



TOWN OF DOVER MAYOR & TOWN COUNCIL

REGULAR MEETING AGENDA Town of Dover Town Hall April 14, 2026 at 6:00 PM

A) CALL MEETING TO ORDER / SUNSHINE STATEMENT – Mayor James P. Dodd to call meeting to order and read the Sunshine Statement:

“This meeting is being held in accordance with the Open Public Meetings Act, also known as the Sunshine Law, N.J.S.A. 10:4-6.” Notice of the meeting was sent to the Daily Record and Citizen on Thursday, January 1, 2026, and was published in the Daily Record and Citizen on Wednesday, January 7, 2026. These notices were sent within 48 hours prior to this meeting and were sent in sufficient time for the publications to publish them. This notice was posted on the Bulletin Board of the Municipal Building as well as posted on the Town’s website. A copy of said notices is on file with the Municipal Clerk.

It should be noted that an interpreter is present if a resident should need one.

At this time, please silence all electronic equipment.

B) PLEDGE OF ALLEGIANCE – Mayor James P. Dodd to lead those in attendance in the Pledge of Allegiance to the Flag

C) INVOCATION

D) ROLL CALL – Clerk to Conduct Roll Call:

Name	Present	Absent	Excused
Council Member Almada			
Council Member Estacio			
Council Member Mendez			
Council Member Rugg			
Council Member Santana			
Council Member Tapia			
Council Member Velez			
Council Member Wittner			
Mayor Dodd			

E) APPROVAL OF MINUTES

- March 24, 2026

F) REPORT OF COMMITTEES

G) PRESENTATIONS, MUNICIPAL CORRESPONDENCE

H) PUBLIC COMMENT ON AGENDA ITEMS ONLY—Three minutes per person

I) ORDINANCES FOR FIRST READING

- a. Ordinance 10-2026 An Ordinance of the Mayor and Town Council of the Town of Dover, County of Morris, New Jersey, Authorizing the Sale of Town-Owned Property Not Needed for Public Use by Private Sale Pursuant to N.J.S.A. 40A:12-13(b)(5)

J) ORDINANCES FOR SECOND READING, PUBLIC HEARING AND ADOPTION

- a. Ordinance 07-2026 An Ordinance of the Mayor and Town Council of the Town of Dover, County of Morris, State of New Jersey Creating a No Parking Zone Between the Hours of 2:00 A.M. – 6:00 A.M. on West Dickerson Street
- b. Ordinance 08-2026 An Ordinance of the Mayor and Town Council of the Town of Dover, County of Morris, State of New Jersey, Amending Article IV, Chapter 236 of the Code of the Town of Dover
- c. Ordinance 09-2026 An Ordinance of the Mayor and Town Council of the Town of Dover, County of Morris and State of New Jersey Amending and Supplementing Chapter 246, Massage, Bodywork and Somatic Therapy Establishments

K) APPROVAL OF BILLS

- a. Resolution 77-2026 Approval of Bills List

L) APPROVAL OF RESOLUTIONS

1) CONSENT AGENDA RESOLUTIONS

- a. Resolution 78-2026 Approving Taxis/Limos to be Licensed in the Town of Dover
- b. Resolution 79-2026 Approving a Social Affair Permit, Casa Puerto Rico
- c. Resolution 80-2026 Approving a Mobile Retail Food Establishment, MeatFlame Express, LLC
- d. Resolution 81-2026 Approving a Mobile Retail Food Establishment, Big D's Hot Dogs
- e. Resolution 82-2026 Approving a Mobile Retail Food Establishment, Los Troquilocos, LLC
- f. Resolution 83-2026 Approving a Mobile Retail Food Establishment, Carlos Ice Cream, LLC
- g. Resolution 84-2026 Rescinding Resolution 62-2026 Authorizing the Transfer of Liquor License from IE & Angie LLC D/B/A Celebrity Bar (La Finca) to Liquor Point Inc.

2) RESOLUTIONS FOR DISCUSSION AND CONSIDERATION

- a. Resolution 85-2026 Authorizing the Sale of Town-Owned Property Not Needed for Public Use by Open Public Sale at Auction Pursuant to N.J.S.A. 40A:12-13(a)
- b. Resolution 86-2026 Authorizing the Engagement of an Appraiser or Appraisers in Connection with the Sale of Town-Owned Property Not Needed for Public Use
- c. Resolution 87-2026 Endorsing a Waiver of EPA Grant Restrictions Related to Sewer Servicing Lots with Wetlands with Respect to Dover Public Schools Redevelopment 100 Grace Street, Block 1501, Lot 1

- d. Resolution 88-2026 Authorizing a Shared Services Agreement with the Township of Union for Health Officer Services for the Year 2026

M) OLD BUSINESS

N) NEW BUSINESS

- 1. New Business Items

O) PUBLIC COMMENT—Three minutes per person

The Town of Dover highly values the input of residents in making important decisions that affect the residents of our community. We also believe in the right of residents to observe Council Meetings. To ensure that all of our residents have the opportunity to offer a comment, each statement/comment shall be held to a time of three (3) minutes.

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

P) CLOSED/EXECUTIVE SESSION

Q) ACTIONS CONSIDERED FOLLOWING CLOSED SESSION

R) ADJOURNMENT



TOWN OF DOVER

MAYOR & TOWN COUNCIL

ORDINANCE NO. 10-2026

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE SALE OF TOWN-OWNED PROPERTY NOT NEEDED FOR PUBLIC USE BY PRIVATE SALE PURSUANT TO N.J.S.A. 40A:12-13(b)(5)

WHEREAS, the Town of Dover is the owner of real property, hereinafter described not needed for public use; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) provides that any municipality may sell property not needed for public use at a private sale to contiguous owners of real property being sold, provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance, and is without capital improvement thereon, except that when there is more than one owner with real property contiguous thereto, said property shall be sold to the highest bidder from among all such owners for not less than the fair market value of said real property; and

WHEREAS, the property being offered for sale listed herein shall be posted on the bulletin board or other conspicuous place in the building where the governing body holds its regular meetings, and advertisement thereof made in a newspaper circulating in the municipality in which the real property is situated within five (5) days following enactment of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Town Council of the Town of Dover, County of Morris, State of New Jersey, being the governing body thereof:

1. In accordance with the provisions of N.J.S.A. 40A:12-13(b)(5) the lands listed below in **Schedule A** is deemed to be not needed for public use, without capital improvement thereon, and is hereby offered for private sale to the highest bidder at no less than the fair market value set forth in **Schedule A**.

2. All adjoining property owners to said premises shall be given notice of such private sale by mailing to them a "Notice to Bidders" and/or "Conditions of Sale" by certified and regular mail, return receipt requested.

3. Bids for the property so listed in **Schedule A** shall be made to the Town Administrator for a period of twenty (20) days following the advertisement herein required. Such bid shall not be for less than the minimum price set forth in the attached **Schedule A**. The conditions of sale are attached hereto.

4. Whether or not a bid is received by the Town Administrator equal to or greater than the minimum prices set forth in **Schedule A** by any bidder or prospective purchaser, the Governing Body of the Town may reconsider this ordinance not later than thirty (30) days after its enactment and advertise the real property set forth in **Schedule A** for public sale pursuant to N.J.S.A. 40A:12-13(a).

BE IT FURTHER ORDAINED, this Ordinance shall take effect in accordance with the laws of the State of New Jersey after final passage.

ATTEST:

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor

INTRODUCED: _____

ADOPTED: _____

CONDITIONS OF SALE

Notice is hereby given that the Town of Dover will sell to the highest bidder from amongst all adjoining property owners all its right, title and interest in the land and premises in the Town of Dover, described by lot and block number and street address in **Schedule A** attached hereto and incorporated herein.

Said lands will be sold at no less than fair market value to the highest bidder from among those property owners whose premises immediately adjoin said land in accordance with the provisions of N.J.S.A. 40A:12-13 et seq. and shall be subject to the following conditions to which the all bidders consent:

1. Offers for the property listed may be made to the Town Administrator for a period of twenty (20) days following the advertisement herein required at not less than said minimum prices by the prospective purchaser or other authorized representative. The Town shall not be required to pay any real estate commission on any sale.

2. Sales shall be subject to all existing leases, tenancies, easements and restrictions of record and such conditions as an actual survey may reveal. The completion of the sale shall not affect the right of law to occupancy or use of any such real property by any municipal or private utility to occupy or use such real property lawfully occupied or used by it.

3. The minimum bid price for each parcel shall be not less than the fair market value set forth in **Schedule A**, attached.

4. The premises will be conveyed by deed of bargain and sale or quit claim deed at the option of the Town.

5. The successful bidder shall pay, in addition to the bid price, the cost of advertising, all recording fees, all land acquisition costs incurred by the Town as to each parcel, and costs of appraisal incurred by the Town as to the parcel.

6. Successful bidders shall also pay for the cost of preparing the affidavit of title, deed and attendance at the closing by the Town's attorney and title company of the Town's selection.

7. A bank or certified check in the amount of 10% of the bid amount shall be submitted with the bid by any prospective purchaser or other authorized representative.

8. The successful bidder shall close title within forty five (45) days of written notice of the Town's acceptance of the successful bidder's bid.

9. In the event the successful bidder shall fail to perfect the bid by making the necessary deposit or otherwise fail to comply with the conditions of sale, the Town, in its sole discretion, may hold the deposit monies as liquidated damages, and not as a penalty. The Town may, in its sole discretion, reasonably adjourn the closing date for good cause.

10. In the event that title to any tract is found defective, the Town of Dover is limited as to its responsibility only to the extent to returning the down payment paid by the successful bidder. Said return of down payment shall not include the usual sum of \$50.00 paid for legal and advertising costs or any costs or survey or search incurred by the successful bidder.

11. The successful bidder is obligated to conform to all applicable zoning ordinances codes, and regulations pertaining to the use of the premises.

12. The Town of Dover makes no representations as to any conditions of the land as set forth in **Schedule A**, including but not limited to, environmental conditions, and leaves the successful

bidder/grantee to conduct its own due diligence. The successful bidder/grantee shall hold harmless, indemnify and defend the Town from any suit or claim whatsoever in connection with the land, including but not limited to, any statutory or common law predecessor liability claims. This provision shall survive the closing of title and shall not be waived by the Town.

13. Whether or not a bid is received by the Town Administrator equal to or greater than the minimum prices set forth in **Schedule A** by any bidder or prospective purchaser, the Governing Body of the Town may reconsider this ordinance not later than thirty (30) days after its enactment and advertise the real property set forth in **Schedule A** for public sale pursuant to N.J.S.A. 40A:12-13(a).

Schedule A

Property

Minimum FMV Price/Bid

Block 506, Lot 10
14 Ann Street, Dover, NJ

\$145,487.00 [Need FMV appr]

Block 1701, Lot 16
W. Crystal Street, Dover, NJ

\$138,481.00 [Need FMV appr]

Block 1706, Lot 22
W. Munson Avenue, Dover, NJ

\$121,537.00 [Need FMV appr]

Block 1706, Lot 24
W. Munson Avenue, Dover, NJ

\$125,773.00 [Need FMV appr]



TOWN OF DOVER

MAYOR & TOWN COUNCIL

ORDINANCE NO. 07-2026

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY CREATING A NO PARKING ZONE BETWEEN THE HOURS OF 2:00 A.M. – 6:00 A.M. ON WEST DICKERSON STREET

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

WHEREAS, the Mayor and Town Council recognize that there is a need to make reasonable changes to the Code of the Town of Dover to accommodate the needs of the residents and property owners, and to provide maintenance, snow removal and street cleaning services on West Dickerson Street; and

WHEREAS, the Mayor and Town Council have determined that it is in the best interest of the Town to create “No Parking Zone” on West Dickerson Street between the hours of 2:00 A.M. – 6:00 A.M.; and

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

SECTION 1. Definition – No Parking Zone

A “No Parking Zone” for the purpose of this Ordinance shall be an area along the sideline(s) of a public street that prohibits parking between the hours of 2:00 A.M. – 6:00 A.M (notwithstanding emergency vehicles in emergent situations).

SECTION 2. Description/Location

Said “No Parking Zone” shall be located on the southerly side of West Dickerson Street beginning at the southeasterly curblineline intersection of South Warren Street and West Dickerson Street, thence, continuing in an easterly direction for a distance of 470 feet to the intersection South Morros Street.

SECTION 3. Violation and Penalties

Every person convicted of a violation of this provision of this Ordinance, or any supplement thereto shall be liable to a penalty of not more than fifty (\$50.00) dollars or imprisonment for a term not exceeding fifteen (15) days or both.

SECTION 4. This Ordinance shall take effect in accordance with the law. This ordinance shall supersede any previous and relevant ordinance(s) that may have been adopted prior to this Ordinance being adopted.

ATTEST:

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor

INTRODUCED: _____

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

ORDINANCE NO. 08-2026

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING ARTICLE IV, CHAPTER 236 OF THE CODE OF THE TOWN OF DOVER

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., specifically N.J.S.A. 40:55D-62 and N.J.S.A. 40:55D-65 empowers municipalities to adopt and amend zoning ordinances relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the Mayor and Town Council declare it to be in best interest of the Town of Dover and its residents to amend certain sections of Chapter 236 of the Code of the Town of Dover to allow larger accessory structures beyond what the Code currently allows for and to otherwise update the Chapter in accordance with relevant statutes and regulations; and

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

Section 1. CHAPTER 236 LAND USE AND DEVELOPMENT

Article IV Zoning

§ 236-13 R-1 and R-2 Single-Family Districts.

A. Principal uses. Principal uses shall be as follows:

- (1) Single-family dwellings.
- (2) Parish houses and rectories.
- (3) One rooming unit in a single-family dwelling, rented or leased in that single-family dwelling by a senior citizen, as defined in N.J.S.A. 40:55D-68.5, who is the owner of the single-family dwelling which is his primary residence, together with the general use associated with that dwelling.
- (4) Community residences for the developmentally disabled, community shelters for victims of domestic violence and community residences for persons with head injuries for six or fewer persons, excluding resident staff.

B. Accessory uses.

- (1) Accessory uses shall be as follows:
 - (a) Home occupations.
 - (b) Private garages.
 - (c) Private residential swimming pools.

- (d) Other accessory uses customarily associated with the principal or conditional use, provided that such accessory uses are subordinate to the principal or approved conditional use, do not change the character of the principal or approved conditional use and serve only the principal or conditional use that lawfully exists on the property.
- (2) Accessory buildings and structures shall meet the following conditions and be limited to the following stated uses:
 - (a) No room or rooms in any accessory building or structure shall be a habitable room or used for human habitation.
 - (b) Storage of motor vehicles.
 - (c) Storage of household effects.
 - (d) Storage of tools and equipment.
 - (e) Noncommercial workshops for personal use by residents of the principal building.
- C. Conditional uses, as stipulated in § 236-40. Conditional uses, as stipulated in § 236-40, shall be as follows:
 - (1) Public utility building, structures or facilities.
 - (2) Satellite antennas.
 - (3) Hospitals.
 - (4) Churches.
 - (5) Rest homes and convalescent homes.
 - (6) Public parks and playgrounds.
 - (7) Libraries and museums.
 - (8) Professional occupations.
 - (9) Cemeteries.
 - (10) Schools.
 - (11) Community buildings or centers.
 - (12) Community residences for the developmentally disabled, community shelters for victims of domestic violence and community residences for persons with head injuries for more than six persons, excluding resident staff.

D. Bulk requirements

- (1) Every lot in an R-1 District shall have a minimum width of 75 feet at the street line and a minimum area of 7,500 square feet. Every principal building shall be provided with two side yards totaling 25 feet in width. The minimum width of any side yard shall not be less than 10 feet, including the side yards of corner lots.
- (2) Every lot in the R-2 District shall have a minimum width of 50 feet at the street line and a minimum area of 5,000 square feet. Every new principal building constructed after the effective date of this subsection shall be provided with two side yards totaling 17 feet in width, and the minimum width of one of the side yards shall not be less than 10 feet,

including the side yards of corner lots, but in no case shall any side yard be less than seven feet. Every existing principal building constructed prior to the effective date of this subsection shall maintain two side yards totaling 15 feet in width, and the minimum width of one of the side yards shall be maintained at not less than seven feet, including the side yards of corner lots, but in no case shall any side yard be less than seven feet.

- (3) No principal building shall be closer than 30 feet to the rear lot line or closer than 20 feet to the street line. In blocks where more than 50% of the properties abutting a common street line are developed, the front yard of the principal building may be the average of all the existing setbacks but in no case be less than 10 feet.
- (4) Lot coverage shall not exceed 65% or 4,300 square feet, whichever is smaller on any residential lot. For larger lots that exceed the minimum lot size, they shall be granted an additional 20% of impervious coverage for the area of the lot that exceeds the minimum required lot size in the zone, which will be added to the 4,300 square feet allowed in the zone. Drainage improvements such as seepage pits or other similar devices may be required to accommodate all additional impervious coverage over and above the 4,300 square foot requirement to minimize any additional runoff.

E. Height limits. No building or structure in the R-1 and R-2 Districts shall have a height of building in excess of 30 feet. There shall be no more than 2 1/2 stories above grade (see the definition of "story above grade"). Any story above the second story above grade that constitutes more than a half story, as defined herein, or any story below the first story that is not a basement, as previously defined, shall be deemed a violation of this limitation.

F. Minimum floor area.

- (1) Every new residential building in an R-1 District shall have a minimum gross first floor area of 1,000 square feet per dwelling unit.
- (2) Every new residential building in an R-2 District shall have a minimum gross first floor area of 800 square feet per dwelling unit.

~~G. Floor area ratio (FAR). FAR shall not exceed 0.55 for residential principal structures. FAR shall include all floor spaces, including basements, attached garages and half story spaces within all principal structures, but excluding attached open decks, open porches and detached accessory structures.~~

G. Off-street parking.

- (1) All uses shall be required to provide on-site, off-street parking in accordance with § 236-43.

§ 236-14 R-3 Double-Family District.

A. Principal uses. Principal uses shall be as follows:

- (1) Any use permitted in the R-1 and R-2 Districts.

- (2) Two-family dwellings and duplex dwellings.
- (3) Funeral homes.
- B. Accessory uses: same as R-1 and R-2 Districts.
- C. Conditional uses, as stipulated in § 236-40: same as R-1 and R-2 Districts.
- D. Bulk requirements.
 - (1) Every single-family dwelling in an R-3 District shall conform to the regulations for a single-family dwelling in the R-2 District.
 - (2) Every two-family or duplex dwelling in an R-3 District shall have a minimum lot width of 75 feet at the street line and a minimum area of 7,500 square feet. Every principal building shall be provided with two side yards totaling 25 feet in width. The minimum width of any side yard shall not be less than 10 feet, including the side yards of corner lots.
 - (3) No principal building shall be closer than 30 feet to the rear lot line or closer than 20 feet to the street line. In blocks where more than 50% of the properties abutting a common street line are developed, the front yard of the principal building may be the average of all the existing setbacks but in no case less than 10 feet.
 - (4) Lot coverage shall not exceed 65% or 4,300 square feet, whichever is smaller. For larger lots that exceed the minimum lot size, they shall be granted an additional 20% of impervious coverage for the area of the lot that exceeds the minimum required lot size in the zone, which will be added to the 4,300 square feet allowed in the zone. Drainage improvements such as seepage pits or other similar devices may be required to accommodate all additional impervious coverage over and above the 4,300 square foot requirement to minimize any additional runoff.
 - (5) Building coverage shall not exceed 25%.
- E. Height Limits. No building or structure in the R-3 District shall exceed 35 feet in height or 2 1/2 stories above grade.
- F. Minimum floor area.
 - (1) Every new single-family dwelling in an R-3 District shall conform to the regulations of the R-2 District.
 - (2) Every new two-family or duplex dwelling shall have a minimum gross floor area of 800 square feet per dwelling unit.
- G. Off-street parking. All uses shall be required to provide on-site, off-street parking in accordance with § 236-43.

§ 236-22. Accessory buildings in residential districts.

- A. Location of accessory buildings and structures. All freestanding accessory buildings or structures shall not be located in the front or side yard area of the principal building. Freestanding flagpoles may be located in the front or rear yard area.
- B. Height and area of accessory buildings and structures. Accessory buildings and structures shall not exceed one story or 18 feet in height and may not occupy more than 30% of a required rear

yard or a maximum of 600 square feet, whichever is smaller. Freestanding flagpoles shall not exceed 20 feet in height. For larger lots that exceed 5,000 square feet, they shall be granted an additional 60 square feet of accessory building square footage for every 1,000 square feet of lot size over the minimum lot size in the zone, up to an additional 1,200 square feet. The total square footage allowed shall not exceed 1,800 square feet for accessory buildings.

- C. Distance from adjacent building and property line. The minimum distance of any accessory building or structure from an adjacent building or property line shall be five feet.
- D. Accessory buildings as part of principal buildings. Accessory buildings may be erected as part of a principal building, provided that all yard requirements of this chapter are complied with for the principal building, including the attached accessory building.

§ 236-43. Off-street parking and loading.

- A. Number of parking spaces required. The number of off-street parking spaces shall be as follows:
 - (1) For nonresidential land uses, parking shall be as set forth in Table I below.
 - (2) For residential land uses, parking shall be as set forth in Table I below, unless the residential land use is part of a residential development falling under the jurisdiction of the residential site improvement standards, whereby the number of off-street parking spaces shall be in accordance with said standards.
- B. Size.
 - (1) Each off-street parking space shall measure nine feet in width and 18 feet in length.
 - (2) Parking spaces for the physically handicapped shall measure 12 feet in width.
- C. Access and aisles.
 - (1) There shall be adequate provision for ingress and egress to all parking spaces.
 - (2) Access drives or driveways shall be not less than 10 feet for ingress or egress and 20 feet wide for both ingress and egress. No driveway shall be closer than 25 feet to any street intersection as measured from the intersection of the curblines.
 - (3) Access to parking areas shall be designed so as not to obstruct free flow of traffic. There shall be adequate provision for ingress and egress from all parking spaces to endure ease of mobility, ample clearance and safety of vehicles and pedestrians.

Parking Angle (Degrees)	Aisle Width (feet)
30	12
45	13
60	18
90	24

- (4) Where sidewalks occur in parking areas, parked vehicles shall not overhang the sidewalk unless an additional two feet is provided in order to accommodate such overhang.

- D. Location. All permitted and required accessory off-street parking and loading spaces shall be located on the same lot as the use to which such spaces are accessory.
- E. Screening and landscaping. Off-street parking and loading areas for four or more vehicles shall be effectively screened by a fence or hedge on the side or sides adjoining or abutting a residential zone. Parking areas shall be suitably landscaped to minimize noise, glare and other nuisance characteristics, as well as to improve the environment of the site and surrounding area. Large parking lots shall be broken down into sections as appropriate for the type and size of the development. Sections shall be separated by landscaped dividing strips, berms and similar elements.
- F. Minimum distances and setbacks.
 - (1) No part of any off-street parking or loading facility in any nonresidential zoning district, except the C-1 District, shall be located within 10 feet of a front or rear lot line nor five feet from a side lot line or structure.
 - (2) ~~No part of any off-street parking or loading facility in a residential zoning district shall be within the area of the front yard that is not the projection of the side yards; however, nothing shall prohibit the utilization of the space in front of an existing garage as an off-street parking space. See Fig. P-1 and Fig. P-2 below.~~

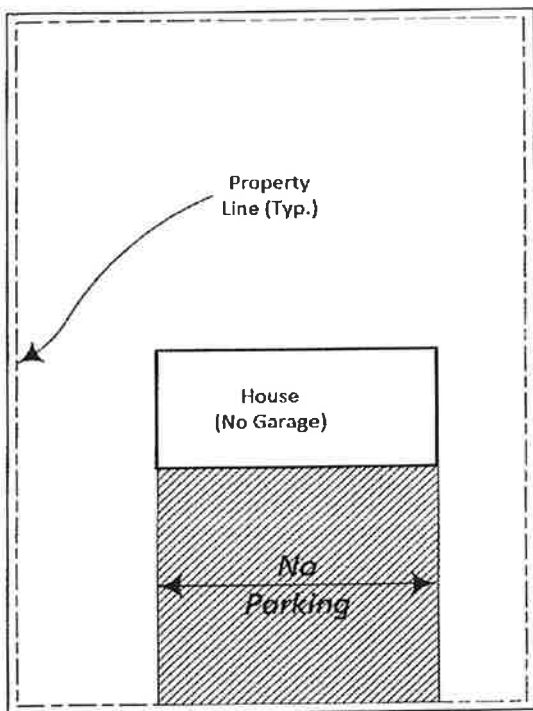


Fig. P-1

~~House with No Attached Garage~~

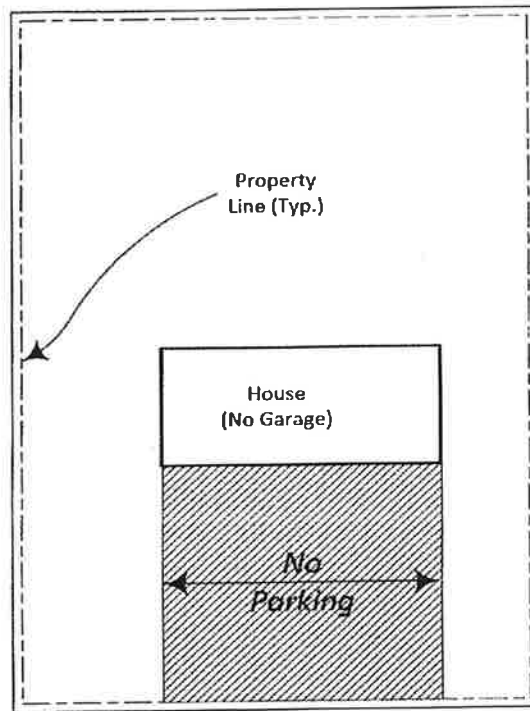


Fig. P-2

~~House with Attached Garage~~

- (2) Parking in front of a house in a residential district shall be permitted if the driveway leads to an existing attached garage or for those houses without a garage a maximum 12-

foot-wide driveway, as measured from the corner of the house shall be permitted. A driveway must be a minimum of 18 feet in length from the front property line to the house to accommodate one vehicle. See Fig. P-1 below. For driveways that are located along side of the house, parking will be permitted from the front property line to the end of the driveway.

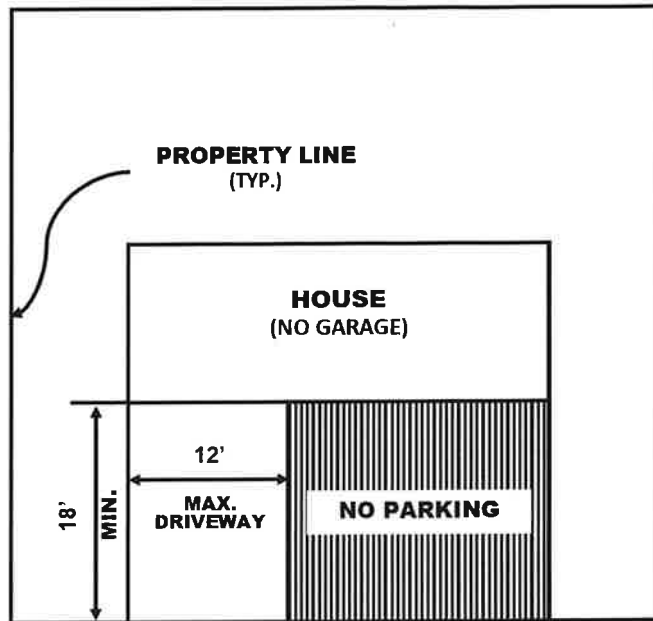


FIG. P-1
HOUSE WITH NO ATTACHED GARAGE

- (3) In residential zoning districts, parking areas in any side yard shall require a minimum of 10 feet of clear width from the side property line to any structure or other inhibiting site feature.
- (4) In residential zoning districts, access drives to a rear yard parking area shall require a minimum of eight feet of clear width from the side property line to any structure or other inhibiting site feature.
- (5) There shall be no more than one curb cut providing access for a driveway or parking area per residential property.
- (6) In residential zoning districts where there exists less than 10 feet of clear width from the side property line to any structure or other inhibiting site feature, front yard off-street parking shall be permitted within the area of the front yard that is not the projection of the side yards provided:
 - (a) There is no other means of providing a parking area that conforms to all other sections of § 236-43.
 - (b) The parking area is no wider than 11 feet.
 - (c) The maximum distance from the nearest side property line to the far side of the off-street parking area is 12 feet.
 - (d) The off-street parking area meets criteria depicted in Figure P-3.

(e) A driveway and off street parking area construction permit in accordance with § 236-45.1 is issued confirming compliance with this subsection.

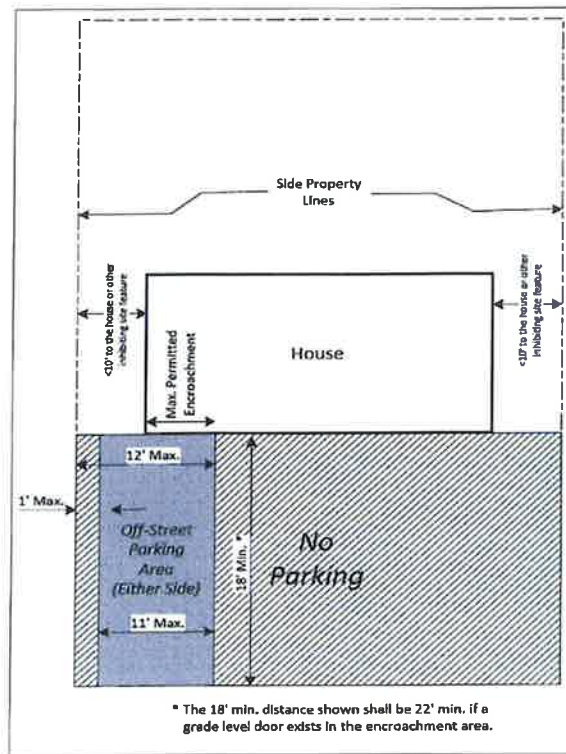


Fig. P-3
§ 236-43F(6) Special Exception

- G. Surfacing. All off-street parking areas, loading areas and driveways shall be surfaced with a bituminous or portland cement pavement or similar durable and dust-free surface. Gravel may only be used where the grade does not exceed four percent and where use of an impervious material would exceed the lot coverage requirement. All areas of four or more spaces shall be marked so as to provide for the orderly and safe loading, parking and storage of vehicles.
- H. Lighting. All lighting used to illuminate any off-street parking or loading area shall be so arranged as to reflect the light away from adjoining residential premises. Illumination levels shall be in accordance with the Illuminating Engineering Society of North America (IES) Lighting Handbook.
- I. Drainage. Any off-street parking and loading area shall be graded and drained so as to dispose of all surface water without detriment to surrounding uses.
- J. Parking for churches, synagogues and other houses of worship. The number of required off-street parking spaces may be eliminated or reduced if there exists within 500 feet of the church, synagogue or other house of worship public or private parking lots containing a sufficient number of off-street parking spaces to satisfy the requirements of Table I.^[2] The

church, synagogue or other house of worship must provide the difference if the number of parking spaces in the private or public lots is below the number required by Table I. Any spaces provided in public or private lots shall be shown to be available for worshipers on the day or days of greatest use.

K. Off-street loading.

(1) Every building erected for commercial or industrial purposes or any other use involved in the receipt or distribution of merchandise, materials or supplies shall provide and permanently maintain off-street loading and unloading space in accordance with requirements of Table II. These requirements do not apply to such activities as personal service establishments, professional offices, business offices and similar uses, provided that these activities and uses can demonstrate to the satisfaction of the Planning Board that they do not normally send or receive any materials or supplies by means of large trucks or by tractor-trailer.

(2) Each loading space shall not be less than 15 feet in width or 45 feet in length and shall have a minimum clearance of 14 feet and may occupy all or any part of any required yard, except the front yard. No off-street loading spaces shall be permitted where the truck or trailer shall extend upon the street right-of-way.

L. Joint facilities for parking or loading. Off-street parking and loading facilities for separate uses may be provided jointly if the total number of spaces so provided is not less than the sum of the separate requirements for each use, and provided that all regulations governing the location of accessory spaces in relation to the use served are adhered to. Further, no accessory space or portion thereof shall serve as required space for more than one use unless otherwise approved by the Planning Board in accordance with the purpose and procedures set forth herein.

M. Parking areas and garages.

(1) Location of exits and entrances. Commercial parking areas or garages for 25 or more motor vehicles shall not have an entrance or exit within 100 feet along the same side of a street on which is located a school, public playground, church, hospital, public library or institution except where such property is in another block or on another street on which the zone lot does not abut. Such access shall not be closer to the intersection of any two streets than 50 feet as measured along the intersection curblines.

(2) Overnight parking. No commercial vehicle shall be parked out of doors overnight in any residential zone except as hereinafter set forth.

N. Not more than one vehicle of not more than three-fourths-ton manufacturer's rated capacity may be garaged on any lot in a residential zone. The parking or storage of any vehicle with a gross weight in excess of four tons shall be prohibited in any residential district. If garage space is not available, the commercial vehicle shall be parked in a driveway or parking area, not closer than 20 feet to the front property line.

O. No tractor-trailer of more than 18 feet shall be parked between a house and sidewalk, except where the driveway passes in front of the house.

Table I	
Off-Street Parking and Loading Requirements Nonresidential Land Use	
Use	Required Off-Street Parking Spaces Per Indicated Area
Quick-food establishments	1 per 30 square feet of gross floor area
Retail stores	1 per 200 square feet of gross floor area
Schools:	
Elementary	1.5 per classroom, but not fewer than 1 per teacher and staff
Intermediate	2.5 per classroom, but not fewer than 1 per teacher and staff
Secondary	2.5 per classroom, but not fewer than 1 per teacher and staff
Service stations	4 per bay and work area
Shipping	1 per 5,000 square feet of gross floor area
Shopping centers:	
Under 400,000 square feet of gross leasable area	4 per 1,000 square feet of gross leasable area
400,000 to 599,999 square feet of gross leasable area	4.5 per 1,000 square feet of gross leasable area
600,000 and more square feet of gross leasable area	5 per 1,000 square feet of gross leasable area
Storage areas	1 per 5,000 square feet of gross leasable area
Theaters	1 per 3 seats
Theaters in shopping centers	1 per 4 seats
Warehouses	1 per 5,000 square feet of gross floor area
Nonresidential Land Use	Required Off-Street Parking Spaces Per Indicated Area
Community buildings, country clubs, social halls, lodges, fraternal organizations and similar uses	1 per 200 square feet of gross floor area
Doctors and dentists	4 per doctor, plus 1 for each employee
Funeral homes and mortuaries	10 per 50 square feet of chapel area
Hospitals, nursing and convalescing homes	1 for each bed, plus 1 for each employee for the shift with the greatest number of employees

Residential Land Use

[Added 11-10-2003 by Ord. No. 39-2003]

Housing Unit Type/Size	Required Off-Street Parking per Dwelling Unit
Single or Two-Family Detached	
Up to 3 bedroom	2
4 bedroom	3
5 or more bedroom	4
Townhouse, Multidwelling	
Up to 3 bedroom	2
4 or more bedroom	3

Table II
Minimum Required Off-Street Loading Berths

Total Floor Area (square feet)	Number of Berths
From 0 to 25,000	1
From 25,000 to 40,000	2
From 40,000 to 60,000	3
From 60,000 to 100,000	4
For each additional 50,000 or fraction thereof	1 additional

P. Downtown special residential district parking.

In an effort to promote redevelopment/rehabilitation of certain properties in the downtown, off-street parking requirements for 20 or fewer residential dwelling units of no more than two bedrooms may be satisfied through the purchase of overnight (6:00 p.m. to 8:00 a.m.) parking permits in the Town of Dover public parking lots in accordance with this section.

- (1) Alternative parking standards. In accordance with § 5:21-4.14(c) (Residential Site Improvement Standards - RSIS), alternative parking standards to those shown in the statute shall be accepted if the applicant demonstrates these standards better reflect local conditions. Factors affecting minimum number of parking spaces include household characteristics, availability of mass transit, urban versus suburban location, and available off-site parking resources. The Town of Dover has determined that for permitted residential uses in the "Downtown Special Residential Parking District (DSRPD)," off-street residential parking may be satisfied through the purchase of overnight (6:00 p.m. to 8:00 a.m.) parking permits in the Town of Dover public parking lots, subject to availability. These downtown special residential parking district overnight (6:00 p.m. to 8:00 a.m.) parking permits shall be known as "DSRPD permits."
- (2) Downtown Special Residential Parking District - DSRPD Map. For purpose of delineating the area of the downtown that could be eligible for the purchase of DSRPD permits in the Town of Dover public parking lots, the map entitled "Downtown Special Residential Parking District - DSRPD" shall be used. Only properties that fall within the DSRPD shall be eligible for consideration for DSRPD permits. The map may be updated from time to time to add or remove parking lots and/or parking decks at the discretion of the Town of Dover.
- (3) Requirements for securing and maintaining off-street parking.
 - (a) Prior to the of filing an application to the Planning Board for approval of the proposed residential use(s) for which an applicant proposes DSRPD permits to satisfy their off-street parking requirements, the applicant shall submit to the Town of Dover an escrow fee for deposit in an escrow account with the Town of Dover, an amount equal to one years parking permit costs for all the required residential parking sought to satisfy the

off-street parking requirements for anticipated permits in the Town of Dover public parking lots.

- (b) The applicant shall provide the Planning Board a copy of a "letter of availability" issued by the Town of Dover evidencing the deposit of the required escrow for the required number of DSRPD permits. Failure to provide said "letter of availability" shall deem the application incomplete.
 - (c) If the site plan application is approved by the Planning Board, said escrow deposit shall be transferred to the Town of Dover for the immediate purchase of said DSRPD permits effective the following day after the date of adoption of the resolution of approval for the initial one year of overnight parking. Should the application be denied, the escrow deposit shall be immediately returned to the applicant upon receipt of a written request.
 - (d) Said overnight parking permits, once issued shall be renewed on an annual basis upon full payment of the required DSRPD permit fee (which may change from time to time) to the Town of Dover. Failure to maintain the required number of DSRPD permits for the life of the approved residential use, shall constitute a violation of the approval and the residential use(s) shall be immediately terminated. Nothing shall prevent an applicant from returning to the Planning Board to provide evidence that the required off-street parking has been satisfied in a way other than, through the purchase of DSRPD permits from the Town of Dover, and said alternative parking must be approved by the Planning Board.
- (4) Requirements for approval.
- (a) The particular Town of Dover public parking lot/deck proposed to satisfy the off-street parking criteria shall be within 500 feet of the property in question as depicted on the Downtown Special Residential Parking District - DSRPD Map, and spaces shall be verified as available per the procedures outlined below.
 - (b) Approval for DSRPD permits shall only be for residential or mixed use developments that are approved through the site plan approval process.
 - (c) The applicant shall provide evidence to the Planning Board that there is no other means of providing the required off-street parking either on-site or within 500 feet of the property.
 - (d) Off-street parking requirements proposed to be satisfied with DSRPD Permits shall only be for 20 or fewer residential dwelling units of no more than two bedrooms, per property. For properties which already contain residential dwelling units, the grand total of existing and proposed units shall not exceed 20.
 - (e) The number of off-street parking spaces required for properties within the Downtown Special Residential Parking District - DSRPD shall be the number required by NJAC 5:21 - Residential Site Improvement Standards (RSIS), the number required by the particular Zoning District, or the number accepted by the Planning Board through evidence presented by the applicant, whichever is less. In accordance with RSIS (NJAC 5:21-4.12(c)), factors affecting the minimum number of parking spaces include

household characteristics, availability of mass transit, urban versus suburban location, and available off-site parking resources. The Planning Board shall be guided by said factors and the evidence presented by the applicant, but in no case shall the number of required off-street parking spaces be less than one space per dwelling unit.

- (f) If the Planning Board requires more off-street parking than an applicant's "letter of availability" indicates, approval shall be withheld until additional escrow monies are deposited and an appropriate "letter of availability" is secured. Any unused portion of the escrow deposit shall be immediately returned to the applicant upon written request.

Section 2. Severability

If any section, subsection, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

Section 3. Repealer

All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

Section 4. Effective Date

This Ordinance shall take effect twenty (20) days after final passage, approval, and publication as provided by law.

ATTEST:

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor

INTRODUCED: _____

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

ORDINANCE NO. 09-2026

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 246, MASSAGE, BODYWORK AND SOMATIC THERAPY ESTABLISHMENTS

WHEREAS, the State of New Jersey regulates the business activity and conduct of massage establishments, parlors, and therapists throughout the State under the Massage, Bodywork and Somatic Therapist Licensing Act, N.J.S.A. § 45:11-53 et seq. and N.J.A.C. 13:37A-1.1 et seq.; and

WHEREAS, the Town of Dover (hereinafter the “Town”) regulates the business activity and conduct of Massage, Bodywork and Somatic Therapy Establishments under Chapter 246 of the Code of the Town of Dover; and

WHEREAS, the Town now seeks to amend and further supplement Chapter 246 in accordance with the laws and regulations of this State; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Town Council, Town of Dover, County of Morris, State of New Jersey that Chapter 246 entitled, “Massage, Bodywork and Somatic Therapy Establishments” is hereby renamed “Massage, Bodywork and Somatic Therapy Establishments and Therapists” and is amended and supplemented as follows:

Section 1. CODE OF THE TOWN OF DOVER

CHAPTER 246 – MASSAGE, BODYWORK AND SOMATIC THERAPY ESTABLISHMENTS AND THERAPISTS

§ 246-1 Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

MASSAGE AND BODYWORK THERAPIES OR MASSAGE AND BODYWORK

A system of activity of structured touch as defined in N.J.S.A. § 45:11-55.

MASSAGE, BODYWORK AND SOMATIC THERAPIST

A person licensed pursuant to the provisions of the Massage, Bodywork and Somatic Therapist Licensing Act, N.J.S.A. § 45:11-53 et seq.

MASSAGE, BODYWORK AND SOMATIC THERAPY ESTABLISHMENT

Any establishment wherein massage, bodywork and/or somatic therapies are or may be administered, where such therapies are administered for any form of consideration. References to a "Massage Establishment", "massage business" or an "Establishment" under this Chapter shall mean the same.

§ 246-2 Permit required.

- A. Each Massage, Bodywork and Somatic Therapy Establishment shall require a permit. No person, firm or corporation shall operate any establishment or utilize any premises in the Town of Dover as or for a Massage, Bodywork and Somatic Therapy Establishment unless or until there has first been obtained a permit for such Establishment or premises issued by the Town of Dover Health Department (hereinafter referred to as "Health Department") in accordance with § 138-1 upon compliance with the terms and provisions of this section.
- B. Each Massage, Bodywork and Somatic Therapist shall require a permit to work. No person shall, in the Town of Dover, shall practice massage or related therapies as a Massage, Bodywork or Somatic Therapist, employee or otherwise unless he or she has a valid and subsisting Massage, Bodywork and Somatic Therapist's license issued to him or her by the New Jersey Board of Massage and Bodywork Therapy pursuant to the terms and provisions of the Massage, Bodywork and Somatic Therapist Licensing Act, N.J.S.A. 45:11-53 et seq. and a permit from the Health Department. A license shall not allow an unlicensed person to engage in activity for which licensure is required. Employment of a minor or person under the age of eighteen (18) years old is prohibited.
- C. A Massage, Bodywork and Somatic Therapy Establishment shall only employ licensed Massage Therapist to perform massage therapy or other massage services.

§ 246-3 Application for permits; requirements.

The Health Department shall issue a permit any person or entity desiring a Massage, Bodywork and Somatic Therapy Establishment or Therapist permit (hereinafter an "Applicant"), upon the Health Department's satisfaction that the Applicant has met all the requirements of N.J.S.A. 45:11-53 et seq. and N.J.A.C. 13:37A-1.1 et seq. and the requirements specified herein this Article.

The Applicant shall file a written application with the Health Department, upon a form to be furnished by the Health Department. The application form shall contain the following information:

- A. The name and the type of ownership of the business (i.e., whether individual, partnership, corporation or otherwise), business address, and all business telephone numbers, including facsimile, under which the business is to be conducted.
- B. If the Applicant desires a permit for such an Establishment:
 - (1) A complete list of the names and residence addresses of all Massage, Bodywork and Somatic Therapists and employees of the business and the name and residence

address of the manager or other person principally in charge of the operation of the business.

- (2) A sworn statement indicating that all Massage, Bodywork and Somatic Therapists employed or to be employed by the Establishment or otherwise permitted to work at the Establishment have been licensed by the State of New Jersey pursuant to the Massage, Bodywork and Somatic Therapist Licensing Act., N.J.S.A. 45:11-53 et seq.
- (3) The following personal information concerning the Applicant, if an individual; concerning each stockholder holding more than 10% of the stock of the corporation, each officer and each director, if the applicant is a corporation; concerning the partners, including limited partners, if the applicant is a partnership; and concerning the manager or other person principally in charge of the operation of the business shall be provided:
 - i. The name, complete residence address and residence telephone number.
 - ii. The two previous addresses immediately prior to the present address of the applicant.
 - iii. Written proof of age.
 - iv. Height, weight, sex, color of hair and eyes.
 - v. Two front-face portrait photographs taken within 30 days of the date of the application and at least two inches by two inches in size.
 - vi. The massage therapy or similar business history and experience, including, but not limited to, whether or not such person has previously operated, in this or another municipality or state, under a license or permit or has had such license or permit denied, revoked or suspended and the reason therefor and the business activities or occupations subsequent to such action or denial, suspension or revocation.
 - vii. All criminal convictions other than misdemeanor traffic violations, fully disclosing the jurisdiction in which convicted and the offense for which convicted and circumstances thereof. The applicant shall execute a waiver and consent to allow fingerprint and criminal background check by the Town of Dover Police Department. Failure to execute such a waiver and consent shall result in a denial of a permit. An establishment permit shall be denied to any person who has been convicted of any crime or disorderly persons offense, other than traffic violations.

C. If the Applicant desires a Therapist permit:

- (1) The Applicant's name, current residential address, and cell phone number
- (2) All previous residential addresses within the last five (5) years prior to the present address
- (3) Written proof of age
- (4) Height, weight, sex, hair color, and eye color.

- (5) A statement of all employment history for a period of three (3) years prior to making and filing of the application.
- D. Upon initial application, each Applicant shall sign a written waiver and consent to allow a fingerprint and criminal background check by the Town of Dover, or its designee. For this, a fee shall be paid by the Applicant.
- E. Each application shall include a written declaration by the Applicant under penalty of perjury that the foregoing information contained in the application is true and correct.

§ 246-4 Massage, Bodywork and Somatic Therapy Establishment and Therapist permit fee.

- A. Every Applicant for a permit to maintain, operate or conduct a Massage, Bodywork and Somatic Therapy Establishment shall file an application with the Health Department upon a form to be furnished by said Department. Upon initial application, and every year thereafter, Establishment owners are required to tender payment for their Establishment permit with the Town no later than January 31st as set forth below:

Size of Establishment

(square feet)	Annual Permit Fee
1 to 1,499	\$500.00
1,500 to 2,999	\$750.00
3,000 to 4,999	\$1,000.00
5,000 to 9,999	\$1,250.00
Over 10,000	\$1,500.00

Failure to renew permits by the identified deadline may result in penalties against the Establishment, including fines or suspension of the Establishment's permit.

- B. Every Applicant for a Massage, Bodywork and Somatic Therapist permit shall pay an initial license fee of two hundred fifty dollars (\$250.00) to the Dover Health Department which permit fee shall become due on January 31st of each year. which permit fee shall become due on January 31st of each year. This is in addition to the establishment fee.
- C. Business Establishment permits are only valid for the individual or entity to whom it was issued and for the location specified in the original application. Any request for transfer or change in business ownership shall be provided in writing to the Health Department within

thirty (30) days before the transfer is to occur and must be approved by the Town of Dover. Upon notification, the department shall require the submission of a new application under the name of the new ownership. A new application, including payment of the applicable fee, must be submitted for any change of location or ownership interest. Failure to abide by the terms of this provision may result in the revocation of the Establishment's permit.

§ 246-5 Building requirements; inspections.

No Massage, Bodywork, and Somatic Therapy Establishment shall be issued a permit or be operated, established, or maintained in the Town of Dover unless a walk-through inspection by the Health Officer, Health Inspector, Building Inspector, or Fire Inspector reveals that the Establishment complies with the minimum requirements of the Town of Dover Property Maintenance Code, and all other building and health codes for businesses operating in the State of New Jersey and Town of Dover. In addition, the Establishment must comply with each of the following minimum requirements:

- A. All massage tables, bathtubs, shower stalls, steam or bath areas and floors shall be maintained in a sanitary condition and regularly cleaned and disinfected.
- B. Adequate bathing, dressing and locker facilities shall be provided for the patrons to be served at any given time. In the event that male and female patrons are to be served simultaneously, separate bathing, dressing, locker and massage room facilities shall be provided.
- C. The premises shall have adequate equipment for disinfecting and sterilizing non-disposable instruments and materials used in administering massages. Such non-disposable instruments and materials shall be disinfected after use on each patron.
- D. Closed cabinets are provided and used for the storage of clean linen, towels and other materials used in connection with administering massages. All soiled linens, towels and other materials are kept in properly covered containers or cabinets, which containers or cabinets are kept separate from the clean storage area.
- E. Adequate hand-washing facilities shall be provided at convenient locations as necessary to maintain clean hands and arms of all employees during hours of operation.
- F. Pest control services must be performed by NJDEP licensed pest control contractors. Pest control chemicals or sprays are prohibited.
- G. Effective the date of this Amendment, no new Massage, Bodywork, and Somatic Therapy Establishment shall be located within one thousand (1,000) square feet of a pre-existing Massage Establishment or business, or any residential zone, or property presently used for residential purposes, or any school or place of worship.

§ 246-6 Refusal of permit.

The Health Officer, or his designee, may refuse to issue permits within thirty (30) days following receipt of a completed application and the certifications set forth in this Chapter if the Health Department finds that:

- (1) The Applicant(s) is under the age of eighteen (18) years old.
- (2) The permit fee has not been tendered and, in the case of a check or bank draft, honored with payment upon presentation.
- (3) Fraud, misrepresentation or false statement in the application for the permit or any document required part of.
- (4) The operation as proposed by the Applicant, if permitted, would not comply with all applicable laws, including but not limited to the Town of Dover building, zoning, fire and health codes and regulations.
- (5) The Applicant has had a Massage Establishment or Therapist permit or other similar permit or license denied, revoked or suspended by the Town of Dover or any other state or local agency, which finding may be waived by the Mayor and Town Council in its discretion.
- (6) Conviction by the owner or any employee of an Establishment of a crime involving moral turpitude, a felony, an offense involving sexual misconduct, keeping or residing in a house of prostitution, and any crime involving dishonesty.
- (7) Refusal to permit any duly authorized Health Inspector, Police Officer, Code Enforcement Officer or fire inspector to inspect the premises or the operations therein.
- (8) Conducting the permitted business in an unlawful manner or in such a manner as to constitute a menace to the health, safety or general welfare of the public.
- (9) Any other violation of this Chapter.

§ 246-7 Operating Regulations.

Every Massage, Bodywork, and Somatic Therapy Establishment shall comply with the following:

- A. Every portion of the Massage, Bodywork and Somatic Therapy Establishment, including appliances and apparatus, shall be kept clean and operated in a sanitary condition.
- B. All advertising and solicitation for a Massage, Bodywork and Somatic Therapy Establishment shall be done in accordance with N.J.A.C. § 13:37A-5.1.
- C. Each Massage Establishment must identify clear operating hours for the business, including days and hours of operation. Hours of operation shall not exceed 10:00 pm.
- D. Operating hours, services offered and their corresponding price rates shall be prominently posted in the reception area in a location available to all prospective customers.

- E. Permittees shall display their state-issued licenses in view of clients whenever providing Massage and Bodywork services in their place of business or office.
- F. Prior to providing an initial service to a client, a permittee shall have the client read and sign a patient acknowledgement form, which includes a statement consistent with the provisions of N.J.A.C. § 13:37A-3.7.
- G. All employees, including Massage, Bodywork and Somatic Therapists, shall wear nontransparent outer garments. Dressing rooms must be available on the premises. Doors to such dressing rooms shall open inward and shall be self-closing.
- H. All Massage, Bodywork and Somatic Therapy Establishments shall be provided with clean laundered sheets and towels in sufficient quantity which shall be laundered after each use thereof and stored in a sanitary manner.
- I. The sexual or genital area of patrons must be covered by towels, cloths or undergarments when in the presence of an employee or Massage, Bodywork or Somatic Therapist.
- J. It shall be unlawful for any person knowingly, in a Massage, Bodywork and Somatic Therapy Establishment, to place his or her hand upon or touch with any part of his or her body, to fondle in any manner or to massage a sexual or genital area of any other person. No Massage, Bodywork and Somatic Therapist, employee or operator shall perform or offer to perform any act which would require the touching of the patron's sexual or genital area.
- K. All walls, ceilings, floors, pools, showers, bathtubs, steamrooms and all other physical facilities and surfaces shall be in good repair and maintained in a clean and sanitary condition. Wet and dry heat rooms, steam or vapor rooms or steam or vapor cabinets and shower compartments and toilet rooms shall be thoroughly cleaned each day the business is in operation. Bathtubs and showers shall be thoroughly cleaned after each use. When carpeting is used on the floors, it shall be kept dry, clean and sanitary.
- L. Oils, creams, lotions and other preparations used in administering Massage, Bodywork and Somatic Therapies shall be kept in clean closed containers or cabinets. Establishments must regularly review and improve their sanitary practices, including the handling, storage and use of oils, creams, and lotions to ensure compliance with health and safety standards.
- M. Animals, except for Seeing Eye dogs, shall not be permitted in the massage work area.
- N. Each Massage, Bodywork and Somatic Therapist shall wash his or her hands in hot running water, using a proper soap or disinfectant before administering a Massage, Bodywork or Somatic Therapy to a patron.
- O. Each Establishment and Therapist regulated hereunder shall prominently display its permit to operate issued by the Town of Dover.
- P. All Massage, Bodywork and Somatic Therapists employed in an Establishment shall wear a badge displaying their name, title and state license number at all times during work.
- Q. Signage specifying age restrictions, in addition to customer reporting and recordkeeping requirements must be posted in English, conspicuously displayed and clearly readable from the customer entrance of the establishment at all times.

- R. Eating in a massage business shall not be permitted except in a designated cafeteria/kitchen.
- S. No person shall permit any person under the age of eighteen (18) years to receive a massage without advance written permission from his or her parent, caregiver or guardian or unless a parent, caregiver or guardian is present in the room during the time of the massage.
- T. The individual or entity who owns the Massage Establishment shall be responsible for all actions which occur on the premises of a Massage Establishment, whether by Massage Therapists, employees, subcontractors or other agents, where the permittee has actual or constructive knowledge of such actions.

Nothing contained herein shall be construed to eliminate other requirements of statute or chapters concerning the maintenance of premises or to preclude authorized inspection thereof.

§ 246-8 Sleeping quarters prohibited.

No part of any quarters of any Massage, Bodywork and Somatic Therapy Establishment shall be used for or connected with any bedroom or sleeping quarters, nor shall any person sleep in such Massage, Bodywork and Somatic Therapy Establishment except for limited periods incidental to and directly related to a Massage, Bodywork or Somatic Therapy treatment or bath. This provision shall not preclude the location of Massage, Bodywork and Somatic Therapy Establishment in separate quarters of a building housing a hotel or other separate businesses or clubs.

§ 246-9 Prohibited acts.

- A. A permittee and/or employee shall not perform:
 - (1) Colonic irrigations;
 - (2) Prostate massages;
 - (3) Vaginal or penile massages;
 - (4) Rectal massages;
 - (5) Animal therapies prohibited by the Veterinary Medical Act, N.J.S.A. 45:16-1 et seq.;
 - (6) Any application of electrical current to the body (Transcutaneous Electronic Nerve Stimulation, TENS machine);
 - (7) Ultrasound therapy; and
 - (8) Diagnosis of illness, disease, impairment or disability.
- B. Any conviction of any employee of a Massage, Bodywork and Somatic Therapy Establishment of a violation of the aforementioned statutes and codes shall devolve upon the owner or manager of such Establishment, it being specifically declared that following such conviction of an employee, the owner or manager of the Establishment shall be prosecuted as an accessory to such violation, and the permits which have been issued shall be automatically revoked.

§ 246-10 Exceptions.

The provisions of this Chapter shall not apply to Massage, Bodywork or Somatic Therapies given:

- A. In the office of licensed physician, chiropractor or physical therapist; or
- B. By a regularly established medical center, hospital or sanatorium having a staff which includes licensed physicians, chiropractors and/or physical therapists; or
- C. By any licensed physician, chiropractor or physical therapist in the residence of his or her patient; or
- D. By a licensed barber or cosmetologist/hairstylist limited to the areas of the face, neck, scalp or upper part of the body as set forth in the Cosmetology and Hairstyling Act of 1984, N.J.S.A. 45:5B-1 et seq.

§ 246-11 Recordkeeping.

- A. Consistent with the provisions of N.J.A.C. § 13:37A-5.2, records must be kept for each and every client who receives services from each Massage, Bodywork and Somatic Therapy Establishment. These records shall include at a minimum:
 - (1) An intake form filled out by each customer which shall include the client's name, address, phone number, and date of birth;
 - (2) Date of service;
 - (3) Reason(s) for visits, including a physician's prescription, if applicable;
 - (4) The specific service the customer or patron received;
 - (5) The modalities used and areas of focus on the body;
 - (6) The name of the permittee who provided services if there is more than one permittee practices at the business; and
 - (7) Any referral to another healthcare professional;

These records must be stored on the premises and available for review by the Health Department during normal business hours for a period of not less than seven (7) years from the date the service was performed.

- B. Each Massage, Bodywork and Somatic Therapy Establishment must maintain a register of all persons employed as Massage Therapists and their license numbers, and all other employees and agents. Such register shall include the name, address, date of birth and social security number of all Massage, Bodywork and Somatic Therapists, employees and agents and shall be available for inspection at all times during regular business hours.

§ 246-12 Inspections.

The Health Department, Police Department and/or the Building Department shall, from time to time, announced or unannounced, make an inspection of each Massage, Bodywork and Somatic

Therapy Establishment granted a permit under the provisions of this Chapter for the purpose of determining whether the provisions of this chapter are being complied with. Such inspections shall be made at reasonable times and in a reasonable manner. It shall be unlawful for any permittee to fail to allow such inspection officer access to the premises or to hinder such an officer in any manner.

§ 246-13 Revocation or Suspension of Permit.

- A. Permits issued under this section may be revoked or suspended by the Health Officer, or designee, after written notice and a hearing, for good cause, or in any case where permit holder violates any of the provisions of this Chapter and/or violates any of the state or local laws or ordinances. Any Establishment permits may be revoked or suspended if any permit holder, or its employee or representative, refuses to permit any duly authorized Health inspector, police officer, building department inspector or fire inspector to inspect the premises or the operations therein. Any Massage Establishment permit may also be revoked or suspended by the Health Department if such business is being managed, conducted or maintained without regard for the public health or health of patrons or without due regard for proper sanitation and hygiene.
- B. Notice of the hearing for the revocation of a permit shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be given personally or mailed to the permittee at his/her last known address at least five (5) days prior to the date set for the hearing.
- C. Such permit may, pending revocation proceedings, be suspended for not more than ten (10) days by the Health Officer, or designee, if, in his/her opinion, the conduct of the permittee is detrimental to the health, safety and general welfare of the Town of Dover.
- D. The Health Officer shall serve as hearing officer for any hearing pursuant to this subsection.

§ 246-14 Patron or Customer Reporting.

The safety and wellbeing of the Dover community is paramount. The purpose of this provision is to establish a reporting system for patrons of massage establishments. Should any person have a concern regarding the health, safety or sanitary standards of a massage establishment in this Town, that person may submit a written complaint to the Health Department.

Complaints may concern, but are not limited to, unlicensed massage therapists, unsanitary or hazardous conditions, allegations of illegal activities such as trafficking or abuse, and potential violations of local, state, or federal zoning and labor laws. In the event a complaint is made wherein the complainant alleges the occurrence of unlawful activities, such as violations of sexual consent, a Town police officer shall be present during all inspections.

Upon receipt of the complaint, the Health Department may initiate an investigation. The investigation shall aim to assess the legitimacy of the reported violation and shall be conducted in

a prompt manner. If the Health Department determines that a health and safety violation has occurred, the Town shall take appropriate enforcement action, which may include:

1. Issuance of fines or penalties;
2. Suspension or revocation of the business' permit; or
3. Referral to local or state law enforcement agencies or departments, if necessary.

Any person who knowingly or maliciously submits a false report may be subject to penalty, including fines.

§ 246-15 Violations and penalties.

In addition to the revocation or suspension of the permit granted under this chapter, any person who violates any provision of this chapter shall, upon conviction hereof, be punished by a fine not exceeding \$2,000 or by imprisonment for a term not exceeding ninety (90) days, or both, in the discretion of the court.

Section 2. Severability

If any section, subsection, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

Section 3. Repealer

All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

Section 4. Effective Date

This Ordinance shall take effect twenty (20) days after final passage, approval, and publication as provided by law.

ATTEST:

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor

INTRODUCED: _____

ADOPTED: _____



TOWN OF DOVER MAYOR & TOWN COUNCIL

RESOLUTION NO. 77-2026

BILLS LIST RESOLUTION

WHEREAS, the Mayor and the Town Council 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 the Town Council of the Town of Dover do hereby approve the bills as listed; and

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

CURRENT APPROPRIATIONS RESERVE ACCT claims in the amount of:	\$2,093.06
CURRENT APPROPRIATIONS ACCT claims in the amount of:	\$1,532,368.51
GENERAL CAPITAL ACCT claims in the amount of:	\$6,540.18
WATER UTILITY RESERVE ACCT claims in the amount of:	\$2,296.12
WATER UTILITY ACCT claims in the amount of:	\$304,149.45
WATER CAPITAL ACCT claims in the amount of:	\$0.00
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$0.00
PARKING UTILITY ACCT claims in the amount of:	\$45,702.87
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$0.00
COUNTY FORFEITED ASSETS ACCT claims in the amount of:	\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$1,270.28
COAH TRUST ACCT claims in the amount of:	\$0.00
TRUST/OTHER ACCT claims in the amount of:	\$31,625.00
TOTAL CLAIMS TO BE PAID	\$1,926,045.47

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

TRUST/OTHER ACCT claims in the amount of:	\$0.00
GENERAL CAPITAL ACCT WIRE claims in the amount of:	\$0.00
CURRENT APPROPRIATIONS ACCT claims in the amount of:	\$760.70
WATER UTILITY OPERATING claims in the amount of:	\$913.78
TOTAL CLAIMS PAID	\$1,674.48
TOTAL BILL LIST RESOLUTION	\$1,927,719.95

ATTEST:

TOWN OF DOVER, COUNTY OF MORRIS

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor



TOWN OF DOVER MAYOR & TOWN COUNCIL

RESOLUTION NO. 78-2026

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER APPROVING TAXIS/LIMOS TO BE LICENSED IN THE TOWN OF DOVER

WHEREAS, the following company has applied for a taxi/limo license to operate the vehicle(s) listed below in the Town of Dover; and

WHEREAS, the appropriate municipal departments have reviewed the application(s) as required and have no objections to same being licensed as taxicab(s)/limo(s); and

WHEREAS, the taxicab(s)/limo(s) have passed the Police Department Inspection to ensure the vehicle functions as intended and is equipped with the mandatory safety equipment

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Dover, County of Morris and State of New Jersey that the taxicab(s)/limo(s) listed below are hereby approved for taxi/limo license(s) in the Town of Dover.

PREMIER CAR SERVICES CORP.

2016 LINCOLN MKX	OT144K	2LMTJ8LR0GBL86558	RENEWAL	TAXI #74
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ATTEST:

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 79-2026

**RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER,
COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING A SOCIAL AFFAIR
PERMIT**

WHEREAS, Casa Puerto Rico, Inc. filed an application for their Special Permit for Social Affairs to be held at 50 West Blackwell Street; and

WHEREAS, Casa Puerto Rico, Inc. is a non-profit organization and is permitted to have twenty-five events per year; and

WHEREAS, the Police Chief will determine what special conditions if any are needed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Dover, County of Morris and State of New Jersey that the following applications for Alcoholic Beverage Social Affair Permit(s) be approved:

1. A Social Affair Permit for Casa Puerto Rico, Inc. is approved to be held on Sunday, May 24, 2026 from 1:00 pm through 2:00 am.
2. This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

ATTEST:

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 80-2026

**RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER
APPROVING A MOBILE RETAIL FOOD ESTABLISHMENT(S)**

WHEREAS, a Class 1 License allows the licensee to set up on within the area of town known as “The Downtown” bordered on the south by parking lots between Morris Street and Prospect Street, on the north by McFarland Street, on the east by Mercer Street and on the west by Prospect Street; and

WHEREAS, the vendors have provided proof of insurance, sales tax certificate, physician certificate(s), photograph(s) of employees, proof of citizenship and proof of payment of sales tax; and

WHEREAS, the appropriate fees have been paid; and

WHEREAS, this approval is conditioned upon approval of the Health Officer’s satisfactory inspection of the vehicle for said license; and

WHEREAS, the Police Department has approved the location of the vendors, and

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

1. That the application of Alex Grau of MeatFlame Express, LLC for a Mobile Retail Food Establishment, Class 1 License be approved.

ATTEST:

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 81-2026

**RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE
TOWN OF DOVER APPROVING A MOBILE RETAIL FOOD ESTABLISHMENT(S)**

WHEREAS, a Class II License allows the licensee to set up on the paved portions of the following public parks and or playgrounds of the town: Crescent Field, Second Street Playground, Hooey Park, King Field, Hurd Park, Steffany Park at Waterworks and Overlook Park.

WHEREAS, the vendors have provided proof of insurance, vehicle registration, sales tax certificate, criminal background checks, certificate of formation, and proof of payment of sales tax; and

WHEREAS, the appropriate fees have been paid.

WHEREAS, this approval is conditioned upon approval of the Health Officer's satisfactory inspection of the vehicle for said license.

WHEREAS, the Police Department has approved the location of the vendors.

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

That the application of Dominick Angelone of Big D's Hot Dogs for a Mobile Retail Food Establishment, Class II License be approved. (Renewal)

ATTEST:

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 82-2026

**RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE
TOWN OF DOVER APPROVING A MOBILE RETAIL FOOD ESTABLISHMENT(S)**

WHEREAS, a Class II License allows the licensee to set up on the paved portions of the following public parks and or playgrounds of the town: Crescent Field, Second Street Playground, Hooey Park, King Field, Hurd Park, Steffany Park at Waterworks and Overlook Park.

WHEREAS, the vendors have provided proof of insurance, vehicle registration, sales tax certificate, criminal background checks, certificate of formation, and proof of payment of sales tax; and

WHEREAS, the appropriate fees have been paid.

WHEREAS, this approval is conditioned upon approval of the Health Officer's satisfactory inspection of the vehicle for said license.

WHEREAS, the Police Department has approved the location of the vendors.

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

That the application of Denia Montoya and Silvia Martinez of Los Troquilocos, LLC for a Mobile Retail Food Establishment, Class II License be approved. (Renewal)

ATTEST:

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 83-2026

**RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE
TOWN OF DOVER APPROVING A MOBILE RETAIL FOOD ESTABLISHMENT(S)**

WHEREAS, a Class III license is for the sale of frozen dairy products and frozen snacks from a motorized vehicle. The license may sell in any zone, provided that no sale stops shall be for more than ten (10) minutes in any residential zone and thirty (30) minutes in any other zone.

WHEREAS, the vendors have provided proof of insurance, vehicle registration, sales tax certificate, criminal background checks, certificate of formation, and proof of payment of sales tax; and

WHEREAS, the appropriate fees have been paid.

WHEREAS, this approval is conditioned upon approval of the Health Officer's satisfactory inspection of the vehicle for said license.

WHEREAS, the Police Department has approved the location of the vendors.

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

That the application of Carlos Paguay of Carlos Ice Cream, LLC for a Mobile Retail Food Establishment, Class III License be approved. (Renewal)

ATTEST:

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 84-2026

RESOLUTION OF THE TOWN OF DOVER, COUNTY OF MORRIS, THE STATE OF NEW JERSEY, RESCINDING RESOLUTION 62-2026, AUTHORIZING THE PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NUMBER 1409-33-006-007, ISSUED BY THE TOWN OF DOVER, FROM IE & ANGIE LLC D/B/A CELEBRITY BAR (LA FINCA) TO LIQUOR POINT INC.

WHEREAS, an application was filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1409-33-006-007, heretofore issued to IE & Angie LLC D/B/A Celebrity Bar for premises located at 260 Route 46 East, Dover, NJ 07801;

WHEREAS, on February 24, 2026, the Mayor and Town Council (“Town”) voted to adopt Resolution 62-2026, authorizing the transfer of the aforementioned Plenary Retail Consumption License to Liquor Point Inc.; and

WHEREAS, upon filing of the application and Resolution 62-2026 with the Division of Alcoholic Beverage Control, it was discovered that the transferor did not receive a Tax Clearance Certificate from the Division of Taxation before the adoption of Resolution 62-2026;

WHEREAS, N.J.S.A.54:50-38 requires a transferor to first obtain a Tax Clearance Certificate from the Division of Taxation before a license may be transferred; and

WHEREAS, Alcoholic Beverage Control, Bulletin 2473, Item 3 entitled “Notice to All Municipalities – Form of Resolution Approving Transfers” indicates that Resolutions in the form of Resolution 62-2026 are to be considered null and void;

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

1. Resolution No. 62-2026 is hereby rescinded in its entirety.
2. Upon receipt of tax clearance, the transfer application will be returned to the Mayor and Town Council for consideration.
3. A certified copy of this Resolution shall be sent to the Division of Alcohol and Beverage Control by the Town of Dover Office of the Municipal Clerk.

ATTEST:

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 85-2026

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE SALE OF TOWN- OWNED PROPERTY NOT NEEDED FOR PUBLIC USE BY OPEN PUBLIC SALE AT AUCTION PURSUANT TO N.J.S.A. 40A:12-13(a)

WHEREAS, the Town of Dover is the owner of real property, hereinafter described not needed for public use; and

WHEREAS, N.J.S.A. 40A:12-13(a) provides that any municipality may sell property not needed for public use by open public sale at auction, said property shall be sold to the highest bidder, with or without the reservation of the right to reject all bids where the highest bid is not accepted; and

WHEREAS, the property being offered for sale listed herein shall be advertised in a newspaper circulating in the municipality or municipalities in which the lands are situated, by two (2) insertions at least once a week during two (2) consecutive weeks, the last publication to be not earlier than seven days prior to such sale; and

WHEREAS, the governing body may by resolution fix a minimum price or prices of the property being offered for sale listed herein.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Dover in the County of Morris, New Jersey, being the governing body thereof:

1. In accordance with the provisions of N.J.S.A. 40A:12-13(a), the lands listed in **Schedule A** attached hereto is deemed to be not needed for public use and is hereby offered for public sale to the highest bidder at no less than the minimum price set forth in **Schedule A**.
2. The property being offered for sale listed herein shall be advertised in a newspaper circulating in the municipality or municipalities in which the lands are situated, by two (2) insertions at least once a week during two (2) consecutive weeks, the last publication to be not earlier than seven (7) days prior to such sale.
3. Bids for the property so listed in **Schedule A** shall be made to the Town Administrator for a period of twenty (20) days following the advertisement herein required. Such bid shall not be for less than the minimum price set forth in the attached **Schedule A**. The conditions of sale are attached hereto.
4. Whether or not a bid is received by the Town Administrator equal to or greater than the minimum prices set forth in **Schedule A** by any bidder or prospective purchaser, the Town reserves the right to reject all bids where the highest bid is not accepted.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published as and if required by law.

ATTEST:

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor

ADOPTED: _____

CONDITIONS OF SALE

Notice is hereby given that the Town of Dover will sell to the highest bidder all its right, title and interest in the land and premises in the Town of Dover, described by lot and block number and street address in **Schedule A** attached hereto and incorporated herein.

Said lands will be sold at no less than the minimum price to the highest bidder in accordance with the provisions of N.J.S.A. 40A:12-13 et seq., and shall be subject to the following conditions to which the all bidders consent:

1. Offers for each property listed may be made to the Town Administrator for a period of twenty (20) days following the last published advertisement herein required at not less than said minimum price by the prospective purchaser or other authorized representative. The Town shall not be required to pay any real estate commission on any sale.

2. Sales shall be subject to all existing leases, tenancies, easements and restrictions of record and such conditions as an actual survey may reveal. The completion of the sale shall not affect the right of lawful occupancy or use of any such real property by any municipal or private utility to occupy or use such real property lawfully occupied or used by it.

3. The minimum bid price for each parcel shall be not less than the minimum price set forth in **Schedule A** attached hereto.

4. The premises will be conveyed by deed of bargain and sale or quit claim deed at the sole option of the Town.

5. The successful bidder shall pay, in addition to the bid price, the cost of advertising, all recording fees, all land acquisition costs incurred by the Town as to each parcel, and costs of appraisal incurred by the Town as to the parcel.

6. Successful bidders shall also pay for the cost of preparing the affidavit of title, deed and attendance at the closing by the Town's attorney and title company of the Town's selection.

7. A bank or certified check in the amount of 10% of the bid amount shall be submitted with the bid by any prospective purchaser or other authorized representative.

8. The successful bidder shall close title within forty five (45) days of written notice of the Town's acceptance of the successful bidder's bid.

9. In the event the successful bidder shall fail to perfect the bid by making the necessary deposit or otherwise fail to comply with the conditions of sale, the Town, in its sole discretion, may hold the deposit monies as liquidated damages, and not as a penalty. The Town may, in its sole discretion, reasonably adjourn the closing date for good cause.

10. In the event that title to any tract is found defective, the Town is limited as to its responsibility only to the extent to returning the down payment paid by the successful bidder. Said return of the down payment shall not include the usual sum of \$50.00 paid for legal and advertising costs or any costs or survey or search incurred by the successful bidder.

11. The successful bidder is obligated to conform to all applicable zoning ordinances, codes and regulations pertaining to the use of the premises.

12. The Town of Dover makes no representations as to any conditions of the land set forth in **Schedule A**, including but not limited to, environmental conditions, and leaves the successful bidder/grantee to conduct its own due diligence. The successful bidder/grantee shall hold harmless, indemnify and defend the Town from any suit or claim whatsoever in connection with the land,

including but not limited to, any statutory or common law predecessor liability claims. This provision shall survive the closing of title and shall not be waived by the Town.

13. Whether or not a bid is received by the Town Administrator equal to or great or that the minimum prices set forth in **Schedule A** by any bidder or prospective purchaser, the Town reserves the right to reject all bids where the highest bid is not accepted.

14. The sale to the successful bidder of Block 1408, Lot 15 (Losey Street, Dover, NJ) as listed in **Schedule A** shall be subject to, at the Town's sole discretion, the vacation of the "unimproved" portion of Hinchman Ave. along the frontage of such property, and the adoption of an ordinance authorizing and approving such vacation.

Schedule A

<u>Property</u>	<u>Minimum Price/Bid</u>
Block 1102, Lot 34 Grant Street, Dover, NJ	\$149,071.00
Block 1103, Lot 9 Grant Street, Dover, NJ	\$158,683.00
Block 1706, Lot 4 W. Crystal Street, Dover, NJ	\$139,700.00
Block 1408, Lot 15 Losey Street, Dover, NJ (including unimproved portion of Hinchman Ave. from centerline thereof along property frontage)	\$162,919.00



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 86-2026

A RESOLUTION OF THE TOWN OF DOVER, COUNTY OF MORRIS, AUTHORIZING THE ENGAGEMENT OF AN APPRAISER OR APPRAISERS IN CONNECTION WITH THE SALE OF TOWN-OWNED PROPERTY NOT NEEDED FOR PUBLIC USE

WHEREAS, the Town of Dover is the owner of real property, hereinafter described not needed for public use; and

WHEREAS, N.J.S.A 40A:12-13(a) provides that any municipality may sell property not needed for public use by open public sale at auction, said property shall be sold to the highest bidder, with or without the reservation of the right to reject all bids where the highest bid is not accepted; and

WHEREAS, N.J.S.A 40A:12-13(b)(5) provides that any municipality may sell property not needed for public use at a private sale to contiguous owners of real property being sold, provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance, and is without capital improvement thereon, except that when there is more than one owner with real property contiguous thereto, said property shall be sold to the highest bidder from among all such owners for not less than the fair market value of said real property; and

WHEREAS, the Town Council has determined that the services of a professional licensed real estate appraiser or appraisers are needed in connection with the public and/or private sale of real property owned by the Town no longer needed for public use; and

WHEREAS, the aforementioned needs are for certain specified professional services to be rendered or performed by a person or persons authorized by law to practice a recognized profession, whose practice is regulated by law within the meaning of N.J.S.A. 20A:11-1, et. seq., as amended; and

WHEREAS, the performance of said professional services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized training study, as distinguished from general academic instruction or apprenticeship and training, and are appropriate where the Council or Administration determines there is a need for such specialized professional real estate appraiser and related appraisal services pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, said professional services cannot reasonably be described by written specifications.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Dover in the County of Morris, New Jersey, that BBG Real Estate Services and Robert McNerney are hereby authorized to be engaged as professional real estate appraisers in connection with the public and/or private sale of real property owned by the Town no longer needed for public use and related professional real estate appraisal services, as may be delegated by the Town.

BE IT FURTHER RESOLVED that the Mayor and Town Council of the Town of Dover hereby authorizes BBG Real Estate Services and Robert McNerney to provide professional real estate appraisal services in connection with the public and/or private sale of real property owned by the Town no longer needed for public use, as may be delegated by the Town, according to the terms and

conditions as approved by the Town Administrator, and as may be recommended by the Town Attorney or Redevelopment Counsel until such terms are fully agreed upon by the parties.

BE IT FURTHER RESOLVED that BBG Real Estate Services and Robert McNerney are hereby authorized to be engaged to provide professional real estate appraisal services in connection with the public and/or private sale of real property owned by the Town no longer needed for public use and is hereby authorized to undertake such activities necessary to perform his/her duties as a professional real estate appraiser and shall bill at the rate for all services outlined in the contract for professional services as agreed upon the Town Administrator.

BE IT FURTHER RESOLVED that the Mayor and Town Clerk are authorized to enter into an agreement for professional services with BBG Real Estate Services and/or Robert McNerney in connection with providing professional real estate appraisal services and related professional appraisal services.

BE IT FURTHER RESOLVED that this award is contingent upon funds being available in the 2026 budget, and may be cancelled by the Town for convenience on thirty (30) day notice by the Town.

BE IT FURTHER RESOLVED that a copy of this resolution shall be published as and if required by law.

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately, according to law.

ATTEST:

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 87-2026

ENDORING A WAIVER OF EPA GRANT RESTRICTIONS RELATED TO SEWER SERVICING LOTS WITH WETLANDS WITH RESPECT TO DOVER PUBLIC SCHOOLS REDEVELOPMENT 100 GRACE STREET, BLOCK 1501, LOT 1

WHEREAS, Dover Public Schools proposes a sanitary sewer connection at the project known and designated as the Proposed North Dover Elementary School Sixth Grade Annex, Block 1501, Lot 1, on the official tax map of the Town of Dover, to the Dover Town Sewer System for ultimate discharge to the Rockaway Valley Regional Sewerage Authority ("RVRSA") System; and

WHEREAS, a portion of the property to be connected to the System contains wetlands as defined and delineated by the United States Fish & Wildlife Service; and

WHEREAS, one of the conditions imposed by the United States Environmental Protection Agency ("EPA") upon the grant for the construction of the RVRSA facilities prohibits the connection of any sewerage generating structure located within any parcel of land containing a wetland area to the System for a period of 50 years after November 29, 1983; and

WHEREAS, said grant conditions provide for exceptions to the prohibition if approved, in writing, by the Regional Administrator of EPA; and

WHEREAS, the procedures for mapping revisions and waiver requests established by EPA, the New Jersey Department of Environmental Protection ("DEP") and the RVRSA require that Dover Town endorse the submission of such waiver request or mapping revision; and

WHEREAS, those procedures provide that projects which do not adversely impact wetlands may be approved by way of a mapping revision or waiver request; and

WHEREAS, Dover Public Schools has submitted to the Town a request for a Wetlands Waiver Permit for sewer gallage and indicated that no sewerage generating structures are to be located within the wetlands; and

WHEREAS, the Town Engineer finds that the project, as proposed by French & Parrello Associates, will not involve the construction of sewerage generating structures within a delineated wetland and is designed so as to minimize any adverse impacts on such delineated wetlands; and

NOW, THEREFORE, BE IT RESOLVED be it resolved that the request by Dover Public Schools for the Proposed North Dover Elementary School Sixth Grade Annex be submitted to the RVRSA for a waiver of the EPA grant condition, related to servicing the property with wetlands for Block 1501, Lot 1, on the Tax Maps of the Town of Dover, is hereby endorsed.

ATTEST:

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 88-2026

**RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER
AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF
UNION FOR HEALTH OFFICER SERVICES FOR THE YEAR 2026**

WHEREAS, the Town of Dover as a municipality has to provide Health Officer Services; and

WHEREAS, the Town of Dover currently has a Shared Services Agreement for Health Officer Services which has expired; and

WHEREAS, the Town of Dover wishes to enter into a Shared Services Agreement for Health Officer Services for the year 2026; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Dover, County of Morris and State of New Jersey that the Mayor and Municipal Clerk are hereby directed and authorized to sign an agreement with the Township of Union for Health Officer Services for the year 2026 at a total cost of \$42,000.

BE IT FURTHER RESOLVED, that a copy of this Resolution and Agreement be sent to the Township of Union and the Town of Dover Health Department.

ATTEST:

Edward Ramirez, Acting Deputy Clerk

James P. Dodd, Mayor

ADOPTED: _____