

REGULAR MEETING AGENDA Town of Dover Town Hall June 11, 2024 at 7:00 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 Star Ledger on January 2, 2024, and published in the Record and Ledger on January 5, 2024 and was sent to the Citizen on February 2, 2024 and published in the Citizen on February 7, 2024. Notice was also posted on the Bulletin Board of the Municipal Building. These notices were sent within 48 hours prior to this meeting and were sent in sufficient time for the publications to publish them. A copy of said notice is on file with the Municipal Clerk.

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

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 Estacio			
Council Member Rodriguez			
Council Member Ruiz			
Council Member Santana			
Council Member Scarneo			
Council Member Tapia			
Council Member Toro			
Council Member Wittner			
Mayor Dodd			

E) APPROVAL OF MINUTES

March 26, 2024

- 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 13-2024 An Ordinance of the Mayor and Town Council Providing a Handicapped Parking Space at 9 Losey Street
- b. Ordinance 14-2024 An Ordinance of the Mayor and Town Council of the Town of Dover Creating Prohibited Parking Regulations for Losey Street

J) ORDINANCES FOR SECOND READING, PUBLIC HEARING AND ADOPTION

a. Ordinance 12-2024 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank

K) APPROVAL OF BILLS

a. Resolution 162-2024 Approval of Bills List

L) APPROVAL OF RESOLUTIONS

1) CONSENT AGENDA RESOLUTIONS

- a. Resolution 163-2024 Approving Annual Dance License, Su Casa Colombia
- b. Resolution 164-2024 Approving a Mobile Retail Food Establishment(s), Big D's Hot Dogs
- c. Resolution 165-2024 Approving a Mobile Retail Food Establishment(s), Ricky's Ice Cream
- d. Resolution 166-2024 Approving a Mobile Retail Food Establishment(s), Parche Burger Dover, LLC
- e. Resolution 167-2024 Approving Billiard Hall Licenses, Los Arrieros Bar & Su Casa Colombia
- f. Resolution 168-2024 Approving a Social Affair Permit

2) RESOLUTIONS FOR DISCUSSION AND CONSIDERATION

- a. Resolution 169-2024 Approving Taxicab Driver Licenses
- b. Resolution 170-2024 Approving Taxis/Limos to be Licensed in the Town of Dover
- c. Resolution 171-2024 Authorizing Estimated Property Tax Billing for the 3rd Quarter 2024
- d. Resolution 172-2024 Approving the Settlement of Docket No. MRS-L-001888-23
- e. Resolution 173-2024 Authorizing Engineering Work for the 2024 Penn Avenue NJDOT Roadway Improvement Project
- f. Resolution 174-2024 Designating Seasonal Salaries and Titles for the Recreation Summer Playground Program Staff

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

ORDINANCE NO. 13-2024

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY PROVIDING A HANDICAPPED PARKING SPACE AT 9 LOSEY STREET

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. Description for handicap parking space to be located at 9 Losey Street:

Said handicap parking space shall be located along the northerly curb line of Losey Street beginning at a point 147 feet east of the northeasterly curb line intersection of N. Sussex Street and Losey Street, thence continuing in an easterly direction for a distance of 22 feet.

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

SECTION 4. The Ordinance shall take effect upon passage and publication in the matter required by New Jersey law.

Attest:	
Tara M. Pettoni, Municipal Clerk	James P. Dodd, Mayor
INTRODUCED:	
ADOPTED:	

ORDINANCE NO. 14-2024

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY CREATING PROHIBITED PARKING REGULATIONS FOR LOSEY 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

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 prohibit street parking 7 days a week / 24 hours per day at 11-13 Losey Street; and

WHEREAS, the Mayor and Town Council have determined that it is in the best interest of the Town to prohibit street parking 7 days a week / 24 hours per day along the northerly side of 11-13 Losey Street; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Dover 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 7 days a week / 24 hours per day.

SECTION 2. Description – Location of No Parking Zone

Said "No Parking Zone" for the purposes of this ordinance shall be located along the northerly curb line of Losey Street beginning at a point 187 feet east of the northeasterly curb line intersection of N. Sussex Street and Losey Street, thence continuing in an easterly direction for a distance of 16 feet.

SECTION 3. Violation and Penalties

Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation or provision of this Ordinance or any supplement thereto shall be liable to a penalty.

SECTION 4. Effect

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

Attest:

Tara M. Pettoni, Municipal Clerk	James P. Dodd, Mayor
INTRODUCED:	
ADOPTED:	

ORDINANCE NO. 12-2024

CALENDAR YEAR 2024 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

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

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

WHEREAS, the Mayor and Council of the Town of Dover in the County of Morris finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 1% increase in the budget for said year, amounting to \$237,028.86 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Town of Dover, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Town of Dover shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$829,601.02, and that the CY 2024 municipal budget for the Town of Dover be approved and adopted in accordance with this ordinance; and,

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

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

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

Attest:

Tara M. Pettoni, Municipal Clerk	James P. Dodd, Mayor
INTRODUCED:	
ADOPTED.	

RESOLUTION NO. 162-2024

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		\$4,440.00
CURRENT APPROPRIATIONS ACCT claims in the amount of	:	\$1,850,046.95
GENERAL CAPITAL ACCT claims in the amount of:		\$268,266.08
WATER UTILITY RESERVE ACCT claims in the amount of:		\$8,653.63
WATER UTILITY ACCT claims in the amount of:		\$38,620.01
WATER CAPITAL ACCT claims in the amount of:		\$201,331.13
PARKING UTILITY RESERVE ACCT claims in the amount of	:	\$0.00
PARKING UTILITY ACCT claims in the amount of:		\$3,261.47
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:	×	\$3,231.60
COUNTY FORFEITED ASSETS TRUST ACCT claims in the a	mount of:	\$0.00
FEDERAL FORFEITED ASSETS ACCT claims in the amount of	of:	\$0.00
TRUST/OTHER ACCT claims in the amount of:		\$9,544.65
COAH TRUST ACCT claims in the amount of:		\$0.00
UNEMPLOYMENT TRUST ACCT claims in the amount of		\$0.00
TOTAL CLAIMS TO BE PAID		\$2,387,395.52
BE IT FURTHER RESOLVED that the following claims have be	een paid prior to the Bill List Re	solution in the
following amounts:		
TRUST/OTHER ACCT claims in the amount of:		\$0.00
GENERAL CAPITAL ACCT claims in the amount of:		\$0.00
CURRENT APPROPRIATIONS RESERVE ACCT claims in the	e amount of:	\$0.00
CURRENT APPROPRIATIONS ACCT claims in the amount of	•	\$78,311.25
PARKING UTILITY ACCT claims in the amount of:		\$0.00
WATER UTILITY OPERATING claims in the amount of:		\$0.00
WATER UTILITY RESERVE ACCT claims in the amount of:		\$0.00
PARKING UTILITY CAPITAL claims in the amount of:		\$0.00
TOTAL CLAIMS PAID		\$78,311.25
TOTAL BILL LIST RESOLUTION		\$2,465,706.77
APPROT	TOWN OF DOVER, COUNTY	OF MORRIS
ATTEST:	TOWN OF DOVER, COONT	Of Moldas
	L D Dadd Marrow	
Tara M. Pettoni, Municipal Clerk	James P. Dodd, Mayor	

RESOLUTION NO. 163-2024

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING ANNUAL DANCE LICENSE

WHEREAS, the application for Annual Dance License have been made as listed on Schedule A; and,

WHEREAS, the appropriate fees have been paid and the license shall be prominently displayed at the location; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Dover, County of Morris, and State of New Jersey that the Annual Dance License is hereby approved.

SCHEDULE A

Su Casa Colombia 112 E. Blackwell Steet Dover, NJ 07801 License Renewal

ATTEST:		
Tara M. Pettoni, Municipal Clerk	James P. Dodd, Mayor	
	ADOPTED:	

RESOLUTION NO. 164-2024

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 vendor has 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.

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:

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

	ADOPTED:	
Tara M. Pettoni, Municipal Clerk	James P. Dodd, Mayor	
ATTEST:		

RESOLUTION NO. 165-2024

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 vendor has 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.

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:

1. That the application of Zoyla Paguay of Ricky's Ice Cream for a Mobile Retail Food Establishment, Class III License be approved. (RENEWAL)

Tara M. Pettoni, Municipal Clerk	James P. Dodd, Mayor	
	ADOPTED:	

RESOLUTION NO. 166-2024

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 vendor has 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.

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:

1. That the application of Alejandro Guevara of Parche Burger Dover, LLC for a Mobile Retail Food Establishment, Class II License be approved. (NEW)

Гага M. Pettoni, Municipal Clerk	James P. Dodd, Mayor
	ADOPTED:

RESOLUTION NO. 167-2024

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING ANNUAL BILLIARD HALL LICENSE(S)

WHEREAS, applications for Billiard Hall Licenses has been made as listed on Schedule A; and

WHEREAS, the appropriate fees have been paid and the license shall be prominently displayed; 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 Billiard Hall Licenses for pool tables is hereby approved.

SCHEDULE A

Los Arrieros Bar, 34 West Clinton Street (1 Pool Table) – License Renewal

Su Casa Columbia, 112 East Blackwell Street (2 Pool Tables) – License Renewal

	ADOPTED:	
Tara M. Pettoni, Municipal Clerk	James P. Dodd, Mayor	_
ATTEST:		



RESOLUTION 168-2024

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, Club Colombia filed an application for their Special Permit for Social Affairs to be held between Basset Highway and North Warren Street; and

WHEREAS, Club Colombia a non-profit organization 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 Club Colombia is approved to be held on Saturday, July 20, 2024 from 1:00 pm through 7:00 pm.
- 2. This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

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 social affair permit is hereby approved:

	ADOPTED:	
Tara M. Pettoni, Municipal Clerk	James P. Dodd, Mayor	_
ATTEST:		



RESOLUTION 169-2024

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING TAXICAB DRIVER LICENSES

WHEREAS, applications for taxicab driver's licenses have been made by the people listed below; 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 Town Council of the Town of Dover, County of Morris and State of New Jersey that the following taxi driver licenses are hereby approved:

CARMEN TAXI SERVICE INC.

Luis Benitez Granados – Renewal Bertha C. Ibarra – Renewal Gerardo Coello Sanchez – Renewal

DOVER TAXI AND LIMO SERVICE LLC.

Hipolito Arias Caraballo – Renewal Ramon Matos Feliz – Renewal Jose Manzueta Marte – Renewal Jose Mendez Matos – Renewal Manuel Mendez – Renewal Steven Sanjuan - Renewal Guillermo Palme Velasquez – New

ATTEST:		
Tara M. Pettoni, Municipal Clerk	James P. Dodd, Mayor	
	ADOPTED:	

RESOLUTION NO. 170-2024

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 companies, have 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.

CARMEN TAXI SERVICE INC. TAXI #5 5NPE24AF06H325108 Renewal 2016 HYUNDAI SONATA OT857H DOVER TAXI AND LIMO SERVICE LLC New **TAXI #33** 2C4RDGBG9DR619545 2013 DODGE CARAVAN OT379H FIRST CLASS TAXI **TAXI #57** New KMHLP4AG2NU298901 2022 HYUNDAI ELANTRA OT388G PREMIER CAR SERVICES CORP. **TAXI #80** 4T1BF1FK3HU679901 New OT523J 2017 TOYOTA CAMRY **TAXI #72** Renewal 5TDYK3DC6FS541918 2015 TOYOTA SIENNA OT404C ATTEST: James P. Dodd, Mayor Tara M. Pettoni, Municipal Clerk ADOPTED: _____



RESOLUTION NO. 171-2024

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING ESTIMATED PROPERTY TAX BILLING FOR THE 3RD QUARTER 2024

WHEREAS, The Morris County Board of Taxation has not certified the General Tax Rate throughout Morris County for 2024 and the Town of Dover Tax Collector will be unable to mail the Town's 2024 tax bills on a timely basis; and

WHEREAS, the Town of Dover Tax Collector in consultation with the Town of Dover Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Town of Dover approves the estimated tax levy to enable the Town to meet its financial obligations, maintain the tax collection rate, and provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing; and

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Dover, County of Morris, State of New Jersey on this 11th day of June, 2024 as follows:

- 1. The Town of Dover Tax Collector is hereby authorized and directed to prepare, and issue estimated tax bills for the Town's third installment of 2024 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by P.L. 1994, c72 (N.J.S.A. 54:4-66.2 and 54.4-66-3).
- 2. The entire estimated tax levy for 2024 is hereby set at \$42,437,427.69 with the estimated tax rate of 3.248. In accordance with the law, the third installment of 2024 taxes shall not be subject to interest until the later of August 10th or the twenty fifth (25th) calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

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Tara M. Pettoni, Municipal Clerk	James P. Dodd, Mayor	
	ADOPTED:	

RESOLUTION NO. 172-2024

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROVING THE SETTLEMENT OF DOCKET NO. MRS-L-001888-23

WHEREAS, on October 15, 2023, David C. Pennella ("Plaintiff") filed a Complaint in Lieu of a Prerogative Writ entitled <u>David C. Pennella v. Town of Dover and ALFA Investments, LLC</u>, in the Superior Court of New Jersey, Law Division, Morris County, Docket No. MRS-L-001888-23 (hereinafter the "Action"), against the Town of Dover ("Town") and Alfa Investments, LLC ("Alfa") (collectively Plaintiff, the Town and Alfa known as the "Parties"), relative to a dispute over a zoning line and in connection to Ordinance Number 19-2023; and

WHEREAS, the Town denied and contested the allegations in the Action; and

WHEREAS, the Parties have engaged in extensive settlement negotiations, relative to the issues raised in the Action; and

WHEREAS, in an effort to avoid any further litigation costs and to resolve the issues between the Parties, the Parties have agreed to settle all claims and the Mayor and Town Council have determined it to be in the best interest of the Town to enter into a Settlement Agreement in a manner substantially similar to that attached hereto as **Exhibit "A"**; and

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Town Council of the Town of Dover, County of Morris, and State of New Jersey, is hereby authorized to execute the Settlement Agreement based upon the terms and conditions set forth herein and, in a manner, substantially similar to the Agreement attached hereto as **Exhibit "A"**; and

BE IT FURTHER RESOLVED, the Mayor and Town Council are authorized to make any actions necessary to effectuate the authorized settlement, including but not limited to executing the Agreement; and

BE IT FURTHER RESOLVED, this resolution shall take effect immediately; and

BE IT FURTHER RESOLVED, the Mayor and Town Council do hereby direct a copy of a fully executed Settlement Agreement shall be kept on file by the Municipal Clerk.

ATTEST:		
Tara M. Pettoni, Municipal Clerk	James P. Dodd, Mayor	
	ADOPTED:	_

STIPULATION OF SETTLEMENT

THE PARTIES

This Stipulation of Settlement (hereinafter referred to as the "Settlement") is made on this day of March 20, 2024, between David C. Pennella, hereinafter "Plaintiff", located at 1201 Sussex Turnpike, Randolph, NJ 07869, the Town of Dover, a New Jersey Municipal Corporation, hereinafter "Dover", Defendant, located at 37 N. Sussex Street, Dover, NJ 07801 and Alfa Investments, LLC hereinafter "Alfa" Defendant, located at 170 Kinnelon Road, Suite 6, Kinnelon, NJ 07405, and collectively known as "The Parties"; and

Whereas, in furtherance of the Settlement between the parties they each represent, warrant, state and agree as follows:

Whereas, Alfa is the owner of 137 King Street, block 2017, lot 17 in the Town of Dover, County of Morris in the State of New Jersey;

Whereas Dover is a Municipal Corporation of the State of New Jersey, wherein lies Alfa's above-described property; and

Whereas Alfa's lot was located in two (2) different zoning districts;

Whereas Alfa's sought to have the zoning line moved from the middle of its property to the common property line between 137 King Street and 145 King Street also known as block 2017 and lot 16 and;

Whereas Plaintiff objected to the zone line shift; and,

Whereas the zone line change was approved by the governing body of the Town of Dover by a 5 to 4 vote, memorialized in Ordinance Number 19-2023 ("Ordinance"); and,

Whereas the Plaintiff filed a Complaint in lieu of prerogative writ naming Alfa and Dover as defendants, seeking to overturn the Ordinance, such Complaint bearing Docket No. MRS-L-001888-23 ("Complaint"); and

Whereas The Parties have agreed to amicable resolve all claims contained within the Complaint, including but not limited to those pertaining to the relocation of the zoning boundary line and the memorializing Ordinance adopted in connection therewith; and,

Whereas The Parties agree that the full resolution of the above matters and issues warrants a dismissal of the Complaint, with prejudice.

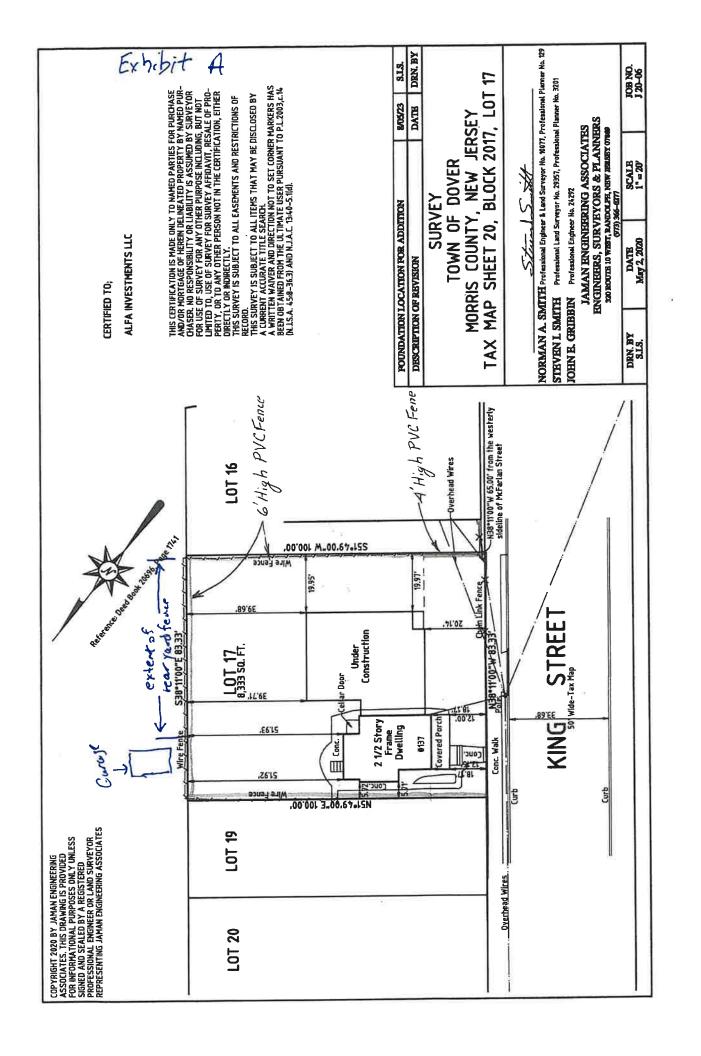
NOW, THEREFORE, in consideration of the mutual benefits conferred in the Settlement, the premises of the Settlement and consideration provided for herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and subject to the terms and conditions herein contained The Parties agree as follows:

- 1. Vegetation Removal. Alfa hereby agrees to remove the vegetation (hedges, shrubs, and small trees) and the wire fence located along the common property line between 137 King Street and 145 King Street for a distance of approximately four (4) feet on either side of the property line from King Street to the rear property line of the above-referenced properties. Alfa shall also remove the vegetation along the rear property line of 137 King Street which borders on property that is owned by Plaintiff known as block 2017, lot 15 along the whole length of their common boundary, to the same extent as noted above relative to the side yard common property line, as depicted on attached Exhibit A.
- Fence. Alfa will install a six (6) foot white vinyl fence on its property, at least one (1) foot into Alfa's property along the common property line between lots 17 and lot 16 and lot 15 along the rear property line as depicted on attached Exhibit A.

- Payment. Alfa shall pay to Plaintiff the sum of \$20,000.00 in addition to numbers 1 and 2 above within fifteen (15) days of full execution of this Agreement.
- 4. <u>Stipulation</u>. Plaintiff shall provide a signed Stipulation of Dismissal with prejudice to the attorneys for Dover and Alpha. Those attorneys shall sign the Stipulation of Dismissal with prejudice and return it to Plaintiff's attorney. Plaintiff's attorney shall file the Stipulation of Dismissal with prejudice within ten (10) days of the Plaintiff's receipt of payment and the completion of the work contemplated in the Settlement Stipulation.
- 5. Choice of Law. This Agreement shall be governed in all respects including validity, interpretation, and in fact by the laws of the State of New Jersey. The Agreement shall be dated as of the date it was last signed by any of the parties which date shall be incorporated on the face page of this Agreement.
- 6. <u>Separate Counsel</u>. The parties have been represented by separate counsel or have had sufficient opportunity to consult with counsel. Neither of the parties have relied on the other parties' counsel in executing this Agreement.
- 7. Additional and Miscellaneous Terms. The parties represent that they have relied upon the legal advice of attorneys of their own choice and that they have each had the opportunity to review the Settlement with their attorney's. The parties further represent that the terms of the Agreement have been completely read and examined by the attorneys and that they fully understand and voluntarily accept the stated terms. This Settlement shall be binding upon the parties, and their agents, successors, and assigns. No modifications or changes in the Agreement shall be binding unless in writing and executed by all parties. No delay in enforcing any aspect of this Settlement shall be deemed a waiver of any rights and remedies.
- 8. Release and Waivers. Each of the parties hereby releases and waives all claims they may have against each other, and/or any other party, that might arise in connection with the use, ownership, occupancy, and enjoyment of block 2017, lots 15, 16 and 17, as rezoned, and from the actions of the Town of Dover relocating the zoning boundary line on lot 17.

9. The foregoing terms and conditions are Agreed to and stipulated by:

Witness TREARET NAGEL		David C. Pennella, Plaintiff,
	*	Alfa Investments, LLC,
		By Rajendra B. Gupta, member
Witness		
		By Sarita Gupta, member
ATTEST		Town of Dover
Tara Pettoni, Clerk		By James P. Dodd, Mayor



RESOLUTION NO. 173-2024

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING ENGINEERING WORK TO BEGIN ON THE 2024 PENN AVENUE NJDOT ROADWAY IMPROVEMENT PROJECT

WHEREAS, the Department Head of Engineering Department has determined that there is a need to begin work on the 2024 Penn Avenue NJDOT Roadway Improvement Project; and

WHEREAS, the estimated Engineering cost which includes surveying, design services, bid documents and construction administration and inspections for this project is \$74,500.00; and

WHEREAS, the Town of Dover Chief Financial Officer has determined that monies are available in existing bonds for this work; and

WHEREAS, there is a need to move forward with this project, specifically authorizing Colliers Engineering & Design to begin work on this project; and

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Dover, County of Morris, State of New Jersey authorizes the work described above to commence and that Colliers Engineering & Design, located at 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856 can begin the Engineering work for this project. A copy of this Resolution shall be provided to William Isselin – Head of Engineering.

ATTEST:	
Tara M. Pettoni, Municipal Clerk	James P. Dodd, Mayor
	ADOPTED:

400 Valley Road Suite 304

Mt. Arlington New Jersey 07856

Main: 877 627 3772



March 11, 2024

Betty Lou DeCroce Municipal Administrator Town of Dover 37 North Sussex Street Dover, New Jersey 07801

NJDOT FY2024 – Penn Avenue Improvements Professional Engineering Services Town of Dover, Morris County Colliers Engineering & Design Project No. DVR0003P

Dear Ms. DeCroce,

Colliers Engineering & Design Inc. dba Maser Consulting (CED) is pleased to present this agreement to provide design, grant administration services, bidding, and construction observation and administration services relating to the NJDOT FY2024 – Penn Avenue Improvements project. Specifically, the limits are Penn Avenue, from Fifth Street to Van Nostrand Avenue. We understand that the Town has been awarded a Fiscal Year 2024 Municipal Aid grant from the New Jersey Department of Transportation (NJDOT) in the amount of \$364,906.00. The preliminary cost estimate included in the grant application for the roadway improvements is approximately \$421,384.00. The grant award is intended to assist the Town with funding of improvements outlined in the Municipal Aid grant application.

Accordingly, the construction improvements anticipated will include milling, base repair, replacement of ADA curb ramps, replacement of inlet curb pieces and grates, minor drainage improvements, as needed, paving, striping, and restoration. In consideration of the discrepancy between the grant amount and preliminary construction cost estimate, alternate bids can be prepared, if requested, to match the desired Town funding contribution to the project.

In order to comply with the grant requirements, the Town is obligated to award a construction contract within 24 months of the grant award. CED will provide the following services:

SCOPE OF SERVICES

TASK 1.0 DESIGN AND BIDDING SERVICES

CED will develop construction drawings and specifications to be utilized for public bid. Bid documents will be prepared in accordance with NJDOT requirements. The scope of improvements expressed in the bid documents shall be as specified in the grant application.

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The existing site conditions will be investigated during the design; more specifically, the conditions of the curbing, sidewalk, driveway, roadway, and drainage structures. CED will prepare base mapping utilizing available tax maps and GIS, aerial imagery, and field measurements. Once base mapping is completed, we will prepare plan drawings depicting the proposed areas of milling, spot curb repair and installation of curbing, where none exists, reconstruction of driveway aprons, resetting of structures, accessible curb ramps, and striping. The drawings shall be prepared in accordance with the following design criteria and standards:

- a. NJDOT Design Manual for Roadways.
- b. NIDOT Design Manual for Bridges and Structures.
- c. Standard Specifications for Roadways AASHTO.
- d. NJDOT Standard Specifications for Road and Bridge Construction.
- e. Manual on Uniform Traffic Control Devices.

CED will prepare the base mapping, title sheet, general notes and legend, estimate of quantities, construction plans and the construction details. CED will also prepare the supplemental and technical specifications for the site improvement items that are specified on our construction drawings for incorporation into the overall bid specifications. The specifications will be prepared in the latest NJDOT format, as amended. As this project develops, and the Construction Cost Estimate (CCE) is closer to completion during the design phase, the Town will be updated with the status of design and whether alternate bids are recommended.

The construction plans will callout the curb ramp types in accordance with Public Right-of-Way Guidelines (PROWAG) for ADA accessibility. It will be the responsibility of the contractor to construct ADA-compliant curb ramps. Upon construction of curb ramps, CED will inspect the ramps for compliance with ADA requirements. Curb ramps determined to be non-compliant with the ADA requirements will be reconstructed by the contractor at no additional cost to the Owner.

The project limits may be adjusted by utilizing alternate bids based upon the budget approved by the Town. CED will prepare the CCE based on the quantity required for each alternate bid and finalize the design in order for the project to remain within the construction budget. Bidding services will be coordinated through our Mount Arlington office.

Specifications will be developed in accordance with NJDOT Standard Specifications for Road and Bridge Construction, as currently amended. An Engineer's Estimate will be prepared and submitted to NJDOT Bureau of Local Aid along with an Engineer's Design Certification, plans, and specifications. Upon receiving authorization to bid from NJDOT, we will coordinate with the Town regarding public advertisement of the bid documents.

CED will coordinate with the Town regarding the Bidding Period Services, specifically the following shall be conducted:

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- · Order the advertisement for bid.
- Development of addendum(s) to clarify or review the bid documents, as required.
- Attend bid opening and reading of bids in order to tabulate them.
- Review the proposals from the responsive bidders and make recommendations to the Town regarding the selection and evaluation of the bids.

TASK 2.0 GRANT APPLICATION SERVICES

Throughout the design and future construction services, CED will prepare submittals to NJDOT Bureau of Local Aid in accordance with the Municipal Aid program requirements. Submittals will include final plans, specifications, Engineer's Estimate, Engineer's Design Certifications, Resolution of Award, Bid Tabulation, Pre-Construction Meeting Minutes, 75% Initial Payment Voucher, Construction Start and End Notices, Final Change Order Form, and Reimbursement Vouchers. CED will also coordinate with a separate asphalt testing company to perform material testing per NJDOT Local Aid special provisions. This agreement does not include material testing to be completed by a third-party testing company. This will be recommended to be funded separately and invoiced directly to the Town.

To facilitate the final grant reimbursements, CED will coordinate with the Town to obtain the necessary signatures by the Town personnel, as needed, for the Final Change Order, Chief Financial Officer Certification and Final Payment Voucher.

TASK 3.0 - CONSTRUCTION ADMINISTRATION AND OBSERVATION SERVICES

Upon award of the construction contract to the lowest responsive and responsible bidder, CED shall coordinate a Pre-Construction meeting with the contractor and the Town. During construction, CED shall monitor the contractor's performance and enforce the adherence to the contract documents and project schedule.

CED shall provide the Town with as needed part-time on-site construction administration (full-time during paving operations) services throughout construction operations. This task anticipates construction lasting approximately 6 weeks. In addition, CED anticipates that there will be 2 weeks of part-time construction administration services for the contractor to complete the punch list items.

Daily observation reports will be retained by CED regarding the project. CED shall review and prepare contractor's payments as well as change orders (if necessary). If unacceptable work or material is supplied by the contractor, immediate corrective action shall be taken by CED on behalf of the Town. We will review the submittals for the projects including shop drawings and as-built drawings provided by the contractor.

Prior to completion, a final punch list shall be created by the construction administrator and completion deadlines shall be scheduled for any open items. Upon completion of the punch list items, a final site visit shall be scheduled with the contractor and the Town to close out the project.

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CED will prepare the paperwork for final payment for the contractor and submittal to the Town for release of retainage, as well as reimbursement and close out documents with NJDOT.

FEE AGREEMENT

For your convenience, we have broken down the total estimated cost of the project into the categories identified within the Scope of Services.

TOTAL LUM	P SUM FEE	\$74,500.00
TASK 3.0	CONSTRUCTION ADMINISTRATION AND OBSERVATION SERVICES	\$ 33,250.00
TASK 2.0	GRANT ADMINISTRATION SERVICES	\$4,000.00
TASK 1.0	DESIGN AND BIDDING SERVICES	\$37,250.00

The above engineering services will be provided on a lump sum basis not to exceed the listed amount. This contract and fee schedule are based upon the Town Engineering Contract, authorized by the Town.

PROJECT SCHEDULE

The following is the anticipated project schedule:

Anticipated Task	Anticipated Duration
Award of Professional Design Services	Anticipate Authorization March 2024
Preparation of Design Plans and Specifications	To be completed within 60 days of Authorization
NJDOT Concurrence	Anticipate 30 days from submission
Bidding of Project	Anticipate 30 days for bidding process
Contractor Award	TBD
Construction (Anticipated)	TBD – Anticipate Spring/Summer 2024
Project Closeout (Anticipated)	To occur post construction – Anticipate Fall 2024

PROJECT DELIVERABLES

Two (2) copies of the final bid documents will be provided to the Town prior to bidding.

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PLAN REVISIONS AND EXTRA SERVICES

Any revision requested by the Town or review agencies that is a major redesign or not an error or omission on the part of CED will be billed on an hourly basis in accordance with our current contract.

REIMBURSABLE EXPENSES

Reimbursable expenses including delivery, printing, copying, postage and other reproducible costs for the above-mentioned deliverables, are included within this agreement, and are included in the project cost.

EXCLUSIONS

If any item listed herein, or otherwise not specifically mentioned within this agreement or the Town Engineering Agreement, is deemed necessary, then CED may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees with regard to the additional services. Unanticipated additional services shall be in accordance with the Schedule of Hourly Rates for the number of hours necessary to complete the desired tasks. No extra engineering services will be performed without authorization from the Town.

Please forward a copy of the Resolution of Approval and/or Purchase Order to this office. This will constitute approval of the proposed engineering agreement.

We thank you very much for the opportunity to offer our services and look forward to working with you on this and future projects. In the meantime, should you have any questions regarding this agreement, please feel free to contact me.

Sincerely, Colliers Engineering & Design

Carl P. O'Brien, P.E., P.P., C.M.E., C.P.W.M.

1 P. OB

Geographic Discipline Leader

cc: Andrew Hipolit, P.E., (CED) Kevin Boyer, P.E., (CED) Patrick Jamieson, (CED)

Bill Isselin, (Dover) - wisselin@Dover.NJ.US

RESOLUTION NO. 174-2024

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, DESIGNATING SEASONAL SALARIES AND TITLES FOR THE DOVER RECREATION SUMMER PLAYGROUND PROGRAM STAFF

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 hourly salaries set forth hereunder be and hereby are established for the listed employees of the Town of Dover Summer Recreation Program at the respective sums shown following their names and or position designation listed below during the program period starting Monday, June 24, 2024 through Friday, August 9, 2024.
- 2. This resolution directs the Treasurer of the Town of Dover to withhold such monies from individual salaries and wages so there is no advance payment of salaries and wages and annual sums maybe adjusted through December 31, 2024.

DOVER RECREATION SUMMER SEASONAL STAFF

Lopez, Angie Oeo, Natalia	Program Director Assistant Director	\$22.00/hr. \$21.00/hr.
Benitez, Victor	Senior Counselor	\$18.00/hr.
Lupercio, Kevin	Senior Counselor	\$18.00/hr,
Calle, Kellyn	Counselor	\$17.00/hr.
Cardona, Gleris	Counselor	\$17.00/hr.
Macareno, Laura	Counselor	\$17.00/hr.
Mejia, Keyla	Counselor	\$17.00/hr
Nelson, Jahnelle	Counselor	\$17.00/hr
Osslin, Eden	Counselor	\$17.00/hr.
Sperry, Sarah	Counselor	\$17.00/hr.
Wagner, Jessica	Counselor	\$17.00/hr,
Cole, Kayleigh	Park Aide	\$16.00/hr.
Cotto, Yanalis	Park Aide	\$16.00/hr.
Davis, Emma	Park Aide	\$16.00/hr.
Dominguez, David	Park Aide	\$16.00/hr.
Garcia, Fatima	Park Aide	\$16.00/hr.
Lopez, Alani	Park Aide	\$16.00/hr.
Ocampo, Jonathan	Park Aide	\$16.00/hr.
Ortiz, Emeli	Park Aide	\$16.00/hr.
Peart, Rhoanna	Park Aide	\$16.00/hr.
Philips, Faith	Park Aide	\$16.00/hr.
Yepez-Sellan, George	Park Aide	\$16.00/hr.

ATTEST:

Tara M. Pettoni, Municipal Clerk	James P. Dodd, Mayor	-
	ADOPTED:	