



TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

CAUCUS MEETING MINUTES
DECEMBER 11, 2018 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, Picciallo, Romaine, Blackman, Toth, O'Connor, Camacho and Mayor Dodd
Absent: Alderman MacDonald

Also present were 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.

PRESENTATION—Towpath Realty, LLC regarding Redevelopment of Block 1206, Lot 16; Block 1205, Lots 1, 2, 10, 11, 12 & 13

MUNICIPAL CORRESPONDENCE:

1. Received from NJ League of Municipalities—Weekly Update—November 30, 2018
2. Received from NJ League of Municipalities—Weekly Updated—December 7, 2018
3. Received from the NJDEP—Weekly Update—November 30, 2018
4. Received from the NJDEP—Weekly Update—December 7, 2018
5. Received from Passaic River Coalition—Re: Membership Dues

CONSENT AGENDA

1. Resolution Approving a Transfer Resolution
2. Amended Resolution #06-2018 Establishing Regular and Conference Meetings Dates of the Mayor and Board
3. Amended Resolution #07-2018 Establishing Redevelopment Entity Meeting Dates
4. Resolution Approving a Social Affair Permit (#3) for Sunset NJ (Monchy's Colombian Grill)

ORDINANCE(S) FOR SECOND READING:

1. Ordinance No. 18-2018—An Ordinance Amending the Table of Organization for the Dover Police Department – Alderman Visioli
2. Ordinance No. 19-2018—An Ordinance Amending the Code of the Town of Dover entitled “Water Charges for Domestic, Commercial, Public and Industrial Use in the Town of Dover, Borough of Victory Gardens, and Portions of the Township of Randolph, Township of Rockaway, Township of Mine Hill and Borough of Wharton” – Alderwoman Romaine

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Authorizing a Chapter 159 Budget Amendment for a Special Item of Revenue
3. Resolution Authorizing the Execution of a Government Energy Aggregation Agreement
4. Resolution Designating Topath Realty, LLC as the Conditional Redeveloper for the Properties Known as Block 1206, Lot 16; Block 1205, Lots 1, 2, 10, 11, 12 & 13; and Block 1204, Lots 1 & 2

**REGULAR MEETING MINUTES
DECEMBER 11, 2018**

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, Picciallo, Romaine, Blackman, Toth, O'Connor, Camacho and Mayor Dodd

Absent: Alderman MacDonald

Also present were 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.

Sandra Wittner—15 Harvard Street, Dover—Ms. Wittner requested clarification regarding Ordinance #18-2018.

CONSENT AGENDA:

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: 2018

Admin S & W	Mayor & Board S & W	Mayor & Bd OE
Town Clerk S & W	Finance S & W	Tax Collection OE
Eco Development S & W	Police OE	Public Buildings & Grounds S & W
Streets & Roads OE	Sewer S & W	Solid Waste & Recycling S & W
Recreation S & W	Municipal Court S & W	Municipal Court OE
Social Security	DCRP	Parking S & W

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: 2018

Group Insurance	Police S & W	Parking OE
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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

Group Insurance	207,500.00	Administration S & W	18,000.00
Police S & W	40,000.00	Mayor & Board S & W	47,000.00
		Mayor & Board OE	10,000.00
		Town Clerk S & W	19,000.00
		Finance S & W	35,000.00
		Tax Collection OE	1,500.00
		Economic Development S & W	7,000.00
		Police OE	40,000.00
		Public Bldgs & Grds S & W	29,000.00
		Streets & Roads OE	4,000.00
		Sewer S & W	6,000.00
		Solid Waste & Recycling S & W	5,000.00
		Recreation S & W	1,300.00
		Municipal Court S & W	7,200.00
		Municipal Court OE	1,500.00
		Social Security	13,000.00
		DCRP	3,000.00
Parking OE	8,000.00	Parking S & W	8,000.00
	255,500.00		255,500.00

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
DESIGNATING MEETING DATES FOR THE YEAR 2018**

BE IT RESOLVED that the regular public caucus meetings of the Mayor and Board of Aldermen shall be held at 7:00 p.m.

BE IT FURTHER RESOLVED that the regular public meetings of the Mayor and Board of Aldermen shall be held immediately following the conclusion of the caucus meetings at the Dover Town Hall on the second and fourth **TUESDAY** of each month (*except as otherwise noted) namely:

JANUARY 9 & 23
FEBRUARY 13 & 27
MARCH 13 & 27
APRIL 10 & 24
MAY 8 & 22
JUNE 12 & 26
JULY 10 & 24
AUGUST 14 & 28
SEPTEMBER 11 & 25
OCTOBER 9 & 23
NOVEMBER 8* & 27
DECEMBER 11 & 28* at 10:00 AM
REORGANIZATION JANUARY 8, 2019 – 6:00 PM

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN ACTING AS THE
REDEVELOPMENT ENTITY OF THE TOWN OF DOVER DESIGNATING MEETING DATES FOR THE
REDEVELOPMENT ENTITY FOR THE YEAR 2018**

BE IT RESOLVED by the Mayor and Board of Aldermen acting as the Redevelopment Entity of the Town of Dover that the Redevelopment Entity meetings for the Town of Dover for the year 2018 shall be held immediately following the conclusion of the caucus meetings at the Dover Town Hall on the second and fourth **TUESDAY** of each month (*except as otherwise noted) namely:

JANUARY 9 & 23
FEBRUARY 13 & 27
MARCH 13 & 27
APRIL 10 & 24
MAY 8 & 22
JUNE 12 & 26
JULY 10 & 24
AUGUST 14 & 28
SEPTEMBER 11 & 25
OCTOBER 9 & 23
NOVEMBER 8* & 27

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

Ayes: Aldermen Visioli, Picciallo, Romaine, Toth, O'Connor & Mayor Dodd

Nays: None

Absent: Alderman MacDonald

Abstained: Aldermen Blackman & Camacho

ORDINANCE NO. 19-2018

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING THE SUBSECTION OF THE REVISED GENERAL CODE OF THE TOWN OF DOVER ENTITLED, "WATER CHARGES FOR DOMESTIC, COMMERCIAL, PUBLIC AND INDUSTRIAL USE IN THE TOWN OF DOVER, BOROUGH OF VICTORY GARDENS, AND PORTIONS OF THE TOWNSHIP OF RANDOLPH, TOWNSHIP OF ROCKAWAY, TOWNSHIP OF MINE HILL AND BOROUGH OF WHARTON"

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

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

SECTION 1. Rate Schedule 1. General Metered Service:

Applicable to Use of Service for:

All water service applied through meters for domestic, commercial, public and industrial use.

Character of Service:

Continuous

Fixed Service Charge Per Quarter:

5/8" meter	\$ 21.23
3/4" meter	\$ 31.82
1" meter	\$ 53.05
1-1/4" meter	\$ 53.05
1-1/2" meter	\$106.08
2" meter	\$169.75
3" meter	\$318.24
4" meter	\$530.41

Rate:

All Water consumed over 333 cubic feet, a flat

Rate charge per hundred cubic feet (c.c.f.) \$4.4825

SECTION 2. Rate Schedule No. 7, Miscellaneous Charges

Applicability

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

Rate:

Business hours—Service (Monday-Friday 8:00 AM to 3:00 PM)	\$45.00
Business hours—Billing (Monday-Friday 8:30 AM to 3:00 PM)	
After-business hours and weekends	\$90.00
Miscellaneous charge—NSF	\$30.00

Applicability:

Removing, repairing and replacing meters damaged due to Negligence of customer including frozen and broken meters:

Meter sizes – 5/8", 3/4", 1"	\$ 85.00
1-1/2", 2" and above	\$ 425.00

Connection fees:

Effective January 1, 2019 and thereafter, there shall be a connection fee charged in the amount of \$1,965 for all new customer connected to the system. Said connection fee shall be calculated annually, utilizing the cumulative capital and debt service charges of the water utility, divided by the current number of customers.

Hookup fees:

Effective January 1, 2019 and thereafter, there shall be a hookup charged as listed below for all new customers connected to the system. These hookup charges will be as follows:

5/8" and 3/4" meters	\$ 913.00
1' meters	\$1,125.00
1-1/5" and larger meters	\$1,600.00

Terms of payment:

Net cash becoming delinquent 20 days from the billing date.

SECTION 3. Rate Schedule No. 3. Private Fire Service or Fire Sprinkler Service

Applicability:

All fire protection service throughout the service territory

Charter of Service:

Continuous

Rate:

Each protection unit per quarter:

1"	\$ 36.27
2"	\$ 48.36
4"	\$ 60.45
6"	\$120.89
8"	\$181.33
10"	\$507.72
12"	\$698.98

Terms of Payment:

Net cash becoming delinquent 20 days from billing date.

SECTION 4. Rate Schedule No. 4. Public and Private Fire Service, (Fire Hydrants):

Activity:

All fire protection service throughout the service territory.

Character of Service:

Continuous

Rate:

Each protection unit per year \$234.00

Terms of Payment:

Net cashing becoming delinquent 20 days from billing date.

SECTION 5. Rate Schedule No. 8. Emergency Metered Services:

Applicability:

Water service through interconnections.

Character of Service:

On an emergency need basis

Rate:

All water delivered at a rate of \$4.4825 per hundred cubic feet (c.c.f.)

SECTION 6. Rate Schedule No. 5, Testing Customer Meters

Rate:

Test for accuracy at customer’s request, once
Every twelve (12) months No charge

Test for accuracy more than once every twelve
(12) months \$19.25 each occurrence

SECTION 7. All Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phase or sentence shall be deemed separable.

SECTION 9. This ordinance shall take effect upon final publication as provided by law.

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Toth, O’Connor, Camacho & Mayor Dodd
Nays: None Absent: Alderman MacDonald Abstained: None**

RESOLUTIONS:

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:	\$2,265.16
CURRENT APPROPRIATIONS ACCT claims in the amount of:	\$306,937.16
GENERAL CAPITAL ACCT claims in the amount of:	\$150,871.82

WATER UTILITY RESERVE ACCT claims in the amount of:	\$0.00
WATER UTILITY ACCT claims in the amount of:	\$53,929.05
WATER CAPITAL ACCT claims in the amount of:	\$0.00
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$0.00
PARKING UTILITY ACCT claims in the amount of:	\$2,902.47
PARKING CAPITAL ACCT claims in the amount of:	\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$8.40
EVIDENCE TRUST ACCT claims in the amount of:	\$0.00
RECYCLING TRUST ACCT claims in the amount of:	\$1,261.00
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:	\$102,448.57
COAH TRUST ACCT claims in the amount of:	\$22,500.00
TOTAL CLAIMS TO BE PAID	\$643,123.63

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:	\$0.00
CURRENT APPROPRIATIONS ACCT claims in the amount of:	\$0.00
GENERAL CAPITAL ACCT claims in the amount of:	\$0.00
WATER UTILITY OPERATING claims in the amount of:	\$0.00
TOTAL CLAIMS PAID	\$0.00
<i>TOTAL BILL LIST RESOLUTION</i>	<i>\$643,123.63</i>

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

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, O'Connor & Mayor Dodd
Nays: None **Absent: Alderman MacDonald** **Abstained: Aldermen Toth, Camacho**

CHAPTER 159

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made by law and the amount thereof was not determined at the time of adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Town of Dover hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$5,500.00;

which item is now available as revenue from the State of New Jersey, Department of Highway and Traffic Safety pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED that a like sum of \$5,500.00 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:
NJDHTS Drive Sober or Get Pulled Over Year End Holiday Crackdown

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

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Toth, O'Connor, Camacho & Mayor Dodd
Nays: None Absent: Alderman MacDonald Abstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE SIGNING OF GOVERNMENT ENERGY AGGREGATION PROGRAM AGREEMENTS

WHEREAS, the State of New Jersey has been engaged in a process to establish a competitive market place through deregulation and restructuring the electric and natural gas utility markets; and

WHEREAS, the establishment of a governmental energy aggregation program ("GEA Program") to purchase electric generation service and natural gas pursuant to the Government Energy Act of 2003, *N.J.S.A. 48:3-93.1 et seq.* ("Act") and the New Jersey Board of Public Utilities' implementing rules at *N.J.A.C. 14:4-6.1 et seq.* ("Rules") will increase competition for the provision of electric power and natural gas to residential and non-residential electricity and gas ratepayers, thereby increasing the likelihood of lower electric rates and natural gas rates for these users without causing an interruption in service; and

WHEREAS, under a GEA Program the residential ratepayers may have the opportunity to receive a direct reduction in their electric bills through the bulk purchase of energy from a third-party energy supplier; and

WHEREAS, pursuant to Ordinance #16-2018 adopted by the Mayor and Board of Aldermen on November 27, 2018, the Town of Dover publicly declared its intent to commence a GEA Program by participating in the Morris Area Energy Co-Op and

WHEREAS, the Borough of Wharton is the Lead Agency for the Morris Area Energy Co-Op program and shall accept or reject pricing on behalf of the Cooperative and its participant members; and

WHEREAS, the Town of Dover, as a participating member of the Morris Area Energy Co-Op program hereby agrees to proceed with the program, by signing the Supplier Agreement, should the Borough of Wharton accept pricing, which provides a savings on the supply portion of the electric bill for the residential energy aggregation program; and

WHEREAS, the Borough of Wharton appointed Concord Engineering dba Concord Energy Services (CES) for the Morris Area Energy Co-Op to serve as the Energy Agents to assist and administer the GEA program at no cost to the Borough of Wharton or Morris Area Energy Co-Op or its participating members; and

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

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

1. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et. seq.) and all other provisions of the revised statutes of the State of New Jersey.
2. The Town of Dover as a participating member of the Morris Area Energy Co-Op program hereby agrees to proceed with the program, by signing the Supplier Agreement, should the Borough of Wharton accept pricing, which provides a reduction on the supply portion of the electric bill for the residential energy aggregation program;
3. The Mayor, Chief Financial Officer, Treasurer or other municipal office is hereby authorized and directed to execute, on behalf of the Town of Dover any documents necessary to carry out the purpose of this Resolution including the Supplier Services Agreement providing a reduction is achieved at the time of auction.

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

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Toth, O'Connor, Camacho & Mayor Dodd
Nays: None Absent: Alderman MacDonald Abstained: None

RESOLUTION OF THE MAYOR & BOARD OF ALDERMEN OF THE TOWN OF DOVER DESIGNATING TOWPATH REALTY, LLC. CONDITIONAL REDEVELOPER FOR THE PROPERTIES COMMONLY KNOWN AS BLOCK 1206, LOT 16; BLOCK 1205, LOTS 1, 2, 10, 11, 12 & 13; AND BLOCK 1204, LOTS 1 & 2 ON THE TAX MAP OF THE TOWN OF DOVER

WHEREAS, the Town of Dover has designated the entire Town as an “Area in Need of Rehabilitation” by Resolution No. RL-129 adopted on August 9, 2005 in accordance with the “Local Redevelopment and Housing Law (LRHL); and

WHEREAS, the Town of Dover adopted the “Bassett Highway Redevelopment Plan” for a portion of the Town which includes Block 1206, Lot 16; Block 1205, Lots 1, 2, 10, 11, 12 & 13; and Block 1204, Lots 1 & 2; and

WHEREAS, said Redevelopment Plan allows for the selection of a redeveloper for a redevelopment and/or rehabilitation project on lands comprising between one (1) and five (5) acres; and

WHEREAS, Towpath Realty, LLC is the contract purchaser of certain real property known as Block 1206, Lot 16; Block 1205, Lots 1, 2, 10, 11, 12 & 13; and

WHEREAS, Towpath Realty, LLC has expressed a desire to Redevelop / Rehabilitate the existing properties; and

WHEREAS, Towpath Realty, LLC has prepared and reviewed with the Town Engineer and Planner, along with the Town Administrator and Mayor, conceptual plans for the Redevelopment of said properties;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Alderman of the Town of Dover as follows:

Towpath Realty, LLC is hereby designated as conditional redeveloper of certain real property known as Block 1206, Lot 16; Block 1205, Lots 1, 2, 10, 11, 12 & 13; and Block 1204, Lots 1 & 2 in the Town of Dover and within the Bassett Highway Redevelopment Plan Area, for a period of one hundred eighty (180) days commencing the date of adoption of this Resolution and as same may be extended by act of the Mayor and Board of Alderman, if in the judgment of the Mayor and Board of Aldermen, the parties are proceeding in good faith and making progress toward the achievements of the goals of the Town of Dover, subject to the following conditions:

1. An amendment of the Bassett Highway Redevelopment Plan in accordance with the LRHL, acceptable to the Town of Dover and Redeveloper that will permit an as of right project on terms agreed to by the parties.
2. Negotiation of mutually acceptable Redevelopment Agreements.
3. Negotiation of mutually acceptable Financial Agreements for payments in lieu of taxes for the project, if applicable.
4. Posting of an escrow to cover the costs to the Town of Dover for professional services related to this project.

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

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Toth, O'Connor, Camacho & Mayor Dodd
Nays: None Absent: Alderman MacDonald Abstained: None

Mayor Dodd opened the meeting to the public.

Antonio Acosta—130 Madison Street—Mr. Acosta expressed his enthusiasm regarding the redevelopment presentation. Mr. Acosta requested that a sign be placed in front of the upcoming Wawa.

Scott Miller—11 Hillsdale Drive, Dover—Mr. Miller thanked the Mayor and Board of Aldermen and welcomed the new members to the Board.

Sandra Wittner—15 Harvard Street, Dover—Ms. Wittner had a question regarding affordable housing following the redevelopment presentation.

Dominic Timpani—2 Elm Street, Dover—Mr. Timpani addressed the Municipal Attorney regarding an OPRA Request and the process in obtaining information. He spoke to Mayor Dodd regarding the fire that occurred on Blackwell Street and the November 4th incident.

Joan Smith—18 James Street, Dover—Ms. Smith thanked the Mayor and Board for allowing her to serve the Town of Dover for the last 44 years.

Mayor Dodd made the motion to adjourn at 7:54 PM and Alderwoman Romaine the motion and duly seconded and passed it by the following voice vote.

Respectfully submitted,

Tara Pettoni, Municipal Clerk