



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
APRIL 25, 2017 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, MacDonald, O'Connor, Camacho and Mayor Dodd

Absent: Aldermen Romaine, Blackman and Toth

Also present were Municipal Clerk Margaret Verga, Administrator Donald Travisano, Attorney Timothy Downs and Deputy Municipal Clerk Tara Pettoni

Municipal Clerk Margaret 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.

PROCLAMATION – Michelle Peribanez for being the Pan American Taekwondo Champ

MAYOR'S APPOINTMENT OF THE 2017 YOUTH COUNCIL—Miguel Gatica, Sebastian Gomez, Alix Guerra, Cynthia Jiles, Lorenzo Jiles, Jessica Lopez, Leonardo Lopez, Victoria Ormeno, Jordan Philips

MUNICIPAL CORRESPONDENCE:

1. Received Notice of Hearing Randolph Twp. – Millbrook Plaza Properties, LLC has Filed a Minor Site Plan Application to Construct a Storage Shed on Premises know as 1201 Sussex Turnpike
2. Received a Thank You Card from the DeShazo Family.

CONSENT AGENDA

1. Resolution Approving the Minutes for the April 11, 2017 Caucus and Regular
2. Resolution Approving Taxi Cabs as per Schedule A
3. Resolution Approving Raffles Licenses – Our Lady of the Most Holy Rosary & Academy Street School
4. Resolution Approving a Theatre License – Baker Theatre

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Approving the 2017 Municipal Budget
3. Resolution Approving a Salary Resolution

ORDINANCE(S) FOR FIRST READING

1. Ord. No. 07-2017 – Designating a Portion of South Sussex Street as a Pedestrian Mall
2. Ord. No. 08-2017 – Bond Ord. Various Improvements for the Water Supply & Distribution System
3. Ord. No. 09-2017 – Bond Ord. Various Improvements
4. Ord. No. 10-2017 – Bond Ord. for Meridia Transit Plaza Urban Renewal Dover, LLC with Respect to and in Connection with the Scattered Redevelopment Plan
5. Ord. No. 11-2017 – Vacating Certain Portions of South Sussex & West Dickerson Streets
6. Ord. No. 12-2017 – Approving the Pilot Application & Financial Agreement with Meridia, Transit Plaza Urban Renewal, Dover, LLC
7. Ord. No. 13-2017 – Authorizing the Conveyance of Property Known as Tax Block 1216, Lot 3 & Tax Block 1217, Lot 9 to Merida, Transit Plaza Urban Renewal, Dover, LLC

REGULAR MEETING MINUTES
APRIL 25, 2017

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, MacDonald, O'Connor, Camacho and Mayor Dodd

Absent: Aldermen Romaine, Blackman and Toth

Also present were Municipal Clerk Margaret Verga, Administrator Donald Travisano, Attorney Timothy Downs and Deputy Municipal Clerk Tara Pettoni

Municipal Clerk Margaret Verga 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 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:

April 11, 2017 – Caucus & Regular

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

FIRST CLASS OF DOVER

2009 LINCOLN	X607354	OT4541	TAXI #1
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**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER APPROVING RAFFLE LICENSES**

WHEREAS, the below listed organization has applied for a Raffle/Bingo License; and

WHEREAS, such licenses have been reviewed by the appropriate departments and found to meet with all of the requirements and conditions of the municipality;

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

The below listed raffles for the date set forth following their names are hereby approved:

Schedule A

Our Lady Queen of the Most Holy Rosary

To be held June 18, 2017
(Off-premise 50/50)

Academy Street School PTA

To be held May 11, 2017
(Tricky Tray and 50/50)

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER APPROVING
A THEATER LICENSE FOR THE BAKER THEATRE**

WHEREAS, application for a Theater License has been made by the Baker Theatre located at 41 West Blackwell Street; and

WHEREAS, the appropriate fees have been paid and the license shall be prominently displayed at the location; 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 theater license for the Baker Theatre is hereby approved.

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, MacDonald, O'Connor, Camacho and Mayor Dodd
Nays: None Absent: Aldermen Romaine, Blackman & Toth Abstained: None**

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.

CURRENT APPROPRIATIONS RESERVE ACCT claims in the amount of:	\$33,974.59
CURRENT APPROPRIATIONS ACCT claims in the amount of:	\$1,297,927.01
GENERAL CAPITAL ACCT claims in the amount of:	\$335,080.09
WATER UTILITY RESERVE ACCT claims in the amount of:	\$15,000.00
WATER UTILITY ACCT claims in the amount of:	\$17,982.32
WATER CAPITAL ACCT claims in the amount of:	\$0.00

PARKING UTILITY RESERVE ACCT claims in the amount of:	\$7,500.00
PARKING UTILITY ACCT claims in the amount of:	\$177.57
PARKING CAPITAL ACCT claims in the amount of:	\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$82.80
EVIDENCE TRUST ACCT claims in the amount of:	\$0.00
RECYCLING TRUST ACCT claims in the amount of:	\$66.25
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:	\$2,596.00
COAH TRUST ACCT claims in the amount of:	\$0.00
TOTAL CLAIMS TO BE PAID	\$1,710,386.63

