



**CITY OF DOVER**

## **CITY COUNCIL - AGENDA**

Meeting Type: **Regular Meeting**  
Meeting Location: **City Hall, Council Chambers**  
Meeting Date: **Wednesday, October 9, 2019**  
Meeting Time: **7:00pm**

- 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. KENO BALLOT QUESTION - "SHALL WE ALLOW THE OPERATION OF KENO GAMES WITHIN THE CITY OF DOVER?"**
  - B. SPORTS BOOK RETAIL BALLOT QUESTION - "SHALL WE ALLOW THE OPERATION OF SPORTS BOOK RETAIL LOCATIONS WITHIN THE CITY OF DOVER?"**
- 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. September 25, 2019 – Regular Meeting**
- 11. MAYOR'S REPORT**
- 12. UNFINISHED BUSINESS**
  - A. ORDINANCES IN THE 2<sup>nd</sup> READING**
  - B. ORDINANCES IN THE 3<sup>RD</sup> READING**



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### **C. RESOLUTIONS**

- 1. REPROGRAM UNEXPENDED BOND PROCEEDS FROM VARIOUS COMMUNITY SERVICES – PUBLIC WORKS PROJECTS TO BROADWAY DRAINAGE SYSTEMS IMPROVEMENT PROJECT (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL.)**  
SPONSORED BY MAYOR WESTON BY REQUEST

### **13. NEW BUSINESS**

#### **A. CONSENT CALENDAR**

- 1. RAFFLE – Dover High Football Boosters**
- 2. PUMP STATION CLEANING SERVICES**  
SPONSORED BY MAYOR WESTON BY REQUEST

### **COMMITTEE REPORTS**

- |                                         |                                                                                              |
|-----------------------------------------|----------------------------------------------------------------------------------------------|
| 1. School Board                         | 16. Pool Advisory Committee                                                                  |
| 2. Planning Board                       | 17. Recreation Advisory Board                                                                |
| 3. 400th Anniversary Committee          | 18. Solid Waste Advisory Commission                                                          |
| 4. Appointments Committee               | <b>19. Transportation Advisory Commission</b>                                                |
| 5. Arena Commission                     | <b>20. Waterfront TIF Advisory Board</b>                                                     |
| 6. Arts Commission                      | <b>21. Joint Building Committee – Dover High School and Regional Career Technical Center</b> |
| 7. Conservation Commission              | <b>22. Joint Building Committee Garrison Elementary School</b>                               |
| 8. Downtown TIF Advisory Board          | <b>23. COAST</b>                                                                             |
| 9. Energy Commission                    | <b>24. Cocheco Waterfront Development Advisory Committee</b>                                 |
| 10. Heritage Commission                 | <b>25. Dover Main Street</b>                                                                 |
| 11. Legislative Liaison                 | <b>26. Strafford Regional Planning Commission</b>                                            |
| 12. Library Board of Trustees           | <b>27. Tri-City Homelessness Task Force</b>                                                  |
| 13. McConnell Center Advisory Committee |                                                                                              |
| 14. Ordinance Committee                 |                                                                                              |
| 15. Parking Commission                  |                                                                                              |

#### **B. RESOLUTIONS**

#### **C. ORDINANCES IN 1<sup>ST</sup> READING**

### **14. COUNCIL CORRESPONDENCE**

### **15. COUNCIL MATTERS OF INTEREST**

### **16. ADJOURN**

# City Manager's Report

October 9, 2019

Reporting on September 2019



## Legal Department

**Joshua Wyatt, City Attorney**

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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.

|                                                           | For Month | FY20 | FY19 | FY18 |
|-----------------------------------------------------------|-----------|------|------|------|
| <b>Legal Matters/Questions Handled</b>                    | 42        | 143  | 342  | 456  |
| <b>Document Creation &amp; Review Including Contracts</b> | 17        | 57   | 269  | 259  |
| <b>Right to Know Requests Processed</b>                   | 05        | 11   | 41   | 94   |
| <b>Resolutions</b>                                        | 08        | 21   | 53   | 67   |
| <b>Ordinances</b>                                         | 00        | 02   | 18   | 10   |
|                                                           |           |      |      |      |

### Customer Focused Outcomes: Right to Know Requests

- Dover = School Bus Route Change, Stocklan Circle
- Virginia = Property Tax Bills, 140 Washington Street, 6-8 Atkinson
- Dover = Water Inspection Report, 108 Henry Law Avenue
- Washington, DC = 2018 Primary and 2018 Midterm Elections
- Somersworth = Complaints and Violations, 35-37 Belknap Street

## Product & Process Outcomes: Assistance to City Departments

|                    |                                                                                                                                                                                                                                                                 |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| City Council       | Attention to resolutions and ordinances; General Code Recodification tasks;                                                                                                                                                                                     |
| Community Services | Assistance with easements and deeds; Compliance and enforcement; water/sewer issues;                                                                                                                                                                            |
| Executive          | Assistance with compliance questions; Answer HR compliance questions and policy drafting; Assistance with HR employee issue;                                                                                                                                    |
| Fire & Rescue      | Compliance inquiries; Review HIPPA matters; subpoenas;                                                                                                                                                                                                          |
| Finance            | Prepare and review various contracts, track and file City claims with Primex; address bankruptcy notices; Audit letter; Assistance with parcel classification system and review of tax exemption applications; Assistance with City Clerk compliance questions; |
| Planning           | Assistance with various agreements, easements, licenses, resolutions; Compliance assistance and research;                                                                                                                                                       |
| Police             | Assistance with cost reimbursement; Additional questions;                                                                                                                                                                                                       |
| Public Library     | No legal assistance needed.                                                                                                                                                                                                                                     |
| Public Welfare     | No legal assistance needed.                                                                                                                                                                                                                                     |
| Recreation         | No legal assistance needed.                                                                                                                                                                                                                                     |
| School             | Assistance with contract issues and compliance questions; Assistance with Dover High School matters;                                                                                                                                                            |
| Committees         | No legal assistance needed.                                                                                                                                                                                                                                     |

## Financial Outcomes: Litigation

### **Ventas Realty Limited Partnership v. City:**

**(2014 tax year)** Bench Trial held June 2018. Ruling in favor of City received. Plaintiff filed Motion for Reconsideration, denied by Strafford County Superior Court. Case appealed to NH Supreme Court. Brief filed by Appellant.

**(2015 tax year)** City filed Answer to Petition for Abatement with Certified Record; City filed Case Structuring and ADR Order. Case stayed pending resolution of 2014 case.

**(2016 tax year)** City served with complaint. Case stayed pending resolution of 2014 case.

**(2017 tax year)** Complaint filed with Court on August 28, 2018 and served on City September 24, 2018.

**(2018 tax year)** Complaint filed with Court and served on the City September 10, 2019.

**Opioid Epidemic Litigation:** Retained services of Robbins Geller of Boca Raton, Florida for fraudulent marketing practices of pharmaceutical manufacturers. Suit filed in USDC in Concord. Certain settlement activity with respect to certain defendants.

**Shawn Labrie v. City of Dover Office of Assessor** – Case pending in Strafford County Superior Court. File sent to outside counsel. Trial scheduled November 2019. Tentative settlement reached and being drafted/executed.

**McQuade Realty, Inc v. JAD Investments LLC & City:** City Attorney filed an Answer and Appearance. File sent to outside counsel.

**Industrial Tower & Wireless, LLC v. City:** ITW claims that the City has unreasonably restricted construction of wireless facilities. Complaint dated 01.17.2019 filed with the US District Court in Concord. Settlement in progress.

**City V. Cocheco Falls Associates, LP:** City filed a Complaint in Strafford County Superior Court for Damages and Request for Declaratory Relief regarding the Cocheco Falls Dam Lease Agreement. Case mediated August 2019 and settled September 2019.

**Little Tree Education, LLC et al v. City:** Received Summons and Complaint on 4/15/19. File sent to outside counsel. Attended hearing on merits in July 2019. Order affirming ZBA received in September 2019. Handled by outside counsel.

**Mary Hebbard v. City of Dover, John & Karen Brough and Ryan Colbath:** Served on City on 4.17.2019. File sent to outside counsel. Attended injunction hearing in July 2019.

*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.*

# Dover Business & Industrial Development Authority

by Daniel Barufaldi

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## Leadership & Governance Outcomes:

### Summary:

Business activity in the region continued to expand at a modest rate with some exceptions. The automotive sector reported sales declines as did the manufacturing sector. Recent restaurant activity was reported as up moderately in late-Q3 with City assisted sales help. Several downtown retailers reported declining sales due to parking problems or development limited access to their places of business. Staffing firms also reported a decline in revenue due primarily to a lack of qualified candidates. Commercial real estate activity, including multifamily/ mixed use projects continued to be strong regionally and locally. Residential real estate markets saw some decreases in closed sales due to lack of inventory and increases in median sales prices. The Dover unemployment rate rose slightly to 2.2%. Planned modest wage increases are gaining momentum with prices increasing slightly to moderately in most sectors (3.0-3.5 %). Most contacts expect modest further growth consistent with recent results going forward. Recent stock market volatility due to trade war fears and political uncertainties are being experienced when combined with strong fundamentals. Most recently the US economy is growing at a record pace (GDP growth at 2.6% over Q3, but declining to 2% over the course of 2019) with tariff and trade policy concerns. Mortgage interest rates most recently are falling within narrow ranges. The recent Fed quarter point rate reduction is not expected to materially affect mortgage rates further. Downtown bars and restaurants are experiencing a good weather uptick in performance this month with a few suffering from increased competition and rising lease costs. Amazon online retail is having a significant negative affect on local retail revenues. The most marketing savvy establishments are experiencing some sales growth aided by the multiple marketing events cosponsored and implemented by DBIDA, Dover Main Street, the Chamber of Commerce and the Dover Retail Committee. Retailers reported that despite the sales declines, they continue to be helped by the First Fridays Art Walk events, the Dover Arts Festival and other events with the cooperation of virtually all merchants, City wide. Service providers are generally faring better than product retailers.

### Selected Business Services:

Demand for consulting and advertising is up moderately over last year at this time. Software and IT services providers are experiencing slightly increased activity as walk-in convenient care centers and stand- alone ER's are being added. Some consolidation is now being experienced in the institutional healthcare sector. Wentworth Douglas Hospital's merger with Mass General and possibly Exeter is part of an overall consolidation trend in institutional healthcare. This is expanding the range of medical specialties available to the Dover market. WDH has opened a medical practice facility at the Pease Development Authority and has another urgent care center planned on a Dover Point Rd. site.

Portsmouth Regional Hospital has opened a stand-alone ER building at Exit 7 in Dover. 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 reform 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.

Local walk-in healthcare centers are hiring strongly as these in- demand skill sets become available. Predictions for 2019 revenue growth in the services sector are in the 4% range.

Office and Administrative Support, Food Preparation and Related Serving, and Healthcare Practitioners and Technical occupations in Dover all exceed the national average while Computer and Mathematical occupations are the fastest growing in Dover having grown by 475 jobs year over year.

## **Commercial Real Estate:**

Non-residential commercial real estate sales activity continued with modest sustained growth locally, and with flat activity in the Portland markets and declines in Connecticut. Boston and Rhode Island markets rebounded somewhat in this period... Demand locally has remained positive with several local commercial developments, mixed use infill, multifamily and assisted living investment projects coming to fruition. New build costs for needed 20,000 SF – 30,000 SF manufacturing/ assembly/ warehouse/ office spaces at Enterprise Park are causing sticker shock for several prospects and delaying project initiation with two breakthrough projects beginning to buck the trend this coming month. Accelerator units of 1,200 – 2,500 SF are sorely needed to house small post startup companies to get underway and to grow in Dover. The Orpheum co-worker space will help alleviate this problem. Office leasing continued to improve slightly 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 significant amount of speculative office construction as part of mixed use building is now being done. Some recent mixed use developments that were experiencing difficulty in filling the commercial component while booking the residential component immediately have now filled their commercial space. The lending environment remains highly favorable to borrowers, with historically low, and now decreasing, interest rates but with somewhat 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. 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 optimistic across the region. Forecasts call for more slow but steady improvement in fundamentals moving forward, pending steady employment growth. Fiscal policy and uncertainty around the business and employment effects of the Healthcare Bill 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 Fosters building at 333 Central Ave. project is currently going forward with additional new construction observed. The Robbins building downtown sold to Cathartes who is

now well along in the process of building all of the above ground stories for a full block mixed use development. Occupancy is scheduled for early 2020.

See Local Major Development Projects Section below.

## **Residential Real Estate:**

Residential real estate markets recently contributing strong performance on the Seacoast, have once again begun to improve somewhat. Home buyer confidence still appears to be there. Completed sales of single family homes increased year-over-year in Q1 and Q2 but Q3 and Q4 unit sales in 2017 declined slightly and 2018 unit sales declined slightly due to lack of inventory but dollar sales were up due to the increase in prices. Rising prices are convincing sellers to put homes on the market but interest rates have now declined once again removing some of the "buy now" pressure in the market. Median selling prices continue to rise locally and are up 9.7% year-over-year 2017-2018. Condo sales though somewhat mixed regionally, are up slightly locally as well, as are condo pricing and pending sales. Closed unit sales of both single family homes and condominiums declined very slightly over the past month. Median sale prices in NH and in Dover increased again in the period for single family homes to the \$387,000 range. Pending sales suggest the markets for single family houses and condos will continue, though somewhat abated, throughout 2019 with a probable more significant pause in growth late in 2020 or early 2021.

## **Manufacturing & Related Services:**

Most local manufacturers supplying domestic markets are now reporting mixed results with 25% reporting significant market weakness. One point-of-purchase systems supplier is experiencing sales increases significant enough to require some out sourcing of production but may move to consolidate operations at their Massachusetts HQ. Local manufacturing has grown 400 jobs this year. Exporters to both Europe and China are concerned with the UK exit from the EU and most world economies are not doing as well and that softens support for the US economy. The Chinese economy has slowed with China's GDP still growing, but at a much reduced rate and their investment in infrastructure and equipment, often purchased here, is down significantly. Some concern exists that the new administration's "America First" policies and import tariffs will negatively affect exports significantly and that has begun. While the tax reform law is expected to make exporting US companies more competitive internationally, it is not compensating fully for the negative tariff sanctions on exports to China. The negative tariff situation VS, China is estimated at only 4.5 % in adverse costs so far, but depending on the outcome of pending trade talks with China, 25% tariffs on over \$400 million in Chinese goods sales in the US is about to go into effect with another 10% tariff on Chinese consumer goods just announced. Currently, local manufacturers are experiencing slowing export sales. It is hoped that the recently rejoined trade talks with China will produce a deal acceptable to both countries. The North Korean situation ups and downs make it difficult to assess the effects they will cause in world-wide markets and economies should they become a world player in foreign markets. Other uncertainties surrounding the federal administration change are evident in local manufacturers, including a relaxation of the regulatory constraints on businesses that will reduce costs. It is expected that the relaxation of coal power plant emissions by the EPA will add capacity and reduce some costs at peak use periods for local electrical energy. Local manufacturers are still slightly uncertain about the tax reform package but are encouraged by the most recent amended tax reform law passed.

Pickup truck, SUV and auto sales have declined again in September. Locally we are seeing some confidence in future auto sales expressed in two large dealership expansion and upgrade investments on Dover Point Road. Dealership auto inventories on site are growing. Manufacturing firms reporting on inventory levels are citing higher levels. Most contacts in the manufacturing sector indicate that both staffing levels and wage growth are now headed up at a modest pace. Capital investment is up locally except for some new builds being deferred due to building costs exceeding the value of the completed building at present. Foreign investment in the US is growing rapidly due to the uncertainties rampant in the Chinese, Brazilian, Venezuelan and European economies and the pro-business messages from the new administration. Locally, Safran and Albany International businesses are now seeing an uptick and are hiring again when qualified workers can be found. Some major capital spending projects are underway and some about to be announced. A number of other commercial projects are currently underway or about to be underway during this building season. Outlook for the balance of the year remains positive. Very few existing manufacturing buildings in the 20,000-30,000 SF range have become available locally. The Silver Square development is now well underway with Phase II progress on this \$50 million dollar development.

Price pressures remain moderate. Regional manufacturers are now governed by caution and uncertainty.

Labor demand has been strong in IT and software. 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 higher property taxes, new buildings, electricity and water is folded into the mix. New initiatives with the Greater Dover Chamber of Commerce Education Committee, Dover high School CTC, Great Bay Community College, Somersworth High School CTC and UNH for BIZED Connect are underway with the new DBIDA Board member assignments. Recent reductions in the NH BPT and EPT are being maintained by the Governor's veto. The FY2019 property tax increase with an over the tax cap budget from the School District is causing concern at several local businesses when combined with high electric energy costs and water processing costs. Some expect demand for commercial real estate to slow in late 2019 or early 2020.

## **Retail & Tourism:**

Retailers contacted for this period report year-over-year store sales off by high single digit percentages. The uncertainty about the effect of the tax reform law on household income and the issues of the effect on healthcare coverage and cost have faded to some degree. The recent gasoline price volatility (now in a lower price cycle), has had no discernible effect yet on hotel and restaurant sales so far. A significant increase in military spending is having 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 Dover hotels and having dinner in Dover instead of Portsmouth. On-line shopping has exacerbated erratic monthly sales results for brick and mortar retail stores. Many regional malls are being repurposed to other uses, including residential development. Many retailers are making infrastructure investments to participate more fully in on-line sales with on-site drive through pick up points. The decline in the large shopping malls may begin to help our small retailers in Dover with people looking for unique products and personal customer service. Bus tours to Dover are fully booked for 2019. Pricing that has remained steady up to now, is beginning to be affected by wage rate

increases for experienced retail clerks and wait staff and is beginning to force prices to rise or margins to decline at local restaurants.

## **Employment and Wages:**

Local labor market pressure sustained in September, coming out of a flat first quarter. Dover's current unemployment rate is 2.2 %. Salary increases for highly skilled employees are increasingly frequent as retention and attraction efforts multiply to sustain growing sales.

Lack of STEM skills and drug test failures by prospective employees are real limits to the potential hiring pool.

Wages for wait staff and experienced retail workers have begun to move upward. 2018 wage gains averaged 3.5% and something in the 4. 0% range is expected in 2019.

Restaurants are expressing concern about labor shortages.

In the higher skill set categories; engineers, paramedics, physician's assistants and nurses are in short supply and are commanding top salaries and temporary living subsidies for those traveling to the region to work.

## **Local Major Development Projects:**

- First Street Development Phase 2 is underway
- Third Street Development is nearing completion.
- Silver Square Development: Phase 1 completion, Phase 2 underway.
- 49,000 SF at 27 Production Drive has been sold.
- Cathartes Project (upper stories being built).
- Well over \$100,000,000 in Dover development underway.
- Enterprise Park Developments suffering from "sticker shock" for new builds. Two projects expected to begin in 2019.
- Fosters Building sold for \$1.5 million / Kostas Brothers (renovation in process).
- The Old courthouse Building on First and 2<sup>nd</sup> may now be renovated for a mixed use facility. Currently again on the market.
- 6 Grove St. Project is underway but paused.
- The Fosters building on Venture drive is up for sale.
- Bradley Commons Phase 2.

## Parking Division

### Meter Activity

|                                     | August 2019 | August 2018 | August 2017 |
|-------------------------------------|-------------|-------------|-------------|
| Meter Transactions                  | 44,511      | 45,420      | 43,727      |
| Income from Meters - Total          | \$66,377    | \$61,418    | \$56,103    |
| Income from Meters – Parking Garage | \$6,563     | \$4,769     | -           |
| Meter Days                          | 22          | 23          | 23          |
| Average Meter Transactions Per Day  | 2,023       | 1,975       | 1,782       |
|                                     |             |             |             |

|                                    | Fiscal YTD 2020 | Fiscal Year 2019 | Fiscal Year 2018 |
|------------------------------------|-----------------|------------------|------------------|
| Meter Transactions                 | 86,557          | 466,721          | 449,144          |
| Income from Meters - Total         | \$131,172       | \$648,806        | \$593,031        |
| Meter Days                         | 44              | 249              | 250              |
| Average Meter Transactions Per Day | 1,967           | 1,874            | 1,797            |
|                                    |                 |                  |                  |

### Electric Vehicle Charging Stations

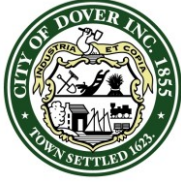
| Month       | Number of Times Charging Stations Used | Amount Added to Parking Activity Fund |
|-------------|----------------------------------------|---------------------------------------|
| April 2019  | 17                                     | \$47.00                               |
| May 2019    | 24                                     | \$73.00                               |
| June 2019   | 20                                     | \$55.00                               |
| July 2019   | 31                                     | \$88.00                               |
| August 2019 | 18                                     | \$44.00                               |

## COAST

### Ridership Activity

| Month          | Route 1 | Route 2 | Route 33 (FasTrans) |
|----------------|---------|---------|---------------------|
| August 2018    | 5,272   | 16,055  | 1,063               |
| September 2018 | 4,503   | 13,291  | 1,086               |
| October 2018   | 5,618   | 16,595  | 1,245               |
| November 2018  | 5,193   | 15,055  | 1,107               |
| December 2018  | 5,049   | 14,655  | 899                 |
| January 2019   | 5,221   | 14,432  | 1,067               |
| February 2019  | 4,796   | 13,479  | 1,103               |
| March 2019     | 5,336   | 15,429  | 1,161               |
| April 2019     | 5,704   | 16,278  | 1,243               |
| May 2019       | 6,349   | 17,047  | 1,350               |
| June 2019      | 5,461   | 15,617  | 1,143               |
| July 2019      | 6,021   | 16,014  | 1,175               |
| August 2019    | 6,891   | 17,042  | 1,231               |
|                |         |         |                     |

J. MICHAEL JOYAL, JR.  
CITY MANAGER

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| CITY COUNCIL - MINUTES                                                                                        |                                                                                                                                                                                                                                                                                                                                 |                        |  |               |                 |                   |                             |               |                               |               |        |
| Meeting Type:                                                                                                 | Regular Meeting                                                                                                                                                                                                                                                                                                                 |                        |  |               |                 |                   |                             |               |                               |               |        |
| Meeting Location:                                                                                             | City Hall, Council Chambers                                                                                                                                                                                                                                                                                                     |                        |  |               |                 |                   |                             |               |                               |               |        |
| Meeting Date:                                                                                                 | Wednesday, September 25, 2019                                                                                                                                                                                                                                                                                                   |                        |  |               |                 |                   |                             |               |                               |               |        |
| Meeting Time:                                                                                                 | 7:00pm                                                                                                                                                                                                                                                                                                                          |                        |  |               |                 |                   |                             |               |                               |               |        |

## 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 Muffett-Lipinski, Councilor Shanahan, Councilor Thibodeaux, and Councilor Williams.

**Absent:** Councilor Keane.

**Also Present:** City Manager Joyal, City Attorney Wyatt, and City Clerk Mistretta.

## 5. PROCLAMATIONS/AWARDS

## 6. APPROVAL OF AGENDA

Deputy Mayor Carrier moved to substitute as a whole Item 13.A.6.

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

Vote: 8/0.

## 7. PUBLIC HEARINGS

- A. REPROGRAM UNEXPENDED BOND PROCEEDS FROM VARIOUS COMMUNITY SERVICES – PUBLIC WORKS PROJECTS TO BROADWAY DRAINAGE SYSTEMS IMPROVEMENT PROJECT  
(REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL.)  
(CITY COUNCIL VOTE TO OCCUR ON OCTOBER 9, 2019.)  
SPONSORED BY MAYOR WESTON BY REQUEST**

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

## 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.*

**Donald Medbery. 3 Covered Bridge Lane:** He spoke about the staff changes at the Dover Pool, and his wish to have the situation investigated.

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| CITY COUNCIL - MINUTES                                                                                        |                                                                                                                                                                                                                                                                                                                                 |                        |  |               |                 |                   |                             |               |                               |               |        |
| Meeting Type:                                                                                                 | Regular Meeting                                                                                                                                                                                                                                                                                                                 |                        |  |               |                 |                   |                             |               |                               |               |        |
| Meeting Location:                                                                                             | City Hall, Council Chambers                                                                                                                                                                                                                                                                                                     |                        |  |               |                 |                   |                             |               |                               |               |        |
| Meeting Date:                                                                                                 | Wednesday, September 25, 2019                                                                                                                                                                                                                                                                                                   |                        |  |               |                 |                   |                             |               |                               |               |        |
| Meeting Time:                                                                                                 | 7:00pm                                                                                                                                                                                                                                                                                                                          |                        |  |               |                 |                   |                             |               |                               |               |        |

## 9. CITY MANAGER'S REPORT

City Manager Joyal submitted his report in writing. He informed the Council that the State has a compromised budget agreement, which includes additional money to the City for School and City. He referred the Council to Page 50 of the Report and went over the employee anniversaries.

City Manager Joyal said both the City Council and Planning Board will be meeting on October 16, 2019 in a workshop session regarding the Capital Improvements Program (CIP).

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

Vote: 8/0.

## 10. APPROVAL OF MINUTES

### A. September 11, 2019 – Regular Meeting

Deputy Mayor Carrier moved for the approval of the Minutes; seconded by Councilor Thibodeaux.

Vote: 8/0.

## 11. MAYOR'S REPORT

Mayor Weston listed the events she attended: First organizational meeting of the Homeless Commission, Climate Change Forum in Durham, Naturalization Ceremony, toured the new Orpheum Building, attended the Children's Home Picnic, Dover High School ribboncutting, and the Strand 100<sup>th</sup> Anniversary.

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

Vote: 8/0.

## 12. UNFINISHED BUSINESS

### A. ORDINANCES IN THE 2<sup>nd</sup> READING

### B. ORDINANCES IN THE 3<sup>RD</sup> READING

### C. RESOLUTIONS

## 13. NEW BUSINESS

### A. CONSENT CALENDAR

#### 1. BLOCK PARTY – Grove Street Halloween Party



**CITY OF DOVER**

## CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**  
Meeting Location: **City Hall, Council Chambers**  
Meeting Date: **Wednesday, September 25, 2019**  
Meeting Time: **7:00pm**

2. **BLOCK PARTY – Sit, Stay, Smile, Pet Photography**
3. **PARADE – Dover Children’s Center – Holiday Parade**
4. **PARADE – Dover Dog Howloween Parade**
5. **ROAD RACE – Dover Middle School Pumpkin Dash 5k**
6. **RAFFLE – American Legion Auxiliary Unit 8**
7. **RAFFLE – First Parish Church**
8. **RAFFLE – Pope Memorial Humane Society**
9. **RAFFLE – St. Thomas’ Episcopal Church**
10. **TAG – Dover Little Green Football, Inc.**
11. **APPROVE BARBADOES POND LEASE EXTENSION/RENEWAL**  
SPONSORED BY MAYOR WESTON BY REQUEST

### COMMITTEE REPORTS

- |                                                |                                                                                          |
|------------------------------------------------|------------------------------------------------------------------------------------------|
| 1. School Board                                | 15. <b>Parking Commission</b>                                                            |
| 2. Planning Board                              | 16. <b>Pool Advisory Committee</b>                                                       |
| 3. 400th Anniversary Committee                 | 17. <b>Recreation Advisory Board</b>                                                     |
| 4. Appointments Committee                      | 18. <b>Solid Waste Advisory Commission</b>                                               |
| 5. Arena Commission                            | 19. Transportation Advisory Commission                                                   |
| 6. Arts Commission                             | 20. Waterfront TIF Advisory Board                                                        |
| 7. Conservation Commission                     | 21. Joint Building Committee – Dover High School<br>and Regional Career Technical Center |
| 8. Downtown TIF Advisory Board                 | 22. Joint Building Committee<br>Garrison Elementary School                               |
| 9. Energy Commission                           | 23. COAST                                                                                |
| 10. <b>Heritage Commission</b>                 | 24. Dover Main Street                                                                    |
| 11. <b>Legislative Liaison</b>                 | 25. Strafford Regional Planning Commission                                               |
| 12. <b>Library Board of Trustees</b>           | 26. Tri-City Homelessness Task Force                                                     |
| 13. <b>McConnell Center Advisory Committee</b> |                                                                                          |
| 14. <b>Ordinance Committee</b>                 |                                                                                          |

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

Mayor Weston asked the Council if they had items they would like pulled for further discussion.

Mayor Weston pulled Item 13.A.11.

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

Vote: 8/0.

Deputy Mayor Carrier moved for the adoption of Item 13.A.11.; seconded by Councilor Ciotti.

Roll Call Vote: 8/0.

Councilor Shanahan gave an overview of the Legislative Liaison Report to the Council.

Deputy Mayor Carrier moved to accept the Legislative Liaison Report; seconded by Councilor Thibodeaux.

Vote: 8/0.

|                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |                        |                   |                                    |               |                                      |               |               |
|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------|-------------------|------------------------------------|---------------|--------------------------------------|---------------|---------------|
|  <p><b>CITY OF DOVER</b></p> | <h2 style="text-align: center; background-color: #2e5496; color: white; padding: 5px;">CITY COUNCIL - MINUTES</h2> <table border="0" style="width: 100%;"> <tr> <td style="width: 30%;">Meeting Type:</td><td><b>Regular Meeting</b></td></tr> <tr> <td>Meeting Location:</td><td><b>City Hall, Council Chambers</b></td></tr> <tr> <td>Meeting Date:</td><td><b>Wednesday, September 25, 2019</b></td></tr> <tr> <td>Meeting Time:</td><td><b>7:00pm</b></td></tr> </table> | Meeting Type: | <b>Regular Meeting</b> | Meeting Location: | <b>City Hall, Council Chambers</b> | Meeting Date: | <b>Wednesday, September 25, 2019</b> | Meeting Time: | <b>7:00pm</b> |
| Meeting Type:                                                                                                 | <b>Regular Meeting</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                        |                   |                                    |               |                                      |               |               |
| Meeting Location:                                                                                             | <b>City Hall, Council Chambers</b>                                                                                                                                                                                                                                                                                                                                                                                                                                           |               |                        |                   |                                    |               |                                      |               |               |
| Meeting Date:                                                                                                 | <b>Wednesday, September 25, 2019</b>                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                        |                   |                                    |               |                                      |               |               |
| Meeting Time:                                                                                                 | <b>7:00pm</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |                        |                   |                                    |               |                                      |               |               |

Councilor Thibodeaux gave an overview of the Library Board of Trustees Report to the Council. Deputy Mayor Carrier moved to accept the Library Board of Trustees Report; seconded by Councilor Muffett-Lipinski.  
Vote: 8/0.

Councilor Shanahan gave an overview of the Ordinance Committee Report to the Council. Deputy Mayor Carrier moved to accept the Ordinance Committee Report; seconded by Councilor Thibodeaux.  
Vote: 8/0.

Councilor Ciotti gave an overview of the Parking Commission Report to the Council. Deputy Mayor Carrier moved to accept the Parking Commission Report; seconded by Councilor Thibodeaux.  
Vote: 8/0.

Councilor Williams gave an overview of the Recreation Advisory Board Report to the Council. Deputy Mayor Carrier moved to accept the Recreation Advisory Board Report; seconded by Councilor Muffett-Lipinski.  
Vote: 8/0.

Councilor Ciotti gave an overview of the Cocheco Waterfront Development Advisory Committee to the Council.

## **B. RESOLUTIONS**

## **C. ORDINANCES IN 1<sup>ST</sup> READING**

### **14. COUNCIL CORRESPONDENCE**

### **15. COUNCIL MATTERS OF INTEREST**

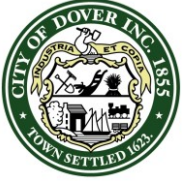
Councilor Ciotti said there will be a ribbon cutting at the Garrison Elementary School on Saturday.

Councilor Gasses started a discussion regarding her concern that Betsey Andrews Parker is not on the Homeless Commission.

Councilor Muffett-Lipinski talked about the SOS Recovery Forum to be held at the Police Station Saturday morning.

Deputy Mayor Carrier talked about the Brew Festival to be held in Henry Law Park on Saturday, and the Apple Harvest Festival on the following Saturday.

City Manager Joyal discussed the CIP process with the Council.



**CITY OF DOVER**

## CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**  
Meeting Location: **City Hall, Council Chambers**  
Meeting Date: **Wednesday, September 25, 2019**  
Meeting Time: **7:00pm**

### 16. ADJOURN

Councilor Muffett-Lipinski moved to adjourn; seconded by Councilor Ciotti.  
Vote: 8/0.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.C.1.**

Resolution Number: **R – 2019.09.11 – 160**  
Resolution Re: Reprogram Unexpended Bond Proceeds from Various  
Community Services – Public Works Projects to Broadway  
Drainage Systems Improvement Project

WHEREAS: On an annual basis the City Council adopts the Capital Improvements Program (CIP), which includes the Debt Financing authorization for certain CIP projects; and

WHEREAS: There is \$702,077.35 of unexpended bond proceeds for various Community Services – Public Works projects where work has been completed under budget; and

WHEREAS: The City has identified the immediate need for additional funding for Broadway drainage system improvements; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:  
The amount of \$702,077.35 of unexpended bond proceeds is hereby reprogrammed from the identified Community Services – Public Works projects (as listed below and in the Background) to Broadway Drainage Systems Improvement project as follows:

| Project Number                 | Project Description              | Available<br>Balance | Reprogram<br>Adjustment | Adjusted<br>Balance |
|--------------------------------|----------------------------------|----------------------|-------------------------|---------------------|
| 4014.1.300.43121.4751.03142.14 | Tolend/Watson Rd Improvements    | 326,084.76           | (326,084.76)            | 0.00                |
| 4012.1.300.43121.4751.03145.12 | Applevale Area Reconstruction    | 37,466.15            | (37,466.15)             | 0.00                |
| 4014.1.300.43121.4751.03151.14 | Hanson St Reconstruction         | 92,920.26            | (92,920.26)             | 0.00                |
| 4014.1.300.43121.4751.03164.14 | Richardson Drive Reconstruction  | 47,739.79            | (47,739.79)             | 0.00                |
| 4015.1.300.43121.4751.03164.15 | Richardson Drive Reconstruction  | 61,673.99            | (61,673.99)             | 0.00                |
| 4016.1.300.43121.4751.03164.16 | Richardson Drive Reconstruction  | 49,829.03            | (44,829.03)             | 5,000.00            |
| 4015.1.300.43121.4751.03175.15 | Silver Street Reconstruction     | 16,807.01            | (16,807.01)             | 0.00                |
| 4017.1.300.43121.4751.03166.17 | Floral Ave Street Reconstruction | 35,654.71            | (35,654.71)             | 0.00                |
| 4018.1.300.43121.4751.03169.18 | Roberts Rd Street Reconstruction | 41,901.65            | (38,901.65)             | 3,000.00            |
| 4012.1.300.43121.4751.03140.12 | Broadway Drainage Improvements   | 0.00                 | 37,466.15               | 37,466.15           |
| 4014.1.300.43121.4751.03140.14 | Broadway Drainage Improvements   | 0.00                 | 466,744.81              | 466,744.81          |
| 4015.1.300.43121.4751.03140.15 | Broadway Drainage Improvements   | 0.00                 | 78,481.00               | 78,481.00           |
| 4016.1.300.43121.4751.03140.16 | Broadway Drainage Improvements   | 0.00                 | 44,829.03               | 44,829.03           |
| 4017.1.300.43121.4751.03140.17 | Broadway Drainage Improvements   | 165,074.00           | 35,654.71               | 200,728.71          |
| 4018.1.300.43121.4751.03140.18 | Drainage System Improvements     | 0.00                 | 38,901.65               | 38,901.65           |
|                                | Total Available Funding          | 875,151.35           | 0.00                    | 875,151.35          |

**NOTE:** This resolution reprograms unexpended bond proceeds and therefore 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.



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.C.1.**

Resolution Number: **R – 2019.09.11 – 160**  
Resolution Re: Reprogram Unexpended Bond Proceeds from Various  
Community Services – Public Works Projects to Broadway  
Drainage Systems Improvement Project

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Karen Weston  
By Request

Approved as to Legal: Joshua Wyatt  
Form and Compliance: City Attorney

Recorded by: Susan Mistretta  
City Clerk

### DOCUMENT HISTORY:

First Reading Date: 09/11/2019  
Approved Date:

Public Hearing Date: 09/25/2019  
Effective Date:

### DOCUMENT ACTIONS:

| VOTING RECORD                               |     |    |
|---------------------------------------------|-----|----|
| Date of Vote:                               | YES | NO |
| Mayor Karen Weston                          |     |    |
| Deputy Mayor Robert Carrier, At Large       |     |    |
| Councilor Michelle Muffett-Lipinski, Ward 1 |     |    |
| Councilor Dennis Ciotti, Ward 2             |     |    |
| Councilor Deborah Thibodeaux, Ward 3        |     |    |
| Councilor Marcia Gasses, Ward 4             |     |    |
| Councilor Dennis Shanahan, Ward 5           |     |    |
| Councilor Matthew Keane, Ward 6             |     |    |
| Councilor Lindsey Williams, At Large        |     |    |
| Total Votes:                                |     |    |
| Resolution does   does not pass.            |     |    |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 12.C.1.**

Resolution Number: **R – 2019.09.11 – 160**  
Resolution Re: Reprogram Unexpended Bond Proceeds from Various  
Community Services – Public Works Projects to Broadway  
Drainage Systems Improvement Project

### **RESOLUTION BACKGROUND MATERIAL:**

This resolution does not authorize any additional appropriation. The City Council previously authorized the appropriation for the various Community Services – Public Works projects. This resolution does not authorize an increase in the indebtedness of the City. The City Council previously authorized debt financing the identified projects. This resolution reprograms funding from the identified projects to Broadway Drainage Systems Improvement project.

On January 26, 2011 the Dover City Council approved the FY12 Capital Improvements Program (CIP) authorization for bonding of \$1 million for the Applevale project, this project is completed and has remaining unexpended appropriations.

On December 12, 2012 the Dover City Council approved the FY14 Capital Improvements Program (CIP) authorization for bonding of \$2.5 million for the Tolend/Watson Road project, this project is completed and has remaining unexpended appropriations.

On January 22, 2014 the Dover City Council approved the FY15 Capital Improvements Program (CIP) authorization for bonding of \$3 million for the Silver Street project, this project is completed and has remaining unexpended appropriations.

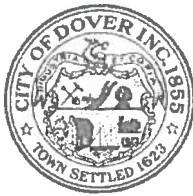
On November 12, 2014 the Dover City Council approved the FY16 Capital Improvements Program (CIP) authorization for bonding of \$550,000 for the Richardson Drive project, this project is completed and has remaining unexpended appropriations.

On December 9, 2015 the Dover City Council approved the FY17 Capital Improvements Program (CIP) authorization for bonding of \$250,000 for the Floral Ave project, this project is completed and has remaining unexpended appropriations.

On November 9, 2016 the Dover City Council approved the FY18 Capital Improvements Program (CIP) authorization for bonding of \$850,000 for the Roberts Road project, this project is completed and has remaining unexpended appropriations.

Funding is needed for Broadway drainage systems improvement project based upon a recent determination that there is an area of ledge that needs to be removed in order to properly install the drainage culvert under the railroad track.

Since the Broadway Drainage Systems improvement project is a priority for the city to improve drainage within a large portion of the city, City administration determined reprogramming the available appropriations from the projects listed above made sense as these projects have been completed under budget.



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

Check(✓) the type of application:

RAFFLE\* X, TAG\* \_\_\_\_\_, BLOCK PARTY\*\* \_\_\_\_\_

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

Organization Name: Dover High Football Boosters  
Federal Tax ID number for Organization: 02-0447380  
Check (✓) Nature of Organization:  
Religious\_\_\_\_, Educational\_\_\_\_, Charitable\_\_\_\_, Civic\_\_\_\_, Sports X, Veterans\_\_\_\_, Fraternal or Political\_\_\_\_, Other\_\_\_\_  
(Describe) 50/50 football raffle  
Contact Person: Kern Berube Day Time Telephone: 603 502 9837  
Address: 836 Washington St Berwyn Email: kberube.nh@gmail.com  
Purpose of Permit: fundraiser for team  
Date of Event: 2019 season Specific Time: n/a  
Location of Event: Alumni Ave Dover NH

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

Prize (s) To Be Awarded: 50/50 (half of collected funds)  
Cost of Ticket: \$1 Date of Drawing: \_\_\_\_\_  
Place of Drawing: high school

\* 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: Kern Berube DATE: 9/18/19  
(duly authorized)

PRINTED NAME: Kern Berube

Licensing Board Approval [Signature] Date: 9/23/19



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.2.**

Resolution Number: **R – 2019.10.09 – 163**  
Resolution Re: Pump Station Cleaning Services

- WHEREAS: The City needed to perform critical sewer pump station maintenance, but did not have access to its own vactor truck for removal of debris from the pump stations. The City's existing vactor truck was inoperable due to a broken fan unit, and was in the process of being replaced with a new unit funded via the FY20 Capital Improvements Project program; and
- WHEREAS: In order to proceed with the cleaning operations, an informal quote process was conducted this spring for cleaning services for 19 pump stations throughout the city that included confined space entry and disposal of debris. Three vendors were asked to provide cost proposals and the City selected Ted Berry Company LLC at a per day cost of \$3,125.00 for truck and technician and \$250.00 per day for confined space entry. The city estimated disposal costs of \$2,000.00. Past experience has yielded a two-day process for a total cost of \$8,750.00; and
- WHEREAS: The work was performed this summer with invoicing coming in at a three-day process making the total project over the \$10,000 threshold requiring a sealed bid process. Staff reported the amount of debris encountered was more than expected. At one pump station an estimated 3 cubic yards of grit material had to be removed. At another station they encountered an approximately 4-foot thick mat of cooking grease mixed with rags. All this material had to be removed and personnel had to engage in a confined-space entry to clean and check the control floats and level transducers. Time was also required for the trucks to travel to Elliot, Maine for proper disposal of the accumulated debris. It is the recommendation to waive sealed bid process and authorize payment in the amount of \$11,808.00; and
- WHEREAS: City council may waive the bidding process per 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 Purchase Order Revision to –Ted Berry Company LLC of Livermore ME for pump station cleaning services at rates provided in conjunction with informal quote. 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   |
| 5320.1.300.43250.4421.00000.00 | Sewer Disposal            | 5,683.00      | 1,683.00  |
| 5320.1.300.43250.4443.00000.00 | Sewer Rental of Equipment | 31,242.00     | 10,403.00 |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.2.**

Resolution Number: **R – 2019.10.09 – 163**  
Resolution Re: Pump Station Cleaning Services

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Mayor Karen Weston  
By Request

Approved as to Legal  
Form and Compliance: Joshua Wyatt  
City Attorney

Recorded by: Susan Mistretta  
City Clerk

### DOCUMENT HISTORY:

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

### DOCUMENT ACTIONS:

| VOTING RECORD                               |     |    |
|---------------------------------------------|-----|----|
| Date of Vote:                               | YES | NO |
| Mayor Karen Weston                          |     |    |
| Deputy Mayor Robert Carrier, At Large       |     |    |
| Councilor Michelle Muffett-Lipinski, Ward 1 |     |    |
| Councilor Dennis Ciotti, Ward 2             |     |    |
| Councilor Deborah Thibodeaux, Ward 3        |     |    |
| Councilor Marcia Gasses, Ward 4             |     |    |
| Councilor Dennis Shanahan, Ward 5           |     |    |
| Councilor Matthew Keane, Ward 6             |     |    |
| Councilor Lindsey Williams, At Large        |     |    |
| Total Votes:                                |     |    |
| Resolution does   does not pass.            |     |    |



**CITY OF DOVER**

## CITY OF DOVER - RESOLUTION

**Agenda Item#: 13.A.2.**

Resolution Number: **R – 2019.10.09 – 163**  
Resolution Re: Pump Station Cleaning Services

### RESOLUTION BACKGROUND MATERIAL:

Scope of work to include traffic control, tools and equipment and disposal of debris in accordance with state, local and federal regulations including confined space entry.

### Bid Information:

Informal quote solicited to National Water Main Cleaning Company of Canton MA (won't take/dispose of debris) and Value Rooter of South Berwick ME (not set up for confined spaces).

### Award Information:

A purchase order was issued to the vendor selected to authorize expenditures as outlined in the quote. A purchase order revision is now required in order to make payment of the invoice.

### Purchasing Information:

|                                    |                       |                                     |                                                                                                |
|------------------------------------|-----------------------|-------------------------------------|------------------------------------------------------------------------------------------------|
| <b>Type:</b>                       | Purchase Order        | <b>Advertised:</b>                  | Yes                                                                                            |
| <b>Invitations Emailed:</b>        | three                 | <b>Number of Responses:</b>         | 1 with 2 no bids                                                                               |
| <b>Warranty:</b>                   | Per manufacturer      | <b>Terms:</b>                       | Net 30, FOB Dover                                                                              |
| <b>Work Bonded:</b>                | No                    | <b>Contract:</b>                    | Yes                                                                                            |
| <b>Prices will hold for:</b>       | Until completed       | <b>Estimated Delivery:</b>          | As needed                                                                                      |
| <b>Recommended Award to:</b>       | Ted Berry Company LLC | <b>Fund:</b>                        | Sewer                                                                                          |
| <b>Other Approvals Required:</b>   | No                    | <b>References Checked:</b>          | Satisfactory                                                                                   |
| <b>Previously Worked for City:</b> | Yes                   | <b>Reason for Council Approval:</b> | Purchase to exceed the \$10,000 threshold requiring Council approval to waive bid solicitation |