**Town of Dover**

**Mayor and Board of Aldermen**

**CAUCUS MEETING MINUTES**

**DECember 13, 2016 7:00 PM**

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

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

**ROLL CALL:**

Present: Aldermen Visioli, Picciallo, Romaine, MacDonald, Toth, O’Connor, Camacho and Mayor Dodd

Absent: Alderman MacDonald

Also present were Municipal Clerk Margaret Verga, Administrator Donald Travisano and Attorney Timothy Downs

Municipal Clerk Margaret Verga stated adequate notice was given to the official newspaper

**SUNSHINE LAW STATEMENT**

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

**MUNICIPAL CORRESPONDENCE:**

1. Thank you card from Irma Ramirez – Mill Pond Towers for the Turkey Dinner
2. Thank you card – Elizabeth Williams for removal of the basketball hoop
3. Legal Notice – Borough of Wharton – Public Hearing to Consider Proposed 2016 Housing Element and Fair Share Plan and the 2016 Master Plan Reexamination Report
4. Invitation from The Church of Jesus Christ of Latter-Day Saints – Community Creche Christmas Celebration

**CONSENT AGENDA**

1. Resolution Approving the Canceling of Taxes and Authorizing a Refund Pursuant to Statute for a Disabled Veteran
2. Resolution Approving Taxicab Drivers as per Schedule A
3. Resolution Approving Budget Transfer

**ORDINANCE FOR SECOND READING**

1. Ordinance No. 24-2016 – An Ordinance of the Town Of Dover, County of Morris, New Jersey Vacating a Portion of King Street within the Guenther Mill Redevelopment Area of the Town of Dover, County of Morris and State of New Jersey

**AGENDA ITEMS:**

**RESOLUTIONS**

1. Resolution Approving Bills List
2. Resolution Approving a New Liquor License for Briad Lodging Group II, LLC t/a Towne Place Suites by Marriott at 4 Commerce Center Drive
3. Resolution Approving and Authorizing the Execution of the Redevelopment Agreement with Guenther Mill Urban Renewal, LLC
4. Resolution Approving the Minutes for the November 22, 2016 Meeting
5. Resolution Approving a New Liquor License for D Rueda, LLC
6. Resolution Approving a Place to Place Transfer for D Rueda, LLC
7. Resolution Approving Limos as per Schedule A

**REGULAR MEETING MINUTES**

**DECEMBER 13, 2016**

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

The meeting was called to order by Mayor Dodd at 7:00 pm

**ROLL CALL:**

Present: Aldermen Visioli, Picciallo, Romaine, Blackman, Toth, O’Connor, Camacho and Mayor Dodd

Absent: Alderman MacDonald

Also present were Municipal Clerk Margaret Verga, Administrator Donald Travisano and Attorney Timothy Downs

Municipal Clerk Margaret Verga stated adequate notice was given to the official newspaper.

Mayor Dodd opened the meeting to the public on any agenda items.

*Cathy Picciallo*—134 North Sussex Street, Dover, NJ—Mrs. Picciallo expressed how great JFK Park looks. She mentioned that the decorations are a wonderful addition to the Town of Dover. She thanked the Board for the positive addition this year.

*George Stafford*—16 Kitchell Avenue, Wharton, NJ—Mr. Stafford is a representative of the NJ Highlands Coalition and Statewide Group, Keep it Green. Mr. Stafford also commented on how great JFK Park is. Mr. Stafford is looking to increase money for Open Space. Open Space helps with groundwater recharge. Keep it Green has asked him to go to various municipalities and ask the Governing Bodies to adopt two resolutions. He also asked for Pilot Program to be restored to full funding because it encourages municipalities to host state and nonprofit preserved open space. Mr. Stafford mentioned a Water Master Plan that has been done but not adopted. He expressed that the State is in need of a published document showing water usage and availability.

**MAYOR’S REPORT:** Mayor Dodd made announcements as follows:

* Towne Place Suites by Marriot is slated to open December 31, 2016. Mayor Dodd asked Director Reyes to coordinate a Ribbon Cutting Ceremony.
* The Mayor gave a short timeline of the Guenther Mill Redevelopment Project—the location was designated a redevelopment area on August 9, 2016. On September 27, 2016, the Guenther Mill redevelopment plan was adopted. December 27, 2016 is the proposed closing date. Tonight the redevelopment agreement is before us for adoption. Within the first three years the redeveloper must replace windows, roof, and pave the parking lot. All the brick will be repointed and all environmental remediation will be finished and all site work will be done. The building will start with 36 units that will be rented and then more units will be added. King Street roadway improvements will be determined at a later date.
* The Mayor spoke about JFK Park. He gave recognition to Town employees that assisted in the Winter Wonderland event planning. He mentioned that the turnout for the event doubled from 2015. He also acknowledged Johnston Communication who did all the electrical work.
* The Mayor spoke about the Joint Municipal Court (Mount Arlington, Rockaway Borough, Victory Gardens and Wharton) each municipality is able to withdraw from Municipal Court with one year notice. In 2016, the Town of Dover did an analysis of revenue for court. Mine Hill’s withdrew from court in 2016. It is projected that the court will result in a revenue loss for 2017. The Town of Dover is required to give one year notice of its’ intent to withdraw from the Joint Court and there is a resolution on tonight’s agenda for approval of same.
* The Mayor mentioned that employees had a 2017 community event meeting earlier in the day. The Town plans on adding more events in 2017.
* The Town plans to enhance downtown business district area. We would like to update the pavers and light fixtures. The new light fixtures would save the Town money by using the energy efficient bulbs. These light posts will have electric allowing the Town to decorate for Christmas. These poles will also have speakers so that music can be played in the downtown area. The Mayor will keep the public informed.

**ATTORNEY REPORT**: No formal report was given.

**CONSENT AGENDA:**

**RESOLUTION OF THE TOWN OF DOVER, COUNTY OF MORRIS CANCELING TAXES AND AUTHORIZING A REFUND PURSUANT TO STATUTE ON BLOCK 1705, LOT 20**

**WHEREAS**, N.J.S.A. 54:4:4-3.30 provides for an exemption from property taxes on certain property owned by a totally disabled veteran; and

**WHEREAS**, it has been determined by the Tax Assessor that the property described as Lot 20 in Block 1705 owned by Joseph Thorpe qualifies for a Veteran’s Property Tax Exemption; and

**WHEREAS**, pursuant to N.J.S.A. 54:4-3.32 the governing body has the authority to cancel charges for a totally disabled veteran’s portion of the 2016 taxes when a N.J.S.A. 54:4-3.30 Certification of Assessment Credit for Exemption has been granted; and

**WHEREAS**, in this case the Mayor and Board of Aldermen deems that the Property Owner should receive a refund on taxes already paid as of the date of the application to the Town of Dover, as follows and that Joseph Thorpe shall be exempt from future payments for property taxes for said property:

**Block / Lot Property Owner Refund**

1705 / 20 Joseph Thorpe $1,005.28 (4th Q - 2016)

 126 W. Chrystal St.

 Dover, NJ 07801

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Board of Aldermen of the Town of Dover, do hereby authorize a Veteran’s Property Tax Exemption discharge of debt for the 2016 taxes, and refund be issues to the said Property Owner for a total refund of $1,005.28 as referenced hereinabove.

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Toth, O’Connor, Camacho and Mayor Dodd**

**Nays: None Absent: Alderman MacDonald Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE**

**TOWN OF DOVER APPROVING TAXICAB DRIVER LICENSES**

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

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

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

**Schedule A**

**FIRST CLASS OF DOVER, INC.**

Johan Solano

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Toth, O’Connor, Camacho and Mayor Dodd**

**Nays: None Absent: Alderman MacDonald Abstained: None**

**RESOLUTION APPROVING BUDGET TRANSFER**

**WHEREAS**, there appears to be insufficient funds in the following accounts (excepting the Appropriation of Contingent Expenses or Deferred Charges) to meet the demands thereon for the balance of the year, viz: 2016

 Recreation OE Social Security/Medicare OE Public Bldgs & Grds S & W

 Sewer S & W Construction S & W Finance OE

 Municipal Court OE

**WHEREAS**, there appears to be a surplus in the following accounts (excepting the Appropriation for Contingent Expenses, Down Payments and Capital Improvement Fund) over and above the demand necessary for the balance of the year, viz: 2016

 Health Benefit Waivers OE Group Insurance OE Planning Board OE

 Municipal Court S & W

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

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

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Toth, O’Connor, Camacho and Mayor Dodd**

**Nays: None Absent: Alderman MacDonald Abstained: None**

**ORDINANCE SECOND READING/PUBLIC HEARING:**

**ORDINANCE NO. 24-2016**
**AN ORDINANCE OF THE OF THE TOWN OF DOVER, COUNTY OF MORRIS, NEW JERSEY VACATING A PORTION OF KING STREET WITHIN THE GUENTHER MILL REDEVELOPMENT AREA OF THE TOWN OF DOVER, COUNTY OF MORRIS AND STATE OF NEW JERSEY**

**BE IT ORDAINED** by the Board of Aldermen of the Town of Dover that:

 **Section 1.** Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), on or about November \_\_, 2016, the Town of Dover (the “Town”) entered into a redevelopment agreement with Guenther Mill Urban Renewal, LLC, (referred to as the “Redeveloper”) for the redevelopment of certain properties including Block 2018, Lot 1 and Block 2019, Lot 1 (the “Redevelopment Properties”) (the “Redevelopment Agreement”).

 **Section 2.** On October 18, 2016, the Redeveloper obtained preliminary and final site plan approval for the Redevelopment Properties from the Town Planning Board, which approval is conditioned on the vacation of a portion of King Street by the Town to facilitate the redevelopment of the Redevelopment Property.

 **Section 3.** The Town does possess rights-of-way through all public streets, thoroughfares and sidewalks located within the Town.

**Section 4.** The Town is authorized pursuant to N.J.S.A. 40:67-1 to establish, change the grade of or vacate any public street, highway, lane or alley, or any part thereof at the discretion of the Town.

 **Section 5.** Pursuant to the Redevelopment Agreement and the Planning Board approval for the Redevelopment Properties, the Town is required to vacate a portion of King Street, depicted on the vacation map, attached hereto as Exhibit “A” to this Ordinance and is more particularly described by the metes and bounds description attached hereto as Exhibit “B”.

 **Section 6.** King Street is located within the Town of Dover, County of Morris, State of New Jersey.

**Section 7.** By ordinance adopted on August 29, 1921, the Town permitted a predecessor in title to the Redevelopment Properties, Paul Guenther, Inc., the right to erect and maintain with the boundaries of King Street as depicted on Exhibit “A” and “B” concrete piers and an elevation structure over King Street and provide for the widening and laying of sidewalks at the expense of Paul Guenther, Inc. (the “1921 Ordinance”).

 **Section 8.** The area being vacated is no longer necessary for the general public use, and the rights of the public will not be injuriously or adversely affected by the vacation.

 **Section 9.** The Town is authorized to vacate a portion of King Street as set forth in Exhibit “A”.

 **Section 10.** The Redeveloper is the contract purchaser of the Redevelopment Properties, which are located adjacent to the desired portion of King Street to be vacated.

 **Section 11.** The Town Engineer has reviewed and approved the proposed vacation of the portion of King Street.

 **Section 12.** Pursuant to N.J.S.A. 40:49-6, a municipality must publish ordinances authorizing vacations or dedications of land in the manner required by N.J.S.A. 40:49-2, except that every such ordinance, after being introduced and having passed a first reading, shall be published at least once not less than ten (10) days instead of one week prior to the time fixed for further consideration for final passage, and, at least one week prior to the time fixed for final passage, a copy of such ordinance, together with a notice of the introduction thereof and the time and place when and where the ordinance shall be considered for final passage shall be mailed to every person whose lands may be affected by the ordinance.

 **Section 13. P**ursuant to N.J.S.A. 40:67-21, whenever any street is vacated, the municipal clerk must record a copy of the ordinance, within sixty (60) days of its effective date, in the County Book entitled “Vacations”.

 **Section 14.** The Board of Aldermen of the Town of Dover have determined that it would fulfill a public purpose to vacate a portion of King Street, including to facilitate the public purpose to be served by the redevelopment of the Redevelopment Properties.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED,** by the Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that:

 **Section 1.** A portion of King Street, as more fully described and set forth on Exhibits “A” and “B”, be and is hereby vacated.

 **Section 2.** The vacated portion of King Street shall remain open to the public for pedestrian and vehicular access defined in an easement in perpetuity reserved for the benefit of the Town of Dover and in the Redevelopment Agreement.

 **Section 3.** In the event the utilities presently located under the street being vacated hereunder, are not moved to another location or abandoned in place, pursuant to the provisions of N.J.S.A. 40:67-1(b) an easement in perpetuity is reserved for the benefit of the Town of Dover, public utilities (as defined in N.J.S.A. 48:2-13) and by any cable television company (as defined in the Cable Television Act, N.J.S.A. 48:5-1 et seq.), for the purposes of ingress and egress over and upon the area subject to this vacation ordinance in order to maintain, repair and replace existing facilities including water lines, sewer lines, gas lines and telephone, electrical, fiber optic, and cable television wires and poles which may be located either in, adjacent to, over or under the street, or any part thereof, to be vacated.

 **Section 4.** No buildings or structures of any kind may be constructed over the water or sewer utilities within the area subject to the easement without the consent of the Town Engineer unless and until those utilities are relocated and/or abandoned.

 **Section 5.** The maintenance obligations set forth in the 1921 Ordinance shall remain in effect for any successor in title to Paul Guenther, Inc. for the Redevelopment Properties, as such maintenance obligations may be further defined in the Redevelopment Agreement.

 **Section 6.** Pursuant to N.J.S.A. 40:49-6, the Town Clerk shall publish this Ordinance in the manner required by N.J.S.A. 40:49-2, except that after same has been introduced and passed a first reading, this Ordinance shall be published at least once not less than ten (10) days prior to the time fixed for further consideration for final passage, and the Town Clerk shall, at least one week prior to the time fixed for final passage, mail a copy of this Ordinance, together with a notice of the introduction thereof and the time and place when and this Ordinance shall be considered for final passage to every person whose lands may be affected by this Ordinance.

**Section 7.** Within sixty (60) days after this Ordinance becomes effective, the Town Clerk shall file a copy thereof, certified by him, under the Seal of the Town of Dover to be a true copy of such Ordinance, together with a proof of publication thereof, in the office of the Morris County Clerk to be recorded in a book with proper index to be provided for this purpose entitled “vacations”, in accordance with the provisions of N.J.S.A. 40:67-21.

 **Section 8.** The Mayor, Town Manager and Town Clerk are hereby authorized, subject to final review and approval of special redevelopment counsel for Town, to execute any and all documents required to effectuate this ordinance, including a quitclaim deed to the Redeveloper and any easements reserved by the Town for the portion of King Street vacated by this ordinance.

**Section 9.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

 **Section 10.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

 **Section 11.** This Ordinance shall take effect at the time and in the manner provided by law.

**Alderman Toth has moved the foregoing ordinance be adopted for second reading and duly seconded by Alderman Camacho and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Toth, O’Connor, Camacho and Mayor Dodd**

**Nays: None Absent: Alderman MacDonald Abstained: None**

**BILL LIST RESOLUTION**

|  |
| --- |
| **WHEREAS,** the Mayor and Board of Aldermen of the Town of Dover have examined all bills presented for payment; and |
|  |  |
| **WHEREAS**, the Chief Financial Officer has certified that there are sufficient funds in the account(s) to which respective bills have been charged. |
|  |  |
| **NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Board of Aldermen of the Town of Dover do hereby approve the bills as listed; and |
|  |  |
| **BE IT FURTHER RESOLVED** that the proper officials are hereby authorized to sign the checks for payment of same.  |
|  |  |
| CURRENT APPROPRIATIONS RESERVE ACCT claims in the amount of: | $0.00 |
| CURRENT APPROPRIATIONS ACCT claims in the amount of: | $526,785.40 |
| GENERAL CAPITAL ACCT claims in the amount of: | $26,291.70 |
| WATER UTILITY RESERVE ACCT claims in the amount of:  | $0.00 |
| WATER UTILITY ACCT claims in the amount of: | $65,734.30 |
| WATER CAPITAL ACCT claims in the amount of: | $91,618.87 |
| PARKING UTILITY RESERVE ACCT claims in the amount of: | $0.00 |
| PARKING UTILITY ACCT claims in the amount of: | $8,455.40 |
| PARKING CAPITAL ACCT claims in the amount of:  | $0.00 |
| ANIMAL CONTROL TRUST ACCT claims in the amount of: | $465.00 |
| EVIDENCE TRUST ACCT claims in the amount of: | $0.00 |
| RECYCLING TRUST ACCT claims in the amount of: | $0.00 |
| COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of: | $0.00 |
| FEDERAL FORFEITED ASSETS ACCT claims in the amount of: | $0.00 |
| TRUST/OTHER ACCT claims in the amount of: | $16,174.81 |
| COAH TRUST ACCT claims in the amount of: | $0.00 |
| **TOTAL CLAIMS TO BE PAID** | **$735,525.48** |
|  |  |
| BE IT FURTHER RESOLVED that the following claims have been paid prior to the Bill List Resolution in the following amounts: |
|  |  |
| CURRENT APPROPRIATIONS ACCT claims in the amount of: | $1,360.37 |
| TRUST/OTHER ACCT claims in the amount of: | $0.00 |
| GENERAL CAPITAL ACCT claims in the amount of: | $0.00 |
| WATER UTILITY OPERATING claims in the amount of: | $525.81 |
| **TOTAL CLAIMS PAID** | **$1,886.18** |
|  |  |
| ***TOTAL BILL LIST RESOLUTION*** | ***$737,411.66*** |

**Alderwoman Romaine has moved the foregoing resolution be adopted for second reading and duly seconded by Alderman O’Connor and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O’Connor**

**Nays: None Absent: Alderman MacDonald Abstained: Aldermen Picciallo, Camacho and Mayor Dodd**

**RESOLUTION ISSUING A PLENARY RETAIL CONSUMPTION LIQUOR LICENSE**

**(HOTEL/MOTEL EXCEPTION) TO BRIAD LODGING GROUP DOVER II, LLC t/a TOWNE PLACE SUITES BY MARRIOTT AT 4 COMMERCE CENTER DRIVE, DOVER, NJ**

**WHEREAS,** application has been filed by The Briad Lodging Group Dover II, LLC t/a Towne Place Suites by Marriott for Plenary Retail Consumption License under the provisions of **NJSA 33:1-12.20** which permits a Municipality to issue a new license outside of the population cap for a hotel or motel containing at least one hundred (100) guest sleeping rooms; and

**WHEREAS,** Briad Lodging Group Dover II, LLC proposes to operate this facility within and in conjunction with the Towne Place Suites by Marriott, 6 Commerce Center Drive, which Hotel has in excess one hundred (100) guest sleeping rooms; and

**WHEREAS,** the application has been made with the Municipal Clerk and filing fees have been paid to the Municipality and to the State of New Jersey, Division of Alcoholic Beverages; and

**WHEREAS,** investigating agencies of the Town of Dover have approved and find:

(1) The submitted application forms are complete in all respects;

(2) The applicants are qualified to be licensed according to all Statutory, Regulatory and Local Government ABC Laws and Regulations; and

(3) The applicants have disclosed, and the issuing authority has reviewed, the source of all funds used in the purchase of the license and the licensed business;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor & Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the Municipal Clerk be and she is hereby instructed to issue one (1) Plenary Retail Consumption License under the Hotel/Motel provisions of **Title 33** to the Briad Lodging Group Dover II, LLC t/a Towne Place Suites by Marriott.

**Alderman Camacho has moved the foregoing resolution be adopted for second reading and duly seconded by Alderman Picciallo and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Toth, O’Connor, Camacho and Mayor Dodd**

**Nays: None Absent: Alderman MacDonald Abstained: None**

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF THE REDEVELOPMENT AGREEMENT WITH GUENTHER MILL URBAN RENEWAL, LLC, FOR THE GUENTHER MILL REDEVELOPMENT PROJECT LOCATED IN THE GUENTHER MILL REDEVELOPMENT AREA**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (hereinafter referred to as the “Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of parcel(s) of property designated as “areas in need of redevelopment”; and

**WHEREAS,** the Mayor and Board of Alderman (hereinafter referred to as the “Governing Body”) serve as an instrumentality and agency of the Town pursuant to the Redevelopment Law for the purpose of implementing a redevelopment plan and carrying out redevelopment projects within a redevelopment area; and

**WHEREAS**, on August 9, 2016 the Governing Body by Resolution No. 2016-179 designated certain parcels of property, identified as Block 2018, Lot 1 and Block 2019, Lot 1, located within the Town as “an area in need of redevelopment (hereinafter referred to as the “Redevelopment Area”); and

**WHEREAS**, on September 27, 2016, the Governing Body enacted Ordinance #21-2016 adopting the Guenther Mill Redevelopment Plan, dated August 15, 2016 (hereinafter referred to as the “Redevelopment Plan”) and which sets forth, inter alia, the plan for the redevelopment of the Redevelopment Area and a listing of the goals and objectives to be achieved through the Redevelopment Plan; and

**WHEREAS**, the Town having received a proposal for the redevelopment of the Redevelopment Area from Guenther Mill Urban Renewal, LLC, which proposal is anticipated to include two phases with the first phase consisting of thirty-six (36) residential units, new and/or repair of certain historic windows, construction of King Street Plaza and parking lots along Oak Street and the second phase to consist of the construction of up to one hundred and forty nine (149) residential units, or in the sole discretion of the Redeveloper the continuation of the storage and warehouse functions (the “Project”); and

**WHEREAS**, upon consideration of the experience and capabilities of Redeveloper, and its principals, the Governing Body concludes that the development interests of the Town would be best served by the proposal of Redeveloper for the Project and by the designation of Redeveloper as the redeveloper of the Redevelopment Area; and

**WHEREAS**, the Redeveloper is the contract purchaser of the properties in the Redevelopment Area (the “Project Premises”), with a proposed closing date of December 27, 2016; and

**WHEREAS**, the Project Premises are current utilized for warehouse and light industrial uses; and

 **WHEREAS**, the Town and the Redeveloper have engaged in negotiations and the Town has determined that in furtherance of the Town’s goals and objectives to implement the redevelopment contemplated in the Redevelopment Plan, it is in the Town’s best interests to enter into a redevelopment agreement with Redeveloper as the exclusive redeveloper for the development and construction of the Project on the Project Premises; and

**WHEREAS,** the Redeveloper acknowledges and agrees that all uses to which the Project Premises may be devoted are controlled by the Redevelopment Plan and the redevelopment agreement, and that under no circumstances shall the Redeveloper undertake any construction on or development of the Project unless it is in accordance with the Redevelopment Plan and the redevelopment agreement; and

**WHEREAS**, the Town and the Redeveloper desire to enter into a redevelopment agreement for the purpose of setting forth in greater detail their respective undertakings, rights and obligations in connection with the development and construction of the Project, all in accordance with the Redevelopment Plan and applicable law.

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Board of Alderman of the Town of Dover that it hereby approves the Redevelopment Agreement with Guenther Mill Urban Renewal, LLC in a form substantially consistent with that attached hereto and made part of this Resolution, subject to final review by legal counsel as to legal form and content.

**BE IT FURTHER RESOLVED,** that the Mayor and the Town Clerk are hereby authorized to execute any and all documents, including the Redevelopment Agreement with Guenther Mill Urban Renewal, LLC.

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately.

**Alderman Toth has moved the foregoing resolution be adopted for second reading and duly seconded by Alderman Camacho and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Toth, O’Connor, Camacho and Mayor Dodd**

**Nays: None Absent: Alderman MacDonald Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN**

**OF THE TOWN OF DOVER FOR APPROVAL OF MINUTES**

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

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

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

**November 22, 2016 – Caucus & Regular**

**Alderman O’Connor has moved the foregoing resolution be adopted for second reading and duly seconded by Alderman Camacho and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Picciallo, Blackman, O’Connor, Camacho and Mayor Dodd**

**Nays: None Absent: Alderman MacDonald Abstained: Alderman Romaine (Toth stepped out)**

**RESOLUTION APPROVING A NEW LIQUOR LICENSE FOR D. RUEDA, LLC**

**WHEREAS**, David Rueda, sole shareholder of D. Rueda, LLC, who failed to timely renew his license applications for the 2015-2016 and 2016-2017 years for License No. 1409-33-009-003; and

**WHEREAS**, it was necessary to file a verified petition in accordance with N.J.S.A. 33:1-12.18 requesting the issuance of a new license after the licensee failed to timely file a renewal application for the 2015-2016 and 2016-2017 license terms and N.J.S.A. 33:1-12.39 to seek relief to permit renewal of an inactive license; and

**WHEREAS,** a Special Ruling, Agency No. 11-16-694 and Job No. 123194 was received and relief was granted inasmuch as the application for the 2015-2016 and 2016-2017 license terms will be considered an application for a new license; and

**WHEREAS**, the Special Ruling also gave relief to permit renewal of an inactive license for the 2016-2017 license term; and

**WHEREAS,** proper advertisement has been made and no objections have been filed with the Town Clerk; and

**WHEREAS**, an application was filed with the municipal clerk for the 2016-2017 license term; and

**WHEREAS**, the required fees have been paid and all premises have been inspected and approved by the Police Department, Board of Health and the Bureau of Fire Prevention.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover that said applications be approved and that the respective license renewals be granted; and

**BE IT FURTHER RESOLVED** that the Town Clerk or Director in the case of a conflict license be and hereby is authorized to issue license certificates accordingly as listed below.

1409-33-009-003 D. Rueda, LLC 2015-2016 License Term, and

2016-2017 License Term

**Alderwoman Romaine has moved the foregoing resolution be adopted for second reading and duly seconded by Alderman O’Connor and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Romaine, Blackman, O’Connor, Camacho and Mayor Dodd**

**Nays: None Absent: Alderman MacDonald Abstained: Alderman Picciallo (Toth stepped out)**

**RESOLUTION APPROVING A PLACE TO PLACE TRANSFER FOR D. RUEDA, LLC**

**WHEREAS**, an application has been filed for a Place-to-Place Transfer of Plenary Retail Consumption License Number 1409-33-009-003, heretofore issued to D. Rueda, LLC which is an inactive license with the mailing address of 2 West Blackwell St, Dover, New Jersey; and

**WHEREAS,** the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

**WHEREAS,** the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS,** the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

**WHEREAS,** proper advertisement has been made and no objections have been filed with the Town Clerk.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover, does hereby approve, effective December 15, 2016 the transfer of the aforesaid Plenary Retail Consumption License to D. Rueda, LLC for premises located at 6 W. Blackwell Street, Dover, New Jersey and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to D. Rueda, LLC, effective December 15, 2016.

**Alderwoman Romaine has moved the foregoing resolution be adopted for second reading and duly seconded by Alderman O’Connor and passed by the following roll call vote.**

**Ayes: Aldermen Visioli, Romaine, Blackman, O’Connor, Camacho and Mayor Dodd**

**Nays: None Absent: Alderman MacDonald Abstained: Alderman Picciallo (Toth stepped out)**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**

**APPROVING LIMOS TO BE LICENSED IN THE TOWN OF DOVER**

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

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

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

**Schedule A**

**Elite Limo & taxi**

|  |  |  |  |
| --- | --- | --- | --- |
| 2011 Lincoln | X757148 | OL1389K | LIMO |

**FIRST CLASS OF DOVER**

|  |  |  |  |
| --- | --- | --- | --- |
| 2010 Chrysler | R149544 | OL7772J | LIMO |
| 2007 Lincoln | Y600153 | OL1376K | LIMO |
| 2008 Ford | X105192 | OL1375K | LIMO |
| 2004 Lincoln | Y638122 | OL3278H | LIMO |
| 2004 Kia | P131946574817 | OL6319J | LIMO |
| 2004 Dodge | B553984 | OL5822J | LIMO |
| 2003 Lincoln | Y627611 | OL5824J | LIMO |
| 2002 Dodge | R778702 | OL3265H | LIMO |
| 2010 Lincoln | X614501 | OL9409J | LIMO |

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

**Ayes: None Nays: Aldermen Visioli, Picciallo, Romaine, Blackman, O’Connor, Camacho and Mayor Dodd**

 **Absent: Alderman MacDonald Abstained: None (Toth stepped out)**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AUTHORIZING THE WITHDRAWAL OF THE JOINT MUNICIPAL COURT OF DOVER**

**WHEREAS**, the Town of Dover, hereafter Dover entered into a Shared Service Agreement with the Borough of Mount Arlington, Township of Mine Hill, Borough of Rockaway and the Borough of Wharton on February 1, 2009 to form the Joint Municipal Court of Dover; and

**WHEREAS**, the Shared Service Agreement was amended on March 1, 2012 to add the Borough of Victory Gardens into the Joint Municipal Court of Dover; and

**WHEREAS**, the Township of Mine Hill withdrew from the Joint Court effective January 1, 2016; and

**WHEREAS**, the Shared Services Agreement provides that it shall remain in effect until December 31, 2018, unless one of the municipalities (including Dover) delivers written notice to the Joint Municipal Court of Dover and all the Municipalities of its intentions to withdraw no later than December 31st, effective on the next following first day of January (no less than one full year); now, therefore,

**BE IT RESOLVED** that the Town of Dover will withdraw from the Joint Municipal Court of Dover effective January 1, 2018, in accordance with Article III. Term of Agreement, Section C. of the Shared Services Agreement; and be it

**FURTHER RESOLVED** that the Town of Dover is exercising this right because the Town of Dover has determined that the expenses for operating the Court have exceeded any revenues derived from the operation of same and the costs of continuing with the court can no longer be borne exclusively by the residents and taxpayers of the Town of Dover; and be it

**FURTHER RESOLVED** that the Mayor is hereby authorized to issue written notice to the Joint Dover Municipal Court, the Borough of Mount Arlington, the Borough of Rockaway, the Borough of Wharton, the Borough of Victory Gardens, the New Jersey Superior Court Administrative Office of the Courts and the Morris County Assignment Judge of its determination that it will withdraw from the Shared Services Agreement effective January 1, 2018.

**Alderman Camacho has moved the foregoing resolution be adopted for second reading and duly seconded by Alderman Romaine and passed by the following roll call vote.**

**Ayes: None Nays: Aldermen Visioli, Picciallo, Romaine, Blackman, O’Connor, Camacho and Mayor Dodd**

 **Absent: Alderman MacDonald Abstained: None (Toth stepped out)**

**Respectfully submitted,**

**Margaret J. Verga, Municipal Clerk**