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

CURRENT APPROPRIATIONS RESERVE ACCT claims in the amount of:	\$0.00
CURRENT APPROPRIATIONS ACCT claims in the amount of:	\$60.00
GENERAL CAPITAL ACCT claims in the amount of:	\$0.00
WATER UTILITY OPERATING claims in the amount of:	\$0.00
TOTAL CLAIMS PAID	\$60.00

TOTAL BILL LIST RESOLUTION **\$1,710,446.63**

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, MacDonald, O'Connor, Camacho

Nays: None Absent: Aldermen Romaine, Blackman & Toth Abstained: Aldermen Picciallo & Mayor Dodd

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
ADOPTION OF THE 2017 MUNICIPAL BUDGET

See attached document.

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, MacDonald, O'Connor, Camacho and Mayor Dodd

Nays: None Absent: Aldermen Romaine, Blackman & Toth Abstained: None

SALARY RESOLUTION

BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Dover, approved the following personnel action subject to applicable N.J. Department of Personnel regulations and background check:

PUBLIC WORKS			
Andrew Nieves	Seasonal Laborer	\$ 11.00/hr.	05/22/17
WHITE COLLAR			
Daniela Garcia-Rios	Keyboarding Clerk 1/PT	\$ 13.84/hr.	05/01/17

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

Ayes: Aldermen Visioli, Picciallo, MacDonald, O'Connor, Camacho and Mayor Dodd

Nays: None Absent: Aldermen Romaine, Blackman & Toth Abstained: None

ORDINANCE NO. 07-2017
AN ORDINANCE OF THE OF THE TOWN OF DOVER, COUNTY OF MORRIS, NEW JERSEY
DESIGNATING A CERTAIN PORTION OF A PUBLIC STREET KNOWN AS SOUTH SUSSEX STREET
WITHIN THE TOWN OF DOVER AS A PEDESTRIAN MALL PURSUANT TO N.J.S.A. 40:56-65 ET SEQ.

BE IT ORDAINED AND ENACTED by the Board of Aldermen of the Town of Dover that:

Section 1. Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), on May 7, 2015, the Town entered into a redevelopment agreement with Meridia, Transit Plaza Urban Renewal, Dover, LLC, Meridia Campus Center Urban Renewal, Dover, LLC, and Meridia, Gateway Urban Renewal, Dover, LLC (individually and collectively referred to as the “Redeveloper”) for the redevelopment of certain properties (the “Redevelopment Agreement”).

Section 2. On April 25, 2017, the Town approved an amendment to the Redevelopment Agreement, which addresses in part the Town’s obligation to designate portions of South Sussex Street as a pedestrian mall to facilitate the redevelopment of certain properties, including Block 1216, Lot 3 and Block 1217, Lots 9 and 20 (the “Redevelopment Properties”).

Section 3. N.J.S.A. 40:56-65 authorizes the governing body of every municipality to adopt an ordinance to protect the public welfare and health and the interests of the public in the safe and effective movement of persons and to preserve and enhance the function and appearance of the business districts of such municipality.

Section 4. Pursuant to N.J.S.A. 40:56-66, a pedestrian mall or pedestrian mall improvement means any local improvement designed to be used primarily for the movements, safety, convenience and enjoyment of pedestrians, and a pedestrian mall improvement shall include but not be limited to pedestrian thoroughfares, public seating, park areas, outdoor cafes, trees, flower plantings, kiosks, street lighting and such other fixtures, equipment, facilities and appurtenances.

Section 5. On September 28, 2016, the Redeveloper obtained amended preliminary and final site plan approval for the Redevelopment Properties (also known as Phase 1A of the Redevelopment Project) from the Town Planning Board, which approval includes the construction of a public plaza on portions of South Sussex Street by the Redeveloper to facilitate the redevelopment of the Redevelopment Properties and to be used as a pedestrian mall with pedestrian mall improvements.

Section 6. Pursuant to N.J.S.A. 40:56-68 and 40:56-69, the Board of Aldermen of the Town of Dover make the following findings regarding the designation of a pedestrian mall in the Town:

- (a) The street to be designated is not part of any State highway, is located primarily in a business district, is improved to its maximum feasible width with regard to adjoining buildings and improvements;
- (b) Reasonably convenient alternate routes to other parts of the municipality and State exist for private vehicles;
- (c) Continued unlimited use of the street or part thereof by private vehicles may constitute a hazard to the health and safety of pedestrians;
- (d) Abutting properties can reasonably and adequately be provided with emergency vehicular services and receive and deliver merchandise and materials from other streets and alleys or by provisions for limited use of the streets by emergency vehicles and carriers of such merchandise and materials; and
- (e) It is in the best interests of the municipality and the public and of benefit to adjacent properties to use such street primarily for pedestrian purposes, and that pedestrian use is determined to be the highest and best use of such street or part thereof.

Section 7. The Board of Aldermen of the Town of Dover has determined that it would fulfill a public purpose to designate a portion of South Sussex Street a pedestrian mall, including to facilitate the public purpose to be served by the redevelopment of the Properties, to limit the use of the surface of such street or part thereof at all times.

Section 8. The Board of Aldermen of the Town of Dover have further determined that pursuant to the findings set forth above, a portion of South Sussex Street, as more fully described and set forth on the plan entitled “Lot Consolidation Plan” prepared by Control Point Associates, Inc., prepared May 11, 2015, last revised April 5, 2017, be and is hereby designated as a pedestrian mall pursuant to N.J.S.A. 40:56-65 et seq.

Section 9. The plans and specifications for the construction of the Sussex Street Plaza, pedestrian mall and pedestrian mall improvements, by the Redeveloper shall be submitted to the Town Engineer for review and approval prior to commencement of work.

Section 10. Access to the portion of South Sussex Street designated as a pedestrian mall for construction and maintenance

of the Sussex Street Plaza by the Redeveloper and its successors and assigns, as adjacent property owner, shall be provided by the Town by an easement, license, right of entry or some other form of agreement between the Town and the Redeveloper and is authorized pursuant to this Ordinance.

Section 11. The Town Clerk shall publish this Ordinance in the manner required by N.J.S.A. 40:49-2, except that after same has been introduced and passed on first reading, as required by N.J.S.A. 40:56-71, the Town Clerk shall, at least ten (10) days prior to the time fixed for final passage, mail a copy of this Ordinance, together with a notice of the introduction thereof and the date, time and place when this Ordinance shall be considered for final passage to the owners of the lots or parcels of land abutting or directly affected by the proposed pedestrian mall.

Section 12. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

Section 13. That any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section 14. That this Ordinance shall take effect upon passage and publication in accordance with applicable law.

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, MacDonald, O'Connor, Camacho and Mayor Dodd
Nays: None Absent: Aldermen Romaine, Blackman & Toth Abstained: None**

ORDINANCE NO. 08-2017

BOND ORDINANCE APPROPRIATING \$3,000,000, AND AUTHORIZING THE ISSUANCE OF \$2,900,000 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 \$100,000 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 \$2,900,000 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 \$2,900,000 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:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Improvement of the Rutgers Street Bridge in and by the Town, including the reconstruction, rehabilitation and replacement thereof, together with all structures, equipment, site work, work and	\$2,000,000	\$1,930,000

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 water supply and distribution system in and by the Town, including, but not limited to, the rehabilitation and upgrade of water treatment and pumping facilities, water tanks, water mains, and SCADA, together with all design, engineering, 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

700,000

680,000

(c) Acquisition by purchase of new and additional vehicular equipment for use by the water utility of the Town, including all accessories, appurtenances and equipment 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

300,000

290,000

Totals

\$3,000,000

\$2,900,000

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:

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.

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 29.84 years.

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 \$2,900,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

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.

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

Ayes: Aldermen Visioli, Picciallo, MacDonald, O'Connor, Camacho and Mayor Dodd

Nays: None Absent: Aldermen Romaine, Blackman & Toth Abstained: None

ORDINANCE NO. 09-2017

BOND ORDINANCE APPROPRIATING \$3,000,000, AND AUTHORIZING THE ISSUANCE OF \$2,850,000 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:**

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 \$150,000 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 the part of said \$3,000,000 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 \$2,850,000 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 \$2,850,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

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:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition by purchase and installation, as necessary, of new and additional equipment, including,	\$180,000	\$171,000

without limitation, one (1) recreation trailer, one (1) front end loader bucket and one (1) sewer camera for use by the Department of Public Works of the Town, and self-contained breathing apparatus, hose, pagers, gas meters, pass devices, gear racks, 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 portions of the Blackwell Street Business District in and by the Town including, without limitation, the construction or reconstruction of sidewalks, street lighting and appurtenances, light poles, poles and stanchions, roadway surface, paving, curbing, CCTV, wireless mesh/fiber installation and infrastructure, landscaping, ornamentation, decorations and drainage, together with all structures, site work, equipment, 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

1,650,000

1,571,000

(c) Improvement of municipally-owned properties and facilities in and by the Town including, without limitation, Town Hall by the renovation of the roof and the rehabilitation and upgrade of the heating and air conditioning system, the boiler and the generator, the Department of Public Works Building by the rehabilitation and upgrade of the bathrooms, breakrooms and lighting system and various parks by the improvement of sidewalks, paths, curbing, lighting and irrigation, together with for all the aforesaid the acquisition of furnishings, machinery, equipment and all landscaping, 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

700,000

666,000

(d) Acquisition by purchase of new and additional vehicular equipment including, without limitation, one (1) garbage truck and one (1) mini sweeper for use by the Department of Public Works of the Town and two (2) utility vehicles for use by the Police Department of the Town, together with all equipment, 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

405,000

381,000

(e) Acquisition by purchase of new and additional 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

65,000

61,000

Totals

\$3,000,000

\$2,850,000

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 13.49 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 \$2,850,000, 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, 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.

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, MacDonald, O'Connor, Camacho and Mayor Dodd
Nays: None Absent: Aldermen Romaine, Blackman & Toth Abstained: None**

ORDINANCE NO. 10-2017

BOND ORDINANCE OF THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, NEW JERSEY, FOR MERIDIA TRANSIT PLAZA URBAN RENEWAL, DOVER, LLC, MERIDIA CAMPUS CENTER URBAN RENEWAL, DOVER, LLC, AND MERIDIA GATEWAY URBAN RENEWAL, DOVER, LLC, EACH AFFILIATES OF CAPODAGLI PROPERTY COMPANY, LLC, THE REDEVELOPER WITH RESPECT TO AND IN CONNECTION WITH THE SCATTERED REDEVELOPMENT PLAN APPROPRIATING \$8,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$8,000,000 BONDS OR NOTES OF THE TOWN FOR FINANCING SUCH APPROPRIATION.

WHEREAS, in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the "Redevelopment Law") and in particular N.J.S.A. 40A:12A-6a, on July 22, 2014, the Mayor and Board of Aldermen (the "Mayor and Board of Aldermen") of the Town of Dover, New Jersey (the "Town") adopted a resolution

(#183-2014) authorizing the Dover Planning Board (the “Planning Board”) to undertake a preliminary investigation to determine whether Lot 3 in Block 1216, Lots 9 and 20 in Block 1217, Lot 7 in Block 1208, and Lots 22, 23 and 24 in Block 1902, as shown on the official tax map of the Town (the “Scattered Site Redevelopment Area”), qualifies as a “redevelopment area” or an “area in need of redevelopment” in accordance with the criteria specified in the Redevelopment Law; and

WHEREAS, in accordance with the provisions of the Redevelopment Law and in particular N.J.S.A. 40A:12A-6b, on October 22, 2014, the Planning Board conducted a public hearing on the matter and thereafter adopted a resolution recommending that the Scattered Site Redevelopment Area be determined by the Mayor and Board of Aldermen to be a redevelopment area for the purposes and within the meaning of the Redevelopment Law; and

WHEREAS, in accordance with the provisions of the Redevelopment Law and in particular N.J.S.A. 40A:12A-6b(5), on October 28, 2014, the Mayor and Board of Aldermen adopted a resolution (#2014-245) determining that the Scattered Site Redevelopment Area is a redevelopment area for purposes and within the meaning of the Redevelopment Law; and

WHEREAS, upon adoption of the resolution described in the preceding paragraph and pursuant to the provisions of N.J.S.A. 40A:12A-6b(5), the Town Clerk transmitted a copy of the resolution to the Commissioner of the Department of Community Affairs of the State of New Jersey (the “State”) and said Commissioner has not issued a disapproval of the redevelopment area determination by the Mayor and Board of Aldermen; and

WHEREAS, in accordance with the provisions of the Redevelopment Law and in particular N.J.S.A. 40A:12A-7e, a redevelopment plan relating to the Scattered Site Redevelopment Area, dated November 4, 2017 (the “Scattered Site Redevelopment Plan”) was considered by the Planning Board and on November 10, 2014, the Planning Board transmitted to the Mayor and Board of Aldermen a report containing its recommendation concerning the Scattered Site Redevelopment Plan; and

WHEREAS, in accordance with the provisions of the Redevelopment Law and in particular N.J.S.A. 40A:12A-7a, on November 25, 2014, the Mayor and Board of Aldermen adopted on first reading an ordinance (#26-2014) approving the Scattered Site Redevelopment Plan and on December 16, 2014, after holding a public hearing thereon, adopted on second reading such ordinance; and

WHEREAS, Meridia Transit Plaza Urban Renewal, Dover, LLC, Meridia Campus Center Urban Renewal, Dover, LLC and Meridia Gateway Urban Renewal, Dover, LLC, each affiliates of Capodagli Property Company, LLC, and each a limited liability company of the State (collectively, the “Redeveloper”), have been designated by the Town as redeveloper in connection with the Scattered Site Redevelopment Area, all in accordance with and pursuant to the Redevelopment Law; and

WHEREAS, the Redeveloper has requested the Town to provide financial assistance with respect to the construction of the project described in the Scattered Plaza Redevelopment Plan (the “Scattered Site Redevelopment Project”); and

WHEREAS, in accordance with the provisions of the Redevelopment Law, the Town is acting as the redevelopment entity for purposes of implementing the Scattered Site Redevelopment Plan; and

WHEREAS, pursuant to the provisions of the Redevelopment Law, and in particular N.J.S.A. 40A:12A-8a and f, in order to carry out and effectuate the terms of a redevelopment plan a municipality or redevelopment entity may issue bonds for redevelopment projects in accordance with the Redevelopment Law and may contract with a redeveloper for the planning, construction or undertaking of any redevelopment project or redevelopment work and, as part of such contract, “may provide for extension of credit, or making of loans, to redevelopers to finance any project or redevelopment work”; and

WHEREAS, pursuant to the provisions of the Redevelopment Law, and in particular N.J.S.A. 40A:12A-37b, a municipality “may incur indebtedness, borrow, appropriate and expend money and issue its negotiable bonds or other obligations for the purpose of aiding any redevelopment entity with respect to any redevelopment project which is located within its jurisdiction” and any such bonds shall be authorized by ordinance adopted pursuant to the provisions of the Local Bond Law of New Jersey, N.J.S.A. 40A:2-1 *et. seq.* (the “Local Bond Law”) except that, in accordance with the provisions of N.J.S.A. 40A:12A-37b, certain provisions of the Local Bond Law shall not be applicable; and

WHEREAS, pursuant to the provisions of the Redevelopment Area Bond Financing Law (N.J.S.A. 40A:12A-64 to - 73 *et seq.*) (the “RAB Financing Law”) and in particular N.J.S.A. 40A:12A-67a, a municipality (*i.e.*, the Town) may issue “bonds” (as defined in the RAB Financing Law, and in particular N.J.S.A. 40A:12A-65) in the manner provided in the RAB Financing Law or pursuant to the Redevelopment Law to finance redevelopment projects undertaken pursuant to a redevelopment plan adopted pursuant to the Redevelopment Law and in particular N.J.S.A. 40A:12A-7; and

WHEREAS, the Town is desirous of authorizing the issuance of bonds and notes of the Town pursuant to the provisions

of the Redevelopment Law, the RAB Financing Law, the Local Bond Law and other applicable law for purposes of assisting the Town, as the redevelopment entity in connection with the implementation of the Scattered Site Redevelopment Project, by providing financial assistance to the Redeveloper to finance a portion of the cost of construction of the Scattered Site Redevelopment Project;

NOW, THEREFORE, 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 purpose described in Section 3 of this bond ordinance is hereby authorized as a purpose that the Town is authorized to undertake pursuant to the provisions of the Redevelopment Law and the RAB Financing Law. For the said purpose stated in said Section 3, there is hereby appropriated the sum of \$8,000,000. Pursuant to the provisions of the Redevelopment Law and in particular N.J.S.A. 40A:12A-37c, no down payment is required in connection with the adoption of this bond ordinance as this bond ordinance authorizes obligations for the purpose of aiding a redevelopment entity (i.e., the Town) with respect to a redevelopment project (i.e., the Scattered Site Redevelopment Project) which is located within the jurisdiction of the Town.

For the financing of said purpose and to meet said \$8,000,000 appropriation, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$8,000,000 pursuant to the provisions of the Local Bond Law, the Redevelopment Law and the RAB Financing Law. In anticipation of the issuance of said bonds and to temporarily finance said purpose, negotiable notes of the Town in a principal amount not exceeding \$8,000,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law, the Redevelopment Law and the RAB Financing Law.

The obligations are to be issued for the purpose of assisting the Town, as the redevelopment entity in connection with the implementation of the Scattered Site Redevelopment Project, by providing financial assistance to the Redeveloper to finance a portion of the cost of construction of the Scattered Site Redevelopment Project, all in accordance with and pursuant to the provisions of the Redevelopment Law and the RAB Financing Law. The Scattered Site Redevelopment Project includes the construction of up to 214 residential units and 3,500 square feet of retail space and a public plaza on a portion of the current Sussex Street right of way, the rehabilitation of an existing structure into a mixed-used lower floor commercial area with market rate apartments or student housing units, and the construction of approximately 240 residential units, all as described in the Redevelopment Agreement, dated May 7, 2015, by and between the Town and the Redeveloper, as amended, a copy of which is on file with the Town Clerk.

The estimated maximum amount of bonds or notes to be issued by the Town for said purpose is \$8,000,000.

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

The said purpose described in Section 3 of this bond ordinance is a purpose that the Town may undertake as a general improvement or purpose pursuant to the provisions of the Redevelopment Law and the RAB Law, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

Pursuant to the provisions of N.J.S.A. 40A:12A-37c, the bonds authorized by this bond ordinance shall mature in annual installments commencing not more than two (2) and ending not more than forty (40) years from the date of issuance thereof. The supplemental debt statement required by the 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, and such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$8,000,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

Pursuant to the provisions of the Redevelopment Law and in particular N.J.S.A. 40A:12A-37c, the obligations of the Town authorized by this bond ordinance shall bear interest at a maximum rate of not to exceed eight per centum (8%) per annum.

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. Subject to the provisions of Section 4(d) of this bond ordinance, 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 (including, without limitation, any redemption provisions), 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 and N.J.S.A. 40A:12A-37f. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale 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.

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.

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.

All capitalized words and terms used but not defined in this bond ordinance shall have the meanings ascribed to such words and terms, respectively, in the preambles to this bond ordinance.

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

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

Ayes: Aldermen Visioli, Picciallo, MacDonald, O'Connor, Camacho and Mayor Dodd

Nays: None Absent: Aldermen Romaine, Blackman & Toth Abstained: None

ORDINANCE 11-2017

AN ORDINANCE OF THE OF THE TOWN OF DOVER, COUNTY OF MORRIS, NEW JERSEY VACATING CERTAIN PORTIONS OF TWO (2) STREETS KNOWN AS SOUTH SUSSEX STREET AND WEST DICKERSON STREET WITHIN THE TOWN OF DOVER

BE IT ORDAINED AND ENACTED by the Board of Aldermen of the Town of Dover that:

Section 1. Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), on May 7, 2015, the Town entered into a redevelopment agreement with Meridia, Transit Plaza Urban Renewal, Dover, LLC, Meridia Campus Center Urban Renewal, Dover, LLC, and Meridia, Gateway Urban Renewal, Dover, LLC (individually and collectively referred to as the "Redeveloper") for the redevelopment of certain properties (the "Redevelopment Agreement").

Section 2. On April 25, 2017, the Town approved an amendment to the Redevelopment Agreement, which addresses in part the Town's obligation to vacate portions of South Sussex Street and West Dickerson Street to facilitate the redevelopment of certain properties, including Block 1216, Lot 3 and Block 1217, Lots 9 and 20 (the "Redevelopment Properties").

Section 3. On September 28, 2016, the Redeveloper obtained amended preliminary and final site plan approval for the Redevelopment Properties (also known as Phase 1A of the Redevelopment Project) from the Town Planning Board, which approval is conditioned on the vacation of portions of South Sussex Street and West Dickerson Street by the Town to facilitate the redevelopment of the Redevelopment Properties.

Section 4. N.J.S.A. 40:67-1(b) authorizes the governing body of every municipality to adopt an ordinance to vacate any public street or any part thereof.

Section 5. Pursuant to N.J.S.A. 40:49-6, a municipality must publish ordinances authorizing vacations or dedications of land in the manner required by N.J.S.A. 40:49-2, except that every such ordinance, after being introduced and having passed a first reading, shall be published at least once not less than ten (10) days instead of one week prior to the time fixed for further consideration for final passage, and, at least one week prior to the time fixed for final passage, a copy of such ordinance, together with a notice of the introduction thereof and the time and place when and where the ordinance shall be considered for final passage shall be mailed to every person whose lands may be affected by the ordinance.

Section 6. Pursuant to N.J.S.A. 40:67-21, whenever any street is vacated, the municipal clerk must record a copy of the ordinance, within sixty (60) days of its effective date, in the County Book entitled "Vacations".

Section 7. The Board of Aldermen of the Town of Dover has determined that it would fulfill a public purpose to vacate portions of South Sussex Street and West Dickerson Street, including to facilitate the public purpose to be served by the redevelopment of the Properties.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that a portion of South Sussex Street and a portion of West Dickerson Street, as more fully described and set forth on the plan entitled “Lot Consolidation Plan” prepared by Control Point Associates, Inc., prepared May 11, 2015, last revised April 5, 2017, be and is hereby vacated.

BE IT FURTHER ORDAINED, that the Town of Dover, pursuant to the provisions of N.J.S.A. 40:67-1(b), hereby expressly reserves and excepts from vacation all rights and privileges, if any, currently possessed by public utilities (as defined in N.J.S.A. 48:2-13) and by any cable television company (as defined in the Cable Television Act, N.J.S.A. 48:5-1 et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof, to be vacated.

BE IT FURTHER ORDAINED, that, pursuant to N.J.S.A. 40:49-6, the Town Clerk shall publish this Ordinance in the manner required by N.J.S.A. 40:49-2, except that after same has been introduced and passed a first reading, this Ordinance shall be published at least once not less than ten (10) days prior to the time fixed for further consideration for final passage, and the Town Clerk shall, at least one week prior to the time fixed for final passage, mail a copy of this Ordinance, together with a notice of the introduction thereof and the time and place when and this Ordinance shall be considered for final passage to every person whose lands may be affected by this Ordinance.

BE IT FURTHER ORDAINED, that within sixty (60) days after this Ordinance becomes effective, the Town Clerk shall file a copy thereof, certified by him, under the Seal of the Town of Dover to be a true copy of such Ordinance, together with a proof of publication thereof, in the office of the Morris County Clerk to be recorded in a book with proper index to be provided for this purpose entitled “vacations”, in accordance with the provisions of N.J.S.A. 40:67-21.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

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

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

ORDINANCE 12-2017

AN ORDINANCE OF THE TOWN OF DOVER, COUNTY OF MORRIS, NEW JERSEY APPROVING THE PILOT APPLICATION AND AUTHORIZING THE MAYOR AND TOWN CLERK TO EXECUTE A FINANCIAL AGREEMENT BY AND BETWEEN THE TOWN OF DOVER AND MERIDIA, TRANSIT PLAZA URBAN RENEWAL, DOVER, LLC PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. FOR PROPERTY LOCATED AT 1 WEST DICKERSON STREET, ALSO KNOWN AS LOT 3 IN BLOCK 1216 AND LOTS 9 AND 20 IN BLOCK 1217, AS SHOWN ON THE OFFICIAL TAX MAP OF THE TOWN OF DOVER, LOCATED IN THE SCATTERED SITES REDEVELOPMENT AREA

BE IT ORDAINED by the Board of Aldermen of the Town of Dover that:

Section 1. On October 28, 2014, the Town of Dover adopted Resolution #245-2014 designating the following properties as a “non-condemnation” redevelopment area, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”): Block 1216, Lot 3; Block 1217, Lots 9 & 20; Block 1208, Lots 7; and Block 1902, Lots 22, 23 & 24, as shown on the Tax Map of the Town of Dover (the “Redevelopment Area”) and adopted the Redevelopment Plan for the Redevelopment Area on October 28, 2014 (the “Plan”), which Plan has been amended from time to time.

Section 2. On May 7, 2015, the Town entered into a redevelopment agreement with Meridia, Transit Plaza Urban Renewal, Dover, LLC, Meridia Campus Center Urban Renewal, Dover, LLC, and Meridia, Gateway Urban Renewal, Dover, LLC (individually and collectively referred to as the “Redeveloper”) for the redevelopment of certain properties, as such redevelopment has or may be amended by the Town (the “Redevelopment Agreement”), which Redevelopment Agreement was amended by the Town on April 25, 2017.

Section 3. The Redevelopment Agreement requires the Redeveloper to acquire certain properties, including the properties identified as Block 1216, Lot 3 and Block 1217, Lots 9 & 20 (the “Properties”) and redevelop the Properties in accordance with the Redevelopment Plan.

Section 4. The Redeveloper has created an urban renewal entity, Meridia, Transit Plaza Urban Renewal, Dover, LLC which shall acquire title to the Properties and act as Redeveloper of the Properties.

Section 5. On September 28, 2016, the Redeveloper obtained amended preliminary and Final Site Plan approval from the Town Planning Board for the Properties for the development of a mixed use project, consisting of retail and residential uses (the “Project”).

Section 6. Pursuant to and in accordance with the provisions of the Long Term Tax Exemption Law, constituting Chapter 431 of the Pamphlet Laws of 1991 of the State, and the acts amendatory thereof and supplement thereto (the “Long Term Tax Exemption Law”, as codified in N.J.S.A. 40A:20-1 et seq.), the Town is authorized to provide for tax abatement within a redevelopment area and for payments in lieu of taxes.

Section 7. The Redeveloper, who is known as Meridia, Transit Plaza Urban Renewal, Dover, LLC, has submitted an application for the approval of a Project, as such term is used in the Long Term Tax Exemption Law, all in accordance with N.J.S.A. 40A:20-8 (the “Exemption Application”, a copy of which is attached hereto as Exhibit A).

Section 8. The Exemption Application requests a 30-year term for the Financial Agreement and an annual service charge based on 2% of total project costs.

Section 9. The Town and the Redeveloper have reached agreement with respect to, among other things, the terms and conditions relating to the Annual Service Charges and desire to execute the Financial Agreement.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Aldermen of the Town of Dover, County of Morris, New Jersey, as follows:

Section 1. The Town acknowledges that Meridia, Transit Plaza Urban Renewal, Dover, LLC, by effectuating the redevelopment, will significantly limit its profits due to the extraordinary cleanup and remediation costs to be borne by the Entity, which will provide significant and long-term benefits to the Town.

Section 2. The Town makes the following findings:

A. Relative benefits of the Project when compared to the costs:

1. The Property currently generates approximately \$5,960 in real estate tax revenue to the Town as the Properties include Town owned properties that are currently tax exemption and used for public parking and private property also used for parking. The projected Annual Service Charge will generate average revenue to the Town of approximately \$214,000 annually over the term.

