EXECUTIVE SESSION BEGINS AT 6:00 PM REGULAR MEETING AGENDA ITEMS RESUME AT 7:00 PM OCTOBER 10, 2023

A) CALL MEETING TO ORDER / SUNSHINE STATEMENT – Mayor Carolyn Blackman to call meeting to order and read the Sunshine Statement:

"This meeting is being held in accordance with the Open Public Meetings Act, also known as the Sunshine Law, N.J.S.A. 10:4-6. Notice of the meeting was sent to the Daily Record and Star Ledger on January 4, 2023, and published in the Record and Ledger on January 7, 2023. Notice of Meeting Date and Time change was sent to the paper on June 18, 2023, and corrected on September 21, 2023. Notice was also posted on the Bulletin Board of the Municipal Building."

B) PLEDGE OF ALLEGIANCE – Mayor Carolyn Blackman to lead those in attendance in the Pledge of Allegiance to the Flag

C) ROLL CALL – Clerk to Conduct Roll Call:

Name	Present	Absent	Excused
Alderwoman Cruz			
Alderman Estacio			
Alderwoman Rugg			
Alderwoman Ruiz			
Alderman Santana			
Aldermen Scarneo			
Alderman Tapia			
Alderwoman Wittner			
Mayor Blackman			

D) APPROVAL OF MINUTES

E) PRESENTATIONS, MUNICIPAL CORRESPONDENCE

F) EXECUTIVE SESSION – (regular Public Meeting to begin at 7:00PM

a) Resolution 294-2023 Executive Session "Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law" – Public Safety Issues

G) ORDINANCES FOR FIRST READING

a) Ordinance 25-2023 Changing the name of the Governing Body to "Town Council "and the title of its Elected Officials to "Council Member"

H) ORDINANCES FOR SECOND READING, PUBLIC HEARING AND ADOPTION

a) Ordinance 26-2023 Regulating Streets and Sidewalks in the Town of Dover

b) Ordinance 27-2023 Amending and Supplementing Chapter 72, Salaries and Compensation

I) APPROVAL OF BILLS

a) Resolution 286-2023 - Approval of Bills List

J) APPROVAL OF RESOLUTIONS

1) CONSENT AGENDA RESOLUTIONS

- a) Resolution 287-2023 Awarding a contract to Midwest Construction Inc. for Audrey Place & Winthrop Place 2022 NJDOT Roadway Improvement Project
- b) Resolution 288-2023 Awarding a contract to Kulpeksa Land Improvement Corp. for improvements to Hooey Park and Overlook Park retaining walls

K) RESOLUTIONS FOR DISCUSSION AND CONSIDERATION

- a) Resolution 289-2023 to affirm the Town of Dover's Civil Rights Policy with respect to all Officials, Appointees, Employees, Volunteers, Independent Contractors, and Members of the Public that come into contact with Municipal Employees, Officials and Volunteers
- **b)** Resolution 290-2023 Authorizing the execution of agreement with Pennoni Associates for maintenance and management of the Sanitary Sewer System
- c) Resolution 291-2023 Amending Resolution 270-2023 concerning the appointment of Chief Financial Officer / Treasurer
- d) Resolution 292-2023 Appointing Fire Chief Paul C. McDougall
- e) Resolution 293-2023 Removing Volunteer Firefighter from the rolls of the Dover Fire Department

L) OLD/NEW BUSINESS

M) REPORT OF COMMITTEES

N) ADMINISTRATIVE REPORT

a) BettyLou Decroce Business Administrator – None at this time

O) PUBLIC COMMENT:

The Town of Dover highly values the input of residents in making important decisions that affect the residents of our community. We also believe in the rights of residents to observe Governing Body Meetings. To ensure that all of our residents have the opportunity to offer comment, each statement/comment shall be held to a time of five (5) minutes.

All comments must include your name and residential address at the beginning of your comment.

Public comment portions of our agenda are not structured as question-and-answer sessions, but rather they are offered as opportunities to share your thoughts with the Mayor and Board of Aldermen. The Mayor and Board will attempt to engage in dialogue but may not be able to respond to all public comments. However, all comments are considered and will be investigated and addressed as appropriate.

If you have a question that we are unable to answer at the meeting, feel free to submit your

questions to the Office of the Municipal Clerk, in writing, and include your name, address and telephone number where you can be contacted. The email address of the Clerk's Office is doverclerk@dover.nj.us. Questions will be answered within a reasonable time.

Please be courteous and mindful of the rights of others when providing comments. Comments may not be abusive, obscene, or threatening. All members of the public attending Mayor and Board of Aldermen meetings must treat each other and the Mayor and Board of Aldermen with respect. Individuals offering comments are not permitted to make personal attacks on any Town Employees, the Mayor or any Member of Town Government, other testifiers, or members of the public.

P) ADJOURNMENT

TOWN OF DOVER RESOLUTION NO. 2023-294 AUTHORIZING EXECUTIVE SESSION

WHEREAS, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Mayor and Alderman of the Town of Dover to be held in public, N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive Session," i.e. without the public being permitted to attend, and

"Executi	ve Session," i.e. without the public being permitted to attend, and
number) attendan	EAS, the Mayor and Alderman of the Town of Dover has determined that (insert issues are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in ce shall be discussed during an Executive Session to be held on, 20
listed bel privately space wh	EAS, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are low, and next to each exception is a box within which the number of issues to be discussed that fall within that exception shall be written, and after each exception is a here additional information that will disclose as much information about the discussion ble without undermining the purpose of the exception shall be written.
	"(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion." The legal citation to the provision(s) at issue is: and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is
	"(2) Any matter in which the release of information would impair a right to receive funds from the federal government." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is
	"(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless

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are prop negotiati employe	collective bargaining agreement, or the terms and conditions of which osed for inclusion in any collective bargaining agreement, including the on of terms and conditions with employees or representatives of the public body. The collective bargaining contract(s) discussed are the Board and
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disclosed	nds, the setting of bank rates or investment of public funds where it versely affect the public interest if discussion of such matters were ." The nature of the matter, described as specifically as possible without
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"(6) Any the publi investiga matter, de confident	tactics and techniques utilized in protecting the safety and property of c provided that their disclosure could impair such protection. Any tions of violations or possible without undermining the need for confidentiality is

(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective purificer or employee or current public officer or employee employed of appointed by the public body, unless all individual employees or appointed ights could be adversely affected request in writing that such matter or make the employee's privacy rights under South Jersey Publishing Co. v. New Jersey Publishing Co. v. New Jersey Publishing Co. v. New Jersey Published as specifically as possible without undermining the need for confidere; (9) Any deliberation of a public body occurring after a public hearing result in the imposition of a specific civil penalty upon the responding the suspension or loss of a license or permit belonging to the responding a result of an act of omission for which the responding party bears responsibility." The nature of the matter, described as specifically as possibility as possibility in the need for confidentiality
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where which the public meeting of the Mayor and Alderman shall (circle one) reconvene and immediately adjourn or reconvene and proceed with business.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Alderman of the Town of Dover will go into Executive Session for **only** the above stated reasons;

BE IT FURTHER RESOLVED that the Mayor and Alderman of the Town of Dover hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being

protected from disclosure. For each of the above items, the estimated date by which such disclosure can be made and/or the occurrence that needs to take place before disclosure can be made are listed below (attach separate sheet if necessary)

Subject of Discussion Public Scfety	Estimated Date	Necessary Occurrence 2623	

BE IT FURTHER RESOLVED that the Clerk, at the present public meeting, shall read aloud enough of this resolution so that members of the public in attendance can understand, as precisely as possible, the nature of the matters that will privately discussed.

BE IT FURTHER RESOLVED that the Clerk, on the next business day following this meeting, shall furnish a copy of this resolution to any member of the public who requests one at the fees allowed by N.J.S.A. 47:1A-1 et seq.

Carolyn Blackman, 1	Mayo
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I HEREBY CERTIFY THAT THIS IS A TRUE APPROVED BY THE MAYOR AND ALDERN		S
PUBLIC MEETING HELD ON	2022	
Reynaldo Julve, Acting Municipal Clerk		

ORDINANCE No. 25-2023

ORDINANCE OF THE MAYOR AND THE BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS AND STATE OF NEW JERSEY, CHANGING THE NAME OF THE GOVERNING BODY TO "TOWN COUNCIL" AND THE TITLE OF ITS ELECTED OFFICIALS TO "COUNCIL MEMBER"

WHEREAS, the Town of Dover has a long history of being a municipality in the State of New Jersey going back to the nineteenth century; and

WHEREAS, the first governing body of the Town of Dover in 1869 was known as the Council; and

WHEREAS, while incorporated under the Town Form of government the governing body of the Town of Dover was known as the Common Council; and

WHEREAS, the Town Form of government, N.J.S.A. 40A:62-1 et. seq.; most recently amended by the 1988 Town Act, Chapter 7, Laws of 1988 refers to the governing body as council; and

WHEREAS, and in recognition that the best definitions reflect terms with clear and well understood plain meanings; and

WHEREAS, the governing body of the Town of Dover has a commitment to equality and seeks to ensure that its governance is as inclusive and representative of our residents, business owners and visitors; and

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

- 1. The governing body of the Town of Dover shall henceforth be referred to as "Town Council" or "Mayor and Council of the Town of Dover" and the individual elected officials of the Town of Dover governing body shall henceforth be referred to as "Council Member."
- 2. Wherever the term "Board of Aldermen" appears in any Town of Dover document, including but not limited to the Town Charter, Town Code and any and all legal and day-to-day operational documents, that term shall likewise be interpreted as "Town Council" and be interchangeable with same.
- 3. Whenever the term "Alderman" or "Aldermen" appears in a Town of Dover document, including but not limited to the Town Charter, Town Code and any and all legal and daytoday operational documents, that term shall likewise be interpreted as "Council Member" and be interchangeable with same.

- 4. The title of Mayor of the Town of Dover, shall remain unchanged.
- 5. No re-printing of any Town of Dover documents shall be required upon these name changes, but updates may be periodically accomplished to reflect such new terms, dependent upon the Town's fiscal constraints.
 - 6. The Mayor and Acting Municipal Clerk are authorized to execute any collateral documents necessary to effectuate the purpose of this Ordinance, including any and all notices to local, County and State of New Jersey authorities.

BE IT FURTHER ORDAINED, that if any Chapter, Article, Section, or Subsection, clause, phrase or this Ordinance is for any reason held unconstitutional or invalid by any court of competent jurisdiction such decisions shall not affect the remaining portions of this ordinance.

BE IT FURTHER ORDAINED, this ordinance shall take effect upon the passage and publication according to law.

Reynaldo Julve, Acting Municipal Clerk	Carolyn Blackman, Mayor	
	ADOPTED.	

CERTIFICATION

I, Reynaldo Julve, Acting Municipal Cler	k of the Town of Dover in the County of Morris, State
of New Jersey, do hereby Certify that the	ne foregoing Ordinance 25-2023 is a true copy of the
Original Ordinance duly passed and adop	ted by the Mayor and Board of Aldermen of the Town
of Dover at its meeting on	, 2023.
Reynaldo Julve	
Acting Municipal Clerk	

ORDINANCE No. 26-2023

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS AND THE STATE OF NEW JERSEY AMENDING CHAPTER 337 OF THE CODE OF THE TOWN OF DOVER REGULATING STREETS AND SIDEWALKS IN THE TOWN OF DOVER

WHEREAS, the governing body of a municipality make, amend, repeal, and enforce ordinances to adopt policies and procedures for the benefit of the municipality; and

WHEREAS, the Mayor and Aldermen recognize that there is a need to make reasonable changes to the Code of the Town of Dover to restrict certain types of vehicles from parking overnight; and

WHEREAS, the Mayor and Board of Aldermen have determined that additional vehicles need to be added to the current list of vehicles that are restricted from parking overnight within the Town of Dover; and

WHEREAS, the Mayor and Board of Alderman believe that it is in the best interest of the Town, to amend the code to restrict commercial and non-commercial vehicles with dump bodies and trailers – either attached or not attached from parking overnight; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Aldermen of the Town of Dover, County of Morris, State of New Jersey, that Chapter 236 of the Town Code is hereby amended as follows:

SECTION 1.

§ 337-47. Definitions- shall be revised to add "Dump Body" to be defined as "A permanent or semi-permanent structure designed for trucks to store and haul material that is capable of disposing of its contents through gravity".

SECTION 2.

§ 337-48. Prohibited Parking – letter C. "Trailer" shall be revised to say "Trailer – attached or non-attached". Add, letter "G" to say, "Commercial or Non-Commercial Vehicles with a Dump Body".

SECTION 3. If any Chapter, Article, Section or Subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction such decision shall not affect the remaining portions of this ordinance.

SECTION 4. All ordinances or rules or regulations of the Town of Dover which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This ordinance shall take a law.	effect upon	the passage	and publication	according to
	Carolyn l	Blackman, M	ayor	
Attest:				
Reynaldo Julve, Acting Municipal Clerk				
INTRODUCED:	_			
ADOPTED:				

ORDINANCE No. 27-2023

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 72, SALARIES AND COMPENSATION

BE IT ORDAINED by the Mayor and Board of Aldermen, Town of Dover, County of Morris, NJ as follows:

A. CHAPTER C. "Salaries and Compensation for Certain Employees" is hereby amended and supplemented by the following:

CHAPTERC. SALARIES & COMPENSATION FOR CERTAIN EMPLOYEES

- I. Effective January 1, 2023, as indicated below, salaries, compensation or fees are hereby established for the following named officers, employees, or positions in the Town of Dover at the rate of or within the salary ranges listed.
- B. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.
- C. All collective bargaining agreements in effect as of the adoption of this ordinance are included by reference.
- D. This ordinance shall take effect immediately upon final passage and publication. The Board of Aldermen shall adopt resolutions, from time to time as needed, to establish individual salaries for employees impacted by this ordinance.

Title	Minimum	Maximum	Period
Special Police Officers PT	\$21.00	\$39.00	Annually
ATTEST:			
Reynaldo Julve, Acting Municipal Clerk	Carolyn Blackma	an, Mayor	
	ADOPTED:		

CERTIFICATION

, ,	ipal Clerk of the Town of Dover in the County of Morris, State
of New Jersey, do hereby Certif	y that the foregoing Ordinance 27-2023 is a true copy of the
Original Ordinance duly passed a	and adopted by the Mayor and Board of Aldermen of the Town
of Dover at its meeting on	, 2023.
Darmalda Julio	
Reynaldo Julve	
Acting Municipal Clerk	

RESOLUTION NO. 286-2023 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.

Blackman, Mayor
F DOVER, COUNTY OF MORRIS
\$1,914,293.09
\$61,461.71
\$776.73
\$0.00
\$60,300.00
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RESOLUTION NO. 287-2023

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY AWARDING A CONTRACT TO MIDWEST CONSTRUCTION INC. FOR AUDREY PLACE & WINTHROP PLACE 2022 NJDOT ROADWAY IMPROVEMENT PROJECT

WHEREAS, the Town of Dover solicited Bids for the Audrey Place and Winthrop Place 2022 NJDOT Roadway Improvement Project; and

WHEREAS, the Department Head of Engineering and the Town Engineer Stephen Hoyt, P.E. of Pennoni Assoc. Inc. have determined that there is a need to begin work on the Audrey Place & Winthrop Place 2022 NJDOT Roadway Improvement Project; and

WHEREAS, five bids were received and opened at the Bid Opening on October 3, 2023, at 10:30AM; and

WHEREAS, the lowest responsible bidder was Midwest Construction Inc., 19 Dead River Road, Warren, NJ 07059; and

WHEREAS, the low bid has been reviewed by the Municipal Attorney, the Town Engineer and Administration recommends the Base Bid be awarded to Midwest Construction, Inc. in the amount of \$766,169.20. A \$40,000.00 contingency shall also be allotted for unforeseen items that may arise during construction for a total of \$806,169.20; and

WHEREAS, the Town of Dover Chief Financial Officer has determined that this project has received \$406,800.00 in funding from the NJ Department of Transportation and \$400,000.00 in monies are available in existing bonds for this work; and

WHEREAS, there is a need to move forward with this project, specifically authorizing Midwest Construction Inc.to begin work on this project; and

WHEREAS, the Town of Dover Business Administrator has determined that this procurement provides an effective and efficient use of taxpayer dollars.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey authorizes the work described above to commence and that Midwest Construction Inc. can begin the Construction work for this project. A copy of this Resolution shall be provided to William Isselin – Head of Engineering.

TOWN OF DOVER COUNTY OF MORRIS

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Reynaldo Julve, Acting Municipal Clerk	Carolyn Blackman, Mayor
	ADOPTED:

ATTFST.

I Thomas M. Ferry, as the Town of Dover Chief Financial Officer, do hereby certify that funds are available to meet the Town of Dover's obligation specified by this resolution.				
Thomas M. Ferry C.P.A., R.M.A., C.M.F.O.	Amount	Account #		
CERT	TIFICATION			
I, Reynaldo Julve, Acting Municipal Clerk of the Todo hereby certify that the foregoing Resolution 287 and adopted by the Mayor and Board of Aldermer 2023.	-2023 is a true copy of the	e Original Resolution duly passed		
Reynaldo Julve Acting Municipal Clerk				

CAPITAL BUDGET 2023

ENGINEERING

1.	Sewer Maint. GSI Mapping	\$25,000	C-04-55-934-001
2.	Town Wide Tree Mapping	\$50,000	C-04-55-934-001
3.	Sewer Manhole & Pipes	\$25,000	C-04-01-018-209
4.	Overlook Park New Playground	\$120,000.00	C-04-55-934-001
5.	Crescent Turf Field	\$550,000.00	C-04-17-016-001
6.	Crescent Lighting	\$314,524.00	C-04-17-016-001
7.	Hoouey Park Wall	\$85,000.00	

C-04-13-015-010	\$ 56,925.28
C-04-17-016-001	\$ 28,074.72

8.	Overlook Park Wall	\$14,000.00	Grant	\$51,00	0.00	C-22-15-402-004	
9.	Audry Place & Winthrop Place	\$400	,000.00	Grant	\$406,80	0.00 C-22-15-502-00	2
10.	Precinct 2 Full Renovation W So	lar \$120	.00.000.0				

RESOLUTION NO. 288-2023

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY AWARDING A CONTRACT TO KULPEKSA LAND IMPROVEMENT CORP. FOR IMPROVEMENTS TO HOOEY PARK AND OVERLOOK PARK RETAINING WALLS

WHEREAS, the Town of Dover solicited Bids for the Improvements to Hooey Park and Overlook Park Retaining Walls; and

WHEREAS, the Department Head of Engineering and our Engineering Consultant Bruce M. Koch of CME Associates has determined that there is a need to begin work on the Improvements to Hooey Park and Overlook Park Retaining Walls; and

WHEREAS, nine bids were received and opened at the Bid Opening on September 20, 2023 at 10:00A.M.; and

WHEREAS, the lowest responsible bidder was Kulpeksa Land Improvement Corp., 248 Franklin Ave., Rockaway, NJ 07866; and

WHEREAS, the low bid has been reviewed by the Municipal Attorney, our Consulting Engineer, the Town Engineer and Administration recommends the Bid be awarded to Kulpeksa Land Improvement Corp., 248 Franklin Ave., Rockaway, NJ 07866 in the amount of \$173,090.00. A \$6,000.00 contingency shall also be allotted for unforeseen items that may arise during construction for total of \$179,090.00; and

WHEREAS, the Town of Dover Chief Financial Officer has determined that this project has received \$51,000.00 in grant funding and the balance being funded by the Town of Dover; and

WHEREAS, there is a need to move forward with this project, specifically authorizing Kulpeksa Land Improvement Corp.to begin work on this project; and

WHEREAS, the Town of Dover Business Administrator has determined that this procurement provides an effective and efficient use of taxpayer dollars; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey authorizes the work described above to commence and that Kulpeksa Land Improvement Corp., can begin the Construction work for this project.

ATTEST: MORRIS	TOWN OF DOVER, COUNTY OF
Reynaldo Julve, Acting Municipal Clerk	Carolyn Blackman, Mayor

ADOPTED:

I Thomas Ferry, as the Town of Dove are available to meet the Town of Do		-
Thomas Ferry, C.M.F.O.	Amount	Account #
I, Reynaldo Julve, Acting Municipal C of New Jersey, do hereby certify that Resolution 288-2023 duly passed and a of Dover at its meeting on October	the foregoing Resolutio dopted by the Mayor and	n is a true copy of the Original
Reynaldo Julve Acting Municipal Clerk		

JOHN H. ALLGAIR, PE, PP, LS (1983-2001)
DAVID J. SAMUEL, PE, PP, CME
JOHN J. STEFANI, PE, LS, PP, CME
JAY B. CORNELL, PE, PP, CME
MICHAEL J. McCLELLAND, PE, PP, CME
GREGORY R. VALESI, PE, PP, CME



BRUCE M. KOCH, PE, PP, CME
LOUIS J. PLOSKONKA, PE, CME
TREVOR J. TAYLOR, PE, PP, CME
BEHRAM TURAN, PE, LSRP
LAURA J. NEUMANN, PE, PP
DOUGLAS ROHMEYER, PE, CFM, CME
ROBERT J. RUSSO, PE, PP, CME
JOHN J. HESS, PE, PP, CME
KEITH CHIARAVALLO, PE, CME

September 26, 2023

Town of Dover 37 North Sussex Street Dover, New Jersey 07801

Attn:

Rey Julve,

Acting Municipal Clerk

Re:

Improvements to Hooey Park and Overlook Park Retaining Walls Town of Dover, New Jersey Our File No. PTD00509.01

Dear Mr. Julve:

On Wednesday, September 20, 2023, bids were received at the Town Hall Building located at 37 N. Sussex Street, Dover, NJ 07801 for the above referenced project. Shown on the attached bid tabulation sheet, are the three (3) lowest bids, as provided by the Town. There were nine (9) bids in total.

The apparent low bid was submitted by Kulpeksa Land Improvement Corp. of Rockaway, New Jersey with a bid of \$173,090.00. It is our understanding that this contractor has worked with the Town within the last three (3) years and has retaining wall projects listed as part of their experience.

Accordingly, we recommend the award of a contract to Kulpeksa Land Improvement Corp. subject to the concurrence of the Town Attorney and the availability of sufficient funds.

Please advise if the Town would like CME Associates to provide an amended proposal for the Construction Administration services of this project. The cost of these services will be updated to reflect current professional services fees and the additional work included after the original proposal was submitted on May 4, 2021.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

Very truly yours, CME Associates

Bruce M. Koch, P.E., P.P., C.M.E.

Professional Engineer

BMK/dy Enclosure

cc:

Betty Lou Decroce, Town Administrator William Isselin, Assistant Engineer

Kulpeksa Land Improvement Corp.

\Parlin-FS1_Parlin_Cmeusa1,com\Sys\HOME\WPROC\A-\J\Dover\00509-01 - Overlook Park Retaining Wall\2023_09.26 Isselin.docx



SUMMARY OF BIDS RECEIVED ON WEDNESDAY, SEPTEMBER 20, 2023 BY THE TOWN OF DOVER FOR THE "IMPROVEMENTS TO HOOEY PARK AND OVERLOOK PARK RETAINING WALLS"

					ļ		747	יערונא, ועט
ADDRESS:			KULPEKSA LANI	KULPEKSA LAND IMPROVEMENT CORP	1	CMS CONSTRUCTION INC.	CROSSRC	CROSSROADS PAVING
CITY I STATE			ROCKAN	ROCKAWAY, NJ 07866	PLAINFIL	PLAINFILED, NJ 07060	NEWAR	NEWARK, NJ 07105
BID GUARANTEE	WIEE,		10% 1	10% NTE \$20,000	10% N	10% NTE \$20,000	N %01	10% NTE \$20,000
ITEM	DESCRIPTION	OUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	LINIT PRICE	AMOUNT
	IMPROVEMENTS TO HOOEY PARK AND OVERLOOK PARK RETAINING WALLS							
-	INLET FILTER, TYPE 1	32 S.F.	\$5,00	\$160,00	\$12,00	\$384.00	\$15.00	\$480.00
2	BREAKAWAY BARRICADE, TYPE III	10 UNT	\$5,00	\$50,00	\$120.00	\$1,200.00	\$145.00	\$1,450,00
6	DRUM	30 UNIT	\$5.00	\$150.00	\$120,00	\$3,600.00	\$77.00	\$2,310.00
Р	TRAFFIC CONE	50 UNIT	\$5.00	\$250,00	\$10.00	\$500,00	\$25,00	\$1,250.00
9	CONSTRUCTION SIGNS	256 S.F.	\$5,00	\$1,280.00	\$15.00	\$3,840.00	\$26.75	\$6,848.00
9	FUEL PRICE ADJUSTMENT	750 DOLL	\$1.00	\$750.00	\$1,00	\$750,00	\$1,00	\$750.00
7	HOT MIX ASPHALT PAVEMENT REPAIR	75 S.Y.	\$30.00	\$2,250.00	\$120.00	\$9,000.00	\$50,40	\$3,780.00
ac	CHAIN LINK FENCE, 4' HIGH (IF AND WHERE ORDERED)	15 L.F.	\$50.00	\$750,00	\$180,00	\$2,700.00	\$50,00	\$750.00
ത	CHAIN LINK FENCE, 6' HIGH	120 L.F.	\$80.00	\$9,600.00	\$120,00	\$14,400,00	\$75,00	\$9,000.00
10	RIPRAP STONE CHANNEL PROTECTION, 12" THICK (D50=6")	200 S.Y.	\$95,00	\$19,000.00	\$150.00	\$30,000,00	\$182,70	\$36,540.00
Ħ	RETAINING WALL, LOCATION NO.1	985 S.F.	\$75.00	\$73,875,00	\$55.00	\$54,175,00	\$90.00	\$88,650.00
12	RETAINING WALL, LOCATION NO 2	35 S.F.	\$75.00	\$2,625.00	\$85.00	\$2,975,00	\$180,00	\$6,300.00
13	RETAINING WALL, LOCATION NO.3	410 S.F.	\$75,00	\$30,750.00	\$65.00	\$26,650.00	\$90.00	\$36,900,00
14	RETAINING WALL, LOCATION NO 4	360 S.F.	\$75,00	\$27,000,00	\$65,00	\$23,400,00	\$90.00	\$32,400,00
15	FOPSOILING, 4" THICK	200 S.Y.	\$10,00	\$2,000.00	\$12.00	\$2,400 00	\$6.00	\$1,200.00
16	FERTILIZING AND SGEDING, SESC TYPE 14	200 S.Y.	\$5.00	\$1,000.00	\$6.00	\$1,200.00	\$2.00	\$400,00
17	STRAW MULCHING	200 S.Y	\$8.00	\$1,600.00	\$1.00	\$200 00	\$2,00	\$400.00
		TOTALS:	\$17	\$173,090.00	\$17.	\$177,374.00	\$228	\$229,408.00
	APPARENT LOW BASE BID	1	N	1				
		1	IRREC 1 MISSING YE, PROJECTS LIS	IRREGULARITIES 1 MISSING YEAR FOR ALL PROJECTS LISTED ON	IRREGULARITIE 1 DID NOT SUBMIT ENTIRE CONTRACT, ONLY C.PAGES	IRREGULARITIES II SUBMIT ENTIRE OIL ONLY C-PAGES AND	IRREGI 1 CROSSROADS WORKS CONTRA	RREGULARITIES ROADS PAVING PUBLIC
	TRUE COPY OF BID RECEIVED BY THE ACTING MUNICIPAL CLERK'S		CERTIFICATE		SUPPORTING DC 2 NJSDA CONTR PREQUALIFICATI MAY 5, 2023	SUPPORTING DOCUMENTS 2 NJSDA CONTRACTOR NOTICE OF PREDUALIFICATION EXPIRED ON MAY 6, 2023	REGISTRATION ACT EXPIRED ON SEPTEMBER 26, 2023	CT EXPIRED ON 023
	OFFICE ON WEDNESDAY, SEPTEMBER 20, 2023							
	AT 10:00 A M, PREVAILING LOCAL TIME.							
	Bull M. Lach							
	BRUCE M. KOCH, PROFESSIONAL ENGINEER							
	NJ. P.E. LICENSE NO. 34378							
								PTD00509.01

Municipal Excess Liability Joint Insurance Fund

MODEL LOCAL UNIT CIVIL RIGHTS RESOLUTION

October 10, 2023

<u>Copyright</u> 2008, Municipal Excess Liability Joint Insurance Fund - All rights reserved. Permission is hereby granted to any New Jersey local unit to utilize these models.

Resolution 289-2023

Model Local Unit Civil Rights RESOLUTION

A RESOLUTION TO AFFIRM THE (LOCAL UNIT NAME)'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Town of Dover to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of (local unit name) has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Town of Dover that:

Section 1: No official, employee, appointee or volunteer of the Town of Dover by whatever title known, or any entity that is in any way a part of the Town of Dover shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Town of Dover's business or using the facilities or property of the Town of Dover.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or interlocal organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Town of Dover to provide services that otherwise could be performed by the Town of Dover.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The (CEO Title) shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The (CEO Title) shall establish written procedures that require all officials, employees, appointees and volunteers of the (local unit type) as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The (CEO Title) shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the (CEO title) shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the (local unit type). This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the (local unit type)'s web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Town of Dover in order for the public to be made aware of this policy and the Town of Dover's commitment to the implementation and enforcement of this policy.

Model General Complaint Procedure:

Any individual who observes alleged wrongdoing on the part of officials, employees, or volunteers associated with the Town of Dover may report such action using this procedure. This includes any action the individual believes to constitute harassment, sexual harassment, or any other wrongdoing. Employees of the (local unity type) shall follow the Employee Complaint Procedure. All other individuals including volunteers and members of the public may report the alleged wrongdoing to the head of the applicable department or volunteer organization, or, if they prefer, or do not think that the matter can be discussed with the head of the applicable department or organization, they should contact the (CEO title), the (Personnel Administrator title) or the (Employment Attorney/Advisor title).

Reporting of such incidents is encouraged both when an individual feels that he or she is subject to such incidents, or observes such incidents in reference to other individuals. The report or complaint should be in writing, but individuals may make a verbal complaint at their discretion. If an individual has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their supervisor or one of the individuals listed above. All reports of harassment, sexual harassment, or other wrongdoing will be promptly investigated by a person who is not alleged to be involved in the alleged harassment or wrongdoing.

No individual will be penalized in any way for reporting a complaint. There will be no discrimination or retaliation against any individual who files a good-faith harassment complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven. There will be no discrimination or retaliation against any other individual who participates in the investigation of a complaint.

If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be swiftly pursued. Disciplinary action up to and including discharge will also be taken against individuals who make false or frivolous accusations, such as those made maliciously or recklessly. Actions taken internally to investigate and resolve harassment complaints will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. Any investigation may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have other relevant knowledge. The complaining individual will be notified of a decision at the conclusion of the investigation within a reasonable time from the date of the report an incident.

The Rights and Duties of a Volunteer in Local Government Leader's Guide

Who should conduct the seminar? Someone who is comfortable with the issue to answer questions. Depending upon the circumstances, that could be the leader of the volunteer organization, the Municipal Manager/Administrator, the Human Resources Manager, the local unit's General Counsel or Employment Attorney/Advisor, or the local unit's risk manager.

<u>Are all volunteers required to attend?</u> Any volunteer in what is considered as a managerial or supervisory position must attend. The law also requires that the training be "made available" to all other volunteers. However, the organization has the option of making the training mandatory. Attendance must be documented.

How long is the seminar? The formal presentation is about 25 - 30 minutes, mostly consisting of the video. However, the question and answer period at the end could easily add another half hour or more to the seminar.

Section One: Introduction

Under the law, volunteers in organizations that are a part of or are supported by the municipality have many of the same rights and responsibilities as governmental employees. Federal and State law(s) cover such important areas as discrimination, safety, violence, and harassment. To protect you, the municipality has a "no tolerance" policy towards these violations of basic civil rights and expects all individuals associated with the community to conduct themselves consistent with this policy. Today, we will discuss what this means.

The program begins with a twelve-minute video that explains your rights and obligations under the "no tolerance" policy. The video states clearly what types of conduct are unacceptable when interacting with fellow employees. As many of the unacceptable behaviors are also against the law, compliance is essential both for your own protection and to ensure that others not subjected to conduct that might create a hostile environment.

At the end of the video, there will be time to ask questions.

Section Two: Play video, "The Rights and Responsibilities of a Volunteer in Local Government"

Section Three: Question and Answers:

We will now spend a few minutes reviewing (local unit name)'s specific policies and answering any questions you may have. Questions that pertain to a particular individual are not appropriate for this general session and should be asked after the meeting. Further, if anyone feels uncomfortable asking a question during the meeting, I will be available to talk afterwards. If the question involves a legal issue, it will be forwarded to the General Counsel or the Employment Attorney/Advisor who will get back to you.*

Distribute copies of the Civil Rights Resolution and General Complaint Procedure, review each section, and ask if there are any questions.

Note: Make detailed notes of these questions in the attached Question Log and tell the employees that the attorney/advisor will quickly get back to them.

ATTENDANCE LOG

"The Rights and Duties of a Volunteer in Local Government" Training Seminar

Town/Authority Name:		
Date:	Time:	
Leader's Name:		

NAME (PLEASE PRINT)	TIME IN	INITIAL	TIME OUT	INITIAL

Questions Log

Questioner's Name	Details of Question(s) Raised
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RESOLUTION NO. 290-2023

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AGREEMENT WITH PENNONI ASSOCIATES INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR LICENSED SEWER OPERATOR ASSISTANCE FOR MAINTENANCE AND MANAGEMENT OF THE SANITARY SEWER SYSTEM

WHEREAS, the licensed sanitary sewer operator and DPW Director for the Town of Dover have determined that Professional Engineering services are necessary to develop an Operations & Maintenance Manual in accordance with NJDEP regulations and to assist the licensed operator with GIS and other operational procedures; and

WHEREAS, the licensed sanitary operator and DPW Director have received a time and material proposal in the amount not to exceed \$10,000.00; and

WHERAS, the licensed sanitary sewer operator and the DPW Director recommend that this contract be awarded to Pennoni Engineers in the amount not to exceed \$10,000.00; and

WHERAS, there is a need to move forward with this project, specifically authorizing Pennoni Engineers to begin the engineering work on this project; and

WHERAS, the Town of Dover Business Administrator has determined that this procurement provides an effective and efficient use of taxpayer dollars; and

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey, pending the final review by the Town Attorney, we hereby authorize the Mayor and Town Clerk to enter and execute an agreement with Pennoni Engineers for professional engineering services for assistance to develop an Operations & Maintenance Manual in accordance with NJDEP regulations and to assist the licensed operator with GIS and other operational procedures as per Pennoni's proposal dated September 19, 2023 in the amount not exceed \$10,000.00. A copy of this Resolution shall be provided to Robert Kinsey, William Isselin and Jeff Guevara.

	ADOPTED:
Reynaldo Julve, Acting Municipal Clerk	Carolyn Blackman, Mayor
ATTEST:	TOWN OF DOVER, COUNTY OF MORRIS

John O. Gross, M.P.A., C.M.F.O.	\$10,0000 Amount	C-21-14-507-029 Account #	
CF I, Reynaldo Julve, Acting Municipal Cle of New Jersey, do hereby Certify that th Original Resolution duly passed and ado of Dover at its meeting on	ne foregoing Reso	lution 290-2023 is a true	copy of the
Reynaldo Julve Acting Municipal Clerk			

I, John O. Gross as the Town of Dover Chief Financial Officer, do hereby certify that funds are available to meet the Town of Dover's obligation specified by this resolution.



1085 Raymond Boulevard Suite 2102 Newark, NJ 07102 T: 973-265-9775 F: 973-265-9774

www.pennoni.com

TODOV23022P

September 19, 2023

Mr. Robert Kinsey Water Superintendent Town of Dover Water Commission 37 N. Sussex Street Dover, NJ 07801

RE: PROPOSAL FOR PROFESSIONAL SERVICES
LICENSED SEWER OPERATOR ASSISTANCE
100 PRINCETON AVENUE
DOVER, NEW JERSEY 07801
BLOCK 601, LOT 2

Dear Mr. Kinsey:

Pennoni Associates, Inc. (Pennoni) is pleased to provide this proposal for professional services associated with the Town of Dover's Licensed Sewer Operator maintenance and management. Based on discussions you're your office, we understand that you are the identified Licensed Sewer Operator for the Town and are looking for assistance in establishing a process and protocols associated with the management of the sewer system. In order to assist with this effort, we have identified the following tasks that we proposed to assist you with as part of this proposal:

- 1. Work with Dover personnel to develop an Operations and Maintenance (O+M) manual specific to the system in Town. We anticipate that this will include the creation of the following:
 - a. Daily work checklists
 - b. Monthly reports
 - c. Emergency response plan
 - d. Response team contact information
- Assist you with identifying and ultimately coordinating with your GIS provided to locate/GPS all
 missing points to satisfy NJDEP mapping requirements. It is assumed that locating and updating of
 mapping would be by others.
- 3. Develop interdepartmental cooperation to assist with issues impacting sewer collection system.
 - a. Code Dept identify and eliminate illicit sump pump connections. (Inflow and Infiltration)
 - b. Health Dept grease trap inspection report reviews and verification. (Grease discharge)

In order to accomplish these tasks and assist your office, we propose a time and materials budget of \$10,000 be established to allow for the above tasks to be completed as well as to accommodate meetings and coordination time that may be required in order to accomplish these tasks.

BILLING AND PAYMENT

Billing and payment will be in accordance with our existing professional services agreement with the Town.

ADDITIONAL SERVICES

We will also be pleased to furnish the Client with an additional proposal for any of the following professional services not included in this proposal including but not limited to the following:

- Design Services
- Permitting/NJDEP Coordination
- Construction Inspection and materials testing services.
- Construction stakeout.
- Cost Estimating.
- Meetings in excess of those defined above.
- Any other services not specifically included with this proposal.

TERMS AND CONDITIONS

The work will be performed in accordance with the terms and conditions of our existing professional services agreement with the Town.

We appreciate the opportunity to partner with you on this project.

Sincerely,

PENNONI ASSOCIATES INC.

Stephen Hoyt, PE Project Manager	Drew M. Di Sessa, PE, PP, CME Associate Vice President, Office Director
Accepted By:	
Print Name and Title	

RESOLUTION NO. 291-2023

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING RESOLUTION 270-2023 CONCERNING THE APPOINTMENT OF CHIEF FINANCIAL OFFICER / TREASURER

WHEREAS, N.J.S.A. 40A:9-140.10(a) provides that "in every municipality there shall be a Chief Financial Officer (CFO) of the municipality; and

WHEREAS, Chapter 2, Article 14, of the Town of Dover Code provides that the CFO shall be appointed by the Mayor and Board of Aldermen; and

WHEREAS, pursuant to N.J.S.A. 40A:9-140.10(a), "the term of office shall be four years; and

WHEREAS, Business Administrator BettyLou Decroce desires to appoint Thomas Ferry to the position of CFO / Treasurer, for a four-year term beginning October 4, 2023 back dated to January 1, 2023 till December 31, 2026; and

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 Thomas Ferry is appointed Chief Financial Officer / Treasurer at a salary rate of \$160,000; and

BE IT FURTHER RESOLVED That the Mayor and Business Administrator are authorized to enter into a contract with Thomas Ferry as described above.

ATTEST:	·	_
Reynaldo Julve, Acting Municipal Clerk	Carolyn Blackman, Mayor	
	ADOPTED:	

RESOLUTION NO. 292-2023

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY APPOINTING FIRE CHIEF

WHEREAS, the Town of Dover Fire Department has a vacancy for the Office of Chief; and

WHEREAS, the Board pf Past Chief's has submitted a letter recommending Paul C. McDougall for the position; and

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 Paul C. McDougall be appointed to the position of Fire Chief effective September 26, 2023; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to the Fire Chief.

ATTEST: Reynaldo Julve, Acting Municipal Clerk	Carolyn Blackman, Mayor	or
	ADOPTED:	

RESOLUTION NO. 293-2023

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY REMOVING VOLUNTEER FIREFIGHTER FROM THE ROLLS OF THE DOVER FIRE DEPARTMENT

WHEREAS, Joseph Nunn has submitted a letter of resignation from the Active Rolls; and

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 Joseph Nunn be removed from the Active Rolls of the Dover Fire Department effective September 5, 2023, the date of his letter of resignation.

ATTEST: Reynaldo Julve, Acting Municipal Clerk	Carolyn Blackman, Mayor		
	A DODTED.		