

# TOWN OF DOVER MAYOR AND BOARD OF ALDERMEN

# CAUCUS MEETING MINUTES JUNE 25, 2019 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 7:00 PM

# **ROLL CALL:**

Present: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Quinones, Valencia and Mayor Dodd Absent: Alderwoman Wittner

Also present were Administrator Donald Travisano, Town Attorney Jarrid Kantor and Municipal Clerk Tara Pettoni.

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

# 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.

# MUNICIPAL CORRESPONDENCE:

- 1. Received from NJ League of Municipalities—Weekly Update—June 14, 2019
- 2. Received from NJ League of Municipalities—Weekly Update—June 21, 2019
- 3. Received from the NJDEP—Weekly Update—June 14, 2019
- 4. Received from the NJDEP—Weekly Update—June 21, 2019

# CONSENT AGENDA

- 1. Resolution No. 151-2019—Approving Bills List
- 2. Resolution No. 152-2019—Approving the Minutes for the June 11, 2019 Caucus and Regular
- 3. Resolution No. 153-2019-Certification of the 2018 Audit
- 4. Resolution No. 154-2019—Authorizing Individuals to Sign 457 Deferred Compensation Plan Documents
- 5. Resolution No. 155-2019—Authorizing a Waiver of Sewer Fees 96-98 Prospect Street
- 6. Resolution No. 156-2019—Approving Taxis

### AGENDA ITEMS:

# **ORDINANCE(S) FOR FIRST READING**

NONE

### **ORDINANCE(S) FOR SECOND READING**

- 1. Ordinance No. 05-2019 Bond Ordinance for Various Improvements-Alderwoman Romaine
- 2. Ordinance No. 06-2019 Bond Ordinance for Various Water Improvements-Alderwoman Romaine

### RESOLUTIONS

- 1. Resolution No. 157-2019—Approving the Renewal of Liquor Licenses as per Schedule A
- 2. Resolution No. 158-2019—Approving the Submission of a NJDOT Local Aid Grant Application
- 3. Resolution No. 159-2019—Authorizing Planning Board to Undertake ANR Study
- 4. Resolution No. 160-2019—Appointment of Deputy Clerk
- 5. Resolution No. 161-2019—To Enter into Executive Session—Tax Appeal Litigation
- 6. Resolution No. 162-2019—Approving Barrick Tax Settlement
- 7. Resolution No. 163-2019—Approving Davenport, Glantz & Raicer Tax Settlement

# REGULAR MEETING MINUTES JUNE 25, 2019

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 7:00 PM

# **ROLL CALL:**

Present: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Quinones, Valencia and Mayor Dodd Absent: Alderwoman Wittner

Also present were Administrator Donald Travisano, Town Attorney Jarrid Kantor and Municipal Clerk Tara Pettoni.

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

Mayor Dodd opened the meeting to the public on any agenda items. Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public.

# **CONSENT AGENDA:**

# RESOLUTION NO. 152-2019 RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY FOR APPROVAL OF MINUTES

**WHEREAS**, in accordance with the provisions set forth in the Open Public Meeting Law, annual notice has been provided for all Mayor and Board of Aldermen meetings; and

**WHEREAS**, the Mayor and Board of Aldermen of the Town of Dover held their Public Meetings, and minutes of those meetings were transcribed.

**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 for approval the minutes for the following meetings:

# June 11, 2019 – Caucus & Regular

# <u>RESOLUTION NO. 153-2019</u> <u>RESOLUTION OF THE GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT</u>

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, The Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the Annual Audit entitled "Comments and Recommendations; and

**WHEREAS**, the members of the governing body have personally reviewed, as a minimum the Annual Report of Audit and specifically the sections of the Annual Audit entitled "Comments and Recommendations" as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB -52- to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

**NOW, THEREFORE BE IT RESOLVED**, That the Mayor and Board of Aldermen of the Town of Dover, hereby states that it has complied with N.J.A.C.5:30-5.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

# RESOLUTION NO. 154-2019 RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING INDIVIDUALS TO SIGN DOCUMENTS

**WHEREAS**, certain documents are required to be signed on behalf of the Town of Dover concerning the 457 savings plans.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey that the following individuals within the Town of Dover be and they are hereby authorized to sign documentation on behalf of the Town of Dover in order to process, transfer or qualified transfer requests.

Kelly Toohey, CFO/Treasurer Sharon Wagner, Human Resources Manager

# RESOLUTION NO. 155-2019 RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING A WAIVER OF CERTAIN SEWER FEES

WHEREAS, the owner of 96-98 Prospect Street has contacted Dover Water Commission seeking a waiver for certain Sewer Charges due to a water leak; and

WHEREAS, the owner has corrected the leak and it was verified that the loss of water had not entered the sewer system; and

WHEREAS, he is requesting an adjustment on the sewer portion of his utility bill; and

**WHEREAS**, the Dover Water Board Commissioners recommend that the owner of account **#303710-1-0** be credited **\$350.35**.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Board of Aldermen of the Town of Dover that a sewer credit be issued in the amount of **\$350.35**.

# **RESOLUTION NO. 156-2019**

# RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY 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.

PREMIER CAR SERVICE			
2012 TOYOTA	U151505	OT413C	TAXI #24
2015 TOYOTA	S549865	OT412C	TAXI #26S

FIRST CLASS OF DOVER			
2009 TOYOTA	R591096	OT4532	TAXI #9
2013 TOYOTA	S330270	OT1575	TAXI #4
2011 TOYOTA	U150463	OT408C	TAXI #5

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

Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Quinones, Valencia & Mayor Dodd<br/>Nays: NoneAbsent: Alderwoman WittnerAbstained: None

# RESOLUTION NO. 151-2019 BILLS 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.

CURRENT APPROPRIATIONS RESERVE ACCT claims in the amount of:	\$14,999.89
CURRENT APPROPRIATIONS ACCT claims in the amount of:	\$1,529,635.41
GENERAL CAPITAL ACCT claims in the amount of:	\$235,875.42
WATER UTILITY RESERVE ACCT claims in the amount of:	\$0.00
WATER UTILITY ACCT claims in the amount of:	\$30,443.62
WATER CAPITAL ACCT claims in the amount of:	\$1,445.00
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$0.00
PARKING UTILITY ACCT claims in the amount of:	\$2,415.66
PARKING CAPITAL ACCT claims in the amount of:	\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$36.00
EVIDENCE TRUST ACCT claims in the amount of:	\$0.00
RECYCLING TRUST ACCT claims in the amount of:	\$165.00
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:	\$11,106.99
COAH TRUST ACCT claims in the amount of:	\$0.00
TOTAL CLAIMS TO BE PAID	\$1,826,122.99

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

TRUST/OTHER ACCT claims in the amount of:	
CURRENT APPROPRIATIONS ACCT claims in the amount of:	\$318.52
GENERAL CAPITAL ACCT claims in the amount of:	\$7,400.00
WATER UTILITY OPERATING claims in the amount of:	\$0.00
TOTAL CLAIMS PAID	\$7,718.52

# Alderwoman Romaine has moved the foregoing resolution be adopted and duly seconded by Alderman O'Connor passed by the following roll call vote.

# Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Quinones, Valencia & Mayor Dodd<br/>Nays: NoneAbsent: Alderwoman WittnerAbstained: None

Alderwoman Blackman abstained from PO # 19-01313 on page 25.

# ORDINANCE(S) FOR FIRST READING: NONE

#### **ORDINANCE(S) FOR SECOND READING:**

# ORDINANCE NO. 05-2019 BOND ORDINANCE APPROPRIATING \$1,000,000, AND AUTHORIZING THE ISSUANCE OF \$950,000 BONDS OR NOTES OF THE TOWN, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, NEW JERSEY

# **BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS**:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Town of Dover, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$1,000,000 including the aggregate sum of \$50,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Town for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,000,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$950,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Town in a principal amount not exceeding \$950,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

#### **IMPROVEMENT OR PURPOSE**

(a) Acquisition by purchase and installation, as necessary, of new and additional equipment, including, without limitation, self-contained breathing apparatus, gas meters, pass devices, hoses, helmets and other equipment for use by the Fire Department of the Town, together with all attachments, accessories and appurtenances necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Town Clerk and hereby approved

(b) Improvement of various roads and locations in and by the Town by the construction, reconstruction and resurfacing thereof to provide roadway pavements at

APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT <u>OF BONDS AND NOTES</u>
\$50,000	\$47,600
\$30,000	\$47,000
450,000	428,500

ECTINATED

least equal in useful life or durability to a roadway surface of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law), together with all landscaping, signage, lighting, milling, curbing, crack sealing, drainage structures and improvements, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Town Clerk and hereby approved.

(c) Improvement of municipally-owned properties, parks and facilities in and by the Town including, without limitation, the renovation, rehabilitation and upgrade thereof, together with for all the aforesaid all landscaping, site work, furnishings, equipment, machinery, work, and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Town Clerk and hereby approved

(d) Acquisition by purchase of new and additional communication and computer equipment for use by various departments of the Town, together with all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Town Clerk

Totals

<u>250,000</u> \$1,000,000 <u>235,900</u> \$950,000

238,000

250,000

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Town may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10.75 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Town Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Town as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$950,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$300,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, acting chief financial officer or treasurer (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Town at the meeting next succeeding the date when any sale or delivery of the notes pursuant

to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Town Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Quinones, Valencia & Mayor Dodd<br/>Nays: NoneNoneAbsent: Alderwoman WittnerAbstained: None

### ORDINANCE NO. 06-2019

# BOND ORDINANCE APPROPRIATING \$3,000,000, AND AUTHORIZING THE ISSUANCE OF \$2,857,000 BONDS OR NOTES OF THE TOWN, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN IN AND BY THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, NEW JERSEY, FOR THE WATER SUPPLY AND DISTRIBUTION SYSTEM OF THE TOWN

# **BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS**:

The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Town of Dover, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$3,000,000 including the aggregate sum of \$143,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Town for down payment or for capital improvement purposes.

For the financing of said improvements or purposes and to meet said \$3,000,000 appropriation not provided for by application hereunder of said down payments, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$2,857,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Town in a principal amount not exceeding \$2,857,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

The improvements hereby authorized and several purposes for the financing of which said obligations are to be issued the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

#### **IMPROVEMENT OR PURPOSE**

(a) Improvement of the water supply and distribution system in and by the Town, including by the rehabilitation of the water tanks, wells, water treatment facilities, pumping facilities, booster stations, piping, valves and hydrants, together with all designs, engineering, structures,

# APPROPRIATION AND ESTIMATED COST

ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Town Clerk and hereby approved (b) Improvement of the Rutgers Street Bridge in and by the Town by the reconstruction thereof, together with, structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Town Clerk and hereby approved

<u>1,000,000</u>	<u>952,300</u>
------------------	----------------

Totals \$3,000,000 \$2,857,000

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Town may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 36 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Town Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that, while the net debt of the Town determined as provided in said Local Bond Law is not increased by this bond ordinance, the gross debt of the Town as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,857,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$300,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and is included in the foregoing estimates thereof.

(e) This bond ordinance authorized obligations of the Town solely for purposes described in paragraph (h) of section 40A:2-7 of said Local Bond Law, and the said obligations authorized by this bond ordinance are to be issued for a purpose which is self-liquidating within the meaning and limitations of section 40A:2-45 of said Local Bond Law and are deductible, pursuant to paragraph (c) of section 40A:2-44 of said Local Bond Law, from the gross debt of the Town.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Town at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Town, and, unless paid from the revenues of the water supply and distribution system of the Town, the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Town Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

# Alderwoman Romaine has moved the foregoing resolution be adopted and duly seconded by Alderman O'Connor passed by the following roll call vote.

Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Quinones, Valencia & Mayor Dodd<br/>Nays: NoneAbsent: Alderwoman WittnerAbstained: None

### RESOLUTION NO. 157-2019 RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER APPROVING THE RENEWAL OF ALCOHOLIC BEVERAGE LICENSES

**WHEREAS**, the herein named duly filed applications for renewal of their Alcoholic Beverage Licenses for their respective premises as shown on Schedule A for July 1, 2019 to June 30, 2020; and

WHEREAS, no objections have been received from the public; and

**WHEREAS**, the required fees have been paid and all premises have been inspected and approved by the Police Department, Board of Health and the Bureau of Fire Prevention.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover that said applications be approved and that the respective licenses be granted; and

**BE IT FURTHER RESOLVED** that the Town Clerk or Director in the case of a conflict license be and hereby is authorized to issue license certificates accordingly as listed below.

# 2019/2020 LIQUOR LICENSES 2019/2020 LIQUOR LICENSES

MY PLACE LOUNGE, INC	JAI ALAI RESTAURANT 73-75 W. BLACKWELL STREET	1409-33-001-007
AMANDEEP INC.	THE BASKET OF CHEER LTD. 380 U.S. HIGHWAY 46, P.O. Box 542	1409-44-003-004
JUST A BAR CORP	LOS ARRIEROS BAR 9 W. CLINTON STREET	1409-33-004-006
AC DOIT CORP.	UNIQUE BAR & GRILL 97 E. BLACKWELL STREET	1409-33-005-006
IE & ANGIE LLC	CELEBRITY BAR & LIQUORS LLC. 260 ROUTE 46 EAST	1409-33-006-006
BLACKWELL STREET CAFE, INC.	MURRAY'S 111 E. BLACKWELL STREET	1409-33-008-004
D. RUEDA LLC	SIX WEST 112 E. BLACKWELL STREET	1409-33-009-006
CAFL HOSPITALITY	TABLE 42 42 N. SUSSEX STREET	1409-32-010-008
SU CASA COLOMBIA REST, INC	SU CASA COLOMBIA RESTAURANT 112 E. BLACKWELL STREET	1409-33-012-004

SHANTIVAN LIQUORS, INC.	NEIGHBORHOOD DELI 263 E. BLACKWELL STREET	1409-44-015-006
QUIET MAN INC., THE	QUIET MAN, THE 62-64 E. McFARLAN STREET	1409-33-016-003
19 BASSETT HWY., LLC	MONCHY'S COLOMBIAN GRILL 19 BASSETT HIGHWAY	1409-33-017-008
SHREE UMA LAXMI, LLC	DOVER LIQUORS 10 W. BLACKWELL STREET	1409-44-018-007
TOVAR ENTERPRISES, INC.	TEQUILA'S BISTRO GRILL 55 E. BLACKWELL STREET	1409-33-019-007
PANCHO VILLA RODEO INC.	PANCHO VILLA RODEO 142 E. BLACKWELL STREET	1409-33-020-004
LAKE HOPATCONG CLASSICS, LLC.	BASSETT PUB 8 BASSETT HWY.	1409-33-021-006
19 BASSETT CORP.	SABOR LATINO RESTAURANT 44 N. MORRIS STREET	1409-33-023-006
SHIV LIQUOR, LLC	SAM'S LIQUOR WINE & DELI 325 W. CLINTON STREET	1409-44-026-005
NATASHA JR CORP.	THOMAS LIQUORS 26 S. MORRIS STREET	1409-44-027-007
DLTL CORP.	INACTIVE 43 W. BLACKWELL ST.	1409-33-030-006
MARK MONT INC.	CHARLOTTE'S WEB 39 W. CLINTON STREET	1409-33-031-003
WILLIAM HEDGES BAKER POST #27 AMER. LEGION	AMERICAN LEGION POST #27 2 LEGION PLACE	1409-31-032-001
CASA PUERTO RICO INC.	CASA PUERTO RICO 50 W. BLACKWELL STREET P.O. BOX 486	1409-31-033-002
DOVER HILLTOP ATHLETIC CLUB INC.	DOVER HILLTOP A.C. 17 GRANT STREET	1409-31-034-001
ROCKAWAY TWP. DOVER LODGE	DOVER MOOSE LODGE 541 21 SAMMIS AVENUE	1409-31-039-001
ONE NJ DOVER HW MGMT. LLC	HILTON HOMEWOOD SUITES 2 COMMERCE CENTER DRIVE	1409-36-042-005
	• • • • • • • • • • • •	

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

Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Quinones, Valencia & Mayor Dodd<br/>Nays: NoneAbsent: Alderwoman WittnerAbstained: None

**RESOLUTION NO. 158-2019** 

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER APPROVING THE SUBMISSION OF A NJDOT LOCAL GRANT APPLICATION Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Essex Street Roadway Improvements project.

**NOW, THEREFORE, BE IT RESOLVED** that Mayor & Board of Aldermen of the Town of Dover formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2020-Essex Street Roadway Improvements-00203** to the New Jersey Department of Transportation on behalf of the Town of Dover.

**BE IT FURTHER RESOLVED** that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Dover and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

# Alderman O'Connor has moved the foregoing resolution be adopted and duly seconded by Alderman Toth passed by the following roll call vote.

Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Valencia & Mayor DoddNays: NoneAbsent: Alderwoman WittnerAbstained: None

### RESOLUTION NO. 159-2019

# RESOLUTION OF THE MAYOR & BOARD OF ALDERMEN OF THE TOWN OF DOVER AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTIES COMMONLY KNOWN AS BLOCK 1315, LOTS 3, 4 & 5; AND BLOCK 2023, LOTS 1, 2 & 4 ON THE TAX MAP OF THE TOWN OF DOVER, ALONG WITH ASSOCIATED PUBLIC RIGHTS OF WAY, SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, et seq.

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the "Act"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, said properties have laid vacant without redevelopment interest; and

WHEREAS, said properties are significant to the redevelopment of the Rt. 46 corridor; and

WHEREAS, the Town of Dover desires to provide addition incentive for the redevelopment of said parcels; and

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq.*, as amended (the "**Redevelopment** Law"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

**WHEREAS**, to determine whether certain parcels of land constitute an area in need of redevelopment, under the Redevelopment Law the Mayor & Board of Aldermen of the Town of Dover (the "Governing Body") must authorize the Planning Board to conduct a preliminary investigation of the area and make recommendations to the Governing Body; and

**WHEREAS**, the Governing Body hereby requests that an investigation occur with respect to the properties commonly known as Block 1315, Lots 3, 4 & 5 and Block 2023, Lots 1, 2 & 4 on the Tax Maps of the Town of Dover, along with the associated Public Rights of Way, as depicted on attached Exhibits entitled "Rt. 46 ANR Study Area 1" and "Rt. 46 ANR Study Area 2" (the "**Study Areas**"), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A.* 40A:12A-5, and should be designated as an area in need of redevelopment; and

WHEREAS, if the Study Areas are determined to meet the criteria for designation as an area in need of redevelopment, and upon adoption of a Redevelopment Plan the Governing Body further authorizes the Town to use all of those powers provided under the Redevelopment Law for use in a redevelopment area, <u>excluding</u> the power of eminent domain (a "Non-Condemnation Redevelopment Area" as defined in the Redevelopment Law) pursuant to *N.J.S.A.* 40A:12A-6.a; and

**WHEREAS**, the Governing Body has determined that it is in the best interests of the Town to direct the Planning Board to undertake a preliminary investigation of the Study Areas pursuant to the procedures of the Redevelopment Law and provide its recommendations to the Governing Body;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Town of Dover, New Jersey, as follows:

**Section 1.** The foregoing recitals are incorporated herein as if set forth in full.

**Section 2.** The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A.* 40A:12A-6 to determine whether the Study Areas satisfies the criteria set forth in *N.J.S.A.* 40A:12A-5 to be designated as an area in need of redevelopment, which designation would permit the Town to utilize all of the redevelopment powers, excluding eminent domain (as defined in the Redevelopment Law, a Non-Condemnation Redevelopment Area).

**Section 3.** As part of its investigation, the Planning Board shall prepare maps showing the boundaries of the Study Areas and the location of the parcels contained therein and appended thereto shall be a statement setting forth the basis of the investigation.

**Section 4.** The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A.* 40A:12A-6, after giving due notice of the proposed boundary of the Study Areas, the date of the hearing and the municipal option not to exercise the power of eminent domain (Non-Condemnation Redevelopment Area), to any persons who are interested in or would be affected by a determination that the Study Areas is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination would not authorize the Town to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Areas are being investigated as a possible Non-Condemnation Redevelopment Area.

**Section 5.** At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Areas are redevelopment areas. All objections to a determination that the Study Areas are areas in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

**Section 6.** After conducting its investigation, preparing a map of the Study Areas, and conducting a public hearing at which all objections to the designations are received and considered, the Planning Board shall make recommendations to the Governing Body as to whether the Governing Body should designate the Study Areas as areas in need of redevelopment excluding eminent domain (as defined in the Redevelopment Law, a Non-Condemnation Redevelopment Area), pursuant to the Redevelopment Law.

Section 7. This resolution shall be effective in accordance with applicable law.

# Alderwoman Romaine has moved the foregoing resolution be adopted and duly seconded by Alderman O'Connor passed by the following roll call vote.

Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Quinones, Valencia & Mayor Dodd<br/>Nays: NoneAbsent: Alderwoman WittnerAbstained: None

### RESOLUTION NO. 160-2019

# RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY APPOINTING ERICA VINALES TO THE POSITION OF DEPUTY CLERK

**WHEREAS**, there exists a need for the appointment of Deputy Municipal Clerk in the Town of Dover for the purpose of providing the Town with the duties, tasks and services for residents; and

**WHEREAS**, the Mayor may appoint a deputy clerk for the purpose of assuring the continue provision of duties, tasks and services for the residents of Dover during the absence or disability of the municipal clerk; and

**WHEREAS**, during the absence or disability of the municipal clerk, the deputy municipal clerk shall have all the powers of the municipal clerk and shall perform the functions and duties of such office; and

**WHEREAS**, the Town has determined that Erica Vinales is the most qualified candidate to serve in the capacity of deputy clerk; and

WHEREAS, appointment of a person as deputy clerk will not significantly increase the workload of that person.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey appointing Erica Vinales as Deputy Clerk of the Town of Dover.

# Alderman Visioli has moved the foregoing resolution be adopted and duly seconded by Alderman O'Connor passed by the following roll call vote.

Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Quinones, Valencia & Mayor Dodd<br/>Nays: NoneNoneAbsent: Alderwoman WittnerAbstained: None

### RESOLUTION NO. 161-2019 RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER TO ENTER EXECUTIVE SESSION

**WHEREAS**, the Open Public Meetings Act provides that the Mayor and Board of Aldermen may go into executive session to discuss matters that may be confidential or listed pursuant to N.J.S.A. 10:4-12; and

**WHEREAS,** it is recommended by the Town Attorney and Administrator that the Mayor and Town Committee go into executive session to discuss matters set forth hereinafter which are permissible for discussion in executive session; now, therefore,

**BE IT RESOLVED** that the Mayor and Board of Aldermen of the Town of Dover shall go into executive session to discuss the following items:

Litigation/Potential Litigation – N.J.S.A. 10:4-12(b)(7)

Barrick v. Town of Dover (Tax Appeal) Davenport, Glantz & Raicier v. Town of Dover (Tax Appeal)

Official Action may be taken.

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

Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Quinones, Valencia & Mayor DoddNays: NoneAbsent: Alderwoman WittnerAbstained: None

# RESOLUTION NO. 162-2019

# RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER APPROVING THE SETTLEMENT OF TAX COURT APPEALS OF MATTHEW BARRICK, JR. AND DORIS L. BARRICK, hereafter TAXPAYER REGARDING BLOCK 1201, LOT 6.01 FOR YEARS 2011-2017

**WHEREAS**, Taxpayers are the owners of 107 Basset Highway, Dover, New Jersey, also known as Block 1201, Lot 6.01 and;

**WHEREAS**, Taxpayer filed appeals with the Tax Court of New Jersey for the years 2011 through 2017 bearing the docket numbers on the attached Stipulation of Settlement; and

**WHEREAS**, the Tax Assessor has reviewed Answers to Interrogatories and consulted with the expert appraiser for the Town, Associated Appraisal Group, who have thoroughly reviewed the appeal; and

WHEREAS, the case went to trial before the Honorable Vito Bianco and was settled during trial; and

WHEREAS, the proposed settlement is attached; and

WHEREAS, the taxpayer has accepted these market value offers of judgment; 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:

- 1. The Tax court appeals bearing the attached Docket Numbers and Tax Years are hereby authorized to be settled for the fair market value amounts on the attached proposed Stipulation of Settlement.
- 2. The settlement shall be paid by refund.

- 3. The taxpayer shall waive interest on the reduced assessments provided the refund is paid upon approval of the 2019 fiscal year budget but no later than June 1, 2019.
- 4. David C. Pennella, Esq., is hereby authorized to execute a Stipulation of Settlement upon the terms set forth above.

The taxpayer represents the properties are currently not listed for sale

# Alderwoman Romaine has moved the foregoing resolution be adopted and duly seconded by Alderman O'Connor passed by the following roll call vote.

Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Quinones & Mayor Dodd<br/>Nays: NoneAbsent: Alderwoman WittnerAbstained: None

# RESOLUTION NO. 163-2019 <u>RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN</u> <u>OF THE TOWN OF DOVER APPROVING THE SETTLEMENT OF A TAX COURT APPEAL OF</u> <u>DAVENPORT, GLANTZ & RAICER, hereafter TAXPAYER</u> <u>REGARDING BLOCK 1327, LOT 1 FOR 2008</u>

WHEREAS, Taxpayer is the owner of 26-30 N. Morris Street, Dover, New Jersey, also known as Block 1327, Lot 1 and;

**WHEREAS**, Taxpayer filed an appeal with the Tax Court of New Jersey for the year 2008 bearing the docket number on the attached Stipulation of Settlement; and

**WHEREAS**, the Tax Assessor has reviewed Answers to Interrogatories and consulted with the expert appraiser for the Town, Associated Appraisal Group, who have thoroughly reviewed the appeal; and

WHEREAS, the proposed settlement is attached; and

WHEREAS, tax year 2008 will be reduced from \$465,000.00 down to \$394,900.00; and

WHEREAS, the taxpayer has accepted this market value offer of judgment; 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:

- 1. The Tax court appeals bearing the attached Docket Numbers and Tax Years are hereby authorized to be settled for the fair market value amounts on the attached proposed Stipulation of Settlement.
- 2. The settlement shall be paid by refund.
- 3. The Taxpayer shall waive interest on the reduced assessments provided the refund is paid within 60 days of the Judgment.
- 4. David C. Pennella, Esq., is hereby authorized to execute a Stipulation of Settlement upon the terms set forth above.
- 5. The Taxpayer represents the properties are currently not listed for sale.
- 6. The Taxpayer waives the Freeze Act.

Alderman O'Connor has moved the foregoing resolution be adopted and duly seconded by Alderman Quinones passed by the following roll call vote.

Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Quinones, Valencia & Mayor Dodd<br/>Nays: NoneNoneAbsent: Alderwoman WittnerAbstained: None

Mayor Dodd opened the meeting to the public.

**Stacey Gregg**—Rockaway Township— Ms. Gregg requested that the Town Meetings be streamed live. She also asked for any updates on the police brutality matter during the Town Meetings.

**Dominic Timpani**—2 Elm Street, Dover— Mr. Timpani requested information on personnel matters in regards to the Police Department which including the hiring of more police officers.

# Mayor Dodd made the motion to adjourn at 7:40 PM and Alderman O'Connor the motion and duly seconded and passed it by the following voice vote.

Respectfully submitted,

Erica Vinales, Deputy Clerk