



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
January 13, 2015 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 7:12 pm

All joined in the Pledge of Allegiance to the Flag.

ROLL CALL:

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

Absent: Alderwoman Romaine

Also present were Municipal Clerk Margaret Verga, Administrator Donald Travisano and Attorney Downs

Clerk Verga 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.

REDEVELOPMENT PRESENTATION

Michael Hantson explained the steps that have been taken thus far with the redevelopment project. He noted that the next step is to authorize the execution of the developer's agreement which is being drafted. Once a developer's agreement is executed further details about the project will be provided.

Mr. Robert Goldsmith the attorney representing Capodagli Properties thanked the board and noted that they are very excited about the project. Mr. Goldsmith mentioned that Capodagli Properties has developed properties in several municipalities throughout New Jersey. Mr. Goldsmith introduced the staff and welcomed Mr. Chris Pereira of CPA Architecture to provide the presentation.

Mr. Pereira provided a power point presentation for the public and board to obtain a brief synopsis of the project (location of sites, building design). It was mentioned that the design of the project refers back to the form based code which has been extremely helpful along with town professionals. Mr. Pereira explained that the developer really believes that they are bringing a lively community to your community and the project will attract young professional that have some money to spend. He noted that the units are compact but very spacious and from previous projects users see their unit as a sleeping space and the town as their living room by frequenting the book store, bars and restaurants. He noted some of the amenities from other projects like hotel lobby styles, gathering spaces/lounging areas with pool tables, computers, fireplace and virtual concierge units. He also mentioned other projects in the area that may consist of micro units to accommodate college students. Mr. Pereira showed pictures from the Bound Brook project.

Mr. Goldsmith noted that the details are preliminary and they are working very closely with the town consultants.

Mayor Dodd expressed that the board had some concerns regarding the quality of the workmanship and the longevity of the products that will used for this project. However, he is very comfortable working with the professionals and knowing that they will live up to those standards. Mayor Dodd noted that it's important to set the tone because there's more anticipated projects for redevelopment in Dover.

Mayor Dodd opened the meeting to the public for any comments on the redevelopment project.

Connie Sibona-Foster – 90 Penn Avenue, Dover – Ms. Sibona-Foster expressed her excitement about the redevelopment project and asked if there will be on-site security in the lobby areas and garages. Mr. Ankit Duggal Development Manager for Capodagli Property noted that they typically have on-site property managers and on-site superintendents. She expressed her concerns with over-stacking and overcrowding in the micro units that are geared for college students (Barry's Hardware building). It was noted that the engineer has done an excellent job of defining the kind of uses that can be in those building and they are aware of the overcrowding concern. She asked about that historical clock in Bound Brook and noted that she would like to see it in Dover's plans

MUNICIPAL CORRESPONDENCE:

1. Touchstone Special Edition Newsletter from the Arc Morris

2. Public hearing notice for Basic Generation Service Charges procured by Jersey Central and Light Company on January 30, 2015

CONSENT AGENDA

1. Resolution Approving Auction License for Berman's Auction
2. Resolution Approving Social and Athletic Club License – Schedule A
3. Resolution Approving Volunteer Fire Department Member – David Carral
4. Resolution Providing the Cancellation of a Duplicated Grant
5. Resolution Approving Mayor and Board of Aldermen Meeting Minutes for 10/28/2014 and 11/10/2014
6. Resolution Approving Tax Redemption for 44 Jackson Avenue
7. Resolution Approving Tax Redemption for 15 Elena Place

ORDINANCE FOR INTRODUCTION

1. Ordinance No. 01-2015 - Amending Chapter 236, Land Use and Development and the Bassett Highway Redevelopment Plan as to Eating, Drinking and Entertainment Establishment/Ald. Visioli

Mayor Dodd provided an explanation on ordinance no. 01-2015 and noted that several restaurants are acting in the capacity of nightclubs. He noted that there have been several concerns regarding these types of establishments. Mayor Dodd complimented Michael Hantson and Donald Travisano on the ordinance.

Mr. Hantson explained the ordinance in further details by elaborating on the definition of certain types of establishments. He expressed the ordinance will set conditions that have to be met in order to be considered a certain type of establishment.

AGENDA ITEMS:

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Approving Transfer Resolution
3. Resolution Approving Limos – Schedule A
4. Resolution Approving Taxi Driver Resolution
5. Resolution Approving Mayor and Board of Aldermen Meeting Minutes for November 4, 2014
6. Resolution Approving Postponement of Mortgage – 61 Boonton Street
7. Resolution Authorizing the execution of a contract with CChampions
8. Resolution Awarding Bid for 2014 Small Cities Roadway Improvement

Alderman Visioli will be voting “no” on resolution #3 resolution approving limos.

REGULAR MEETING MINUTES
January 13, 2015

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 8:04 pm

ROLL CALL

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

Absent: Alderwoman Romaine

Also present were Municipal Clerk Margaret Verga, Administrator Donald Travisano and Attorney Downs

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

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

Connie Sibona-Foster – 90 Penn Avenue, Dover – She wanted to know if ordinance #01-2015 regulates signs or neon lights. It was clarified that it's the bright lights that outline the windows or building. Mayor Dodd noted that it's something that needs to be researched because there is no ordinance on file regarding those types of lights.

Maria Tambini – 16 East Blackwell Street, Dover – Ms. Tambini asked about the sandwich board sign that are placed on the sidewalk. Mr. Hantson noted that the form based code allows the sandwich board sign however there are some restrictions. He specified on the restrictions.

Brian Gorski – 9 Summer Avenue, Dover – He noted that the lights are becoming more popular due to the decrease in cost. He noted that there are lighting levels and expressed that there are standards that can certainly be looked into. Mr. Hantson noted that it's very difficult to control the uses of these lights.

Jon Sperry – 67 North Bergen Street – Mr. Sperry noted that it's ashamed that the building at the train station is underutilized and asked what this building would be considered under this ordinance. Mayor Dodd noted that the building is under the jurisdiction of New Jersey Transit.

MAYOR'S REPORT: Mayor Dodd reserved his report until the next meeting.

ATTORNEY REPORT: Mr. Downs congratulated everyone that worked on ordinance that was presented tonight.

CONSENT AGENDA

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING AN AUCTION LICENSE FOR BERMAN'S AUCTION

WHEREAS, Section 118-2 of the Code of the Town of Dover requires any person who operates a auction apply to the Clerk of the Town of Dover for a license to operate; and

WHEREAS, Donna Kurtz, t/a Berman's Auction, located at 33 West Blackwell Street, Dover, New Jersey, has applied for renewal of an Auction license; and,

WHEREAS, the applicant has submitted the appropriate fees 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 of Donna Kurtz, t/a Berman's Auction for a license to operate an auction house at 33 West Blackwell Street, Dover, New Jersey is hereby approved.

Alderman Visioli 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, Blackman, Rutan, Noriega, MacDonald and Mayor Dodd

Nays: None Absent: Alderwoman Romaine Abstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
FOR THE RENEWAL OF SOCIAL AND ATHLETIC CLUB LICENSES

WHEREAS, any person or group of persons, association or corporation, which meets for the purpose of promoting athletic

sports, contests, exhibitions, classes or gymnasium; and

WHEREAS, any person or group of persons, association or corporation which owns, leases, operates or controls premises for the purpose of social intercourse and entertainment; excluding organizations of state or national scope and religious organizations; and

WHEREAS, the appropriate fees have been received with the renewal applications;

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 following Social and Athletic licenses are hereby approved:

SCHEDULE A

Casa Puerto Rico
50 W. Blackwell Street

Dover Hilltop Athletic Club
17 Grant Street

Club Colombia
11 E. Blackwell Street

Alderman Visioli 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, Blackman, Rutan, Noriega, MacDonald and Mayor Dodd
Nays: None Absent: Alderwoman Romaine Abstained: None

RESOLUTION APPROVING VOLUNTEER FIRE DEPARTMENT MEMBER

WHEREAS, the Town of Dover Fire Department has received applications for membership in the Dover Volunteer Fire Department from David Carral; and

WHEREAS, they have met all the requirements as stated in Chapter 20-4, Volunteer Fire Department;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Dover approve the membership of David Carral to the Volunteer Fire Department as a member of Hook and Ladder Company No. 1.

Alderman Visioli 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, Blackman, Rutan, Noriega, MacDonald and Mayor Dodd
Nays: None Absent: Alderwoman Romaine Abstained: None

RESOLUTION PROVIDING THE CANCELLATION OF A DUPLICATED GRANT

WHEREAS, the same grant was mistakenly appropriated twice in 2013 and 2014 and

WHEREAS, it is necessary to formally cancel the duplicated reserve balance and offsetting grant receivable where applicable.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey that the following Federal, State or County appropriated reserve balance and related offsetting grant receivable balance be cancelled:

Grant Title and Grant Year	Amount to be cancelled
NJ DOT Safe Corridor Grant 2014	\$49,140.55
Total	\$49,140.55

Alderman Visioli 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, Blackman, Rutan, Noriega, MacDonald and Mayor Dodd
Nays: None Absent: Alderwoman Romaine Abstained: None

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
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:

**October 28, 2014 – Caucus & Regular
November 10, 2014 – Caucus & Regular**

Alderman Visioli 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, Blackman, Rutan, Noriega, MacDonald and Mayor Dodd
Nays: None Absent: Alderwoman Romaine Abstained: None**

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 18, 2008, a lien was sold on Block 1331 Lot 3, also known as 44 Jackson Avenue, Dover, New Jersey for delinquent 2007 taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 07-00010 was sold to Robert Rothman; and,

WHEREAS, redemption fees for Certificate No.07-00010 were received in full.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen, Town of Dover, County of Morris, State of New Jersey that the Treasurer be authorized to issue a check in the amount of \$103,680.55 for redemption payment and premium made at time of sale, payable to Robert Rothman, 409 Grand Avenue, Englewood, New Jersey 07631-4104.

BE IT FURTHER RESOLVED that two certified copies of this resolution be returned to the Tax Collector.

Alderman Visioli 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, Blackman, Rutan, Noriega, MacDonald and Mayor Dodd
Nays: None Absent: Alderwoman Romaine Abstained: None**

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 5, 2013, a lien was sold on Block 2109 Lot 15, also known as 15 Elena Place, Dover, New Jersey for delinquent 2012 taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 12-00021 was sold to Ridgeback Ventures LLC; and,

WHEREAS, redemption fees for Certificate No.12-00021 were received in full.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen, Town of Dover, County of Morris, State of New Jersey that the Treasurer be authorized to issue a check in the amount of \$3,513.37 for redemption payment, payable to Ridgeback Ventures LLC, P.O.Box 503, Mount Freedom, NJ 07970.

BE IT FURTHER RESOLVED that two certified copies of this resolution be returned to the Tax Collector.

Alderman Visioli 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, Blackman, Rutan, Noriega, MacDonald and Mayor Dodd
Nays: None Absent: Alderwoman Romaine Abstained: None**

ORDINANCE FOR INTRODUCTION

ORDINANCE NO. 01-2015

ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AMENDING CHAPTER 236, LAND USE AND DEVELOPMENT AND THE BASSETT HIGHWAY REDEVELOPMENT PLAN AS TO EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS.

WHEREAS, it is the intent of this Ordinance to further define and classify the various forms of eating, drinking and entertainment establishments in the Land Use Code which currently is not detailed sufficiently to adequately define and classify said uses, which may be significantly different from one another; now, therefore,

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, LAND USE AND DEVELOPMENT, Article II, Definitions and Word Usage, §236-5. Terms defined; delete the definitions of RESTAURANT and RESTAURANT, DRIVE-IN and replace them with the following:

BARS OR TAVERNS - An establishment serving alcoholic beverages for on-site consumption as the primary use, and may serve prepared food, including bars, cocktail lounges, pubs, saloons, and taverns, where no live entertainment or dancing takes place.

BARS, WITH LIVE ENTERTAINMENT - A bar or tavern that provides incidental musical performances and/or dancing, where the performance area does not exceed 100 square feet and the dance floor does not exceed 100 square feet. The use shall instead be classified as a nightclub if the performance area exceeds 100 square feet or the dance floor exceeds 100 square feet. Live entertainment does not include an Adult Entertainment Establishment.

NIGHTCLUBS - A bar, tavern, restaurant or similar establishment that provides live entertainment (music, comedy, etc.) that may serve alcoholic beverage for sale, where the performance area exceeds 100 square feet, or the dance floor exceeds 100 square feet. Live entertainment does not include an Adult Entertainment Establishment.

RESTAURANTS - An establishment that sells prepared food or beverages either indoors or outdoors in nondisposable containers. A restaurant may provide for the accessory sale of food and nonalcoholic beverages for off-site consumption provided that all food and beverages sold for on-site consumption are served in nondisposable containers. No live entertainment or dancing can take place. A restaurant with a bar area exceeding 30 percent of the dining area shall be classified as a bar.

RESTAURANTS, FAST FOOD - A restaurant that sells prepared food either indoors or outdoors in disposable containers (e.g., paper or plastic), without a drive-up window for pick-up. These uses include retail bakeries that provide on-site seating. No live entertainment or dancing can take place. A fast food restaurant with a bar area exceeding 30 percent of the dining area shall be classified as a bar.

RESTAURANTS, FAST FOOD WITH DRIVE-UP - A restaurant that sells prepared food either indoors or outdoors in disposable containers (e.g., paper or plastic), with a drive-up window for pick-up. These uses include retail bakeries that provide on-site seating. No live entertainment or dancing can take place. A fast food restaurant with drive-up with a bar area exceeding 30 percent of the dining area shall be classified as a bar.

RESTAURANTS, FORMULA FAST FOOD - A fast-food restaurant which is required by contractual or other arrangements to offer standardized employee uniforms, exterior design, food preparation, ingredients, interior decor, menus, or signs; or adopts an appearance, food presentation format, or name which causes it to be substantially identical to another restaurant regardless of ownership or location, and may or may not have a drive-up window for pick-up. No live entertainment or dancing can take place. A formula fast food restaurant with drive-up with a bar area exceeding 30 percent of the dining area shall be classified as a bar.

RESTAURANTS WITH LIMITED LIVE ENTERTAINMENT - A restaurant, including a fast food or formula restaurant that provides accessory live entertainment, where the performance area does not exceed 100 square feet, and the dance floor does not exceed 100 square feet. The use shall be classified as a nightclub if the performance area exceeds 100 square feet or the dance floor exceeds 100 square feet. A restaurant with limited live entertainment with a bar area exceeding 30 percent of the dining area shall be classified as a bar. Live entertainment does not include an Adult Entertainment Establishment.

Section 2

The Code of the Town of Dover, Chapter 236, LAND USE AND DEVELOPMENT, Article IV, Zoning is amended as

follows:

§236-17. C-1 Retail Commercial District. A. Principal uses, (1) is amended as follows:

(p) Luncheonettes., (q) Restaurants., and (dd) Taverns. are replaced and supplemented with the following:

- (p) Bars or Taverns.
- (q) Bars, with Live Entertainment.
- (dd) Restaurants.
- (ff) Restaurants, Fast Food.
- (gg) Restaurants, Formula Fast Food.
- (hh) Restaurants with Limited Live Entertainment.

§236-17. C-1 Retail Commercial District. C. Conditional uses is supplemented as follows:

(6) Nightclubs

§236-17. 1 Downtown Districts. Table 236-17.1-1 Permitted Uses By Building Type Summary Table is amended as follows:

The “Permitted Uses” entitled “Restaurant” is deleted and the Table is supplemented as follows:

Permitted Uses By Building Type Summary Table		
	Permitted Uses	
	Bars or Taverns; Bars, with Live Entertainment; Restaurants; Restaurants, Fast Food; Restaurants, Formula Fast Food; Restaurants with Limited Live Entertainment	Nightclubs
Commercial Block (CO)	P	Pc
Liner Building (LB)	P	Pc
Townhouse (TH)	N	N
Courtyard Building (CY)	P	Pc
Corner Building (CR)	P	Pc
Civic Building (CI)	N	N
Multi-Family Building	N	N
All Existing Buildings	P	Pc
P	Permitted (all floors) principal use: Use may be provided on all floors in this building type.	
Pu	Permitted (upper floors, above street level) principal use: Use may only be provided on the upper floors (above street level) of this building type.	
Pul	Permitted (upper or lower floors, above or below street level) principal use: Use may only be provided on the upper or lower floors (above or below street level) of this building type.	
Pc	Permitted as Conditional uses as stipulated in § 236-40.	
N	Not permitted: Use is prohibited in this building type.	

§236-18. C-2 General Commercial District. A. Principal uses, is amended as follows:

(4) Restaurants and drive-in restaurants is replaced and supplemented with the following:

- (4) Bars or Taverns.
- (11) Bars, with Live Entertainment.
- (12) Restaurants.
- (13) Restaurants, Fast Food.
- (14) Restaurants, Formula Fast Food.
- (15) Restaurants with Limited Live Entertainment.
- (16) Restaurants, Fast Food WITH Drive-up.

§236-18. C-2 General Commercial District. C. Conditional uses is supplemented as follows:
(7) Nightclubs

§236-19. C-3 Light Industrial - Commercial District. A. Principal uses, is amended as follows:
(5) Restaurants and drive-in restaurants. is replaced and supplemented with the following:
(5) Bars or Taverns.
(14) Bars, with Live Entertainment.
(15) Restaurants.
(16) Restaurants, Fast Food.
(17) Restaurants, Formula Fast Food.
(18) Restaurants with Limited Live Entertainment.

§236-19. C-3 Light Industrial - Commercial District. Conditional uses is supplemented as follows:
(3) Nightclubs

§236-40. Conditional use permits and specifications. is supplemented as follows:
S. Nightclubs.

- (1) The structure housing the nightclub shall be adequately soundproofed so that interior noise is not audible beyond the property line with the doors closed. A vestibule may be required by the review authority to mitigate noise impacts.
- (2) Security provisions requiring a private licensed and bonded security company and the presence of at least one (1) security guard at each public entrance to admit patrons and monitor exterior areas while facility is open. Security personnel shall be registered under the Security Officer Registration Act (SORA).
- (3) Any nightclub use shall be a minimum of 100' away from any Residential Use in a Residential Zone District. Said distance to a Residential Use in a Residential Zone District, shall be measured from the nearest point of the perimeter of the entire tenant space containing the nightclub use, to the nearest property line of the Residential Use in a Residential Zone District.
- (4) Nightclub uses shall be contained entirely indoors.
- (5) Nightclub uses shall not be permitted within the same building or on the same property as any Residential Use.
- (6) Provisions shall be provided for smoking areas, outside gathering areas, and queuing lines that do not block public sidewalks, driveways, or surrounding businesses doorways.
- (7) Provisions shall be provided to allow queuing patrons to gain access to restrooms.
- (8) Each nightclub shall have at least two separate restrooms, one male and one female, with a minimum of one water closets in each. The total number of water closets / urinals shall be in accordance with the following:

Number of Persons of Each Sex	Water Closets (Urinals)	
	Male	Female
1-25	1	1
26-50	add 1	add 1
51-100	add 1	add 2
Each additional 200 over 100	add 1	add 2

For males, not more than fifty (50) percent of the required number of water closets may be urinals. For purposes of this requirement, the estimated number of persons will be based upon the allowed occupancy load of the facility times 1.5, with an assumed split of fifty (50) percent male and fifty (50) percent female.

- (9) Provide and properly maintain solid waste receptacles and recycling bins, in sufficient numbers and locations to service the needs of the proposed use at peak business periods, as approved by the Municipal Recycling Coordinator.
- (10) The business operator shall be responsible for cleaning the sidewalk within 50 feet of horizontal distance from the premises during the hours of operation to maintain the sidewalk free of garbage, cigarette butts or other debris. The business operator shall also arrange for litter removal from the property frontage, including sidewalks and street gutters after close of business. Public and private sidewalks along the entire lot frontage of the business shall be pressure washed on a semi-annual basis at the expense of the business.
- (11) Loitering or congregations of individuals in the parking lot or other exterior portions of the premises, shall be prohibited. All entrance and exit doors shall be closed at all times of operation, except when patrons, employees or other persons are actually entering or exiting the establishment.
- (12) The Site Plan shall include a detailed and dimensioned floor plan depicting live entertainment area(s), dance floor(s), bar(s) with seating, tables, chairs, restrooms and facilities, vestibules, ingress and egress doors, security guard station(s), occupancy load calculations and restroom/water closet calculations.
- (13) Evidence of compliance with all conditions shall be detailed and noted on the Site Plan.
- (14) Nightclub uses are permitted as a conditional use only on the north side of the New Jersey Transit railroad tracks.

Section 3

The Bassett Highway Redevelopment Plan is amended as follows:

3.03.03 Use Requirements, b. Permitted Principal Uses, is amended as follows:

Paragraphs 9. is deleted and replaced and supplemented with the following:

- 9. Bars or Taverns
- 22. Bars, with Live Entertainment
- 23. Restaurants
- 24. Restaurants, Fast Food
- 25. Restaurants, Formula Fast Food
- 26. Restaurants with Limited Live Entertainment

3.03.03 Use Requirements is supplemented as follows:

3.03.c1. Conditional Uses as stipulated in § 236-40 shall be as follows:

- (1) Nightclubs

Section 4

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

Section 5

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 6

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

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

**Ayes: Aldermen Visioli, Picciallo, Blackman, Rutan, Noriega, MacDonald and Mayor Dodd
Nays: None Absent: Alderwoman Romaine 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:	\$1,277,556.79
CURRENT ACCT claims in the amount of:	\$605,477.03
GENERAL CAPITAL ACCT claims in the amount of:	\$0.00
WATER UTILITY ACCT claims in the amount of:	\$132,891.80
WATER UTILITY RESERVE ACCT claims in the amount of:	\$8,968.20
WATER CAPITAL ACCT claims in the amount of:	\$1,377.50
PARKING UTILITY ACCT claims in the amount of:	\$7,189.95
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$3,329.92
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:	\$0.00
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:	\$1,284.58
COAH TRUST Acct claims in the amount of:	\$0.00
TOTAL CLAIMS TO BE PAID	<u>\$2,038,075.77</u>

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:	\$313,362.10
WATER UTILITY ACCT claims in the amount of:	\$23,313.30
PARKING UTILITY ACCT claims in the amount of:	\$3,206.37
PAYROLL AGENCY ACCT claims in the amount of:	\$15,619.52
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$319.24
TOTAL CLAIMS PAID	\$355,820.53
TOTAL BILL LIST RESOLUTION	\$2,393,896.30

Alderman Blackman 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, Blackman, Rutan, Noriega and MacDonald
Nays: None Absent: Alderwoman Romaine Abstained: Mayor Dodd

TRANSFER RESOLUTION

WHEREAS, there appears to be insufficient funds in the following accounts (excepting the Appropriation of Contingent Expenses or Deferred Charges) to meet the demands thereon for the balance of the year, viz: 2014

Solid Waste & Recycling OE	Finance OE
Police OE	Fire OE

WHEREAS, there appears to be a surplus in the following accounts (excepting the Appropriation for Contingent Expenses, Down Payments and Capital Improvement Fund) over and above the demand necessary for the balance of the year, viz: 2014

Code Enforcement S & W	Fire S & W
Streets & Roads S & W	Administration S & W

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover (not less than two thirds of all members thereof affirmatively concurring) that in accordance with the provision of R.S. 40A:4-58, part of the surplus in the accounts heretofore mentioned be and the same are hereby transferred to the account (excepting the Appropriation for Contingent Expenses or Deferred Charges) mentioned as being sufficient to meet the current demands; and

BE IT FURTHER RESOLVED that the Treasurer be and she is hereby authorized to make the following transfers:

FROM		TO	
Code Enforcement S & W	35,000	Solid Waste & Recycling OE	35,000
Fire S & W	1,000	Finance OE	2,000
Streets & Roads S & W	2,000	Fire OE	1,000
Administration S & W	7,000	Police OE	7,000
Total	\$45,000	Total	\$45,000

Alderman Rutan 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, Blackman, Rutan, Noriega, MacDonald and Mayor Dodd
Nays: None Absent: Alderwoman Romaine 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 & TAXI INC

2003 Lincoln	1LNHM82W63Y626189	OL6116H	Renewal
2007 Dodge	2D4GP44L97R171211	OL3748J	Renewal
2003 Lincoln	1LNHM81W13Y650238	OL3750J	Renewal
2005Chrysler	2C8GP54LX5R260025	OL3562J	Transfer

ELITE LIMO & TAXI SERVICE LLC

2007 Lincoln	1LNHM81W07Y628740	OL4003J	Renewal
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FIRST CLASS OF DOVER, LLC

2004 Lincoln	1LNHM83W14Y638122	OL3278H	Renewal
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Alderman Rutan has moved the foregoing resolution be adopted and duly seconded by Alderman MacDonald and passed by the following roll call vote.

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
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.

Schedule A

CITY LIMO AND TAXI, LLC

Yurquen M. Geraldo-Feliz

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
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:

November 4, 2014 – Special Meeting

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

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

CONSENT TO POSTPONEMENT OF MORTGAGE- 61 BOONTON STREET
BARBARA JOLLY

WHEREAS, the Town of Dover Rehabilitation Program (the “Program”) provides financial assistance for the rehabilitation of owner-occupied one-family houses to assist residents in the removal of unsafe conditions in their dwellings, interior improvements and premise repairs; and

WHEREAS, Barbara Jolly, residing at 61 Boonton Street, Dover, New Jersey obtained funding from the Program on February 21, 2014; and

WHEREAS, Barbara Jolly, is seeking to refinance her home with a private lender, requiring a Postponement of Mortgage allowing the Program loans to be subject, subordinate, and inferior to the new mortgage; and

WHEREAS, Barbara Jolly has requested that the Mayor and Board of Aldermen consent to such Postponement of Mortgages; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, the following:

The Mayor and Board of Aldermen acknowledge and consent to the Postponement of Mortgages, and hereby authorize Donald Travisano, Administrator of the Program, to execute the documents necessary to effectuate the requested Postponement of Mortgage.

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

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

RESOLUTION

WHEREAS, because of an overwhelming number of mortgage foreclosures on residential and commercial properties that are in violation of the Town of Dover Code of Ordinances, the care of neglected lawns and exterior maintenance of structures is becoming a health and welfare issue in the Town of Dover and,

WHEREAS, in order to promptly and efficiently address the issues related to the maintenance of foreclosed residential and commercial properties; the Town Mayor and Board of Aldermen adopted Ordinance “25-2014,” the TOWNS’s Property Registration Ordinance; and

WHEREAS, pursuant to the Ordinance the TOWN desires to enter into an Agreement with CCHAMPIONS in order to provide services authorized pursuant to the Ordinance “25-2014,” to register vacant, abandoned, and foreclosed properties so that the Town can properly address violations of the TOWNS’s property maintenance codes; and

WHEREAS, CCHAMPIONS will also provide an electronic registration process that is cost-free and revenue-generating for the TOWN.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover that the Town Administrator is authorized to execute a contract with CCHAMPIONS.

Alderman Rutan 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, Blackman, Rutan, Noriega, MacDonald and Mayor Dodd
Nays: None Absent: Alderwoman Romaine Abstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
TOWN OF DOVER AWARDED BID FOR BAKER ST, CENTRAL AVE., W. FAIRVIEW AVE., FRONT ST.,
PEQUANNOCK ST. AND E. FAIRVIEW AVE. AREA ROADWAY IMPROVEMENTS

WHEREAS, the Town of Dover solicited bids for Baker St., Central Ave., W. Fairview Ave., Front St., Pequannock St and E. Fairview Ave. Area Roadway Improvements; and

WHEREAS, bids were received on January 7, 2015; and

WHEREAS, the three lowest bidders submitted bids as follows:

A.	Midwest Construction, Inc.	\$503,600.08
B.	Reivax Contracting Corp.	\$565,684.00
C.	Mark Paving Co., Inc.	\$585,570.00 and

WHEREAS, the Municipal Engineer recommends awarding the contract to Midwest Construction, Inc, 23 Dead River Road, Warren, NJ 07059 in the amount of \$503,600.08; and

WHEREAS, the project will be funded with \$379,888.44 from the Department of Community Affairs Small Cities Grant Program Account G-01-14-707-301 (contingent upon approval from the New Jersey Department of Community Affairs), and \$123,711.64 from Capitol Account C-04-55-929-002; and

WHEREAS, the \$503,600.08 does not include police traffic directors.

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 \$503,600.08 from Midwest Construction, Inc. is hereby accepted; and
2. The Mayor and Clerk are hereby authorized to execute a contract with Midwest Construction, Inc. after the approval of the New Jersey Department of Community Affairs in the amount of \$503,600.08.

Alderman Visioli 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, Blackman, Rutan, Noriega, MacDonald and Mayor Dodd
Nays: None Absent: Alderwoman Romaine Abstained: None

Alderman Visioli thanked Michael Hantson with the development of the form based code. He noted that he sits on the New Jersey Highland Council and the applications the planning areas are all based on Dover's form based code. Alderman Visioli noted that Hopatcong is using our form based code as a guide.

PUBLIC COMMENTS

Maria Tambini – 16 E. Blackwell Street, Dover – Ms. Tambini asked about the funding for the Prospect Street. Mayor Dodd provided a timeline regarding the bridge notifications and explained that they are not sure why the state funding is no longer available.

Brian Gorski – 9 Summer Avenue, Dover – He asked if the closing of Prospect Street Bridge restricts emergency vehicles to access that side of town in case of an emergency. Mayor Dodd noted that there's access through Randolph Avenue however that has some problems and NJ DOT is aware of those concerns. He also asked if the train backing up traffic could be addressed. Mayor Dodd noted that it's been an issued dating back to 1935.

Connie Sibona-Foster – 90 Penn Avenue, Dover – She expressed that about 10-12 years ago there was talked about the Prospect Street Bridge. She expressed her frustration with the tracks at the Morris Street and Warren Street and asked if NJ Transit can smooth out the tracks. Mayor Dodd noted that NJ Transit will be redeveloping that area for pedestrian safety.

Motion to adjourn made by Mayor Dodd at 8:38 pm,
and duly seconded by Alderman Rutan passed by the following voice vote.

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk