



**TOWN OF DOVER**  
**MAYOR AND BOARD OF ALDERMEN**  
**CAUCUS MEETING MINUTES**  
**January 28, 2014 7:00 PM**

The Caucus Meeting of the Mayor and Board of Aldermen was held in council chambers, 37 N. Sussex Street, Dover, New Jersey.

Mayor Dodd called the meeting to order at 7:07 pm

All joined in the Pledge of Allegiance to the Flag.

**ROLL CALL:**

Present: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd

Absent: Alderman MacDonald

**SUNSHINE LAW STATEMENT**

In accordance with the provisions set forth in the Open Public Meeting Law, notification of this meeting has been sent to all officially designated Town newspapers and notice is posted in the Town Hall.

Mayor Dodd noted that there's a resolution on the agenda "Authorizing a Cooperative Pricing Agreement known as the Passaic County Energy Cooperative Pricing System" which allows Passaic County Energy Cooperative (PCEC) to hold an auction for energy rates. Mayor Dodd noted that it gives the town a guaranteed savings versus Jersey Central Power and Light and a default rate. The New Jersey Board of Public Utility and Division on Rate Council have oversight of the program and PCEC are currently working with over forty-one (41) municipalities in Northern New Jersey and twenty (20) other towns have recently join the residential portion of the program. The average savings can be as much as one or two energy bills or 8% to 10% a year. Once the auction is held PCEC will provide an energy rate and at that time the Board of Aldermen can decide if they would like to proceed with the program. Mayor Dodd clarified that tonight's resolution, only, authorizes PCEC to hold an auction and it's not a commitment to participate in the program.

Mr. Nick Reynolds from Commercial Utility Corporation (CUC) was present to address any questions or concerns. Mr. Reynolds provided a brief summary on the program.

Alderswoman Romaine asked who would be called if there was a power outage or if the third party supplier failed. Mr. Reynolds noted that it would be the responsibility of JCP&L and if the third party supplier failed to supply, it will fall back to the default rate/JCP&L.

Mr. Close asked if the customer would be penalized if they opt out. Mr. Reynolds noted that there's no penalty for opting out.

Alderman Visioli asked the reasons why customers have opted-out of the program. Mr. Reynolds noted that residents opt out because they don't want to cooperative with the current council, lack of knowledge and/or people do not like change.

Mayor Dodd noted that public meetings will be held to educate the public.

Alderswoman Yzarnotegui asked if the information would be provided in Spanish. Mr. Reynolds noted that the information could be provided in different languages

Discussion continued on the energy cooperative system.

**MUNICIPAL CORRESPONDENCE:**

1. Ordinance from the Township of Mine Hill re: Amending Chapter 23 of the Revised General Ordinances of the Township of Mine Hill and Eliminating Motels as a Principal Permitted Uses in the Commercial Zone
2. Resolution from the Borough of Wharton re: Appointment of Prosecutors of the Joint Court of Dover
3. Resolution from the Borough of Wharton re: Appointment of Public Defenders of the Joint Court of Dover
4. Letter from Mr. Scott E. Dickerson, D.M.D. re: Municipal Parking and other items
5. Notice of Public Hearing – Town of Dover's Planning Board – Anty Trucking, Inc– Block 1901, Lot 2 as known as 126 E. Dickerson Street
6. Notice of Public Hearing – Town of Dover's Planning Board – JP Investment Properties, LLC – Block 2316, Lot 12 as known as 311 E. Blackwell Street
7. Notice of Public Hearing – Township of Randolph's Board of Adjustment – Block 93, Lot 11 as known as 1246-

1249 Sussex Turnpike

8. Letter from Manal A. Sous, M.D. Re: Assembly No. 4464-Requiring blood sample to be obtained from driver involved in motor vehicle accident resulting in death; designated as “Michelle’s Law”
9. Letter from New Jersey Department of Agriculture re: Summer Food Service Program
10. 2012-2013 Annual Reports from Municipal Excess Liability Joint Insurance Fund

**CONSENT AGENDA**

1. Resolution Approving Municipal License – Schedule A
2. Resolution Approving Limos – Schedule A

**ORDINANCE FOR FIRST READING**

1. Ord. #03-2014 – Amending Chapter 285, Property Maintenance, To Amend Fees in the Property Maintenance Code
2. Ord. #04-2014 – Amending Chapter 150, Construction Codes, Uniform
3. Ord. #05-2014 – Amending Chapter 236, Article IX. Fees and Escrows

**ORDINANCE FOR SECOND READING**

1. Ord. #01-2014 – Amending Chapter 383-7, Miscellaneous “Water Charges”
2. Ord. #02-2014 – Providing for Handicapped Parking Space at 219 S. Morris Street

**AGENDA ITEMS:**

**RESOLUTIONS**

1. Resolution Approving Bills List
2. Resolution Approving Application for 2013 Tonnage Grant
3. Resolution Awarding Bid for Town Hall Basement Sprinkler System to K&D Contractors, Inc.
4. Resolution Calling on the Legislature to Make Permanent the 2% Cap on Interest Arbitration Awards
5. Resolution Authorizing a Cooperative Pricing Agreement known as the Passaic County Energy Cooperative Pricing System
6. Resolution Approving Tax Appeal Settlement for Barnish
7. Resolution Approving Redeveloper’s Agreement for Morris Habitat for Humanity

**REGULAR MEETING MINUTES**  
**January 28, 2014**

The Regular Meeting of the Mayor and Board of Aldermen was held in council chambers, 37 N. Sussex Street, Dover, New Jersey.

The meeting was called to order by Mayor Dodd at 7:33 pm

**ROLL CALL**

Present: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd

Absent: Alderman MacDonald

Also present were Attorney Downs and Municipal Clerk Verga

Municipal Clerk Verga stated adequate notice was given to the official newspaper.

Mayor Dodd opened the meeting to the public.

Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public.

**MAYOR'S REPORT:** Mayor Dodd reserved his report.

**ATTORNEY'S REPORT** – Mr. Downs reserved his report.

**CONSENT AGENDA**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**  
**APPROVING PET SHOP LICENSE FOR DOVER PET SHOP**

**WHEREAS**, Section 113-8 of the Code of the Town of Dover requires any person who keeps or operated a pet shop to apply to the Clerk of the Town of Dover for a license to operate; and

**WHEREAS**, Dover Pet Shop, located at 112 E. Blackwell Street, Dover, New Jersey, has applied for renewal of a pet shop license; and,

**WHEREAS**, the Town of Dover Health Department inspected the premises and found the results of the inspection to be “satisfactory;” and

**WHEREAS**, the applicant has submitted the appropriate fee and completed the application as needed;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the application for Dover Pet Shop for a license to operate a pet shop at 112 East Blackwell Street, Dover, New Jersey is hereby approved.

**Alderman Romaine has moved the foregoing resolution be adopted and duly seconded by Alderman Picciallo and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd**

**Nays: None      Absent: Alderman MacDonald      Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**  
**APPROVING TAXIS/LIMOS TO BE LICENSED IN THE TOWN OF DOVER**

**WHEREAS**, the following companies, have applied for a license to operate the vehicle(s) listed below on Schedule A hereto and made a part hereof as taxicab(s)/limo(s) in the Town of Dover; and

**WHEREAS**, the appropriate municipal departments have reviewed the application(s) as required and have no objections to same being licensed as taxicabs/limos;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the taxicab(s)/limo(s) listed below are hereby approved for taxi/limo license(s) in the Town of Dover.

**Schedule A**

**CITY LIMO AND TAXI INC**

'02 Chrysler	2C4GP54L52R774284	OL3442H
'04 Dodge	2D4GP44L94R531024	OL4009J
'07 Ford	2FAHP71WX7X100974	OL4010J

**FIRST CLASS OF DOVER, INC**

'03 Lincoln	1LNHM82W43Y683278	OL4011J
'03 Chrysler	2C4GP54L45R144773	OL4013J
'06 Lincoln	1LNHM88W96Y647212	OL4012J

**Alderwoman Romaine has moved the foregoing resolution be adopted and duly seconded by Alderman Picciallo and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd  
Nays: None      Absent: Alderman MacDonald      Abstained: None**

**ORDINANCE FOR FIRST READING**

**ORDINANCE NO. 3-2014**

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE  
TOWN OF DOVER AMENDING CHAPTER 285, PROPERTY MAINTENANCE,  
TO AMEND FEES IN THE PROPERTY MAINTENANCE CODE.**

**BE IT ORDAINED** by the Mayor and Board of Alderman of the Town of Dover, County of Morris and state of New Jersey as follows:

**Section 1**

The Code of the Town of Dover, Chapter 285, Property Maintenance, § 285-1. Adoption of standards; available copies, shall be amended as follows to amend the adopted Property Maintenance Code at 108.1 Certificate of Compliance, paragraphs 7 and 8 to amend the fees.

Section 108.1 Certificate of compliance, paragraphs 7 and 8 of the adopted Property Maintenance Code; is replaced with the following:

The fee for a certificate of Compliance shall be as follows:

Residential detached Single Family dwelling:	\$75.00 per dwelling unit
Residential Two (2) Family or Multi-Family dwelling :	\$75.00 for the first dwelling unit plus \$35.00 per additional dwelling unit
Rooming or Boarding House:	\$75.00 for the dwelling unit plus \$15.00 per rooming/boarding unit
Commercial, Retail and Industrial:	\$125.00 per unit.

The above fees include the cost of the initial inspection plus one (1) reinspection. Additional reinspections, whether due to non-compliance or inability to gain access for a scheduled reinspection, will be charged \$75.00 per reinspection visit. The cost for all inspections relating to the issuance of a Certificate of Compliance shall be paid in full no less than 24 hours prior to the scheduled reinspection.

**Section 2**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

**Section 3**

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid,

said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

**Section 4**

This ordinance shall take effect immediately upon final publication as provided by law.

**Alderman Rutan has moved the ordinance be adopted and duly seconded by Alderman Picciallo and passed for first reading by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd  
Nays: None      Absent: Alderman MacDonald      Abstained: None**

**ORDINANCE NO. 4-2014**

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE  
TOWN OF DOVER AMENDING CHAPTER 150, CONSTRUCTION CODES, UNIFORM.**

**BE IT ORDAINED** by the Mayor and Board of Alderman of the Town of Dover, County of Morris and state of New Jersey as follows:

**Section 1**

The Code of the Town of Dover, Chapter 150, CONSTRUCTION CODES, UNIFORM shall be amended as follows to change the Construction Department Fees.

§ 150-2. Fees; recommendation for fee changes; state surcharge, is replaced with the following:

**§ 150-2. Fees; recommendations for fee changes; state surcharge.**

A. Construction Department fees

- (1) Plan review fee. The fee for plan review shall be 20% of the amount to be charged for a new construction permit.
- (2) The basic construction fee shall be the sum of the parts computed on the basis of the volume or cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electrical fixtures and devices, the number of sprinklers, standpipes and detectors (smoke and heat), at the unit rates provided herein, plus any special fees. The minimum fee for a basic construction permit covering any or all of the building, plumbing, electrical or fire protection work shall be \$60.
- (3) Building volume or cost. The fees for new construction or alteration are as follows:
  - (a) Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be in the amount of \$0.032 per cubic foot of volume for buildings and structures of all use groups and types of construction as classified and defined in Articles 3 and 4 of the Building Subcode, except that the fee shall be \$0.015 per cubic foot of volume for Use Groups A-1, A-2, A-3, A-4, F-1, F-2, S-1 and S-2, and the fee shall be \$0.0008 per cubic foot for structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d), used exclusively for the storage of food or grain or the sheltering of livestock, with the maximum fee for such structures on farms not to exceed \$1,145. The minimum fee for new construction shall be \$150.
  - (b) Fees for renovations, alterations and repairs.
    - [1] Fees for renovations, alterations and repairs shall be based upon the estimated cost of the work.
    - [a] The fee shall be in the amount of \$30per \$1,000.
    - [b] From \$50,001 to and including \$100,000, the additional fee shall be in the amount of \$25 per \$1,000 of the estimated cost above \$50,000.
    - [c] Above \$100,000, the additional fee shall be in the amount of \$20 per \$1,000 of the estimated cost above \$100,000.
  - [2] For the purpose of determining estimated cost, the applicant shall submit to the Construction Official such cost data as may be available produced by the architect or engineer of record or by a recognized estimating firm or by the contractor. A bona fide contractor's bid, if available, shall be submitted.
  - [3] The Construction Official shall make the final decision regarding estimated cost.
- (a) Fees for additions shall be computed on the same basis as for new construction for the added portion,

- except that the minimum fee for an addition shall be \$85.
- (b) Fees for combination renovations and additions shall be computed as the sum of the fees computed separately in accordance with Subsection A(3)(a) and (b) above.
  - (c) In order to provide for the training and certification and technical support programs required by the Act, the enforcing agency shall collect a surcharge fee to be based upon the volume of new construction within the municipality. Said fee shall be accounted for and forwarded to the Bureau of Housing Inspection. This fee shall be in the amount as set forth in N.J.A.C. 5:23-4.19(b). For the purpose of calculating this fee, volume shall be computed in accordance with N.J.A.C. 5:23-2.28.
- (4) Plumbing fixtures and equipment.
- (a) For the purpose of computing fees:
    - [1] Plumbing fixtures shall include, but not be limited to, stacks, lavatories, kitchen sinks, slop sinks, sinks, urinals, water closets, bathtubs, shower stalls, laundry tubs, floor drains, washing machine connections and similar fixtures.
    - [2] Plumbing appurtenances shall include, but not be limited to, devices, a manufactured device or an on-the-job assembly of component parts, which is adjunct to the basic piping system and plumbing fixtures, pressure-reducing valves, backflow prevention devices, backwater valves, vacuum breakers, grease traps, interceptors and similar devices.
    - [3] Plumbing appliances shall include, but not be limited to, hot-water heaters, tankless heaters, heat exchangers, water storage tanks, solar panels, water pressure booster systems, sump pumps, dishwashers, ice makers, instant hot-water coils, sewerage ejectors, garbage disposal units, sterilizers, aspirators, water-cooled air-conditioning units, water conditioners and similar equipment.
  - (b) The fee for the installation or replacement of a plumbing fixture shall be \$15 for each plumbing fixture.
  - (c) The fee for the installation or replacement of a plumbing appurtenance and/or special device shall be \$75 per plumbing appurtenance and/or special device. Exception: The fee for backflow preventors that do not require ongoing inspection shall be \$15.
  - (d) For cross connections and backflow preventors that are subject to testing, requiring reinspection annually, the fee shall be \$50 for each device when tested (twice annually) and \$75 for each device when broken down and tested (once annually).
  - (e) The fee for the installation or replacement of a plumbing appliance shall be \$60. Exception: When installed in Use Group R-3 and R-4 in new construction or a complete renovation, the fee for dishwashers, ice makers and instant hot-water coils shall be \$15.
  - (f) The fee for the installation of a house or building sewer and/or water service pipe is \$85.
  - (g) The fee for the installation of a lawn sprinkler system shall be \$5 for each sprinkler head.
  - (h) The fee for the installation or replacement of subsoil drains shall be \$35.
  - (i) The fee for the removal or abandonment in place of a sewage disposal system and/or septic tank shall be \$35.
  - (j) The fee for the installation or replacement of roof drains and/or area drains shall be \$25 per drain.
  - (k) The fee for gasoline piping is \$12 per each gas appliance connection.
  - (l) The fee for the installation or replacement of oil lines and/or oil tank piping shall be \$50.
  - (m) The fee for radon mitigation shall be \$60.
  - (n) The minimum fee for any permit issued for the plumbing subcode shall be \$60.
- (5) Electrical fixtures and devices.
- (a) The fees shall be as follows:
    - [1] From one to 50 receptacles or fixtures, the fee shall be in the amount of \$65; for each 25 receptacles or fixtures in addition to this, the fee shall be in the amount of \$15. For the purpose of computing this fee, receptacles or fixtures shall include lighting outlets, wall switches, fluorescent fixtures, convenience receptacles or similar fixtures and motors or devices of less than one horsepower or one kilowatt.
    - [2] For each motor or electric device greater than one horsepower and less than or equal to 10 horsepower and for the transformers and generators greater than one kilowatt and less than or equal to 10 kilowatts, the fee shall be \$15.
    - [3] For each motor or electrical device greater than 10 horsepower and less than or equal to 50 horsepower, for each service panel, service entrance or subpanel less than or equal to 200 amperes and for all transformers and generators greater than 10 kilowatts and less than or equal to 45 kilowatts, the fee shall be \$65.
    - [4] For each motor or electrical device greater than 50 horsepower and less than 100 horsepower, for each service panel, service entrance or subpanel greater than 200 amperes and less than 1,000 amperes and for transformers and generators greater than 45 kilowatts and less than or equal to

112.5 kilowatts, the fee shall be \$150.

[5] For each motor or electrical device greater than or equal to 100 horsepower, for each service panel, service entrance or subpanel equal to or greater than 1,000 amperes and for each transformer or generator equal to or greater than 112.5 kilowatts, the fee shall be \$350.

[6] For each Photovoltaic Systems the fee shall be:

Up to 50 Kilowatts	\$75.00
Greater than 50 Kilowatts up to 100 Kilowatts	\$150.00
Greater than 100 Kilowatts	\$600.00

(b) For the purpose of computing these fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electrical current.

(6) Fire protection and other hazardous equipment. Fees for sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas- and oil-fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums shall be as follows:

(a) The fee for 20 or fewer heads or detectors shall be \$75, for 21 to and including 100 heads or detectors, the fee shall be \$150; for 101 to and including 200 heads or detectors, the fee shall be \$300; for 201 to and including 400 heads or detectors, the fee shall be \$750; for 401 to and including 1,000 heads or detectors, the fee shall be \$1,000 and for over 1,000 heads or detectors, the fee shall be \$1,200. In computing fees for heads and detectors, the number shall be counted separately, and two fees, one for heads and one for detectors, shall be charged.

(b) The fee for each standpipe shall be \$250.

(c) The fee for each pre-engineered system shall be \$85.

(d) The fee for each gas- or oil-fired appliance not connected to the plumbing system shall be \$50.

(e) The fee for each kitchen exhaust system shall be \$100.

(f) The fee for each incinerator shall be \$400.

(g) The fee for each crematorium shall be \$400.

(7) Elevator devices. In accordance with Department of Community Affairs Fee Structure

(8) Certificates and other permits. The fees are as follows:

(a) The fee for a demolition or removal permit shall be \$75 for a structure of less than 5,000 square feet in area and less than 30 feet in height; \$200 for one- or two-family residences (Use Group R-4 of the building subcode) and structures on farms including commercial farm buildings under N.J.A.C. 5:23-3.2(d) used exclusively for storage of food or grain, or sheltering of livestock; and \$120 per story for all other use groups.

(b) The fee for a permit to construct a sign shall be in the amount of \$4 per square foot surface area of the sign, computed on one side only for double-faced signs. The minimum fee shall be \$60.

(c) The fee for a certificate of occupancy shall be in the amount of 10% of the new construction permit fee which would be charged by the enforcing agency pursuant to these regulations. The minimum fee shall be \$100 except for one- or two-family (Use Group R-4 of the building subcode) structures of less than 5,000 square feet in area and less than 30 feet in height, and structures on farms, including commercial farm buildings subject to N.J.A.C. 5:23-3.2(d), used exclusively for storage of food or grain, or sheltering of livestock, for which the minimum fee shall be \$60.

(d) The fee for a certificate of occupancy granted pursuant to a change of use group shall be \$125.

(e) The fee for a certificate of continued occupancy shall be \$125.

(f) There shall be no fee for a temporary certificate of occupancy.

(g) There shall be no fee for a certificate of compliance issued for each elevator device inspected on a routine periodic basis. The certificate of compliance for a new elevator device shall be \$85.

(h) The fee for a plan review of a building for compliance under the alternate systems and non-depletable energy source provisions of the energy subcode shall be \$200 for one- and two-family homes and for light commercial structures having the indoor temperature controlled from a single point; and \$500 for all other structures.

(i) The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$350 for Class 1 structures and \$85 for Class 2 structures and Class 3 structures. The fee for the resubmitting of an application for a variation shall be \$200 for Class 1 structures and \$50 for Class 2 and Class 3 structures.

(j) Periodic inspections. Fees for the periodic reinspection of equipment and facilities granted a certificate of approval for a specified duration in accordance with N.J.A.C. 5:23-2.23 shall be as follows: For cross connections and backflow preventers that are subject to testing, requiring reinspection every three months, the fee shall be \$50 for each device when tested (twice annually) and \$75 for each device when

broken down and tested (once annually).

- (k) The fee to be charged for an annual construction permit shall be charged annually. This fee shall be a flat fee based upon the number of maintenance workers employed by the facility and who are primarily engaged in work that is governed by a subcode. Managers, engineers and clerks shall not be considered maintenance workers for the purpose of establishing the annual construction permit fee. Annual permits may be issued for building/fire protection, electrical and plumbing. Fees shall be as follows:
  - [1] One to 25 workers (including foreman): \$600; and each additional worker over 25: \$200.
  - [2] Prior to the issuance of the annual permit, a training registration fee of \$100 per subcode shall be submitted by the applicant to the Department of Community Affairs, Construction Code Element, Training Section, along with a copy of the construction permit (Form F-170). Checks shall be made payable to "Treasurer, State of New Jersey."
- (l) For each public pool (other than one- and two-family dwellings), the fee shall be \$60 for an annual certification.

(9) All fees collected pursuant to this section are nonrefundable.

- B. Report of the Construction Official. On or before February 10 of each year, the Construction Official shall, with the advice of the subcode officials and in consultation with the Municipal Finance Officer, prepare and submit to the governing body a report detailing the receipts and expenditures of the enforcing agency as required by N.J.A.C. 5:23-4.17(b) and indicating his recommendations for a fee schedule, based on the operating expense of the agency.
- C. State surcharge. In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act and the regulations, the enforcing agency shall collect, in addition to the fees specified above, a surcharge fee of \$0.0006 per cubic foot of volume of new construction. Said surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarters ending September 30, December 31, March 31 and June 30, and not later than one month next succeeding the end of the quarter for which it is due. In the fiscal year in which the regulations first become effective, said fee shall be collected and remitted for the third and fourth quarters only. The enforcing agency shall report annually at the end of each fiscal year to the Bureau of Housing Inspection, and not later than July 31, the total amount of the surcharge fee collected in the fiscal year. In the fiscal year in which the regulations first become effective, said report shall be for the third and fourth quarters.

## **Section 2**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

## **Section 3**

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

## **Section 4**

This ordinance shall take effect immediately upon final publication as provided by law.

**Alderman Rutan has moved the ordinance be adopted and duly seconded by Alderwoman Blackman and passed for second reading by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd  
Nays: None      Absent: Alderman MacDonald      Abstained: None**

### **ORDINANCE NO. 5-2014** **ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE** **TOWN OF DOVER AMENDING CHAPTER 236, ARTICLE IX. FEES AND ESCROWS.**

**BE IT ORDAINED** by the Mayor and Board of Alderman of the Town of Dover, County of Morris and state of New Jersey as follows:

## **Section 1**

The Code of the Town of Dover, Chapter 236, Article IX, Fees and Escrows shall be amended as follows to change the



Land Use Application Fees and Escrows.

§ 236-98. Schedule of fees and escrows; is replaced with the following:

**§ 236-98. Schedule of fees and escrows**

The schedule of application fees and initial review fee escrow deposits to be paid at the time of the filing of an application is as follows:

<b>Submission/Application</b>		<b>Application Fee</b>	<b>Initial Review Fee Escrow Deposit</b>
Site plan:			
	Expedited waiver	\$200	\$750
	Minor	\$600	\$1,000
	Preliminary major	\$400 plus \$25 per 1,000 square feet of building plus \$7 per 1,000 square feet of lot area	125% of fee
	Final major	50% of preliminary major fee	100% of fee
Subdivision:			
	Minor, 2 lots	\$750	\$1,200
	Minor, 3 lots	\$900	\$1,200
	Preliminary major	\$1,250 plus \$125 per lot	125% of fee
	Final major	\$750 plus \$35 per lot	100% of fee
Flood damage prevention development permit		\$300	--
Zoning permits/certificate review and inspections fees:			
	Changes of use, fences and signs	\$60	--
	Accessory structures under 200 square feet	\$100	--
	Determination of zoning status	\$200	--
	New structures	\$350	--
	New structures (including accessory structures) or additions on property with steep slope area per § <a href="#">236-21.2</a>	\$500	--
	Additions to existing structures	\$300	--
Concept plan review		\$500	\$1,000
Variances and other appeals:			
	Appeals in accordance with N.J.S.A. 40:55D-70a	\$500	\$1,000

<b>Submission/Application</b>		<b>Application Fee</b>	<b>Initial Review Fee Escrow Deposit</b>
	Appeals in accordance with N.J.S.A. 40:55D-70b	\$500	\$1,000
	Appeals in accordance with N.J.S.A. 40:55D-70c	\$400	\$1,000
	Appeals in accordance with N.J.S.A. 40:55D-70d:		
	Residential	\$600	\$1,000
	Commercial	\$750	\$1,000
	Industrial	\$1,000	\$1,200
Permit pursuant to N.J.S.A. 40:55D-34 and 40:55D-36		\$500	\$1,000
Permit to construct a building on an unimproved street pursuant to N.J.S.A. 40:55D-35		\$500	\$1,000
Conditional use permit pursuant to N.J.S.A. 40:55D-67		\$500 plus site plan fee	\$500 plus site plan escrow deposit
Soil disturbance		\$200 plus \$150 per 1,000 square feet or 100 cubic yards of disturbance, whichever is greater	
Certificate of historic review:			
	Demolition	\$200	\$500
	Addition or new construction	\$500	\$1,000
	Change in the exterior appearance	\$250	\$500
	Change in the exterior appearance for a sign or awning only	\$75	\$150
Appeal of administrative officer due to a report of the Historic Preservation Commission		\$250	\$500

**Section 2**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

**Section 3**

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

**Section 4**

This ordinance shall take effect immediately upon final publication as provided by law.

**Alderman Romaine has moved the ordinance be adopted and duly seconded by Alderman Visioli and passed for first reading by the following roll call vote.**

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd  
Nays: None Absent: Alderman MacDonald Abstained: None

ORDINANCE FOR SECOND READING

ORDINANCE NO. 01-2014

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER  
COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING CHAPTER 383-7, MISCELLANEOUS  
“WATER CHARGES FOR DOMESTIC, COMMERCIAL, PUBLIC, AND  
INDUSTRIAL USE IN THE TOWN OF DOVER, BOROUGH OF VICTORY GARDENS,  
AND PORTIONS OF THE TOWNSHIP OF RANDOLPH, TOWNSHIP OF ROCKAWAY,  
TOWNSHIP OF MINE HILL AND BOROUGH OF WHARTON”

WHEREAS, the Water Utility provides water service in the Town of Dover, Borough of Victory Gardens, portions of the Township of Randolph, Township of Rockaway, Township of Mine Hill and Borough of and Wharton; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey, as follows:

SECTION 1

§383-7 Rate Schedule No. 7, Miscellaneous Charges

- A. Customer requested service: turning on water at the curb (seasonal or restoration of service subsequent to delinquent payment). The following fee does not apply for customer request for meter testing:

Rate:

Business hours (Monday-Friday – 8:00am to 4:30pm)	\$ 21.00
After business hours and weekends	\$ 123.00

- B. For removing, repairing, and replacing meters damaged due to Negligence of customer including frozen and broken meters:

Meter sizes - 5/8”, 3/4”, 1”	\$ 59.00
1 1/2”, 2” and above	\$ 310.00

- C. Connection fees: Effective January 1, 2014 and thereafter, there shall be a connection fee charged in the amount of \$1,500 per equivalent service unit for all new customers connected to the system. Said connection fee shall be calculated annually, utilizing the cumulative capital and debt service charges of the water utility, divided by the current number of customers.

Residential Unit:

Each residential unit shall be equal to one service unit. New residential buildings shall pay the connection fee stated above per service unit times each residential unit or service unit. A *new residential unit* shall mean any new residential area, including but not limited to an apartment, co-operative, mobile home, rented room with separate bath facilities, and single family house, which unit is created either by new construction, or by conversion from an existing use. Included within the definition of *new residential unit* is a condominium or cooperative apartment created by conversion from an existing rental building and an apartment created within an existing single family house.

Nonresidential Unit:

New nonresidential units that use the water system of the Town shall pay connection fees equal to the connection fee stated above per service unit times the number of equivalent service units in each establishment for the right to use the existing water facilities.

Equivalent service units shall be equal to the projected daily water demand divided by 275, rounded up to the nearest whole number. Each separate nonresidential establishment shall at the minimum equal one equivalent service unit.

The projected daily water demand for various types of establishments shall be determined by the unit water demands in the table titled, “Nonresidential/Average Daily Water Demand” in Appendix D of the Town of Dover Water System Procedures Manual Water Commissioners of the Mayor and Board of Alderman. Projected water demands will be calculated by the applicant, and will be subject to review and approval by the Town.

A new nonresidential unit will be any new nonresidential area, including any new office or business with separate toilet

facilities, created by new construction or by conversion from an existing use.

SECTION 2. All ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phase or sentence shall be deemed separable.

SECTION 4. This ordinance shall take effect upon final publication as provided by law.

**Alderman Rutan has moved the ordinance be adopted and duly seconded by Alderman Picciallo and passed for second reading by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd  
Nays: None      Absent: Alderman MacDonald      Abstained: None**

**ORDINANCE NO. 02-2014**  
**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**  
**PROVIDING FOR HANDICAPPED PARKING SPACE AT 219 S. MORRIS STREET**

**BE IT ORDAINED** by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey, as follows:

SECTION 1. Description for handicap parking space to be located at 219 S. Morris Street

Said handicap parking space shall be located along the westerly curb line of S. Morris Street beginning at a point 65 feet north of the northwesterly curb line intersection of S. Morris Street and W. Chrystal Street, thence continuing in a northerly direction for a distance of 25 feet.

SECTION 2. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. The Ordinance shall take effect in accordance with law.

**Alderman Visioli has moved the ordinance be adopted and duly seconded by Alderwoman Blackman and passed for second reading by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd  
Nays: None      Absent: Alderman MacDonald      Abstained: None**

**RESOLUTIONS**

**BILL LIST RESOLUTION**

WHEREAS, the Mayor and Board of Aldermen of the Town of Dover have examined all bills presented for payment; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds in the account(s) to which respective bills have been charged.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Dover do hereby approve the bills as listed; and

BE IT FURTHER RESOLVED that the proper officials are hereby authorized to sign the checks for payment of same.

RESERVE ACCT claims in the amount of:	\$137,393.60
CURRENT ACCT claims in the amount of:	\$1,131,768.31
GENERAL CAPITAL ACCT claims in the amount of:	\$189,278.20

WATER UTILITY ACCT claims in the amount of:	\$872.62
WATER UTILITY RESERVE ACCT claims in the amount of:	\$9,030.75
WATER CAPITAL ACCT claims in the amount of:	\$0.00
PARKING UTILITY ACCT claims in the amount of:	\$674.47
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$3,499.48
PARKING CAPITAL ACCT claims in the amount of:	\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$0.00
EVIDENCE TRUST ACCT claims in the amount of:	\$0.00
RECYCLING TRUST ACCT claims in the amount of:	\$3,124.31
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	\$0.00
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	\$0.00
TRUST/OTHER ACCT claims in the amount of:	\$1,111.39
COAH TRUST Acct claims in the amount of:	\$0.00
<b>TOTAL CLAIMS TO BE PAID</b>	<b>\$1,476,753.13</b>

BE IT FURTHER RESOLVED that the following claims have been paid prior to the Bill List Resolution in the following amounts:

CURRENT ACCT claims in the amount of:	\$324,967.71
WATER UTILITY ACCT claims in the amount of:	\$34,041.67
PARKING UTILITY ACCT claims in the amount of:	\$3,012.88
PAYROLL AGENCY ACCT claims in the amount of:	\$192,517.08
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$340.07
<b>TOTAL CLAIMS PAID</b>	<b>\$554,879.41</b>

**TOTAL BILL LIST RESOLUTION** **\$2,031,632.54**

**Alderwoman Romaine has moved the foregoing resolution be adopted and duly seconded by Alderman Visioli and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega and Yzarnotegui**  
**Nays: None    Absent: Alderman MacDonald    Abstained: Mayor Dodd**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**  
**APPROVING APPLICATION FOR 2013 TONNAGE GRANT**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for such tonnage grants for calendar year 2013 will memorialize the commitment of this municipality to recycling and to indicate the assent of The Mayor and Board of Aldermen to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover, County of Morris that hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of

Environmental Protection and designates *William J. Isselin / Municipal Recycling Coordinator* to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**Alderman Romaine has moved the foregoing resolution be adopted and duly seconded by Alderman Picciallo and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd  
Nays: None Absent: Alderman MacDonald Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE  
TOWN OF DOVER AWARDING BID FOR TOWN HALL BASEMENT SPRINKLER SYSTEM**

**WHEREAS**, the Town of Dover solicited bids for the town hall basement sprinkler system; and

**WHEREAS**, bids were received on January 24, 2014; and

**WHEREAS**, only one bid was received as follows:

A. K & D Contractor's, Inc. \$ 86,600.00; and

**WHEREAS**, the Engineering estimate for the project by the Town was \$130,000.00; and

**WHEREAS**, the Municipal Engineer recommends awarding the contract to K & D Contractor's, Inc., 351 Monroe Ave, Kenilworth, NJ 07033 in the amount of \$86,600.00; and

**WHEREAS**, the project will be funded with \$ 86,600.00 from Capitol Account C-04-55-926-001; and

**NOW THEREFORE**, it is hereby **RESOLVED** by the Mayor and the Board of Aldermen of the Town of Dover, Morris County, New Jersey as follows:

1. The bid of in the amount for \$ 86,600.00 from K & D Contractor's, Inc. is hereby accepted; and
2. The Mayor and Clerk are hereby authorized to execute a contract with K & D Contractor's, Inc., 351 Monroe Ave, Kenilworth, NJ 07033 in the amount of \$86,600.00; and

**Alderman Visioli has moved the foregoing resolution be adopted and duly seconded by Alderman Romaine and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd  
Nays: None Absent: Alderman MacDonald Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN CALLING ON THE LEGISLATURE  
TO MAKE PERMANENT THE 2% CAP ON INTEREST ARBITRATION AWARDS**

**WHEREAS**, on December 21, 2010, Governor Christie signed into law reforms to the Arbitration process that took effect January 1, 2011; and

**WHEREAS**, the reforms capped arbitration awards on economic factors to no more than 2%, provided for random selection of arbitrators, expedited the determination of awards, required the arbitrator to provide a written report detailing the weight accorded to each of the required considerations and expedited the appeal process; and

**WHEREAS**, these reforms marked a dramatic change to the arbitration process and have helped municipalities to control the never-ending rise in public safety personnel costs; and

**WHEREAS**, a key element of the reforms, capping arbitration awards on economic factors to no more than 2% of the property tax levy will expire on April 1, 2014; and

**WHEREAS**, while municipalities are statutorily limited to raise their property tax levy by no more than 2%, with very limited exceptions, failure to extend the 2% cap on interest arbitration awards will force municipalities throughout the

State to further reduce or even eliminate crucial services, personnel, and long-overdue infrastructure improvement projects in order to fund an arbitration award; and

**WHEREAS**, the 2% Interest Arbitration cap has controlled one of the largest municipal expense, public safety salaries, not only through arbitration awards but through contract negotiations; and

**WHEREAS**, absent further action by the Legislature, any contract that expires on or after April 1, 2014, will be subject to all new procedures and requirements, EXCEPT the 2% awards cap; and

**WHEREAS**, without those limits, arbitrators will be able to impose awards that do not account for the 2% limit on the property tax levy, which would immediately threaten funding for all other municipal services; and

**WHEREAS**, without the 2% cap on Interest Arbitration Awards but with the 2% cap on property tax levy local budget makers could be forced to reduce other essential municipal services to fund an arbitration award;

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the Town of Dover strongly urges the Legislature to permanently extend the 2% cap on interest arbitration awards prior to the April 1, 2014 sunset; and

**BE IT FURTHER RESOLVED**, that a that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, the legislators of the Town of Dover's State Legislative representatives, Governor Chris Christie, and the New Jersey State League of Municipalities.

**Alderman Romaine has moved the foregoing resolution be adopted and duly seconded by Alderman Picciallo and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd  
Nays: None      Absent: Alderman MacDonald      Abstained: None**

**RESOLUTION AUTHORIZING THE TOWN OF DOVER TO ENTER INTO A  
COOPERATIVE PRICING AGREEMENT KNOWN AS THE PASSAIC COUNTY  
ENERGY COOPERATIVE PRICING SYSTEM ID#184PCECPS**

**WHEREAS**, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

**WHEREAS**, the County of Passaic, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

**WHEREAS**, the governing body of the Town of Dover has duly considered participation in a Cooperative Pricing System for the procurement of energy; and

**NOW, THEREFORE BE IT RESOLVED** as follows:

- 1) **TITLE** - This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Town of Dover.
- 2) **AUTHORITY** - Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the MAYOR and MUNICIPAL CLERK, are hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.
- 3) **CONTRACTING UNIT** - The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.
- 4) **EFFECTIVE DATE** - This resolution shall take effect immediately upon passage.

**Alderman Visioli has moved the foregoing resolution be adopted and duly seconded by Alderman Blackman and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd  
Nays: None      Absent: Alderman MacDonald      Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**  
**APPROVING THE SETTLEMENT OF A TAX COURT APPEAL**  
**W BARNISH CHILDRENS SHARE TEST TRUST and**  
**63-105 BASSETT HWY, LLC, BLOCK 1201, LOT 6**  
**2008, 2009, 2010, 2011 AND 2012**

**WHEREAS**, W Barnish Childrens Share Test Trust and 63-105 Bassett Hwy, LLC is the owner of 63-105 Basset Highway, Dover New Jersey, also known as Block 1201, Lot 6; and

**WHEREAS**, the W Barnish Childrens Share Test Trust and 63-105 Bassett Hwy, LLC filed appeals with the Tax Court of New Jersey for the years 2008, 2009, 2010 and 2011 bearing Docket # 005635-2008, 006264-2009, 001461-2010 and 001969-2011; and

**WHEREAS**, the Tax Assessor has reviewed Answers to Interrogatories and consulted with the expert appraiser for the Town, Robert J. Edgar of Certified Valuations, who has thoroughly reviewed the appeal; and,

**WHEREAS**, a settlement value of \$3,400,000.00 total assessment for year 2008, \$7,500,000.00 total assessment for year 2009, \$7,000,000.00 total assessment for year 2010 and \$ 6,000,000.00 total assessment of year 2011 was recommended by the expert appraiser for the Town; and

**WHEREAS**, the taxpayer has accepted the market value offer of judgment; and

**WHEREAS**, the original assessments and requested tax court judgment are as follows:

<b><u>2008</u></b>	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Tax Court</u> <u>Judgment</u>
Land:	\$1,404,000	None	\$1,404,000
Improvements:	<u>\$1,996,000</u>	Direct	<u>\$1,996,000</u>
Total:	\$3,400,000	Appeal	\$3,400,000
<b><u>2009</u></b>	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Tax Court</u> <u>Judgment</u>
Land:	\$2,808,000	None	\$2,808,000
Improvements:	<u>\$5,192,000</u>	Direct	<u>\$4,692,000</u>
Total:	\$8,000,000	Appeal	\$7,500,000
<b><u>2010</u></b>	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Tax Court</u> <u>Judgment</u>
Land:	\$2,808,000	None	\$2,808,000
Improvements:	<u>\$5,192,000</u>	Direct	<u>\$4,192,000</u>
Total:	\$8,000,000	Appeal	\$7,000,000
<b><u>2011</u></b>	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Tax Court</u> <u>Judgment</u>
Land:	\$2,808,000	None	\$2,808,000
Improvements:	<u>\$5,192,000</u>	Direct	<u>\$3,192,000</u>
Total:	\$8,000,000	Appeal	\$6,000,000

The parties further agree that the property's 2012 total assessment shall be \$5,500,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey as follows:

1. The tax court appeals bearing the above referenced docket numbers are hereby authorized to be settled for the fair market value amounts for years 2008, 2009, 2010 and 2011.
2. The settlement shall be paid by tax credit to future tax bills and not by refund.
3. The taxpayer must waive interest on the overpaid amounts.
4. The Municipal Attorney is hereby authorized to execute a Stipulation of Settlement upon the terms set forth above.



**Alderwoman Romaine has moved the foregoing resolution be adopted and duly seconded by Alderman Picciallo and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd  
Nays: None      Absent: Alderman MacDonald      Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER  
AUTHORIZING EXECUTION OF DEVELOPER'S AGREEMENT  
WITH MORRIS HABITAT FOR HUMANITY**

**WHEREAS**, Chaplin Homes, Inc., hereinafter "Chaplin," filed for a subdivision before the Planning Board of the Town of Dover; and

**WHEREAS**, final major subdivision approval has been granted to Chaplin; and,

**WHEREAS**, as a condition of the approval Chaplin was to enter into and execute a Developer's Agreement with the Town of Dover for Block 2205, Lots 1, 2, 3 and 17; and

**WHEREAS**, Morris Habitat for Humanity is the contract purchaser of the property and as such must enter into and execute a Developer's Agreement; and

**WHEREAS**, the municipal attorney has prepared such agreement; and

**WHEREAS**, the municipal engineer has reviewed and approved such Developer's Agreement; and

**WHEREAS**, a copy has been provided to the clerk of the municipality.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey as follows:

1. The Developer's Agreement covering Block 2205, Lots 1, 2, 3 and 17, all located on Harding Avenue and South Salem Street in the Town of Dover, County of Morris and State of New Jersey, is hereby approved; and
2. The Mayor and Clerk are hereby authorized to execute same.

**Alderman Visioli has moved the foregoing resolution be adopted and duly seconded by Alderwoman Romaine and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd  
Nays: None      Absent: Alderman MacDonald      Abstained: None**

**PUBLIC COMMENTS**

**PAULA MEYERS** -121 Baker Street – She expressed that the parking in the fire lane behind her house is terrible. They are not able to enter or exit their driveways due to the parked cars. She understands that speed bumps cannot be installed however she was told that the street could be made a one way street.

Mr. Close noted that he requested a recommendation from the Engineering Department. Mayor Dodd noted that the recommendation should come from the Alderman of that ward. Mayor Dodd is also concerned with the enforcement and will have the administrator notify the Public Safety Director about the request for enforcement in the area. Mayor Dodd noted that the issue will be resolved.

**YUDI CORTEZ** – 116 Baker Street – She asked if the speed limit could be addressed on the fire lane behind Baker Street. She noted that with the installation of stop signs at Baker Street, traffic is now flowing to the fire lane and causing dangerous situations since drivers view it as a cut through. Mayor Dodd noted that he will work with the Aldermen of the ward to resolve the situation.

Alderwoman Romaine suggested the fire lane have one entrance/exit (dead-end) providing it approved by all the departments/agencies. Mayor Dodd noted that it's an option and it would be looked into however a couple board

members noted that fire truck and oil trucks (large trucks) must enter and exit through one way which can be difficult.

**Motion to adjourn made by Alderwoman Romaine at 7:57 pm,  
and duly seconded by Alderman Rutan passed by the following voice vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd  
Nays: None      Absent: Alderman MacDonald      Abstained: None**

**Respectfully submitted,**

**Margaret J. Verga, Municipal Clerk**