



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
December 18, 2012 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.

ROLL CALL:

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

Absent: Alderman Timpani

Also present were Attorney Downs, Administrator Close and Municipal Clerk Verga

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

PROCLAMATION: HUMAN TRAFFICKING

Alderman Visioli and Alderwoman Blackman presented the proclamation to Mrs. Willinger. She thanked the Mayor & Board of Aldermen for bringing human trafficking to the public's attention. Mrs. Frost provided information on the NJ Coalition on Human Trafficking and thanked the board for the proclamation. She noted that the Town of Dover is about the 25th town to issue a proclamation.

MUNICIPAL CORRESPONDENCE:

1. Ordinance from the Township of Randolph re: Amending the Land Development Ordinance to Allow Congregate Care Retirement Communities as a Conditional Use in the B-4 General Commercial District.
2. Ordinance from the Borough of Rockaway re: Amending Chapter 169, Land Use Administration and Procedures
3. Resolution from the R.V.R.S.A re: Authorizing the Issuance of Not Exceeding \$8,000,000 Bonds (Series 201214) of R.V.R.S.A and providing for their sale of the NJ Environmental Infrastructure Trust and the State of NJ and Authorizing the execution and delivery of certain agreements in connection therewith.
4. Resolution from the R.V.R.S.A re: Authorizing Execution of an Industrial Sewer Connection Permit Renewal to Lakeland Bus Lines, Inc. Block 10202/Lot 42 Township of Rockaway
5. Resolution from the Borough of Butler re : Supporting A-3393, Legislation to Protect Residential Property Tax Payers from the loss of Telecommunication Tax Support
6. Notice of Hearing on Application – Town of Dover Planning Board – Minor site plan approval for a bakery with tables and chairs for customers – Pan Pizza Bakery II, 44 North Sussex Street.
7. Notice of Hearing on Application – Town of Dover Board of Adjustment – Seeking a use variance for deviation of conditional use standards and minor site plan approval for motor vehicle repair and limousine and taxicab service businesses
8. Notice of Hearing on Application – Board of Adjustment – Site plan amendment application to allow conditional use – South Salem Dickerson Associates, LLC, 274 South Salem Street.
9. Letter from Cablevision re: Launch of One World Sports and new Japanese Package
10. Fall 2012 “Touchstone” Newsletter from the ARC Morris
11. Winter 2012 “Vision Newsletter from the Saint Clare’s foundation
12. November 2012 “Outdoors Issues” Newsletter from The Land Conservancy of New Jersey
13. Invitation to the Morris County Board of Chosen Freeholders’ Official Swearing In on Friday, January 4, 2013
14. Invitation to the Dover Area Senior Citizen Association Meeting on January 7, 2013

NJDEP = NJ Department of Environmental Protection
R.V.R.S.A. = Rockaway Valley Regional Sewerage Authority

CONSENT AGENDA

1. Resolution Approving Limo(s) – Schedule A
2. Resolution Approving Raffle License(s) – Schedule A
3. Resolution Approving Transfer Resolution
4. Resolution Requesting NJDOT to adopt the parking restrictions on Route 15/W. Clinton St.
5. Resolution Approving One-Day Special Permit for Casa Puerto Rico to be held on December 31, 2012
6. Resolution Authorizing Contract with Randolph Township for 2013 Animal Control Services
7. Resolution Authorizing the application for funding from the Municipal Alliance
8. Resolution Providing the cancellation of various grant balances
9. Resolution Approving Tax Redemption – 311 E. Blackwell Street

ORDINANCE FOR SECOND READING/PUBLIC HEARING

1. Ordinance #18-2012 – Amending Chapter 57 of the Code of Town of Dover - Police Dept.

AGENDA ITEMS:

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Authorizing the Mayor & Board of Aldermen to enter into Executive Session
3. Resolution Approving Mayor & Board of Aldermen Meeting Minutes – November 20, 2012
4. Resolution Approving Volunteer Fire Dept. Member – Ryan Cloughley
5. Resolution Removing Katie Pinkerton from the Dover Volunteer Fire Department
6. Resolution Approving Salary Resolution
7. Resolution Awarding Bid for an Open Ended Contract for Portable Light Towers
8. Resolution Authorizing the Award for a non-fair and open contract for maintenance services of the Parking Kiosk System
9. Resolution Supporting the county of Morris' Grant application with NJDOT for the Repair of the Dover & Rockaway Railroad
10. Resolution Approving submission of a grant application and execution of a grant contract with NJDOT for Dover Highway Safety Grant
11. Resolution Awarding Bid for 2012 Leak Repairs – Reivax Contracting Corp.
12. Resolution Authorizing the Execution of Memorandum of Agreement with White Collar
13. Resolution Authorizing the Execution of Memorandum of Agreement with FMBA Local 60
14. Resolution Authorizing Emergency Appropriation – Hurricane Sandy

REGULAR MEETING MINUTES
December 18, 2012

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 7:26 pm

ROLL CALL

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

Absent: Alderman Timpani

Also present were Attorney Downs, Administrator Close and Clerk Verga

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

Mayor Dodd opened the meeting to public.

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

MAYOR'S REPORT – He noted the following items:

- Warren Street has been repaved and parking spaces have been restored.
- Security cameras have been installed in the Crescent Field area.
- The annual tree lighting took place on December 4th and there was an unbelievable turnout. Mayor Dodd thanked the Recreation Commission, Dover Fire Department and Department of Public Works (DPW) for their assistance. A meeting was held to critique the town's efforts and some changes will be made to enhance the safety for future events at JFK Park.
- The Toys for Tots Campaign was a great success and he thanked everyone involved.
- Santa's Run will be held on December 23rd and each ward will have several stop for Santa to greet the residents.
- A Post Hurricane Sandy meeting was held to critique the town's efforts. They will work on enhancing the communication with the public.
- Jersey Central Power & Light (JCP&L) will be in town trimming limbs and removing dangerous trees from their power lines.

ATTORNEY'S REPORT – No Report

CONSENT AGENDA

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING TAXIS/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

First Class of Dover, Inc.

Year/Model/Make	Vehicle Identification Number	Plate #
2002 Dodge Caravan	1B4GP 25372 B710705	OL3265H
2002 Chrysler	2C4GP 44382 R792669	OL3047H
2001 Chrysler	1C4GJ 25G31 B121639	OL3278H

Elite Limo & Taxi Service LLC

Year/Model/Make	Vehicle Identification Number	Plate #
2003 Lincoln Towncar	1LNHM81W73Y705078	OL1576J
2003 Lincoln Towncar	1LNHM82W33Y612427	OL1578J
2003 Lincoln Towncar	1LNHM82W83Y611824	OL1577J
2004 Lincoln Towncar	1LNHM81W54Y673913	OL1579J

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: Alderman Downs**

**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

Rotary Club of Dover

to be held on Monday, March 18, 2013
(50/50)

Morris County Organization for Hispanic Affairs

to be held on Thursday, February 14, 2013
(50/50)

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: Alderman Downs**

1. Along the northerly curblin, beginning at the point of intersection of the westerly curblin of Pequannock Street and the northerly curblin of West Clinton Street for a distance of 357 feet west.
2. Along the southerly curblin, beginning at the point of intersection of the westerly curblin of Warren Street and the southerly curblin of West Clinton Street for a distance of 405 feet west;

WHEREAS, the remaining curvilinear portion of the cul-de-sac between the end limits described above shall be designated “No Parking” in order to maximize the turning capability of emergency vehicles;

WHEREAS, the above descriptions are more clearly depicted on the attached “Exhibit “A” dated December 12, 2012.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Board of Aldermen do hereby request the New Jersey Department of Transportation adopt the aforementioned parking restrictions and that a copy of this resolution be sent to the Commissioner of the New Jersey Department of Transportation for consideration and action.