2. It is estimated that the Project will create approximately 244 jobs during construction and 64 new permanent jobs;

3. The Project should stabilize and contribute to the economic growth of existing local business and to the creation of new business, which will serve the new residents and attract additional people to Dover;

4. The Project will further the redevelopment objectives of the Redevelopment Plan for the Redevelopment Area; and

5. The clearance and remediation of the property will greatly improve the neighborhood.

6. The Town has determined that the benefits of the Project significantly outweigh the costs to the Town.

B. Assessment of the importance of the Tax Exemption defined in obtaining development of the Project and influencing the locational decisions of probable occupants:

1. The relative stability and predictability of the Annual Service Charge will make the Project more attractive to investors and lenders needed to finance the Project; and
2. The relative stability and predictability of the Annual Service Charge will allow stabilization of the Project operating budget, allowing a high level of urban design, aesthetics and amenities as well as the use of high quality materials which will maintain the appearance of the buildings over the life of the Project, which will insure the likelihood of the success of the Project and insure that it will have a positive impact on the surrounding area.

Section 3. The Exemption Application is hereby accepted and approved.

Section 4. The Financial Agreement shall be for a 30-year term with an annual service charge based on 2% of total project costs for the Project in accordance with the Long Term Tax Exemption Law.

Section 5. The Financial Agreement is hereby authorized to be executed and delivered on behalf of the Town by the Mayor in substantially the form attached hereto as Exhibit B. The Town Clerk is hereby authorized and directed to attest to the execution of the Financial Agreement by the Mayor and to affix the corporate seal of the Town to the Financial Agreement. Upon execution of the Financial Agreement, the Town Clerk shall submit a copy of the Financial Agreement to the State Department of Community Affairs and the County of Morris.

Section 6. This ordinance shall take effect upon final passage and publication as required by law.

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, MacDonald, O'Connor, Camacho and Mayor Dodd
Nays: None Absent: Aldermen Romaine, Blackman & Toth Abstained: None**

ORDINANCE 13-2017

AN ORDINANCE OF THE TOWN OF DOVER, COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE CONVEYANCE OF PROPERTY KNOWN AS TAX BLOCK 1216, LOT 3 AND TAX BLOCK 1217, LOT 9 LOCATED WITHIN THE SCATTERED SITES REDEVELOPMENT AREA TO MERIDIA, TRANSIT PLAZA URBAN RENEWAL, DOVER, LLC, THE CONTRACT REDEVELOPER PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

BE IT ORDAINED AND ENACTED by the Board of Aldermen of the Town of Dover that:

SECTION 1. Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), a municipality may sell, convey or lease any of its property to a redeveloper for the purpose of clearance, re-planning, development and redevelopment of a redevelopment area provided that the sale, conveyance or lease is made in conjunction with a redevelopment plan.

SECTION 2. On October 28, 2014, the Town of Dover (the “Town”) adopted Resolution #245-2014 designating the following properties as a “non-condemnation” redevelopment area, pursuant to the Redevelopment Law: Block 1216, Lot 3; Block 1217, Lots 9 & 20; Block 1208, Lots 7; and Block 1902, Lots 22, 23 & 24, as shown on the Tax Map of the Town of Dover (the “Redevelopment Area”) and adopted the Redevelopment Plan for the Redevelopment Area on October 28, 2014 (the “Plan”), which Plan has been amended from time to time.

SECTION 3. On May 7, 2015, the Town entered into a redevelopment agreement with Meridia, Transit Plaza Urban Renewal, Dover, LLC, Meridia Campus Center Urban Renewal, Dover, LLC, and Meridia, Gateway Urban Renewal, Dover, LLC (individually and collectively referred to as the “Redeveloper”) for the redevelopment of certain properties (the “Redevelopment Agreement”), which Redevelopment Agreement was amended by the Town on April 25, 2017.

SECTION 4. The Redevelopment Agreement requires the Redeveloper to acquire certain properties, including the properties identified as Block 1216, Lot 3 and Block 1217, Lots 9 & 20 (the “Properties”) and redevelop the Properties in accordance with the Redevelopment Plan.

SECTION 5. The Town owns the property known as Block 1216, Lot 3 and Block 1217, Lot 9, including any portions of South Sussex Street and West Dickerson Street vacated by the Town (the “Properties”), which property is located in the Redevelopment Area.

SECTION 6. Pursuant to the Redevelopment Agreement, the Town is to convey the Properties to the Redeveloper upon notice that all contingencies have been met or waived by the parties.

SECTION 7. The Mayor and Board of Aldermen hereby authorize the conveyance of the Properties to the Redeveloper for the purposes of redevelopment in accordance with the Redevelopment Agreement.

SECTION 8. The Mayor and Town Clerk are authorized to execute any and all documents necessary for the conveyance of the Properties, subject to the review and approval of such documents by the Township’s counsel.

SECTION 9. This ordinance shall take effect upon final passage and publication as required by law.

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, MacDonald, O’Connor, Camacho and Mayor Dodd
Nays: None Absent: Aldermen Romaine, Blackman & Toth Abstained: None**

Mayor Dodd opened the meeting to the public.

Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public and asked for a motion to adjourn.

Mayor Dodd made the motion to adjourn at 7:35 PM and Alderman Picciallo moved the motion and duly seconded and passed it by the following voice vote.

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk