



CITY OF DOVER

CITY COUNCIL – AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, April 12, 2017**
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. FISCAL YEAR 2018 BUDGET APPROPRIATIONS, FEES AND CAPITAL IMPROVEMENTS PROGRAM - SCHOOL DEPARTMENT (COUNCIL VOTE TO OCCUR ON MAY 3, 2017.)**
SPONSORED BY MAYOR WESTON BY REQUEST
 - B. CHAPTER 131 OFFENSES, SECTION 7 – PARK HOURS**
SPONSORED BY MAYOR WESTON BY REQUEST
 - C. CHAPTER 166 VEHICLES AND TRAFFIC, SECTIONS 16, 17, 18, 30, 37, 38, 56, 57, 59, AND A GENERAL CLEAN-UP/RENUMBERING OF THE CHAPTER**
SPONSORED BY MAYOR WESTON BY REQUEST
 - D. HENRY LAW AVENUE RECREATION PARKING LOT METER FINE REVENUE AND AMENDMENT TO CITY FEE SCHEDULE**
SPONSORED BY MAYOR WESTON BY REQUEST
 - E. TREE CUTTING ON SCENIC ROAD. ROCHESTER NECK ROAD**
SPONSORED BY MAYOR WESTON BY REQUEST
 - F. DECLARATION OF EMERGENCY LANE – OLD GARRISON ROAD FROM SPRUCE LANE TO DAVID TUTTLE LANE**
SPONSORED BY MAYOR WESTON BY REQUEST
 - G. ESTABLISHMENT OF SCHOOL INSTRUCTIONAL EQUIPMENT CAPITAL RESERVE FUND**
SPONSORED BY MAYOR WESTON BY REQUEST
 - H. APPROPRIATION FOR FY2018 POINTE PLACE INFRASTRUCTURE IMPROVEMENTS AND AUTHORIZATION FOR BONDING (COUNCIL VOTE TO OCCUR ON APRIL 26, 2017.)**
SPONSORED BY MAYOR WESTON BY REQUEST



CITY OF DOVER

CITY COUNCIL – AGENDA

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, April 12, 2017**
Meeting Time: **7:00 pm**

I. DISSOLUTION OF SCHOOL ALTERNATIVE EDUCATION FUND INTO THE GENERAL FUND

(COUNCIL VOTE TO OCCUR ON MAY 10, 2017.)

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. March 15, 2017 – Workshop Session

B. March 22, 2017 – Regular Meeting

C. March 29, 2017 – Workshop Session

11. MAYOR'S REPORT

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2ND READING

1. CHAPTER 131 OFFENSES, SECTION 7 – PARK HOURS

SPONSORED BY MAYOR WESTON BY REQUEST

2. CHAPTER 166 VEHICLES AND TRAFFIC, SECTIONS 16, 17, 18, 30, 37, 38, 56, 57, 59, AND A GENERAL CLEAN-UP/RENUMBERING OF THE CHAPTER

SPONSORED BY MAYOR WESTON BY REQUEST

B. ORDINANCES IN THE 3RD READING

C. RESOLUTIONS

1. ADVANCED REFUNDING FOR CITY OF DOVER NOVEMBER 15, 2008 AND APRIL 15, 2010 GENERAL OBLIGATION BONDS AND AUTHORIZATION TO ISSUE REFUNDING BONDS (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL)
SPONSORED BY MAYOR WESTON BY REQUEST

2. DOVER LED PUBLIC WORKS LIGHTING UPGRADE (B15021) AND AUTHORIZATION FOR FINANCING (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL)
SPONSORED BY MAYOR WESTON BY REQUEST



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- 3. HENRY LAW AVENUE RECREATION PARKING LOT METER FINE REVENUE AND AMENDMENT TO CITY FEE SCHEDULE**
SPONSORED BY MAYOR WESTON BY REQUEST
- 4. TREE CUTTING ON SCENIC ROAD, ROCHESTER NECK ROAD**
SPONSORED BY MAYOR WESTON BY REQUEST
- 5. DECLARATION OF EMERGENCY LANE – OLD GARRISON ROAD FROM SPRUCE LANE TO DAVID TUTTLE LANE**
SPONSORED BY MAYOR WESTON BY REQUEST
- 6. ESTABLISHMENT OF SCHOOL INSTRUCTIONAL EQUIPMENT CAPITAL RESERVE FUND**
SPONSORED BY MAYOR WESTON BY REQUEST

13. NEW BUSINESS

A. CONSENT CALENDAR

- 1. RAFFLE – Dover Baseball**
- 2. B11001 WWTP DESIGN PHASE ADDITIONAL SCOPE OF WORK WRIGHT-PIERCE CHANGE ORDER #3**
SPONSORED BY MAYOR WESTON BY REQUEST
- 3. B15065 CONSTRUCTION OVERSIGHT SERVICES FOR KEATING & BIRCHWOOD RECONSTRUCTION PROJECT**
SPONSORED BY MAYOR WESTON BY REQUEST
- 4. B16013B DESIGN BUILD OF CUSTOMER SERVICE CENTER**
SPONSORED BY MAYOR WESTON BY REQUEST
- 5. B17038 HOT BITUMINOUS PAVING –ASPHALT LAID IN PLACE**
SPONSORED BY MAYOR WESTON BY REQUEST
- 6. DOVER PUDDING HILL AQUIFER WITH EMERY & GARRETT GROUNDWATER INVESTIGATIONS LLC & UNDERWOOD ENGINEERS**
SPONSORED BY MAYOR WESTON BY REQUEST
- 7. PURCHASE OF DIVING BOARDS**
SPONSORED BY MAYOR WESTON BY REQUEST
- 8. EZRA GREEN’S FARM HOMEOWNERS’ ASSOCIATION TRAIL EASEMENT**
SPONSORED BY MAYOR WESTON BY REQUEST



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Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, April 12, 2017**
Meeting Time: **7:00 pm**

9. ACCEPTANCE OF SIDEWALK EASEMENT. WHITE MOUNTAIN SUBWAY, LLC SPONSORED BY MAYOR WESTON BY REQUEST

COMMITTEE REPORTS

- | | |
|--|--|
| 1. School Board | 11. Pool Advisory Committee |
| 2. Planning Board | 12. Recreation Advisory Board |
| 3. Appointments Committee | 13. Solid Waste Advisory Commission |
| 4. Arena Commission | 14. Transportation Advisory Commission |
| 5. Arts Commission | 15. Joint Building Committee – Dover High School
and Regional Career Technical Center |
| 6. Legislative Liaison | 16. Joint Building Committee – Garrison
Elementary School |
| 7. Library Board of Trustees | 17. Dover Main Street |
| 8. McConnell Center Advisory Committee | |
| 9. Ordinance Committee | |
| 10. Parking Commission | |

B. RESOLUTIONS

- 1. COLLECTIVE BARGAINING AGREEMENT - DOVER EDUCATIONAL OFFICE
PERSONNEL (DEOP)**
SPONSORED BY MAYOR WESTON BY REQUEST
- 2. REPROGRAM UNEXPENDED CIP APPROPRIATIONS AND AWARD OF B17037
BIRCHWOOD AND KEATING RECONSTRUCTION PROJECT
(REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL)
(TO BE REFERRED TO A PUBLIC HEARING ON APRIL 26, 2017, WITH A VOTE
TO OCCUR ON MAY 10, 2017.)**
SPONSORED BY MAYOR WESTON BY REQUEST

C. ORDINANCES IN 1ST READING

14. COUNCIL CORRESPONDENCE

- A. Letter from George & Tina Philbrick, dated March 17, 2017.**

15. COUNCIL MATTERS OF INTEREST

16. ADJOURNMENT



CITY OF DOVER

CITY OF DOVER - RESOLUTION

**Agenda Item#: 7.A
Public Hearing Only**

Resolution Number: **R – 2017.03.22 – 032**

Resolution Re: Fiscal Year 2018 Budget Appropriations, Fees and Capital
Improvements Program

WHEREAS: The City Manager submitted his budget for next fiscal year to the City Council on March 22, 2017; and

WHEREAS: The City Council, after holding the required public hearings, desires to adopt the budgets of the various funds for Fiscal Year 2018, (July 1, 2017 through June 30, 2018);

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

1. The annual budget for the City of Dover for Fiscal Year 2018, submitted to the City Council by the City Manager and on file with the City Clerk, is adopted to raise the following estimated revenues (including any Budgetary Use of Fund Balance) and appropriate the following appropriations:

Fund	Fund Description	Est Revenue	Appropriations	Fund Type
1000	General Fund	111,332,346	111,332,346	General Fund
2100	Community Development Fund	311,088	311,088	Special Revenue
2210	Police Dept. of Justice Grants	125,820	125,820	Special Revenue
2220	Dover Housing Auth Policing	108,766	108,766	Special Revenue
2245	DHHS Assistance Programs	69,246	69,246	Special Revenue
2250	Youth Tobacco & Alcohol Awareness	176,580	176,580	Special Revenue
2800	School Cafeteria Fund	1,730,000	1,730,000	Special Revenue
2820	School Dept. of Education Grants	3,051,108	3,051,108	Special Revenue
2900	School Special Pgms & Grants Fund	129,000	129,000	Special Revenue
3207	Public Safety Special Details	447,222	447,222	Special Revenue
3213	Parking Activity Fund	856,716	856,716	Special Revenue
3320	Residential Solid Waste Fund	1,008,582	1,008,582	Special Revenue
3381	McConnell Center Fund	937,907	937,907	Special Revenue
3410	Recreation Programs	548,949	548,949	Special Revenue
3455	Library Fines Fund	36,678	36,678	Special Revenue
3500	OPEB Liability Fund	1,594,311	1,594,311	Special Revenue
3710	Downtown Dover TIF Fund	642,409	642,409	Special Revenue
3715	Waterfront TIF Fund	150,000	150,000	Special Revenue
3810	School Tuition Program Fund	125,000	125,000	Special Revenue
3830	School Facilities Fund	190,395	190,395	Special Revenue
5300	Water Fund	5,303,833	5,303,833	Enterprise
5320	Sewer Fund	7,764,561	7,764,561	Enterprise
6100	DoverNet Fund	1,146,224	1,146,224	Internal Service
6110	Central Stores Fund	101,586	101,586	Internal Service
6310	Fleet Maintenance Fund	958,776	958,776	Internal Service
6800	Workers Compensation Fund	654,358	654,358	Internal Service
	Totals	139,501,461	139,501,461	



CITY OF DOVER

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Resolution Number: **R – 2017.03.22 – 032**
Resolution Re: Fiscal Year 2018 Budget Appropriations, Fees and Capital
Improvements Program

2. The total amounts set forth in said budgets are hereby appropriated effective July 1, 2017 as provided by law for the departments to perform their functions, transfers to and from reserves and between other funds, and for public purposes not foreign to or incompatible with the mission of the City. General Fund Appropriations include \$38,474,903 for City operations, \$52,119,596 for School Department operations, \$12,014,563 for Debt Service and \$8,723,284 for County Tax.
3. There is no Budgetary Use of Fund Balance included in the General Fund for the purpose of offsetting property taxes.
4. In accordance with RSA 76:6, the City Tax Assessor shall revise and report to the Department of Revenue Administration the amount required for Tax Overlay to provide for the issuance of property tax abatements for tax year 2017 (Fiscal Year 2018).
5. In accordance with RSA 21-J:34, the City Manager shall revise and report to the Department of Revenue Administration the estimated amount of all non-property tax revenues for Fiscal Year 2018 .
6. For water consumption per hundred cubic feet (HCF) effective July 1, 2017, the Water and Sewer User Fees will be \$4.98 and \$8.52, respectively.
7. Effective July 1, 2017, the City Manager is authorized to enter into agreements with, and make payments to, the various agencies receiving Grants/Subsidies and Membership Dues as contained within the budget.
8. Effective July 1, 2017, the City Manager is authorized to enter into agreements with, and make payments to, various vendors supplying computer hardware and software annual maintenance services and support contracts as contained within the budget.
9. Effective July 1, 2017, any new funds represented in the budget are established for the purposes enumerated within the budget.
10. Effective July 1, 2017, the City Manager is authorized to make transfers between funds for the purposes prescribed, including special, capital and other reserve funds, including transfers to or from the City and School Employee Benefits Reserves.
11. Effective July 1, 2017, all fees and charges represented within the budget and the associated schedule of fees is adopted.
12. Effective July 1, 2017, the City Manager is authorized to sign all grant applications and any such funding awarded during the fiscal year is appropriated for such purpose. The City Manager, within the parameters of City Charter provision C6-8, is authorized to transfer funds within a department to provide for local match as required by grant awards.



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**Agenda Item#: 7.A
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Resolution Number: **R – 2017.03.22 – 032**

Resolution Re: Fiscal Year 2018 Budget Appropriations, Fees and Capital
Improvements Program

13. Effective July 1, 2017, revenues from the sale of city property are appropriated for their established and intended use.
14. Effective July 1, 2017, revenues from the fees collected for Recreation Special Programs are appropriated for their established and intended use.
15. Effective July 1, 2017, the City Manager is authorized during the fiscal year to initiate Recreation Special Programs fee discount promotional events to generate revenue and program participation.
16. Effective July 1, 2017, revenues from the fees collected by the Youth to Youth Program from participant fees, speaking engagement fees, and program presentation fees are appropriated for established Youth to Youth program expenses and functions.
17. The City Financial Policies, as contained within the budget, are reaffirmed and adopted for the coming fiscal year.
18. In accordance with RSAs 674:8 and 674:21-V(b), the FY17-22 Capital Improvements Program, as amended, is hereby reaffirmed and adopted.
19. In accordance with City Charter provision C6-11, the designated depositories for city funds for fiscal year 2018 shall be Citizens Bank and the New Hampshire Public Deposit Investment Pool (NHPDIP). The City Treasurer is authorized to utilize, in addition to Citizens Bank and NHPDIP, other banks located within the City of Dover or banks authorized per RSA 48:16 (*City Treasurer Duties*), if deemed most advantageous to the City and in compliance with the City's adopted investment policy.
20. The sum of \$1,253,900 representing budgeted transfers to fund 30% of the OPEB Annual Required Contribution as identified per the City's adopted financial policies is to be transferred to the OPEB Trust.
21. The sum of \$180,540 collected as Transportation Improvement Fees and currently held in custody by the City of Dover Board of Trustees of Trust Funds in the Transportation Improvement Reserve is hereby appropriated for use by the City of Dover for payments to COAST for Fiscal Year 2017 COAST Bus grant subsidy.
22. The sum of \$1,347,797 currently held in custody by the City of Dover Board of Trustees of Trust Funds in the School Facilities Improvement Capital Reserve is hereby appropriated for use by the Dover School District for Fiscal Year 2018 Debt Service payments associated with Dover High School and Regional Career Technical Center construction project.
23. The sum of \$64,000 currently held in custody by the City of Dover Board of Trustees of Trust Funds in the Parking Capital Reserve is hereby appropriated for use by the City of Dover for Fiscal Year 2018 Debt Service payments associated with Downtown Parking Garage project as budgeted in the Downtown Dover TIF Fund.



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**Agenda Item#: 7.A
Public Hearing Only**

Resolution Number: **R – 2017.03.22 – 032**

Resolution Re: Fiscal Year 2018 Budget Appropriations, Fees and Capital
Improvements Program

Note: This Resolution requires a two- thirds majority vote to adopt pursuant to Dover Charter C6-3.1, unless School General Fund revenues are increased or School General Fund appropriations are decreased to result in school property tax levy being in compliance with budget limitation tax cap. This Resolution requires an advertised public hearing for each of the City and School budgets to be separated by at least 24 hours and held at least seven days in advance of final adoption. Final adoption of the budget by the City Council shall occur not later than June 15th prior to the beginning of the next fiscal year.

Resolution to be referred to Public Hearings as follows:

School Department Budget hearing Wednesday, April 12, 2017

City Budget hearing Wednesday, April 26, 2017

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#: 7.A
Public Hearing Only

Resolution Number: **R – 2017.03.22 – 032**
Resolution Re: Fiscal Year 2018 Budget Appropriations, Fees and Capital Improvements Program

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 Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Robert Carrier, At Large		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		

RESOLUTION BACKGROUND MATERIAL:

This resolution adopts the budget for various funds for the next fiscal year, as well as setting utility rates, authorizing grant, subsidy and membership payments, computer maintenance contracts, transfers between funds, setting fees for various services, authorizing signing of grant applications and appropriations thereof, approval of the investment policy and adopting the six year Capital Improvements Program, as required by State Statute to support assessment of impact fees.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

**Agenda Item#: 7.H.
Public Hearing Only**

Resolution Number: **R – 2017.03.22 - 030**
Resolution Re: **Appropriation for FY2018 Pointe Place Infrastructure
Improvements and Authorization for Bonding**

- WHEREAS: The City Council approved resolution R-2016.03.09 on March 23, 2016 authorizing the City Manager to enter into a Development Agreement with Varney Brook Lands, LLC; and
- WHEREAS: The City Manager signed the agreement on October 28, 2016, which calls for the City to participate in the infrastructure costs of creating Pointe Place, a through road connecting Dover Point Road and Thornwood Lane, which connects to Middle Road; and
- WHEREAS: The City's financial contribution is \$920,000, which will be offset by guaranteed tax revenue from valuations of new construction as part of the project; and
- WHEREAS: Varney Brook Lands, LLC has completed their commitments under the agreement, generating the need to provide the City's reimbursement of \$920,000; and
- WHEREAS: The project was not listed in the FY18 CIP Authorization for Bonding, as required for the City to financially participate;

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

The following capital projects are appropriated with estimated useful lives in excess of the length indicated:

AND FURTHER BE IT RESOLVED THAT:

To meet the appropriations of this resolution there is authorized, under and pursuant to the City Charter and the New Hampshire Municipal Finance Act and any other enabling authority, the issuance and sale of general obligation bonds of the City of Dover in a principal amount equal to the total of the appropriations. The full faith and credit of the City is hereby pledged for the principal and interest on said bonds. The bonds are to be signed by the City Manager and countersigned by the City Treasurer, with the Finance Director and City Treasurer having the discretion of fixing the dates, maturities, denominations, place of payment, interest rate or rates and form, and to provide for the sale of the bonds.

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

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor 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#: 7.H.
Public Hearing Only**

Resolution Number: **R – 2017.03.22 - 030**
Resolution Re: **Appropriation for FY2018 Pointe Place Infrastructure
Improvements and Authorization for Bonding**

DOCUMENT HISTORY:

First Reading Date: 03/22/2017	Public Hearing Date: 04/12/2017
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 Marcia Gasses, 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#: 7.H.
Public Hearing Only**

Resolution Number: **R – 2017.03.22 - 030**
Resolution Re: **Appropriation for FY2018 Pointe Place Infrastructure
Improvements and Authorization for Bonding**

RESOLUTION BACKGROUND MATERIAL:

The City Council approved resolution R-2016.03.09 on 3/23/16 authorizing the City Manager to enter into a Development Agreement with Varney Brook Lands, LLC. The City Manager signed that agreement on 10/28/16, which calls for the City to participate in the infrastructure costs of creating Pointe Place, a through road connecting Dover Point Road and Thornwood Lane, which connects to Middle Road. In exchange for the financial participation, the Varney Brook Lands LLC donated land with a multi-use athletic field upon it adjacent to Applevale Park, construction of a multi-use athletic field on Stonewall Drive and allowance for public access on 10 acres of land on a pond located off Pointe Place.

The City's financial contribution is to be \$920,000, which will be offset by guaranteed tax valuations on new construction as part of the project of \$7,000,000, which generates tax revenue to pay the debt service on the \$920,000 within 5 years, and an assessed value of \$17,000,000 within five years of the issuance of a CO for a mixed use building on Pointe Place.

The multi-use athletic fields have been completed, the land has been donated and the roadway has been constructed ahead of schedule, generating the need to provide the City's reimbursement of funds expended on the roadway.

The project was not listed in the FY18 CIP Authorization for Bonding, as required for the City to financially participate.

Debt Authorization versus Debt Retirement

The following table compares the tentative authorization amount to the amount of debt being retired:

Description	General Fund
FY18 City Prior Authorizations	4,367,278
This Authorization	920,000
FY18 Debt Retirement	<u>3,979,031</u>
Net Change	<u>1,308,247</u>

Rate Impacts

The financing of \$920,000 for a 5-year period is estimated to have an annual average cost of \$204,000 starting in FY2018. This is estimated to have a \$0.07 tax rate impact. For an average single family home for property taxes, based on the FY17 estimated assessed value at \$275,840, the impact would be \$19.31 annually.

Legal Debt Limits

The following table summarizes the amount of debt outstanding & authorized-unissued, as of June 30, 2016 and this authorization, against the legal debt limits. Legal debt limit for the City General Fund is based on 3.0% of equalized assessed value.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 7.H.
Public Hearing Only

Resolution Number: **R – 2017.03.22 - 030**
Resolution Re: **Appropriation for FY2018 Pointe Place Infrastructure
Improvements and Authorization for Bonding**

Description	General Fund
Debt Outstanding	36,593,825
Authorized - Unissued	<u>18,587,282</u>
Total Issued & Unissued	55,130,319
This Authorization	<u>920,000</u>
Grant Total	56,050,319
Legal Debt Limit	<u>93,052,012</u>
Unused Capacity	37,001,693
Percent Unused	39.76%

RESOLUTION TO AUTHORIZE THE DEVELOPMENT AGREEMENT



CITY OF DOVER

CITY OF DOVER - RESOLUTION

**Agenda Item#: 7.I.
Public Hearing Only**

Resolution Number: **R – 2017.03.22 – 031**
Resolution Re: **Dissolution of the School Alternative Education Fund
into the General Fund**

- WHEREAS: The City Council, in accordance with RSA 47:1-c, adopted establishing the Alternative Education Fund per resolution adopted October 10, 2001; and
- WHEREAS: The creation of the Alternative Education Fund, a special revenue fund, was to restrict and account for program revenues and expenditures separate from the City's General Fund, since the majority of program revenue came from out of district tuition receipts; and
- WHEREAS: The student population for the Alternative Education School has shifted from a majority of out of district students to a majority of Dover students and thereby the General Fund is providing 75% of the revenue for the Alternative Education Fund; and
- WHEREAS: The Dover School Board adopted a resolution (copy attached) on February 15, 2017 requesting that the City Council dissolve the Alternative Education Fund as of the close of Fiscal Year 2017;

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

The City Council vote of October 10, 2001 is hereby rescinded and the Alternative Education Fund is to be dissolved into the General Fund as of June 30, 2017.

NOTE: This resolution to be referred to Public hearing on April 12, 2017 and City Council vote to occur on May 10, 2017.

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#: 7.I.
Public Hearing Only**

Resolution Number: **R – 2017.03.22 – 031**
Resolution Re: **Dissolution of the School Alternative Education Fund
into the General Fund**

DOCUMENT HISTORY:

First Reading Date: 03/22/2017	Public Hearing Date: 04/12/2017
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 Marcia Gasses, 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#: 7.I.
Public Hearing Only**

Resolution Number: **R – 2017.03.22 – 031**
Resolution Re: **Dissolution of the School Alternative Education Fund
into the General Fund**

RESOLUTION BACKGROUND MATERIAL:

In accordance with NH RSA Section 47:1-c, Cities may adopt the provisions of RSA 47:1-b to create Special Revenue Funds. The City Council followed these provisions to create the Alternative Education Fund, a special revenue fund, in October 2001. The purpose for creating the Special revenue fund was to restrict and account for program revenues and expenditures separate from the City's General Fund, since the majority of program revenue came from out of district tuition receipts.

The Dover School Department's General Fund operating budget has supported Dover students attending the Alternative School through an annual transfer from the General Fund to the Alternative Education Fund.

Over time the student population for the Alternative Education School has shifted, fewer out of district tuition students have been attending the school resulting in the majority of students now being Dover students. This has resulted in the General Fund providing 75% of the revenue for the Alternative Education Fund.

The Alternative Education Fund no longer meets the parameters of a special revenue fund now that the General Fund is providing the majority of funding. Therefore, the School Board's recommendation is to rescind the City Council vote of October 10, 2001 and dissolve the Alternative Education Fund into the General Fund as of June 30, 2017.

A copy of the School Board's adopted resolution recommending dissolution of the Alternative Education Fund is attached to this resolution as part of the background material.

THE CITY MANAGER'S REPORT

April 12, 2017



*Month Reporting on:
March 2017*

*"To succeed in life you need three things: a wishbone, a backbone
and a funny bone"*

~Reba McEntire

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

- Rochester, NH – Agenda materials after 03/01/2017 but before 04/04/2017, 5 requests
- Dover, NH – Complaints against Hebbards in 2017
- Dover, NH – Football coaches
- Dover, NH – 104 Court Street drainage system installation

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;

Community Services: Sawyer Mills Dam Removal MOA; Water bill extra material; Schnitzer MOU; Doorhanger language for W/S bills; PCA non-viatic use of easements; Class VI roads; Trash collection issues; Developer property damage claims; Boston & Maine RR Drainage/Utility Easement

Finance: Discharges and Liens; Lien and Mortgage discharge; MTBE reimbursed invoice; Certificate of Insurance inquiry; 91-A Award of Contract; Bid proposal request; Liability regarding road issues

Planning: Sidewalk easement; Tree cutting request; Purchase of real estate; Trail easement deed; Revised Bradley Commons Development Agreement; Blackwater Road Farming License

Fire & Rescue: Clinical Agreement; City issued phones; Performance Bid Form; Patient Care Record Request; Community Mutual Aid Agreement; Pease Mutual Aid Agreement; CTC MOA

School Department: WDH Student Affiliation Agreement; 91-A request; HS/CTC JBC issues; Garrison School JBC issues

Assessing: 31 Mount Vernon Real Estate Exemption; Property Tax Exemptions & Process

Recreation: McConnell Center Tenants Collaborative 501c(3) Dissolution; Friends of Dover Recreation

Library: Review of Library database subscription

Police: Collection of Special Details invoice; Wrecker List Termination; Road issues

Executive: Attorney inquiry re: 91-A: Labor Law information request; LED streetlights

Litigation

City v. Joel Bernier: Court found Defendants in contempt and ordered to pay \$250 starting February 1, 2017. Defendants made payment of \$225 in February and \$150 in March. Letter sent to Defendants on March 7, 2017.

Ventas Realty Limited Partnership v. City: (2014 tax year) Bench Trial rescheduled for week of July 18, 2017

Ventas Realty Limited Partnership v. City: (2015 tax year) City filed Answer to Petition for Abatement with Certified Record; City filed Case Structuring and ADR Order

Michael Garofano v. City of Dover: ZBA dispute – Motion to Dismiss granted January 18, 2017; Plaintiff's Motion for Reconsideration filed February 2, 2017. Court Order dated March 21, 2017 denied Plaintiff's Motion for Reconsideration.

City v. Eric Carlson – Carlson made a partial payment on March 20, 2017; hearing scheduled for March 21, 2017 on Motion for Periodic Payments.

Albert E. Souther v. City – Complaint received March 28, 2017 re: Tolend Road Easement

	Current Month	FY17 YTD	FY16	FY15
Legal Matters/ Questions Handled	31	186	244	276
Document Creation/Review	18	161	267	180
Right to Know Requests Processed	7	49	66	103
Resolutions	3	25	53	54
Ordinances	1	9	29	21

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.

Economic Development

by Dan Barufaldi

Summary:

Economic activity continues to increase moderately in Dover and the region. Most Dover retailers and manufacturers report increased sales and revenues year over year. Staffing firms experienced a moderate decline year-over-year. Retailers reported a robust selling period enhanced by the First Fridays Art Walk event organized by DBIDA, Dover Main Street and the downtown merchants. Dover hotels continued to report very high occupancy rates now being sustained after a pause in January. Commercial real estate activity is up significantly. Residential real estate activity

continues high but somewhat constrained by lack of inventory. Housing prices continue to rise year-over-year despite increasing mortgage interest rates. Several local businesses report tight labor supplies, particularly for mid to high end skill sets. Experienced retail clerks and wait staff are also in short supply. Some small Dover restaurants are raising wages and importing staff to get availability of qualified workers. There is some movement on pricing so far and upward pricing pressure is being experienced as firms are raising wages and salaries to retain and attract employees with critical skill sets. Existing home and condo prices continue to rise (about 9% total in the past year). Local firms are looking for more of the same going forward.

Selected Business Services:

Demand for consulting and advertising is up moderately over last year at this time. Software and IT services providers are experiencing greatly improved results versus the 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 institutional healthcare sector. Wentworth Douglas Hospital has announced a merger with Mass General that is part of an overall consolidation trend in institutional healthcare. It is expected to expand the range of medical specialties availability to the Dover market. WDH has just announced a new medical practice facility opening up at the Pease Tradeport and is seeking an office and warehouse facility for medical supplies distribution in Dover. UNH is currently seeking 20,000 – 25,000 SF to lease to house programs formerly in the Goth building in Durham. Wages, while up significantly in critical skill areas, remain just above inflation on average, as do prices. 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 uncertainty of the future 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, the exit of the UK from the EU, and the economic effects of Middle Eastern wars; the European migrant refugee problem effect on the European economies and the recent US administration change 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 2017 revenue growth are in the 5%-10% range. Liberty recently announced an employee layoff of 190 in New Hampshire as they are ramping up a more highly automated computerized data processing system.

Commercial Real Estate:

Commercial real estate sales activity continued with strong sustained growth locally, and with moderating strength in the 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. Office leasing continued flat this month. Land sales continue to have momentum locally. Investment demand for commercial real estate remains strong, especially for industrial space. Leasing fundamentals maintained a moderate pace of improvement in recent weeks, consistent with slow employment growth. A small amount of speculative office construction as part of mixed use building is now being done. Some recent mixed use developments are experiencing difficulty in filling the commercial component while booking the residential component immediately. The lending environment remains highly

favorable to borrowers, with historically low, but increasing interest rates and increasingly tighter lending 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. "Quantitative Easing" ended in December, with one additional basis point hike in March. Two more 25 basis point hikes anticipated over 2017. 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 employment growth. Fiscal policy and uncertainty around the business and employment effects of the ACA and Medicaid status 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. The two formerly vacant buildings in the park are now occupied. The former CPI building in Enterprise Park has completed a September close. A firm is currently looking at a potential lease-to-buy arrangement at Enterprise Park for a 35,000SF building. The Fosters building at 333 central Ave. was recently sold to a local service provider company for \$1.5 million. The Robbins building downtown has sold to Cathartics and will be demolished to make room for a mixed use development on the site.

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 in Q4 and Q1. 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 (now averaging 4% + on residential mortgages). Median selling prices continue to rise locally and are up 7% year-over-year 2015-2016. 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 very 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 2016 and will continue to do well throughout 2017.

Manufacturing & Related Services:

Most local manufacturers supplying domestic markets are now reporting 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 relatively low crude oil prices. Exporters to both Europe and China are concerned with the UK exit from the EU as well as with the macro-economics they're seeing in both markets. Negative results seen so far have been less than anticipated and probably caused more by uncertainty than anything else so far. The Chinese economy has slowed markedly (China's GDP is still growing at a 6-7% rate) and their investment in infrastructure, often purchased here, is also down significantly. Some concern exists that the new administration's "America First" policies will negatively affect exports. Currently, local manufacturers are experiencing growing sales. The recent EU economic problems and refugee influx from Iraq, Libya, Yemen and Syria, coupled with

the economic problems in China, the Ukraine and Russia and the effects they will cause in world-wide markets and economies are a growing uncertainty and concern. Other uncertainties surrounding the recent federal administration change are evident in local manufacturers, including import taxes and a relaxation of the regulatory constraints on businesses that will reduce costs. Local manufacturers are still uncertain about the tax reform package anticipated from the incoming administration. Pickup truck and SUV sales are in further decline this month with large holdover inventories triggering sell-off sale prices. Ford has experienced a large Q4 loss. Locally we are seeing confidence in auto sales expressed in two large dealership expansion and upgrade investments on Dover Point Road. Manufacturing 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 are now headed up slightly. Capital investment is up locally. Foreign investment in the US is growing rapidly due to the uncertainties rampant in the Chinese, Brazilian, and European economies and the pro-business messages from the incoming administration. Aerospace parts manufacturers are reporting a pause in formerly increasing sales, but this could change with the proposed increase in defense spending. 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 the next building season. We currently anticipate three new buildings going up over the next year to 18 months in Enterprise Park. Outlook for the balance of the year remains very positive. Very few manufacturing buildings in the 20,000-30,000SF range are available locally. New builds recently include the Rand-Whitney Building (119,000 SF) and the first phase Stonewall Kitchens Building (89,000 SF). Buildings at 44 Venture drive and 111 Venture Drive in Enterprise Park are finishing fit out for new owners that have already moved in. The Silver Square

development and roundabout are now well underway with phase I completion on this \$50 million dollar development.

Price pressures remain moderate. Regional manufacturers remain optimistic.

Labor demand has been strong in IT and software. Aerospace, nursing, electronics, engineering, quality assurance tech and legal skills demand remain strong. Most firms in the field have begun to hire with wages beginning to move upward. Qualified workers in many tech skills areas are not available locally and a lack of a comprehensive worker training program locally is beginning to be detrimental to acquiring relocation candidate companies, especially when the local cost of electricity and water is folded into the mix. Recent reductions in the NH BPT and EPT are helpful but more is needed in both corporate tax reduction and regulatory relief to reclaim the "NH Advantage".

Retail & Tourism:

Retailers contacted for this period report moderately improved results for year-over-year store sales ranging from flat to up 5-8%. High holiday and President's Day sales were experienced by most Dover retailers. Robust Easter sales are firming March results. Firms are hiring to replace departing employees and most are reporting difficulty in acquiring replacements locally. The recent stock market peaks following the presidential election are spilling confidence into Main Street businesses at present. Some uncertainty has crept in with the failure to pass a new healthcare bill. Restaurants report expected sales increases of 2% heading into Q2, a reversal of previous Q4 trends. Most restaurants did well during the summer season and through the mild winter until the last two weeks. Local restaurants are having difficulty hiring wait staff to support desired expansions. The recent gasoline price plateau, so far, has had no discernible effect on retail, hotel and restaurant sales. A federal hiring freeze will apparently not affect defense spending, now

slated to increase by \$54 billion. This could have a very positive effect on the number of shipyard and Air Force workers electing to get better value for their Fed per diem allowance by staying in and having dinner in Dover. On-line shopping has reinforced a "just-in-time" shopping mentality that has exacerbated erratic monthly sales results. Sears / K-Mart, Macys, Walmart and Target are experiencing declining sales and are doing some store closings and layoffs. Walmart has initiated a multi-million dollar made-in-America program designed to provide several thousand jobs over the next two years. Many retailers are making infrastructure investments to participate more fully in on-line sales

Bus tours to Dover are fully booked for 2017 and early 2018. Pricing that has remained steady up to now, is beginning to be affected by wage rates for experienced retail clerks and wait staff and will shortly force prices to rise.

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

Local Major Development Projects:

- First Street Development
- Third Street Development
- McIntosh properties Development: Phase 1 completion
- Yacht Club Development
- Stonewall Kitchens Development
- Rand-Whitney Development:
- Dover Parking Garage: performing as projected.
- Dover Police Station
- 49,000 SF at 27 production drive leased for manufacturing with a buy option
- Robbins Building has been sold to a developer.
- Broadway mixed use development
- Purchase of 44 Venture drive: refit underway.
- Well over \$100,000,000 in Dover development underway.
- Enterprise Park Developments
- Fosters Building sold for \$1.5 million.

- The Old courthouse Building on First and 2nd is being transformed into a mixed use facility.
- Three new- builds being considered at Enterprise Park.
- 6 Grove St. Project in TRC.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, March 15, 2017**
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 Greenshields, Councilor O'Connor, Councilor Shanahan, and Councilor Thibodeaux. Councilor Gasses arrived at 8:05 pm.

Absent: Councilor Gagnon

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

5. CITIZEN'S FORUM

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

6. DISCUSSIONS

A. MASTER PLAN UPDATE

Assistant City Manager Parker gave a PowerPoint presentation to the Council regarding the Master Plan.

B. DOVER BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY (DBIDA) UPDATE

Economic Director Barufaldi gave an overview of DBIDA's accomplishments to the Council. DBIDA Chairperson Tim Dargan spoke to the Council about their staff and all the work they've accomplished for the City. He talked about the upcoming three-year contract that will need to be approved by the Council.

C. COCHECHO WATERFRONT DEVELOPMENT ADVISORY COMMITTEE(CWDAC) UPDATE

CWDAC Chairperson Jack Mettee gave an overview of the Committee's work and plans they have up to this point.

City Planner Bird spoke about upcoming resolutions that the Council will be voting on for this project.

7. ADJOURNMENT

Councilor Greenshields moved to adjourn; seconded by Councilor Shanahan.

Vote: 8/0.



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, March 22, 2017**
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 Gasses, Councilor Greenshields, Councilor O'Connor, Councilor Shanahan, and Councilor Thibodeaux.

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

5. PROCLAMATIONS/AWARDS

6. APPROVAL OF AGENDA

Deputy Mayor Carrier moved to withdraw Item #13.A.7 from the agenda.

Deputy Mayor Carrier moved to add Item #13.B.7. to the agenda.

Deputy Mayor Carrier moved to add a Joint Building Committee – Dover High School and Regional CTC Report to the agenda.

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

Vote: 9/0.

Councilor O'Connor asked why Item #13.A.7. was withdrawn.

City Manager Joyal said there was no additional costs to the project.

7. PUBLIC HEARINGS

- A. ADVANCED REFUNDING FOR CITY OF DOVER NOVEMBER 15, 2008 AND APRIL 15, 2010 GENERAL OBLIGATION BONDS AND AUTHORIZATION TO ISSUE REFUNDING BONDS (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL)
(CITY COUNCIL VOTE TO OCCUR ON APRIL 12, 2017.)
SPONSORED BY MAYOR WESTON BY REQUEST**

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

- B. DOVER LED PUBLIC WORKS LIGHTING UPGRADE (B15021) AND AUTHORIZATION FOR FINANCING
(REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL)
(CITY COUNCIL VOTE TO OCCUR ON APRIL 12, 2017.)
SPONSORED BY MAYOR WESTON BY REQUEST**

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



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, March 22, 2017**
Meeting Time: **7:00 pm**

8. CITIZEN'S FORUM

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

Richard Hebbard, 97 Spruce Lane: He spoke about Rights of Way and the resolution, Item #13.B.3. regarding an Emergency Lane.

Councilor Gasses stepped down stating she will be recusing herself from discussion for the resolution.

Mary Hebbard, 97 Spruce Lane: She thanked Commissioner Dick Flynn's defense for them. She spoke about Captain DeColfmaker impact of their life. She asked the Council to speak with Deputy City Manager Steele about the conditions of the road. She urged the Council to vote no on Item 13.B.3.

John Brough, 240 Old Garrison Road: He spoke about the condition of the road and he just wants to be able to get to his house.

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

9. CITY MANAGER'S REPORT

A. March 22, 2017

B. Fiscal Year 2018 Proposed Budget Presentation

City Manager Joyal said he submitted his report in writing. He recognized employees who have been with the City for ten or more years. He gave a PowerPoint presentation on the 2018 Proposed Budget to the Council. He gave an overview of the budget process over the next few months with the budget adopted the first Wednesday in May.

Mayor Weston discussed pending State legislation and her concerns, and asked the City Manager to keep track of it.

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

Vote: 9/0.

10. APPROVAL OF MINUTES

A. March 1, 2017 – Workshop Session

B. March 8, 2017 – Regular Meeting

Deputy Mayor Carrier moved for the approval of the Minutes; seconded by Councilor Thibodeaux.
Vote: 9/0.



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, March 22, 2017**
Meeting Time: **7:00 pm**

11. MAYOR'S REPORT

Mayor Weston listed the events and meetings she attended the past couple weeks.
Deputy Mayor Carrier moved to accept the Mayor's Report; seconded by Councilor Gagnon.
Vote: 9/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2ND READING

B. ORDINANCES IN THE 3RD READING

C. RESOLUTIONS

13. NEW BUSINESS

A. CONSENT CALENDAR

1. **RAFFLE – Cochecho Country Club**
2. **RAFFLE – Cochecho Valley Humane Society**
3. **ROAD TOLL – American Cancer Society – UNH Relay for Life**
4. **AUTHORIZATION TO COMMIT FUNDS TO THE NH STORMWATER COALITION**
SPONSORED BY MAYOR WESTON BY REQUEST
5. **B15060 ADDITIONAL DESIGN SERVICES FOR WATERFRONT DEVELOPMENT**
UNION STUDIO
SPONSORED BY MAYOR WESTON BY REQUEST
6. **B16060 TEMPORARY LAB TECHNICIAN FOR WASTEWATER TREATMENT**
PLANT (WWTP)
SPONSORED BY MAYOR WESTON BY REQUEST
7. **B17009 ADDITIONAL SCOPE OF WORK DOVER PUDDING HILL AQUIFER**
INTERIM IMPROVEMENT CONSTRUCTION
SPONSORED BY MAYOR WESTON BY REQUEST

Council voted to withdraw resolution.

8. **B17024 EXCAVATION OF WATERFRONT PARCEL RIVER STREET**
SPONSORED BY MAYOR WESTON BY REQUEST
9. **B17032 FIRE INSPECTION SERVICES**
SPONSORED BY MAYOR WESTON BY REQUEST



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, March 22, 2017**
Meeting Time: **7:00 pm**

10. ICE RESURACING EQUIPMENT - ZAMBONI **SPONSORED BY MAYOR WESTON BY REQUEST**

COMMITTEE REPORTS

1. School Board
2. Planning Board
3. Appointments Committee
4. Arena Commission
5. Arts Commission
6. Legislative Liaison
7. Library Board of Trustees
8. McConnell Center Advisory Committee
9. Ordinance Committee
10. Parking Commission
11. Pool Advisory Committee
12. Recreation Advisory Board
13. Solid Waste Advisory Commission
14. Transportation Advisory Commission
15. **Joint Building Committee – Dover High School and Regional Career Technical Center**
16. Joint Building Committee – Garrison Elementary School
17. Dover Main Street

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. Councilor Shanahan pulled Items #13.A.4. and 13.A.8.

Deputy Mayor Carrier pulled the Joint Building Committee – Dover High School and Regional CTC Report.

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.4.; seconded by Councilor Shanahan. City Manager Joyal 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.8.; seconded by Councilor Shanahan.

Roll Call Vote: 9/0.

Deputy Mayor Carrier gave an overview of the Joint Building Committee – Dover High School and Regional CTC Report to the Council.

Deputy Mayor Carrier moved to accept the Joint Building Committee – Dover High School and Regional CTC Report; seconded by Councilor Thibodeaux.

Vote: 9/0.



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, March 22, 2017**
Meeting Time: **7:00 pm**

B. RESOLUTIONS

- 1. HENRY LAW AVENUE RECREATION PARKING LOT METER FINE REVENUE AND AMENDMENT TO CITY FEE SCHEDULE
(TO BE REFERRED TO A PUBLIC HEARING ON APRIL 12, 2017.)**
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to referred to a public hearing on April 12, 2017; seconded by Councilor Shanahan.
Vote: 9/0.

- 2. TREE CUTTING ON SCENIC ROAD, ROCHESTER NECK ROAD
(TO BE REFERRED TO A PUBLIC HEARING ON APRIL 12, 2017.)**
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to referred to a public hearing on April 12, 2017; seconded by Councilor Greenshields.
Vote: 9/0.

- 3. DECLARATION OF EMERGENCY LANE – OLD GARRISON ROAD FROM SPRUCE LANE TO DAVID TUTTLE LANE
(TO BE REFERRED TO A PUBLIC HEARING ON APRIL 12, 2017.)**
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to referred to a public hearing on April 12, 2017; seconded by Councilor Ciotti.
Councilor Gasses recused herself from the discussion and vote.
Vote: 8/0; passed. Councilor Gasses recused.

- 4. ESTABLISHMENT OF SCHOOL INSTRUCTIONAL EQUIPMENT CAPITAL RESERVE FUND
(TO BE REFERRED TO A PUBLIC HEARING ON APRIL 12, 2017.)**
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to referred to a public hearing on April 12, 2017; seconded by Councilor Shanahan.
Vote: 9/0.



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, March 22, 2017**
Meeting Time: **7:00 pm**

- 5. APPROPRIATION FOR FY2018 POINTE PLACE INFRASTRUCTURE IMPROVEMENTS AND AUTHORIZATION FOR BONDING
(TO BE REFERRED TO A PUBLIC HEARING ON APRIL 12, 2017, WITH A COUNCIL VOTE TO OCCUR ON APRIL 26, 2017.)**
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to referred to a public hearing on April 12, 2017; seconded by Councilor Ciotti.
Vote: 9/0.

- 6. DISSOLUTION OF SCHOOL ALTERNATIVE EDUCATION FUND INTO THE GENERAL FUND
(TO BE REFERRED TO A PUBLIC HEARING ON APRIL 12, 2017, WITH A COUNCIL VOTE TO OCCUR ON MAY 10, 2017.)**
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to referred to a public hearing on April 12, 2017; seconded by Councilor O'Connor.
Vote: 9/0.

- 7. FISCAL YEAR 2018 BUDGET APPROPRIATIONS, FEES AND CAPITAL IMPROVEMENTS PROGRAM
(TO BE REFERRED TO A SCHOOL DEPARTMENT PUBLIC HEARING ON APRIL 12, 2017, AND THE CITY PORTION PUBLIC HEARING ON APRIL 26, 2017.)**
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to referred to a public hearing on April 12, 2017; seconded by Councilor Ciotti.
Vote: 9/0.

C. ORDINANCES IN 1ST READING

- 1. CHAPTER 131 OFFENSES, SECTION 7 – PARK HOURS
(TO BE REFERRED TO A PUBLIC HEARING ON APRIL 12, 2017.)**
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to referred to a public hearing on April 12, 2017; seconded by Councilor Gasses.
Vote: 9/0.



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, March 22, 2017**
Meeting Time: **7:00 pm**

2. CHAPTER 166 VEHICLES AND TRAFFIC, SECTIONS 16, 17, 18, 30, 37, 38, 56, 57, 59, AND A GENERAL CLEAN-UP/RENUMBERING OF THE CHAPTER (TO BE REFERRED TO A PUBLIC HEARING ON APRIL 12, 2017.)
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to referred to a public hearing on April 12, 2017; seconded by Councilor O'Connor.

Vote: 9/0.

14. COUNCIL CORRESPONDENCE

15. COUNCIL MATTERS OF INTEREST

Councilor O'Connor referred to the March 30, 2017 Veterans Affairs Information Session at Frisbee Memorial Hospital from 9:00 am to 12:00 pm.

Deputy Mayor Carrier thanked the City Manager for his budget presentation. He spoke about the Heyliger Awards Banquet on March 30, 2017, at 6:00 pm.

Councilor Greenshields talked about the Dover Listens event, Schools Can't Do It Alone, at the McConnell Center.

Mayor Weston talked about her Coffee with the Mayor on Saturday, May 25, 2017, at the Police Station.

Councilor Ciotti referred to citizen's input to add Dover 400th Anniversary as a choice to the green envelope.

16. ADJOURNMENT

Councilor Greenshields moved to adjourn; seconded by Councilor Shanahan.

Vote: 9/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, March 29, 2017**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Thibodeaux led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

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

Absent: Councilor Gagnon.

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. BUDGET PRESENTATIONS

1. SCHOOL

Superintendent Arbour gave a PowerPoint presentation to the Council regarding the School Department budget.

2. EXECUTIVE

City Manager Joyal discussed the proposed changes to the Fee Schedule. Assistant City Manager Parker gave an overview of New Hampshire SB 121, which would allow the City to charge up to \$10.00 for transportation fees. City Manager Joyal stated that the revenue generated by this will help fund the COAST Bus line, but the City has to wait to see if the Bill passes in the Senate to bring it before the Council as a proposed Fee Schedule change. He discussed other proposed fee changes: parking fee, indoor pool rates, changes in water/sewer rates, a new passport application fee, and cable franchise fees. He gave an overview to the Council regarding the Organizational Chart and position changes and additions. He said they have budgeted for a 1.2% COLA increase, and increased the longevity bonus for employees who have been with the City over 25 years. He discussed that



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Session
Meeting Location: Council Chambers, City Hall
Meeting Date: **Wednesday, March 29, 2017**
Meeting Time: **7:00 pm**

the City has a guaranteed health care rate increase of 4.6%, which is much less than expected. He talked about the employees' retirement system increases. He said the Executive Department consists of his administrative staff, Human Resources, Legal Department, Information Technology, and Economic Development. He said the Departments Heads were present to answer the Council's questions.

3. FINANCE

Finance Director Lynch gave a PowerPoint presentation to the Council regarding the Finance Department's budget.

4. PLANNING

Assistant City Manager Parker gave a PowerPoint presentation to the Council regarding the Planning and Community Development's budget.

5. PUBLIC WELFARE

Human Services Director Lena Nichols gave an overview of her proposed department's' budget handout to the Council. She also gave an overview of the work her department does for the citizens of Dover.

7. ADJOURNMENT

Councilor Greenshields moved to adjourn; seconded by Councilor Ciotti.
Vote: 8/0.

All presentations have been archived with the Minutes.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number: **O – 2017.03.22 – 003**
Ordinance Title: **OFFENSES**
Chapter: **131**
Section: **7 – Park Hours**

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 131 entitled “Offenses” of the Code of the City of Dover by amending Section 7 - Park Hours.

2. AMENDMENT

131-7. Park Hours.

- A. No person shall remain in or enter any park or recreation area in the City of Dover during the hours set forth in the table below, except by written consent of the public official who has authority and control over said publicly owned parks and recreation areas and except as provided in Subsection B.

Months	Hours
April 1st - September 30th	9:30 p.m. - 7:00 a.m.
October 1st - March 31st	7:00 p.m. - 7:00 a.m.

B. Exceptions

- (1) Park Street Park. No person shall remain in or enter the Park Street Park, during the hours of 8:30 p.m. to 7:00 a.m. during the period of April 1st through September 30th, and during the hours of 7:00 p.m. to 7:00 a.m. during the period of October 1st through March 31st.
- (2) Hilton Park. No person shall remain in or enter Hilton Park during the hours of 8:00 p.m. to 6:00 a.m., except upon the written consent of the New Hampshire Commissioner of the Department of Public Works and Highways, or authorized representative. **[Amended on 7-23-86 by Ord. No. 9-86]**
- (3) Henry Law Park. Henry Law Park shall not be restricted.

3. TAKES EFFECT

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

REQUIRES A PUBLIC HEARING



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.1.

Ordinance Number: **O – 2017.03.22 – 003**
Ordinance Title: **OFFENSES**
Chapter: **131**
Section: **7 – Park Hours**

AUTHORIZATION

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

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

Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

First Reading Date: 03/22/2017	Public Hearing Date: 04/12/2017
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 Marcia Gasses, 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 would make the hours of operation of the Park Street Park consistent with permitted hours of vehicle parking at the Park.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.2.

Ordinance Number: O – 2017.03.22 – 004
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 16 General Parking Restrictions
17 General Parking Provisions
18 Parking Lots
30 First Notice of Violation; Payment Tables
37 Hours of Operation
38 Unlawful Acts; Separate Violations
56 Schedule I. No Parking At Any Time
57 Schedule J. Limited Time Parking
59 Schedule L. Parking Meter Zones
and a general clean-up/renumbering of the Chapter

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to restrict parking in City Hall parking lots under Sections 16 and 18, expand the description of parking near a sidewalk in Section 17; eliminate the payment Tables from Section 30; clarify the hours of operation for Henry Law Recreation Parking Lot under Section 37; update Section 38 to add language about using proper space numbers; update Section 56; Schedule I regarding Orchard Street and Park Street Park Parking Lot, Section 57; Schedule J by eliminating Chestnut Street Parking Lot; Section 59, Schedule L regarding Chestnut Street Parking Lot and Henry Law Avenue Recreation Parking Lot – Henry Law Avenue and a general clean-up/renumbering of the Chapter.

2. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by revising Section 16, “General Parking Restrictions” Section E.(1) “Restricted Parking” as follows:

166-16. General Parking Restrictions.

E. Restricted Parking. [Added 10-02-96 by Ord. No. 13-96; Amended on 10-26-2016 by Ord. No. 2016.05.11-007]

- (1) Henry Law Park – River Street parking area. No Person shall park a Vehicle in designated parking in the River Street parking area at the Henry Law Park and Recreation Facility unless they are a City Employee on City business or are present and using the recreational facility or grounds at Henry Law Park. The parking of Vehicles for any other purpose is prohibited. Violators shall be subject to Table B fines under 166-30 as set forth in the Fee Schedule adopted by City Council.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.2.

Ordinance Number: O – 2017.03.22 – 004
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 16 General Parking Restrictions
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56 Schedule I. No Parking At Any Time
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59 Schedule L. Parking Meter Zones
and a general clean-up/renumbering of the Chapter

3. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by revising Section 17.A.(2), “General Parking Provisions” as follows:

166-17. General Parking Provisions

Except when necessary to avoid conflict with other traffic or in compliance with law or the direction of a police officer or official traffic control device, no person shall:

A. Stop, stand or park a vehicle:

- (1) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- (2) On or over a sidewalk.

4. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by revising Section 18.A., “Parking Lots” as follows:

166-18. Parking Lots. [Amended on 04-01-88 by Ord. No. 2-88; Amended on 08-20-2003 by Ord. No. 13-2003]

- A. Parking in the City Hall parking lots shall be restricted to one-hour parking, and only while the driver or passenger is conducting business at City Hall, Monday through Friday, from ~~9:00~~ 8:30a.m. to ~~5:00~~ 5:30p.m., except for ~~publicly~~ City owned Vehicles.

5. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by revising Section 30, “First Notice of Violation; Payment Tables” by removing the Tables to eliminate redundancy in the Fee Schedule as follows:



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.2.

Ordinance Number: O – 2017.03.22 – 004
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 16 General Parking Restrictions
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and a general clean-up/renumbering of the Chapter

166-30. First Notice of Violation; Payment Tables. [Amended on 03-25-88 by Ord. No. 28-87; Amended on 04-19-2000 by Ord. No. 03-2000; Amended on 03-20-2002 by Ord. No. 15-2002; Amended on 04-20-2005 by Ord. No. 06-2005; Amended on 01-26-2011 by Ord. No. 2011.01.12-2; Amended on 07-11-2012 by Ord. No. 2012.05.09-8; Amended 11-13-2013 by Ord. No. 2013.10.09-013; Amended on 02-11-2015 by Ord. No. 2015.01.28-003; Amended on 03-11-2015 by Ord. No. 2015.02.25-009]

Late Notice - If the fine indicated for the initial violation is not paid within ten (10) days, the Chief of Police shall send a late notice to the owner of the Vehicle. Such notice shall be sent to the primary owner as listed with the motor vehicle department of the state in which the Vehicle is registered. The late notice shall be sent by First Class mail and shall instruct the Vehicle owner that they may avoid further prosecution and fine by paying the City of Dover the amount in the applicable payment schedule for that violation.

A. All parking violations enumerated in 166-16 through 166-46 shall be TABLE A violations as set forth in the Fee Schedule as adopted by City Council, except as follows:

- (1) Violations of Section 166-16.E.(1), 166-16.F, 166-17.A.(9), 166-17.A.(12), 166-17.E, 166-38.C.(4) shall be TABLE B violations as set forth in the Fee Schedule as adopted by City Council. [Amended on 03-11-2015 by Ord. No. 2015.02.25-009]
- (2) Violations of Section 166-17.A.(11) and 166-17.F shall be TABLE C violations as set forth in the Fee Schedule as adopted by City Council.
- (3) Violations of Section 166-19.D shall be subject to the provisions of that section.

B. Parking violation TABLES A, B, and C tables fines as set forth in the Fee Schedule adopted by City Council. shall be as follows:

(4)	TABLE A		
(A)	INITIAL VIOLATION:	Fifteen dollars	\$15.00
(B)	LATE NOTICE(10 days after violation)	Thirty dollars	\$30.00
(C)	14 DAYS AFTER LATE NOTICE:	Fifty dollars	\$50.00
(D)	AFTER NOTIFICATION TO COLLECTIONS AGENCY	Sixty dollars	\$60.00



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.2.

Ordinance Number: O – 2017.03.22 – 004
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(1)	TABLE A		
	MINIMUM COURT FINE		\$100.00

(1)	TABLE B		
(A)	INITIAL VIOLATIONS	Fifty dollars	\$50.00
(B)	LATE NOTICE (10 days after violation)	Seventy dollars	\$70.00
(C)	14 DAYS AFTER LATE NOTICE	One hundred dollars	\$100.00
(D)	AFTER NOTIFICATION TO COLLECTION AGENCY	One hundred twenty dollars	\$120.00
(E)	MINIMUM COURT FINE	One hundred fifty dollars	\$150.00

(1)	TABLE C		
(A)	INITIAL VIOLATIONS	Two hundred fifty dollars	\$250.00
(B)	LATE NOTICE:	Two hundred fifty dollars	\$250.00
(C)	14 DAYS AFTER LATE NOTICE	Two hundred fifty dollars	\$250.00
(D)	AFTER NOTIFICATION TO COLLECTION AGENCY	Three hundred dollars	\$300.00
(E)	MINIMUM COURT FINE	Three hundred dollars	\$300.00

6. AMENDMENT

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

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

A. 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 with the exception of the Henry Law Recreation Parking Lot.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.2.

Ordinance Number: O – 2017.03.22 – 004
Ordinance Title: Vehicles and Traffic
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and a general clean-up/renumbering of the Chapter

which shall be in operation daily between the hours of 9:00 a.m. and 5:00 p.m., except on Saturdays, Sundays and legal holidays.

B. Parking Meter rates shall be set forth in the annual Fee Schedule adopted by the City Council.

7. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by revising Section 38.C.(2) “Unlawful Acts; Separate Violations as follows:

166-38. Unlawful Acts; Separate Violations. [Amended on 8-24-2015 by Ord. No. 2015.07.08-014; Amended on 11-11-2015 by Ord. No. 2015.10.28-024]

The following shall be considered violations of this Article:

- A. It shall be unlawful for any Person to park or allow any Vehicle registered in their name to be parked in a Parking Meter Zone so that Vehicle is not entirely within the area designated or delineated by lines or markings.
- B. It shall be unlawful for any Person to park or allow any Vehicle registered in their name to be parked in excess of nineteen (19) feet in overall length in a Multi-Space Parking Meter Zone except as provided in 166-39.
- C. It shall be unlawful for any Person to park or allow any Vehicle registered in their name to be parked or left standing in any area where parking is controlled by a Multi-Space Parking Meter:
 - (1) Without purchasing a receipt from said Multi-Space Parking Meter for such parking or standing time.
 - (2) Without displaying any receipt so purchased from a Multi-Space Parking Meter in a position on the dashboard of the Vehicle in order that the time printed on said receipt is clearly visible from outside the Vehicle, except in a Metered Parking Garage when the proper space number is entered into the Pay by Space parking meter, wherein such receipt display is not required.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.2.

Ordinance Number: O – 2017.03.22 – 004
Ordinance Title: Vehicles and Traffic
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and a general clean-up/renumbering of the Chapter

8. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by revising Section 56. Schedule I. “No Parking at Any Time” by adding Park Street Park Parking Lot as follows:

166-56. SCHEDULE I: No Parking at Any Time.

Orchard Street	Both sides, from the intersection with Central Avenue westerly to the <u>intersection with Chestnut Street</u> entrance to the Orchard Street Parking Lot
Orchard Street Parking Lot	[Repealed on 12-15-93 by Ord. No. 32-93]
Orchard Street Lot service road [Added on 11-17-04 by Ord. No. 19-2004]	Both sides, entire length from its intersection with Orchard Street northerly, then westerly to its exit to Orchard Street lot
Overlook Drive [Added on 02-16-05 by Ord. No. 04-2005]	Westerly side, entire length
Paul Street [Added on 09-20-95 by Ord. No. 12-95]	Easterly side, from the intersection with Henry Law Avenue, to the intersection with Wallingford Street
<u>Park Street Park Parking Lot</u>	<u>No parking during the hours of 8:30 p.m. to 7:00 a.m. during the period of April 1st through September 30th and during the hours of 7:00 p.m. to 7:00 a.m. during the period of October 1st through March 31st</u>

9. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by revising Section 57, “Limited Time Parking” Schedule J as follows:

166-57. SCHEDULE J. Limited Time Parking. [Amendments noted where applicable]

J. In accordance with the provisions of 166-22, it shall be unlawful for the owner or operator of any Vehicle to park for more than two (2) hours per day in the following described locations:

Document Created by: Police	R-2017.03.22-Chapter 166 Vehicles and Traffic, Sections 16, 17, 18, 30, 37, 38, 56, 57 and 59
Document Posted on: March 15, 2017	Page 6 of 10



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.2.

Ordinance Number: O – 2017.03.22 – 004
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 16 General Parking Restrictions
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and a general clean-up/renumbering of the Chapter

<u>STREET</u>	<u>LOCATION</u>
Chestnut Street [Amended on 10-26-2016 by Ord. No. 2016.10.12-013]	Westerly side, from the intersection with Third Street northerly to the intersection with Sixth Street
Chestnut Street [Added on 10-26-2016 by Ord. No. 2016.10.12-013]	Easterly side, from the intersection with Fifth Street northerly to the intersection with Sixth Street
Chestnut Street Parking Lot [Added on 10-26-2016 by Ord. No. 2016.10.12-013]	All spaces except as otherwise posted

10. AMENDMENT

Chapter 166 entitled “Vehicles and Traffic” is hereby amended by revising Section 59, “Parking Meter Zones” Schedule L for Metered Parking Lot as follows:

166-59. SCHEDULE L: Parking Meter Zones. [Added on 04-22-2015 by Ord. No. 2015.04.22-012; Amended on 10-26-2016 by Ord. No. 2016.05.11-007]]

<u>METERED PARKING LOT</u>	<u>LOCATION</u>
Belknap Lot	320 Central Avenue and 18 Locust Street; southerly of Washington Street between Central Avenue and Locust Street
<u>Chestnut Street Parking Lot</u>	<u>East of Chestnut Street, south of Fourth Street and west of the railroad tracks. All spaces except as otherwise posted.</u>
<u>Henry Law Avenue Recreation Parking Lot – Henry Law Avenue</u>	<u>6 Henry Law Avenue, easterly and then northerly of Henry Law Avenue</u>



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.2.

Ordinance Number: O – 2017.03.22 – 004
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 16 General Parking Restrictions
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Locust Street Lot [Added on 12-09-2015 by Ord. No. 2015.10.28-029]	17 St. Thomas Street and 33 Locust Street north of the intersection of Locust Street and Chestnut Street
Orchard Street Lot [Amended on 8-24-2015 by Ord. No. 2015.07.08-016; Amended on 12.09.2015 by Ord. No.2015.10.28-029]	North of Orchard Street southerly of the Cochecho River between Central Avenue and Chestnut Street not including two (2) posted spaces in the northeast corner of the lot, two (2) posted spaces in front of 40 Chestnut Street (Cochecho Park Apartments) that are free fifteen (15) minute limit spaces, and two (2) posted Police Station visitor spaces in front of 40 Chestnut Street (Cochecho Park Apartments)
River Street Lot	31 River Street easterly of the Cochecho River and north of Henry Law Avenue

11. TAKES EFFECT

This ordinance shall take effect on July 1, 2017 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.2.

Ordinance Number: O – 2017.03.22 – 004
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 16 General Parking Restrictions
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and a general clean-up/renumbering of the Chapter

DOCUMENT HISTORY:

First Reading Date: 03/22/2017	Public Hearing Date: 04/12/2017
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 Marcia Gasses, 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:

Section 16:

The purpose for revising Section 16 E.(1) is to distinguish the metered portion of Henry Law Park from the restricted parking portion.

Section 17:

The purpose of expanding the language of this section is to avoid a car blocking the sidewalk therefore making it difficult for sidewalk plows and disabled persons to get around.

Section 18:

As part of their continuing review of the downtown parking system, the Parking Commission recommends restricting City Hall parking lots to one hour for conducting business at City Hall.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Agenda Item#: 12.A.2.

Ordinance Number: O – 2017.03.22 – 004
Ordinance Title: Vehicles and Traffic
Chapter: 166
Section: 16 General Parking Restrictions
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Section 30:

Revised to eliminate redundancy in the Fee Schedule

Section 37:

Adding Henry Law Recreation Parking Lot with specific hours of operation.

Section 38:

The purpose for revising Section 38.C.(2) is to stop cars from using the same space number to avoid paying for parking.

Section 56

Add Park Street Park parking lot to the No Parking at Any Time Schedule

Sections 57 and 59:

Due to the development of the Third Street Parking Lot, that is expected to begin on May 1, 2017, the Chestnut Street Parking Lot will become a primary destination for customers of north end businesses. The Parking Commission voted to recommend that the Chestnut Street Parking Lot become part of the City's metered parking program.

A general clean-up/renumbering of the Chapter will eliminate Reserved and Repealed Sections, Schedules, and offense penalties (by reference to the Fee Schedules throughout the Chapter). It will also allow for capitalization of defined terms.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2017.03.08 – 017**
Resolution Re: **Advanced Refunding for City of Dover November 15, 2008 and April 15, 2010 General Obligation Bonds and Authorization to Issue Refunding Bonds**

WHEREAS: The City of Dover issued \$9,970,000 of General Obligation Bonds on November 15, 2008 to finance public improvements and the City of Dover issued \$12,799,000 of General Obligation Bonds on April 15, 2010 to finance public improvements; and

WHEREAS: The City, through financial advisors Public Financial Management, has identified favorable market conditions and estimates that an advanced refunding of the two bonds would result in significant budgetary savings for the City of Dover; and

WHEREAS: The City Council desires to authorize the issuance of refunding bonds for the purpose of refinancing certain outstanding bonds of the City in order to achieve debt service savings on account of previously issued bonds of the City; and

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

In accordance with the City Charter and the New Hampshire Municipal Finance Act (RSA Chapter 33) and any other enabling authority, hereby authorize the issuance and sale of general obligation refunding bonds of the City of Dover in a principal amount not to exceed \$10,000,000 required for the purpose of paying the principal and interest of and any redemption premium on outstanding City of Dover November 15, 2008 and April 15, 2010 General Obligation Bonds in order to achieve debt service savings. The full faith and credit of the City is hereby pledged for the principal and interest on said refunding bonds. The refunding bonds are to be signed by the City Manager and countersigned by the City Treasurer, with the City Treasurer having the discretion of fixing the dates, maturities, denominations, place of payment, interest rate or rates and form, and to provide for the sale of the refunding bonds. Any premium received by the City as a result of issuing General Obligation Refunding Bonds will be appropriated to fund the cost of issuance and underwriter fees.

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

The City Manager and City Treasurer, if deemed most advantageous to the City and to achieve savings on cost of issuance, may solicit direct purchase of the General Obligation Refunding Bonds through an RFP process with regional banks.

NOTE: This resolution requires a Public Hearing and the public hearing must be duly advertised in a local newspaper 7 days prior to the public hearing. A 2/3 favorable vote of all members of the City Council is required for passage with the vote deferred until at least three (3) days after public hearing.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.1.

Resolution Number: **R – 2017.03.08 – 017**
Resolution Re: **Advanced Refunding for City of Dover November 15, 2008 and April 15, 2010 General Obligation Bonds and Authorization to Issue Refunding Bonds**

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

DOCUMENT HISTORY:

First Reading Date: 03/08/2017
Approved Date:

Public Hearing Date: 03/22/2017
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 Marcia Gasses, 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#: 12.C.1.

Resolution Number: **R – 2017.03.08 – 017**
Resolution Re: **Advanced Refunding for City of Dover November 15, 2008 and April 15, 2010 General Obligation Bonds and Authorization to Issue Refunding Bonds**

RESOLUTION BACKGROUND MATERIAL:

On November 15, 2008 the City of Dover issued \$9,970,000 in General Obligation Bonds to finance public capital improvements. The City also issued \$12,799,000 in General Obligation Bonds on April 15, 2010 to finance public capital improvements.

Public Financial Management, the financial advisors that coordinate our bond sales, provided calculations for the advanced refunding of the 2008 and 2010 bonds. By moving now to refund these bonds and therefore benefit from current low market rates, the General, Water and Sewer Funds can realize a total estimated savings of \$434,963 over the next 13 years. The annual savings in debt service is estimated at approximately \$33,000 through the remaining life of the bonds.

In accordance with NH RSA 33:3-d *Refunding Bonds*, a municipality may authorize the issuance of refunding bonds in order to pay all or part of any issue of bonds called or to be called for redemption. The authorization and issuance of refunding bonds shall be subject to the same requirements and provisions of RSA 33:8-a.

In accordance with City Charter C6-14, the City Council, by resolution, may authorize the borrowing of money for any purpose within the scope of the powers vested in the city and the issuance of bonds of the city and may pledge the full faith, credit and resources of the city for the payment of the obligation created thereby.

The City will incur costs, such as credit ratings and bond counsel fees, to issue the bonds. The issuance of the refunding bonds may result in the City receiving a bond premium. Any portion of the bond premium received by the City will be appropriated to fund all or a portion of the cost of issuance and underwriter fees.

Since the issuance of the refunding bonds should be at a Par amount of \$10,000,000 or less, the refunding bonds could be offered as bank qualified. This may provide the City with an opportunity to save on issuance costs and directly solicit regional banks through an RFP process for the sale of the refunding bonds.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2017.03.08 – 018**
Resolution Re: Dover LED Public Works Lighting Upgrade (B15021) and
Authorization for Financing

WHEREAS: A sealed Request for Proposal #B15021 was issued and received for qualified firms to provide and install LED lighting at the Dover Arena with the option to include other city buildings in the future should it be advantageous for the city to do so. A prebid meeting was conducted on December 2, 2014 and proposals were received on January 6, 2015 at 11:00am; and

WHEREAS: Eight vendors submitted proposals and the City selected the three top qualified firms to interview on February 5, 2015. The proposal deemed most advantageous was submitted by Affinity LED Lighting of Dover NH and award was made via council resolution R-2015.03.11; and

WHEREAS: Affinity LED Lighting has submitted a proposal to the City for LED lighting upgrades to the Public Works Building in the amount of \$57,703.00 and is eligible for net rebates totaling \$6,914.50. This will result in the amount of \$50,788.50 being financed. The proposal was sent to PSNH d/b/a/ Eversource Energy and funding is available through their Smart Start Revolving Fund program for the City's Public Works building LED Lighting Upgrade.

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

The City Manager, or designee, is hereby authorized to finalize contract language with the PSNH d/b/a Eversource Energy, consistent with the Purchase Agreement authorized herein, for the City Manager's signature.

AND FURTHER BE IT RESOLVED:

Pursuant to the City Charter and the New Hampshire Municipal Finance Act and any other enabling authority, the City of Dover's participation in the Smart Start Revolving Fund Program is hereby authorized for financing the City's Public Works LED Lighting Upgrade project. The City Manager, Finance Director and Treasurer are authorized, on behalf of the City of Dover, to file for participation in the Smart Start Revolving Fund Program and obtain a loan through the program for the Public Works LED Lighting Upgrade project.

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

Agenda Item#: 12.C.2.

Resolution Number: **R – 2017.03.08 – 018**
Resolution Re: Dover LED Public Works Lighting Upgrade (B15021) and
Authorization for Financing

DOCUMENT HISTORY:

First Reading Date: 03/08/2017	Public Hearing Date: 03/22/2017
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 Marcia Gasses, 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#: 12.C.2.

Resolution Number: **R – 2017.03.08 – 018**
Resolution Re: Dover LED Public Works Lighting Upgrade (B15021) and
Authorization for Financing

RESOLUTION BACKGROUND MATERIAL:

The City solicited requests for proposals for qualified vendors to provide and install LED lighting upgrades to the Dover Arena. Firms were asked to provide details in the proposal of a full lighting audit, utility rebate process, and detailed payback proposal. The city used the Dover Ice Arena as the initial test site with potential to include several other city buildings that could benefit from this service that may be incorporated in the future to the selected vendor. Vendors were instructed that it is probable that the economic success of these projects will depend on funding sources. These funds may derive from a variety of sources including rebates, and renewable energy credits.

Affinity LED Lighting proposal offered a program funded by PSNH d/b/a Eversource Energy where they pay 100% of cost to the selected vendor 50% down and 50% upon completion of the project. The city would then pay back the amount through a monthly invoice. The Efficiency Loan payback would show a separate line on the monthly invoice. The estimated monthly savings is \$1,295.66 with monthly payback charge of \$1,269.71 yielding net positive of \$25.95 monthly.

The Dover Public Works Facility LED Lighting Upgrade is eligible for Smart Start funding. The upgrade project is estimated to cost \$57,703.00 and is eligible for net rebates totaling \$6,914.50. This will result in the amount of \$50,788.50 being financed. In accordance with the NH Municipal Finance Act (RSA Chapter 33), the Purchase Agreement with Eversource Energy and related participation in Smart Start Program is deemed long term debt. The City has determined utilization of the Smart Start Program is most advantageous to the City of Dover and has utilized in the Arena, Indoor Pool and McConnell Center already

Debt Authorization versus Debt Retirement

The following table compares the tentative authorization amount to the amount of debt being retired:

	General
Description	Fund
FY18 City Prior Authorizations	4,316,490
This Authorization	50,788
FY18 Debt Retirement	3,979,031
Net Change	388,247

Rate Impacts

The financing of \$50,788.50 through the Smart Start Program over a 40-month period is estimated to cost \$1,269.71 per month, or \$15,236.52 for FY2018. This is estimated to have less than a \$0.01 tax rate impact. This impact is forecasted to be offset by savings in electrical costs for the Indoor Pool. Therefore, there is estimated to be no actual tax impact.

Legal Debt Limits

The following table summarizes the amount of debt outstanding & authorized-unissued, as of June 30, 2016 and this authorization, against the legal debt limits. Legal debt limit for the City General Fund is based on 3.0% of equalized assessed value.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.2.

Resolution Number: **R – 2017.03.08 – 018**

Resolution Re: Dover LED Public Works Lighting Upgrade (B15021) and
Authorization for Financing

Description	General Fund
Debt Outstanding	36,593,825
Authorized - Unissued	18,536,494
Total Issued & Unissued	55,130,319
This Authorization	50,788
Grant Total	55,181,107
Legal Debt Limit	93,052,012
Unused Capacity	37,870,905
Percent Unused	40.70%

Purchasing Information:

Type:	Contract	Advertised:	
Invitations Mailed:	NA	Number of Responses:	NA
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	Yes	Contract:	Yes
Prices will hold for:	Until Competed	Estimated Delivery:	As needed
Recommended Award to:	Affinity LED Lighting of Dover NH	Fund:	PSNH / Eversource Efficiency Loan Fund
Other Approvals Required:	Yes PSNH d/b/a Eversource Energy	References Checked:	Satisfactory
Previously Worked for City:	No	Reason for Council Approval:	Purchase to exceed the \$25,000 amount requiring Council approval subsequent to a bid solicitation

[B15021 Bid Documents and Vendor List](#)



**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE D/B/A EVERSOURCE
ENERGY
Smart Start Program
*Purchase Agreement***

Customer Name: City of Dover

Agreement Date: 02/23/2017

Mailing Address: 217 Mast Road, Dover NH 03820

Telephone: (603) 516-6450

Facility(ies): Department of Public Works

Occupancy: X Owner Renter

Customer will own Smart Start measure(s): X Yes No

1. SMART START MEASURE(S) PURCHASED, COST & ESTIMATED SAVINGS

See Appendix I for costs, rebates, estimated savings and project financing payment options.

2. INFORMATION ACCURACY

Customer has made every effort to provide Public Service Company of New Hampshire d/b/a Eversource Energy ("Eversource") with accurate information about the participating building to enable Eversource to assess the energy efficiency of Customer's premises and equipment. Customer acknowledges that the accuracy of Eversource's savings estimates depends on the accuracy of information Customer provided to Eversource.

3. CUSTOMER RESPONSIBILITIES

- 3.1 Make consecutive monthly payments of: **See Appendix I** to Eversource until all payments have been made or Customer no longer has an account with Eversource.
- 3.2 Notify Eversource if any of the above measures stop working. Eversource will only pay for repair costs if Customer notifies Eversource and allows Eversource to verify measure failure and authorize the repair. Customer will allow Eversource to inspect the measure(s) to verify measure failure and that failure is not due to customer damage. If Eversource does not inspect the measure and arrange for its repair within 10 business days, Customer's obligation to make monthly payments will cease. However, if Eversource does not arrange for repairs because of Customer's failure to provide reasonable access as noted in Section 5.7 below, Customer's monthly payment obligation will continue.

After any warranty payments are applied, if Eversource has any repair costs that were not reimbursed, Eversource may increase the number of remaining payments to recover all of its costs for repairs, including its cost for administration. Alternatively, Customer may repair measures at Customer's expense and, if applicable, will be entitled to any reimbursement from existing warranties.
- 3.3 Maintain the installed Smart Start measure(s) in place for at least as long as there are payments due under this Agreement unless otherwise agreed to by Eversource. If Customer will own the measure(s), the Customer is also responsible for any required maintenance and for costs incurred from failure to properly maintain the measure(s).
- 3.4 Be responsible for costs associated with Customer damage.
- 3.5 Notwithstanding Customer's responsibility for costs associated with Customer damage or responsibility for maintaining measures, Eversource may repair a measure that is not working (and seek compensation from

Customer or owner as appropriate), and recover any costs that were not reimbursed after warranty payments are applied by increasing the number of payments.

- 3.6 Make a good faith effort to participate in Eversource follow-up surveys that are part of evaluating program effectiveness following the installation of the Smart Start measure(s).
- 3.7 When the Customer is the owner of the premises, the Customer shall make all the remaining payments upon closing their electric account or disclose the Smart Start monthly payment obligation to the next customer. The attached disclosure form should be used to disclose the Smart Start obligation to the successor customer. Failure to disclose will constitute permission by the Customer for the next customer to break a lease or purchase agreement for the premises within five business days of applying for electric service. A signed copy of the disclosure form will constitute proof of disclosure. Make sure to save a copy for your protection.

4. CUSTOMER AUTHORIZES EVERSOURCE TO:

- 4.1 Assign the Smart Start Tariff to this location which shall remain in full force until the final Smart Start payment has been paid unless earlier terminated by mutual agreement of Eversource and the customer at this location.
- 4.2 Be its exclusive Agent to coordinate and facilitate the installation of the Smart Start measure(s) listed above and related work including arranging for servicing or replacement if any of the Smart Start measures fail prior to the Customer making the final payment. Notwithstanding the above, Customer may repair measures at Customer's own expense as described in Section 3.2.
- 4.3 Enter into the Contractor Installation Agreement with the Contractor on behalf of the Customer for the purpose of installing the Smart Start measure(s) and related work. The Customer understands that an Independent Contractor-Customer relationship has been created by virtue of the Contractor Installation Agreement and that the Contractor is not an Employee or Agent of Eversource. Eversource will not be liable for personal injury or property damage caused by Contractor or Contractor's agents or employees.
- 4.4 Enter into change orders with Contractor on behalf of the Customer so long as the change orders do not increase the Customer's monthly payment amount under the terms of this Agreement. Customer understands that any change order that increases Customer's monthly payment amount under this Agreement must be agreed to in writing by Customer, Eversource, and the Contractor.
- 4.5 Issue checks on behalf of the Customer as payment to the Contractor upon satisfactory progress and/or completion of the work pursuant to the terms of the Contractor Installation Agreement. The Customer understands Eversource is not a guarantor of the work performed by the Contractor and that the Contractor is solely responsible for the installation of the Smart Start measure(s). Eversource is also not a guarantor of products and this Agreement does limit or increase Customer's rights regarding manufacturers, vendors and contractors.
- 4.6 Obtain insurance (e.g., fire) or authorize its agent to obtain insurance on the premises sufficient to ensure Eversource or its financing agent recovers all costs associated with measure installation. Any insurance costs are included in the measure costs noted above.

5. AGREEMENT DURATION, TERMINATION AND MISCELLANEOUS PROVISIONS

- 5.1 This Agreement shall remain in full force and effect until the final Smart Start payment has been made, Customer closes the account at this location or the Agreement is terminated by mutual consent of the parties.
- 5.2 No Smart Start payments will be due to Eversource until these premises are occupied but no later than three months after the completion of the work.
- 5.3 If the Customer breaches any of the terms of this Agreement, Customer shall reimburse Eversource for all costs incurred for these Smart Start measures. Such costs include but are not limited to all costs for measures, installation, repair or replacement, administration, litigation, product subsidy, and interest.

- 5.4 At Customer's request, Eversource may terminate this Agreement. Customer must pay all costs Eversource incurred for these Smart Start measures.
- 5.5 No waiver, alteration or modification of any of the provisions of this Agreement shall be binding unless in writing and signed by a duly authorized representative of both parties to this Agreement.
- 5.6 Notice from one party to the other under this Agreement shall be deemed to have been properly delivered if forwarded by First Class Mail to Customer or Eversource addresses noted on this page.
- 5.7 Eversource maintains a right of inspection and access for repair, upon reasonable notice and during normal business hours, of the Smart Start measure(s) installed pursuant to this Agreement for the duration of this Agreement.
- 5.8 The provisions of this Agreement shall benefit and bind the successors and assigns of Customer and Eversource. If any of this Agreement shall be held invalid or ineffective in whole or in part, such determination shall not be deemed to invalidate any of the remaining portions of this Agreement. This Agreement is governed by New Hampshire law.

City/Town/School District

Public Service Company of New Hampshire
d/b/a Eversource Energy

By: _____
(Print Name)

By: _____
Thomas R. Belair

By: _____
(Signature)

Date: _____

Date: _____

MUNICIPAL/SCHOOL DISTRICT ADDENDUM TO
SMART START PURCHASE AGREEMENT

- A. Payments: City/Town/School District represents that it reasonably believes that funds can be obtained that are sufficient to make all payments during the term of this Smart Start Purchase Agreement and agrees that it will do all things lawfully within its power to obtain and maintain funds from which the payments may be made, including making provisions for such payments to the extent necessary in each annual budget submitted to the City Council/Town Meeting/School District Meeting for the purpose of obtaining funding; using its bona fide best efforts to have such portion of the budget approved. It is the City's/Town's/School District's intention to make payment for the full term of this Agreement if funds are legally available to do so. If appropriated funds are less than are required to perform this Agreement the parties will negotiate to determine a level of Smart Start Monthly Payments which will allow City/Town/School District to continue its obligation to pay for the Smart Start Measures within a mutually acceptable period of time.

Termination on Account of Nonappropriation of Funds: If the parties are unable to negotiate a level of Smart Start Monthly Payments that can be made within available appropriated funds, this Agreement may be terminated only if the following conditions are met that:

- (i) funds were not appropriated for any fiscal period during the term of this Agreement in an amount at least equal to the payments due during that fiscal period for the Smart Start Monthly Payments;
- (ii) written notice of nonappropriation of funds was given to Eversource within thirty (30) days of the adoption of the final budget for that fiscal period;
- (iii) City/Town/School District has exhausted all funds legally available for all payments due under the Agreement; and
- (iv) City/Town/School District acted in good faith and properly and in a timely manner requested sufficient funds to satisfy the obligations due under this Agreement and it diligently pursued and exercised all reasonable efforts to obtain such funds from the governing body that controls such appropriations;

The City's/Town's/School District's legal counsel must certify in writing that all of the above steps were taken. Upon satisfaction of these conditions and counsel's letter verifying same, this Agreement shall be terminated as of the first day of the fiscal period for which sufficient funds were not appropriated; provided, however, that Eversource's rights under the laws of the State of New Hampshire and Eversource's tariff and the Rules and Regulations of the Public Utilities Commission, survive the termination of this Agreement, including, but not limited to, pursuit of damages in a court of competent jurisdiction, the repossession of the installed Smart Start measures at City's/Town's/School District's expense and termination of service for nonpayment at the Customer location where the Smart Start Measures were installed.

- B. Cancellation: Subject to payment of all amounts due upon expiration or termination of this Agreement, City/Town/School District may cancel this Agreement by providing Eversource written notice to that effect not later than Sixty (60) days before the effective date of the expiration or termination.

WHEREFORE Eversource and the City/Town/School District have duly executed this Addendum to the Smart Start Payment Agreement on the date written below.

City/Town/School District

Public Service Company of New Hampshire d/b/a Eversource Energy

By: _____
(Print Name)

By: _____
Thomas R. Belair

By: _____
(Signature)

Date: _____

Date: _____

Public Service Company of New Hampshire d/b/a Eversource

SMART START Program - Customer Purchase Agreement: APPENDIX I

Project Financing Summary / Repayment Option Approval

Prepared for: **City of Dover**

Date Prepared: **02/23/2017**

Facility: **DPW**

Eversource Account #: **56632841078**

Description: **Lighting Upgrades**

Vendor: **Affinity LED Lighting**

COST / REBATE INFO	...NO Financing Pay Outright	...with Eversource Financing	Difference
Project Cost (from proposal):	\$57,703.00	\$57,703.00	
Eversource Rebate: *	- \$10,370.00	- \$9,333.00	\$1,037.00
Net Project Cost:	= \$47,333.00	= \$48,370.00	
SMART START Program Charge: ** (one time charge of 5%)	+ N/A	+ \$2,418.50	+ \$2,418.50
Total Project Cost:	= \$47,333.00 (outright cost)	= \$50,788.50 (amount financed)	\$3,455.50 ("cost" to finance)

ESTIMATED SAVINGS INFO ***

Estimated Annual Bill Savings: **\$15,547.98**

Estimated Monthly Bill Savings: **\$1,295.66**

75% of Est. Monthly Svgs: **\$971.75**

25% of Est. Monthly Svgs: **\$323.91**

Eversource Rate: **G**
Rates in effect as of: 01/01/2017

Est. kWh Savings: **94,168**

Est. KW Savings: **20**

Months w/ KW Svgs: **12**

PAYMENT INFO ****

Payment Option 1 - Keep 25% of the Est. Monthly Bill Savings as immediate Cash Flow. Use 75% to repay Eversource.

Payment Option 2 - Use 100% of the Est. Monthly Bill Savings to repay Eversource. (Shorter Repayment Term)

Initial Choice	Consecutive Payments of (Delivery Charge)	x	Repayment Term (Months)	=	Total Payments	Estimated Monthly Cash Flow ***
☐ Payment Option 1 (Use 75% Keep 25%)	\$976.70	x	52	=	\$50,788.40	\$318.96
☐ Payment Option 2 (Use 100%)	\$1,269.71	x	40	=	\$50,788.40	\$25.95

SIGNATURE / APPROVAL

By signing below I authorize the repayment schedule (Payment Option), chosen above, as initialed in the box next to the Option chosen.

By: _____ By: _____ Date: _____
print name signature

* Rebates for Projects that are financed through the SMART START Program are subject to a 10% reduction.

** The SMART START Program Charge is a one time charge accessed at 5% of the Net Project Cost.

*** All Bill Savings and Cash Flow figures are estimates only and are not guaranteed nor implied.

**** Due to the requirement for the Repayment Term to be a whole number in months the Repayment Delivery Charge may not exactly equal 75% or 100% of the savings.

Commercial & Industrial Retrofit



EVERSOURCE

2016 Lighting Rebate

Side ID 848291005-00

Section A: CUSTOMER INFORMATION

Customer Name City Of Dover NH	Electric Account Number 56632841078	Rate G	Application Number N17045
Facility Address 271 Mast Road	City Dover	State NH	Zip Code 03820
Service Location Identification Public Works Building		Email d.steele@dover.nh.gov	
Mailing Address (if different from above)	City Dover	State NH	Zip Code 03820
Contact Person/Title Douglas W. Steele II/Director	Telephone Number 603.516.6450	Incorporated? (Check one.) ☐ Yes ☐ No ☒ Exempt	
Please Assign Payment to Contractor Customer Signature:	Additional Information Smart Start	Rebate Payment Preference (Check one.) ☐ Check ☐ Bill Credit ☒ Pay Contractor	

Section B: CONTRACTOR INFORMATION

Contractor Name Affinity LED Lighting	Contact Person/Title (Print) John Branagan /PM	Contact Person Signature	
Mailing Address 133 Islington Street	City Portsmouth	State NH	Zip Code 03801
Email jb@affinityledlight.com	Telephone Number 603-475-1564	Additional Information jb@affinityledlight.com	Incorporated? (Check one.) ☐ Yes ☐ No ☐ Exempt

Section C: DOCUMENT APPROVALS

PRE-INSTALLATION INSPECTION

Utility Signature	Date
-------------------	------

PRE-APPROVAL OFFER

Technical Review - Utility Signature	Date
Utility Signature	Date 2/23/17
Amount of Rebate Offer (\$) 9,333 (adjusted)	Offer Valid Through: 10/1/17

By signing and dating below, customer accepts this rebate offer and agrees to the Utility Terms and Conditions available from your Utility. Pursuant to a Commission order, customers also agree that the utility alone may capture all kW and kWh savings and any ISO-NE capacity payments resulting from this energy efficiency project. This agreement is contingent upon continued approval and authorization by the Commission to recover said amounts from the System Benefits Charge. The rebate, in conjunction with all other sources of funding, cannot exceed the total project cost.

Customer Signature:	Date:
---------------------	-------

POST-INSTALLATION INSPECTION

Utility Signature	Date	Total Project Cost (\$)	Amount of Rebate (\$)
Customer Signature	Date		

MANAGEMENT APPROVAL

Utility Signature	Date
-------------------	------

Planning Board
City of Dover
288 Central Avenue
Dover, NH 03820

RECEIVED
Planning Office

FEB 28 2017

Dover, New Hampshire

Dear Planning Board Members:

This letter is to inform the City of Dover that Eversource is planning to trim and remove trees and brush adjacent to and beneath some of its power lines within the town. This work is necessary to insure the safe distribution of power and to improve the reliability of electric service for our customers

According to Eversource records, Rochester Neck Road has been designated as a scenic road by the Town. Please consider this letter a request from Eversource for a public hearing for the trimming and removal of trees and brush along this road within the proposed work area pursuant to RSA 231:158. Please inform this office of the time and place of said meeting so that we may have a representative present. A map highlighting the area to be trimmed is enclosed.

Eversource specifications call for the removal of brush and limbs which are located within eight feet to the side, ten feet below or fifteen above conductors. Trees which present a threat to Eversource lines or other equipment because of decay or other defect will be removed on a case by case basis. A list of "risk" trees identified for removal by Eversource has been included. All trees are marked with a blue and white checkered ribbon.

All work will be performed in accordance with accepted arboricultural standards. Eversource has contracted with Lewis Tree Service to perform the actual clearing of trees. Eversource requires that our clearing contractor contact each landowner where trees are to be trimmed or removed prior to commencement of work on that property. Individual concerns will be addressed at this time.

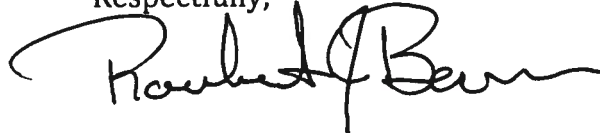
All brush and limbs cut on roadside locations will be chipped. In wooded, undeveloped locations, these chips may be dispersed into the woods taking care not to allow chips to accumulate in piles or in ditches. Near developed land, the chips will be blown into a truck and disposed of offsite. The chips make good mulch and are often given to nearby property owners for landscaping purposes. If a central dumping location could be arranged, Eversource would be happy to make any unclaimed chips available to the Town at no cost. Brush and limbs cut on inaccessible lines will be stacked to the side of the right-of way and cut low to the ground. All wood will be left on site unless otherwise directed by the landowner.

Work is scheduled to begin in the near future.

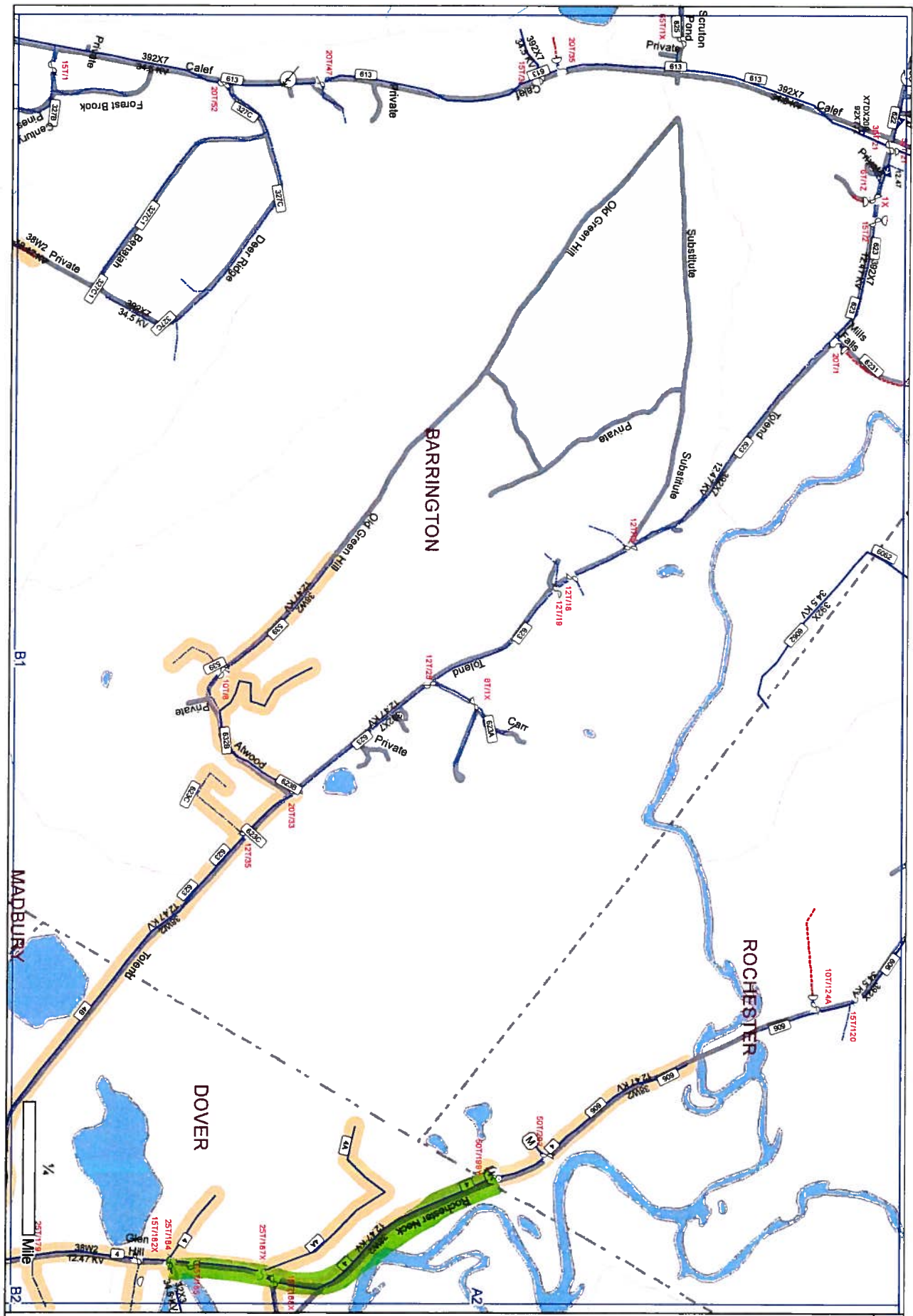
If you have any questions or comments, please feel free to contact me at the above address, by telephone at 603-634-3469 or by e-mail at Robert.Berner@Eversource.com.

Thank you for your concern and assistance.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert J. Berner". The signature is fluid and cursive, with a large initial "R" and "B".

Robert J. Berner
Eastern Region Arborist
Eversource



Hazard Trees Scenic Road
Rochester Neck Rd., Dover

Tree Number	Job Location	Job #	Tree Type	Diameter	DBH (in.)	Approx. Ht. (ft.)	Inside Trim Zone	Outside Trim Zone	Customer Name	Contract Info	Pruning Instructions	Permit/Asst. By:	Permit/Asst. Date:	Owner/Asst. Contact	Assigned To:	Completion Date	Approved/Asst. Closed Date
ROCHESTER NECK RD. DOVER	ROCHESTER NECK RD.	4/175-4/177	OAK	DEAD	12-18"	65'	X								LEWIS		
	ROCHESTER NECK RD.	4/182X-4/183	MAPLE	DECAY	12-18"	50'	X								LEWIS		
	ROCHESTER NECK RD.	4/182-4/184	MAPLE	DECAY	18-24"	50'	X								LEWIS		
	ROCHESTER NECK RD.	4/184-4/185	POPLAR	DYING	12-18"	75'		X							LEWIS		
	ROCHESTER NECK RD.	4/184-4/185	PINE	DYING	6-12"	85'		X							LEWIS		
	ROCHESTER NECK RD.	4/184U/90	OAK	DYING	6-12"	65'		X							LEWIS		
	ROCHESTER DOVER	4/184U/90	MAPLE	DYING	0-6"	50'		X							LEWIS		
	ROCHESTER NECK RD.	4/184U/90	OAK	DYING	6-12"	65'		X							LEWIS		
	ROCHESTER NECK RD.	4/191-4/191	OAK	PROXIMITY	6-12"	65'		X							LEWIS		
	ROCHESTER DOVER	4/191-4/191	OAK	PROXIMITY	6-12"	65'		X							LEWIS		
ROCHESTER NECK RD. DOVER	4/200-4/201	BIRCH	DYING/CLEAN	12-18"	35'			X						LEWIS			



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.3.

Resolution Number: **R – 2017.03.22 - 026**

Resolution Re: Henry Law Avenue Recreation Parking Lot Meter Fine
Revenue and Amendment to City Fee Schedule

- WHEREAS: The Henry Law Avenue Recreation Parking Lot is located on Henry Law Park property in or around the vicinity of 6 Henry Law Avenue; and
- WHEREAS: The Pool Advisory Committee has endorsed the metering of the Henry Law Avenue Recreation Parking Lot to reduce the incident of downtown employees misusing the parking spaces making them unavailable for Park visitors; and
- WHEREAS: The Charitable Trusts Unit of the New Hampshire Department of Justice has no objection to the metering of this parking lot if revenues, after expenses paid to the parking fund, are dedicated to Henry Law Park, a charitable trust under New Hampshire law; and
- WHEREAS: The revenue from the parking meters, after expenses paid to the parking fund, will be earmarked for Henry Law Park to pay for Park expenses; and
- WHEREAS: The Parking Bureau will manage and maintain the meters, and the charges to the Henry Law Park fund will include in the operating costs a rental fee for the meters so that they can be repaired and replaced as needed and all of the other typical costs for managing the meter system in the Park; and
- WHEREAS: The Parking Commission approves of this request; and
- WHEREAS: Metering the Henry Law Avenue Recreation Parking Lot requires an amendment to Dover Code Chapter 166.

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

That the Henry Law Avenue Recreation Parking Lot be metered by amendment to Dover Code Chapter 166. Revenue from the Henry Law Avenue Recreation Parking Lot meters, after expenses paid to the parking activity fund, will be earmarked for Henry Law Park and Park expenses.

That the City's Annual Fee Schedule be amended to include metering the Henry Law Avenue Recreation Parking Lot at the rate of \$1/hour for the hours set forth in Dover Code Chapter 166.

REQUIRES A PUBLIC HEARING



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.3.

Resolution Number: **R – 2017.03.22 - 026**
Resolution Re: Henry Law Avenue Recreation Parking Lot Meter Fine
Revenue and Amendment to City Fee Schedule

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

DOCUMENT HISTORY:

First Reading Date: 03/22/2017	Public Hearing Date: 04/12/2017
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 Marcia Gasses, 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#: 12.C.3.

Resolution Number: **R – 2017.03.22 - 026**
Resolution Re: Henry Law Avenue Recreation Parking Lot Meter Fine
Revenue and Amendment to City Fee Schedule

RESOLUTION BACKGROUND MATERIAL:

Over time, concerns have arisen that parking spaces in the Henry Law Avenue Recreation Parking Lot, which are unmetered, are being used by downtown employees for extended parking to the detriment of legitimate park, museum and indoor pool users.

The Pool Advisory Committee and the Parking Commission have endorsed the use of parking meters in the Henry Law Avenue Recreation Parking Lot by votes of their respective boards. It has been recommended that the lot be metered at the rate of \$1/hour for the hours of 9 a.m. to 5 p.m.

The Charitable Trusts Unit of the New Hampshire Department of Justice has no objection to metering if revenues, after expenses, are dedicated to the Park.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.4.

Resolution Number: **R – 2017.03.22 – 027**

Resolution Re: Tree Cutting on Scenic Road. Rochester Neck Road

- WHEREAS: Eversource Energy has notified the City of its desire and intention to trim and remove trees and brush adjacent to and beneath some of its power lines within the City and specifically names Rochester Neck Road as a proposed work area; and
- WHEREAS: Rochester Neck Road has been designated as a Scenic Road by the City pursuant to RSA 231:157; and
- WHEREAS: Under Chapter 143 of the City's Code titled Scenic Roads, Section 2 Effects of Designation, states that no cutting or removal of trees shall take place without the written consent of the City Council:

143-2. Effect of Designation.

Upon a road being designated as a scenic road as previously provided, any repair, maintenance, reconstruction or paving work done with respect thereto shall not involve or include the cutting or removal of trees or the tearing down or destruction of stone walls or portions thereof, except with the prior written consent of the City Council, after a public hearing duly advertised as to time, date, place and purpose, two (2) times in a newspaper of general circulation in the area, the last publication to occur at least seven (7) days prior to such hearing as provided and set forth in RSA 231:158.

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

That the City Council consents to Eversource Energy's proposal to trim and remove trees adjacent to and beneath its power lines on Rochester Neck Road and authorizes the City Manager to provide such consent in writing to Eversource Energy.

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 - RESOLUTION

Agenda Item#: 12.C.4.

Resolution Number: **R – 2017.03.22 – 027**

Resolution Re: Tree Cutting on Scenic Road. Rochester Neck Road

DOCUMENT HISTORY:

First Reading Date: 03/22/2017

Public Hearing Date: 04/12/2017

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 Marcia Gasses, 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 Eversource Energy tree cutting proposal received by the Planning Office on February 28, 2017 together with enclosure.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.5.

Resolution Number: **R – 2017.03.22 – 028**

Resolution Re: Declaration of Emergency Lane – Old Garrison Road from Spruce Lane to David Tuttle Lane

- WHEREAS: Old Garrison Road from Spruce Lane to by an about David Tuttle Lane is a Class VI unmaintained City road; and
- WHEREAS: The portion of Old Garrison Road from Spruce Lane to David Tuttle Lane abuts three private parcels of property with residential structures thereon, one of which may only be accessed by Old Garrison Road, as well as large tracts of wooded New Hampshire Fish & Game conservation land that is open to the public; and
- WHEREAS: Pursuant to Title XX Transportation, Chapter 231, Cities, Towns and Village District Highways, RSA 231:59-a, Emergency Lanes, the City, by and through the City Council, may declare a Class VI road, or portion thereof, as an emergency lane; and
- WHEREAS: In declaring an emergency lane, RSA 231:59-a, II requires the City Council to make written findings, recorded in the minutes of the meeting, that the public need for keeping such lane passable by emergency vehicles is supported by an identified public welfare or safety interest which surpasses or differs from any private benefits to landowners abutting such lane; and
- WHEREAS: If declared an emergency lane, the City may raise, appropriate, and expend money to perform necessary repairs to render the emergency lane passable by firefighting equipment and rescue and other emergency vehicles pursuant to RSA 231:59-a, I; and
- WHEREAS: The City, by and through its Police Chief and Fire Chief, has determined that a portion of Old Garrison Road from the intersection with Spruce Lane to David Tuttle Lane warrants declaration as an emergency lane as there is a public welfare or safety interest in keeping the lane passable for emergency response equipment, including fire engines and ambulances, in order to be able to timely and effectively respond to emergency situations; and
- WHEREAS: If this portion of Old Garrison Road were not passable for emergency response equipment, it could result in the inability to safely, fully and/or timely respond to emergency situations at either a private residence or on public lands (e.g. structure fires, forest/brush fires, medical emergencies); damage to emergency response equipment, including but not limited to fire engines and/or ambulances; and/or injury to first responders or those being transported thereby.

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

That a portion of Old Garrison Road from the intersection of Spruce Lane to David Tuttle Lane (also a Class VI road) is declared an emergency lane pursuant to RSA 231:59-a, Emergency Lanes; and

That the Council finds that the public need for keeping this portion of Old Garrison Road passable by emergency response vehicles is supported by an identified public welfare or safety interest which surpasses or differs from any private benefits to landowners abutting such lane; and



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.5.

Resolution Number: **R – 2017.03.22 – 028**

Resolution Re: Declaration of Emergency Lane – Old Garrison Road from Spruce Lane to David Tuttle Lane

That the Council finds that the public welfare or safety interest is identified as the need for emergency responders and their equipment, including, but not limited to fire engines and ambulances, to be able to safely, timely, and fully respond to emergency situations on lands abutting this area of Old Garrison Road, including both private residential property and public conservation lands open for public access.

TO BE REFERRED TO 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

DOCUMENT HISTORY:

First Reading Date: 03/22/2017	Public Hearing Date: 04/12/2017
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 Marcia Gasses, 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#: 12.C.5.

Resolution Number: **R – 2017.03.22 – 028**

Resolution Re: Declaration of Emergency Lane – Old Garrison Road from Spruce Lane to David Tuttle Lane

RESOLUTION BACKGROUND MATERIAL:

Old Garrison Road is a Class VI, unmaintained City road. Given private residences and State owned public conservation land abutting the road from Spruce Lane to David Tuttle Lane, the City believes that there is a public interest in keeping Old Garrison Road passable for emergency response equipment, including but not limited to fire engines and ambulances.

See RSA 231:59 - attached.

TITLE XX

TRANSPORTATION

CHAPTER 231

CITIES, TOWNS AND VILLAGE DISTRICT HIGHWAYS

Repair of Highways by Towns

Section 231:59-a

231:59-a Emergency Lanes. –

I. Notwithstanding RSA 231:59 or any other provision of law, a town may raise and appropriate, and the selectmen may expend, money for the repair of any class VI highway or private way which has been declared an emergency lane under paragraph II. Such repair may include removal of brush, repair of washouts or culverts, or any other work deemed necessary to render such way passable by firefighting equipment and rescue or other emergency vehicles. A capital reserve fund under RSA 35 or a trust fund under RSA 31:19-a may be established for this purpose.

II. No expenditures shall be made under paragraph I unless the selectmen, following a public hearing, declare the relevant class VI highway, private way, or portion thereof, as an emergency lane, and make written findings, recorded in the minutes of the meeting, that the public need for keeping such lane passable by emergency vehicles is supported by an identified public welfare or safety interest which surpasses or differs from any private benefits to landowners abutting such lane.

III. In the case of a private way, notice shall be mailed to all persons known to have a legal interest in the way, 10 days prior to the hearing, and the emergency lane shall not be declared if permission is denied by any person with a legal right to deny such permission. Neither the appearance nor non-appearance of such persons at the hearing shall prevent such permission from later being denied or withdrawn.

IV. A declaration under this section may be rescinded or disregarded at any time without notice. This section shall not be construed to create any duty or liability on the part of any municipality toward any person or property. Utilization of this section shall be at the sole and unfettered discretion of a town and its officials, and no landowner or any other person shall be entitled to damages by virtue of the creation of emergency lanes, or the failure to create them, or the maintenance of them, or the failure to maintain them, and no person shall be deemed to have any right to rely on such maintenance. This section shall not be deemed to alter the classification or legal status of any highway or private way, or to limit or restrict the authority of towns to regulate the use of class VI

highways pursuant to such statutes as RSA 41:11, RSA 236:9--13, and RSA 674:41, or to authorize any person to pass over any private way when permission has been denied. This section shall not be deemed to alter the duties or powers of any party under RSA 227-L concerning forest fires.

Source. 1994, 80:1. 1995, 299:12, eff. Jan. 1, 1996.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 12.C.6.

Resolution Number: **R – 2017.03.22 – 029**
Resolution Re: **Establishment of School Instructional Equipment
Capital Reserve Fund**

- WHEREAS: The Dover School Board approved a February 15, 2017 resolution (copy attached) requesting the City Council adopt the creation of a School Instructional Equipment Capital Reserve fund; and
- WHEREAS: The City Council adopts the City's annual Capital Improvements Program, which may include appropriations for capital outlay and funding capital reserve funds; and
- WHEREAS: The City Council is authorized to establish the capital reserve fund, and direct the Board of Trustees of Trust Fund to hold and invest the amounts so designated until such time as the funds are needed;

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

In accordance with NH RSA 34, a capital reserve fund is established titled School Instructional Equipment Capital Reserve for the purpose of purchasing instructional equipment for all City of Dover schools that has been identified as a project within the City's annual Capital Improvements Program. Moneys deposited into the capital reserve fund are to be held in custody by the Board of Trustees of the Trust Funds.

AND, FURTHER BE IT RESOLVED;

The School Board is designated as the agent to carry out the purposes of the reserve, only after approval of a majority vote of the City Council to expend funds for each project as identified within the City's Capital Improvements Program.

NOTE: This resolution requires a majority favorable vote for passage after 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 - RESOLUTION

Agenda Item#: 12.C.6.

Resolution Number: **R – 2017.03.22 – 029**
Resolution Re: **Establishment of School Instructional Equipment
Capital Reserve Fund**

DOCUMENT HISTORY:

First Reading Date: 03/22/2017	Public Hearing Date: 04/12/2017
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 Marcia Gasses, 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:

In accordance with NH RSA 34, a City may establish a Capital Reserve Fund once a public hearing has been held on the proposal and the City Council votes to approve creating the Reserve.

The intent of a Capital Reserve Fund is to allow a community to set aside funds on an annual basis and allow them to accumulate for a designated purpose related to future capital purchases. When adequate funding has been accumulated and the timing is appropriate, projects may be identified in the CIP and authorized by vote of the City Council to be funded from this fund.

The School Instructional Equipment Capital Reserve Fund is to be established for purchasing instructional equipment at all City of Dover schools based upon approved purchases in the City's annual Capital Improvements Program.

The School Instructional Equipment Capital Reserve fund will be financed from annual appropriations approved by the City Council in adopting the operating budget; not debt financing. Other funding sources may include other sources voted by the Council at a future date.

Included as background material is a resolution adopted by the Dover School Board on February 15, 2017 requesting creation of this capital reserve fund.



**PERMIT APPLICATION
CITY OF DOVER, NEW HAMPSHIRE**

Check (☒) the type of application:

RAFFLE* _____, TAG* ☒, BLOCK PARTY** _____,

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

Organization Name: Dover Baseball
Federal Tax ID number for Organization: 02-0514051

Check (☒) Nature of Organization:

Religious _____, Educational _____, Charitable _____, Civic ☒ Sports _____, Veterans _____, Fraternal or Political _____, Other _____
(Describe) City Tagging for Dover Baseball

Contact Person: Michelle Dulac Day Time Telephone: 603-767-6289
Address: 9 Evans Lane Email: Mommydulac@gmail.com

Purpose of Permit: Fundraising - Dover Baseball
Date of Event: 5/11/5/12 & 5/13 Specific Time: Thur/Fri 4-8 SAT 8-5pm
Location of Event: Local Business Throughout City

*****RAFFLE / TAG PERMITS*****

Prize (s) To Be Awarded: _____
Cost of Ticket: _____ Date of Drawing: _____
Place of Drawing: _____

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

<http://www.doj.nh.gov/charitable-trusts/faq.htm>

*****BLOCK PARTY PERMITS*****

****NOTICE TO BLOCK PARTY APPLICANTS: STREET CLOSURES, TRAFFIC DETOURS, AND/OR PARKING RESTRICTIONS MUST BE ARRANGED WITH THE POLICE DEPARTMENT**

Block Party Location (attach map if more than one street is affected): _____
Police Department Block Party Approval Signature: _____
Printed Name: _____

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: [Signature] DATE: 4/11/17

PRINTED NAME: Michelle Dulac (duly authorized)

Licensing Board Approval [Signature] Date: 4/11/17



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.2.

Resolution Number: **R – 2017.04.12 - 033**

Resolution Re: B11001 WWTP Design Phase Additional Scope of Work
Wright-Pierce Change Order #3

WHEREAS: A sealed (RFQ) Request for Qualifications B11001 was issued and received for Professional Engineering Services for the Waste Water Treatment Facilities Plan on August 23, 2010 at 2:00 PM; and

WHEREAS: Wright Pierce was awarded Phase I design of equipment upgrades and plant processes phase via resolution R-2012.07.25 in the amount of \$496,500; and

WHEREAS: The City received very favorable pricing for the construction of the Phase I upgrades, thereby allowing the City to continue the design services for upgrades needed and identified in the City's Waste Water Facility Plan. City Council approved change order #1 for additional design services in the amount of \$110,600 via resolution R-2014.04.09. Change order # 2 adding \$9,925 for conceptual design services of the wet well/catch basin work was accepted in March 2016; and

WHEREAS: The City has received change order #3 in the amount of \$256,800 for (IPP) Industrial Pretreatment Program study and catch basin screening facility design services, which has been approved by NHDES.

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

The Purchasing Agent is hereby authorized to issue a Change Order to Wright-Pierce of Portsmouth NH for design services in the amount not to exceed \$256,800. The City Manager, or designee, is hereby authorized to contract 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
5320.1.300.43250.4741.04588.10	Sewer	3,740.61	3,740.61
5320.1.300.43250.4741.04588.11	Sewer	7,723.22	7,723.22
5320.1.300.43256.4741.04597.12	WWTP	886,780.60	88,678.60
5320.1.300.43256.4725.04598.14	WWTP	204,219.38	154,414.00

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.2.

Resolution Number: **R – 2017.04.12 - 033**
Resolution Re: B11001 WWTP Design Phase Additional Scope of Work
Wright-Pierce Change Order #3

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 Marcia Gasses, 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.2.

Resolution Number: **R – 2017.04.12 - 033**
Resolution Re: B11001 WWTP Design Phase Additional Scope of Work
Wright-Pierce Change Order #3

RESOLUTION BACKGROUND MATERIAL:

The Waste Water Treatment Plant was constructed in 1991 and is a plug flow style activated sludge plant designed to achieve typical secondary treatment standards and designed for an average flow of 4.7 MGD. Current flows average 2.7 MGD.

Wright Pierce Engineers completed a Comprehensive Wastewater Treatment Facilities Plan for the City in March 2012. The plan was necessary because the Wastewater Facility went on line in June of 1991, and although the facility has been maintained extremely well, many of the operating components of the facility are in need of upgrade.

In 2012 the City entered into an agreement with Wright Pierce Engineers for Phase for engineering design services for equipment upgrades and plant processes to meet new NHDES parameters.

Original Bid	\$496,500
C/O 1	\$110,600
C/O 2	\$9,925
Total to date	\$617,025
C/O 3	\$256,800
New total contract	\$873,825

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	117	Number of Responses:	8
Warranty:	NA	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until completion	Estimated Delivery:	As needed
Recommended Award to:	Wright Pierce	Fund:	
Other Approvals Required:	Yes State of NHDES	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

[B11001 Bid Documents and Vendor List](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.3.

Resolution Number: **R – 2017.04.12 – 034**
Resolution Re: B15065 Construction Oversight Services for Keating & Birchwood Reconstruction Project

WHEREAS: A Sealed Request for Proposal B15065 was issued and received for consulting services for the design of Keating and Birchwood reconstruction on May 27, 2015 at 11:00 am. A mandatory pre-bid meeting was conducted on May 23, 2015 at 10:00 am with six firms attending; and

WHEREAS: Two replies were received and evaluated for both firms and cost proposals were then opened. The low bid and offer deemed most advantageous to the city was submitted by Dubois and King, Inc and awarded via resolution R-2015.06.22 in the amount not to exceed \$120,266. Change order #1 extended timeline and Change Order 2 added Stark Ave to the agreement in the amount of \$14,000 for a total contract price of \$134,266; and

WHEREAS: The City has received a construction oversight proposal in the amount of \$397,208.00 and it is the recommendation to award to Dubois and King.

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

The Purchasing Agent is hereby authorized to issue a Change Order Dubois and King Inc of Laconia NH for construction oversight services for Keating and Birchwood reconstruction in the amount not to exceed \$397,208 provided in conjunction with Bid B15065. The City Manager, or designee, is hereby authorized to contract with the vendor, consistent with the Change Order authorized herein.

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

Financing			
Account	Description	Appropriation	Balance
4016.1.300.43121.4751.03163.16	Street Keating & Birchwood	984,327.35	931,168.45
5320.1.300.43250.4757.04567.16	Sewer Keating & Birchwood	1,050,000.00	1,019,934.00
5300.1.300.43320.4757.03554.16	Water Keating & Birchwood	550,000.00	519,933.00

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 – 2017.04.12 – 034**
Resolution Re: B15065 Construction Oversight Services for Keating & Birchwood Reconstruction Project

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 Marcia Gasses, 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 – 2017.04.12 – 034**
Resolution Re: B15065 Construction Oversight Services for Keating & Birchwood Reconstruction Project

RESOLUTION BACKGROUND MATERIAL:

The City of Dover is requesting proposals for consulting services for the design of the Keating/Birchwood Area Reconstruction Project. This area consists of the following streets: Stark Ave. – 650 lf, Hayes Ln. – 550 lf, Keating Ave. – 400 lf, Renaud Ave. – 770 lf, Shamrock Ln. – 730 lf, Birchwood Pl. – 970 lf, and Emmitt St. – 345 lf. The project will also include approximately 600 lf of sewer improvements in Stark Ave. The Consultant will provide engineering services for the design, specifications, and bid clarifications for this project.

The Proposal for construction oversight was received in the amount not to exceed \$397,208 which includes construction administration, resident engineering, and record drawings.

Bid Information:

A Sealed Request for Proposal B15065 was issued and received for consulting services for the design of Keating and Birchwood reconstruction on May 27, 2015 at 11:00 am

Award Information:

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

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	249	Number of Responses:	2
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until Completion	Estimated Delivery:	2017
Recommended Award to:	Dubois & King Inc	Fund:	CIP
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

[B15065 Bid Documents and Vendor List](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R – 2017.04.12 – 035**
Resolution Re: B16013B Design Build of Customer Service Center

- WHEREAS: Sealed Request for Qualifications #B16013B were solicited and received on January 12, 2016 at 1:00 pm for design build services for the customer service center at City Hall. Eleven responses were received and ranked by city personnel; and
- WHEREAS: A short list of three qualified vendors was selected and interviews were conducted on January 19, 2016. The committee selected Martini Northern to begin negotiating scope of work and costs; and
- WHEREAS: During negotiations a letter of intent was executed for preliminary design services in the amount of \$18,000. To determine costs for the construction phase, final design services and bid documents; Martini Northern required an amount of \$30,000, bringing total costs to date of \$48,000 which council approval via R2017.01.25; and
- WHEREAS: Martini Northern has submitted the (GMP) Guaranteed Maximum Price which includes the multiplier of 4% of the final (GMP) of the construction value to be utilized for a total amount of \$1,164,891.00.

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 Martini Northern for design build services at rates provided in conjunction with RFQ B16013B. The City Manager, or designee, is hereby authorized to contract 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
4014.1.180.41941.4745.01106.14	City Hall Customer Service Center	500,000	415,000
4018.1.190.41941.4725.01109.18	City Hall Improvements	750,000	712,755
6100.1.550.49200.4725.09100.00	Dovernet Building Improvements	70,000	30,000
1000.1.300.43180.4431.00000.00	F&G Maintenance Buildings	92,778	7,137

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor Karen Weston
By request

Approved for Legal Compliance: Anthony I. Blenkinsop
General Legal Counsel

Recorded by: Karen Lavertu
City Clerk



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.4.

Resolution Number: **R – 2017.04.12 – 035**
Resolution Re: B16013B Design Build of Customer Service Center

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 Marcia Gasses, 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.4.

Resolution Number: **R – 2017.04.12 – 035**
Resolution Re: B16013B Design Build of Customer Service Center

RESOLUTION BACKGROUND MATERIAL:

The City of Dover invited qualified architectural and construction firms to submit their qualifications for consideration to provide architectural designs, remodeling cost estimates and construction services for a new customer service center on the ground floor of City Hall with a Locust Street entrance. The City is looking to retain an architect/contractor team to design and build the customer service center, to coordinate the internal and external access, and to manage the remodeling/construction. The new customer service center will hold the Tax Collector/City Clerk (City Clerk), Water and Sewer Billing, Information Technology, and Parking Bureau offices. Then once those offices have moved, the first and second floor of City Hall will shuffle offices to create more efficient work space. Minor remodeling may be required on the 1st floor of City Hall.

This space for the new customer service center was completed in 1935 and is approximately 14,000 square feet. Deficiencies in the existing include: substandard HVAC system, unresolved problems with ventilation, mold, leaking gray water pipes and electrical issues.

Bid Information:

Sealed request for qualifications B16013B were solicited and received on January 12, 2016 at 1:00 pm for design build services for the customer service center at City Hall. The evaluating committee selected a firm and scope of work and costs negotiations began with this firm. The City was unable to reach an agreement and moved negotiations to Martini Northern. GMP has been negotiated and recommendation to move forward is being requested.

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:	yes
Invitations Mailed:	601	Number of Responses:	11
Warranty:	NA	Terms:	Net 30, FOB Dover
Work Bonded:	Yes	Contract:	Yes
Prices will hold for:	Until completion	Estimated Delivery:	
Recommended Award to:	Martini Northern	Fund:	City Hall Customer Service Center
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

[B16013B Bid Documents and Vendor Lists](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.5.

Resolution Number: **R - 2017.04.12 – 036**

Resolution Re: B17038 Hot Bituminous Paving –Asphalt Laid in Place

WHEREAS: The Sealed Request for Bid #B17038 was requested and received for Hot Bituminous paving (asphalt) laid in place on March 15, 2017 at 11:00 AM. The bid requested unit pricing on various scopes of services and products for paving various streets; and

WHEREAS: Two bids were received with the low bid being submitted by Brox Industries, Inc in the total amount of \$938,550. It is the recommendation to award to Brox Industries Inc at the per item rates as outlined in the results page in the amount not to exceed \$838,550. The city will be reducing this project by (\$100,000).

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 Brox Industries Inc for laid in place asphalt paving services given the per unit rates provided in conjunction with B17038 in the amount not to exceed \$838,550. The City Manager, or designee, is hereby authorized to contract 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
1000.1.300.43121.4715.00000.00	CS Street Improvements	1,402,000.00	837,665.05
4000.1.300.43121.4751.03121.00	Roadways	2,245.63	2,245.63

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.5.

Resolution Number: **R - 2017.04.12 – 036**

Resolution Re: B17038 Hot Bituminous Paving –Asphalt Laid in Place

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 Marcia Gasses, 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.5.

Resolution Number: **R - 2017.04.12 – 036**

Resolution Re: B17038 Hot Bituminous Paving –Asphalt Laid in Place

RESOLUTION BACKGROUND MATERIAL:

Scope of work includes but is not limited to the overlays of streets as laid out in the street paving list. Typically, this involves cold planning along the curb line, creating cut in joints at intersections and driveways and finally tacking the road and paving. Adjusting utility frames and traffic control is also required.

Bid Information:

Sealed Request for Bid #B17038 was requested and received for Hot Bituminous Paving (asphalt) laid in place on March 15, 2017 at 11:00 AM.

Award Information:

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

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations emailed:	86	Number of Responses:	2
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	Yes	Contract:	Yes
Prices will hold for:	Until completed	Estimated Delivery:	2017
Recommended Award to:	Brox Industries, Inc	Fund:	Streets
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

[B17038 Bid Documents and Vendor List](#)



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.6.

Resolution Number: **R – 2017.04.12 – 037**
Resolution Re: Dover Pudding Hill Aquifer with Emery & Garrett
Groundwater Investigations LLC & Underwood Engineers

- WHEREAS: Emery and Garrett Groundwater Investigations LLC Inc (EGGI) was the awarded firm through Sealed Bid B13045 for hydrogeological consulting services exploration and development of replacement groundwater supply. The City has also awarded via sealed bid B14074 the engineering firm of Underwood Engineers for water facilities upgrades; and
- WHEREAS: The City Council approved a scope of work and estimated costs totaling \$378,830 from EGGI for the development of artificial recharge basins at the Dover Pudding Hill Aquifer and a scope of work and costs in the amount of \$16,800 for preliminary design services from Underwood Engineers via resolution R2016.09.28. The city received change orders from both vendors for additional work outlined in the background of this resolution totaling \$141,500 to EGGI and \$22,100 to Underwood Engineers; and
- WHEREAS: Schnitzer Steel (New England Metal Recycling) has committed to reimbursing the City for 100% of these costs; and
- WHEREAS: Dover purchasing Code 3-36 B: the competitive bid procedure may be waived by a majority vote of the City Council.

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

The Purchasing Agent is hereby authorized to issue a Change Orders to Emery and Garrett Groundwater Investigations LLC for additional development of artificial recharge basins services in the amount not to exceed \$141,500 and a change order to Underwood Engineers for additional services in the amount not to exceed \$22,100. The City Manager, or designee, is hereby authorized to finalize and enter into an agreement with the vendors, 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
5300.1.300.43320.4757.03574.15	CS Water wellhead	100,000.00	100,000.00
5300.1.300.43320.4757.03574.16	CS Water wellhead	100,000.00	100,000.00

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.6.

Resolution Number: **R – 2017.04.12 – 037**
Resolution Re: Dover Pudding Hill Aquifer with Emery & Garrett
Groundwater Investigations LLC & Underwood Engineers

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 Marsha Gasses, 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.6.

Resolution Number: **R – 2017.04.12 – 037**
 Resolution Re: Dover Pudding Hill Aquifer with Emery & Garrett
 Groundwater Investigations LLC & Underwood Engineers

RESOLUTION BACKGROUND MATERIAL:

Scope of Work EGGI PO 201703688	Original Cost	Change Order Costs
Task I: Develop scope of work & fee schedule	\$6,750	
Task II: Design & construction of temporary recharge basins	\$117,610	\$6,000
Task III: Design & construction of temporary artificial recharge-discharge system	\$40,350	\$20,500
Task IV: Application for temporary groundwater discharge permit	\$11,185	
Task V: Installation of water quality monitoring wells and purchase of pumps	\$103,845	
Task VI: Pilot testing of artificial recharge system	\$71,005	\$55,500
Task VII: Application for permanent ground water discharge permit	\$13,315	\$4,500
Task VIII: Other- meetings and public hearings	\$14,950	\$7,000
Other PFC Sampling range	0	\$35,000-\$48,000
Total Costs for EGGI	\$378,830	\$141,500

Task I: preliminary design UE PO201703690	\$16,800	
Task II Recharge Pilot Assistance & Task III wetland permitting PO 201703690		\$10,100
Task 9A Temporary PFA's & Task 9B Conceptual treatment considerations PO 201704214		\$12,000
Total Cost for Underwood Engineers	\$16,800	\$22,100

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 Complete	Estimated Delivery:	As needed
Recommended Award to:	Emery & Garrett Inc & Underwood Engineers	Fund:	CIP
Previously Worked for City:	Yes	Reason for Council Approval:	Waive Bidding



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.7.

Resolution Number: **R – 2017.04.12 – 038**
Resolution Re: Purchase of Diving Boards

- WHEREAS: An informal pricing quote was requested of the three national aquatic suppliers that are the dealers for a particular diving board needed to be compatible with the existing dive stands within the city. All three vendors submitted written quotes ranging from \$11,850 - \$12,233.50 for three Duraflex Diving Boards; and
- WHEREAS: Per Dover 3-26 Definitions: Competitive Bidding- the formal process involving sealed written bids as a means of achieving bid most advantageous to the city. Dover Code 3-36B Competitive bidding may be waived by the majority vote of the City Council; and
- WHEREAS: It is the consensus that preparing and soliciting a formal **sealed** bid will result in same outcome with the same three companies submitting same pricing. The city is recommending award to low bidder of the informal **written** quote received from the low bidder, Lincoln Aquatic Equipment, in the amount of \$11,850.00

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 Lincoln Aquatics Equipment of Concord CA for three Duraflex Diving boards totaling \$11,850.00. The City Manager, or designee, is hereby authorized to contract 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
1009.1.350.45124.4741.00000.94	recreation equipment	2,000.00	2,000.00
1009.1.350.45124.4741.00000.95	recreation equipment	2,000.00	2,000.00
1009.1.350.45124.4741.00000.96	recreation equipment	1,208.34	1,208.34
1000.1.350.45125.4741.00000.00	recreation equipment	8,000.00	4,098.00
1000.1.350.45124.4741.00000.00	recreation equipment	8,000.00	8,000.00

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.7.

Resolution Number: **R – 2017.04.12 – 038**
Resolution Re: Purchase of Diving Boards

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 Marcia Gasses, 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.7.

Resolution Number: **R – 2017.04.12 – 038**
Resolution Re: Purchase of Diving Boards

RESOLUTION BACKGROUND MATERIAL:

Vendor	Total cost for 3 boards
Lincoln Aquatics Equipment	\$11,850.00
Springboards and More	\$12,233.50
Recreonics Inc	\$12,025.88

Bid Information:

Pricing quote was requested from three national aquatic suppliers that are the dealers for a particular diving board needed to go with the existing dive stands within the city. All three vendors submitted written quotes ranging from \$11,850 - \$12,233.50 for three Duraflex Diving Boards

Award Information:

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

Purchasing Information:

Type:	Purchase Order	Advertised:	NO
Invitations Mailed:	NA	Number of Responses:	3
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	No	Contract:	Yes
Prices will hold for:	Until Delivered	Estimated Delivery:	As needed
Recommended Award to:		Fund:	Pool Accounts
Other Approvals Required:	No	References Checked:	Satisfactory
Previously Worked for City:	No	Reason for Council Approval:	Purchase to exceed the \$10,000 SEALED bid amount requiring Council approval to waive formal bidding



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.8.

Resolution Number: **R – 2017.04.12 – 039**
Resolution Re: Ezra Green's Farm Homeowners' Association Trail
Easement

WHEREAS: The Ezra Green's Farm Homeowners' Association (EGFHA) owns a parcel of land known as Dover Tax Map F, Lot 23A; and

WHEREAS: The City wishes to finish construction of and thereafter maintain a public recreation trail over said parcel, and the EGFHA is willing to grant an easement for such purpose; and

WHEREAS: That a Warranty Deed for Trail Easement has been prepared with respect to Dover Tax Map F, Lot 23A over and along the Ezra Green's Farm Trail as shown on a plan entitled "Trail Easement Plan, Tax Map F – Lot 23A, Ezra Green's Farm Homeowners' Association to The City of Dover" dated November 3, 2016 and revised on December 14, 2016.

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

The City accepts a trail easement over Dover Tax Map F, Lot 23A and the City Manager is authorized to sign the Warranty Deed for Trail Easement between the Ezra Green's Farm Homeowners' Association and the City of Dover and record such easement and survey plan in the Strafford County Registry of Deeds.

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.8. Resolution Number: R – 2017.04.12 – 039 Resolution Re: Ezra Green’s Farm Homeowners’ Association Trail Easement	

DOCUMENT HISTORY:

First Reading Date: Approved Date:	Public Hearing Date: Effective Date:
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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 Marcia Gasses, 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:

Please see draft trail easement and plan attached.

Return to:
City of Dover
288 Central Avenue
Dover, NH 03820

WARRANTY DEED FOR
TRAIL EASEMENT

For valuable consideration, the receipt of which is hereby acknowledged, the Ezra Green's Farm Homeowners' Association, of Ezra's Way, City of Dover, Strafford County, State of New Hampshire 03820 (hereinafter "Grantor"), grant to the City of Dover, NH, a municipal corporation organized under the laws of the State of New Hampshire with a principal mailing address of 288 Central Avenue, Dover, New Hampshire 03820 (hereinafter referred to as the "Grantee," which word includes the plural and shall, unless the context clearly indicates otherwise, includes the Grantee's successors and/or assigns), through its Conservation Commission as provided for in New Hampshire RSA Ch. 36-A, for one or more of the purposes stated in the statute, with WARRANTY COVENANTS, in perpetuity, the following:

A Trail Easement (herein referred to as the "Easement") hereinafter described with respect to that certain parcel of land, Dover Tax Map F, Lot 23A (herein referred to as the "Property") over and along the Ezra Green's Farm Trail (the "Trail"), Dover, Strafford County, State of New Hampshire, as shown on a plan entitled "Trail Easement Plan, Tax Map F – Lot 23A, Ezra Green's Farm Homeowners' Association to The City of Dover", dated November 3, 2016, last revised December 14, 2016 and recorded at the Strafford County Registry of Deeds as Plan No. _____.

WHEREAS, the Grantor is the sole owner in fee simple of the Property, more particularly described in deed dated January 15, 2007, recorded at the Strafford County Registry of Deeds in Book 3494, Page 618;

WHEREAS, the Property is subject to a Declaration of Covenants, Conditions and Restrictions, recorded at the Strafford County Registry of Deeds in Book 2487, Page 0064;

WHEREAS, the Grantee has requested and the Grantor agrees to grant a 20 foot wide trail access easement over the Trail on the Property as shown on the Plan to allow public access over and along the Trail, being more particularly described below.

NOW THEREFORE, in consideration of the promises contained herein, and pursuant to the laws of the State of New Hampshire, including RSA 477:45-47, as may be amended from time to time,

the Grantor grants and conveys to Grantee a Trail Easement in perpetuity over and along the Trail on the Property:

A. Purpose of Trail Easement Deed

The Trail Easement Deed hereby granted in perpetuity is for the following purposes:

1. To protect the Trail from future development, and to conserve and maintain the unique characteristics of the Trail substantially in its present and scenic/natural condition; and
2. To provide low impact, non-motorized (except for power-driven mobility devices for use by persons who have mobility impairments) general public access along and over the Trail for recreational purposes; and
3. To provide limited public vehicle parking at the head of the Trail on Ezra Way.

B. Affirmative Rights of Grantee

The Grantee shall have the right to:

1. Permit public access, without charge, to the Trail consistent with § A.2. above; and
2. Inspect the Trail to determine compliance with, and to enforce the terms and conditions of, this conveyance and exercise the rights conveyed hereby and otherwise fulfill the responsibilities and carry out the duties assumed by the acceptance of this Trail Easement Deed; and
3. Post signs on the Property and the Trail identifying the Trail as protected under the terms of this Easement and identifying the public access rights; and
4. Maintain and repair the Trail including, but not limited to, the trimming and/or clearing of trees and brush, the removal of invasive species, the grading of the Trail and/or the construction, repair and maintenance of wetlands crossings; and
5. Construct, maintain, and repair a Trail access area including, but not limited to, parking for up to four motor vehicles by the public at the head of the Trail directly adjacent to Ezra's Way.

C. Benefits and Burdens

The burden of the Easement shall run with the Property and shall be enforceable against all future owners and tenants. The benefits of said easement shall not be appurtenant to any particular parcel of land but shall be in gross and assignable or transferable only to the State of New Hampshire, the U. S. Government, or any subdivision of either, consistent with

Section 170 (c)(1) of the U.S. Internal Revenue Code of 1954, as amended, or to any qualified organization within the meaning of Section 170 (h)(3) of said Code, which organization has among its purposes the conservation or preservation of land and water areas and agrees to and is capable of enforcing the conservation purposes of this Easement. Any such assignee or transferee shall have like power of assignment or transfer.

Nothing in this Easement limits the ability of the Grantor and Grantee from availing themselves of the protections offered by any applicable law affording immunity including, but not limited to, RSA 508:14 and/or RSA 212:34, as both may be amended from time to time.

D. Breach of Easement

1. When a breach of this Easement, or conduct by anyone inconsistent with this Easement, comes to the attention of the Grantee or the Grantor, it shall notify the other party in writing of such breach or conduct, delivered in hand or by certified mail, return receipt requested.
2. The Grantor shall, within 60 days after receipt of such notice or after otherwise learning of such breach or conduct, undertake those actions, including restoration, which are reasonably calculated to promptly cure said breach, or to terminate said conduct, and to repair any damage. The Grantor shall promptly notify the Grantee of its actions taken under this section.
3. Nothing contained in this Easement shall be construed to entitle the Grantee to bring any action against the Grantor for any injury to or change in the Property resulting from causes beyond the Grantor's control including, but not limited to, unauthorized actions by third parties, natural disasters such as fire, flood, storm and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes.
4. The Grantee and the Grantor reserve the right, separately or collectively, to pursue all legal remedies against any third party responsible for any actions detrimental to the conservation purposes of this Easement.
5. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by the Grantor shall impair Grantee's rights or remedies or be construed as a waiver.

E. Notices

All notices, requests, and other communications, required or permitted to be given under this Easement shall be in writing, except as otherwise proved herein, and shall be delivered in hand or sent by certified mail, return receipt requested, to the appropriate address set forth above or at such other address as the Grantor or the Grantee may hereafter designate by notice

given in accordance herewith. Notice shall be deemed to have been given when so delivered or so mailed. Notices, requests and other communication shall be directed to:

City of Dover

Attn: City Manager
288 Central Avenue
Dover, NH 03820

Ezra Green's Farm Homeowners' Association

PO Box 1312
Ezra's Way
Dover, NH 03820

F. Severability, Governing Law, and Amendments

If any provision of this Easement is found to be invalid by a court of competent jurisdiction, by confirmation of an arbitration award or otherwise, the remainder of the provisions of this Easement shall not be affected thereby.

This Easement is governed by and subject to the laws of the State of New Hampshire.

This Easement may be amended upon the written agreement of the parties.

G. No Merger

1. The Grantor and Grantee explicitly agree that it is their express intent, forming a part of the consideration hereunder, that the provisions of the Easement set forth herein are to last in perpetuity, and that to that end no purchase or transfer of the underlying fee interest in the Property by or to the Grantee or any successor or assign shall be deemed to eliminate the Easement, or any portion thereof, granted hereunder under the doctrine of "merger" or any other legal doctrine.
2. The Grantor and Grantee by accepting and recording this Easement, agree to be bound by and to observe and enforce the provisions hereof and assume the rights and responsibilities herein granted to and incumbent upon them, all in the furtherance of the purposes for which this Easement is delivered.

[Signatures to follow]

EXECUTED this _____ day of _____, 2017.

EZRA GREEN'S FARM HOMEOWNERS' ASSOCIATION

Duly Authorized (sign and print)
Title:

Duly Authorized (sign and print)
Title:

STATE OF NEW HAMPSHIRE
COUNTY OF Strafford County

Personally appeared the above-named _____ and _____, known to me, or satisfactorily proven, to be the persons whose names are subscribed above, and acknowledges that they have executed the same for the purposes herein contained and with full authority to bind the Ezra Green's Farm Homeowners' Association.

Notary Public/Justice of the Peace
My Commission Expires:

ACCEPTED BY THE CITY OF DOVER AND ITS CONSERVATION COMMISSION:

CITY OF DOVER, NH

Witness

By _____
J. Michael Joyal, Jr., City Manager
Duly Authorized

STATE OF NEW HAMPSHIRE
STRAFFORD COUNTY

Personally appeared the above named J. Michael Joyal, Jr., duly authorized City Manager of the City of Dover, NH, who acknowledged the foregoing instrument as his voluntary act and deed. Before me,

Notary Public/Justice of the Peace
My Commission Expires:

CONSERVATION COMMISSION

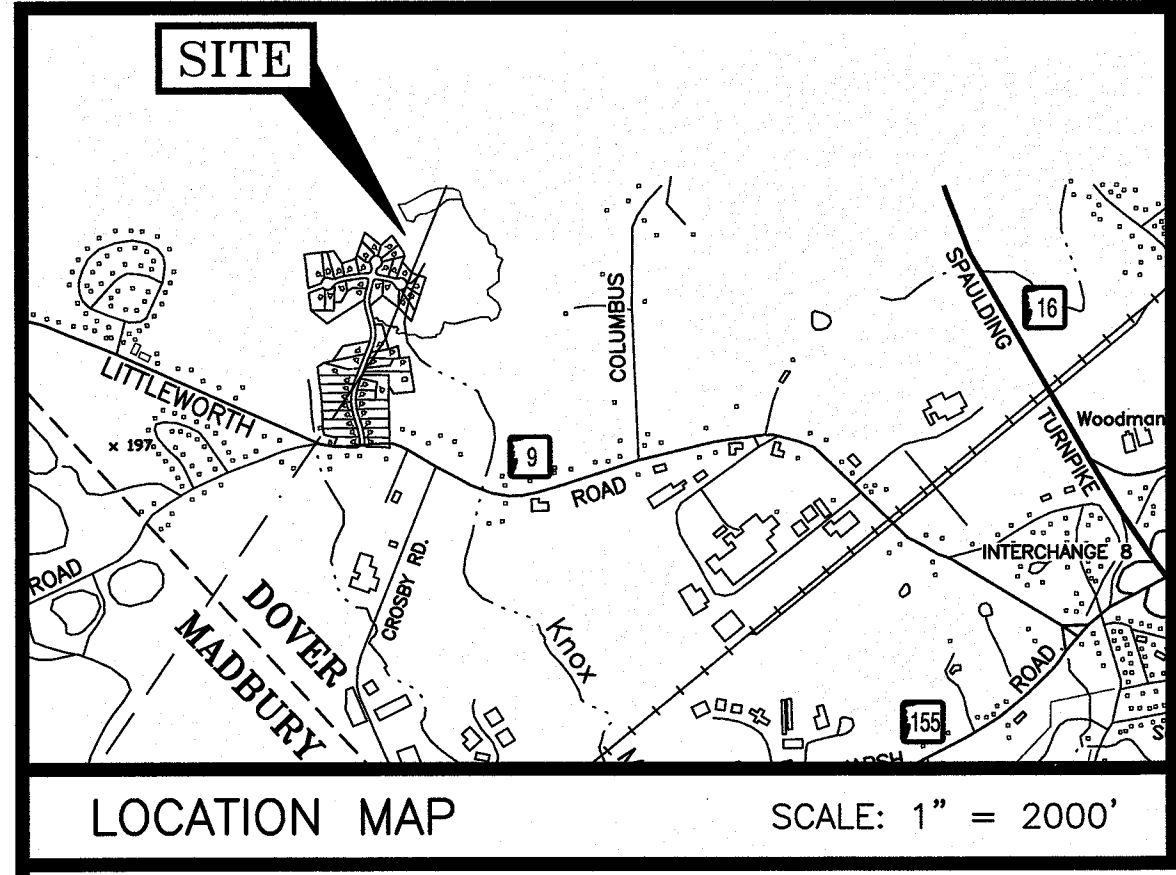
Witness

By _____
William Hunt, Chairman
Duly Authorized

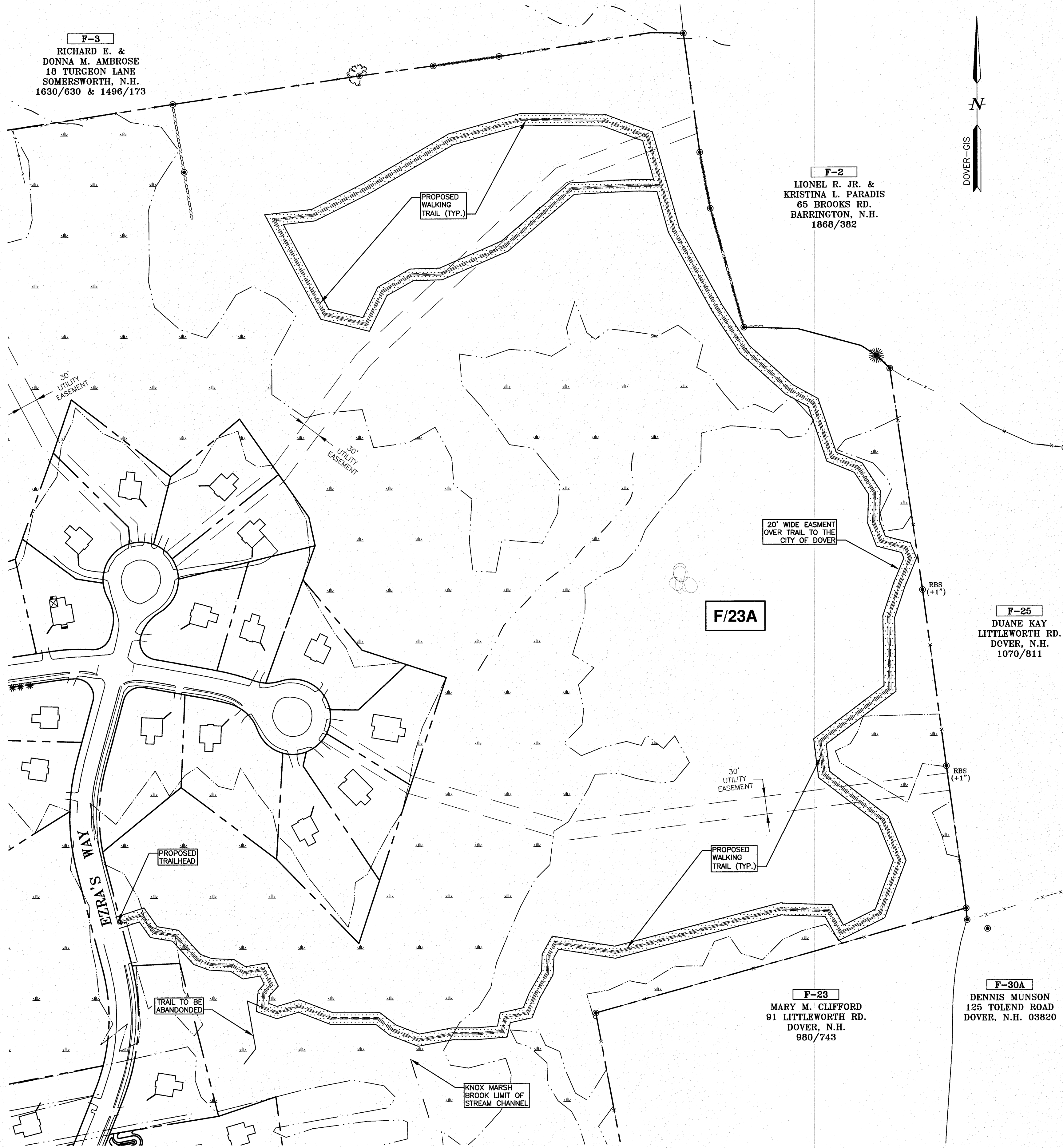
STATE OF NEW HAMPSHIRE
STRAFFORD COUNTY

Personally appeared the above named William Hunt, duly authorized Chairman of the Conservation Commission of the City of Dover, NH, who acknowledged the foregoing instrument as his voluntary act and deed. Before me,

Notary Public/Justice of the Peace
My Commission Expires:



- LEGEND:**
- N/F NOW OR FORMERLY
 - RP RECORD OF PROBATE
 - RCD ROCKINGHAM COUNTY
 - MAP 11/LOT 21
 - IP FND IRON PIPE FOUND
 - IR FND IRON ROD FOUND
 - IR SET IRON ROD SET
 - DH SET DRILL HOLE SET
 - RR SPK SET RAILROAD SPIKE SET
 - BND w/DH BOUND WITH DRILL HOLE
 - ST BND w/DH STONE BOUND w/ DRILL HOLE
 - FM FM FORCE MAIN
 - S S GRAVITY SEWER LINE
 - G G GAS LINE
 - D D STORM DRAIN
 - W W POTABLE WATER LINE
 - UE UE UNDERGROUND ELECTRIC
 - OVERHEAD ELECTRIC / WIRES
 - EDGE OF PAVEMENT (EP)
 - MHW MEAN HIGH WATER LINE
 - EDGE OF WETLAND
 - 100 CONTOUR
 - 97x3 SPOT ELEVATION
 - WOODS / TREE LINE
 - UTILITY POLE (w/ GUY)
 - ELECTRIC METER
 - GATE VALVE
 - CATCH BASIN
 - EDGE OF WETLAND FLAGGING
 - A-1 SITE PHOTO LOCATION/DIRECTION
 - 1 SIGN
 - TBM TEMPORARY BENCHMARK
 - TYP TYPICAL
 - FF FINISHED FLOOR ELEVATION
 - INV INVERT ELEVATION
 - CCP CORRUGATED PLASTIC PIPE
 - SC SLOPED GRANITE CURB
 - PSZ PROTECTED SHORELAND ZONE
 - EXPPOSED LEDGE



AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
200 Griffin Road, Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 436-2315

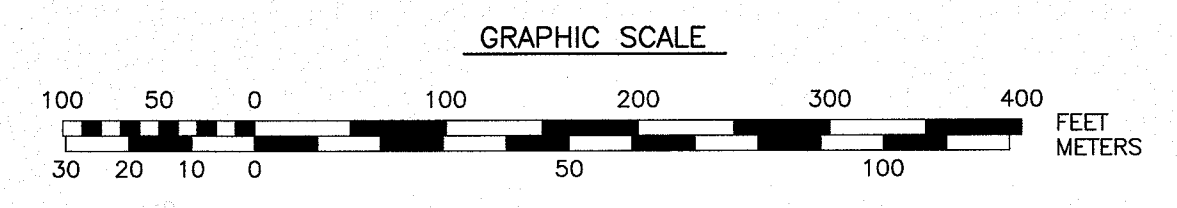
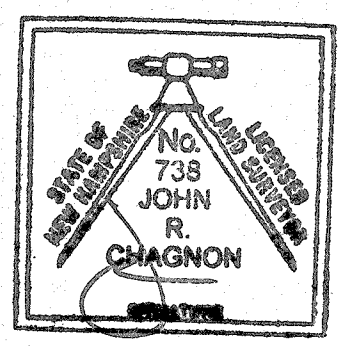
- NOTES:**
- 1) PARCEL IS SHOWN ON THE CITY OF DOVER ASSESSOR'S MAP F AS LOT 23/A.
 - 2) OWNER OF RECORD:
EZRA GREEN'S FARM HOMEOWNERS ASSOCIATION
P.O. BOX 1312
DOVER, NH 03820
3494/618
 - 3) LOT AREA: 63.47 AC / 2,764,753 SF
 - 4) PARCEL IS LOCATED IN THE RURAL RESIDENTIAL (R-40) ZONE.
 - 5) THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED 20' EASEMENT TO THE CITY OF DOVER FOR PUBLIC ACCESS TO THE TRAIL SYSTEM ON TAX MAP F LOT 23-A.
 - 6) WETLANDS VERIFIED AND/OR DELINEATED BY STEVEN D. RIKER (CWS #219) ON AUGUST 22, 2016 IN ACCORDANCE WITH THE FOLLOWING:
A) U.S. ARMY CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, TECHNICAL REPORT Y-87-1 (JAN. 1987) AND REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, NORTH CENTRAL AND NORTHEAST REGION, VERSION 2.0, JANUARY 2012.
B) FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES, VERSION 7.0, USDA-NRCS, 2010 AND (FOR DISTURBED SITES) FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND, VERSION 3. NEWPCC WETLANDS WORK GROUP (APRIL 2004).
C) NATIONAL LIST OF PLANT SPECIES THAT OCCUR IN WETLANDS: NORTHEAST (REGION 1), USFWS (MAY 1988).
 - 7) BOUNDARY LOCATIONS FROM PLAN SUPPLIED BY NORWAY PLAINS ASSOCIATES (USED WITH PERMISSION).

