

**MINUTES OF THE MAYOR AND BOARD OF ALDERMEN**  
**CAUCUS MEETING, MARCH 28, 2006, 7:00pm**  
**37 N. Sussex Street**  
**Dover, NJ 07801**

**CALL MEETING TO ORDER:** Mayor Dodd called the meeting to order at 7:30 PM

**FLAG SALUTE**

**INVOCATION** and moment of silence for Dominick Cichetti, former D.P.W. Superintendent

**ROLL CALL**

**Present:** Aldermen Romaine, Fahy, Burbridge, Newman, Delaney, Poolas, Ryan, Visioli and Mayor Dodd

**Absent:** None

**SUNSHINE LAW STATEMENT**

This meeting is in compliance with the open public meetings act.

**PRESENTATIONS**

Mayor Dodd presented a proclamation to Alderman Cindy Romaine in recognition for her contributions to the Town of Dover for National Women's History Month proclaimed by President Bush to honor contributions of American Woman. Mayor Dodd spoke of her many contributions to the town and the various organizations she belongs to.

**7:07 PM – PRESENTATION BY FIELDTURF**

Kenny from Fieldturf gave a presentation on the benefits of their product. Samples were passed around. He explained the installation process, the warranty (10 years if field is used 24/7, 12-15 years with our use). The base installation would last 5 life cycles of the turf. The cost would be to replace the turf and use existing base would be approximately 30% of initial cost.

Tom Iwicki, Chairman of the Recreation Commission stated that the town has limited field space and this would be one way to maximize our space.

Administrator Garvin gave a power point presentation on the budget explaining the budget process and what percentages of the budget came from where. There will be a 4.8% increase for this year. Board members commented this budget reflects strong values and fiscal responsibility.

**MUNICIPAL CORRESPONDENCE:**

1. NJ League of Municipalities re: System wide video franchise
2. NJ League of Municipalities re: Transportation Trust Fund
3. NJ League of Municipalities re: Transportation Trust Fund
4. NJ League of Municipalities re: Low Speed Vehicles
5. NJ League of Municipalities re: Clean Power Choice Program
6. NJ League of Municipalities re: Legislative Developments
7. NJ League of Municipalities re: Governor Corzine's Budget Proposal (FY 2007)
8. NJ League of Municipalities re: Interlocal Services Summit
9. Letter from Scannell Properties re: Naming of road to FedEx Center "*Commerce Center Drive*"
10. Letter from students from Dover Middle School re: Requesting a skate park to be built in Dover
11. Letter from Barbara Frawley, Morris County Citizens Against Aircraft Noise re: Airspace redesign
12. Township of Chester re: Exempting Municipal Clerks from penalties for OPRA violations
13. Township of Chester re: Opposing Senate Bill S-1219-Amendments to the Open Public Meetings Act

14. Township of Long Hill re: Requesting NJDEP withdraw the proposed amendment to the Northeast Water Quality Management Plan
15. Borough of Rockaway re: Establishing new minimum Stormwater Management requirements and controls
16. Township of Mine Hill re: Amending Chapter 25 to incorporate provisions of NJ Stormwater Management Regulations

AGENDA ITEMS FOR DISCUSSION:

ORDINANCE(S) FOR INTRODUCTION

1. Ordinance Prohibiting Parking on Easterly Side of Berkshire Avenue
2. Ordinance Providing the Street Name of a New Roadway to be Built on Block 901, Lots 1 and 1.01
3. Ordinance Amending Chapter 265 of the Code of the Town of Dover: Parks and Recreation
4. Ordinance Increasing Appropriations Limit to 3.5 Percent and Establishing a CAP Bank

ORDINANCE(S) FOR PUBLIC HEARING & SECOND READING

1. Ordinance Amending Chapter 236 Land Use and Development Article VA-Stormwater Management
2. Ordinance Establishing Handicapped Parking Space at 79 Lincoln Avenue
3. Ordinance Amending Chapter 349 Taxi and Limousines
4. Ordinance Limiting and Restricting the Parking of Certain Vehicles on Public Streets

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Authorizing Budget Transfers for 2005 Municipal Budget
3. Resolution Authorizing Temporary Emergency Appropriations
4. Resolution Introducing 2006 Municipal Budget
5. Resolution Authorizing Self-Examination of 2006 Municipal Budget
6. Resolution Authorizing Tax Sale Certificates 20040
7. Resolution Approving Participation in Safe and Secure Communities Program
8. Resolution Approving Licensing of Pet Shop
9. Resolution Approving Raffle Licenses
10. Resolution Approving Volunteer Fireman Transfer from D.F.D. Engine #1 to D.F.D. Engine #2
11. Resolution Authorizing Mutual Aid Agreement with Rockaway
12. Resolution Authorizing Mutual Aid Agreement with Victory Gardens
13. Resolution Accepting Donations of Mobile Data Terminals
14. Resolution Approving Taxi Cab Driver Licenses
15. Resolution Approving Taxi Cab Licenses

Discussion took place regarding Ordinance 13-2006: Providing the Street Name of a New Roadway to be built on Block 901, Lots 1 and 1.01, which is the Fed-Ex site. The Board received a request, asking that we honor Paul Gunther who was a foremost industrialist in Dover by naming the street after him. Mayor Dodd would like to honor him, but thinks the Bassett Highway Redevelopment would be more suitable and we could include a plaque also. The Board agreed Commerce Center Drive would be appropriate for the Fed-Ex site.

**AGENDA, THE MAYOR AND BOARD OF ALDERMEN  
REGULAR MEETING, MARCH 28, 2006**

**CALL TO ORDER**

Meeting called to order at 8:10 by Mayor Dodd

**ROLL CALL**

**Present Alderman Romaine, Fahy, Burbridge, Newman, Delaney, Poolas, Ryan, Visioli and Mayor Dodd**

**Absent: None**

This meeting is in compliance with the open public meetings act.

**PUBLIC PORTION**

Seeing no hands and hearing no voices the Mayor closed this portion of the meeting to the public.

**ADMINISTRATOR'S REPORT:**

**MAYOR'S REPORT:**

Attended Municipal Summit at County College of Morris and reported on same. Business Advisory Committee meeting was held. The Mayor recognized students from the Dover School system that had been awarded various scholarships.

**ALDERMAN'S/COMMITTEE REPORTS:**

**Alderman Newman** –Department of Public Works has received its' new sweeper on March 24<sup>th</sup>.

**Alderman Delaney** – As a member of the Finance Committee, we worked very hard on budget along with Ms. Garvin and the Auditor, and feel it is a very strong budget. Attended the Dogs of Dover Committee meeting and the restoration of the dogs is going great.

**Alderman Fahy**

Attended the Recreation Commission meeting and announced upcoming events, including: Easter Egg Hunt, Little League Opening Day and Fireworks. The Commission also discussed goals for the upcoming year.

**Alderman Visioli**

Reported on Fire Department activities. He commended them on the excellent job in controlling the fire in apartments at 27-29 Blackwell Street

**Alderman Romaine**

Reviewed engineering projects with Town Engineer and reported on same. Attended Planning Board meeting and reported on same. Code enforcement report for month of February was given, which included 477 inspections and 183 summonses were issued.

**Alderman Ryan**

Reported on the status of construction projects at East Dover and High Schools. A walk through is scheduled for April 5<sup>th</sup>.

**Alderman Burbridge**

Attended Shade Commission and reported various fund raising efforts. Library Board meeting, discussion took place concerning the Library's role.

**Alderman Poolas**

Attended the Board of Health meeting and reported on same

**ATTORNEY REPORT:**

**CONSENT AGENDA:**

*Ordinance 12-2006: First Reading*

**ORDINANCE NO. 12-2006  
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER  
PROHIBITING PARKING ON A PORTION OF BERKSHIRE AVENUE**

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

1. Parking is hereby prohibited on the easterly side of Berkshire Ave. from its intersection with Turner Street to the south, in a northerly direction to the municipal boundary with Rockaway Township.
2. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistency.
3. This ordinance shall take effect in accordance with law.

Alderman Burbridge has moved the foregoing Ordinance be adopted and duly seconded by Alderman Poolas and was passed by the following vote.

Ayes: Alderman Romaine, Fahy, Burbridge, Newman, Delaney, Poolas, Ryan, Visioli and Mayor Dodd.  
Noes: none    Abstain: none    Absent: none

*Ordinance 13-2006: First Reading*

**ORDINANCE NO. 13-2006  
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER  
PROVIDING THE STREET NAME FOR A NEW ROADWAY TO BE BUILT  
ON BLOCK 901, LOTS 1 AND 1.01**

BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Dover as follows:

1. The roadway described on the attached Schedule A commencing at Mt. Pleasant Avenue and traveling southward across lots 1 and 1.01 in Block 901 is hereby named Commerce Center Drive; and
2. This name shall be submitted to the Planning Board of the Town of Dover for its approval pursuant to the Code of the Town of Dover, Section 236-58, q.; and
3. This Ordinance shall be effective upon final passage and advertisement and upon approval by the Planning Board to the Town of Dover.
4. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.
5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.
6. The Ordinance shall take effect in accordance with law.

Alderman Romaine has moved the foregoing Ordinance be adopted and duly seconded by Alderman Visioli and was passed by the following vote.

Ayes: Alderman Romaine, Fahy, Burbridge, Newman, Delaney, Poolas, Ryan, Visioli and Mayor Dodd.  
Noes: none Abstain: none Absent: none

***Ordinance 14-2006: First Reading***

Mayor Dodd asked that this ordinance be pulled from the agenda until the Recreation Commission and this Board has time to review and comment on same.

**ORDINANCE No. 14-2006**  
**AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**  
**AMENDING AND SUPPLEMENTING CHAPTER 265 OF THE CODE OF DOVER ENTITLED**  
**“PARKS AND RECREATION”**

Ordinance was removed from the agenda until the Recreation Commission has time to review and have input to same. Administrator Garvin stated it was generated because of complaints from coaches concerning smoking.

***Ordinance 15-2006: First Reading***

**ORDINANCE NO. 15-2006**  
**CALENDAR YEAR 2006 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET**  
**APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK N.J.S.A. 40a:4-45.154)**

WHEREAS, the Local Government Cap Law, N.J.S.40A"4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Board of Aldermen of the Town of Dover in the County of Morris finds it advisable and necessary to increase its CY 2006 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Board of Aldermen hereby determines that a 1% increase in the budget for said year, amounting to \$93,403 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Board of Aldermen hereby determine that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Board of Aldermen of the Town of Dover, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2006 budget year, the final appropriations of the Town of Dover shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$326,909 and that the CY 2006 municipal budget for the Town of Dover be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

*Alderman Romaine has moved the foregoing Ordinance be adopted and duly seconded by Alderman Burbridge and was passed by the following vote.*

Ayes: Alderman Romaine, Fahy, Burbridge, Newman, Delaney, Poolas, Ryan, Visioli and Mayor Dodd.

Noes: none

Abstain: none

Absent: none

**Ordinance No. 8-2006: Second Reading and Public Hearing**

**Ordinance No. 08-2006**

**An Ordinance of the Mayor and Board of Alderman of the Town of Dover Amending Chapter 236 – Land Use and Development of the Code of the Town of Dover to create Article VA – Stormwater Management.**

**BE IT ORDAINED** by the Mayor and Board of Alderman of the Town of Dover, County of Morris and state of New Jersey as follows:

**Section 1**

Chapter 236, Land Use and Development, is supplemented with Article VA – Stormwater Management as follows:

**Article VA – Stormwater Management**

§ 236-63.1. Scope and purpose.

**A. Policy Statement**

The Town of Dover recognizes the importance of stormwater management. While structural and non structural methods of stormwater control will be acceptable, flood control, groundwater recharge, and pollutant reduction through nonstructural or low impact techniques shall be explored before relying on structural Best Management Practices (BMPs). Structural BMPs should be integrated with nonstructural stormwater management strategies and proper maintenance plans. Nonstructural strategies include both environmentally sensitive site design and source controls that prevent pollutants from being placed on the site or from being exposed to stormwater. Source control plans should be developed based upon physical site conditions and the origin, nature, and the anticipated quantity or amount of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

**B. Purpose**

It is the purpose of this ordinance to establish minimum stormwater management requirements and controls for “major development,” as defined in § 236-63.2.

**C. Applicability**

(1) This ordinance shall be applicable to all site plans and subdivisions for the following major developments that require preliminary or final site plan or subdivision review:

(a) Non-residential major developments; and

(b) Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.

(2) This ordinance shall also be applicable to all major developments undertaken by the Town of Dover.

**D. Compatibility with Other Permit and Ordinance Requirements**

Development approvals issued for subdivisions and site plans pursuant to this ordinance are to be considered an integral part of development approvals under the subdivision and site plan review process and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

### **§ 236-63.2. Definitions.**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

**COMPACTION** - The increase in soil bulk density.

**CORE** - A pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

**COUNTY REVIEW AGENCY** - An agency designated by the County Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency for the Town of Dover is Morris County.

**DEPARTMENT** - The New Jersey Department of Environmental Protection.

**DESIGNATED CENTER** - A State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet. The entire Town of Dover is a designated regional center.

**DESIGN ENGINEER** - A person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

**DEVELOPMENT** - The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, by any person, for which permission is required under the Municipal Land Use Law , N.J.S.A. 40:55D-1 et seq. In the case of development of agricultural lands, development means: any activity that requires a State permit; any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act , N.J.S.A 4:1C-1 et seq.

**DRAINAGE AREA** - A geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

**ENVIRONMENTALLY CRITICAL AREA** - An area or feature which is of significant environmental value, including but not limited to: stream corridors; natural heritage priority sites; habitat of endangered or threatened species; large areas of contiguous open space or upland forest; steep slopes; and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

**EMPOWERMENT NEIGHBORHOOD** - A neighborhood designated by the Urban Coordinating Council "in consultation and conjunction with" the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

**EROSION** - The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

**IMPERVIOUS SURFACE** - A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

**INFILTRATION** - The process by which water seeps into the soil from precipitation.

**MAJOR DEVELOPMENT** - Any “development” that provides for ultimately disturbing one or more acres of land. Disturbance for the purpose of this article is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation.

**MUNICIPALITY** -The Town of Dover.

**NODE** - An area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

**NUTRIENT** - A chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

**PERSON** -Any individual, corporation, company, partnership, firm, association, the Town of Dover, or political subdivision of this State subject to municipal jurisdiction pursuant to the Municipal Land Use Law , N.J.S.A. 40:55D-1 et seq.

**POLLUTANT** - Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. “Pollutant” includes both hazardous and nonhazardous pollutants.

**RECHARGE** - The amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

**SEDIMENT** - Solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

**SITE** - The lot or lots upon which a major development is to occur or has occurred.

**SOIL** - All unconsolidated mineral and organic material of any origin.

**STATE DEVELOPMENT AND REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PA1)** - An area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the state’s future redevelopment and revitalization efforts. The Town of Dover lies entirely within Metropolitan Planning Area (PA1).

**STATE PLAN POLICY MAP** - The geographic application of the State Development and Redevelopment Plan’s goals and statewide policies, and the official map of these goals and policies.

**STORMWATER** - Water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

**STORMWATER RUNOFF** - Water flow on the surface of the ground or in storm sewers, resulting from precipitation.

**STORMWATER MANAGEMENT BASIN** - An excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management basin may either be normally dry (that is, a detention basin or infiltration basin), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

**STORMWATER MANAGEMENT MEASURE** - Any structural or nonstructural strategy, practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

**TIDAL FLOOD HAZARD AREA** - A flood hazard area, which may be influenced by stormwater runoff from inland areas, but which is primarily caused by the Atlantic Ocean.



URBAN COORDINATING COUNCIL EMPOWERMENT NEIGHBORHOOD - A neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

URBAN ENTERPRISE ZONES - A zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

URBAN REDEVELOPMENT AREA - Previously developed portions of areas:

- (1) Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
- (2) Designated as CAFRA Centers, Cores or Nodes;
- (3) Designated as Urban Enterprise Zones; and
- (4) Designated as Urban Coordinating Council Empowerment Neighborhoods.

WATERS OF THE STATE -The ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

WETLANDS or WETLAND - An area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

### **§ 236-63.3. General Standards.**

#### **A. Design and Performance Standards for Stormwater Management Measures**

- (1) Stormwater management measures for major development shall be developed to meet the erosion control, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality standards in § 236-63.4. To the maximum extent practicable, these standards shall be met by incorporating nonstructural stormwater management strategies into the design. If these strategies alone are not sufficient to meet these standards, structural stormwater management measures necessary to meet these standards shall be incorporated into the design.
- (2) The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.
- (3) The Town of Dover may grant a variance or exemption from the design and performance standards set forth in the Stormwater Management Plan for the Town of Dover and this ordinance provided the major development implements a mitigation project in accordance with the Mitigation Plan included in the Stormwater Management Plan for the Town of Dover. In each instance that a variance or exemption is granted, the Town of Dover will submit a written report to Morris County and the Department of Environmental Protection describing the variance or exemption and the required mitigation.

### **§ 236-63.4. Stormwater Management Requirements for Major Development.**

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with § 236-63.10.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department' Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of §236-63.4.F and §236-63.4.G:
  - (1) The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;

- (2) The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
- (3) The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.

D. A waiver from strict compliance from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of §236-63.4.F and §236-63.4.G may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:

- (1) The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
- (2) The applicant demonstrates through an alternatives analysis, that through the use of nonstructural and structural stormwater management strategies and measures, the option selected complies with the requirements of § 236-63.4.F and § 236-63.4.G to the maximum extent practicable;
- (3) The applicant demonstrates that, in order to meet the requirements of § 236-63.4.F and § 236-63.4.G, existing structures currently in use, such as homes and buildings, would need to be condemned; and
- (4) The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of § 236-63.4.F and § 236-63.4.G that were not achievable on-site.

E. Nonstructural Stormwater Management Strategies

- (1) To the maximum extent practicable, the standards in § 236-63.4.F and § 236-63.4.G shall be met by incorporating nonstructural stormwater management strategies set forth at § 236-63.4.E into the design. The applicant shall identify the nonstructural measures incorporated into the design of the project. If the applicant contends that it is not feasible for engineering, environmental, or safety reasons to incorporate any nonstructural stormwater management measures identified in Paragraph 2 below into the design of a particular project, the applicant shall identify the strategy considered and provide a basis for the contention.
- (2) Nonstructural stormwater management strategies incorporated into site design shall:
  - [a] Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss;
  - [b] Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces;
  - [c] Maximize the protection of natural drainage features and vegetation;
  - [d] Minimize the decrease in the "time of concentration" from pre-construction to post construction. "Time of concentration" is defined as the time it takes for runoff to travel from the hydraulically most distant point of the watershed to the point of interest within a watershed;
  - [e] Minimize land disturbance including clearing and grading;
  - [f] Minimize soil compaction;
  - [g] Provide low-maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers and pesticides;
  - [h] Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas;

- [i] Provide other source controls to prevent or minimize the use or exposure of pollutants at the site, in order to prevent or minimize the release of those pollutants into stormwater runoff. Such source controls include, but are not limited to:
  - [1] Site design features that help to prevent accumulation of trash and debris in drainage systems, including features that satisfy § 236-63.4.E.3. below;
  - [2] Site design features that help to prevent discharge of trash and debris from drainage systems;
  - [3] Site design features that help to prevent and/or contain spills or other harmful accumulations of pollutants at industrial or commercial developments; and
  - [4] When establishing vegetation after land disturbance, applying fertilizer in accordance with the requirements established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules.
- (3) Site design features identified under §236-63.4.E(2)(i)[2] above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see §236-63.4.E(3)(c) below.
  - [a] Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
    - [1] The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
    - [2] A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.
  - [b] Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
  - [c] This standard does not apply:
    - [1] Where the Town of Dover determines that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
    - [2] Where flows from the water quality design storm as specified in § 236-63.4.G.1 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
      - [a] A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
      - [b] A bar screen having a bar spacing of 0.5 inches.

- [3] Where flows are conveyed through a trash rack that has parallel bars with one-inch (1”) spacing between the bars, to the elevation of the water quality design storm as specified in § 236-63.4.G.1; or
  - [4] Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.
- (4) Any land area used as a nonstructural stormwater management measure to meet the performance standards in § 236-63.4.F and § 236-63.4.G shall be dedicated to a government agency, subjected to a conservation restriction filed with the Morris County Clerk’s office, or subject to an approved equivalent restriction that ensures that measure or an equivalent stormwater management measure approved by the reviewing agency is maintained in perpetuity.
- (5) Guidance for nonstructural stormwater management strategies is available in the New Jersey Stormwater Best Management Practices Manual. The BMP Manual may be obtained from the address identified in § 236-63.7, or found on the Department’s website at [www.njstormwater.org](http://www.njstormwater.org).

#### F. Erosion Control, Groundwater Recharge and Runoff Quantity Standards

- (1) This subsection contains minimum design and performance standards to control erosion, encourage and control infiltration and groundwater recharge, and control stormwater runoff quantity impacts of major development.
- (a) The minimum design and performance standards for erosion control are those established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq. and implementing rules.
  - (b) The minimum design and performance standards for groundwater recharge are as follows:
    - [1] The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at §236-63.5, either:
      - [a] Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
      - [b] Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
    - [2] This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to (3) below.
    - [3] The following types of stormwater shall not be recharged:
      - [a] Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
      - [b] Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products;

industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

- [4] The design engineer shall assess the hydraulic impact on the groundwater table and design the site so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems and other subsurface structures in the vicinity or downgradient of the groundwater recharge area.
- (c) In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at § 236-63.5, complete one of the following:
- [1] Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the two, 10, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
  - [2] Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the two, 10, and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
  - [3] Design stormwater management measures so that the post-construction peak runoff rates for the 2, 10 and 100 year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed. The percentages shall not be applied to post-construction stormwater runoff into tidal flood hazard areas if the increased volume of stormwater runoff will not increase flood damages below the point of discharge; or
  - [4] In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with (1), (2) and (3) above shall only be applied if the increased volume of stormwater runoff could increase flood damages below the point of discharge.
- (2) Any application for a new agricultural development that meets the definition of major development at § 236-63.2 shall be submitted to the Morris County Soil Conservation District for review and approval in accordance with the requirements of this section and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For the purposes of this section, “agricultural development” means land uses normally associated with the production of food, fiber and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacturing of agriculturally related products.

#### G. Stormwater Runoff Quality Standards

- (1) Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff by 80 percent of the anticipated load from the developed site, expressed as an annual average. Stormwater management measures shall only be required for water quality control if an additional 1/4 acre of impervious surface is being proposed on a development site. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollution Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality

calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 1. The calculation of the volume of runoff may take into account the implementation of non-structural and structural stormwater management measures.

<b>Table 1: Water Quality Design Storm Distribution</b>			
Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
0	0.0000	65	0.8917
5	0.0083	70	0.9917
10	0.0166	75	1.0500
15	0.0250	80	1.0840
20	0.0500	85	1.1170
25	0.0750	90	1.1500
30	0.1000	95	1.1750
35	0.1330	100	1.2000
40	0.1660	105	1.2250
45	0.2000	110	1.2334
50	0.2583	115	1.2417
55	0.3583	120	1.2500
60	0.6250		

- (2) For purposes of TSS reduction calculations, Table 2 below presents the presumed removal rates for certain BMPs designed in accordance with the New Jersey Stormwater Best Management Practices Manual. The BMP Manual may be obtained from the address identified in § 236-63.7, or found on the Department’s website at [www.njstormwater.org](http://www.njstormwater.org). The BMP Manual and other sources of technical guidance are listed in § 236-63.7. TSS reduction shall be calculated based on the removal rates for the BMPs in Table 2 below. Alternative removal rates and methods of calculating removal rates may be used if the design engineer provides documentation demonstrating the capability of these alternative rates and methods to the review agency. A copy of any approved alternative rate or method of calculating the removal rate shall be provided to the Department at the following address: Division of Watershed Management, New Jersey Department of Environmental Protection, PO Box 418 Trenton, New Jersey, 08625-0418.
- (3) If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R=A+B-\frac{A \times B}{100}$$

Where

R = total TSS percent load removal from application of both BMPs, and

A = the TSS percent removal rate applicable to the first BMP

B = the TSS percent removal rate applicable to the second BMP

<b>Table 2: TSS Removal Rates for BMPs</b>	
<b>Best Management Practice</b>	<b>TSS Percent Removal Rate</b>
Bioretention Systems	90
Constructed Stormwater Wetland	90
Extended Detention Basin	40-60
Infiltration Structure	80
Manufactured Treatment Device	See §236-63.6.C
Sand Filter	80
Vegetative Filter Strip	60-80
Wet Pond	50-90

- (4) If there is more than one onsite drainage area, the 80 percent TSS removal rate shall apply to each drainage area, unless the runoff from the subareas converge on site in which case the removal rate can be demonstrated through a calculation using a weighted average.
- (5) Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include nonstructural strategies and structural measures that optimize nutrient removal while still achieving the performance standards in §236-63.4.F and §236-63.4.G.
- (6) Additional information and examples are contained in the New Jersey Stormwater Best Management Practices Manual, which may be obtained from the address identified in §236-63.7.
- (7) In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
- (8) Special water resource protection areas shall be established along all waters designated Category One at N.J.A.C. 7:9B, and perennial or intermittent streams that drain into or upstream of the Category One waters as shown on the USGS Quadrangle Maps or in the County Soil Surveys, within the associated HUC14 drainage area. These areas shall be established for the protection of water quality, aesthetic value, exceptional ecological significance, exceptional recreational significance, exceptional water supply significance, and exceptional fisheries significance of those established Category One waters. These areas shall be designated and protected as follows:
  - (a) The applicant shall preserve and maintain a special water resource protection area in accordance with one of the following:
    - [1] A 300-foot special water resource protection area shall be provided on each side of the waterway, measured perpendicular to the waterway from the top of the bank outwards or from the centerline of the waterway where the bank is not defined, consisting of existing vegetation or vegetation allowed to follow natural succession is provided. (2) Encroachment within the designated special water resource protection area under Subsection (1) above shall only be allowed where previous development or disturbance has occurred (for example, active agricultural use, parking area or maintained lawn area). The encroachment shall only be allowed where applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable. In no case shall the remaining special water



resource protection area be reduced to less than 150 feet as measured perpendicular to the top of bank of the waterway or centerline of the waterway where the bank is undefined. All encroachments proposed under this subparagraph shall be subject to review and approval by the Department.

- (b) All stormwater shall be discharged outside of and flow through the special water resource protection area and shall comply with the Standard for Off-Site Stability in the “Standards For Soil Erosion and Sediment Control in New Jersey,” established under the Soil Erosion and Sediment Control Act , N.J.S.A. 4:24-39 et seq.
- (c) If stormwater discharged outside of and flowing through the special water resource protection area cannot comply with the Standard For Off-Site Stability in the “Standards for Soil Erosion and Sediment Control in New Jersey,” established under the Soil Erosion and Sediment Control Act , N.J.S.A. 4:24-39 et seq., then the stabilization measures in accordance with the requirements of the above standards may be placed within the special water resource protection area, provided that:
  - [1] Stabilization measures shall not be placed within 150 feet of the Category One waterway;
  - [2] Stormwater associated with discharges allowed by this section shall achieve a 95 percent TSS post-construction removal rate;
  - [3] Temperature shall be addressed to ensure no impact on the receiving waterway;
  - [4] The encroachment shall only be allowed where the applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable;
  - [5] A conceptual project design meeting shall be held with the appropriate Department staff and Morris County Soil Conservation District staff to identify necessary stabilization measures; and
  - [6] All encroachments proposed under this section shall be subject to review and approval by the Department.
- (d) A stream corridor protection plan may be developed by a regional stormwater management planning committee as an element of a regional stormwater management plan, or by a municipality through an adopted municipal stormwater management plan. If a stream corridor protection plan for a waterway subject to § 236-63.4.G(8) has been approved by the Department of Environmental Protection, then the provisions of the plan shall be the applicable special water resource protection area requirements for that waterway. A stream corridor protection plan for a waterway subject to G.8 shall maintain or enhance the current functional value and overall condition of the special water resource protection area as defined in G.8.a.(1) above. In no case shall a stream corridor protection plan allow the reduction of the Special Water Resource Protection Area to less than 150 feet as measured perpendicular to the waterway subject to this subsection.
- (e) Paragraph G.8 does not apply to the construction of one individual single family dwelling that is not part of a larger development on a lot receiving preliminary or final subdivision approval on or before February 2, 2004 , provided that the construction begins on or before February 2, 2009.

**§ 236-63.5. Calculation of stormwater runoff and groundwater recharge.**

- A. Stormwater runoff shall be calculated in accordance with the following:
  - (1) The design engineer shall calculate runoff using one of the following methods:
    - (a) The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in the NRCS National Engineering Handbook Section 4 – Hydrology and Technical Release 55 – Urban Hydrology for Small Watersheds; or

- (b) The Rational Method for peak flow and the Modified Rational Method for hydrograph computations.
- (2) For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term “runoff coefficient” applies to both the NRCS methodology at § 236-63.5.A(1)(a) and the Rational and Modified Rational Methods at § 236-63.5.A(1)(b). A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
  - (3) In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
  - (4) In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 – Urban Hydrology for Small Watersheds and other methods may be employed.
  - (5) If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

- (1) The New Jersey Geological Survey Report GSR-32 A Method for Evaluating Ground-Water Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at <http://www.state.nj.us/dep/njgs/>; or at New Jersey Geological Survey, 29 Arctic Parkway, P.O. Box 427 Trenton, New Jersey 08625-0427; (609) 984-6587.

**§ 236-63.6. Standards for structural stormwater management measures.**

A. Standards for structural stormwater management measures are as follows:

- (1) Structural stormwater management measures shall be designed to take into account the existing site conditions, including, for example, environmentally critical areas, wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone).
- (2) Structural stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure as appropriate, and shall have parallel bars with one-inch (1”) spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third (1/3) the width of the diameter of the orifice or one-third (1/3) the width of the weir, with a minimum spacing between bars of one-inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of § 236-63.8.D.

- (3) Structural stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement.
  - (4) At the intake to the outlet from the stormwater management basin, the orifice size shall be a minimum of two and one-half inches in diameter.
  - (5) Stormwater management basins shall be designed to meet the minimum safety standards for stormwater management basins at § 236-63.8.
- B. Stormwater management measure guidelines are available in the New Jersey Stormwater Best Management Practices Manual. Other stormwater management measures may be utilized provided the design engineer demonstrates that the proposed measure and its design will accomplish the required water quantity, groundwater recharge and water quality design and performance standards established by § 236-63.4 of this ordinance.
- C. Manufactured treatment devices may be used to meet the requirements of § 236-63.4 of this ordinance, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department.

**§ 236-63.7. Sources for technical guidance.**

- A. Technical guidance for stormwater management measures can be found in the documents listed at 1 and 2 below, which are available from Maps and Publications, New Jersey Department of Environmental Protection, 428 East State Street, P.O. Box 420, Trenton, New Jersey, 08625; telephone (609) 777-1038.
- (1) Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended. Information is provided on stormwater management measures such as: bioretention systems, constructed stormwater wetlands, dry wells, extended detention basins, infiltration structures, manufactured treatment devices, pervious paving, sand filters, vegetative filter strips, and wet ponds.

The New Jersey Department of Environmental Protection Stormwater Management Facilities Maintenance Manual, as amended.

- B. Additional technical guidance for stormwater management measures can be obtained from the following:
- (1) The "Standards for Soil Erosion and Sediment Control in New Jersey" promulgated by the State Soil Conservation Committee and incorporated into N.J.A.C. 2:90. Copies of these standards may be obtained by contacting the State Soil Conservation Committee or any of the Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey 08625; (609) 292-5540;
  - (2) The Rutgers Cooperative Extension Service, 732-932-9306; and
  - (3) The Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey, 08625, (609) 292-5540.

**§ 236-63.8. Safety standards for stormwater management basins.**

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin.

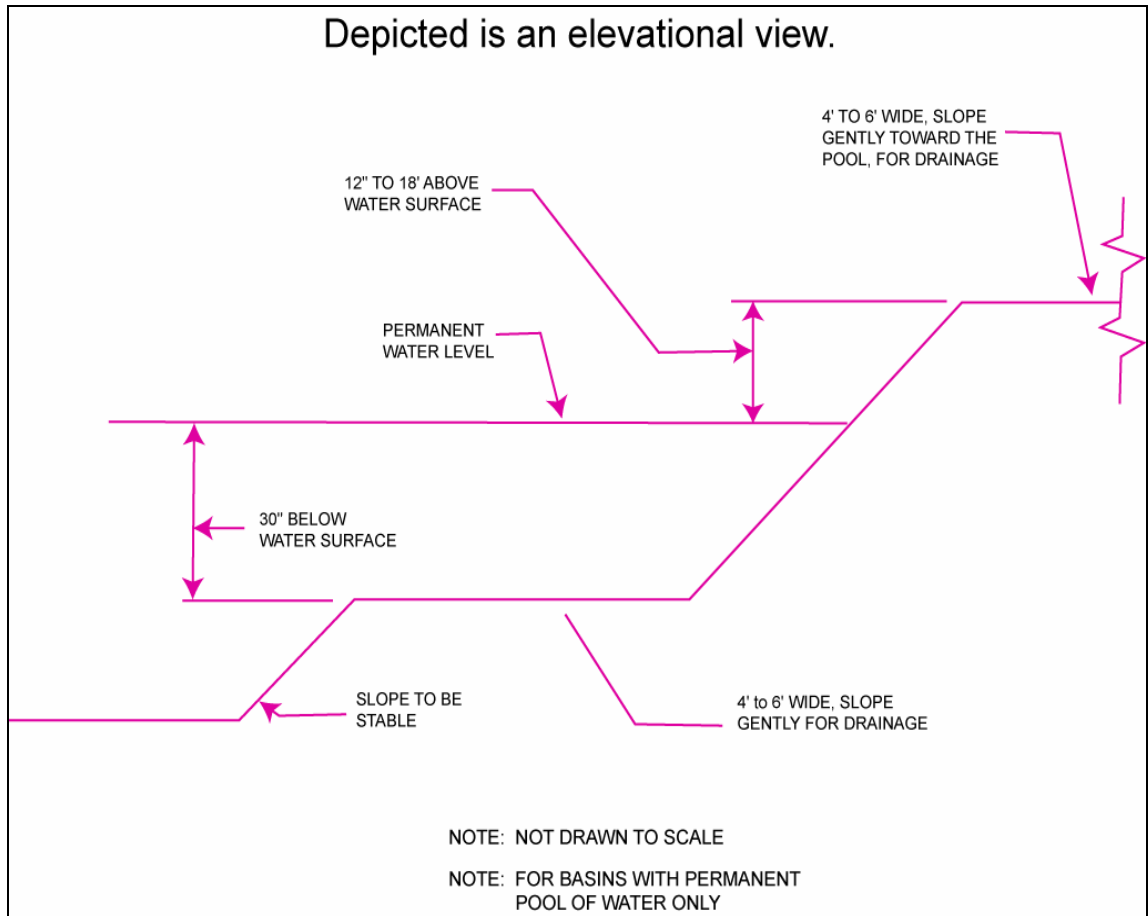
## B. Requirements for Trash Racks, Overflow Grates and Escape Provisions

- (1) A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the stormwater management basin to ensure proper functioning of the basin outlets in accordance with the following:
  - (a) The trash rack shall have parallel bars, with no greater than six inch spacing between the bars.
  - (b) The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure.
  - (c) The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack.
  - (d) The trash rack shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs/ft sq.
- (2) An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
  - (a) The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
  - (b) The overflow grate spacing shall be no less than two inches across the smallest dimension.
  - (c) The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs./ft sq.
- (3) For purposes of this paragraph 3, escape provisions means the permanent installation of ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management basins. Stormwater management basins shall include escape provisions as follows:
  - (a) If a stormwater management basin has an outlet structure, escape provisions shall be incorporated in or on the structure. With the prior approval of the reviewing agency identified in § 236-63.8.C a free-standing outlet structure may be exempted from this requirement.
  - (b) Safety ledges shall be constructed on the slopes of all new stormwater management basins having a permanent pool of water deeper than two and one-half feet. Such safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See § 236-63.8.D for an illustration of safety ledges in a stormwater management basin.
  - (c) In new stormwater management basins, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than 3 horizontal to 1 vertical.

## C. Variance or Exemption from Safety Standards

- (4) A variance or exemption from the safety standards for stormwater management basins may be granted only upon a written finding by the appropriate reviewing agency (Town of Dover, Morris County or the Department) that the variance or exemption will not constitute a threat to public safety.

## D. Illustration of Safety Ledges in a New Stormwater Management Basin



**§ 236-63.9. Requirements for a site development stormwater plan.**

**A. Submission of Site Development Stormwater Plan**

- (1) Whenever an applicant seeks Town of Dover approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at § 236-63.9.C below as part of the submission of the applicant's application for subdivision or site plan approval.
- (2) The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
- (3) The applicant shall submit 16 copies of the materials listed in the checklist for site development stormwater plans in accordance with § 236-63.9.C of this ordinance.

**B. Site Development Stormwater Plan Approval**

The applicant's Site Development project shall be reviewed as a part of the subdivision or site plan review process conducted by the Town of Dover. The Town of Dover shall consult the town engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

**C. Checklist Requirements**

The following information shall be required:

(1) Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

Environmental Site Analysis

(1) A written and graphic description of the natural and man-made features of the site and its environs. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

(1) Project Description and Site Plan(s)

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings, roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high ground water elevations. A written description of the site plan and justification of proposed changes in natural conditions may also be provided.

(2) Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of § 236-63.3 through § 236-63.6 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

(3) Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- (a) Total area to be paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- (b) Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

(4) Calculations

- (a) Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in § 236-63.4 of this ordinance.
- (b) When the proposed stormwater management control measures (e.g., infiltration basins) depend on the hydrologic properties of soils, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits

shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

(5) Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of § 236-63.10.

(6) Waiver from Submission Requirements

The Town of Dover may, in consultation with the municipal engineer, waive submission of any of the requirements in § 236-63.9.C(1) through § 236-63.9.C(6) of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

**§ 236-63.10. Maintenance and repair.**

A. Applicability

- (1) Projects subject to review as in § 236-63.1.C of this ordinance shall comply with the requirements of §236-63.10.B and §236-63.10.C.

B. General Maintenance

- (1) The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
- (2) The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). Maintenance guidelines for stormwater management measures are available in the New Jersey Stormwater Best Management Practices Manual. The maintenance plan shall identify the Town of Dover or the duly designated entity, as specified in § 236-63.10.B(3) below, as having responsibility for maintenance.
- (3) The Town of Dover will assume responsibility for maintenance, unless the responsibility is specifically assigned by the governing body to another public or private entity through a duly executed agreement. The Town of Dover shall have the sole power to decide whether the maintenance shall be assumed by the Town or assigned to another public or private entity. The terms of the agreement shall be in a form satisfactory to the municipal attorney and may include, but are not limited to, maintenance easements, personal guarantees, deed restrictions, covenants and bonds.
- (4) Preventative and corrective maintenance shall be performed to maintain the function of the stormwater management measure, including repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of nonvegetated linings.
- (5) The Town of Dover or the designated responsible entity, will maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders.
- (6) The Town of Dover shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed.
- (7) The Town of Dover or the designated responsible entity shall retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Sections 10.B.6 and 10.B.7 above.

C. Nothing in this section shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

**Section 2**

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

**Section 3**

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

**Section 4**

This ordinance shall take effect immediately upon the approval by the county review agency, or sixty (60) days from the receipt of the ordinance by the county review agency if the county review agency should fail to act.

*Mayor Dodd opened this portion of the meeting to the public for a hearing. Seeing no hands and hearing no voices the hearing was closed.*

*Alderman Romaine has moved the foregoing ordinance be adopted and duly seconded by Alderman Visioli and was passed by the following vote.*

Ayes: Alderman Romaine, Fahy, Burbridge, Delaney, Poolas, Ryan, Visioli and Mayor Dodd.

Noes: none

Abstain: none

Absent: none

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***Ordinance No. 09-2006: Second Reading and Public Hearing***

**Ordinance #09-2006**

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER  
PROVIDING FOR HANDICAPPED PARKING SPACE AT 79 LINCOLN AVENUE**

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

Section 1. The following location is hereby established as a handicapped parking space.

Said handicap parking space shall be located along the westerly curb line of Lincoln Avenue beginning at a point one hundred thirty-three (133') feet south of the southwesterly curb line intersection of Searing Street and Lincoln Avenue, thence continuing in southerly direction for a distance of twenty (20') feet to a point.

Section 2. This ordinance shall take effect in accordance with law.

*Mayor Dodd opened this portion of the meeting to the public for a hearing. Seeing no hands and hearing no voices the hearing was closed.*

*Alderman Delaney has moved the foregoing ordinance be adopted and duly seconded by Alderman Burbridge and was passed by the following vote.*

Ayes: Alderman Romaine, Fahy, Burbridge, Delaney, Poolas, Ryan, Visioli and Mayor Dodd.

Noes: none

Abstain: none

Absent: none



*Ordinance No. 10-2006: Second Reading and Public Hearing*

**Ordinance #10-2006**

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF  
THE TOWN OF DOVER AMENDING AND SUPPLEMENTING THE CODE OF DOVER,  
CHAPTER 349 ENTITLED "TAXICABS AND LIMOUSINES"**

BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Dover as follows:

Section 1. Chapter 349 of the Code of Dover is amended and supplemented as set forth below:

Section 349, B (4) is amended to read as follows:

The applicant must be either a citizen of the United State or a legal resident alien. The applicant must also speak sufficient English so as to reasonably be able to verbally communicate with passengers and police. The applicant must also have sufficient writing skills in English to complete any written documents required under this Ordinance i.e. receipts to passengers and records of trips.

Section 349-7 is amended as follows:

The title of the section is to be as follows:

State Inspection; semiannual inspection, parking and sign requirements.

Further, sub-section B of Section 349-7 is amended and supplemented as follows:

Owners or operators must submit each vehicle for inspection by the Chief of Police or his designee semi-annually, except if a state inspection is performed within such six month time period. The six month time period for inspection shall be June through November and December through May. The purpose of this inspection is to insure full compliance with all of the requirements of the Ordinance and any state laws or regulations. If any violations are found, the Police Department shall inform the Town Clerk that the license issued shall be revoked if the violation is not corrected within ten days of the inspection. Under such circumstances, the Police Department will inform the applicant what repairs need to be completed to prevent the revocation of the license. In no way should the provisions of this chapter be interpreted as to prohibit an applicant from having a previously rejected vehicle re-inspected after the required repairs are completed. An applicant aggrieved by any provision of this section has an immediate right of appeal to the Mayor and Board of Aldermen. The Police Department shall randomly select the time period within each six month inspection period when a regulated vehicle must present itself for inspection.

Section 349-9 is amended to read as follows:

Each applicant for a regulated vehicle driver license shall, upon making application therefore, furnish his or her existing driver's licenses and fingerprints by record check and present him or herself to the Dover Police Department for pictures. One picture shall be retained by the Town Clerk, another shall be affixed to the driver's license and the third shall be affixed to a card suitably framed under any transparent covering approved by the Police Department and displayed in a prominent place mounted as close as possible to the center of the front dashboard of the regulated vehicle so that it is plainly visible to passengers. Said card must also contain a brief description of the

driver, including his or her age, height, complexion, color of hair and color of eyes. Each applicant shall permit the Town Police Department to obtain his or her driver abstract from the Division of Motor Vehicles.

Section 2. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 4. The Ordinance shall take effect in accordance with law.

***Mayor Dodd opened this portion of the meeting to the public for a hearing. Seeing no hands and hearing no voices the hearing was closed.***

***Alderman Delaney has moved the foregoing Ordinance be adopted and duly seconded by Alderman Poolas and passed by the following vote.***

Ayes: Alderman Romaine, Fahy, , Delaney, Poolas, Ryan, Visioli and Mayor Dodd.

Noes: none

Abstain: Burbridge

Absent: none

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***Ordinance No. 11-2006: Second Reading and Public Hearing***

**Ordinance No. 11-2006**

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER LIMITING AND RESTRICTING THE PARKING OF CERTAIN VEHICLES ON THE PUBLIC STREETS OF THE TOWN OF DOVER**

Be it ORDAINED by the Mayor and Board of the Aldermen of the Town of Dover, County of Morris and State of New Jersey as follows:

Section 1. Definitions.

“Commercial Motor Vehicle” includes every type of motor/driven vehicle used for commercial purposes on the highways, such as the transportation of goods, wares, and merchandise, excepting such vehicles as are run only upon rails or tracks and vehicles of the passenger car type used for touring purposes or the carrying of farm products and milk, as the case may be.

“Noncommercial truck” means every motor vehicle designed primarily for transportation of property, and which is not a “commercial vehicle”.

“Parking” means the standing or waiting on a street, road or highway of a vehicle not actually engaged in receiving or discharging passengers or merchandise, unless in obedience to traffic regulations or traffic signs or signals.

“Person” includes natural persons, firms, co-partnerships, associations and corporations.

“Recreation vehicle” means a self propelled or towed vehicle equipped to serve as temporary living quarters for recreational, camping, or travel purposes and used solely as a family or personal conveyance.

“Road tractor” means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

“Semi-trailer” means every vehicle with or without motive power, other than a pole trailer, designed or carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and out of its load rests upon or is carried by another vehicle.

“Trailer” means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing of vehicle.

“Truck” means every motor vehicle designed, used or maintained primarily for the transportation of property.

“Truck tractor” means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of vehicle and load so drawn.

“Vehicle” means every device in, or upon or by which a person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks or motorized bicycles.

Section 2. Prohibited Parking.

No person shall park any commercial vehicle, non-commercial truck with more than four (4) wheels except pickup style trucks commonly described as “dualies”, road tractor, trailer, truck tractor or recreational vehicle on any street within the Town of Dover between the hours of 9:00 p.m. through 8:00 a.m.

Section 3. There shall be posted an appropriate sign on each street entering the Town of Dover, at or near the Town’s municipal boundary line giving notice of the terms of this Ordinance.

Section 4. This Ordinance shall be enforced by the Police Department of the Town of Dover.

Section 5. Penalty.

A person convicted of a violation of this Ordinance may be liable to a penalty of: imprisonment in the county jail or in any place provided by the municipality for the retention of prisoners, or any term not exceeding 90 days; or by a fine not exceeding \$1,250.00; or by a period of community service not exceeding 90 days.

Section 6. All ordinances or parts of ordinances contrary to or inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

Section 7. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 8. This ordinance shall take effect in accordance with law.

**Mayor Dodd opened this portion of the meeting to the public for a hearing.**

Jon Sperry- 15 N. Essex Street asked if it was really necessary to have this ordinance, because there is already an existing ordinance for no parking of commercial vehicles between 2am and 6am for vehicles over 4 tons. He also inquired if this included pick-up trucks. Mayor Dodd asked Attorney Pennella if the ordinance did prohibit pick-up trucks and was told yes it did.

Mayor Dodd has moved the foregoing ordinance be tabled and duly seconded by Alderman Visioli

Ayes: Alderman Romaine, Fahy, Burbridge, Newman, Delaney, Poolas, Ryan, Visioli and Mayor Dodd.

Noes: none

Abstain: none

Absent: none

***Resolution Authorizing Payment of Bills***

WHEREAS, Mayor and Board of Aldermen of the Town of Dover have examined all bills presented for payment; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds in the account(s) to which respective bills have been charged.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Dover do hereby approve the bills as listed; and

BE IT FURTHER RESOLVED that the proper officials are hereby authorized to sign the checks for payment of same.

RESERVE ACCOUNT claims in the amount of:	\$7,226.15
CURRENT ACCOUNT claims in the amount of:	\$1,697,093.95
CAPITAL ACCOUNT claims in the amount of:	
PARKING UTILITY ACCOUNT claims in the amount of:	\$102.50
ANIMAL CONTROL TRUST ACCOUNT claims in the amount of:	
RECYCLING TRUST ACCOUNT claims in the amount of:	\$252.00
COUNTY FORFEITED ASSETS TRUST ACCOUNT claims in the amount of:	
TRUST/OTHER ACCOUNT claims in the amount of:	\$111,674.60
<b>TOTAL CLAIMS TO BE PAID</b>	<b>\$1,816,349.20</b>

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***Resolution Authorizing Budget Transfers***

WHEREAS, there appears to be insufficient funds in the following accounts (excepting the Appropriation of Contingent Expenses or Deferred Charges) to meet the demands thereon for the balance of the year, viz: 2005

Legal Fees OE  
Accumulated Absence Comp Prov OE  
Water OE

WHEREAS, there appears to be a surplus in the following accounts (excepting the Appropriation for Contingent Expenses, Down Payments and Capital Improvement Fund) over and above the demand necessary for the balance of the year, viz: 2005

Recycling OE  
Police S & W  
Water S & W  
Water – Social Security/Medicare

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

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

<b>FROM</b>		<b>TO</b>	
Recycling OE	3,210.00	Legal Fees OE	3,210.00
Police S & W	100,000.00	Accum Absence OE	100,000.00
Water S & W	11,000.00	Water OE	<u>20,000.00</u>
Water SS/Med	<u>9,000.00</u>		
Total	123,210.00	Total	\$123,210.00

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### Resolution Authorizing Emergency Temporary Appropriations

WHEREAS, N.J.S.A. 40A:4-20 provides for the making of temporary appropriations to finance the operations of municipal government between the first day of January of the budget year and the date of the adoption of the budget for such year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover that there be and is hereby appropriated as follows as emergency temporary appropriations for the year 2006:

CURRENT FUND	<b>8,608,488.00</b>
WATER UTILITY	<b>1,243,887.00</b>
PARKING UTILITY	<b>58,168.00</b>

#### GENERAL GOVERNMENT

Administrative & Executive -	Salaries & Wages	120,000.00
	Other Expenses	60,000.00
Mayor & Board of Aldermen -	Salaries & Wages	23,106.00
	Other Expenses	15,000.00
Town Clerk -	Salaries & Wages	37,100.00
	Other Expenses	8,000.00
Financial Administration -	Salaries & Wages	74,000.00
	Other Expenses	4,000.00
Annual Audit -	Other Expenses	17,000.00
Collection of Taxes -	Salaries & Wages	28,000.00
	Other Expenses	4,000.00
Assessment of Taxes -	Salaries & Wages	35,725.00
	Other Expenses	7,500.00
Legal Services & Costs -	Other Expenses	90,000.00
Engineering Services -	Salaries & Wages	91,148.00
	Other Expenses	22,000.00
Planning Consultant -	Other Expenses	
Planning Board -	Salaries & Wages	2,634.00
	Other Expenses	4,000.00
Board of Adjustment -	Salaries & Wages	2,634.00
	Other Expenses	4,000.00
Construction -	Salaries & Wages	68,588.00
	Other Expenses	6,000.00
Code Enforcement -	Salaries & Wages	95,555.00
	Other Expenses	3,250.00
Other Insurance -		72,473.00
Workers Compensation -		84,373.00
Group Insurance -		1,105,000.00
Police -	Salaries & Wages	1,700,000.00

	Other Expenses	78,000.00
Office of Emergency Mgmt.-	Salaries & Wages	2,800.00
	Other Expenses	-
Fire -	Salaries & Wages	197,000.00
	Other Expenses	39,000.00
Fire Prevention -	Salaries & Wages	36,812.00
	Other Expenses	3,625.00
Municipal Prosecutor -		22,830.00
Streets & Roads -	Salaries & Wages	318,000.00
	Other Expenses	30,000.00
Snow Removal -	Salaries & Wages	30,000.00
	Other Expenses	50,000.00
Recycling & Solid Waste -	Salaries & Wages	38,298.00
	Other Expenses	500,000.00
Sewer -	Salaries & Wages	98,000.00
	Other Expenses	6,000.00
Public Buildings & Grounds -	Salaries & Wages	30,000.00
	Other Expenses	25,000.00
Health -	Salaries & Wages	103,264.00
	Other Expenses	33,825.00
Senior Services -	Salaries & Wages	16,093.00
	Other Expenses	4,000.00
Recreation -	Salaries & Wages	48,000.00
	Other Expenses	20,000.00
Shade Tree -	Other Expenses	12,000.00
Maintenance of Free Public Library -	Salaries & Wages	140,000.00
	Other Expenses	55,000.00
Utilities -	Other Expenses	750,000.00
Municipal Court -	Salaries & Wages	165,000.00
	Other Expenses	19,000.00
Public Defender -	Other Expenses	9,490.00
<u>STATUTORY EXPENDITURES</u>		
	Public Employees Retirement System	61,881.00
	Social Security System (O.A.S.I.)	140,000.00
	Consolidated Police & Firemen's Pension Fund	21,481.00
	Police & Firemen's Retirement System	329,766.00
<u>OTHER OPERATIONS</u>		
	Small Cities-Housing Rehabilitation	50,000.00
	Small Cities-Myrtle Avenue	75,000.00
	Safe & Secure Neighborhoods/Local	10,000.00
	Safe & Secure Neighborhoods/State	20,000.00
	Health State Aid	1,000.00
	Municipal Alliance Grant/Local	3,000.00
	Municipal Alliance Grant/County	9,000.00
	<b>SUB TOTAL</b>	<b>7,387,251.00</b>

Debt Service - Payment of Bonds-	Principal	970,000.00
	Interest	251,237.00

**TOTAL GENERAL APPROPRIATIONS 8,608,488.00**

<u>WATER UTILITY</u>	Salaries & Wages	354,000.00
	Other Expenses	484,372.00
	Social Security	15,000.00
	PERS	35,281.00
	<b>SUB TOTAL</b>	<b>888,653.00</b>

Debt Service - Payment of Bonds-	Principal	185,000.00
	Interest	170,234.00

**TOTAL WATER APPROPRIATIONS 1,243,887.00**

<u>PARKING UTILITY</u>	Salaries & Wages	29,000.00
	Other Expenses	17,298.00
	Social Security	800.00
	PERS	11,070.00
<b>TOTAL PARKING APPROPRIATIONS</b>		<b>58,168.00</b>

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***Resolution of the Mayor and Board of Aldermen of the Town of Dover  
Introducing and Approving the 2006 Municipal Budget***

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Town of Dover, Morris County, New Jersey for the year 2006.

BE IT FURTHER RESOLVED, that said budget be published in The Citizen of Morris County in the issue of April 5, 2006, and that a hearing on the Budget will be held at the Municipal Complex on April 25, 2006 at 7 o'clock (P.M.) or as soon thereafter as the matter may be reached.

The Governing Body does hereby accept and introduce the Budget for the year 2006.

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***Resolution Authorizing Annual Budget Examination***

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.S.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5, the Town of Dover has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Town meets the necessary conditions to participate in the program for the 2006 budget year, so

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification. The Governing Body has found the budget has met the following requirements:

That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges.
  - b. Deferred charges and statutory expenditures.
  - c. Cash deficit of preceding year.
  - d. Reserve for uncollected taxes.
  - e. Other reserves and nondisbursement items.
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
  3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
  4. That pursuant to the Local Budget Law:
    - a. All estimates of revenue are reasonable, accurate and correctly stated,
    - b. Items of appropriates are properly set forth.
    - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
  5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
  6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVELD that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

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***Resolution Authorizing Redemption of Tax Sale Certificates***

WHEREAS, Tax Sale Certificates 200404 for unpaid 2004 taxes held by American Tax Funding LLC; and

WHEREAS, the amount necessary to redeem certificates has been received by the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey that the Treasurer be and is authorized to issue a check in the amount of \$135,355.48 to American Tax Funding LLC.

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

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**Resolution of the Mayor and Board of Aldermen of the Town of Dover**



**Approving Participation with the State of New Jersey in a Safe and Secure Communities Program Administered by the Division of Criminal Justice, Department of Law and Public Safety**

WHEREAS, the Town of Dover wishes to apply for a project under the Safe and Secure Communities Program; and

WHEREAS, the Mayor and Board of Aldermen has reviewed the application and has approved said request, and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Applicant Local Unit of Government, for the purpose described in the application.

THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen that

1. As a matter of public policy the Town of Dover wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General of New Jersey will receive funds on behalf of the Town of Dover.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to the Town of Dover as authorized by law.

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***Resolution of the Mayor and Board of Aldermen of the Town of Dover  
Approving Pet Shop License for Dover Pet Shop***

WHEREAS, Section 113-8 of the Code of the Town of Dover requires any person who keeps or operates a pet shop to apply to the Clerk of the Town of Dover for a license to operate; and

WHEREAS, Andrew Milling, t/a Dover Pet Shop, located at 112 East Blackwell Street, Dover, New Jersey, has applied for renewal of a pet shop license ; and,

WHEREAS, the Town of Dover Health Department inspected the premises and found the results of the inspection to be “satisfactory”; and

WHEREAS, the applicant has submitted the appropriate fees and completed the application as needed;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the application of Andrew Milling t/a Dover Pet Shop for a license to operate a pet shop at 112 East Blackwell Street, Dover, New Jersey is hereby approved.

Alderman Romaine has moved the foregoing resolution(s) be adopted and duly seconded by Alderman Delaney

Ayes: Alderman Romaine, Fahy, Burbridge, Newman, Delaney, Poolas, Ryan, Visioli and Mayor Dodd.

Noes: none

Abstain: none

Absent: none

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***Resolution of the Mayor and Board of Aldermen of the Town of Dover  
Approving the Transfer of Brian Wagner from the Dover Fire Department Engine Company #1  
To Dover Fire Department Engine Company #2***

WHEREAS, a request for a transfer of Brian Wagner has been made to move from Dover Fire Department Engine Company # 1 to Dover Fire Department Engine Company # 2; and

WHEREAS, there is no reason to deny this request; and,

WHEREAS, the Chief of the Fire Department had approved the transfer;

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 transfer of Brian Wagner from Dover Fire Department Engine Company # 1 to Dover Fire Department Engine Company # 2 is hereby approved.

Alderman Fahy has moved the foregoing resolution(s) be adopted and duly seconded by Alderman Delaney

Ayes: Alderman Romaine, Fahy, Burbridge, Newman, Delaney, Poolas, Ryan, Visioli and Mayor Dodd.

Noes: none

Abstain: none

Absent: none

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**Resolution of the Mayor and Board of Aldermen of the Town of Dover Authorizing the Execution of a Mutual Firefighting and EMS Assistance Agreement with the Borough of Victory Gardens**

WHEREAS, the Town of Dover and Borough of Victory Gardens wish to enter into a mutual aid agreement for the provisions of fire fighting and EMS assistance; and

WHEREAS, N.J.S.A. 40A:14-26 provides for emergency assistance for fire and police protection from another municipality; and

WHEREAS, it is in the public interest to provide for this additional coverage and support ; and

WHEREAS, the agreement is non-binding and subject to the immediate needs of each municipality at the time of the request for assistance; and

WHEREAS, there contains in the agreement provisions for the reimbursement of materials used or other direct expenses or losses;

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 Mayor and Clerk are hereby authorized to execute a mutual firefighting and EMS assistance agreement with the Borough of Victory Gardens.

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**Resolution of the Mayor and Board of Aldermen of the Town of Dover Authorizing the Execution of a Mutual Firefighting and EMS Assistance Agreement with the Township of Rockaway**

WHEREAS, the Town of Dover and Township of Rockaway wish to enter into a mutual aid agreement for the provisions of fire fighting and EMS assistance; and

WHEREAS, N.J.S.A. 40A:14-26 provides for emergency assistance for fire and police protection from another municipality; and

WHEREAS, it is in the public interest to provide for this additional coverage and support ; and

WHEREAS, the agreement is non-binding and subject to the immediate needs of each municipality at the time of the request for assistance; and

WHEREAS, there contains in the agreement provisions for the reimbursement of materials used or other direct expenses or losses;

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:

2. The Mayor and Clerk are hereby authorized to execute a mutual firefighting and EMS assistance agreement with the Township of Rockaway.

*Alderman Visioli has moved the foregoing resolution(s) be adopted and duly seconded by Alderman Delaney.*

*Ayes: Alderman Romaine, Fahy, Burbridge, Newman, Delaney, Poolas, Ryan, Visioli and Mayor Dodd.*

*Noes: none*

*Abstain: none*

*Absent: none*

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**Resolution of the Mayor and Board of Aldermen of the Town of Dover  
Accepting a Gift of Laptop Computers for the Dover Police Department**

WHEREAS, Archonix is a public safety software company located at 14000 Commerce Parkway, Suite C, Mt. Laurel, NJ 08054; and

WHEREAS, Archonix has offered to donate ten XPLORE GENESYS II laptops to the Dover Police Department; and,

WHEREAS, these laptop computers will be of value to the Dover Police Department, assisting in their mission of providing public safety; and

WHEREAS, the Mayor and Board of Aldermen of the Town of Dover believe it to be in the best interest of the residents of the Town of Dover to accept this donation;

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:

3. It is hereby authorized that the Town of Dover accept the gift by Archonix of ten EXPLORE GENESYS II laptop computers.

*Alderman Burbridge has moved the foregoing resolution(s) be adopted and duly seconded by Alderman Romaine*

*Ayes: Alderman Romaine, Fahy, Burbridge, Newman, Delaney, Poolas, Ryan, Visioli and Mayor Dodd.*

*Noes: none*

*Abstain: none*

*Absent: none*

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**Resolution of the Mayor and Board of Aldermen  
of the Town of Dover Approving Taxicab Driver Licenses**

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

WHEREAS, the Police Department of the Town of Dover has reviewed their applications and has advised that there is no prohibition to the issuance of their license; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the taxi driver licenses for those people listed on Schedule A attached hereto and made a part hereof are hereby approved.

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***Resolution of the Mayor and Board of Aldermen  
of the Town of Dover Approving Taxis To Be Licensed in the Town of Dover***

WHEREAS, Queen's Limo has applied for a license to operate the vehicles listed on Schedule B attached hereto and made a part hereof as taxicabs in the Town of Dover; and

WHEREAS, the appropriate municipal departments have reviewed the applications as required and have no objections to same being licensed as taxicabs;

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 taxicabs listed on Schedule B are hereby approved for taxi licenses in the Town of Dover.

***Alderman Burbridge has moved the foregoing resolution(s) be adopted and duly seconded by Alderman Delaney***

***Ayes: Alderman Romaine, Fahy, Burbridge, Newman, Delaney, Poolas, Ryan, Visioli and Mayor Dodd.  
Noes: none Abstain: none Absent: none***

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***Resolution of the Mayor and Board of Aldermen of the Town of Dover  
Approving of Raffle Licenses***

WHEREAS, the below listed organizations have applied for Raffle Licenses; 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:

1. The below listed raffles for the dates set forth following their name are hereby approved:
  - A. Morris County Council of Education Associations: Sgt. Ryan E. Doltz Memorial Scholarship Fund – Dover High School, 100 Grace Street, Dover, NJ on May 5, 2006 from 6:30pm to 10:30pm
  - B. Sacred Heart Church – Calendar Raffle on April 1, 2006 from 8:00 to 2:00pm, and waiver of the town fee of \$500.00.
  - C. Children's Community Museum – raffle on September 9, 2006 at 1:00pm.

***Alderman Delaney has moved the foregoing resolution(s) be adopted and duly seconded by Alderman Burbridge***

***Ayes: Alderman Fahy, Burbridge, Newman, Delaney, Poolas, Ryan, Visioli and Mayor Dodd.  
Noes: none Abstain: Romaine Absent: none***

**UNFINISHED OR NEW BUSINESS:**

**PUBLIC PORTION:**

Antonio Acosta, 130 Madison Street just wanted the Board to know in a magazine article of New Jersey Monthly the top ten towns all had

Motion made for adjournment to go into Executive Session (tape inaudible)

Roll Call:

All Ayes

No Noes,

No abstentions

**ADJOURN**

**Tape inaudible – meeting ended at 9:56 PM**