

REGULAR MEETING AGENDA AT 7:00 PM December 19, 2023

A) CALL MEETING TO ORDER / SUNSHINE STATEMENT – Mayor Carolyn Blackman 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 4, 2023, and published in the Record and Ledger on January 7, 2023. Notice of Meeting Date and Time change was sent to the Daily Record and Star Ledger on November 21, 2023. 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.

B) PLEDGE OF ALLEGIANCE – Mayor Carolyn Blackman to lead those in attendance in the Pledge of Allegiance to the Flag

C) ROLL CALL – Clerk to Conduct Roll Call:

Name	Present	Absent	Excused
Council Member Cruz			
Council Member Estacio			
Council Member Rugg			
Council Member Ruiz			
Council Member Santana			
Council Member Scarneo			
Council Member Tapia			
Council Member Wittner			
Mayor Blackman			

D) APPROVAL OF MINUTES

E) REPORT OF COMMITTEES

F) PRESENTATIONS, MUNICIPAL CORRESPONDENCE

- a) Proclamation Honoring Joan Bocchino
- b) Proclamation Honoring Irma McKenna
- c) Proclamation Honoring Maria Amanda Angarita
- d) Proclamation Honoring Donald Costanzo

G) ORDINANCES FOR FIRST READING

H) ORDINANCES FOR SECOND READING, PUBLIC HEARING AND ADOPTION

I) APPROVAL OF BILLS

a) Resolution 339-2023 - Approval of Bills List

J) APPROVAL OF RESOLUTIONS

1) CONSENT AGENDA RESOLUTIONS

- a) Resolution 340-2023 Authorizing Grant Agreement 2023 NJUCF Stewardship Grant Canopy Resiliency
- b) Resolution 341-2023 Recognizing the growing problem of Antisemitism in America and calling for the adoption of educational tools to address it

2) RESOLUTIONS FOR DISCUSSION AND CONSIDERATION

- a) Resolution 342-2023 Rejecting the bid of Ranco Mechanical, LLC as non-compliant and awarding the Bid to TNS Construction, Inc. for Health Department Renovation Project
- **b)** Resolution 343-2023 Honoring and thanking Mayor Carolyn Blackman and supporting the adding of a blade sign to Salem Village to Honor "Mayor Carolyn Blackman"
- c) Resolution 344-2023 Approving Volunteer Fire Department Member Felipe Halaby
- d) Resolution 345-2023 Authorizing the Settlement Agreement and mutual release in the matter regarding Town of Dover Construction Office Notice of Violation Number 20230073/0 dated August 31, 2023, issued to Zhou J. Yeung and Jennie Lam for the subject property known and designated as Block 2311, Lot 1 on the Town of Dover Tax Map(s) and located at 6 Palm Street, Dover, New Jersey
- e) Resolution 346-2023 Authorizing end of year Budget Transfers (to be supplied by the Finance Department on Final Draft December 18, 2023)

K) OLD BUSINESS

L) NEW BUSINESS

- 1. New Business Item
- 2. Items Requested for Discussion by individual Aldermen

M) PUBLIC COMMENT:

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 rights 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 (5) minutes.

All comments must include your name and residential address at the beginning of your comment.

Public comment portions of our agenda are not structured as question-and-answer sessions, but rather they are offered as opportunities to share your thoughts with the Mayor and Town Council. The Mayor and Council will attempt to engage in dialogue but may not be able to respond to all public comments. However, all comments are considered and will be investigated and addressed as appropriate.

If you have a question that we are unable to answer at the meeting, feel free to submit your questions to the Office of the Municipal Clerk, in writing, and include your name, address and telephone number where you can be contacted. The email address of the Clerk's Office is doverclerk@dover.nj.us. Questions will be answered within a reasonable time.

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.

- N) CLOSED/EXECUTIVE SESSION
- O) ACTIONS CONSIDERED FOLLOWING CLOSED SESSION
- P) ADJOURNMENT









RESOLUTION NO. 339-2023 BILL LIST RESOLUTION

WHEREAS, the Mayor and 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 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.

Reynaldo Julve, Acting Municipal Clerk	Carolyn Blackman, May	/OF
ATTEST:	TOWN OF DOVER, CO	OUNTY OF MORRIS
TOTAL BILL LIST RESOLUTION		\$3,339,462.68
TOTAL CLAIMS PAID		\$1,413,183.90
PARKING UTILITY CAPITAL claims in the amount of:		\$0.00
WATER UTILITY OPERATING claims in the amount of:		\$0.00
PARKING UTILITY ACCT claims in the amount of:		\$0.00
CURRENT APPROPRIATIONS ACCT claims in the amount	t of:	\$1,413,183.90
CURRENT APPROPRIATIONS RESERVE ACCT claims in	the amount of:	\$0.00
GENERAL CAPITAL ACCT claims in the amount of:		\$0.00
TRUST/OTHER ACCT claims in the amount of:		
following amounts:	para prior so sus Dill	
BE IT FURTHER RESOLVED that the following claims have	e been paid prior to the Bill I	
TOTAL CLAIMS TO BE PAID		\$1,926,278.78
UNEMPLOYMENT TRUST ACCT claims in the amount of		\$0.00
COAH TRUST ACCT claims in the amount of:		\$0.00
FEDERAL FORFEITED ASSETS ACCT claims in the amount TRUST/OTHER ACCT claims in the amount of:	iii Oi.	\$1,212.33
COUNTY FORFEITED ASSETS TRUST ACCT claims in the		\$0.00 \$0.00
RECYCLING TRUST ACCT claims in the amount of:		\$0.00
EVIDENCE TRUST ACCT claims in the amount of:		\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of	f:	\$0.00
PARKING CAPITAL ACCT claims in the amount of:		\$28,767.14
PARKING UTILITY ACCT claims in the amount of:		\$2,465.50
PARKING UTILITY RESERVE ACCT claims in the amount	t of:	\$0.00
WATER CAPITAL ACCT claims in the amount of:		\$95,665.99
WATER UTILITY ACCT claims in the amount of:		\$89,562.57
WATER UTILITY RESERVE ACCT claims in the amount of	f:	\$0.00
GENERAL CAPITAL ACCT claims in the amount of:		\$757,437.57
CURRENT APPROPRIATIONS ACCT claims in the amount	t of:	\$948,084.68
		\$3,083.00

Res. 340-2023

ATTACHMENT E (Gov)
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GRANT AGREEMENT BETWEEN

TOWN OF DOVER

(Name of Grantee)

AND

THE STATE OF NEW JERSEY

BY AND FOR

THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

GRANT IDENTIFIER: UCF-2023-011

GOVERNING BODY RESOLUTION

The governing body of	TOWN OF DOVER	
	(print Grantee's name)	
desires to further the public interest by obtaining to fund the following project:	a grant from the State of New Jersey in the	amount of approximately \$_\$15,000.00
	Stewardship Grant-Canopy Resiliency	
Therefore, the governing body resolves that	Betty Lou DeCroce	or the successor to the office of
	(print name)	
Municipal Administrator	is authorized (a) to make application:	for such a grant, (b) if awarded, to execute
(print title of authorized official)		
a grant agreement with the State for a grant in an	amount not less than \$0.00 an	d not more than \$15,000.00
and (c) to execute any amendments thereto	any amendments thereto which do not in	icrease the Grantee's obligations.
*TheTown	of Dover Council	authorizes and hereby agrees to
	ning body, e.g., board of chosen freeholders	
match 20 % of the Total Project Amount, in match for such purposes, whether cash, services kind services (if allowed by grant program require	, or property, is hereby certified. Up to 10	of the agreement. The availability of the 0% of the match will be made up of in-
The Grantee agrees to comply with all applicable to the agreement.	e Federal, State, and municipal laws, rules, a	nd regulations in its performance pursuan
Introduced and passed		
Ayes: Noes: Absent:		
Seal		

^{*} The portion of this form between the asterisks should only be completed if matching funds are required under the terms of the agreement. Where in-kind services are allowed and are stipulated by the Grantee, an attachment must be provided and appended hereto, breaking out the in-kind services.

Meeting the Matching Requirement NJUCF Stewardship Grant – Canopy Resiliency

Match or cost-share is the portion of the project cost that is not reimbursed by the New Jersey Urban and Community Forestry Program (NJUCF) Stewardship Grant. All activities and expenses for the match must take place and be earned within the work period of the grant agreement and must be documented thoroughly.

Volunteer Match

To establish a value for the average hourly rate of volunteer time in New Jersey, please refer to the website of the Independent Sector https://independentsector.org/resource/value-of-volunteer-time/
Here are some activities that could count toward your match:

- Time spent selecting the project contractor
- Telephone calls, email exchanges, and meetings with the contractor about the project
- Member attendance at Shade Tree Commission, Environmental Commission, or Green Team meetings where the project would be discussed during the work period of the grant agreement
- Development of outreach and educational materials about the NJUCF grant project
- Creating social media posts about the project
- Organizing a meeting to inform the community about the NJUCF project: what the purpose is; why it is taking place; where and when it will take place; and how it is being conducted
- Promoting the organization's efforts to manage the community's trees and forests on Arbor Day or at local fairs and festivals
- Tracking contributions of volunteer time for the grant matching requirement
- Preparing grant progress reports to submit to NJUCF

Cash Match

The employee's standard hourly rate of compensation should be used to establish the value. Fringe benefits can be counted but should be calculated separately. Here are some examples of employee time that could count toward your match:

- Managing the grant: record keeping, reporting, communicating with NJUCF, and preparing financial documents for payment
- Selecting, hiring, and paying the project contractor
- Meeting with the contractor and assisting the contractor on the project
- Preparing annual grant progress reports to NJUCF
- Reviewing drafts and approving the final grant project report

Expenditures

• Cash payments for the project made to the contractor <u>that were over and above</u> the grant award could count toward the match.

RESOLUTION No. 341-2023

RESOLUTION OF THE TOWN OF DOVER RECOGNIZING THE GROWING PROBLEM OF ANTISEMITISM IN AMERICA AND CALLING FOR THE ADOPTION OF EDUCATIONAL TOOLS TO ADDRESS IT

WHEREAS, the Town of Dover stands with other municipalities across New Jersey, including the City of Summit, Westfield, Berkeley Heights, New Providence, Scotch Plains, Millburn, Livingston, and many more, against antisemitism, and

WHEREAS, antisemitic attacks across New Jersey have been on the rise since 2019, and

WHEREAS, such attacks across the nation have risen by almost 400% so far in 2023 over last year, and

WHEREAS, the recent American Jewish Committee (AJC) State of Antisemitism in America Report found that more than one in three American Jews (37%) say they have been victims of antisemitism over the past five years, and

WHEREAS, antisemitism, including harassment on the basis of actual or perceived Jewish origin, ancestry, ethnicity, identity, affiliation, or faith, remains a persistent, pervasive, and disturbing problem in American society, and

WHEREAS, Jews continue to be a targeted minority in the United States and are consistently the most likely of all religious groups to be victimized by incidents of hate, and such incidents are increasing at an alarming rate, and

WHEREAS, we acknowledge that because of these attacks, synagogues across the country have felt compelled to re-evaluate their own security measures to keep their congregations safe, and

WHEREAS, the Town of Dover officials and institutions have a responsibility to protect citizens from acts of hate and bigotry, including antisemitism, and must be given the tools to do so, and

WHEREAS, valid monitoring, informed analysis and investigation, and effective policy making all benefit from accurate and uniform definitions, and

WHEREAS, the International Holocaust Remembrance Alliance (IHRA), by consensus vote of its member states, adopted a Working Definition of Antisemitism in May 2016, which has become

the internationally recognized, authoritative definition of antisemitism for use by governments and international organizations. That definition reads in full:

"Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish and non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government, or other societal institutions.
- Accusing Jews as people being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g., gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Denying the fact, scope, mechanisms (e.g., sexual and gender-based violence) or intentionality of the attacks on civilians within Israel by Harakat al-Muqawama al-Islamiya (HAMAS) and its allies on October 7, 2023.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.
- Applying double standards by requiring of the State of Israel a behavior not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the State of Israel.

WHEREAS, antisemitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries), and

WHEREAS, the IHRA Working Definition has proven to be an essential tool used to help determine contemporary manifestations or antisemitism, and

WHEREAS, in the United States, the IHRA Working Definition is utilized by various government agencies, including the U.S. Department of State and the U.S. Department of Education, and can be utilized by law enforcement agencies in monitoring, training, and education, and

NOW, THEREFORE, BE IT RESOLVED by the Town of Dover:

- 1. It does hereby adopt the non-legally binding International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism in full.
- 2. It will ensure that the IHRA Working Definition of Antisemitism is available as an educational resource for the Board of Education, Police Department, and other agencies responsible for addressing antisemitism and other forms of discrimination.

ATTEST:		
Reynaldo Julve, Acting Municipal Clerk	Carolyn Blackman, Mayor	
	ADOPTED:	

CERTIFICATION

I, Reynaldo Julve, Acting Municipal	Clerk of the Town of Dover in the County of Morris, State
of New Jersey, do hereby Certify th	at the foregoing Resolution 341-2023 is a true copy of the
Original Resolution duly passed and	adopted by the Mayor and Board of Aldermen of the Town
of Dover at its meeting on	, 2023.
Reynaldo Julve	
Acting Municipal Clerk	



TOWN OF DOVER COUNCIL

RESOLUTION No. 342-2023

RESOLUTION OF THE COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY REJECTING THE BID OF RANCO MECHANICAL, LLC, AS NONCOMPLIANT AND AWARDING THE BID OF TNS CONSTRUCTION, INC. FOR HEALTH DEPARTMENT RENOVATION PROJECT

WHEREAS, the Town of Dover advertised for bids for Health Department renovation in accordance with plans and specifications prepared by Nader House Design Architects and Engineers; and

WHEREAS, the bids were received from various bidders; and

WHEREAS, the review architect at Nader House of Design has issued a report dated December 13, 2023, which is attached hereto and incorporated herein by reference, reviewing the three lowest apparent bidders and concluding in its opinion that the Ranco Mechanical, LLC bid, although apparently the lowest bidder should be rejected because it did not comply with the bid specifications and by not providing the required documentation, including but not limited to the signed bidder's questionnaire with job references, general reference, bank reference and a signature; and

WHEREAS, the Mayor and Council find that the next lowest bid of TNS Construction, Inc., was compliance with the bid specifications and that any inconsistencies, where minor, could be waived as recommended by Nader House of Design; and

WHEREAS, the Mayor and Council of the Board of Alderman hereby reject the bid of Ranco Mechanical, LLC, and find that the bid of TNS Construction, Inc., is the lowest qualified bidder, and that the Contract for the work should be awarded to TNS Construction, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Dover, County of Morris and State of New Jersey that the bid of Ranco Mechanical, LLC is hereby rejected as noncompliant with the bid specifications and bid document requirements, and the Contract is awarded to TNS Construction, Inc., and the Town of Dover is hereby authorized to execute a Contract with TNS Construction, Inc., in accordance with the requirements of the bid specifications.		
ATTEST:		
Rey Julve, Deputy Clerk	Carolyn Blackman, Mayor	
	ADOPTED:	
CERTIFICATI	ON	
I, Reynaldo Julve, Acting Municipal Clerk of the Town of New Jersey, do hereby certify that the foregoing Resolution Original Resolution duly passed and adopted by the Mayomeeting on	on is a true copy of the	
Reynaldo Julve Acting Municipal Clerk		



December 13, 2023

Ms. Sarah Perramant Town of Dover 37 North Sussex Street Dover, NJ 07801

Re: Review of Responses to Bid for Health Department Renovation Nader Project No.: 23.TNG027

Dear Ms. Perramant,

We are in receipt of the bids that the Town of Dover received for the renovation of the Health Department. We reviewed the lowest three bids in their entirety and offer the following comments.

Ranco Mechanical, LLC

Ranco Mechanicat, LLC submitted a bid to complete the health department renovations in the amount of \$270,000.00. There were multiple items missing or incomplete from their bid package, which is concerning. The list of missing items is below:

- Bid Guarantee no seals were on the document
- Consent of Surety missing bid price breakdown
- Bidder Questionnaire did not provide the following
 - Job References
 - General References
 - o Bank Reference
 - No signature on form
- Prevailing Wage Certification did not provide required documentation
- Mandatory Affirmative Action did not provide EEO
- Ranco listed only one subcontractor, indicating Ranco would to the remainder of the work
- No equipment list

Considering the number of missing items required by the bid documents, it is our opinion that Ranco's bid is substantially incomplete. Due to the lack of documented experience and references provided by Ranco, we do not have confidence in Ranco's ability to perform the required work. For these reasons, we do not recommend award to Ranco despite being the lowest bidder.

TNS Construction, Inc.

TNS Construction, Inc. submitted a bid to complete the health department renovations in the amount of \$289,000.00. There were a few items missing from their bid package, however if the Town feels they can be addressed, these items would not be of major concern to completing the work. They provided multiple job references of similar size and scope, as well as listed multiple subcontractors and provided

the subcontractors business information and certifications. They also provided an equipment list. We feel comfortable recommending this bidder as the winner, given the items listed below are addressed:

- Bid Guarantee no seals on document
- Mandatory Affirmative Action did not provide required documentation

Molba Construction

Molba Construction submitted a bid to complete the health department renovations in the amount of \$313,800.00. There were not any items missing from their bid package. They provided multiple job references of similar size and scope, as well as listed multiple subcontractors and provided the subcontractors business information and certifications. They did not provide an equipment list.

In summary, due to the overwhelming lack of information provided by Ranco Mechanical, LLC. the lowest bidder, we are not confident that Ranco Mechanical, LLC could adequately complete this sized job on time and on budget. Therefore, we do not recommend Ranco Mechanical, LLC to be awarded this contract.

We do feel that the second lowest bidder TNS provided adequate information as listed above to give confidence in their ability to complete the health department renovations as required for this contract.

We have not called the references for any of these bidders. Please feel free to reach out to me with any questions or concerns.

Best reaards.

Køren Wenschhof, RA, AIA, CID, CFM

Executive Vice President

RESOLUTION No. 343-2023

RESOLUTION OF THE COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY HONORING AND THANKING MAYOR CAROLYN BLACKMAN AND SUPPORTING THE ADDING OF A BLADE SIGN TO SALEM VILLAGE TO HONOR "MAYOR CAROLYN BLACKMAN"

WHEREAS, Mayor Carolyn Blackman has been a resident of the Town of Dover for over 55 years; and

WHEREAS, Mayor Blackman represented the Dover Third Ward as Alderwoman for 11 years; and

WHEREAS, Mayor Blackman served as Mayor of the Town of Dover for the 4 years of 2020 to 2023; and

WHEREAS, Mayor Blackman made history when she became the first woman and first Black person elected to the position of mayor of the Town of Dover; and

WHEREAS, Mayor Blackman is a proud homeowner in Salem Village and the organizer and host of the Salem Village Block Party for over 37 years; and

WHEREAS, Mayor Blackman is the mother of a Dover High School graduate; and

WHEREAS, Mayor Blackman has been a community-wide volunteer for over 20 years and a Dover Recreation volunteer for 15 years; and

WHEREAS, Mayor Blackman has served as a Third Ward Alderwoman Liaison to the Board of Education, Board of Health, the Recreation Commission, the Senior Advisory Committee, the Fire Department, the Downtown Business Community and the Annual Senor Citizen Picnic; and

WHEREAS, Mayor Blackman was the founder and organizer of the Summer Family Movie Nights at JFK Park; and

WHEREAS, Mayor Blackman is a retired nurse who utilized her nursing experience in guiding Dover through the COVID-19 pandemic and continuously works as a public servant resolving challenges of the community advocating for the needs of Dover; and

WHEREAS, the Council of the Town of Dover hereby adopts this Resolution to honor and thank Mayor Blackman and to authorize the addition of a blade sign stating "Mayor Carolyn Blackman" to the Salem Village Street sign to honor and thank her for her service to the Town of Dover; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Dover, County of Morris and State of New Jersey that a blade sign shall be added to the street sign of Salem Village Street in

instead of Mayor Blackman.	
ATTEST:	
Reynaldo Julve, Acting Municipal Clerk	Judith Rugg, Councilwoman
	ADOPTED:

honor of "Mayor Carolyn Blackman" and Councilwoman Rugg is authorized to sign this resolution

RESOLUTION No. 344-2023

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW APPROVING VOLUNTEER FIRE DEPARTMENT MEMBER – FELIPE HALABY

WHEREAS, the Town of Dover Fire Department has received application for membership in the Dover Volunteer Fire Department from Felipe Halaby; and

WHEREAS, the applicants have met all the requirements as stated in Chapter 20-4 of the Code of the Town of Dover Volunteer Fire Department; and

WHEREAS, the applicants have been recommended by Fire Chief Paul McDougall; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey to approve the membership of Felipe Halaby to the Volunteer Fire Department; and

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

ATTEST:		
Reynaldo Julve, Acting Municipal Clerk	Carolyn Blackman, Mayor	
	ADOPTED:	

CERTIFICATION

I, Reynaldo Julve, Acting Municipal Clerk	of the Town of Dover in the County of Morris, State
of New Jersey, do hereby Certify that the f	foregoing Resolution 344-2023 is a true copy of the
Original Resolution duly passed and adopted	d by the Mayor and Board of Aldermen of the Town
of Dover at its meeting on	_, 2023.
Reynaldo Julve	
Acting Municipal Clerk	

RESOLUTION No. 345-2023

RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING AND AUTHORIZING THE SETTLEMENT AGREEMENT AND MUTUAL RELEASE IN THE MATTER REGARDING TOWN OF DOVER CONSTRUCTION OFFICE NOTICE OF VIOLATION NUMBER 20230073/0 DATED AUGUST 31, 2023 ISSUED TO ZHOU J. YEUNG AND JENNIE LAM FOR THE SUBJECT PROPERTY KNOWN AND DESIGNATED AS BLOCK 2311, LOT 1 ON THE TOWN OF DOVER TAX MAP(S) AND LOCATED AT 6 PALM STREET, DOVER, NEW JERSEY

WHEREAS, the Town of Dover (the "Town" or "Dover"), via its Construction Office, issued and served a Notice of Violation Number 20230073/0 dated August 31, 2023 (the "NOV") on Zhou J. Yeung and Jennie Law (collectively, the "Appellants")¹; and

WHEREAS, Dover, as set forth in the NOV, alleges that Appellants constructed improvements and performed work without required construction and/or construction subcode permits at the subject property located at 6 Palm Street in Dover, New Jersey 07801, known and designated on the Dover Tax Map(s) as Block 2311, Lot 1 (the "Property"); and

WHEREAS, the NOV furthermore and specifically alleges that Appellants installed two (2) gas lines to service the residence at the Property without any and all required permits, whereby resulting in the Violation; and

WHEREAS, on or about September 14, 2023, Appellants appealed the NOV to the Morris County Construction Board of Appeals (the "Board"); and

WHEREAS, the Board accepted and filed Appellants' appeal of the NOV, assigning it Board Reference Number MC-2023-12 (the "Board Appeal") and scheduling an initial hearing date for October 2023, which was adjourned to December 21, 2023 (the "Board Hearing"); and

WHEREAS, the Town and Appellants have engaged in settlement discussions, and in an effort to avoid the costs associated with the Board Appeal, Board Hearing, and potential further litigation, the Parties desire to settle all claims and disputes regarding this matter, and accordingly release each other from any further liability with prejudice, in accordance with the terms set forth in the Settlement Agreement and Mutual Release (the "Settlement Agreement"), a copy of which is attached hereto and fully incorporated herein by reference; and

WHEREAS, it is in the best interests of the Town to approve and authorize the execution of the Settlement Agreement in order to conclude the Board Appeal and avoid further costs associated with the Board Appeal, Board Hearing, and potential further litigation.

¹ The Town and Appellants may be collectively referred to herein as the "Parties," and individually as a "Party."

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Dover, County of Morris and State of New Jersey that the Settlement Agreement settling the NOV, the Board Appeal and Board Hearing is hereby approved and the Mayor or Town Administrator are hereby authorized to execute the Settlement Agreement on behalf of the Town.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Mayor and Council of the Town of Dover further authorizes the Mayor or Town Administrator to execute any and all other documents required by the Board in order to effectuate dismissal of the Appeal.

ATTEST:	
Acting Municipal Clerk	Town of Dover Mayor
	•
Reynaldo Julve	Carolyn Blackman
	ADOPTED: