



TOWN OF DOVER MAYOR & TOWN COUNCIL

REGULAR MEETING AGENDA Town of Dover Town Hall May 28, 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 12, 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 Ordinance 10-2024 An Ordinance of the Mayor and Town Council Providing a Handicapped Parking Space at 11-13 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 11-2024 An Ordinance of the Town of Dover, County of Morris, State of New Jersey Establishing an Energy and Natural Gas Aggregation Program

K) APPROVAL OF BILLS

- a. Resolution 145-2024 Approval of Bills List

L) APPROVAL OF RESOLUTIONS

1) CONSENT AGENDA RESOLUTIONS

- a. Resolution 146-2024 Approving Volunteer Fire Department Member
- b. Resolution 147-2024 Approving Annual Dance License—Los Arrieros Bar
- c. Resolution 148-2024 Approving a Noise Permit, 361 E. McFarlan Street
- d. Resolution 149-2024 Approving a Mobile Retail Food Establishment(s), El Parche de Duggie
- e. Resolution 150-2024 Approving a Mobile Retail Food Establishment(s), Carlo's Ice Cream
- f. Resolution 151-2024 Approving a Mobile Retail Food Establishment(s), Victoria's Ice Cream

2) RESOLUTIONS FOR DISCUSSION AND CONSIDERATION

- a. Resolution 152-2024 Approving Taxicab Driver Licenses
- b. Resolution 153-2024 Approving Tax Appeal Settlement for Block 1901, Lot 2
- c. Resolution 154-2024 Approving Tax Appeal Settlement for Block 1217, Lot 1
- d. Resolution 155-2024 Authorizing the Consent to Subordination of Mortgage for the Property Located at 29 Third Street
- e. Resolution 156-2024 Authorizing the Annual Fireworks Display to Celebrate Independence Day with Schaefer's Fireworks in an Amount of \$16,000.00
- f. Resolution 157-2024 Permitting Commemorative Flags to be Raised as an Expression of Government Speech
- g. Resolution 158-2024 In Support of LGBTQ+ Pride Month
- h. Resolution 159-2024 Renewal of Government Product Lease Agreement with Quadient Leasing USA, Inc.
- i. Resolution 160-2024 Authorizing the Award of a Contract to Colliers Engineering & Design Inc. for the Preliminary Design Concept and Survey of the Fox Hill Water Tank

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

- a. Resolution 161-2024 Authorizing an Executive Session to Discuss Pending Litigation

Q) ACTIONS CONSIDERED FOLLOWING CLOSED SESSION

R) ADJOURNMENT



TOWN OF DOVER

MAYOR & TOWN COUNCIL

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 11-13 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 11-13 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: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

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: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

ORDINANCE NO. 11-2024

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY ESTABLISHING AN ENERGY AND NATURAL GAS AGGREGATION PROGRAM

WHEREAS, the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq. governs the establishment of a Government Energy Aggregation (GEA) program, which is a government-operated purchasing cooperative through which multiple energy consumers, including residential and non-residential utility ratepayers, purchase energy generation services together under the auspices of a government aggregator; and

WHEREAS, the New Jersey Board of Public Utilities (BPU) has promulgated rules (N.J.A.C. 14:4-6) for the implementation of GEA programs; and

WHEREAS, the deregulation of energy generation in the State of New Jersey has created a competitive marketplace, wherein residential and non-residential GEA participants may realize a direct reduction in the cost of electricity and gas supply on their utility bills; and

WHEREAS, through the aggregation process the government aggregator has the capacity to include energy purchased from renewable sources; and

WHEREAS, the realization of energy cost savings and the provision of options for purchasing energy from renewable sources serve the interests of the health, safety and welfare of the residents of the Town of Dover; and

WHEREAS, the Town of Dover hereby finds that it is in the best interests of residential and non-residential electric and gas ratepayers for the Town of Dover to create the opportunity for them to enter into an aggregation agreement in order to seek substantial savings on utility generation rates and be provided with options for reducing their carbon footprint; and

NOW, THEREFORE BE IT ORDAINED, by the governing body of the Town of Dover in the County of Morris and the State of New Jersey, duly assembled in public session, as follows:

- 1- The Town of Dover publicly declares its intent to become an aggregator of electric power and natural gas on behalf its residential and non-residential consumers of electricity and natural gas, pursuant to the Government Energy Act of 2003, **N.J.S.A.** 48:3-91.3 to -98, and implementing regulations.
- 2- The Town of Dover will utilize the services of an approved energy agent in implementing the GEA program. Such agent shall, on behalf of the Town of Dover, conduct a reverse energy auction to seek bids from licensed and qualified third-party energy 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.

- 3- The Mayor and Town Clerk are hereby authorized and directed to execute any documents necessary to carry out the purpose of the Ordinance.
- 4- All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 5- If any portion of this ordinance shall be deemed invalid by any court of competent jurisdiction, the remainder shall survive in full force and effect.
- 6- This ordinance shall be effective immediately upon adoption and publication in accordance with law.

Attest:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

INTRODUCED: _____

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 145-2024 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 amount of:	\$4,729.17
CURRENT APPROPRIATIONS ACCT claims in the amount of:	\$641,080.68
GENERAL CAPITAL ACCT claims in the amount of:	\$12,158.29
WATER UTILITY RESERVE ACCT claims in the amount of:	\$6,884.00
WATER UTILITY ACCT claims in the amount of:	\$94,608.81
WATER CAPITAL ACCT claims in the amount of:	\$84,225.01
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$0.00
PARKING UTILITY ACCT claims in the amount of:	\$6,321.79
PARKING CAPITAL ACCT claims in the amount of:	\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$34.80
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:	\$5,196.65
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	\$855,239.20

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

TRUST/OTHER ACCT claims in the amount of:	\$1,125.00
GENERAL CAPITAL ACCT claims in the amount of:	\$0.00
CURRENT APPROPRIATIONS RESERVE ACCT claims in the amount of:	\$0.00
CURRENT APPROPRIATIONS ACCT claims in the amount of:	\$0.00
PARKING UTILITY ACCT claims in the amount of:	\$0.00
WATER UTILITY OPERATING claims in the amount of:	\$708.80
WATER UTILITY RESERVE ACCT claims in the amount of:	\$0.00
PARKING UTILITY CAPITAL claims in the amount of:	\$0.00
TOTAL CLAIMS PAID	\$1,203.80
TOTAL BILL LIST RESOLUTION	\$856,443.00

ATTEST:

TOWN OF DOVER, COUNTY OF MORRIS

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 146-2024

**RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER,
COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING VOLUNTEER FIRE
DEPARTMENT MEMBER**

WHEREAS, the Town of Dover Fire Department has received an application for membership in the Dover Volunteer Fire Department from Jacob Gonzalez; and

WHEREAS, the applicant has met all the requirements as stated in Chapter 20-4 of the Code of the Town of Dover Volunteer Fire Department, and have been recommended by Fire Chief Paul McDougall; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Dover, County of Morris, State of New Jersey to approve the membership of Jacob Gonzalez.

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

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 147-2024

**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 licenses is hereby
approved.

SCHEDULE A

Los Arrieros Bar
34 West Clinton Steet
Dover, NJ 07801
License Renewal

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 148-2024

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER APPROVING A NOISE PERMIT FOR 361 EAST MCFARLAN STREET

WHEREAS, the property owner at 361 East McFarlan Street has requested a permit for the use of loud speakers or amplifiers for an outdoor party to be held on Saturday June 22, 2024 from 5:00 pm to 10:00 pm; and

WHEREAS, the purpose is to have a graduation party; and

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

1. There is hereby approved a permit for the use of loudspeakers or amplifiers by the homeowner at 361 E. McFarlan Street on Saturday, June 22, 2024 from 5:00 pm to 10:00 pm.
2. This authorization is conditioned upon the use of the loudspeakers or amplifiers being in conformance with all regulations of the Code of the Town of Dover.

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 149-2024

**RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE
TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING A
MOBILE RETAIL FOOD ESTABLISHMENT(S)**

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

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

WHEREAS, the appropriate fees have been paid; and

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

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

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

1. That the application of Douglas Soto of El Parche de Duggie for Two Mobile Retail Food Establishment, Class 1 Licenses be approved. (Renewal)

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 150-2024

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

WHEREAS, the appropriate fees have been paid.

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:

Carlo's Ice Cream
42 Belmont Ave.
Dover, NJ, 07801

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 151-2024

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

WHEREAS, the appropriate fees have been paid.

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:

Victoria's Ice Cream
1051 Grandview Ave.
Union, NJ, 07083

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION 152-2024

**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:

DOVER TAXI AND LIMO SERVICE LLC.

Orlando Angel Guevara – Renewal

Laura Escobar Escobar - Renewal

Kelvin Jimenez Encarna - New

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 153-2024

**RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER,
COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING TAX APPEAL
SETTLEMENT FOR BLOCK 1901, LOT 2**

WHEREAS, the Dover Mayor and Council have been advised of the proposed settlement of a property tax appeal filed by James and Joseph Management, LLC (hereinafter the "Tax Appeal"), under Docket Numbers 010347-2010, 006643-2011, 010836-2012, 009810-2013; 007056-2014, 004242-2015, 005586-2016, 004138-2017 and 006819-2018; and,

WHEREAS, the aforesaid Tax Appeal involves an industrial property located at 126 E. Dickerson Street, and is otherwise designated as Block 1901 Lot 2 on the tax assessment map of the Town; and,

WHEREAS, the Governing Body has been advised of the merits of the aforesaid settlement by legal counsel and the Town Tax Assessor; and,

WHEREAS, the terms of the proposed settlement are set forth in the Schedule "A" attached hereto and made a part hereof; and,

WHEREAS, it is in the best interest of the Town to settle the subject Tax Appeal in accordance with the terms set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Dover, that the aforesaid Tax Appeal settlement is hereby approved, in accordance with the terms set forth in the attached Schedule "A"; and,

BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Town Clerk, Tax Appeal Attorney and/or any other appropriate Town official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED: _____

SCHEDULE "A"

A. The terms of the aforesaid tax appeal settlement shall consist as follows:

2010 Appeal: \$2,911,900
2011 Appeal: \$2,911,900
2012 Appeal: \$2,911,900
2013 Appeal: \$2,911,900
2014 Appeal: \$2,911,900
2015 Appeal: Withdrawn
2016 Appeal: Withdrawn
2017 Appeal: Withdrawn
2018 Appeal: Withdrawn

B. The provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") are expressly waived.



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 154-2024

**RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER,
COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING TAX APPEAL
SETTLEMENT FOR BLOCK 1217, LOT 1**

WHEREAS, the Dover Mayor and Council have been advised of the proposed settlement of a property tax appeal filed by Shatursun Estates, LLC (hereinafter the "Tax Appeal"), under Docket Numbers 010551-2012 and 009810-2013; and,

WHEREAS, the aforesaid Tax Appeal involves a commercial property located at 16 W. Blackwell Street and 6 S. Warren Street, and is otherwise designated as Block 1217 Lot 1 on the tax assessment map of the Town; and,

WHEREAS, the Governing Body has been advised of the merits of the aforesaid settlement by legal counsel and the Town Tax Assessor; and,

WHEREAS, the terms of the proposed settlement are set forth in the Schedule "A" attached hereto and made a part hereof; and,

WHEREAS, it is in the best interest of the Town to settle the subject Tax Appeal in accordance with the terms set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Dover, that the aforesaid Tax Appeal settlement is hereby approved, in accordance with the terms set forth in the attached Schedule "A"; and,

BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Town Clerk, Tax Appeal Attorney and/or any other appropriate Town official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED: _____

SCHEDULE "A"

A. The terms of the aforesaid tax appeal settlement shall consist as follows:

2012 Appeal: Withdrawn
2013 Appeal: \$1,260,000

B. The provisions of N.J.S.A. 54:51A-8 (the "Freeze Act") are expressly waived.



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 155-2024

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF DOVER
AUTHORIZING THE CONSENT TO SUBORDINATION OF MORTGAGE FOR THE
PROPERTY LOCATED AT 29 THIRD STREET, DOVER, NJ OWNED BY ANTHONY
AND MARIA ROSARIO**

WHEREAS, the Town of Dover Rehabilitation Program (the “Program”) provides financial assistance for the rehabilitation of owner-occupied houses to assist residents in the removal of unsafe conditions in their dwellings, interior improvements and premise repairs; and

WHEREAS, Anthony and Maria Rosario (the “Owners”), residing at 29 Third Street, Dover, NJ, obtained funding from the Program on July 11, 2005 in the amount of \$14,700.00; and

WHEREAS, the Owners are seeking to refinance their home with a private lender, requiring a Postponement of Mortgages allowing the Program loans to be subject, subordinate, and inferior to the new mortgage; and

WHEREAS, the Owners have requested that the Mayor and Council consent to such Subordination of Mortgage; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Dover, the following:

1. The Mayor and Town Council acknowledge and consent to the Subordination of Mortgage, and hereby authorize the Administrator of the Program, to execute the documents necessary to effectuate the requested Subordination of Mortgage.

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 156-2024

**RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER
AUTHORIZING THE ANNUAL FIREWORKS DISPLAY TO CELEBRATE
INDEPENDENCE DAY AND ENTERING INTO AN AGREEMENT WITH
SCHAEFER'S FIREWORKS IN AN AMOUNT OF \$16,000.00**

WHEREAS, it has been a tradition each year that the Town of Dover conducts an annual Fireworks display to celebrate Independence Day at the Hamilton Field located on McFarlan Street; and

WHEREAS Schaefer Fireworks' proposal provided the most fireworks and best display of shells with a price of \$16,000.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Town Council of the Town of Dover that the Fireworks celebration event for 2024 will be held on Wednesday, July 3rd, or on the scheduled rain date of Friday, July 5th, and Schaefer Fireworks is hereby approved to provide the fireworks display.

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 157-2024

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER PERMITTING COMMEMORATIVE FLAGS TO BE RAISED AS AN EXPRESSION OF GOVERNMENT SPEECH

WHEREAS, the Town of Dover (the “Town”) wishes to adopt a formal policy regarding flag raisings at Town Hall establishing that the Mayor and Council may permit the display of commemorative flags at Town Hall as a form of the government’s own expression pursuant to Government Speech Doctrine (See, Shurtleff v. City of Boston, Massachusetts, 142 S.Ct. 1583 (2022)); and

WHEREAS, the Government Speech Doctrine establishes that a government organization, such as the Town may advance its own expression without requiring viewpoint neutrality when the government itself is the speaker, so long as its expression does not show religious preference; and

WHEREAS, the Town Council believes it is in the best interest of the Town to decline any and all petitions/requests to fly flags at Town Hall; and

WHEREAS, as a form of its own expression, the Town Council wishes to display the following commemorative flags at Town Hall: (i) Flag of the United States; (ii) Flag of the State of New Jersey; (iii) Flag of the County of Morris; (iv) Flag of the Town of Dover; (v) P.O.W./M.I.A. (Prisoner of War/Missing in Action) flag as provided in Title 36, Chapter 9, section 902 of the United States Code (36 U.S.C. section 902); and (vi) Killed in Action Flag (required by P.L. 2017, Chapter 188); and

NOW THEREFORE BE IT RESOLVED by the Mayor and the Town Council of the Town of Dover, County of Morris, State of New Jersey that the Town of Dover shall not consider or entertain any petitions and/or requests from the Public to fly flags at Town Hall and any such petition/request will be deemed denied upon receipt; and

BE IT FURTHER RESOLVED by the Mayor and the Town Council of the Town of Dover, County of Morris, State of New Jersey that the following flags are hereby permitted to be displayed upon flagpoles at Town Hall as an expression of government speech:

1. Flag of the United States
2. Flag of the State of New Jersey
3. Flag of the County of Morris
4. Flag of the Town of Dover
5. P.O.W./M.I.A. (Prisoner of War/Missing in Action) flag as provided in Title 36, Chapter 9, section 902 of the United States Code (36 U.S.C. section 902)
6. Killed in Action Flag (required by P.L. 2017, Chapter 188)

BE IT FURTHER RESOLVED that nothing contained herein shall limit the Town’s ability to display any flags on Town owned flagpoles that the Town Council may authorize by resolution as a form of government speech, provided the display of same shall not show religious preference.

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 158-2024

RESOLUTION BY THE MAYOR AND COUNCIL OF THE TOWN OF DOVER IN SUPPORT OF LGBTQ+ PRIDE MONTH

WHEREAS, the Mayor and Council of the Town of Dover welcome and encourage diversity and inclusion within our community; and

WHEREAS, June 28, 2024, marks the 55th anniversary of the Stonewall uprising in New York City, which sparked the gay rights movement, and nationwide, June is the month to recognize the Lesbian, Gay, Bisexual, Transgender and Queer/Questioning, and Plus (LGBTQ+) community; and

WHEREAS, celebrating Pride Month raises awareness and provides support and advocacy for the LGBTQ+ community, and is an opportunity to become educated, engage in dialogue, strengthen alliances and build understanding; and

WHEREAS, while there has been remarkable progress towards acceptance and equality, members of the LGBTQ+ community continue to face discrimination, intolerance, and hate; and

WHEREAS, we must commit to supporting and accepting LGBTQ+ individuals, in particular our youth, who compared to their peers are far more likely to experience violence and bullying at school; to suffer from depression; to struggle with substance use; and to have attempted suicide; and

WHEREAS, we must remain vigilant in deterring oppression and discrimination against people on the basis of sex, gender identity or expression, or sexual orientation; and

WHEREAS, by protecting the rights of every individual, we enhance and strengthen the value of everyone throughout our entire society; and

WHEREAS, the Town of Dover is proud to be home to community leaders who identify as LGBTQ+, including Pastor Fred Becker, who preaches true love and acceptance at Trinity Lutheran Church and has worked hard to create a community of faith where all feel welcome; and

WHEREAS, EDGE New Jersey provides support services and education to Dover residents who live with or are at risk for HIV as well as members of the LGBTQ+ community, and provides a positive influence to the community; and

WHEREAS, we affirm our support for our LGBTQ+ residents and stand with them to protect their civil rights and their ability to live openly, equally and without fear;

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

That the Mayor and Council of the Town of Dover recognize and support the month of June in 2024 as Lesbian, Gay, Bisexual, Transgender, and Queer/Questioning, and Plus (LGBTQ+) “Pride Month;” and we urge all residents to celebrate and build a culture of inclusiveness and acceptance – during this month and every month.

AND further, that the Mayor and Council commend Pastor Fred Becker of Trinity Lutheran Church and EDGE New Jersey for their positive impact and influence on not only the LGBTQ+ community, but on the entire Dover community,

AND finally, that the Mayor and Council recognize the importance and significance of Pride Month by flying the rainbow flag at JFK Memorial Commons Park on E McFarlan Street, Dover, New Jersey 07801.

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 159-2024

**RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER
FOR THE RENEWAL OF GOVERNMENT PRODUCT LEASE AGREEMENT WITH
QUADIENT LEASING USA, INC.**

WHEREAS, Quadient Leasing USA, Inc. (“Quadient”) provides municipalities with mailing and shipping solutions that meet federal regulations, including (but not limited to) leasing postage meters and mailing systems;

WHEREAS, the Town of Dover presently leases such systems and seeks to continue doing so by authorizing and approving a Government Product Lease Agreement (“Agreement”) with Quadient;

WHEREAS, the Mayor and Council believe it is in the Town’s best interest to continue using Quadient’s services;

WHEREAS, the Agreement term shall be 60 months at the rate of \$306.56 per month for the equipment, services, and products articulated therein; and

NOW THEREFORE, BE IT RESOLVED, the Mayor and Town Council of the Town of Dover do hereby authorize its agents to enter into, and approve the execution of, said Agreement with Quadient.

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED: _____



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 160-2024

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO COLLIERS ENGINEERING & DESIGN, INC. FOR THE PRELIMINARY DESIGN CONCEPT AND SURVEY OF THE FOX HILL WATER TANK

WHEREAS, the Town of Dover has a need to obtain a Partial Topographic Survey, conduct a Preliminary Ecological and Regulatory Evaluation, and prepare a Preliminary Concept Design showing the proposed location of the Fox Hill Water Tank, and has determined to award the contract as a professional service without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and

WHEREAS, Colliers Engineering & Design, Inc. (“Colliers”), was previously awarded a contract by the Dover Water Commission for water system consulting engineer, and Colliers had submitted a proposal (the “Proposal”), indicating that they will prepare a Partial Topographic Survey, conduct a Preliminary Ecological and Regulatory Evaluation, and prepare a Preliminary Concept Design showing the proposed location of the Fox Hill Water Tank, for a proposed fee as set forth in the Proposal’s Schedule of Fees, which is attached hereto and made a part of this Resolution; and

WHEREAS, Colliers Engineering & Design, has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Town of Dover for the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the Proposal; and

WHEREAS, the Town of Dover Water Commission has determined and certified in writing that the value of the Proposal will exceed \$17,500.00; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of a contract for the Proposal without competitive bids and the Proposal itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Town Council of the Town of Dover, in the County of Morris and State of New Jersey, hereby accepts the Proposal from Colliers Engineering & Design, Inc., 101 Crawfords Corner Road, Suite 3400, Holmdel, New Jersey 07733, under the terms outlined in the attached Proposal.

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED: _____

101 Crawfords Corner Road
Suite 3400
Holmdel New Jersey 07733
Main: 877 627 3772



May 2, 2024

VIA EMAIL

Robert Kinsey, Water Superintendent
Town of Dover Water Department
37 North Sussex Street
Dover, New Jersey 07801

Proposal for Professional Services
Water Storage Tank Replacement
Town of Dover, Morris County, New Jersey
Colliers Engineering & Design Proposal No.: DWC-0022P

Dear Mr. Kinsey,

Colliers Engineering & Design, Inc. (DBA Maser Consulting) is pleased to submit this proposal to provide professional services for survey and preparing a preliminary design concept for the Fox Hill Tank Replacement Project in the Town of Dover, Morris County, New Jersey.

This proposal is divided into four sections as follows:

- Section I** – Scope of Services
- Section II** – Business Terms and Conditions
- Section III** – Technical Staff Hourly Rate Schedule and Reimbursable Expenses
- Section IV** – Client Contract Authorization

The order in which the following scope of services are presented generally follows the sequence in which the project will be accomplished; however, depending on the project, the various authorized services contained in this proposal may be performed in a sequence as deemed appropriate by Colliers Engineering & Design (CED) to meet project schedules.

Section I – Scope of Services

Based on our conversations and information noted above, we propose to complete the following:

PHASE 1.0 PARTIAL SITE TOPOGRAPHIC SURVEY

CED will prepare a Partial Topographic Survey of a portion of Block 503, Lot 11 in the Town of Dover, Morris County, State of New Jersey, in accordance with the standards set forth in the Laws of the State of New Jersey Statutory Reference NJSA 45:8-28(e) and more specifically, the administrative rules and regulations promulgated by the State Board of Professional Engineers and Land Surveyors and contained in N.J.A.C. 13:40-5.1.

The limits of the topographic survey include approximately eight (8) acres and are shown in the Survey Limits Image below:



Our office will prepare a topographic survey map that is a graphic pictorial representation of existing site features observed at the time of the field survey such as structures, curbs, retaining walls, fences and utility hardware. Wooded areas will be indicated by a dripline, individual trees will not be surveyed. The topographic map will depict existing spot elevations and contours at a one-(1) foot contour interval. GPS surveying techniques will be used to control the survey with the resulting horizontal datum being New Jersey State Plane Coordinate System NAD83 and the vertical datum being North American Vertical Datum NAVD88.

Visible and accessible utilities and/or utility structures within the survey limits as described above will be surveyed and shown on the plan to include rim, grate and invert elevations, and pipe sizes entering

and/or exiting the structures. For the purposes of this contract, accessible utilities shall be defined as those utilities that are visible to the naked eye at ground level and are safely accessible by foot by CED field survey personnel without the need for additional safety measures and/or assistance with making pipes visible, open and clear for inspection and measuring.

We will survey visible evidence of existing utilities within the survey limits, but may not be able to confirm the existence, or actual position of all underground utilities which may be running through or servicing the subject property. The NJ One Call System prohibits the use of its service for surveying and mapping of subsurface utilities for engineering design purposes. If requested, we can enlist the services of our in-house subsurface utility engineers to investigate and mark the approximate location of subsurface utilities that may exist on the site. The fee for this additional service can be provided upon request.

Included in this phase are the following tasks:

- Establish on-site survey control;
- Field traverse, topographic survey and data collection;
- Field measure inverts of accessible gravity structures;
- Field survey data reduction and computation; and,
- Preparation of topographic survey map in AutoCAD Civil 3D format.

Property boundary lines will not be surveyed but will be shown scaled from GIS and/or Tax map data.

Phase 1.0 Fee (Not to Exceed) \$17,700.00

PHASE 2.0 PRELIMINARY ECOLOGICAL AND REGULATORY EVALUATION

CED will perform a preliminary ecological and regulatory evaluation of the proposed project site. Our evaluation will include a review of background information, agency databases, threatened and endangered species databases and a site reconnaissance. The aforementioned will determine the approximate location and extent of potential regulated features, if any, on the subject property that may constrain the proposed project.

This phase includes a letter report summarizing our findings, permits that may be required and copies of the mapping researched as part of the review and a sketch plan showing the approximate location and extent of regulatory constraints, if any, observed on the property.

This phase does not include work associated with performing formal, on-site threatened and endangered species. Information related to these issues will be obtained by accessing available databases.

Phase 2.0 Fee (Not to Exceed) \$3,500.00

PHASE 3.0 CONCEPT DESIGN SERVICES

CED will prepare a preliminary concept design showing the proposed location of the new storage tank, approximate limit of disturbance, potential tree clearing, and proposed location for the associated test borings. This concept design will be based on the information gathered from the ecological and regulatory evaluation and the topographic survey. In addition to this information, CED will conduct a multi-disciplinary site visit to aid in the proposed placement of the ground storage tank. The preliminary concept plan will be shared with the Town of Dover Water Department to review and discuss the next steps for the design and permitting process.

Phase 3.0 Fee (Not to Exceed) \$10,000.00

Schedule of Fees

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

Phase Name	Fee
PHASE 1.0 PARTIAL SITE TOPOGRAPHIC SURVEY	\$17,700.00
PHASE 2.0 PRELIMINARY ECOLOGICAL AND REGULATORY EVALUATION	\$ 3,500.00
PHASE 3.0 CONCEPT DESIGN SERVICES	\$10,000.00
TOTAL FEE (NOT TO EXCEED)	\$31,200.00

This Contract and Fee Schedule are based upon the acceptance of CED's Business Terms and Conditions contained in Section II of this Contract. Delivery, mileage, printing and reproduction, overnight mail service and postage costs are not included in the lump sum fees and will be added to each monthly invoice. **Payment terms are NET30 of receipt of invoice.**

Exclusions and Understandings

Services relating to the following items are not anticipated for the project or cannot be quantified at this time. Therefore, any service associated with the following items is specifically excluded from the scope of professional services within this agreement.

- Services not specifically outlined above in Section I;
- Modifications of or additions to the completed survey map after it has been distributed. If additional survey requirements or other form of survey certification is requested, a separate fee will be negotiated for performing such service;
- Boundary survey;
- Subsurface utility investigation, designating or mapping;
- Wetlands locations;
- Tree survey; and,
- Areas inaccessible on foot.

If an item listed herein, or otherwise not specifically mentioned within this agreement, is deemed necessary, CED may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees regarding the extra services.



Section II – Business Terms and Conditions

The Business Terms and Conditions are in accordance with our yearly contract.

Section III – Rate Schedule

The Rate Schedule in effect at the time of services will apply.

Section IV – Client Contract Authorization

I hereby declare that I am duly authorized to sign binding contractual documents. I also declare that I have read, understand, and accept this contract.

Signature

Date

Printed Name

Title

If you find this proposal acceptable, please sign where indicated above in Section IV, and return one signed copy to this office. **Payment terms are NET30 of receipt of invoice.** This proposal is valid until July 1, 2024.

We very much appreciate the opportunity of submitting this proposal and look forward to performing these services for you.

Should you have any questions or require any additional information, please do not hesitate to contact me directly.

Sincerely,

Colliers Engineering & Design, Inc.
(DBA Maser Consulting)

Jordan R. Volk, P.E., PMP
Regional Manager

JRV/jdd/mag

cc: Joseph Di Tommaso, P.E., Assistant Project Manager, CED (via email)
Carl O'Brien, P.E., P.P., CME, CPWM, Geographic Discipline Leader, CED (via email)

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TOWN OF DOVER

Finance Department
COUNTY OF MORRIS
37 NORTH SUSSEX STREET
DOVER, NEW JERSEY 07801
Telephone: (973) 366-2200
Fax: (973) 328-6524



PROFESSIONAL CONTRACT
COLLIERS ENGINEERING & DESIGN
FOX HILL WATER TANK – PRELIMINARY
DESIGN CONCEPT AND SURVEY
RESOLUTION NO. 2024-13

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

Amount: Not to exceed \$31,200.00

Funding:

Ordinance # 23-2021
Account # W-06-014-001


Thomas M. Ferry CPA, RMA, CMFO.



TOWN OF DOVER

MAYOR & TOWN COUNCIL

RESOLUTION NO. 161-2024

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF DOVER ALLOWING TO ENTER INTO EXECUTIVE SESSION

WHEREAS, the Open Public Meeting Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of opinion that such circumstances presently exist

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the Town of Dover, that the public shall be excluded from discussion of the following matters:

- A confidential matter, under Federal Law or State Statute, or rule of court
- A matter in which the release of information would impair a right to receive funds from the Government of the United States
- Material the disclosure of which constitutes an unwarranted invasion of privacy
- Collective bargaining negotiations
- A matter involving the purchase, lease or acquisition of real property with public funds
- Tactics and techniques utilized in protecting the safety and property of the public, including investigations of violations or possible violations of the law
- ✓ Matters falling within the attorney-client privilege
- A matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of a specific prospective public officer or employee employed or appointed by the public body
- Deliberations occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit

BE IT FURTHER RESOLVED that minutes will be kept on file in the municipal clerk's office and once the matters involving the confidentiality of the above no longer requires that confidentiality, then the minutes shall be made public.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Town of Dover, County of Morris, and State of New Jersey that the public be excluded from this meeting and enter into Executive Session.

ATTEST:

Tara M. Pettoni, Municipal Clerk

James P. Dodd, Mayor

ADOPTED: _____