NO.	DESCRIPTION	DATE
1	ISSUED FOR RECORDING	12/14/16
0	ISSUED FOR APPROVAL	11/3/16
REVISIONS		

TRAIL EASEMENT PLAN
TAX MAP F - LOT 23A
EZRA GREEN'S FARM
HOMEOWNERS' ASSOCIATION
TO
THE CITY OF DOVER
PROPERTY LOCATED AT:
EZRA'S WAY
CITY OF DOVER
COUNTY OF STRAFFORD
STATE OF NEW HAMPSHIRE

I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

JOHN R. CHAGNON, LLS #738
DATE: 12/14/16





CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.A.9.

Resolution Number: **R – 2017.04.12 – 040**
Resolution Re: Acceptance of Sidewalk Easement.
White Mountain Subway, LLC

- WHEREAS: White Mountain Subway, LLC submitted a Site Plan for redevelopment of the property located at 45 Central Avenue in Dover which Site Plan was approved by the City; and
- WHEREAS: That the City of Dover and White Mountain Subway, LLC entered into a Development Agreement consistent with the terms of the Site Plan approval; and
- WHEREAS: Said Development Agreement includes a provision for White Mountain Subway, LLC to grant a sidewalk easement to the City as depicted on the Site Plan; and
- WHEREAS: That the Sidewalk Easement will allow the construction of a 5' wide sidewalk located in the Central Avenue right-of-way adjacent to the Subway property to continue onto an area of Subway's property and a temporary construction easement for the construction of the sidewalk running the entire length of the Central Avenue road frontage of the Subway property.

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

That the City accepts a sidewalk and temporary construction easement from White Mountain Subway, LLC regarding the property at 45 Central Avenue, and the City Manager is authorized to sign any necessary easement deed(s) and record said deed(s) in the Strafford County Registry of Deeds.

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.9. Resolution Number: R – 2017.04.12 – 040 Resolution Re: Acceptance of Sidewalk Easement. White Mountain Subway, LLC	

DOCUMENT HISTORY:

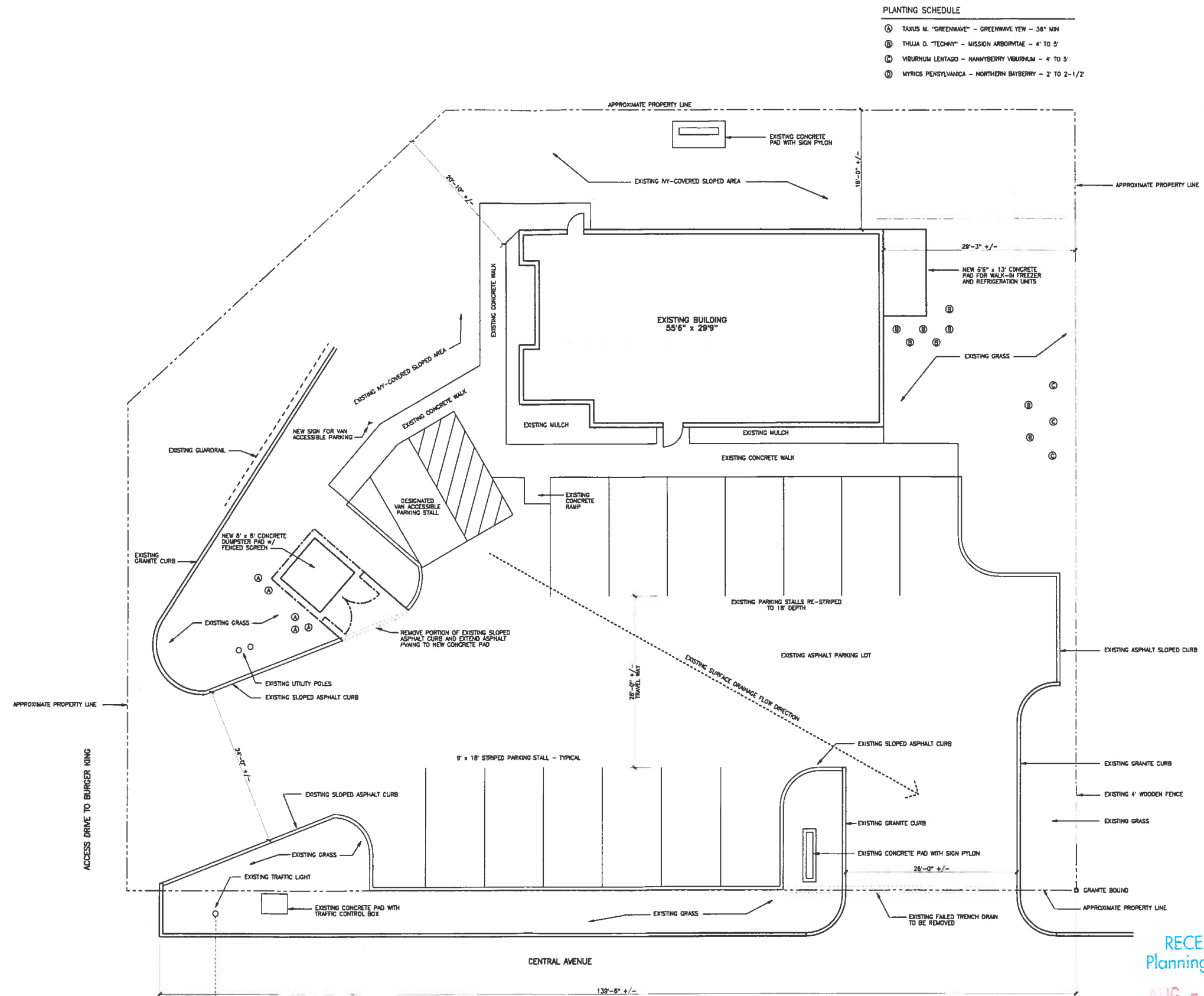
First Reading Date: Approved Date:	Public Hearing Date: Effective Date:
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DOCUMENT ACTIONS:

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 Marcia Gasses, 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:

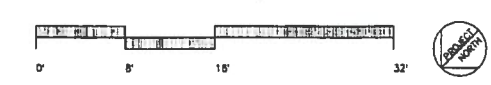
Please see Site Plan and draft Sidewalk Easement attached.



PLANTING SCHEDULE

Ⓐ	TAXUS N. "GREENWAVE" - GREENWAVE YEW - 36" MIN
Ⓑ	THUJA O. "TECHNY" - MISSION ARBORVITAE - 4' TO 5'
Ⓒ	VIBURNUM LENTAGO - NANNYBERRY VIBURNUM - 4' TO 5'
Ⓓ	MYRTIS PENSYLVANICA - NORTHERN BAYBERRY - 2' TO 2-1/2'

PROPERTY LINE INFORMATION EXTROPOLATED FROM
TITLE INSURANCE PLAN PREPARED FOR BURGER
KING CORPORATION, DATED 4 JUNE 1990, AS
PREPARED BY ALLAN H. SWANSON, INC.



RECEIVED
Planning Office
JUL 6 - 4 2016
Dover, New Hampshire

LAUER ARCHITECTS, P.A.
118 PACE HILL RD., GRAFTON, NH 03045
Tel. 603-487-8441
lauerarchitects@comcast.net

PROPOSED IMPROVEMENTS AT:
SUBWAY STORE #65950
45 CENTRAL AVENUE, DOVER, NH 03820

PROPOSED SITE
PLAN
@
1/8" = 1'-0"
DATE: JULY 8, 2016
FILE: 1839\SUBWAY\DOVER\SITE-R1
Copyright © 2016 by Lauer Architects
Professional Association, All rights reserved.
Any reproduction or disclosure of any information
in whole or part, without prior written consent
of the Architect is expressly prohibited.
SITE
SHEET 1 OF 1

SIDEWALK EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that White Mountain Subway, LLC, a New Hampshire Limited Liability Company of 377 Whittier Highway, Moultonborough, New Hampshire 03254, ("Subway") for consideration paid, grants to the City of Dover, a New Hampshire municipal corporation of 288 Central Avenue, Dover, New Hampshire 03820-4169 (the "City"), with quitclaim covenants a sidewalk easement for public use being part of land located at 45 Central Avenue, Dover, Strafford County, New Hampshire and being part of land conveyed from Gordon Tibbetts to White Mountain Subways, LLC by deed dated May 26, 2016, and recorded in the Strafford County Registry of Deeds at Book 4384, Page 523 ("Subway Property") and more particularly described as:

Beginning at the northwesterly corner of the Subway Property at land of Arc Cafeus a001, LLC (a/k/a Burger King) on the northeasterly side of Central Avenue; thence in a southeasterly direction along the northerly property line of the Subway Property a distance of six (6') feet, more or less; thence turning and running southwesterly parallel with the sideline of Central Avenue a distance of thirty (30') feet, more or less, to a point; thence turning to the right at a forty-five (45°) degree angle and running a distance of nine (9') feet, more or less, in a southwesterly direction to the sideline of Central Avenue; thence northeasterly along Central Avenue to the point of beginning.

Meaning and intending to grant a public sidewalk easement to allow the construction of a five (5') foot wide sidewalk around the existing concrete traffic control box pad and the existing traffic control light pole, both located in the Central Avenue right-of-way adjacent to the Subway Property.

This easement shall include a temporary construction easement for the construction of the sidewalk running the entire length of the Central Avenue road frontage of the Subway Property. The temporary construction easement shall be limited to ten (10') foot parallel to the Central Avenue road frontage of the Subway Property. The City agrees that it will repair or replace all damage to the Subway parking lot, painted parking lines, pavement, drainage structures and curbing caused by the construction of the sidewalk.

For claims alleging that, during the period of the City's use under this easement and/or during the term of this easement, unsafe conditions or hazards existed on the public sidewalk within the easement area and bodily injury, property damage, or other loss, cost, damage, or expense occurred to and/or was incurred or sustained by a third party, the City of Dover agrees to hold harmless and defend Subway, its heirs, successors and assigns (with an attorney(s) of the City's choosing), from such claims, provided that defense and indemnification shall be subject to a

maximum dollar limit of \$1 Million Dollars per occurrence and \$1 Million Dollars aggregate for the policy coverage period. The City of Dover agrees that Subway, its heirs, successors and assigns, shall not be responsible for the construction, repair or maintenance of the sidewalk.

This easement shall terminate six (6) months after the permanent removal, without replacement, of the existing concrete traffic control box pad and the existing traffic control light pole that would allow the sidewalk to be relocated into the Central Avenue right-of-way. The City agrees that if the existing concrete traffic control box pad and the existing traffic control light pole are removed without replacement, that the City shall relocate the sidewalk into the right-of-way at its own expense. The termination of this easement shall be witnessed by an affidavit signed by a duly authorized representative of the City, recorded in the registry of deeds, as to the removal of the existing concrete traffic control box pad and the existing traffic control light pole.

This conveyance is exempt from N.H. Real Estate Transfer tax pursuant to RSA 78-B:2,I.

Dated this 20 day of March, 2017.

White Mountain Subway, LLC

By: [Signature]
Print Name Jason McCloskey
Duly authorized Member

State of New Hampshire
County of Stafford

This instrument was acknowledged before me on 3/20/17 by Jason J. McCloskey as type of authority member of White Mountain Subway, LLC.

(Seal)



[Signature]
Notary Public / Justice of the Peace

Printed Name

My Commission Expires: 11/20/2018

Accepted as to all terms and conditions contained herein.

City of Dover

By: _____

Print Name: J. Michael Joyal, Jr., City Manager

Duly authorized

State of New Hampshire

County of Strafford

This instrument was acknowledged before me on _____ by J. Michael Joyal, Jr. as City Manager of the City of Dover, New Hampshire.

(Seal)

Notary Public / Justice of the Peace

Printed Name

My Commission Expires: _____



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R – 2017.04.12 – 041**
Resolution Re: DEOP

WHEREAS: This Dover School Board and representatives of the Dover Educational Office Personnel have been involved in negotiations for a collective bargaining agreement to supersede the Agreement which expires on June 30, 2017: and

WHEREAS: That the Dover School Board and the Dover Educational Office Personnel reached a tentative agreement as to the terms and conditions of a revised bargaining agreement.

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

The Dover School Board is hereby authorized to execute a three (3) year Collective Bargaining Agreement commencing on July 1, 2017 through June 30, 2020 with the Dover Educational Office Personnel.

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.B.1.

Resolution Number: **R – 2017.04.12 – 041**
Resolution Re: **DEOP**

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 Marcia Gasses, 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.B.1.

Resolution Number: **R – 2017.04.12 – 041**
Resolution Re: **DEOP**

RESOLUTION BACKGROUND MATERIAL:

The Dover School Board participated in negotiations with Dover Educational Office Personnel. Discussions started on November 9, 2016 bringing the contract to this point. There are 27 locally funded part and full time administrative assistants in the Dover School District. 24 are at the top step. Costs for the steps are approximately \$3,900.00 for FY18.

The summary of costs (included associated benefits) is as follows:

Dover School District—DEOP (Dover Educational Office Personnel) Tentative Agreement Cost Summary. Steps are no included in the total below, but will be awarded each year in addition to the cost of living adjustment below.

FY18	3%	\$ 29,670
Healthcare savings		(\$21,121)
PD Savings		<u>(\$ 4,500)</u>
Total Cost for FY18		\$ 4,049

FY19	3%	\$ 31,401
------	----	-----------

FY20	3%	\$ 32,261
------	----	-----------

Total Cost for 3 years		\$ 67,711
------------------------	--	-----------

Savings Item: In the proposed bargaining agreement, the District will change from an HMO plan to a Consumer Driver Health Plan (CDHP). Their contributions will decrease from 10% to 3%, however the cost to the District is lower providing savings listed above. In addition, DEOP agreed to reduce their professional development and tuition reimbursement funds from \$6,500 to \$2,000. They had not used more than \$2,000 from this fund in the past years. Even though the above financial information states savings from a change in health plan and from reduced professional development are realized in the first year of the contract, similar savings will be realized each year thereafter.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2017.04.12 – 042**
Resolution Re: Reprogram Unexpended CIP Appropriations and Award of B17037 Birchwood and Keating Reconstruction Project

WHEREAS: A Sealed Request for Bid B17037 was issued and received for the Birchwood and Keating Reconstruction Project on March 14, 2017 at 10:00am. A mandatory pre-bid meeting was conducted on February 28, 2017 at 10:00am with ten firms attending, along with representatives from the (NHDES) New Hampshire Department of Environmental Services; and

WHEREAS: Four replies were received and evaluated by city personnel and city hired Engineering Consultant. The low bid and offer deemed most advantageous to the City was submitted by Sargent Corporation of Stillwater ME for a bid amount of \$2,937,013.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The following available CIP unexpended appropriations are hereby reprogrammed from Water and Public Works projects to the Keating and Birchwood Reconstruction project for corresponding components of the project as follows:

Project Number	Project Description	Available Balance	Reprogram Adjustment	Adjusted Balance
WATER PORTION:				
5300.1.300.43320.4757.03583.15	Water Main – Oak & Broadway	125,000	(125,000)	0.00
5300.1.300.43320.4757.03551.13	Water Main – Court St	50,000	(50,000)	0.00
5300.1.300.43320.4757.03554.15	Water Main – Keating/ Birchwood	0.00	125,000	125,000
5300.1.300.43320.4757.03554.13	Water Main – Keating/Birchwood	0.00	50,000	50,000
	Total Available Funding	175,000	0.00	175,000
STREET/DRAINAGE PORTION:				
4014.1.300.43121.4751.03142.14	Tolend Road Reconstruction	493,428.69	(493,428.69)	0.00
4017.1.300.43121.4751.03176.17	Oak/Broadway area	2,500,000.00	(472,002.86)	2,027,997.14
4014.1.300.43121.4751.03163.14	Keating & Birchwood	0.00	493,428.69	493,428.69
4017.1.300.43121.4751.03163.17	Keating & Birchwood	0.00	472,002.86	472,002.86
	Total Available Funding	2,993,428.69	0.00	2,993,428.69

AND, FURTHER BE IT RESOLVED:

The Purchasing Agent is hereby authorized to issue a Purchase Order to Sargent Corporations of Stillwater ME for the reconstruction of Birchwood and Keating project at rates provided in conjunction with B17037. 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.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2017.04.12 – 042**
Resolution Re: Reprogram Unexpended CIP Appropriations and Award of
B17037 Birchwood and Keating Reconstruction Project

Financing

Account	Description	Appropriation	Balance
5320.1.300.43250.4741.04570.14	Sewer I&I	299,076.00	299,076.00
5320.1.300.43250.4741.04570.15	Sewer I&I	94,786.91	78,475.53
5320.1.300.43250.4741.04570.16	Sewer I&I	300,000.00	285,726.00
5300.1.300.43320.4757.03554.16	Water-Keating & Birchwood	550,000.00	436,519.00
5300.1.300.43320.4757.03531.17	Water-Keating & Birchwood	75,000.00	55,556.00
5300.1.300.43320.4757.03554.15	Water-Keating & Birchwood	125,000.00	125,000.00
5300.1.300.43320.4757.03554.13	Water-Keating & Birchwood	50,000.00	50,000.00
4016.1.300.43121.4751.03163.16	Streets Keating & Birchwood	984,327.35	704,760.45
4014.1.300.43121.4751.03163.14	Streets Keating & Birchwood	493,428.69	493,428.69
4017.1.300.43121.4751.03163.17	Streets Keating & Birchwood	472,002.86	472,002.86

NOTE: This resolution requires a Public Hearing and the public hearing must be duly advertised in a local newspaper 7 days prior to the public hearing. A 2/3 favorable vote of all members of the City Council is required for passage with the vote deferred until at least three (3) days after public hearing.

AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Mayor 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.B.2.

Resolution Number: **R – 2017.04.12 – 042**

Resolution Re: Reprogram Unexpended CIP Appropriations and Award of
B17037 Birchwood and Keating Reconstruction Project

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, Marcia Gasses, 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.B.2.

Resolution Number: **R – 2017.04.12 – 042**
Resolution Re: Reprogram Unexpended CIP Appropriations and Award of
B17037 Birchwood and Keating Reconstruction Project

RESOLUTION BACKGROUND MATERIAL:

The Dover City Council approved appropriations for these various CIP projects in the CIPs for Fiscal Years 2013 through 2017.

The Water Main Replacement Oak/Broadway Area (FY15 CIP) has not been undertaken by the City at this time and is available Water Fund bonding authorization and is being reprogrammed to the Water portion of the Keating & Birchwood Drive project.

The Water Main Replacement Court Street (FY13 CIP) has not been undertaken by the City at this time and is available Water Fund capital reserve authorization and is being reprogrammed to the Water portion of the Keating & Birchwood Drive project.

The Tolend Road reconstruction project (FY14 CIP) is completed, leaving unexpended bond proceeds available to be reprogrammed to the Street/Drainage portion of the Keating & Birchwood Drive project. For debt issuance compliance reasons (IRS arbitrage and rebate restrictions) it is in the City's best interest to reprogram a portion of these bond proceeds to the Keating & Birchwood Drive project

The Street Reconstruction Oak/Broadway Area (FY17 CIP) has not been undertaken by the City at this time and is available Street/Drainage bonding authorization and is being reprogrammed to the roadway and drainage portion of the Keating & Birchwood Drive project.

This resolution does not authorize any additional appropriation. The City Council previously authorized the appropriations for these various Sewer, Water, and Street/Drainage projects in earlier CIPs. This resolution does not authorize an increase in the indebtedness of the City. The Keating & Birchwood Drive reconstruction project is an approved CIP project.

This Keating & Birchwood project includes roadway and utility reconstruction for approximately 3,700 linear feet of urban residential roadway on Birchwood Place, Shamrock Lane, Keating Avenue, Emmet Road, Renaud Avenue and Hayes Lane in the City of Dover, New Hampshire. Work includes demolition, removal and proper disposal of all existing roadway courses and existing buried utilities, and construction of new full depth road reconstruction and new buried utilities. Sanitary sewer system improvements include new manholes, sewer main and service connections to each residence. Water system improvements include new water main, associated gate valves, hydrants, and service connections to each residence. Stormwater system improvements include a closed collection and conveyance system consisting of precast concrete catch basins and manholes, drainage pipe and associated BMP's. Work also includes maintaining utility service throughout construction, appurtenances, traffic control, erosion control and surface restoration. Existing underground gas service and existing overhead utilities (electric, telephone, cable) are to remain.

Final award of contract is pending approval by NH DES as they are providing \$1.1MM from the Clean Water State Revolving Fund Program, which includes 5% debt forgiveness for all sewer related work and 20% debt forgiveness for all stormwater improvements.



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.2.

Resolution Number: **R – 2017.04.12 – 042**

Resolution Re: Reprogram Unexpended CIP Appropriations and Award of
B17037 Birchwood and Keating Reconstruction Project

Bid Information:

A Sealed Request for Bid B17037 was issued and received for the Birchwood and Keating Reconstruction Project on March 14, 2017 at 10:00am

Award Information:

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

Purchasing Information:

Type:	Purchase Order	Advertised:	Yes
Invitations Mailed:	441	Number of Responses:	4
Warranty:	Per manufacturer	Terms:	Net 30, FOB Dover
Work Bonded:	Yes	Contract:	Yes
Prices will hold for:	Until Completion	Estimated Delivery:	As needed
Award to:	Sargent Corp	Fund:	CIP/NH Loan Fund
Other Approvals Required:	State of NH DES	References Checked:	Satisfactory
Previously Worked for City:	Yes	Reason for Council Approval:	Purchase to exceed the \$25,000 requiring Council approval

[B17037 Bid Documents and Vendor List](#)

3/17/2017

Since you chose Comcast as the only cable company we can have in Dover welcome to our Nightmare.

The customer service rates as F-. If you want to speak to a real person you have to pay an extra charge of \$5.99. This is crazy. They already get too much for the service they provide plus all the "other charges, taxes, surcharges, and fees." We should at least be able to talk to a real person about billing problems without having to pay more fees. How did we get an answer from Comcast. We have paid a bill we don't even owe so we don't get shot off and have to pay more Fees! George & Tina
Philbrick.