroin problem in the State. He spoke about education Bills that he is sponsoring. He spoke about environment issues he is working on.

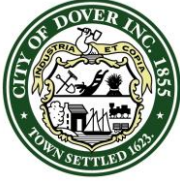
New Hampshire State Representative Bixby spoke to the Council on items he is working on.

New Hampshire State Representative Treleaven introduced herself to the Council.

New Hampshire State Representative Southworth spoke to the Council. He said several Bills coming to the legislature are very negative to Dover.

New Hampshire State Representative Baber spoke to the Council. He spoke about the utility poles legislation.

New Hampshire State Representative Verschueren spoke to the Council regarding education bills.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, February 17, 2016**
Meeting Time: **7:00 pm**

New Hampshire State Representative Cheney gave an overview of the Bills her committee is working on to the Council.

New Hampshire State Representative Schmidt spoke to the Council about Bills that are of interest to the Council.

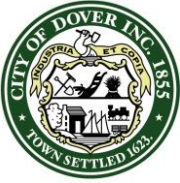
Mayor Weston spoke about the Council's opinions on some Bills before the legislature.

B. CITY COUNCIL FISCAL YEAR 2016 EXPECTATIONS FOR THE CITY MANAGER

Mayor Weston started a discussion on the process of creating a list of expectations for the City Manager. She asked the Council to review the 7-page document of City Manager Goals and review for a workshop to be held on February 24, 2016.

7. ADJOURNMENT

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



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, February 24, 2016**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Shanahan led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Weston, Deputy Mayor Carrier, Councilor Ciotti, Councilor Gagnon, Councilor Greenshields, Councilor Nicolella, Councilor O'Connor, Councilor Shanahan, and Councilor Thibodeaux.

Also Present: Assistant City Manager Parker, General Legal Counsel Blenkinsop, and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS

6. APPROVAL OF AGENDA

Mayor Weston moved to add Item #13.A.4.

Deputy Mayor Carrier moved to add an Appointments Committee Report and the Police and Parking Facility Building Committee Report.

Councilor Greenshields moved to add a School Board Report.

Deputy Mayor Carrier moved to substitute as a whole Item #13.A.2.

Deputy Mayor Carrier moved to approve the agenda as amended; seconded by Councilor O'Connor.

Vote: 9/0.

7. PUBLIC HEARINGS

8. CITIZEN'S FORUM

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

David Martin, 10 Linda Avenue: He spoke in support of Item #13.A.3.

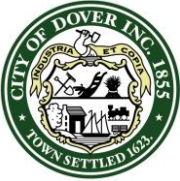
Mayor Weston, seeing no one else wishing to speak, closed the Citizen's Forum.

9. CITY MANAGER'S REPORT

Assistant City Manager Parker said the City Manager's Report has been submitted in writing, and he would answer any questions from the Council.

Councilor O'Connor moved to suspend the rules to allow an agenda change.

Roll Call Vote: 9/0.



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, February 24, 2016**
Meeting Time: **7:00 pm**

Councilor Ciotti motioned to move the City Manager's Report to Item #14.A.; seconded by Councilor Shanahan.

Vote: 9/0.

10. APPROVAL OF MINUTES

A. February 3, 2016 – Workshop

B. February 10, 2016 – Regular Meeting

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

Vote: 9/0.

11. MAYOR'S REPORT

Mayor Weston said she attended and judged the Woodman's Park Elementary School Young Investors competition. She also attended the Tri-City Coalition. She also put forward the Mayoral recommended appointments to the Cochecho Waterfront Development Advisory Committee (CWDAC): Jack Mettee, Dana Lynch, Roberta Woodburn and Peggy Purcell.

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

Vote: 9/0.

Mayor Weston referred to HB #1687 & HB #1688 and said the City of Dover will be taking the initiative on these bills and bringing forward resolutions at the next regular Council meeting.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

B. ORDINANCES IN THE 3RD READING

C. RESOLUTIONS

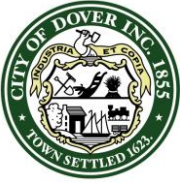
13. NEW BUSINESS

A. CONSENT CALENDAR

**1. ACCEPTANCE OF UTILITY EASEMENT AGREEMENT FOR GLEN HILL ROAD
SPONSORED BY MAYOR WESTON BY REQUEST**

**2. ONE WHITTIER FALLS WAY PERMANENT SLOPE EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT
SPONSORED BY MAYOR WESTON BY REQUEST**

**3. APPROVAL OF NH INDONESIAN COMMUNITY SUPPORT LEASE AGREEMENT
ASSIGNMENT – ROOM 322
SPONSORED BY MAYOR WESTON BY REQUEST**



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, February 24, 2016**
Meeting Time: **7:00 pm**

4. FORMATION OF AND APPOINTMENT TO JOINT BUILDING COMMITTEE – GARRISON ELEMENTARY SCHOOL SPONSORED BY MAYOR WESTON

COMMITTEE REPORTS

- | | |
|---|---|
| 1. School Board | 13. Joint Building Committee – Dover High School |
| 2. Planning Board | and Regional Career Technical Center |
| 3. Appointments Committee | 14. Joint Building Committee – Garrison |
| 4. Recreation Advisory Board | Elementary School |
| 5. McConnell Center Advisory Committee | 15. Dover Main Street |
| 6. Arts Commission | 16. Library Board of Trustees |
| 7. Solid Waste Advisory Commission | 17. Dover Downtown TIF Advisory Board |
| 8. Transportation Advisory Commission | 18. Waterfront TIF Advisory Board |
| 9. Pool Advisory Committee | 19. Energy Commission |
| 10. Parking Commission | 20. Heritage Commission |
| 11. Ordinance Committee | 21. Tri-City Coalition |
| 12. Police and Parking Facility Building | 22. Arena Commission |
| Committee | |

Deputy Mayor Carrier moved for the adoption of the Consent Calendar; seconded by Councilor Ciotti.

Mayor Weston asked the Council if they had items they would like pulled for further discussion. Deputy Mayor Carrier pulled the Police and Parking Facility Building Committee Report and the Appointments Committee Report.

Councilor Greenshields pulled the School Board Report.

Mayor Weston pulled Item #13.A.2.

Deputy Mayor Carrier pulled Item #13.A.4.

Mayor Weston asked for a roll call vote on the remaining items on the Consent Calendar.

Roll Call Vote: 9/0.

Deputy Mayor Carrier moved for the adoption of Item #13.A.2.; seconded by Councilor O'Connor. Assistant City Manager Parker gave an overview of the resolution to the Council.

Roll Call Vote: 9/0.

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

Mayor Weston gave an overview of the resolution to the Council.

Vote: 9/0.

Councilor Greenshields gave an overview of the School Board Report to the Council.

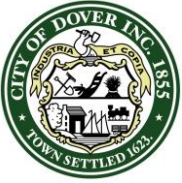
Deputy Mayor Carrier moved to accept the School Board Report; seconded by Councilor Gagnon.

Vote: 9/0.

Deputy Mayor Carrier gave an overview of the Appointments Committee Report to the Council, and recommended the following Appointments:

Norman Allie – Dover Utilities Commission

Andrew Goodell – Open Lands Committee.



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, February 24, 2016**
Meeting Time: **7:00 pm**

Deputy Mayor Carrier listed the current openings on Boards and Commissions.
Deputy Mayor Carrier moved to accept the Appointments Committee Report; seconded by Councilor Ciotti.
Vote: 9/0.

Deputy Mayor Carrier gave an overview of the Police and Parking Facility Building Committee Report to the Council.
Deputy Mayor Carrier moved to accept the Police and Parking Facility Building Committee Report; seconded by Councilor Gagnon.
Vote: 9/0.

Mayor Weston asked the Assistant City Manager about City Hall renovations.
Assistant City Manager Parker gave an overview of the process to the Council.

B. RESOLUTIONS

C. ORDINANCES IN 1ST READING

1. CHAPTER 166, VEHICLES AND TRAFFIC: SECTION 37, HOURS OF OPERATION (TO BE REFERRED TO A PUBLIC HEARING ON MARCH 9, 2016) SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on March 9, 2016; seconded by Councilor Ciotti.

14. A. CITY MANAGER'S REPORT

Assistant City Manager Parker said the City Manager's Report has been submitted in writing with the agenda.

Councilor Greenshields asked about Children Car Seat checks done by the Police Department.

Assistant City Manager Parker said the City's Police Department does offer this service for new parents.

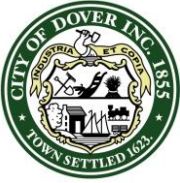
Councilor Shanahan talked about the "Go Fund Me" website which allows for anonymous charity fundraising.

Mayor Weston asked Recreation Director Bannon to speak about the proposed legislation. Recreation Director Bannon spoke about the legislation regarding injuries on City/School property playgrounds.

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

Vote: 9/0.

14. COUNCIL CORRESPONDENCE



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, February 24, 2016**
Meeting Time: **7:00 pm**

15. COUNCIL MATTERS OF INTEREST

Councilor Thibodeaux gave an overview of the Tri-City Coalition to the Council. She said she will be holding her Coffee with a Councilor session on Saturday.

Councilor Ciotti asked about the blasting in the Route 108/Spaulding Turnpike area. Assistant City Manager Parker gave an overview of the project to the Council.

Mayor Weston asked about the Welcome to Dover sign. Assistant City Manager Parker said they are reaching out to the property owner.

Councilor Nicolella started a discussion about possibly moving the Spaulding Toll Booth.

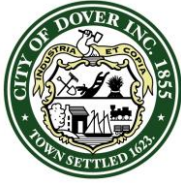
Councilor Shanahan talked about pesticides workshop to be held at the McConnell Center in March.

Deputy Mayor Carrier talked about the spring sports sign ups. He spoke about the Dover Main Street “Run before You Crawl” road race to be held on March 12. He spoke about judging the Poetry Out Loud competition. He also said there will be a tour of the Garrison Elementary School on March 14th.

16. ADJOURNMENT

Deputy Mayor Carrier moved to adjourn to the Workshop Session; seconded by Councilor Greenshields.

Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, February 24, 2016**
Meeting Time: **To immediately follow Regular Meeting**

1. CALL TO ORDER

2. ~~MOMENT OF SILENCE~~

3. ~~PLEDGE OF ALLEGIANCE~~

4. ROLL CALL ATTENDANCE

Present: Mayor Weston, Deputy Mayor Carrier, Councilor Ciotti, Councilor Gagnon, Councilor Greenshields, Councilor Nicolella, Councilor O'Connor, Councilor Shanahan, and Councilor Thibodeaux.

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

5. CITIZEN'S FORUM

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

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

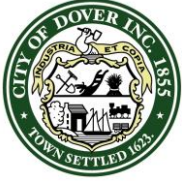
6. DISCUSSIONS

A. DISCUSS CITY MANAGER EVALUATION FORMAT

Mayor Weston referred to the 7-page handout regarding the instructions for evaluating the City Manager, which also included the recommendations from the Councilors for changes. The Council went through the document and recommendations. There was Council consensus to use the current format to evaluate the City Manager. City Manager Joyal said he will be bringing forward a resolution to the Council.

7. ADJOURNMENT

Councilor Greenshields moved to adjourn; seconded by Councilor Gagnon.
Vote: 9/0.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number: O – 2016.02.24 - 003
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 37 Hours of Operation

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to change the hours of operation for parking meters in the downtown area.

2. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by revising Section 37, “Hours of Operation” as follows:

166-37. Hours of Operation. [Amended on 01-13-88 by Ord. No. 34-87]

Parking Meters shall be in operation daily between the hours of 9:00 a.m. and 7:00 p.m., except on ~~Saturdays~~, Sundays and legal holidays.

3. TAKES EFFECT

This ordinance shall take effect on July 1, 2016 following passage and publication of notice as required by RSA 47:18.

REQUIRES A PUBLIC HEARING

AUTHORIZATION

Approved as to Funding:

Daniel R. Lynch
Finance Director

Sponsored by:

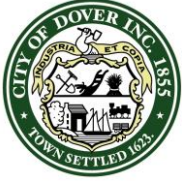
Mayor Karen Weston
By request

Approved as to Legal
Form and Compliance:

Anthony Blenkinsop
General Legal Counsel

Recorded by:

Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number: O – 2016.02.24 - 003
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 37 Hours of Operation

DOCUMENT HISTORY:

First Reading Date: 02/24/2016	Public Hearing Date: 03/09/2016
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor, Karen Weston		
Deputy Mayor, Robert Carrier		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Joseph Nicolella, Jr, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		

ORDINANCE BACKGROUND MATERIAL:

As part of their continuing review of the downtown parking system, the Parking Commission recommends including Saturdays in the metered parking program. Currently there are no restrictions in place on Saturdays which leads to employees and downtown residents taking up much needed customer parking. There would be no changes on Sundays and legal holidays. This change is recommended to be effective July 1, 2016.

The Parking Commission will be submitting a letter to the Council on this proposal and additional recommendations for the FY 17 fee schedule. The Chair is scheduled to attend to the public hearing.

Cities with Saturday meters: Keene; Portsmouth; Manchester; Plymouth; Nashua; Littleton and Portland. Concord is currently reviewing the subject.



PERMIT APPLICATION
CITY OF DOVER, NEW HAMPSHIRE

Check(☒) the type of application:

PARADE** ☒ , ROAD TOLL*** ☐ ,

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

Organization Name: Dover Main Street
Federal Tax ID number for Organization: 02-0509406

Check(☒) Nature of Organization:

Religious___, Educational___, Charitable___, Civic___, Sports___, Veterans___, Fraternal or Political___, Other___

Name/Description of Event (if applicable): Run Before You Crawl 5K

Contact Person: Jessica Smith Day Time Telephone: 603 796-1637

Address: 385 Sixth St Dover Email: jsmith@winisorbrook.com

Date of Event: March 12 2016 Specific Time: 9:30 am start time

Location of Event (if parade, attach course description or map): see attached

*****PARADE PERMITS*****

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

Police Department Parade Route Approval Signature: [Signature]
Printed Name: Sgt. Marn Speidel Check Here If Parade Route Is Attached: ☒

*****ROAD TOLL PERMITS*****

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

Road Toll Location: _____

Police Department Road Toll Approval Signature: _____

Printed Name: _____

Unless expressly waived in writing by the Licensing Board, the Organization agrees to defend, indemnify, and hold harmless the City of Dover from any claims, losses, and/or damages arising out of the event, and to name the City of Dover as an additional insured on its general liability insurance policy in amounts of not less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) in the aggregate. The Organization/Applicant shall provide the City a certificate of insurance evidencing such additional insured status no less than fifteen (15) days prior to the event.

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 the same.

SIGNATURE OF APPLICANT: Erik Roy DATE: 02-01-16

(duly authorized)

PRINTED NAME: ERIK Roy

Licensing Board Approval [Signature] Date: 2/17/16

1/2015



Run Before You Crawl 5K & Pub Crawl

Dover, New Hampshire



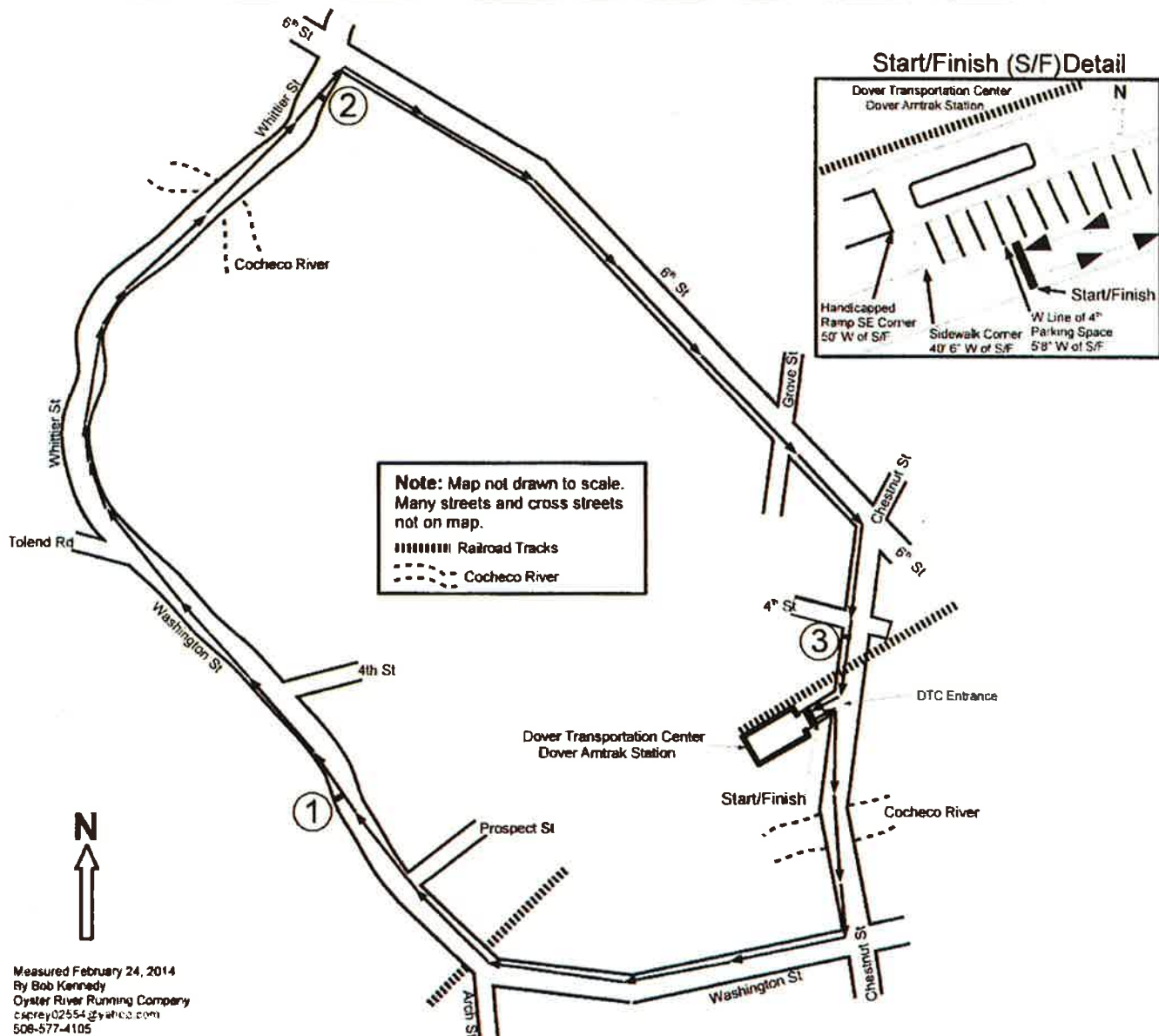
RUN BEFORE YOU CRAWL 5K & PUB CRAWL USATF CERTIFICATE NH14005TY EFFECTIVE 3-3-14 TO 12-31-24

Start/Finish, and all mile markers are marked with White Paint (UP = Utility Pole).

Start/Finish: On north side of Dover Transportation Center (DTC) parking driveway 40 ft 6 inches E of sidewalk corner for the Amtrak Train Station, 50 ft E of southeast corner of the Amtrak Train Station handicapped ramp, and 5 ft 8 inches E of the west line of the 4th (2nd non handicapped) parking space from the Station. **Mile 1:** On northeast side of Washington St opposite northwest corner of Taylor Rd and about 5 ft SE of UP PSNH 4 64 VZ 34 on opposite side.

Mile 2: Marked on east side of Whittier St 30 ft NE of UP PSNH67 17S VZ 2S and about 120 NE of intersection of Cassily Ln and Whittier St.

Mile 3: On west side of Chestnut St in the intersection of Chestnut and 4th Streets, and about 13 ft N of UP 4/4 53 with Stop Sign on southwest corner of the intersection.





PERMIT APPLICATION
CITY OF DOVER, NEW HAMPSHIRE

Check(☒) the type of application:

PARADE** ☒ , ROAD TOLL*** ☐

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

Organization Name: Wentworth - Douglass Foundation
Federal Tax ID number for Organization: 51-0491062

Check(☒) Nature of Organization:

Religious ☐ , Educational ☐ , Charitable ☒ , Civic ☐ , Sports ☐ , Veterans ☐ , Fraternal or Political ☐ , Other ☐

Name/Description of Event (if applicable): Seacoast Cancer 5K

Contact Person: Emily Moore Day Time Telephone: 603-740-3292

Address: 789 Central Ave. Email emily.moore@wdhospital.com

Date of Event: 9/25/16 Specific Time: 9-11 am

Location of Event (if parade, attach course description or map): see attached

*****PARADE PERMITS*****

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

Police Department Parade Route Approval Signature: [Signature]

Printed Name: Sgt. Marn Speidel Check Here If Parade Route Is Attached: ☒

*****ROAD TOLL PERMITS*****

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

Road Toll Location: _____

Police Department Road Toll Approval Signature: _____

Printed Name: _____

Unless expressly waived in writing by the Licensing Board, the Organization agrees to defend, indemnify, and hold harmless the City of Dover from any claims, losses, and/or damages arising out of the event, and to name the City of Dover as an additional insured on its general liability insurance policy in amounts of not less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) in the aggregate. The Organization/Applicant shall provide the City a certificate of insurance evidencing such additional insured status no less than fifteen (15) days prior to the event.

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 the same.

SIGNATURE OF APPLICANT: Emily J. Moore DATE: 1/14/16
(duly authorized)

PRINTED NAME: Emily J. Moore

Licensing Board Approval [Signature] Date: 2/17/12

1/2015



Wentworth-Douglass Hospital

Seacoast Cancer 5k Walk/Run

Route Map

Start
Finish

Central Avenue

Cheer Zone

Oak Street

Cheer Zone

Oak Street

D.F. RICHARD

RELYCO

Homecare
& Hospice

FEDERAL
SAVINGS
BANK

Hill Street

Broadway

Cheer Zone

Eastern Bank

St. John's

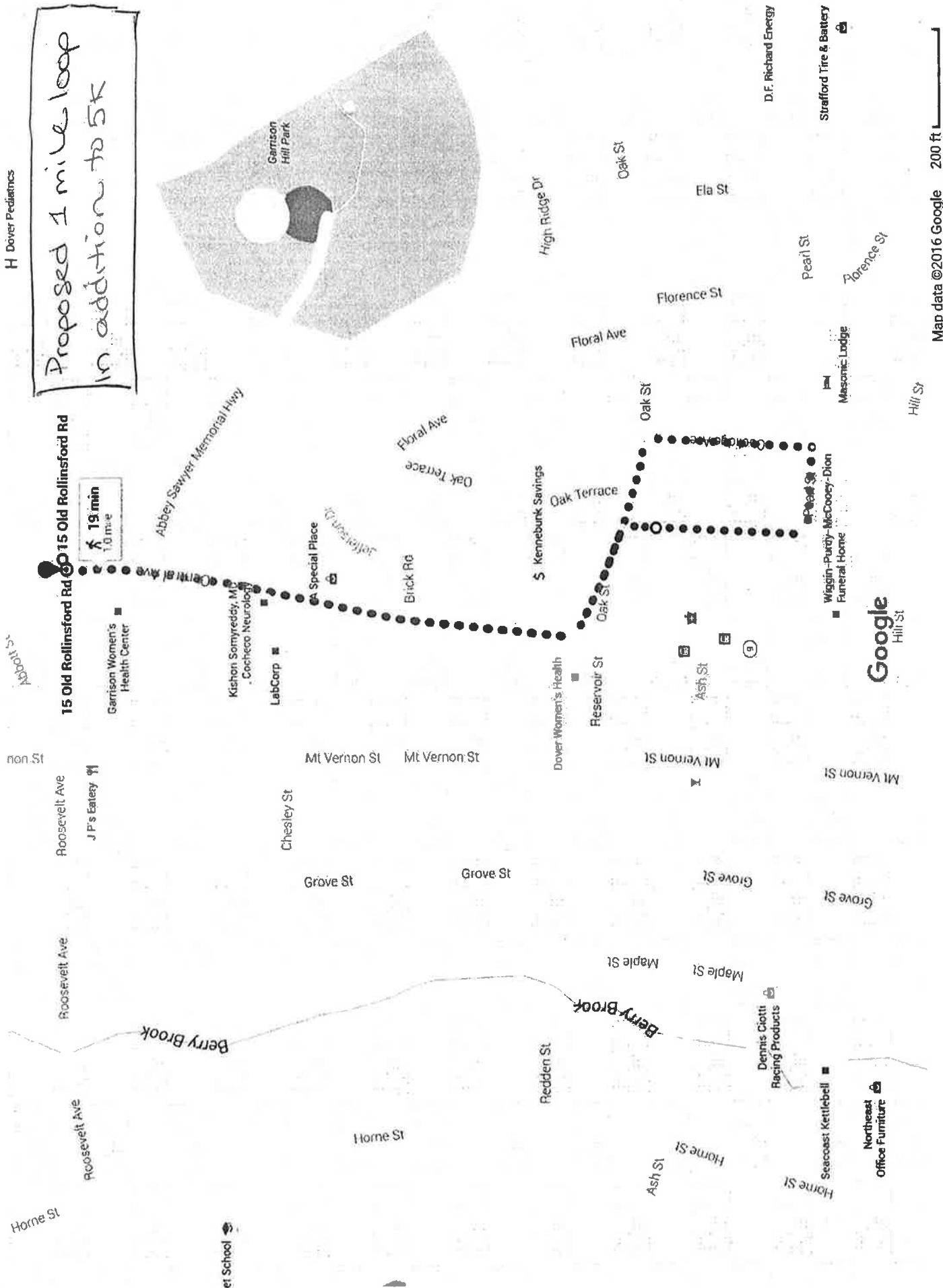
Cheer Zone

Chapel Street

Portland Avenue

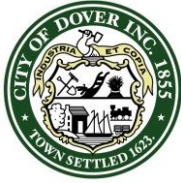
Cheer Zone

SHAHEN & GORDON, P.A.
ATTORNEYS AT LAW



Proposed 1 mile loop
in addition to 5k

19 min
1.0 mile



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

Resolution Number: **R – 2016.03.09 – 027**
Resolution Re: Purchase of Dispatch Equipment

- WHEREAS: Sealed bid B13007 was requested and received for the replacement of the public safety dispatch console system on August 16, 2012 at 2:00 pm for the current police space. On August 9, 2012 @ 10:00am a mandatory prebid meeting was held with one qualified firm attending. Due to the nature of the equipment and the need for the system to integrate with existing equipment, a Motorola system was requested in the bid specifications and awarded via council approval in 2012.
- WHEREAS: The City requested a proposal from 2 Way Communications for equipment needed to move to the new police facility and received a proposal in the total amount of \$35,283.46. The background section of this resolution lists details of the equipment. This vendor is currently working at the new facility and is the distributor for Motorola equipment for the State of NH and the National Association of State Procurement Officials NASPO aka as Western States Cooperative Alliance WSCA, and
- WHEREAS: Per 3-29B, Exceptions to Competitive Bidding, of the Dover Purchasing Procedure, the purchasing Agent may, with approval of the city manager, waive bidding procedures when purchasing through the state of NH, other governmental agencies or cooperative buying groups. It is the recommendation to award to 2 Way Communications in the amount as listed above which is fully funded by a grant from the NH Department of Homeland Security.

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

The Purchasing Agent is hereby authorized to issue a Purchase Order to 2 Way Communications of Newington NH for equipment and installation of dispatch center for new police facility in the amount not to exceed \$35,283.46. The City Manager, or designee, is hereby authorized to finalize and enter into an agreement with the vendor, consistent with the Purchase Order authorized herein.

The amount of this authorization shall be limited so as not to exceed available funding.

Financing

Account	Description	Appropriation	Balance
2290.1.210.42110.4745.02333.16	EOC Grant Computers and Equipment	113,224	113,224

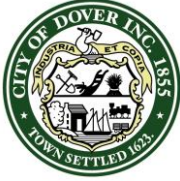
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By Request

Approved as to Legal
Form and Compliance: Anthony Blenkinsop
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

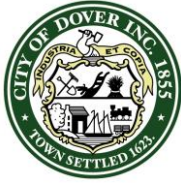
Resolution Number: **R – 2016.03.09 – 027**
Resolution Re: Purchase of Dispatch Equipment

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Karen Weston		
Deputy Mayor Robert Carrier, At Large		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Joseph Nicolella, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

Resolution Number: **R – 2016.03.09 – 027**
Resolution Re: Purchase of Dispatch Equipment

RESOLUTION BACKGROUND MATERIAL:

The IP Dispatch Console System of the EOC is an internet based dispatch console that will be used in the Emergency Operations Center. This will enhance EOC operations as it will provide the dispatcher assigned to the EOC the same functionality as a standard dispatch console in the Communications Bureau. Currently, the EOC dispatch console consists of a spare mobile radio and one tough book laptop. This limits the dispatcher's abilities to function between multiple programs and greatly limits the abilities of that dispatch position.

The consolette APX7500 SINGLE BAND VHF MID PO and related equipment will enhance communications from Dover to other area police and fire departments. Currently Dover Dispatch cannot transmit via radio to another municipality or to the state police (this can be done from the field, i.e a police car, but not from dispatch). This equipment will be installed on all dispatch consoles, as well as the EOC dispatch console and make it possible for Dover Dispatch to communicate via radio with other agencies.

Bid Information:

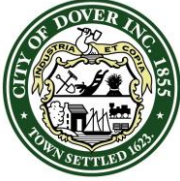
Motorola Equipment original sent out to bid via B13007. Vendor is the awarded company via State of NH and NASPO/WSCA.

Award Information:

A purchase order will be issued to the vendor selected to authorize future expenditures as outlined in this resolution.

Purchasing Information:

Type:	Purchase Order	Advertised:	No
Invitations Mailed:	NA	Number of Responses:	NA
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until installed	Estimated Delivery:	As needed
Recommended Award to:	2 Way Communications	Fund:	Grant
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.B.1.

Resolution Number: **R – 2016.03.09 – 028**

Resolution Re: **Request for Prohibition of Hunting on Willand Pond**

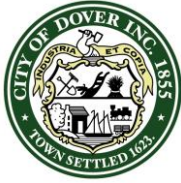
- WHEREAS: Willand Pond is located in a densely settled urban area of Dover and Somersworth; and
- WHEREAS: The City of Dover owns much of the land surrounding Willand Pond in Somersworth; and
- WHEREAS: The City's property surrounding Willand Pond is open for passive recreation, including trails for walking/running; and
- WHEREAS: Given the densely settled urban area and the use of the property for passive recreation, the City of Dover banned hunting on its property surrounding Willand Pond; and
- WHEREAS: As a jurisdictional water body of the State of New Hampshire the state controls Willand Pond up to the natural mean high water mark and the New Hampshire Department of Fish & Game operates a boat launch on Willand Pond; and
- WHEREAS: New Hampshire Fish & Game permits hunting from Willand Pond and is considering a proposal to more clearly define where hunting is permitted; and
- WHEREAS: The regulations currently governing hunting at Willand Pond were implemented generations ago, prior to significant development of the immediate surrounding areas with commercial, residential, and recreational use; and
- WHEREAS: The City of Dover respects the rights of hunters and the jurisdictional authority of New Hampshire Fish and Game; and
- WHEREAS: Given the unique urban setting of Willand Pond, including the close proximity of residential structures and passive recreational areas, the City of Dover believes, consistent with its own ordinance banning hunting around Willand Pond, that New Hampshire Fish & Game should not permit hunting on/from Willand Pond.

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

The City of Dover respectfully requests that New Hampshire Fish & Game ban hunting on/from Willand Pond.

AUTHORIZATION

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Councilor Jason Gagnon
Approved as to Legal Form and Compliance:	Anthony I. Blenkinsop General Legal Counsel		
Recorded by:	Karen Lavertu City Clerk		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2016.03.09 – 028**

Resolution Re: **Request for Prohibition of Hunting on Willand Pond**

DOCUMENT HISTORY:

First Reading Date:

Public Hearing Date:

Approved Date:

Effective Date:

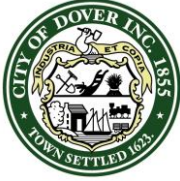
DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor, Karen Weston		
Deputy Mayor, Robert Carrier, At Large		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Joseph Nicoletta, Jr, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		

RESOLUTION BACKGROUND MATERIAL:

WILLAND POND IS LOCATED IN DOVER AND SOMERSWORTH. IN DOVER, A DENSELY SETTLED RESIDENTIAL AREA ABUTS THE POND. THE LAND IN SOMERSWORTH SURROUNDING THE POND IS LARGELY OWNED BY THE CITY OF DOVER AND IS OPERATED AS A PASSIVE RECREATIONAL AREA. THE CITY OF DOVER BANNED HUNTING ON ITS PROPERTY SURROUNDING WILLAND POND GIVEN THE SURROUNDING RESIDENTIAL AREAS AND PASSIVE RECREATIONAL USE. WILLAND POND IS A JURISDICTIONAL WATER BODY CONTROLLED BY THE STATE OF NEW HAMPSHIRE. NEW HAMPSHIRE FISH & GAME OPERATES A BOAT LAUNCH ON THE POND. FISH & GAME CURRENTLY PERMITS HUNTING ON/FROM WILLAND POND AND IS CURRENTLY CONSIDERING A PROPOSAL TO DEFINE MORE CLEARLY WHERE HUNTING IS PERMITTED.

CURRENT REGULATIONS GOVERNING HUNTING ON WILLAND POND HAVE BEEN IN PLACE FOR GENERATIONS. AS COMMERCIAL/RESIDENTIAL DEVELOPMENT HAS INCREASED AROUND THE POND, SO HAS PASSIVE RECREATIONAL USE. THE CITY OF DOVER RESPECTS THE RIGHTS OF HUNTERS AND THE JURISDICTIONAL AUTHORITY/RESPONSIBILITY OF NH FISH AND GAME, AND HAS RECENTLY WORKED COOPERATIVELY WITH NH FISH AND GAME TO REOPEN PORTIONS OF LAND AROUND TOLAND LANDFILL TO HUNTING. IT IS OUR HOPE THAT WE MAY AGAIN WORK COOPERATIVELY TO UPDATE THE HUNTING REGULATIONS GOVERNING WILLAND POND TO MORE APPROPRIATELY REFLECT THE MODERN DAY USE OF SURROUNDING LANDS.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2016.03.09 – 029**

Resolution Re: **Minimum Fund Balance Financial Policy**

WHEREAS: Sound financial policies are necessary to maintain and improve the financial condition of the City and School finances which in turn support advantageous municipal bond market ratings for the overall City of Dover municipal corporation; and,

WHEREAS: The National Government Finance Officers Association recommends, at a minimum, that governments, regardless of size, maintain an Unassigned Fund Balance in their General Fund of no less than two (2) months of the annual General Fund budget. This recommendation is also recognized by the NH Department of Revenue Administration; and,

WHEREAS: Moody's Investors Service and Standard & Poor's Rating Services both recently conducted a credit rating of the City of Dover municipal corporation and identified maintaining a consistent and strong General Fund Unassigned Fund Balance as an important rating factor in achieving and sustaining an advantageous bond market rating; and,

WHEREAS: The City of Dover's previously adopted financial policy of maintaining a minimum General Fund Unassigned Fund Balance of 8%, equivalent to less than one (1) month, is in need of revision to better reflect current national and State of NH recognized municipal finance best practices, position the City for achieving and maintaining lower cost access to bond markets and to ensure availability of sufficient working capital for ongoing operational and potential emergency needs of the Dover community;

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

A revision to the City Financial Policies pertaining to the General Fund Minimum Unassigned Fund Balance is hereby adopted as follows:

"The City shall achieve and maintain a minimum unassigned fund balance of 15% of the General Fund's annual budget, including City, School and County appropriations. The City Council may appropriate the General Fund unassigned fund balance for emergency purposes per City Charter Section C3-9 A or otherwise unanticipated expenses at year end, as deemed necessary, even if such use decreases the General Fund unassigned fund balance below the designated percentage. For purposes of this section the following shall apply:

- i. Emergency purpose does not include the offsetting of property taxes.
- ii. Unassigned Fund Balance will be defined by generally accepted accounting principles."

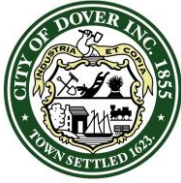
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By Request

Approved as to Legal: Anthony Blenkinsop
Form and 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 – 2016.03.09 – 029**
Resolution Re: **Minimum Fund Balance Financial Policy**

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

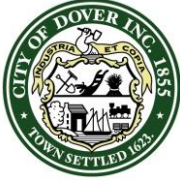
VOTING RECORD		
Date of Vote:	YES	NO
Mayor Karen Weston		
Deputy Mayor Robert Carrier, At Large		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Joseph Nicolella, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		

RESOLUTION BACKGROUND MATERIAL:

The objective of maintaining an adequate General Fund Unassigned Fund Balance is to provide the municipality with a stable financial base at all times. To insure financial stability, the City of Dover needs to maintain an Unassigned Fund Balance for the General Fund sufficient to fund the cash flow needs for delivering municipal services while also providing adequate financial reserves for unanticipated expenditures and/or revenue shortfalls of an emergency nature.

In 1996, the City Council adopted a set of financial policies, which included a policy to achieve and maintain a minimum General Fund Unassigned Fund Balance of 6% of the General Fund's annual budget, including City, School, and County appropriations. In 2011, the City Council adopted revisions and additions to the policies previously established in 1996, increasing the minimum General Fund Unassigned Fund Balance to 8% of the General Fund's annual budget.

Prior to 2011, Moody's Investors Services guidance indicated that a community of Dover's size and character should have a median fund balance approaching 28% of the operating budget, and the National Government Finance Officers Association (GFOA) and New Hampshire Department of Revenue Administration (DRA) recommendations suggested a range of 8% to 17% of operating expenditures. The policy level ultimately established by the City Council in 2011 was sensitive to the fact that an annual one-time contribution to increase fund balance could result in a negative budgetary impact and therefore was kept at the lowest end of the suggested range.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2016.03.09 – 029**

Resolution Re: **Minimum Fund Balance Financial Policy**

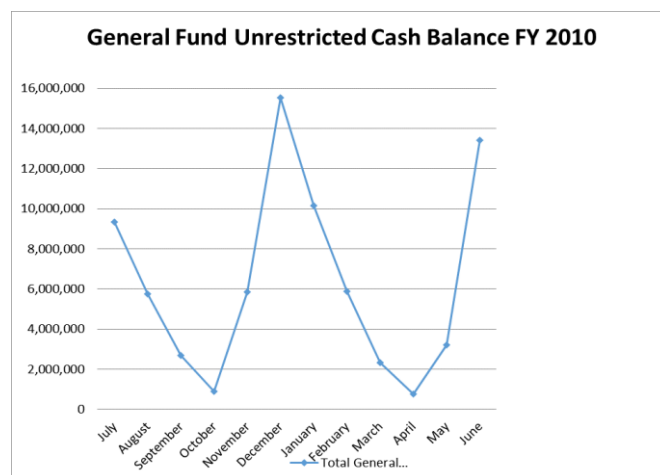
In September 2015, the GFOA adopted a revised best practice recommendation for *Appropriate Level of Unrestricted Fund Balance in the General Fund*, moving away from a recommendation of a percentage range and recognizing that each municipality is unique with differing characteristics. Their new recommendation is that at a minimum, governments, regardless of size, maintain an Unassigned Fund Balance in their General Fund of no less than two (2) months of regular General Fund operating expenditures. This recommendation has since been endorsed by the NH DRA.

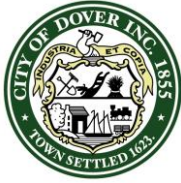
Since the last revision to the City's Minimum General Fund Unassigned Fund Balance policy, the City has had 4 rating reviews by Moody's and Standard & Poor's. The rating agencies have consistently identified that achieving and maintaining adequate reserves is essential to the fiscal stability of the municipality. This is particularly important given significant long term obligations that exist for Debt Service, OPEB (Retiree Health Insurance), and the municipality's portion of the NH Retirement Systems' net pension liability.

Moody's currently rates the City as Aa3. Moody's most recent municipal financial ratio analysis for Aa rated entities is a fund balance of a high of 30% to a low of 15% of operating budget. Standard & Poor's currently rates the City as AA+. Standard & Poor's current municipal ratio analysis for AA rated entities is a fund balance minimum of 15%.

Based upon the City of Dover financial data recorded for FY2015 and FY2016 to date, two months of regular General Fund operating expenditures, averaged \$15,235,000. As reported in the Comprehensive Annual Financial Report (CAFR) for FY2015, the most recently completed fiscal year, the City of Dover realized an actual General Fund Unassigned Fund Balance of \$15,368,593 or 15.1% of the annual budget. By revising the City of Dover minimum General Fund Unassigned Fund Balance policy to 15%, the municipality will still remain in compliance with this new policy level given the current financial position and there will be no budgetary impact. At the 15% minimum level, the City of Dover municipality will also remain at the lower end of the ranges identified for the current Moody's and S&P credit ratings as well as the GFOA and DRA recommendations.

The graph to the right reflects the General Fund unrestricted cash balance as of month end for a typical fiscal year (based on FY10) where a minimum fund balance policy level of 6% had been established. At this lower policy level, there were periods when the City of Dover's cash on hand fell to levels with little to no margin. General Fund cash balances in October and April were nearing inadequate levels to safely meet cash flow disbursement requirements. This could have generated the need for the City to obtain a TAN (Tax Anticipation Note), which would have resulted in the City paying interest as part of the TAN. This risk of additional cost was lowered and the municipality's overall financial health has since been improved through responsible budgeting practices.





CITY OF DOVER

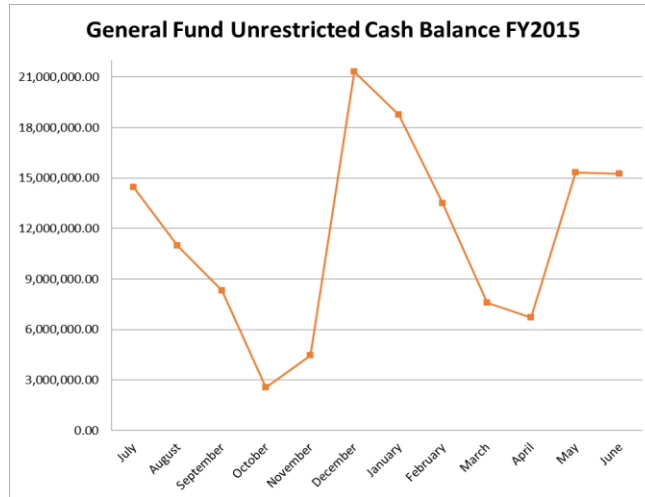
CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

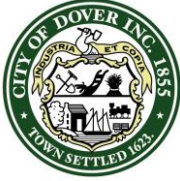
Resolution Number: **R – 2016.03.09 – 029**

Resolution Re: **Minimum Fund Balance Financial Policy**

Through disciplined budgeting and ongoing sound fiscal management, the City of Dover has achieved successively higher levels of General Fund Unassigned Fund Balance over the course of the past several fiscal



years. The graph to the left reflects the General Fund unrestricted cash balance as of month end that was recorded throughout fiscal year 2015. By achieving an unassigned fund balance level of 15.1% in FY2015, the typical periods of October and April when cash on hand typically begins to fall to the lowest levels of the year shows improvement over the levels seen previously for FY2010. By establishing a minimum 15% General Fund Unassigned Fund Balance level, this graph illustrates how cash balances on hand will be able to both meet cash flow needs for delivering municipal services throughout a fiscal year and also ensure reasonable safety margins for emergency finance needs that may arise unexpectedly.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2016.03.09 – 030**
Resolution Re: **OPPOSITION TO SB 349**

- WHEREAS: SB 349, relative to city chief elections officers, seeks to amend RSA 652:14 to require the governing body of a city to elect a registered voter as the chief elections officer if the city clerk is not a registered voter in the city; and
- WHEREAS: City Clerks are trained professionals who are best positioned and able to keep up with complex and evolving state elections laws and requirements; and
- WHEREAS: The City of Dover seeks to employ the most qualified individual as its City Clerk, regardless of his/her residence; and
- WHEREAS: Requiring a city's chief elections officer to be a registered voter in the City could lead to difficulty in finding a willing and qualified candidate to fill the position and/or could lead to negative implications in a future City Clerk hiring process; and
- WHEREAS: Every ward in the City of Dover currently has ward election officials who reside in their particular Ward – the role of the City Clerk is to oversee all City Wards and ensure election uniformity between and among them; and
- WHEREAS: The Mayor and City Council are not aware of any compelling reason or evidence to suggest that City Clerks residing outside of the city in which they are employed are unable to effectively oversee elections within said city.

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

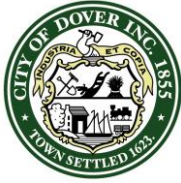
SB 349 is not in the best interests of the City of Dover, the residents of Dover, and the State of New Hampshire at large;

SB 349 would have negative implications in the City of Dover;

SB 349 should be found inexpedient to legislate, voted down by the New Hampshire Legislature, and or vetoed by the Governor.

AUTHORIZATION

Approved as to Funding:	Daniel R. Lynch Finance Director	Sponsored by:	Mayor Karen Weston
Approved as to Legal Form and Compliance:	Anthony I. Blenkinsop General Legal Counsel		
Recorded by:	Karen Lavertu City Clerk		



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.3.

Resolution Number: **R – 2016.03.09 – 030**
Resolution Re: **OPPOSITION TO SB 349**

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor, Karen Weston		
Deputy Mayor, Robert Carrier, At Large		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Joseph Nicoletta, Jr, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		

RESOLUTION BACKGROUND MATERIAL:

SB 349, concerning the governing body's election of a registered voter as the chief elections officer if the city clerk is not a registered voter in the city, is currently pending before the New Hampshire Legislature and is attached. Currently, City Clerks are a city's chief elections officer under state law. In cities, Ward election officials are residents of the Wards in which they serve. The City Clerk, as the City's chief elections officer, oversees the election on a city-wide basis and ensures compliance with State elections laws and uniformity between the various Wards. City Clerks undergo regular training on State elections laws and procedures. Dover's current City Clerk is not a resident of the City of Dover. In recruiting and hiring a City Clerk in the future, a city should not be precluded from hiring the person deemed most qualified and capable should that person not be able to reside in the City due to family or other personal considerations.

SB 349 - AS INTRODUCED

2016 SESSION

16-2786

03/01

SENATE BILL **349**

AN ACT relative to city chief elections officers.

SPONSORS: Sen. Birdsell, Dist 19; Sen. Lasky, Dist 13; Rep. Gray, Straf. 8; Rep. Cheney, Straf. 17; Rep. Hoelzel, Rock. 3

COMMITTEE: Public And Municipal Affairs

ANALYSIS

This bill requires the governing body of a city to elect a registered voter as the chief elections officer if the city clerk is not a registered voter in the city.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [in brackets and struck through].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Sixteen

AN ACT relative to city chief elections officers.

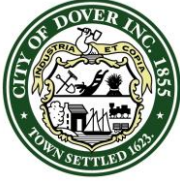
Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 City Chief Elections Officer. Amend RSA 652:14-a to read as follows:

2 652:14-a City Chief Elections Officer. ***If the city clerk is a registered voter in the city, he or***
3 ***she*** shall be the chief elections officer with authority to establish uniform practices and procedures
4 that conform to state and federal law for all elections conducted by the city. ***If the city clerk is not***
5 ***a registered voter in the city, the governing body shall elect a registered voter as the chief***
6 ***elections officer with the authority to establish such practices and procedures, who shall***
7 ***serve at the pleasure of the governing body.***

8 2 Applicability. The provisions of RSA 652:14-a, as amended by section 1 of this act, shall not
9 prohibit a person holding the office of city clerk on the effective date of this section who is not
10 registered to vote in the city from continuing to serve as city chief elections officer until such time
11 as the person is no longer serving as the city clerk.

12 3 Effective Date. This act shall take effect 60 days after its passage.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2016.03.09 – 031**

Resolution Re: **OPPOSITION TO HB 1687 AND HB 1688**

WHEREAS: HB 1687, relative to governmental liability for personal injury on playground structures, and HB 1688, relative to governmental liability for negligence claims, seek to dramatically expand municipalities' exposure to personal injury claims; and

WHEREAS: If one or both of these bills become law, municipalities and their employees and officials will face far greater liability exposure, potential lawsuits, and/or damage claims which will dramatically increase costs borne by taxpayers for insurance/risk pool coverage and legal consultation/representation, and potentially make it much harder to attract qualified individuals for municipal employment; and

WHEREAS: If these bills are enacted, municipalities and school districts will likely have to abandon providing certain services/amenities – playgrounds, pools, non-essential services, etc., in order to limit liability and control costs incurred by taxpayers; and

WHEREAS: The intent behind the current language of RSA 507-B is sound and represents the proper balance of immunity/liability recognizing the unique services provided by municipalities and the inherent differences between municipalities and private business corporations;

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

HB 1687 and HB 1688 are not in the best interests of the City of Dover, the residents of Dover, and the State of New Hampshire at large;

HB 1687 and HB 1688, if enacted, would have serious detrimental impacts to the City of Dover, its residents, and its employees, including but not limited to the potential closure of certain facilities, the potential cessation of certain activities, and/or significant cost increases to be borne by Dover taxpayers;

HB 1687 and HB 1688 should be found inexpedient to legislate, voted down by the New Hampshire Legislature, and/or vetoed by the Governor.

AUTHORIZATION

Approved as to Funding:

Daniel R. Lynch
Finance Director

Sponsored by:

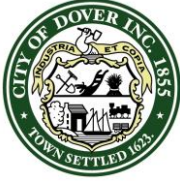
Mayor Karen Weston

Approved as to Legal Form
and Compliance:

Anthony I. Blenkinsop
General Legal Counsel

Recorded by:

Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2016.03.09 – 031**
Resolution Re: **OPPOSITION TO HB 1687 AND HB 1688**

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

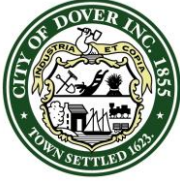
VOTING RECORD		
Date of Vote:	YES	NO
Mayor, Karen Weston		
Deputy Mayor, Robert Carrier, At Large		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Joseph Nicoletta, Jr, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		

RESOLUTION BACKGROUND MATERIAL:

HB 1287 and HB 1288, concerning municipal liability are currently pending before the New Hampshire Legislature and are attached.

These bills, HB 1687, relative to governmental liability for personal injury on playground structures, and HB 1688, relative to governmental liability for negligence claims, seek to dramatically expand municipalities' exposure to personal injury claims. HB 1687 would amend RSA 507-B:11 and repeal municipal immunity for injuries resulting from use of a skateboard or rollerblade park, and impose liability for injuries occurring on a playground structure maintained by a municipality or school district. HB 1688 would amend RSA 507-B:2 and eliminate partial municipal immunity for tort claims and make municipalities liable for all negligence claims, regardless of how they arise, and eliminate immunity for municipal employees and officials.

As the New Hampshire Municipal Association has noted, RSA 507-B was enacted in 1975, after the New Hampshire Supreme Court abolished the common-law doctrine of municipal immunity, and was intended to allow liability against a municipality in those situations where a governmental entity is acting similar to a typical business corporation – i.e., the ownership and use of real estate and motor vehicles – but to shield it from liability for its purely governmental actions, such as police and fire protection, public education, road maintenance, water supply, sewerage disposal, solid waste disposal, and other similar governmental functions. Consistent with this intent the New Hampshire Supreme Court has interpreted/applied RSA 507-B to prohibit claims against municipalities that did not arise out of the ownership, occupation, maintenance, or operation of motor vehicles or premises



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.4.

Resolution Number: **R – 2016.03.09 – 031**

Resolution Re: **OPPOSITION TO HB 1687 AND HB 1688**

If one or both of these bills become law, municipalities and their employees and officials will face far greater liability exposure, potential lawsuits, and/or damage claims. Such an increase in claim, lawsuits, and/or liability will dramatically increase costs borne by taxpayers for insurance/risk pool coverage, increase the costs for legal consultation/representation, and potentially make it much harder to attract qualified individuals for municipal employment. Additionally, if these bills are enacted municipalities and school districts will have to determine whether to abandon providing certain services/amenities – playgrounds, pools, non-essential services, etc., in order to limit liability and control costs.

In Dover specifically, if HB 1687 and HB 1688 become law, it is anticipated that the City of Dover's annual premiums to its liability risk pool will increase dramatically. Further, there would be serious detrimental impacts to the City of Dover, its employees, and its residents, including but not limited to the potential closure of certain facilities, the potential cessation of certain activities, and/or significant cost increases to be borne by Dover taxpayers;

The intent behind the current language of RSA 507-B is sound and represents the proper balance of immunity/liability recognizing the unique services provided by municipalities and the inherent differences between municipalities and private business corporations. HB 1687 and HB 1688 are not in the best interests of the City of Dover, the citizens of Dover, nor the State of New Hampshire at large. In seeking to disrupt a balance serving the overall public good for the benefit of individual interest, HB 1687 and HB 1688 represent poor public policy and should be found inexpedient to legislate, rejected by the New Hampshire Legislature, and/or vetoed by the Governor.

In adopting this resolution, the City Manager will take steps to make the City of Dover's opposition to these bills known, including, but not limited to attending legislative hearings, writing letters to elected officials, working/communicating with elected representatives, and/or working with the New Hampshire Municipal Association.

HB 1687-LOCAL - AS INTRODUCED

2016 SESSION

16-2824
08/09

HOUSE BILL

1687-LOCAL

AN ACT relative to governmental liability for personal injury on playground structures.

SPONSORS: Rep. Hopper, Hills. 2; Rep. Woodbury, Hills. 5; Sen. Carson, Dist 14

COMMITTEE: Judiciary

ANALYSIS

This bill allows municipalities and school districts to be held liable for certain injuries on playground equipment.

This bill is a request of the committee to study government immunity from suit and accountability by its citizens established in 2015, 175 (SB 41).

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Sixteen

AN ACT relative to governmental liability for personal injury on playground structures.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Use of Municipal and School District Playground Facilities. Amend RSA 507-B:11 to read as
2 follows:

3 507-B:11 Use of Municipal and School District **Playground** Facilities [~~for Skateboarding,~~
4 ~~Rollerblading, Stunt Biking, or Rollerskiing~~]. A municipality or school district, which without
5 charge permits any person to use [a facility] **playground structures** operated by the municipality
6 or school district [~~for the purpose of skateboarding, rollerblading, stunt biking, or rollerskiing, shall~~
7 ~~not be liable for personal injury or property damage resulting from the person's participation in~~
8 ~~such activity, in the absence of gross and wanton negligence~~] **may be liable for damages in an**
9 **action to recover for bodily injury, personal injury, or property damage under RSA 507-**
10 **B:2.**

11 2 Effective Date. This act shall take effect 60 days after its passage.

HB 1688-FN-LOCAL - AS INTRODUCED

2016 SESSION

16-2825
06/09

HOUSE BILL

1688-FN-LOCAL

AN ACT relative to governmental liability for negligence claims.

SPONSORS: Rep. Woodbury, Hills. 5; Rep. Hopper, Hills. 2

COMMITTEE: Judiciary

ANALYSIS

This bill provides that employees of a governmental unit may be held liable for damages in certain negligence claims.

This bill is a request of the committee to study government immunity from suit and accountability by its citizens established in 2015, 175 (SB41).

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Sixteen

AN ACT relative to governmental liability for negligence claims.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Bodily Injury Actions Against Governmental Units; Liability for Negligence. Amend RSA
2 507-B:2 to read as follows:

3 507-B:2 Liability for Negligence. A governmental unit, **employee, or official** may be held
4 liable for damages in an action to recover for bodily injury, personal injury or property damage
5 caused by its fault or by fault attributable to it, **whether or not** arising out of ownership,
6 occupation, maintenance, or operation of all motor vehicles, and all premises[~~;- provided,~~]. However,
7 ~~[that]~~ the liability of any governmental unit with respect to its sidewalks, streets, and highways
8 shall be limited as provided in RSA 231 and the liability of any governmental unit with respect to
9 publicly owned airport runways and taxiways shall be limited as set forth in RSA 422.

10 2 Effective Date. This act shall take effect January 1, 2017.

HB 1688-FN-LOCAL- FISCAL NOTE

AN ACT relative to governmental liability for negligence claims.

FISCAL IMPACT:

The New Hampshire Association of Counties, New Hampshire Municipal Association, and Judicial Branch state this bill, as introduced, may increase state, county, and local expenditures by indeterminable amounts in FY 2017 and each year thereafter. There will be no fiscal impact to state, county, and local revenue.

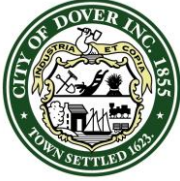
METHODOLOGY:

The New Hampshire Association of Counties and New Hampshire Municipal Association state this bill expands liability for negligence claims to employees and officials of every political subdivision in the state. Further, this bill provides for liability arising out of ownership, occupation, maintenance, or operation of all motor vehicles, and all premises. This bill could increase the number of negligence cases in which counties and municipalities may be held liable for personal injuries. Costs for liability insurance for political subdivisions may increase by an indeterminable amount as a result of this bill.

The Judicial Branch states this bill may increase the number of cases brought forward for damages against governmental units, their employees, and their officials. There is no method to determine how many additional cases would be brought as a result of this bill to determine the fiscal impact on expenditures. The table below provides the potential costs associated with this bill:

	FY 2017	FY 2018
<u>Judicial Branch*</u>		
Complex Civil Case	\$724	\$756
Appeals	Varies	Varies
*It should be noted average case cost estimates for FY 2017 and FY 2018 are based on data that is more than ten years old and does not reflect changes to the courts over that same period of time or the impact these changes may have on processing the various case types.		

The Department of Administrative Services states this bill will have no fiscal impact because the State and all of its departments and agencies are exempt from the provisions of this bill pursuant to RSA 507-B:1, I.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.5.

Resolution Number: **R – 2016.03.09 – 032**
Resolution Re: **SUPPORT OF HB 1630**

WHEREAS: HB 1630, relative to calculating the base cost of an adequate education; seeks to amend RSA Chapter 198 to make changes to the state adequacy formula; and

WHEREAS: HB 1630 would, in pertinent part, increase the base per pupil amount of adequacy aid; increase the differentiated aid amount for 3rd grade pupils not tested at the proficient level for the reading component of the state assessment; establish differentiated aid for 3rd grade pupils not tested at the proficient level for mathematics component of the state assessment; establish differentiated aid for 2nd through 8th grade pupils participating in a district's exceptional pupil program; establish fiscal disparity aid; and repeal stabilization grants; and

WHEREAS: If enacted, these changes would have a positive impact for the children of the City of Dover and be a benefit to all residents and taxpayers in the City.

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

HB 1630 is in the best interests of the City of Dover, the residents of Dover, and the State of New Hampshire at large;

The New Hampshire Legislature should pass HB 1630 and it should be signed into law by the Governor.

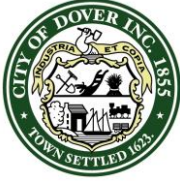
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston

Approved as to Legal Form
and Compliance: Anthony I. Blenkinsop
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.5.

Resolution Number: **R – 2016.03.09 – 032**
Resolution Re: **SUPPORT OF HB 1630**

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor, Karen Weston		
Deputy Mayor, Robert Carrier, At Large		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Joseph Nicolella, Jr, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		

RESOLUTION BACKGROUND MATERIAL:

HB 1630, copy attached, would make changes to the State education adequacy formula and be a benefit to the City of Dover.

2016 SESSION

16-2481

04/03

HOUSE BILL ***1630-FN-LOCAL***

AN ACT relative to calculating the base cost of an adequate education.

SPONSORS: Rep. Ladd, Graf. 4; Rep. Myler, Merr. 10

COMMITTEE: Education

ANALYSIS

This bill increases the amount of per pupil adequacy aid, increases the amount of aid to certain third grade pupils, provides aid for exceptional pupils, and provides fiscal capacity disparity aid to certain school districts.

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struckthrough:]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

16-2481

04/03

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Sixteen

AN ACT relative to calculating the base cost of an adequate education.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a, I to read as follows:

I. Beginning July 1, 2009, and for every biennium thereafter, the annual cost of providing the opportunity for an adequate education as defined in RSA 193-E:2-a shall be ~~[\$3,450]~~ ***\$4,038*** per pupil attending a public school, plus any applicable differentiated aid for which a pupil is eligible. Differentiated aid shall be in the amount of \$1,725 for each pupil in the public school's ADMA in the determination year who is in kindergarten through grade 12 and who is eligible for the federal free and reduced-price meal program.

2 School Money; Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a, II-a to read as follows:

II-a. An additional ~~[\$675]~~ ***\$697*** for each third grade pupil in the public school's ADMA in the determination year who has not tested at the proficient level or above in the reading ~~[component]~~ ***and mathematics components*** of the state assessment and who is not eligible to receive special education, English as a second language, or free or reduced-price meal program funds in the determination year.

3 New Paragraph; School Money; Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a by inserting after paragraph II-a the following new paragraph:

II-b. An additional \$697 for each pupil reported in the public school's ADMA for grades 2-8 who is participating in a school district's exceptional pupil program.

4 New Section; School Money; Fiscal Capacity Disparity Aid. Amend RSA 198 by inserting after section 40-c the following new section:

198:40-cc Fiscal Capacity Disparity Aid.

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each biennium the department shall calculate fiscal capacity disparity aid and provide that amount of aid in each year of the biennium to a municipality's school districts and to charter schools approved under RSA 194-B:3-a as follows:

(a) The department shall calculate the equalized valuation per pupil for each municipality in the state and shall sort the results into quartiles based on equalized valuation per pupil and shall divide all quartiles in half. If there are an uneven number of municipalities in a quartile or half quartile, the department shall make the lower quartile or half quartile the one with fewer municipalities.

(b) A municipality with an equalized valuation per pupil in the lower half of the lowest quartile and which has a median family income which is less than the state average median family income shall receive fiscal capacity disparity aid in the amount of \$2,000 multiplied by the municipality's average daily membership in attendance.

(c) A municipality with an equalized valuation per pupil in the upper half of the lowest quartile which has a median family income which is less than the state average median family income shall receive fiscal capacity disparity aid in the amount of \$1,250 multiplied by the municipality's average daily membership in attendance shall be distributed pursuant to RSA 198:42.

(d) A charter school approved under RSA 194-B:3-a shall receive \$2,000 per pupil multiplied by the number of pupils enrolled. The calculation of charter school enrollment and aid distribution shall be pursuant to RSA 194-B:11.

II. Except as otherwise provided in this section, fiscal capacity disparity aid shall be distributed pursuant to RSA 198:42.

III. In this section:

(a) "Equalized valuation per pupil" means a municipality's equalized valuation, including properties subject to taxation under RSA 82 and RSA 83-F, as determined by the department of revenue administration, that was the basis for the local tax assessment in the determination year, divided by the school district's kindergarten through grade 12 average daily membership in attendance.

(b) "Median family income" means the most recent census data published for New Hampshire counties and municipalities by the United States Department of Commerce, Census Bureau, as of October 1 preceding the beginning of the biennium for which aid is to be determined.

5 Repeal. RSA 198:41, IV, relative to stabilization grants, is repealed.

6 Effective Date. This act shall take effect July 1, 2017.

LBAO
16-2481
12/18/15

HB 1630-FN-LOCAL- FISCAL NOTE

AN ACT relative to calculating the base cost of an adequate education.

FISCAL IMPACT:

The Department of Education states this bill, **as introduced**, will have an indeterminable impact on state education trust fund expenditures and local revenues in FY 2018 and each year thereafter. There will be no impact on state and county revenues or county and local expenditures.

METHODOLOGY:

The Department of Education states this bill makes the following changes to the adequacy aid formula, effective in FY 2018:

- Increases the base per pupil aid amount from \$3,540 to \$4,038;
- Increases the differentiated aid amount for 3rd grade pupil not tested at the proficient level for reading component of the state assessment from \$675 to \$697;
- Establishes differentiated aid for 3rd grade pupils not tested at the proficient level for mathematics component of the state assessment at \$697;
- Establishes differentiated aid for 2nd through 8th grade pupils participating in a district's exceptional pupil program at \$697;
- Establishes fiscal disparity aid; and
- Repeals stabilization grants

The Department states it is unable to provide an estimate of this bill's impact on state education trust fund expenditures and local revenues, specifically due to not being able to predict pupil data in FY 2018. However, for informational purposes only, the impact of this bill's provisions above using FY 2017 preliminary data (assumed 9% of grade 2-8 pupils would be eligible for exceptional pupil program) is as follows:

Using FY 2017 Preliminary Data			
	FY 2018 - Current Law -	FY 2018 - Proposed -	Difference
Adequate Education Grants	\$574,956,759	\$563,024,245	(\$11,932,514)
Statewide Education Property Tax	\$363,431,572	\$363,431,572	\$0
Total Cost	\$938,388,331	\$926,455,817	(\$11,932,514)

It should be noted that while the net difference statewide is a decrease of \$11,932,514, the amount per municipality will vary and could be an increase or decrease in grant amount depending on many factors (i.e., student enrollment, property valuations, etc.). The calculation above included grants to municipalities ranging from a decrease of \$11,027,769 to an increase of \$5,733,340.

In addition to an impact on adequate education grants to municipalities for traditional public schools, this bill will also impact aid to charter public schools. The amount of total potential impact is indeterminable for the following reasons:

- This bill does not go into effect until FY 2018 and the Department of Education is unable to predict enrollments for the 2017-2018 at this time;
- Charter public schools receive differentiated aid similarly to traditional public schools. The changes to the differentiated aid components included in this bill will impact funding to charter public schools, however the Department cannot predict how many pupils would be eligible for each aid component; and
- Also, it is unclear as to whether the \$2,000 per pupil fiscal capacity disparity aid for charter public schools included in this bill (RSA 198:40-cc) is intended to be in addition to current funding amounts.



City Council Document Creation

Select a Folder Action

Page size:

Page: of 35 Items 1 to 50 of 1741

agenda date	status	title	dept	type	
2016.03.09	Active	Request for Prohibition of Hunting on Willand Pond	Legal	Resolution	Edit
2016.03.09	Active	Minimum Fund Balance Financial Policy	Finance	Resolution	Edit
2016.03.09	Active	Chapter 5, Section 25 Heritage Commission	Planning	Ordinance	Edit
2016.03.09	Active	Request for Prohibition of Hunting on Willand Pond	Executive	Resolution	Edit
2016.03.09	Active	Support of HB 1630	Executive	Resolution	Edit
2016.03.09	Active	Opposition to SB 349	Executive	Resolution	Edit
2016.03.09	Active	Opposition to HB 1687 and HB 1688	Executive	Resolution	Edit
		Acceptance of			

No Document Types for this Cabinet

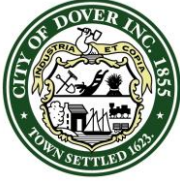
- Main

Select a File Action

Page size:

Page: of 1

[File Name](#) [Creation Date](#) [Creator](#) [Size](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.6.

Resolution Number: **R – 2016.03.09 – 033**

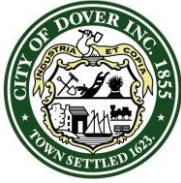
Resolution Re: **Acceptance of Development Agreement Between the City of Dover and Varney Brook Lands, LLC**

- WHEREAS: The City of Dover is committed to development as part of its economic development goals and objectives in order to create a vibrant city; and
- WHEREAS: Varney Brook Lands, LLC (also “Developer”), the developer and owner of property located at Tax Map K, Lot 19, consisting of 51 acres +/- which fronts Thornwood Lane, between Dover Point Road and Middle Road, is interested in redeveloping the property to the highest and best use; and
- WHEREAS: City staff is negotiating a Development Agreement between Varney Brook Lands, LLC and the City of Dover for the redevelopment of the property. The redevelopment of the property is projected to be valued at a minimum of \$7,000,000.00 assessed value of the land and building, increasing to at least \$21,000,000.00 over time; and
- WHEREAS: Upon Planning Board approval of the development project, satisfaction of conditions precedent, and the passing of any relevant appeal periods, the City shall reimburse the Developer \$1,200,000.00 toward the commercially reasonable costs expended by the Developer on the Public Improvements stated in the Term Sheet, which include, but are not limited to construction of athletic fields within the City; and
- WHEREAS: The property will be redeveloped in a manner consistent with the City's Master Plan, and consistent with a pro-diverse economic development policy endorsed by the Dover Business and Industrial Development Authority and Planning Board.

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

The City Manager is authorized to enter into a Development Agreement with Varney Brook Lands, LLC consistent with the terms and conditions in the Term Sheet to the development of the property along Thornwood Lane, Tax Map K, Lot 19 and to sign documents to be recorded with the Registry of Deeds, including any deed(s) and/or easement(s), consistent with the terms of the Development Agreement.

REFER TO A PUBLIC HEARING



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.6.

Resolution Number: **R – 2016.03.09 – 033**
Resolution Re: **Acceptance of Development Agreement Between the City of Dover and Varney Brook Lands, LLC**

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch Sponsored by: Mayor Karen Weston
Finance Director By request

Approved as to Legal Form and Compliance: Anthony I. Blenkinsop
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor, Karen Weston		
Deputy Mayor, Robert Carrier, At Large		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Joseph Nicolella, Jr, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		

RESOLUTION BACKGROUND MATERIAL:

See attached Development Agreement Term Sheet and Site Plan.

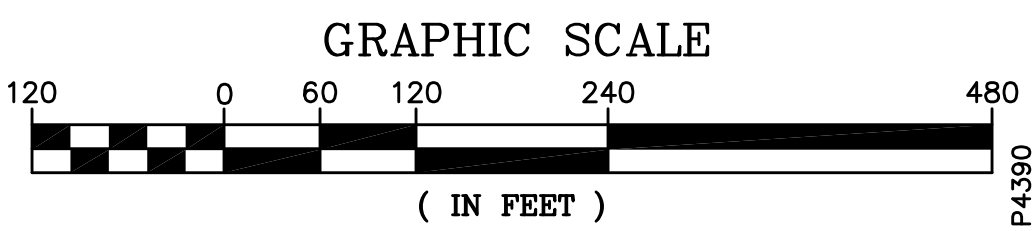
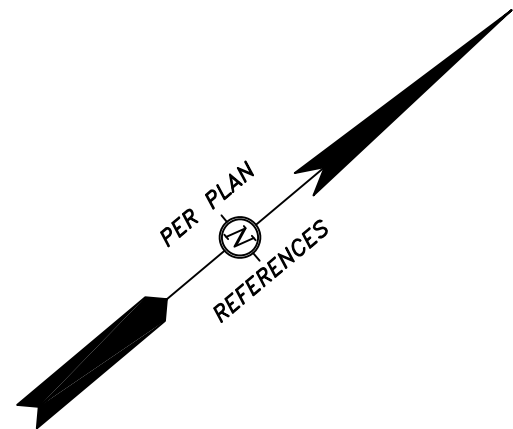
**Development Agreement Term Sheet between City of Dover, New Hampshire (“City”) and
Varney Brook Lands, LLC (the “Developer”)**

1. The Developer seeks to develop the property known as Map K, Lot 19, consisting of 51 acres, more or less, and which fronts Thornwood Lane, between Dover Point Road and Middle Road (the “Project Site”). A more detailed agreement will be signed by the parties with the terms set forth herein and additional terms as is customary in New Hampshire (the “Development Agreement”).
2. If, within three years of the date of the LDA, the Developer develops the Project Site in such a way that the City and Developer agree that it is more likely than not that the initial assessed value of the improvements to the Project Site equate to at least Seven million dollars (\$7,000,000) in assessed value, then the City shall reimburse the Developer One Million Two Hundred Thousand Dollars (\$1,200,000) toward the commercially reasonable costs expended by the Developer on the Public Improvements described below:
 - a. The Developer shall provide the following Public Improvements:
 - i. Completing Thornwood Lane, as per the approved Pointe Place site plan.
 - ii. Conveyance of approximately 4 acres of land from the Developer to the City, adjacent to Applevale Park:
 1. Said land shall be initially utilized as an extension of Applevale Park with the Developer constructing a multi-use athletic field at mutually agreeable dimensions with conveyance to the City for operation and ownership, upon construction. Construction of the field shall allow for full usage in July 2017.
 2. In the future the City shall have the right to convert the land into any suitable municipal/educational use, at its discretion.
 - iii. Construction and installation of a new parking and access to said multi-use field adjacent to Applevale Park including a perpetual easement from the Developer to the City for said access and parking.
 - iv. Construction and installation of a new multi-use athletic field, at mutually agreeable dimensions, on land owned by the Developer off of Stonewall Drive in Dover. The field shall be owned and maintained by the Developer, or assignee, and shall be open for scheduling of recreational and educational usage in perpetuity.
 1. Said field shall be placed within a conservation/recreation easement granted to the City by the Developer prohibiting redevelopment of the land, shown on plan P15-04.
 2. Construction of the field shall allow for full usage in July 2017.
 3. The Developer and City shall develop a plan for the scheduling of activities upon the field.

- A. The plan shall account for operational impacts on the industrial users of Stonewall Drive.
 - B. The plan shall account for any residential abutters.
 - C. The plan shall give the City priority of use over non-profit sports clubs or leagues.
 - D. This plan shall be reviewed by both parties annually.
 - v. The Developer shall grant public access to the 10.396 conservation easement granted to the City in 2008, Book 3695 Page 488. Access to be determined through approval separate access easement granted to the City.
3. The Developer guarantees that five years after the issuance of the Certificate of Occupancy, noted in 4.c below, the minimum assessed value of the Project Site will be equal to or exceed \$17,000,000.
4. The City shall reimburse the Developer One Million Two Hundred Thousand Dollars (\$1,200,000) toward the commercially reasonable costs expended by the Developer on the Public Improvements. The Developer shall receive reimbursement based upon the following schedule:
- a. Upon completion of the mixed use field located adjacent to Applevale Park, following the process outlined in 170-23 F (1) (c), the Recreation Impact Fees shall be waived for the approximately 240 apartments above the mixed use buildings, and 16 townhomes.
 - i. This is estimated at approximately \$280,000.
 - b. Upon completion of the mixed use field located off Stonewall Drive, and upon Thornwood Lane being deemed usable, passable, and in compliance with applicable provisions of NPFA1(State Fire Code), between Sierra Drive and Dover Point Road, the Developer shall be paid \$320,000.
 - c. Upon the issuance of the Certificate of Occupancy for one mixed use building containing approximately 60 Apartments and 12,000 SF of commercial space on the Project Site, and granting of access easement, the Developer shall be paid \$600,000.
5. The City Manager shall seek to obtain approval from the City Council to execute a Development Agreement consistent with the terms and conditions in this term sheet. Any terms or conditions in the Development Agreement that represent changes or additions to the terms and conditions in this term sheet shall be subject to the consent and approval of the City, acting by and through its City Manager. Changes or additions considered material by the City Manager, in the City Manager's sole discretion, shall require approval by the City Council.



- NOTES**
1. THE BASE PLAN HEREON WAS DEVELOPED FROM AVAILABLE REFERENCE PLANS PRODUCED BY OTHERS. ADDITIONAL FEATURES WERE APPROXIMATED BY ALTUS ENGINEERING, INC. THROUGH THE USE OF SUPPLEMENTARY MATERIAL. ALTUS CONDUCTED NO INDEPENDENT FIELD SURVEY TO VERIFY THE ACCURACY OF THE REFERENCE PLANS OR SUPPLEMENTARY INFORMATION. THEREFORE, ALL INFORMATION SHOWN ON THE BASE PLAN AND ANY CALCULATIONS BASED UPON IT SHOULD BE CONSIDERED APPROXIMATE. THIS INCLUDES BUT IS NOT LIMITED TO ALL PROPERTY LINES, EASEMENTS, UTILITIES, WETLAND BOUNDARIES, BUILDINGS, PAVEMENT, ETC.
 2. THE INTENT OF THIS PLAN IS TO ILLUSTRATE A CONCEPTUAL SITE LAYOUT FOR PLANNING PURPOSES. SITE LAYOUT MAY CHANGE BASED ON FINAL TENANT NEEDS.



THIS DRAWING HAS NOT BEEN RELEASED FOR CONSTRUCTION

ISSUED FOR: DISCUSSION

ISSUE DATE: JANUARY 28, 2016

REVISIONS	NO.	DESCRIPTION	BY	DATE
0	INITIAL SUBMISSION		CDB	01/28/16

DRAWN BY: CDB
APPROVED BY: EDW
DRAWING FILE: 4390_012816.dwg

SCALE: 24"x36" 1" = 120'
12"x18" 1" = 240'

OWNER:
VARNEY BROOK LANDS, LLC
P.O. BOX 728
DOVER, NH 03821

APPLICANT:
SUMMIT LAND DEVELOPMENT
340 CENTRAL AVE., #202
DOVER, NH 03820

PROJECT:

POINTE PLACE
(FORMERLY THORNWOOD COMMONS)

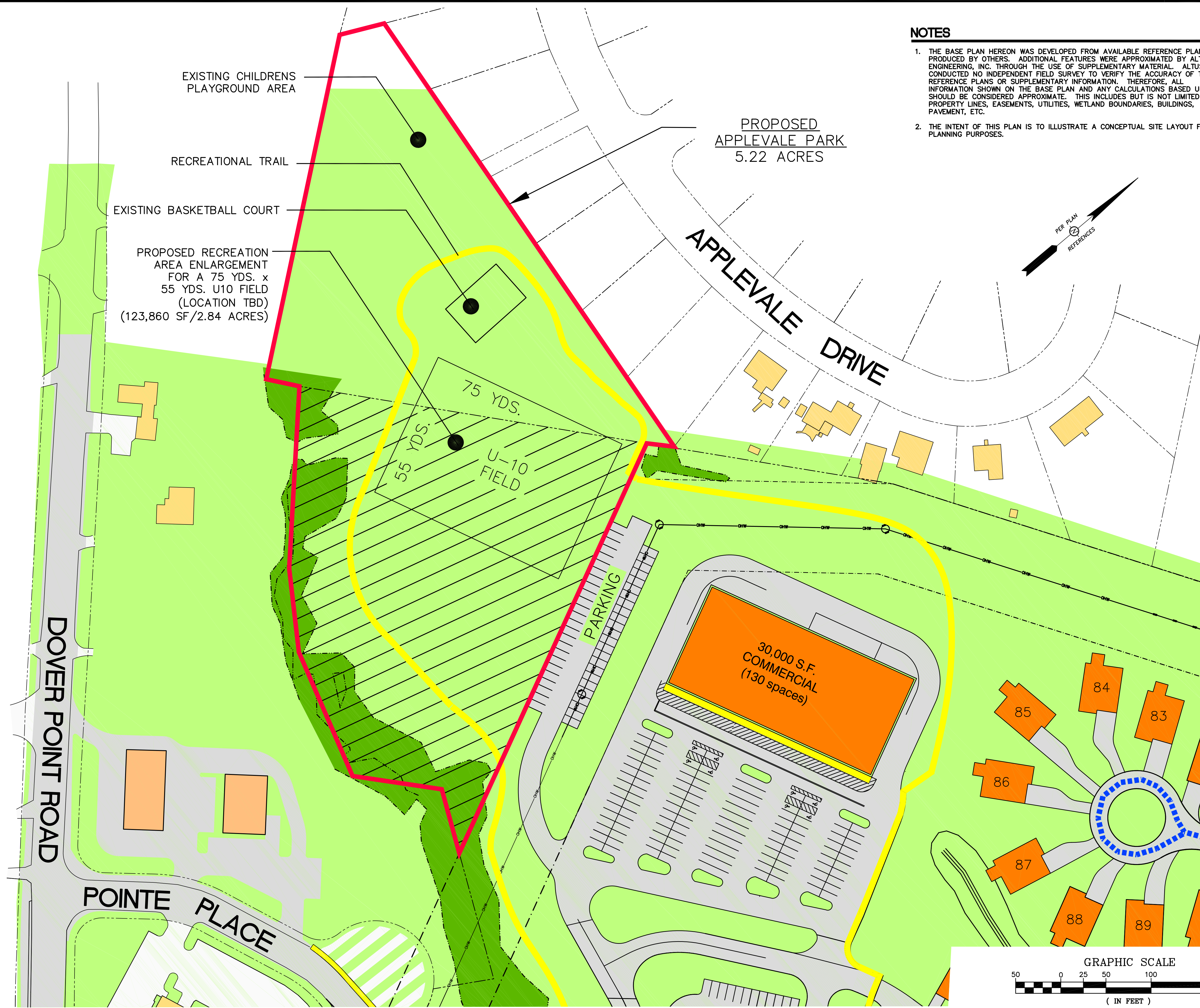
DOVER POINT ROAD, MIDDLE
ROAD & POINTE PLACE
DOVER, NH

TITLE:

REVISED
MASTER PLAN

SHEET NUMBER:

1 OF 1



- NOTES**
1. THE BASE PLAN HEREON WAS DEVELOPED FROM AVAILABLE REFERENCE PLANS PRODUCED BY OTHERS. ADDITIONAL FEATURES WERE APPROXIMATED BY ALTUS ENGINEERING, INC. THROUGH THE USE OF SUPPLEMENTARY MATERIAL. ALTUS CONDUCTED NO INDEPENDENT FIELD SURVEY TO VERIFY THE ACCURACY OF THE REFERENCE PLANS OR SUPPLEMENTARY INFORMATION. THEREFORE, ALL INFORMATION SHOWN ON THE BASE PLAN AND ANY CALCULATIONS BASED UPON IT SHOULD BE CONSIDERED APPROXIMATE. THIS INCLUDES BUT IS NOT LIMITED TO ALL PROPERTY LINES, EASEMENTS, UTILITIES, WETLAND BOUNDARIES, BUILDINGS, PAVEMENT, ETC.
 2. THE INTENT OF THIS PLAN IS TO ILLUSTRATE A CONCEPTUAL SITE LAYOUT FOR PLANNING PURPOSES.

THIS DRAWING HAS NOT BEEN
RELEASED FOR CONSTRUCTION

ISSUED FOR: DISCUSSION

ISSUE DATE: JANUARY 28, 2016

REVISIONS	NO.	DESCRIPTION	BY	DATE
0	INITIAL SUBMISSION		CDB	01/28/16

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APPROVED BY: EDW
DRAWING FILE: 4390_012816.dwg

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12"x18" 1" = 100'

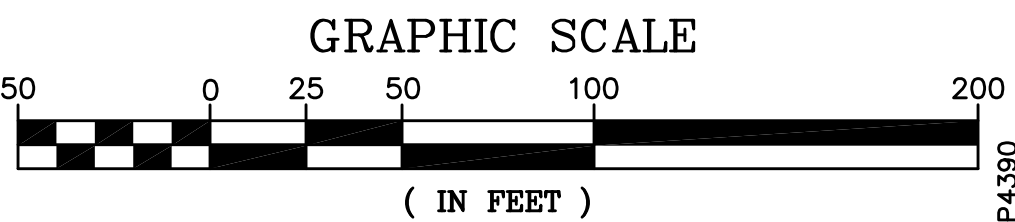
OWNER:
VARNEY BROOK LANDS, LLC
P.O. BOX 728
DOVER, NH 03821

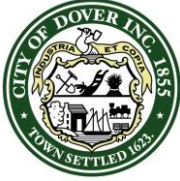
APPLICANT:
SUMMIT LAND DEVELOPMENT
340 CENTRAL AVE., #202
DOVER, NH 03820

PROJECT:
POINTE PLACE
(FORMERLY THORNWOOD COMMONS)
DOVER POINT ROAD, MIDDLE
ROAD & POINTE PLACE
DOVER, NH

TITLE:
APPLEVALE PARK
PLAN

SHEET NUMBER:
1 OF 1





CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2016-03.09 – 004**
Ordinance Title: Chapter 5, Boards, Commissions and Committees
Chapter: 5
Section: 25. Heritage Commission

The City of Dover Ordains:

1. PURPOSE

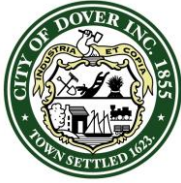
The purpose of this ordinance is to amend Chapter 5 entitled “Boards, Commissions and Committees” by revising Section 5-25.A. MEMBERSHIP.

2. AMENDMENT

Chapter 5, Section 25 entitled “Heritage Commission” is hereby amended as follows:

5-25. Heritage Commission [Added on 2015.10.28 by Ord. No. 2015.10.14-021]

- A. MEMBERSHIP: The Heritage Commission shall consist of ~~five (5)~~four (4) voting members including one (1) City Councilor; one (1) Citizen recommended by the Woodman Institute Museum; ~~the Director of the Public Library or designee; and~~ two (2) Citizens, one of which may be a Planning Board member, and one of which may be a Downtown Dover Tax Increment Finance Advisory Board Member.
- B. TERM OF MEMBERS: Members shall be appointed to terms of three (3) years. The City Council Member shall serve for their current Council term and shall be appointed by the Mayor with the approval of the Council.
- C. AUTHORITY AND DUTIES: The Heritage Commission shall have the following duties and functions consistent with RSA 674:
- (1) Survey and inventory all cultural resources
 - (2) Conduct, research and publish findings
 - (3) Assist the Planning Board, as requested, in the development and review of those sections of the master plan which address cultural and historic resources.
 - (4) Advise, upon request, local agencies and other local boards in their review of requests on matters affecting or potentially affecting cultural and historic resources, including advising the City Council on the Historic Value of potentially “replaced qualifying structures” pursuant to RSA 79 E:4
 - (5) Coordinate activities with appropriate service organizations and non profit groups.
- D. Any appropriations established by the City Council for use by the Heritage Commission shall be held in a Heritage Commission fund and disbursed in accordance with RSA 674:44-b subject to the requirements of the City’s purchasing procedures and accounting requirements as administered by the City Manager.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Agenda Item#: 13.C.1.

Ordinance Number: **O – 2016-03.09 – 004**
Ordinance Title: Chapter 5, Boards, Commissions and Committees
Chapter: 5
Section: 25. Heritage Commission

3. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director
Sponsored by: Mayor Karen Weston
By request
Approved as to Legal Form: Anthony Blenkinsop
City Attorney
Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

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

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor, Karen Weston		
Deputy Mayor, Robert Carrier		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Joseph Nicolella, Jr, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		

ORDINANCE BACKGROUND MATERIAL:

This ordinance clarifies the membership of the Commission.

Document Created by: Planning Document Posted on: March 3, 2016	O-2016.03.09 Chapter 5, Boards, Commissions and Committees, Section 25 Heritage Commission Page 2 of 2
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The Honorable Mayor Karen Weston and
Members of the City Council
Municipal Building
233 Main Street
Dover, NH 03820

Dear Mayor Weston and Members of the City Council:

As you know, the Dover Parking Commission meets on a monthly basis consistent with our commitment to carry out responsibilities outlined in the City of Dover Administrative Code, specifically to make recommendations regarding, *the maintenance and implementation of an overall public parking plan that defines, goals, policies, regulations and their enforcement; respect to funding for a parking fund; and other duties*. From the outset, our deliberations and recommendations have been based on a recognition and belief in the importance to the city of a vibrant active central business district, which in large part depends on adequate and convenient parking. The additional parking capacity provided in the new parking garage is an important advancement, but it now becomes important to carefully manage our parking capacity to assure maximum benefit.

For the past several weeks, along with the Parking Manager, we have examined several aspects of the parking program and have concluded that there is a need to make a number of modifications to assure continued success, primarily from a capacity management perspective, but also from a financial perspective. Accordingly, we seek your approval of the following recommendations adopted by the Parking Commission:

1. Increase the *on-street rate* from the present \$0.75 per hour to \$1.00. (This does not increase the \$0.75 rate in the parking garage or lots)
 - We all recognize that metered parking in Dover is a bargain; most other communities have higher rates and longer hours than is the case in Dover. We believe an increase from \$0.75 to \$1.00 is reasonable. The lesser rate in the parking garage and lots will encourage garage and lot usage, thus freeing up on street space.
2. Add Saturday to the metered program.
 - We find on street downtown parking at a premium on most Saturdays. This is due to several factors; first and foremost, it is free. This then makes it convenient for business employees and apartment residents who generally find off-street parking on week-days, to occupy prime spaces for long periods of time on Saturdays. Finally, this would be consistent with most other communities that charge for Saturday parking.

3. Increase the monthly business permit rate in the parking garage from \$45/month to \$50/month.

- The demand for these permits is strong. We believe this increase is very reasonable.

4. Parking Garage: Require monthly permit holders to park on the second or higher floors, therefore reserving the first floor for those paying the full meter rate.

- We believe this is a reasonable restriction on those paying the reduced parking fee and that it will encourage usage of the parking garage by downtown business patrons paying the full meter rate.

5. Increase the monthly downtown resident rate from \$15/month to \$20/month

- The demand for these permits is also strong. We believe this increase is also very reasonable.

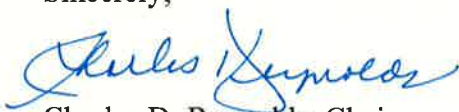
6. Designate four under-utilized locations for reduced rates: Henry Law Avenue past the entrance to pool (\$75/six months; Chestnut Street Parking Lot (\$75/six months); Main and Chapel Streets (\$100/six months). Regular rates would also be available in these areas.

- This recommendation came from local merchants as a way to alleviate part-time employees from the \$45/months rate and is consistent with the objective of encouraging usage of areas where parking capacity is underutilized.

To be clear, we primarily making these recommendations, not for financial benefit, but principally to better serve the public by effectively anticipating and/or managing the parking needs as they develop.

We are forwarding our recommendations at this time so as to allow for any budgetary adjustments that may be required and trust that they will meet with your approval. Should you require further information regarding these recommendations or other parking issues, be assured that either the Parking Manager or Commission members will be available to provide it.

Sincerely,



Charles D. Reynolds, Chair
Dover Parking Commission

cc: William Simons, Parking Manager