



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
February 11, 2014 7:00 PM

The Caucus Meeting of the Mayor and Board of Aldermen was held in council chambers, 37 N. Sussex Street, Dover, New Jersey.

Mayor Dodd called the meeting to order at 7:00 pm

All joined in the Pledge of Allegiance to the Flag.

ROLL CALL:

Present: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald and Mayor Dodd

Also present were Attorney Downs and Deputy Clerk Santana

Mayor Dodd wished Municipal Clerk Marge Verga a speedy recovery from her broken wrist.

SUNSHINE LAW STATEMENT

In accordance with the provisions set forth in the Open Public Meeting Law, notification of this meeting has been sent to all officially designated Town newspapers and notice is posted in the Town Hall.

MUNICIPAL CORRESPONDENCE:

1. Ordinance from the Township of Mine Hill re: Amending Chapter 23 of the Revised General Ordinances of the Township of Mine Hill and Eliminating Motels as a Principal Permitted Uses in the Commercial Zone
2. Resolution from the Borough of Wharton re: Appointment of Prosecutors of the Joint Court of Dover
3. Resolution from the Borough of Wharton re: Appointment of Public Defenders of the Joint Court of Dover
4. Letter from Mr. Scott E. Dickerson, D.M.D. re: Municipal Parking and other items
5. Notice of Public Hearing – Town of Dover’s Planning Board – Anty Trucking, Inc– Block 1901, Lot 2 as known as 126 E. Dickerson Street
6. Notice of Public Hearing – Town of Dover’s Planning Board – JP Investment Properties, LLC – Block 2316, Lot 12 as known as 311 E. Blackwell Street
7. Notice of Public Hearing – Township of Randolph’s Board of Adjustment – Block 93, Lot 11 as known as 1246-1249 Sussex Turnpike
8. Letter from Manal A. Sous, M.D. Re: Assembly No. 4464-Requiring blood sample to be obtained from driver involved in motor vehicle accident resulting in death; designated as “Michelle’s Law”
9. Letter from New Jersey Department of Agriculture re: Summer Food Service Program
10. 2012-2013 Annual Reports from Municipal Excess Liability Joint Insurance Fund

CONSENT AGENDA

1. Resolution Approving Raffle License – Schedule A
2. Resolution Approving Limos – Schedule A
3. Resolution Approving Reorganization Meeting Minutes for January 1, 2014 & Mayor & Board of Aldermen Meeting of January 14, 2014

ORDINANCE FOR FIRST READING

1. Ord. #06-2014 – Establishing an Energy Aggregation Program Pursuant to the Government Energy Aggregation Act of 2003
2. Ord. #07-2014 – Amending and Supplement Article 38 of the Revised Ordinance of the Town of Dover, 1969, Saved from Repeal – Designating Certain Service Lanes as One-Way

Alderman Picciallo thanked everyone that helped address the situation regarding speeding and parking on the service lanes.

ORDINANCE FOR SECOND READING

1. Ord. #03-2014 – Amending Chapter 285, Property Maintenance, To Amend Fees in the Property Maintenance Code
2. Ord. #04-2014 – Amending Chapter 150, Construction Codes, Uniform
3. Ord. #05-2014 – Amending Chapter 236, Article IX. Fees and Escrows

AGENDA ITEMS:

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Cancelling Stale Dated Checks
3. Resolution to Join the Morris County Adaptive Recreational Program (McARP)
4. Resolution Approving Tax Identification Statement
5. Resolution Amending Policy Governing the Use of Municipal Vehicles by Employees
6. Resolution Approving Taxicab Driver Licenses – Schedule A

Alderman Picciallo abstained from line item #14-00187 on the bills list.

REGULAR MEETING MINUTES
February 11, 2014

The Regular Meeting of the Mayor and Board of Aldermen was held in council chambers, 37 N. Sussex Street, Dover, New Jersey.

The meeting was called to order by Mayor Dodd at 7:33 pm

ROLL CALL

Present: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald and Mayor Dodd

Also present were Attorney Downs and Deputy Clerk Santana

Deputy Clerk Santana stated adequate notice was given to the official newspaper.

Mayor Dodd opened the meeting to the public.

Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public.

MAYOR'S REPORT: Mayor Dodd commented that it has been a difficult winter for most municipalities. He commended the Department of Public Works (DPW) for doing an excellent job; they are working hard and doing everything they can for the residents of this town. The town is up against some difficult extreme conditions that we are not accustomed to. He noted that the town has had some unfortunate situations occur, the town lost three (3) FA100 trucks due to a roll over, a truck fire and an engine problem. We also have exceeded twice the amount of salt, this year. He encouraged residents to be patient and help the town deal with the not normal like situations. Mayor Dodd noted that Mr. Close posted on Facebook and on the Visual Message Board encouraging residents to dig out fire hydrants. He noted that DPW is also digging out fire hydrants in critical areas (hospital, schools and downtown areas). He noted that snow is being removed from our streets ("main artery") in town to allow emergency vehicles access.

Mayor Dodd noted that it's his opinion that there shouldn't be any parking on any streets during winter months. He noted that he's taking that approach for safety reasons; he noted that a study was done in the previous years, by previous aldermen (Picciallo, Poolas and Delaney) which show that eighty-five percent (85%) of homes in the Town of Dover have driveways and most of them are underutilized. Mayor Dodd will make a recommendation to board to either have alternate side of the street parking during the winter months or no parking on any street during snow days. He also expressed that laws would have to be relaxed for residents to park on their lawns during snow storms, flexibility for residents without parking to use our municipal lots free of charge during a snow storm and any other necessary accommodations. He noted that something has to be done since overtime has exceed all exception due to the snow storms because snow plows have to return two or three times.

Mayor Dodd expressed that one of the difficulties that he's having is the residents are getting upset with the town when snow is push back onto the sidewalks. He noted that a policy has been placed that if any employee is caught going over five (5) miles per hour while snow plowing in the Town of Dover, there will be discipline brought against that employees. He asked that public to be patient when snow is pushed back onto their driveways or sidewalks, this is done for safety reasons to help widened the streets for emergency vehicles to get through.

Alderwoman Romaine asked if the reverse911 could be utilized to encourage residents to use their driveways for this upcoming storm. Mr. Closed noted that the county would have to be notified to see if it's available. Alderwoman Blackman encouraged the residents to educate their neighbors and to share driveways.

Mayor Dodd noted that the Mayor's Labor Assistance Program will assist with digging out fire hydrants.

ATTORNEY'S REPORT – Mr. Downs reserved his report.

CONSENT AGENDA

****Mayor Dodd had the following resolutions removed from consent agenda. The resolutions were voted on separately.****

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER APPROVING OF RAFFLE LICENSES

WHEREAS, the below listed organizations have applied for a Raffle/Bingo License; and

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

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

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

Schedule A

COLLEGE CLUB OF DOVER

To be held Tuesday, May 6, 2014
(Off-premise merchandise raffle)

SGT. RYAN E. DOLTZ MEMORIAL FOUNDATION

To be held Saturday, May 3, 2014
(Tricky-Tray)

ACADEMY STREET SCHOOL PTA

To be held on April 4, 2014
(Tricky-Tray)

ACADEMY STREET SCHOOL PTA

To be held on April 4, 2014
(50/50)

IGLESIA PENTECOSTAL UNIDA LATINO

Amending application's date from January 31, 2014 to March 30, 2014

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

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald and Mayor Dodd

Nays: None Absent: None Abstained: None

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING TAXIS/LIMOS TO BE LICENSED IN THE TOWN OF DOVER**

WHEREAS, the following companies, have applied for a license to operate the vehicle(s) listed below on Schedule A hereto and made a part hereof as taxicab(s)/limo(s) in the Town of Dover; and

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

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

Schedule A

CITY LIMO AND TAXI INC

'09 Ford Crown	2FAHP71VX9X138215	OL6075H
'06 Ford Crown	2FAFP71W36X156180	OL7867G
'02 Dodge	2B4GP44352R6009-5	OL2579G

FIRST CLASS OF DOVER, INC

'04 Lincoln	1LNHM81W04Y631133	OL2383J
'03 Lincoln	1LNHM83W73Y608962	OL1459H
'04 Ford	2FAFP71W24X127203	OL1627J
'07 Lincoln	1LNHM84W37Y621552	OL4018J

AXEL's EXPRESS LIMO & TAXI

'01 Dodge	1B8GP45371B152850	OL1623J
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'02 Dodge	1B4GP24332B732248	OL1624J
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Alderman Romaine has moved the foregoing resolution be adopted and duly seconded by Alderman Visioli and passed by the following roll call vote.

**Ayes: Aldermen Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald and Mayor Dodd
Nays: Alderman Visioli Absent: None Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER FOR APPROVAL OF MINUTES**

WHEREAS, In accordance with the provisions set forth in the Open Public Meeting Law, annual notice has been provided for all Mayor and Board of Aldermen meetings; and

WHEREAS, The Mayor and Board of Aldermen of the Town of Dover held their Public Meetings, and minutes of those meetings were transcribed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey for approval the minutes for the following meetings:

**January 1, 2014 – Reorganization Meeting
January 14, 2014 – Caucus & Regular**

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd
Nays: None Absent: None Abstained: Alderman MacDonald**

ORDINANCE FOR FIRST READING

ORDINANCE NO. 06-2014

**AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER,
COUNTY OF MORRIS AND STATE OF NEW JERSEY ESTABLISHING AN ENERGY AGGREGATION
PROGRAM PURSUANT TO THE GOVERNMENT ENERGY AGGREGATION ACT OF 2003,
N.J.S.A. 48:-93.1 TO -98**

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

WHEREAS, the establishment of a government aggregator and an energy aggregation program to purchase electric generation service pursuant to N.J.S.A. 48:3-93.1 et seq. and N.J.A.C. 14:4-6.1 et seq. will increase competition for the provision of electric power to residential and non-residential users, thereby increasing the likelihood of lower electric rates for these users without causing any interruption in service; and

WHEREAS, under the aggregation process the residential and non-residential ratepayers may likely receive a direct reduction in their electric bills; and

WHEREAS, the citizens of the Town of Dover have a substantial economic and social interest at stake; and

WHEREAS, the Governing Body of the Town of Dover hereby finds that it is in the best interests of residential and non-residential electric ratepayers to enter into an aggregation agreement in order to seek substantial savings on electric rates;

Now, Therefore **BE IT RESOLVED** by the Governing Body of the Town of Dover as follows:

1. The Town of Dover publicly declares it is a participating member of the Passaic County Energy Cooperative Pricing System per Resolution dated **January 28, 2014**.
2. That the Town of Dover desires to participate in the Passaic County Cooperative's Government Energy Aggregation Program and aggregate energy supply service on behalf of its residential and non-residential users of energy pursuant to the Government Energy Act of 2003, N.J.S.A. 48:3-91.3 to -98, and implementing regulations.
3. That Passaic County as the Lead Agency will seek bids on behalf of the Cooperative from licensed and

appropriate Third Party Suppliers. If such winning bid is selected and agreement executed, individual residential consumers would retain the option not to participate and to choose any alternatives they desire, while non-residential ratepayers would also have the right to participate.

4. The Mayor and Clerk are authorized to execute any documents necessary to carry out the purpose of the Ordinance.
5. The fully executed agreement shall be kept on file and available for public inspection with the Town of Dover's Clerk's Office.
6. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

This Ordinance shall become effective immediately upon passage and publication as provided by law.

Alderwoman Romaine has moved the ordinance be adopted and duly seconded by Alderman Picciallo and passed for first reading by the following roll call vote.

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald and Mayor Dodd

Nays: None Absent: None Abstained: None

ORDINANCE NO. 07-2014
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AMENDING AND SUPPLEMENTING ARTICLE 38 OF THE REVISED ORDINANCES OF THE TOWN OF
DOVER, 1969, SAVED FROM REPEAL
ORDINANCE DESIGNATING CERTAIN SERVICE LANES AS ONE-WAY

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

1. The Town Engineer has reviewed certain Service Lanes within the Town of Dover and has concluded that based on current traffic conditions, the safety of the public is best served and the it is in the Town's best interests to convert certain Service Lanes from Two-Way traffic flow to One-Way traffic flow, and;
2. The Town Engineer has recommended that the Mayor and the Board of Aldermen adopt his conclusions, and;
3. The Mayor and Board of Aldermen have determined that it is in the best interests of public safety and in the best interests of the Town to accept the recommendations of the Town Engineer and adopt this Ordinance as follows:

SECTION 1. Service Lane No. 1: The existing Service Lane located behind Block 712, Lots 1-17 shall be designated as a One-Way lane in a Southerly direction from its beginning at Lemar Street to its end at Parker Steet.

SECTION 2. Service Lane No. 2: The existing Service Lane located behind Block 711, Lots 1-36 shall be designated as a One-Way lane in a Southerly direction from its beginning at Lemar Street to its end at Parker Street.

SECTION 3. Service Lane No. 3: The existing Service Lane located behind Block 607, Lots 1-7 and along the Westerly side of Lot 1 shall be designated as a One Way lane in a Westerly and Northerly direction from its beginning at Baker Street to its end at Lemar Street.

SECTION 4. Service Lane No. 4: The existing Service Lane located behind Block 1402, Lots 1-8 shall be designated as a One Way lane in an Easterly direction from its beginning at Baker Street to its end at Parker Street.

SECTION 5. The effectiveness of this Ordinance is contingent upon signs being erected as required by law.

SECTION 6. The Superintendent of Public Works is hereby authorized to purchase and install signs to implement this Ordinance.

SECTION 7. This Ordinance shall be submitted to the Municipal Engineer and he shall, under his seal as a Licensed Professional Engineer, certify to the governing body of Dover that the all necessary signs and their placement have been reviewed and approved after investigation of the circumstances, and that such designated Service Lane promotes the interests of public safety and expeditious movement of traffic on the public highways.

SECTION 8. To the extent that this Ordinance repeals, amends or alters any or all of the Code of the Town of Dover, the language of this Ordinance shall be controlling and in full force and effect. Any and all ordinances or rules or

regulations of the Town of Dover, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 9. If any Chapter, Article, Section or Subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction such decisions shall not effect the remaining portions of this Ordinance.

SECTION 10. This Ordinance shall take effect upon passage and publication according to law.

Alderman Picciallo has moved the ordinance be adopted and duly seconded by Alderwoman Romaine and passed for first reading by the following roll call vote.

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald and Mayor Dodd

Nays: None Absent: None Abstained: None

ORDINANCE FOR SECOND READING

ORDINANCE NO. 3-2014

ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AMENDING CHAPTER 285, PROPERTY MAINTENANCE, TO AMEND FEES IN THE PROPERTY MAINTENANCE CODE.

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

Section 1

The Code of the Town of Dover, Chapter 285, Property Maintenance, § 285-1. Adoption of standards; available copies, shall be amended as follows to amend the adopted Property Maintenance Code at 108.1 Certificate of Compliance, paragraphs 7 and 8 to amend the fees.

Section 108.1 Certificate of compliance, paragraphs 7 and 8 of the adopted Property Maintenance Code; is replaced with the following:

The fee for a certificate of Compliance shall be as follows:

Residential detached Single Family dwelling:	\$75.00 per dwelling unit
Residential Two (2) Family or Multi-Family dwelling :	\$75.00 for the first dwelling unit plus \$35.00 per additional dwelling unit
Rooming or Boarding House:	\$75.00 for the dwelling unit plus \$15.00 per rooming/boarding unit
Commercial, Retail and Industrial:	\$125.00 per unit.

The above fees include the cost of the initial inspection plus one (1) reinspection. Additional reinspections, whether due to non-compliance or inability to gain access for a scheduled reinspection, will be charged \$75.00 per reinspection visit. The cost for all inspections relating to the issuance of a Certificate of Compliance shall be paid in full no less than 24 hours prior to the scheduled reinspection.

Section 2

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

Section 3

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

Section 4

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

Alderman MacDonald has moved the ordinance be adopted and duly seconded by Alderman Picciallo and passed for second reading by the following roll call vote.

Mayor Dodd opened the meeting to the public on Ordinance 03-2014. Seeing no hands and hearing no voices Mayor Dodd closed the meeting to the public

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald and Mayor Dodd

Nays: None Absent: None Abstained: None

ORDINANCE NO. 4-2014
ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE
TOWN OF DOVER AMENDING CHAPTER 150, CONSTRUCTION CODES, UNIFORM.

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

Section 1

The Code of the Town of Dover, Chapter 150, CONSTRUCTION CODES, UNIFORM shall be amended as follows to change the Construction Department Fees.

§ 150-2. Fees; recommendation for fee changes; state surcharge, is replaced with the following:

§ 150-2. Fees; recommendations for fee changes; state surcharge.

A. Construction Department fees

- (1) Plan review fee. The fee for plan review shall be 20% of the amount to be charged for a new construction permit.
- (2) The basic construction fee shall be the sum of the parts computed on the basis of the volume or cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electrical fixtures and devices, the number of sprinklers, standpipes and detectors (smoke and heat), at the unit rates provided herein, plus any special fees. The minimum fee for a basic construction permit covering any or all of the building, plumbing, electrical or fire protection work shall be \$60.
- (3) Building volume or cost. The fees for new construction or alteration are as follows:
 - (a) Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be in the amount of \$0.032 per cubic foot of volume for buildings and structures of all use groups and types of construction as classified and defined in Articles 3 and 4 of the Building Subcode, except that the fee shall be \$0.015 per cubic foot of volume for Use Groups A-1, A-2, A-3, A-4, F-1, F-2, S-1 and S-2, and the fee shall be \$0.0008 per cubic foot for structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d), used exclusively for the storage of food or grain or the sheltering of livestock, with the maximum fee for such structures on farms not to exceed \$1,145. The minimum fee for new construction shall be \$150.
 - (b) Fees for renovations, alterations and repairs.

[1] Fees for renovations, alterations and repairs shall be based upon the estimated cost of the work.

[a] The fee shall be in the amount of \$30per \$1,000.

[b] From \$50,001 to and including \$100,000, the additional fee shall be in the amount of \$25 per \$1,000 of the estimated cost above \$50,000.

[c] Above \$100,000, the additional fee shall be in the amount of \$20 per \$1,000 of the estimated cost above \$100,000.

[2] For the purpose of determining estimated cost, the applicant shall submit to the Construction Official such cost data as may be available produced by the architect or engineer of record or by a recognized estimating firm or by the contractor. A bona fide contractor's bid, if available, shall be submitted.

[3] The Construction Official shall make the final decision regarding estimated cost.

(a) Fees for additions shall be computed on the same basis as for new construction for the added portion, except that the minimum fee for an addition shall be \$85.

(b) Fees for combination renovations and additions shall be computed as the sum of the fees computed separately in accordance with Subsection A(3)(a) and (b) above.

- (c) In order to provide for the training and certification and technical support programs required by the Act, the enforcing agency shall collect a surcharge fee to be based upon the volume of new construction within the municipality. Said fee shall be accounted for and forwarded to the Bureau of Housing Inspection. This fee shall be in the amount as set forth in N.J.A.C. 5:23-4.19(b). For the purpose of calculating this fee, volume shall be computed in accordance with N.J.A.C. 5:23-2.28.
- (4) Plumbing fixtures and equipment.
- (a) For the purpose of computing fees:
 - [1] Plumbing fixtures shall include, but not be limited to, stacks, lavatories, kitchen sinks, slop sinks, sinks, urinals, water closets, bathtubs, shower stalls, laundry tubs, floor drains, washing machine connections and similar fixtures.
 - [2] Plumbing appurtenances shall include, but not be limited to, devices, a manufactured device or an on-the-job assembly of component parts, which is adjunct to the basic piping system and plumbing fixtures, pressure-reducing valves, backflow prevention devices, backwater valves, vacuum breakers, grease traps, interceptors and similar devices.
 - [3] Plumbing appliances shall include, but not be limited to, hot-water heaters, tankless heaters, heat exchangers, water storage tanks, solar panels, water pressure booster systems, sump pumps, dishwashers, ice makers, instant hot-water coils, sewerage ejectors, garbage disposal units, sterilizers, aspirators, water-cooled air-conditioning units, water conditioners and similar equipment.
 - (b) The fee for the installation or replacement of a plumbing fixture shall be \$15 for each plumbing fixture.
 - (c) The fee for the installation or replacement of a plumbing appurtenance and/or special device shall be \$75 per plumbing appurtenance and/or special device. Exception: The fee for backflow preventors that do not require ongoing inspection shall be \$15.
 - (d) For cross connections and backflow preventors that are subject to testing, requiring reinspection annually, the fee shall be \$50 for each device when tested (twice annually) and \$75 for each device when broken down and tested (once annually).
 - (e) The fee for the installation or replacement of a plumbing appliance shall be \$60. Exception: When installed in Use Group R-3 and R-4 in new construction or a complete renovation, the fee for dishwashers, ice makers and instant hot-water coils shall be \$15.
 - (f) The fee for the installation of a house or building sewer and/or water service pipe is \$85.
 - (g) The fee for the installation of a lawn sprinkler system shall be \$5 for each sprinkler head.
 - (h) The fee for the installation or replacement of subsoil drains shall be \$35.
 - (i) The fee for the removal or abandonment in place of a sewage disposal system and/or septic tank shall be \$35.
 - (j) The fee for the installation or replacement of roof drains and/or area drains shall be \$25 per drain.
 - (k) The fee for gasoline piping is \$12 per each gas appliance connection.
 - (l) The fee for the installation or replacement of oil lines and/or oil tank piping shall be \$50.
 - (m) The fee for radon mitigation shall be \$60.
 - (n) The minimum fee for any permit issued for the plumbing subcode shall be \$60.
- (5) Electrical fixtures and devices.
- (a) The fees shall be as follows:
 - [1] From one to 50 receptacles or fixtures, the fee shall be in the amount of \$65; for each 25 receptacles or fixtures in addition to this, the fee shall be in the amount of \$15. For the purpose of computing this fee, receptacles or fixtures shall include lighting outlets, wall switches, fluorescent fixtures, convenience receptacles or similar fixtures and motors or devices of less than one horsepower or one kilowatt.
 - [2] For each motor or electric device greater than one horsepower and less than or equal to 10 horsepower and for the transformers and generators greater than one kilowatt and less than or equal to 10 kilowatts, the fee shall be \$15.
 - [3] For each motor or electrical device greater than 10 horsepower and less than or equal to 50 horsepower, for each service panel, service entrance or subpanel less than or equal to 200 amperes and for all transformers and generators greater than 10 kilowatts and less than or equal to 45 kilowatts, the fee shall be \$65.
 - [4] For each motor or electrical device greater than 50 horsepower and less than 100 horsepower, for each service panel, service entrance or subpanel greater than 200 amperes and less than 1,000 amperes and for transformers and generators greater than 45 kilowatts and less than or equal to 112.5 kilowatts, the fee shall be \$150.
 - [5] For each motor or electrical device greater than or equal to 100 horsepower, for each service panel, service entrance or subpanel equal to or greater than 1,000 amperes and for each transformer or

generator equal to or greater than 112.5 kilowatts, the fee shall be \$350.

[6] For each Photovoltaic Systems the fee shall be:

Up to 50 Kilowatts	\$75.00
Greater than 50 Kilowatts up to 100 Kilowatts	\$150.00
Greater than 100 Kilowatts	\$600.00

- (b) For the purpose of computing these fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electrical current.
- (6) Fire protection and other hazardous equipment. Fees for sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas- and oil-fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums shall be as follows:
- (a) The fee for 20 or fewer heads or detectors shall be \$75, for 21 to and including 100 heads or detectors, the fee shall be \$150; for 101 to and including 200 heads or detectors, the fee shall be \$300; for 201 to and including 400 heads or detectors, the fee shall be \$750; for 401 to and including 1,000 heads or detectors, the fee shall be \$1,000 and for over 1,000 heads or detectors, the fee shall be \$1,200. In computing fees for heads and detectors, the number shall be counted separately, and two fees, one for heads and one for detectors, shall be charged.
 - (b) The fee for each standpipe shall be \$250.
 - (c) The fee for each pre-engineered system shall be \$85.
 - (d) The fee for each gas- or oil-fired appliance not connected to the plumbing system shall be \$50.
 - (e) The fee for each kitchen exhaust system shall be \$100.
 - (f) The fee for each incinerator shall be \$400.
 - (g) The fee for each crematorium shall be \$400.
- (7) Elevator devices. In accordance with Department of Community Affairs Fee Structure
- (8) Certificates and other permits. The fees are as follows:
- (a) The fee for a demolition or removal permit shall be \$75 for a structure of less than 5,000 square feet in area and less than 30 feet in height; \$200 for one- or two-family residences (Use Group R-4 of the building subcode) and structures on farms including commercial farm buildings under N.J.A.C. 5:23-3.2(d) used exclusively for storage of food or grain, or sheltering of livestock; and \$120 per story for all other use groups.
 - (b) The fee for a permit to construct a sign shall be in the amount of \$4 per square foot surface area of the sign, computed on one side only for double-faced signs. The minimum fee shall be \$60.
 - (c) The fee for a certificate of occupancy shall be in the amount of 10% of the new construction permit fee which would be charged by the enforcing agency pursuant to these regulations. The minimum fee shall be \$100 except for one- or two-family (Use Group R-4 of the building subcode) structures of less than 5,000 square feet in area and less than 30 feet in height, and structures on farms, including commercial farm buildings subject to N.J.A.C. 5:23-3.2(d), used exclusively for storage of food or grain, or sheltering of livestock, for which the minimum fee shall be \$60.
 - (d) The fee for a certificate of occupancy granted pursuant to a change of use group shall be \$125.
 - (e) The fee for a certificate of continued occupancy shall be \$125.
 - (f) There shall be no fee for a temporary certificate of occupancy.
 - (g) There shall be no fee for a certificate of compliance issued for each elevator device inspected on a routine periodic basis. The certificate of compliance for a new elevator device shall be \$85.
 - (h) The fee for a plan review of a building for compliance under the alternate systems and non-depletable energy source provisions of the energy subcode shall be \$200 for one- and two-family homes and for light commercial structures having the indoor temperature controlled from a single point; and \$500 for all other structures.
 - (i) The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$350 for Class 1 structures and \$85 for Class 2 structures and Class 3 structures. The fee for the resubmitting of an application for a variation shall be \$200 for Class 1 structures and \$50 for Class 2 and Class 3 structures.
 - (j) Periodic inspections. Fees for the periodic reinspection of equipment and facilities granted a certificate of approval for a specified duration in accordance with N.J.A.C. 5:23-2.23 shall be as follows: For cross connections and backflow preventers that are subject to testing, requiring reinspection every three months, the fee shall be \$50 for each device when tested (twice annually) and \$75 for each device when broken down and tested (once annually).
 - (k) The fee to be charged for an annual construction permit shall be charged annually. This fee shall be a flat fee based upon the number of maintenance workers employed by the facility and who are primarily

engaged in work that is governed by a subcode. Managers, engineers and clerks shall not be considered maintenance workers for the purpose of establishing the annual construction permit fee. Annual permits may be issued for building/fire protection, electrical and plumbing. Fees shall be as follows:

[1] One to 25 workers (including foreman): \$600; and each additional worker over 25: \$200.

[2] Prior to the issuance of the annual permit, a training registration fee of \$100 per subcode shall be submitted by the applicant to the Department of Community Affairs, Construction Code Element, Training Section, along with a copy of the construction permit (Form F-170). Checks shall be made payable to "Treasurer, State of New Jersey."

(1) For each public pool (other than one- and two-family dwellings), the fee shall be \$60 for an annual certification.

(9) All fees collected pursuant to this section are nonrefundable.

B. Report of the Construction Official. On or before February 10 of each year, the Construction Official shall, with the advice of the subcode officials and in consultation with the Municipal Finance Officer, prepare and submit to the governing body a report detailing the receipts and expenditures of the enforcing agency as required by N.J.A.C. 5:23-4.17(b) and indicating his recommendations for a fee schedule, based on the operating expense of the agency.

C. State surcharge. In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act and the regulations, the enforcing agency shall collect, in addition to the fees specified above, a surcharge fee of \$0.0006 per cubic foot of volume of new construction. Said surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarters ending September 30, December 31, March 31 and June 30, and not later than one month next succeeding the end of the quarter for which it is due. In the fiscal year in which the regulations first become effective, said fee shall be collected and remitted for the third and fourth quarters only. The enforcing agency shall report annually at the end of each fiscal year to the Bureau of Housing Inspection, and not later than July 31, the total amount of the surcharge fee collected in the fiscal year. In the fiscal year in which the regulations first become effective, said report shall be for the third and fourth quarters.

Section 2

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

Section 3

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

Section 4

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

Alderman MacDonald has moved the ordinance be adopted and duly seconded by Alderman Rutan and passed for second reading by the following roll call vote.

Mayor Dodd opened the meeting to the public on Ordinance 04-2014. Seeing no hands and hearing no voices Mayor Dodd closed the meeting to the public

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald and Mayor Dodd

Nays: None Absent: None Abstained: None

ORDINANCE NO. 5-2014

ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AMENDING CHAPTER 236, ARTICLE IX. FEES AND ESCROWS.

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

Section 1

The Code of the Town of Dover, Chapter 236, Article IX, Fees and Escrows shall be amended as follows to change the Land Use Application Fees and Escrows.

§ 236-98. Schedule of fees and escrows; is replaced with the following:

§ 236-98. Schedule of fees and escrows

The schedule of application fees and initial review fee escrow deposits to be paid at the time of the filing of an application is as follows:

Submission/Application		Application Fee	Initial Review Fee Escrow Deposit
Site plan:			
	Expedited waiver	\$200	\$750
	Minor	\$600	\$1,000
	Preliminary major	\$400 plus \$25 per 1,000 square feet of building plus \$7 per 1,000 square feet of lot area	125% of fee
	Final major	50% of preliminary major fee	100% of fee
Subdivision:			
	Minor, 2 lots	\$750	\$1,200
	Minor, 3 lots	\$900	\$1,200
	Preliminary major	\$1,250 plus \$125 per lot	125% of fee
	Final major	\$750 plus \$35 per lot	100% of fee
Flood damage prevention development permit		\$300	--
Zoning permits/certificate review and inspections fees:			
	Changes of use, fences and signs	\$60	--
	Accessory structures under 200 square feet	\$100	--
	Determination of zoning status	\$200	--
	New structures	\$350	--
	New structures (including accessory structures) or additions on property with steep slope area per § 236-21.2	\$500	--
	Additions to existing structures	\$300	--
Concept plan review		\$500	\$1,000
Variances and other appeals:			
	Appeals in accordance with N.J.S.A. 40:55D-70a	\$500	\$1,000
	Appeals in accordance with N.J.S.A. 40:55D-70b	\$500	\$1,000

Submission/Application		Application Fee	Initial Review Fee Escrow Deposit
	Appeals in accordance with N.J.S.A. 40:55D-70c	\$400	\$1,000
	Appeals in accordance with N.J.S.A. 40:55D-70d:		
	Residential	\$600	\$1,000
	Commercial	\$750	\$1,000
	Industrial	\$1,000	\$1,200
Permit pursuant to N.J.S.A. 40:55D-34 and 40:55D-36		\$500	\$1,000
Permit to construct a building on an unimproved street pursuant to N.J.S.A. 40:55D-35		\$500	\$1,000
Conditional use permit pursuant to N.J.S.A. 40:55D-67		\$500 plus site plan fee	\$500 plus site plan escrow deposit
Soil disturbance		\$200 plus \$150 per 1,000 square feet or 100 cubic yards of disturbance, whichever is greater	
Certificate of historic review:			
	Demolition	\$200	\$500
	Addition or new construction	\$500	\$1,000
	Change in the exterior appearance	\$250	\$500
	Change in the exterior appearance for a sign or awning only	\$75	\$150
Appeal of administrative officer due to a report of the Historic Preservation Commission		\$250	\$500

Section 2

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

Section 3

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

Section 4

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

Alderwoman Romaine has moved the ordinance be adopted and duly seconded by Alderman Visioli and passed for first reading by the following roll call vote.

Mayor Dodd opened the meeting to the public on Ordinance 06-2014. Seeing no hands and hearing no voices Mayor Dodd closed the meeting to the public

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald and Mayor

Dodd
Nays: None Absent: None Abstained: None

RESOLUTIONS

BILL LIST RESOLUTION

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

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

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

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

RESERVE ACCT claims in the amount of:	\$133,601.72
CURRENT ACCT claims in the amount of:	\$360,794.61
GENERAL CAPITAL ACCT claims in the amount of:	\$45,850.37
WATER UTILITY ACCT claims in the amount of:	\$62,914.89
WATER UTILITY RESERVE ACCT claims in the amount of:	\$28,796.30
WATER CAPITAL ACCT claims in the amount of:	\$0.00
PARKING UTILITY ACCT claims in the amount of:	\$2,983.42
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$0.00
PARKING CAPITAL ACCT claims in the amount of:	\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$0.00
EVIDENCE TRUST ACCT claims in the amount of:	\$0.00
RECYCLING TRUST ACCT claims in the amount of:	\$0.00
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	\$0.00
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	\$0.00
TRUST/OTHER ACCT claims in the amount of:	\$2,989.53
COAH TRUST Acct claims in the amount of:	\$0.00
TOTAL CLAIMS TO BE PAID	<u>\$637,930.84</u>

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

CURRENT ACCT claims in the amount of:	\$337,225.08
WATER UTILITY ACCT claims in the amount of:	\$29,104.08
PARKING UTILITY ACCT claims in the amount of:	\$3,184.86
PAYROLL AGENCY ACCT claims in the amount of:	\$165,222.36
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$345.71
TOTAL CLAIMS PAID	<u>\$535,082.09</u>

TOTAL BILL LIST RESOLUTION ***\$1,173,012.93***

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

Alderman Picciallo abstained from line item #14-00187 on the bills list.

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald and Mayor Dodd

Nays: None Absent: None Abstained: None

RESOLUTION CANCELLING STALE-DATED CHECKS

WHEREAS, the following checks have been outstanding for more than one year; and

WHEREAS, the Municipal Auditors have recommended they be reviewed and cancelled;

Central Disbursement Account-

1885	4/10/12	Inez Jimenez-Lopez	20.00
2583	8/14/12	Canberra Oak Ridge	124.81
3186	11/20/12	Ashod & Irene Anstreassian	30.00
Payroll Account-			
1001	1/12/12	Anthony Kelly	15.50
1002	1/12/12	Anthony Kelly	69.74

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen, Town of Dover, County of Morris, State of New Jersey, that the above mentioned checks are hereby cancelled.

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

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, MacDonald, Yzarnotegui and Mayor Dodd

Nays: None Absent: None Abstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER TO JOIN THE MORRIS COUNTY ADAPTIVE RECREATIONAL PROGRAM (McARP)

WHEREAS, there has been created a Morris County Adaptive Recreational Program (McARP); and

WHEREAS, said program intends to provide recreational services for persons with disabilities of all ages, and further to give said persons an opportunity to explore new leisure time opportunities in conjunction with their age and specific abilities; and

WHEREAS, the total project cost is estimated to exceed \$300,000; and

WHEREAS, the Town of Dover costs with respect thereto will be \$2,460.00 Fair Share Ratio Schedule.

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

1. That the Town of Dover hereby intends to join the Morris County Adaptive Recreation Program (McARP) as described above and contribute thereto in the amount not to exceed the Fair Share Assessment for one year.

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

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald and Mayor Dodd

Nays: None Absent: None Abstained: None

TAX IDENTIFICATION STATEMENT

WHEREAS, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants are made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Town of Dover that the Town of Dover hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chapter 311, in 2013 in the amount of \$15,843.96. Documentation supporting this submission is available at 37 N. Sussex St., Dover, NJ and shall be maintained for no less than five years from this date.

NOW THEREFORE BE IT FUTHER RESOLVED the Tax Identification Statement is certified by Kelly N. Toohey, Chief Financial Officer of the Town of Dover on January 31, 2014.

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

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald and Mayor Dodd

Nays: None Absent: None Abstained: None

AMENDING A POLICY GOVERNING THE USE OF MUNICIPAL VEHICLES BY EMPLOYEES

WHEREAS, in 2011 Governor Christopher Christie introduced a Best Practices initiative which recommended, among other things, that municipalities implement policies governing the use of municipal vehicles by their employees as a measure to help limit property tax increases and to operate within the 2% property tax cap law; and

WHEREAS, on November 22, 2011, the Mayor and Board of Alderman of the Town of Doer, adopted a resolution pursuant to Chapter 2, § 2-3(b) of the Dover Town Ordinances, setting forth a *Policy Governing the Use of Municipal Vehicles by Employees* effective on January 1, 2012;

WHEREAS, on February 28, 2012, the Mayor and Board of Alderman of the Town of Dover, adopted a resolution (No. 078-12) amending Paragraph 2.e., of the Policy; and

WHEREAS, pursuant to the aforesaid Resolutions and Policy, the Mayor and Board of Aldermen retained the sole discretion to modify that Policy; and

WHEREAS, the Mayor and Board of Aldermen, based on the express recommendation of the Public Safety Director, wish to modify and supplement the aforesaid Policy to make it more comprehensive to meet the interests of fiscal responsibility and public safety; and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Chapter 2 § 2-3(b) of the Dover Town Ordinances, by the Mayor and Board of Aldermen of the Town of Dover, the policy is hereby adopted:

1. The Policy established by Resolution dated November 22, 2011, and amended on February 28, 2012, establishing use of municipal vehicles by Town Employees is hereby amended to include the following in Paragraph 2 e, which shall provide as follows:

2.e. One Municipal vehicle shall be designated for emergency response in the Police Department, Fire Department, Department of Public Works, and the Bureau of Fire Prevention. That designated vehicle shall be assigned to the Department Head or his/her municipal employee designee, for use as the first responder for that Department to emergency or crisis situations under the jurisdiction of that Department. Said employee shall be identified in writing to the Town Administrator, and shall comply with all policies adopted by the Mayor and Board of Aldermen for the use and operation of municipal vehicles, except that said employee may take the designated vehicle home for the limited purpose of fulfilling the duties of emergency response. **The Fire Department Chief or his/her municipal employee designee shall be exempt from the restriction prohibiting the personal use of a municipal vehicle provided that the vehicle is being used for official business of the Fire Department.**

2. This resolution shall be effective immediately.

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

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald and Mayor Dodd

Nays: None Absent: None Abstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING TAXICAB DRIVER LICENSES

WHEREAS, applications for taxicab drivers licenses have been made by the people listed on Schedule A attached hereto

and made a part hereof; and

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

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

Schedule A

ELITE LIMO AND TAXI SERVICE LLC

Percy Zegarra (NEW OWNER)

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald & Mayor Dodd
Nays: None Absent: None Abstained: None**

PUBLIC COMMENTS

Brian Gorski – 9 Summer Avenue, Dover - He commended the town for a great job with clearing the streets during the past snow storms.

**Motion to adjourn made by Alderwoman Romaine at 7:29 pm,
and duly seconded by Alderman Rutan passed by the following voice vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald and Mayor
Dodd
Nays: None Absent: None Abstained: None**

Respectfully submitted,

Maria Santana, Deputy Municipal Clerk