



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
November 26, 2013 7:00 PM

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

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

All joined in the Pledge of Allegiance to the Flag.

OATH OF OFFICE- Thomas MacDonald (Alderman 2nd Ward) Clerk Verga gave the oath of office while his mother and son held the bible.

ROLL CALL:

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

PROCLAMATION – Presentation of proclamation for Jeffrey Miller earning the rank of Eagle Scout

SUNSHINE LAW STATEMENT

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

MUNICIPAL CORRESPONDENCE:

1. Ordinance from Mine Hill Township re: Introduction of Ordinance #14-13 amending Chapter 25 of the Revised General Ordinances of the Township of Mine Hill and Correcting the Listing of Principal Permitted Uses in the Commercial Zones which eliminates motels as a principal permitted use
2. Ordinance from Mine Hill Township re: Adoption of Ordinance #11-13 amending Chapter 25 of the Revised General Ordinances of the Township of Mine Hill and Correcting the Listing of Principal Permitted Uses in Commercial Zones
3. Resolution from Rockaway Valley Regional Sewerage Authority re: Renewal permit for Saint Clare's Hospital-Dover
4. Minutes from the Rockaway Valley Regional Sewerage Authority board meeting of 10/17/2013
5. Notice from NJ League of Municipalities re: Newly elected officials information
6. Letter from NJ Dept. of Environmental Protection re: Suspected hazardous substance discharge notification for removal of underground oil tank removed from 28 E. McFarlan Street.

CONSENT AGENDA

1. Resolution Approving Raffle License for Morris County Organization for Hispanic Affairs
2. Resolution Approving Mayor & Board of Aldermen Meeting Minutes for November 12, 2013

AGENDA ITEMS:

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Approving a Subordination of Mortgage for Donna L. Gangemi
3. Resolution Supporting the use of a No Passing Zone on NJ Route 46 as recommended by NJDOT
4. Resolution Approving Transfer Resolution
5. Resolution Approving the Settlement of a Tax Court Appeal for Block 2303 Lots 10 & 11
6. Resolution Awarding Bid for Library Storm Repairs

REGULAR MEETING MINUTES
November 26, 2013

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 7:09 pm

ROLL CALL

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

Also present were Attorney Downs and Municipal Clerk Verga

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

Mayor Dodd opened the meeting to the public.

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

MAYOR'S REPORT: Mayor Dodd reminded the public about the Turkestanian American Association Event, Holiday Tree Lighting Event, Menorah Lightening and Toys for Tots Campaign.

ATTORNEY'S REPORT – He reserved his report

CONSENT AGENDA

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

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

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

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

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

Schedule A

Morris County Organization for Hispanic Affairs
to be held Friday, February 14, 2014
(50/50)

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

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

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:

October 22, 2013 – Caucus & Regular

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

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

RESOLUTIONS

BILL LIST

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

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

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

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

RESERVE ACCT claims in the amount of:	\$105.12
CURRENT ACCT claims in the amount of:	\$1,658,514.19
GENERAL CAPITAL ACCT claims in the amount of:	\$203,409.04
WATER UTILITY ACCT claims in the amount of:	\$32,262.07
WATER UTILITY RESERVE ACCT claims in the amount of:	\$0.00
WATER CAPITAL ACCT claims in the amount of:	\$0.00
PARKING UTILITY ACCT claims in the amount of:	\$3,532.87
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$0.00
PARKING CAPITAL ACCT claims in the amount of:	\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$13.20
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:	\$12,934.56
COAH TRUST Acct claims in the amount of:	\$0.00
TOTAL CLAIMS TO BE PAID	\$1,910,771.05

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

CURRENT ACCT claims in the amount of:	\$316,272.38
WATER UTILITY ACCT claims in the amount of:	\$22,518.79
PARKING UTILITY ACCT claims in the amount of:	\$2,785.64
PAYROLL AGENCY ACCT claims in the amount of:	\$86,888.39
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$17.82
TOTAL CLAIMS PAID	\$428,483.02

TOTAL BILL LIST RESOLUTION **\$2,339,254.07**

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

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

**CONSENT AND POSTPONEMENT OF MORTGAGE UNDER TOWN OF DOVER
HOUSING REHABILITATION PROGRAM**

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

WHEREAS, Donna L. Gangemi, residing at 26 Princeton Ave., Dover, New Jersey obtained funding from the Program on November 12, 2004 in the amount of \$14,915.00 and the present mortgage is recorded in the office of the County Recording Officer of Morris County, New Jersey in Book 17997 on Page 49; and

WHEREAS, Donna L. Gangemi is seeking to refinance her home with a private lender, requiring a Postponement of Mortgage; thereby, allowing the Program loans to be subject, subordinate, and inferior to the new mortgage; and

WHEREAS, Donna L. Gangemi has requested that the Mayor and Board of Aldermen approve such Postponement of Mortgage, and the Mayor and Board of Aldermen agree that it is in the best interests of the Town to do so;

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

The Mayor and Board of Aldermen acknowledge and consent to the Postponement of Mortgage, and hereby authorize William Close, Administrator of the Program, to execute the documents necessary to effectuate the requested Postponement of Mortgage.

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

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

RESOLUTION

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 46 in the Town of Dover; and

WHEREAS, NJDOT investigation revealed the current centerline pavement markings on Route 46 meet and conform to current design standards; and

WHEREAS, NJDOT will update existing records to reflect the current No Passing Zone conditions along (US) (NJ) Route 46;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover of, County of Morris, in the State of New Jersey, that it supports the use of a “No Passing Zone” on Route 46 in the Town of Dover as recommended by NJDOT.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to NJDOT as requested.

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

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

TRANSFER RESOLUTION

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: 2013

- Public Bldgs & Grds OE
- Streets & Road OE
- Shade Tree OE
- Fire OE
- Solid Waste & Recycling S & W
- Streets & Roads S & W
- Sewer S & W

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: 2013

- Code Enforcement S & W
- Municipal Prosecutor S & W
- Health S & W
- Health OE
- Fire 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:

FROM		TO	
Code Enforcement S & W	7,000	Public Bldgs & Grds OE	2,000
Municipal Prosecutor S & W	5,000	Streets & Roads OE	10,000
Health S & W	5,000	Shade Tree OE	5,000
Health OE	10,000	Fire OE	7,000
Fire S & W	8,000	Solid Waste & Recycling S & W	4,000
		Streets & Roads S & W	5,000
		Sewer S & W	2,000
 Total	 35,000	 Total	 35,000

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
TOWN OF DOVER APPROVING THE SETTLEMENT OF A
TAX COURT APPEAL FOR JOHN C. KLINGER, JR. for
BLOCK 2303, LOTS 10 and 11, 2009 through 2011**

WHEREAS, John C. Klinger, Jr., hereinafter "Klinger," is the owner of 319 U.S. Highway 46 A & B, Dover New Jersey, also known as Block 2303, Lots 10 and 11; and

WHEREAS, Klinger filed appeals with the Tax Court of New Jersey for the years 2009 through 2011 bearing Docket # 011148-2009; 017424-2010 and 012993-2011; and

WHEREAS, the Tax Assessor has reviewed Answers to Interrogatories and consulted with the expert appraiser for the Town, Robert J. Edgar of Certified Valuations, who has thoroughly reviewed the appeal; and,

WHEREAS, Klinger will withdraw all appeals for lot 11 for 2009 through 2011 and as a settlement value to Lot 10 will accept \$395,100.00 reduced from \$445,100.00 total assessment for year 2009, \$365,100.00 total assessment for year 2010 and \$365,100.00 total assessment for year 2011; 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 as follows:

1. The tax court appeals bearing the above referenced docket numbers are hereby authorized to be settled as follows:
 - A. Years 2009 through 2011 for Lot 11 shall be withdrawn.
 - B. For Lot 10, Block 2303 as follows:
 1. Year 2009 - \$395,100.00
 2. Year 2010 - \$395,100.00
 3. Year 2011 – \$395,100.00
2. The settlement shall be paid by tax credit to future tax bills and not by refund.
3. The taxpayer must waive interest on the overpaid amounts.

David C. Pennella, Esq. is hereby authorized to execute a Stipulation of Settlement upon the terms set forth above.

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AWARDING BID FOR LIBRARY STORM REPAIRS**

WHEREAS, the Town of Dover solicited bids for library storm repairs; and

WHEREAS, bids were received on November 22, 2013; and

WHEREAS, the three lowest bidders submitted bids as follows:

- | | | |
|----|---------------------------|------------------|
| A. | EMSA Energy, LLC | \$ 49,899.00 |
| B. | SLS Construction, LLC | \$ 54,900.00 |
| C. | Alexander The Great, Inc. | \$ 73,900.00 and |

WHEREAS, the Municipal Engineer recommends awarding the contract to EMSA Energy, LLC, PO Box 23, Old Bridge, NJ 08857 in the amount of \$49,899.00.

WHEREAS, the project will be funded with \$ 49,899.00 from Special Emergency Hurricane like storm, account number 3 01 65 002 120; and

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

1. The bid of in the amount for \$ 49,899.00 from EMSA Energy, LLC is hereby accepted; and
2. The Mayor and Clerk are hereby authorized to execute a contract with EMSA Energy, LLC, PO Box 23, Old Bridge, NJ 08857 in the amount of \$49,899.00.

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

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

PUBLIC COMMENTS

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

**Motion to adjourn made by Alderman Rutan at 7:15 pm,
and duly seconded by Alderman Romaine passed by the following voice vote.**

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk