

TOWN OF DOVER MAYOR AND BOARD OF ALDERMEN

CAUCUS MEETING MINUTES JULY 9, 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 Romaine, Toth, O'Connor, Wittner, Quinones, Valencia and Mayor Dodd

Absent: Aldermen Visioli & Blackman

Also present were Administrator Donald Travisano, Town Attorney Jarrid Kantor and Deputy Clerk Erica Vinales.

Deputy Clerk Erica Vinales stated adequate notice was given to the official newspaper.

Mayor Dodd administered the Oath of Office to:

Jonathan E. Cachola, Police Sergeant, Town of Dover Police Department

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 28, 2019
- 2. Received from NJ League of Municipalities—Daily Update—July 1, 2019
- 3. Received from the NJDEP—Weekly Update—June 28, 2019
- 4. Received from the NJDEP—Weekly Update—July 3, 2019
- 5. Thank you card from Kelly Toohey

CONSENT AGENDA

- 1. Resolution No. 164-2019—Approving Bills List
- 2. Resolution No. 165-2019—Approving Annual Dance Licenses
- 3. Resolution No. 166-2019— Approving Taxi Cab Driver's Licenses as per Schedule A

AGENDA ITEMS:

ORDINANCE(S) FOR FIRST READING

NONE

ORDINANCE(S) FOR SECOND READING

NONE

RESOLUTIONS

- 1. Resolution No. 167-2019—Approving the Minutes for the June 25, 2019 Caucus and Regular
- 2. Resolution No. 168-2019—Approving an Extension of Premise Permit for 19 Bassett Highway LLC (Monchy's Colombian Grill)
- 3. Resolution No. 169-2019—Awarding a Contract via Sealed Bid to Colonnelli Brothers. Inc. in the amount of \$2,568,940.00 for the Rutgers Street Over Rockaway River Bridge Replacement
- 4. Resolution No. 170-2019—Authorizing The Issuance and Execution of a Certificate of Completion for Property Known as Tax Block 2018 Lot 1 and Block 2019 Lot 1, also known as 69 King Street Located in the Guenther Mill Redevelopment Area
- 5. Resolution No. 171-2019—Consenting to the Installation of Two Permanent Groundwater Monitoring Wells in the Public Right of Way on 1 Towpath Square

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 Romaine, Toth, O'Connor, Wittner, Quinones, Valencia and Mayor Dodd

Absent: Aldermen Visioli & Blackman

Also present were Administrator Donald Travisano, Town Attorney Jarrid Kantor and Deputy Municipal Clerk Erica Vinales.

Deputy Clerk Erica Vinales stated adequate notice was given to the official newspaper.

Mayor Dodd opened the meeting to the public on any agenda items

Stacey Gregg—Rockaway Township—Ms. Gregg commented on the inability to hear with the microphones.

CONSENT AGENDA:

RESOLUTION NO. 165-2019 RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING ANNUAL DANCE LICENSE

WHEREAS, Tequila's 55 located at 55 East Blackwell Street has applied for an Annual Dance License for the period July 1, 2019 - June 30, 2020; and

WHEREAS, the applicant has submitted appropriate licensing fee; and,

WHEREAS, the appropriate municipal departments have reviewed the request and have no objections thereto; 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. An annual dance license is hereby granted for the period July 1, 2019 – June 30, 2020 to the following establishment:

SCHEDULE A

Tequila's 55 located at 55 East Blackwell Street

RESOLUTION NO. 166-2019

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING TAXICAB DRIVER LICENSES

WHEREAS, applications for taxicab drivers licenses have been made by the people listed on Schedule A attached hereto and made a part hereof; and

WHEREAS, the Police Department of the Town of Dover has reviewed their applications and has advised that there is no prohibition to the issuance of their license; 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 that the taxi driver licenses for those people listed on Schedule A attached hereto and made a part hereof are hereby approved.

FIRST CLASS OF DOVER.

Osvaldo Navarro
Jose Mendez-Matos
Luis Hincapie Perez
Pedro Loor
Santiago Gomez
Maximiliano Morales-Jeronimo

AXEL'S EXPRESS TAXI & LIMO

Carmen Bustamante Luis Giraldo Marta Buitrago Teofilo Mariano

CITY TAXI & LIMO, INC.

Arsenio Deleon-Delapaz
Bertha Ibarra
Jose Lopez
Roberto Gonzalez
Elizabeth Valeska Alarcon
Juan Alarcon
Alvaro Molino-Murrillo
Luis Matos
William Pulido
Oscar Coreas
Wagnel Torres-Ramirez
Luis Mancera Serno

PREMIER CAR SERVICE

Eduar Reyes
Marco Ordonez
Enrique Gonzales-Mercado
Hippolito Arias Caraballo
Dante Rivas
Hugo Bustamante
Juan Lemos
Fary Florentino
Jeury Guzman
Sandro Cespedes

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

Ayes: Aldermen Romaine, Toth, O'Connor, Wittner, Quinones, Valencia & Mayor Dodd Nays: None Absent: Aldermen Visioli & Blackman Abstained: None

ORDINANCE(S) FOR FIRST READING: NONE

ORDINANCE(S) FOR SECOND READING: NONE

RESOLUTION NO. 164-2019 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:	\$10,000.00
CURRENT APPROPRIATIONS ACCT claims in the amount of:	\$1,067,793.28
GENERAL CAPITAL ACCT claims in the amount of:	\$55,922.04
WATER UTILITY RESERVE ACCT claims in the amount of:	\$713.00
WATER UTILITY ACCT claims in the amount of:	\$57,897.14
WATER CAPITAL ACCT claims in the amount of:	\$29,550.00
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$0.00
PARKING UTILITY ACCT claims in the amount of:	\$4,258.26
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:	\$915.00
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:	\$162,511.93
COAH TRUST ACCT claims in the amount of:	\$0.00
TOTAL CLAIMS TO BE PAID	\$1,389,560.65

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:	\$1,008.00
CURRENT APPROPRIATIONS ACCT claims in the amount of:	\$11,543.97
GENERAL CAPITAL ACCT claims in the amount of:	\$0.00
WATER UTILITY OPERATING claims in the amount of:	\$560.00
TOTAL CLAIMS PAID	\$13,111.97
TOTAL BILL LIST RESOLUTION	\$1,402,672.62

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

Ayes: Aldermen Romaine, Toth, O'Connor, Wittner, Quinones, Valencia & Mayor Dodd Nays: None Absent: Aldermen Visioli & Blackman Abstained: None

Alderwoman Wittner abstained from PO # 19-01489, page 21 on the Bills List

RESOLUTION NO. 167-2019 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 25, 2019 – Caucus & Regular

Ayes: Aldermen Romaine, Toth, O'Connor, Quinones, Valencia & Mayor Dodd Nays: None Absent: Aldermen Visioli & Blackman Abstained: None Recuse: Alderwoman Wittner

RESOLUTION NO. 168-2019 RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING AN EXTENSION OF PREMISE PERMIT

WHEREAS, 19 Bassett Highway LLC (Monchy's Colombian Grill), located at 19 Bassett Highway filed an application for an Extension of Premise Permit be held at the 1-10 N Warren Street; and

WHEREAS, the petitioner is holder of plenary retail consumption license number 1409-33-017-007; and

WHEREAS, with the event for a Colombian Festival to be held on Saturday, August 3, 2019; and

WHEREAS, the Police Chief will determine what special conditions if any are 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 said application be approved and that the Petition to Extend Licensed Premises be granted;

- 1. 19 Bassett Highway LLC (Monchy's Colombian Grill) is approved for a Colombian Festival to be held on Saturday, August 3, 2019 from 12:00 pm through 8:00 pm.
- This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

BE IT FURTHER RESOLVED that the Town Clerk and Police Chief are authorized to sign said application.

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 Romaine, Toth, O'Connor, Wittner, Quinones, Valencia & Mayor Dodd Nays: None Absent: Aldermen Visioli & Blackman Abstained: None

RESOLUTION NO. 169-2019

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AUTHORIZING THE AWARD OF A CONTRACT BY SEALED BID TO COLONNELLI BROTHERS, INC. FOR THE RUTGERS STREET OVER ROCKAWAY RIVER BRIDGE REPLACEMENT—IN THE AMOUNT OF \$2,568,940.00

WHEREAS, the Town of Dover solicited bids for the Rutgers Street Over Rockaway River Bridge Replacement; and

WHEREAS, five (5) bids were received on July 2, 2019 as follows;

1.	Colonnelli Brothers, Inc.	\$2,568,940.00
2.	Scafar Contracting, Inc.	\$2,946,123.00
3.	Rencor, Inc.	\$2,970,314.00
4.	Sparwick Contracting, Inc.	\$3,045,610.00
5.	State Line Construction Co. Inc.	\$3,489,221.00

WHEREAS, the lowest responsive and responsible bidder was Colonnelli Brothers, Inc. in the amount of \$2,568,940.00; and

WHEREAS, the Town Administrator and Town Engineer have reviewed the bids and recommend awarding a contract to Colonnelli Brothers, Inc., 409 South River Street, Hackensack, NJ 07601, in the amount of \$2,568,940.00; and

WHEREAS, pursuant to N.J.S.A. 5:30-5.4, the CFO has certified in writing that existing funds are available and encumbered for this project and will be funded from Capital Accounts; and

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

- 1. The bid in the amount for \$2,568,940.00 from Colonnelli Brothers, Inc., 409 South River Street, Hackensack, NJ 07601, is hereby accepted as the lowest responsible and responsive bid and is hereby awarded; and
- 2. The Mayor and Clerk are hereby authorized to execute a contract with Colonnelli Brothers, Inc., 409 South River Street, Hackensack, NJ 07601, in the amount of \$2,568,940.00.

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

Ayes: Aldermen Romaine, Toth, O'Connor, Wittner, Quinones, Valencia & Mayor Dodd Nays: None Absent: Aldermen Visioli & Blackman Abstained: None

RESOLUTION NO. 170-2019

RESOLUTION AUTHORIZING THE ISSUANCE AND EXECUTION OF A CERTIFICATE OF COMPLETION FOR PROPERTY KNOWN AS TAX BLOCK 2018 LOT 1 AND BLOCK 2019, LOT 1 ALSO KNOWN AS 69 KING STREET LOCATED IN THE GUENTHER MILL REDEVELOPMENT AREA

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

WHEREAS, on August 9, 2016 the Board of Alderman of the Town of Dover (the "Town") by Resolution No. 2016-179 designated certain parcels of property, identified as Block 2018, Lot 1 and Block 2019, Lot 1, located within the Town as "an area in need of redevelopment (hereinafter referred to as the "Redevelopment Area"); and

WHEREAS, on September 27, 2016, the Town enacted Ordinance #21-2016 adopting the Guenther Mill Redevelopment Plan, dated August 15, 2016 (hereinafter referred to as the "Redevelopment Plan") and which sets forth, inter alia, the plan for the redevelopment of the Redevelopment Area and a listing of the goals and objectives to be achieved through the Redevelopment Plan; and

WHEREAS, on December 21, 2016, the Town and Guenther Mill Urban Renewal, LLC, (the "Redeveloper") entered into a redevelopment agreement for the Redevelopment Area (the "Redevelopment Agreement"); and

WHEREAS, the Redeveloper commenced renovation of the existing buildings and construction of 26 residential units within one of the buildings and related site improvements in the Redevelopment Area (hereinafter referred to as the "Project"); and

WHEREAS, the Redeveloper completed construction of the Project and obtained certificates of compliance and occupancy as required from the Town and has provided a certification that the Project has been completed in conformance with the Redevelopment Agreement; and

WHEREAS, in accordance with the Redevelopment Agreement, the Redeveloper has requested the issuance of a Certificate of Completion for the Project and the Town has agreed to the same in accordance with the terms of this resolution and in the Certificate of Completion; and

WHEREAS, the Project has been inspected by the Town Engineer, who has affirmed the satisfactory completion of the Project in conformance with the Redevelopment Plan and Redevelopment Agreement except for two (2) trash/recycling containers in the plaza areas requiring the Redeveloper to post a \$6,000 Performance Guarantee and a two (2) Year Maintenance Guarantee in the amount of \$16,817.00 per the attached engineer's estimate both in the name of the Town.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Alderman of the Town of Dover that it hereby authorizes the issuance and execution of a Certificate of Completion for the property known as Block 2018, Lot 1 and Block 2019, Lot 1 as shown on the Tax Maps of the Town of Dover, Morris County, New Jersey with an address of 69 King Street.

BE IT FURTHER RESOLVED, that the Mayor and the Town Clerk are hereby authorized to execute all documents, including the Certificate of Completion, in a form substantially consistent with that attached hereto.

BE IT FURTHER RESOLVED, that the Town shall deliver the executed Certificate of Completion to the Redeveloper for recording upon the receipt by the Towns of the \$6,000 Performance Guarantee and a two (2) Year Maintenance Guarantee in the amount of \$16,817.00 from the Redeveloper.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

CERTIFICATE OF COMPLETION

This **CERTIFICATE OF COMPLETION** ("Certificate") is dated as of the ____ day of July 2019 and issued by the **TOWN OF DOVER**, a body corporate and politic of the State of New Jersey, having offices located at 37 N. Sussex Street, Dover, New Jersey 07801 (the "Town") in accordance with the terms and conditions stated herein.

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

WHEREAS, on August 9, 2016 the Board of Alderman of the Town of Dover (the "Town") by Resolution No. 2016-179 designated certain parcels of property, identified as Block 2018, Lot 1 and Block 2019, Lot 1, located within the Town as "an area in need of redevelopment (hereinafter referred to as the "Redevelopment Area"); and

WHEREAS, on September 27, 2016, the Town enacted Ordinance #21-2016 adopting the Guenther Mill Redevelopment Plan, dated August 15, 2016 (hereinafter referred to as the "Redevelopment Plan") and which sets forth, <u>inter alia</u>, the plan for the redevelopment of the Redevelopment Area and a listing of the goals and objectives to be achieved through the Redevelopment Plan; and

WHEREAS, on December 21, 2016, the Town and Guenther Mill Urban Renewal, LLC, (the "Redeveloper") entered into a redevelopment agreement for the Redevelopment Area (the "Redevelopment Agreement"); and

WHEREAS, the Redeveloper commenced renovation of the existing buildings and construction of 26 residential units within one of the buildings and related site improvements in the Redevelopment Area (hereinafter referred to as the "Project"); and

WHEREAS, the Redeveloper completed construction of the Project and obtained certificates of compliance and occupancy as required from the Town and has provided a certification that the Project has been completed in conformance with the Redevelopment Agreement; and

WHEREAS, in accordance with the Redevelopment Agreement, the Redeveloper has requested the issuance of a Certificate of Completion for the Project and the Town has agreed to the same in accordance with the terms of this resolution and in the Certificate of Completion; and

WHEREAS, the Project was inspected by the Town Engineer, who affirmed the satisfactory completion of the Project in conformance with the Redevelopment Plan and Redevelopment Agreement and the Redeveloper has posted a \$6,000 Performance Guarantee for two (2) trash/recycling containers in the plaza areas and a two (2) Year Maintenance Guarantee in the amount of \$16,817.00.

NOW, THEREFORE, for and in consideration of the representations, covenants and agreements herein set forth and in the Redevelopment Agreement, the Town of Dover does hereby certify that:

- 1. The acquisition, renovation, construction and installation of the Project have been completed by the Redeveloper in accordance with the Redevelopment Agreement, and the plans and specifications applicable thereto. In connection with the foregoing, the Redeveloper has performed all of its duties and obligations under the Redevelopment Agreement and has completed the Project in accordance with the requirements of the Redevelopment Agreement.
 - 2. The Redeveloper's construction of the Project was completed.
- 3. The recording of this Certificate of Completion shall constitute a conclusive determination of the satisfaction and termination of the agreements and covenants in the Redevelopment Agreement and in the Redevelopment Plan, with respect to the obligations of the Redeveloper to construct the Project.

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

RESOLUTION NO. 171-2019

Abstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER CONSENTING TO THE INSTALLATION OF TWO PERMANENT GROUNDWATER MONITORING WELLS IN THE PUBLIC RIGHT OF WAY ON 1 TOWPATH SQUARE

WHEREAS, Entech Group, Inc., of Denville, NJ (EGI) has applied to the Town of Dover for a Right of Way Encroachment Permit (RWEP) and

WHEREAS, the EGI application indicates that it is for not only a disturbance of the Right of Way, but also for the installation of two (2) Permanent Monitoring Wells in Towpath Sq. (Prospect St.) and Bassett Hwy. along the frontage of Block 1205, Lot 2 as shown in figure 1 of EGI's application; and

WHEREAS, the Monitoring Wells are for the purpose of an environmental investigation of Block 1205, Lots 1 & 2; and

WHEREAS, the Monitoring Wells will be installed in the public Right of Way and remain there for an indeterminate period of time; and

WHEREAS, it is in the public interest to assist in the delineation of and ultimate remediation of any contamination that may exist by allowing the installation of the Monitoring Wells; and

WHEREAS, the installation and occupancy of the Right of Way requires approval of the Governing Body of the Town of Dover; and

WHEREAS, the Town Engineer has reviewed the application and recommends granting an occupancy of the Public Right of Way for the installation and maintenance of the Monitoring Wells;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Mayor and Board of Aldermen of the Town of Dover hereby approves the installation of two (2) Groundwater Monitoring Wells in the approximate location indicated on the EGI application, subject to the following conditions:

- 1. EGI shall post a Performance Guarantee with the Town Engineer in an amount of \$1,000.00 insuring the removal and maintenance of the wells.
- 2. EGI shall provide proof of insurance as required by the RWEP.
- 3. EGI shall provide the Town Engineer with copies of reports and findings regarding the groundwater sampled from said monitoring wells and the depth to groundwater.
- 4. EGI shall properly maintain the Monitoring Wells and the adjacent Public Right of Way surrounding the wells until they are removed.
- 5. EGI shall promptly remove said Monitoring Wells from the Public Right of Way when it is determined that they are no longer required and restore the disturbed areas to its pre-existing state, under the direction of the Town Engineer.
- 6. The procedure used for the implementation of this approval shall be through the Town of Dover RWEP process as administered by the Town Engineer.

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

Ayes: Aldermen Romaine, Toth, O'Connor, Wittner, Quinones, Valencia & Mayor Dodd Nays: None Absent: Aldermen Visioli & Blackman Abstained: None

Mayor Dodd opened the meeting to the public.

Antonio Acosta—130 Madison Street—Mr. Acosta commended both the Little League Baseball Program and the Summer Recreation Program. Expressed his appreciation for the many activities and how impressed he is with the upkeep and cleanliness of the fields both programs use in town.

Stacey Gregg—Rockaway Township— Ms. Gregg requested updates on the use of excessive force police matter during the Town Meetings as well as personnel matters within the Police Department. She requested that the counsel consider live streaming of the public meetings.

Mayor Dodd made the motion to adjourn at 7:47 PM and Alderwoman Romaine the motion and duly seconded and passed it by the following voice vote.

Respectfully submitted,

Erica Vinales, Deputy Clerk