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

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega and Mayor Dodd

Nays: None Absent: Alderman Timpani Abstained: Alderman Downs

RESOLUTION

WHEREAS, Casa Puerto Rico, Inc., filed an application for their **eighth** Special Permit for a Social Affair to be held at the 50 W. Blackwell Street; and

WHEREAS, Casa Puerto Rico, Inc., a non-profit organization is permitted to have twenty-five events per year; and

WHEREAS, the Police Chief will determine what special conditions if any are needed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the following applications for Alcoholic Beverage Social Affair Permit(s) be approved:

1. Casa Puerto Rico is approved for an event to be held on Monday, December 31, 2012 (**#8**) from 8:00 pm through 5:00 am.
2. This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

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

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega and Mayor Dodd

Nays: None Absent: Alderman Timpani Abstained: Alderman Downs

**RESOLUTION AUTHORIZING CONTRACT WITH RANDOLPH TOWNSHIP
FOR 2013 ANIMAL CONTROL SERVICES**

BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey that the Mayor is hereby authorized to sign an agreement with the Township of Randolph for Animal Control Services for the year 2013 at a rate of \$86.00 per hour at a minimum of 520 to 624 hours of dog control services per year.

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: Alderman Downs**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AUTHORIZING THE APPLICATION FOR FUNDING FROM THE MUNICIPAL ALLIANCE**

WHEREAS, the Town of Dover, together with Victory Gardens, has been part of the Municipal Alliance to obtain funding for youth oriented programming; and

WHEREAS, the programs include such events as Teen Fun Night, Community Resource Center, ATOD community presentations, Youth Development Center “Hablamos,” Project Graduation, Dover Midget Football, Escucha, Teen Summer Programming, Tiger Alliance and Dover Strikers; and

WHEREAS, it is required that an annual budget and funding request be submitted; and

WHEREAS, the Alliance grant total is \$21,758.00 with a cash match of \$5,439.50 and an in kind match of \$16,318.50; and

WHEREAS, the Mayor and Clerk are required to sign the application for funding for the Municipal Alliance for the grant year 2013; and

WHEREAS, it is believed to be in the best interest of the youth of the Town of Dover to obtain such funding for the programs mentioned above.

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. It is hereby approved the application for the funding for the Municipal Alliance for the grant year 2013.
2. The Mayor and Clerk are hereby authorized to execute such application.

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: Alderman Downs**

RESOLUTION PROVIDING THE CANCELLATION OF VARIOUS GRANT BALANCES

WHEREAS, there are certain older appropriation reserve balances remaining on completed grant projects and

WHEREAS, it is necessary to formally cancel these appropriated reserve balances and any offsetting grant receivables where applicable.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey that the following Federal, State and County appropriated reserve balances and related offsetting grant receivable balances be cancelled:

Grant Title and Grant Year	Amount to be cancelled
2011 Municipal Alliance – County	7,452.46
2011 Municipal Alliance – Local	1,800.62
2010 Municipal Alliance – County	4,485.51
2010 Municipal Alliance – Local	982.43
2009 Small Cities CDBG – Harding Ave	94,930.82
2010 Small Cities CDBG – Segur St	94,405.06
Total	\$204,056.90

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: Alderman Downs**

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 18, 2008, a lien was sold on Block 2316 Lot 12, also known as 311 E Blackwell Street, Dover, New Jersey for delinquent 2007 taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 07-00017 was sold to Plymouth Park Tax Services and,

WHEREAS, redemption fees for Certificate No.07-00017 have been received.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen, Town of Dover, County of Morris, State of New Jersey that the Treasurer be authorized to issue a check in the amount of \$117,171.14 for Redemption and Premium paid at sale, payable to Plymouth Park Tax Services LLC.

BE IT FURTHER RESOLVED that two certified copies of this resolution be returned to the Tax Collector.

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: Alderman Downs**

ORDINANCE FOR SECOND READING

ORDINANCE NO. 18-2012
AN ORDINANCE AMENDING CHAPTER 57 OF THE CODE OF THE TOWN OF DOVER,
ENTITLED “POLICE DEPARTMENT”

BE IT ORDAINED by the Municipal Council of the Town of Dover (the “Town”), in the County of Morris and State of New Jersey, that:

WHEREAS, the governing body of a municipality may make, amend, repeal, and enforce ordinances to adopt policies and procedures for the protection of public health, safety and welfare; and

WHEREAS, the Town of Dover desires to amend Chapter 57 of the Town Code to create an Auxiliary Police Force and to reallocate responsibilities accordingly. This Ordinance shall be organized under Article IV of the Code, and the current “Article IV Table of Organization (§ 57-19)” shall be now designated as “Article V Table of Organization (§ 57-19)”

WHEREAS, the Board of Aldermen of the Town of Dover believes that it is in the best interests of the Town to establish an auxiliary police organization to assist and augment the regular police force during disasters and other emergency conditions, all in accordance with New Jersey Statute, Appendix A: 9, et seq., all duly adopted Executive Orders promulgated by the New Jersey Office of Emergency Management, and all rules, regulations and memoranda issued by the Local Emergency Management Coordinator and the Chief of Police; and

WHEREAS, the Board of Aldermen wishes to establish rules and procedures governing the interaction between the Auxiliary Police and the Dover Police Department; and

WHEREAS, it is hereby established as a policy of the Dover Police Department to utilize the Police Auxiliary as a supplement to police personnel in times of disaster or public emergency and assist in the training of the Police Auxiliary, so as to maximize preparedness in times of disaster or emergency; and

WHEREAS, it is the further stated intent of this legislation to establish the Police Auxiliary of the Town of Dover as being under the direct supervision of the Dover Emergency Management Coordinator during a properly declared state or local emergency or disaster, and under the direct supervision of the Chief of Police during period of bona fide training in preparation for such occurrence, such training being nevertheless as approved by the Board of Aldermen in cooperation with the Mayor and Borough Emergency Management Coordinator;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey, that Chapter 57 of the Town Code entitled, “Police Department” is hereby amended as follows (any subsection not enumerated herein remains unchanged):

Article IV

Section 1

§ 57-19 Auxiliary Police Department Established

There is hereby established in the Town of Dover an Auxiliary Police Department. The purpose of this ordinance is to establish rules and regulations regarding the Auxiliary Police Department, consistent with Appendix A, Chapter 9, National Defense and other directives of the State of New Jersey Director of Emergency Management or the Governor of the State of New Jersey.

Section 2.

§ 57-20 Qualifications of the Town of Dover Auxiliary Police

- A. All members of the Police Auxiliary must be residents of and maintain residence in the Town of Dover. Exceptions will be considered on a case by case basis and only when:
1. The applicant's residence is not more than five (5) miles from the nearest corporate borders of the Town of Dover; and
 2. Upon approval of the Mayor and Board of Aldermen
- B. The selection criteria for membership in the Borough of Dover Policy Auxiliary include:
1. Citizen of the United States and the State of New Jersey;
 2. At least 18 years of age;
 3. Able to read, write and speak the English language;
 4. Good moral character (based upon contemporary standards);
 5. Physically qualified to perform assigned duties. Physical disability is not a disqualifier if the person is able to perform assigned duties;
 6. Free of criminal conviction involving moral turpitude;
 7. Must possess a valid New Jersey driver's license by date of appointment if vehicle operation is required;
 8. Auxiliary Police members may not simultaneously be members of the regular Dover Police Department;
 9. Shall agree to an extensive background investigation and shall have his fingerprints taken, and they shall be filed with the Division of State Police and the Federal Bureau of Investigation.
 10. Meet such other requirements as are established in the Dover Auxiliary Police Rules and Regulations;

§ 57-21 Responsibilities of Department Officers

- A. All auxiliary police officers are required to successfully complete a basic training course for auxiliary police prior to taking an oath of office.
- B. All auxiliary police officers, before assuming the duties of their office, shall take and subscribe to the oaths required by NJSA 41:1-1, et seq. The original executed oaths shall be filed with the Municipal Clerk. Copies shall be forwarded to:
1. The Police Auxiliary officer taking the oath;
 2. The Chief of Police;
 3. If not a Town of Dover resident, to the clerk of the municipality in which the officer(s) reside(s).
- C. Auxiliary police officers in good faith carrying out, and complying with, or attempting to comply with rules and regulations made and promulgated or performing any authorized service shall have and possess all the rights, privileges and immunities conferred upon civilian defense volunteers by the laws of this State.
- D. Auxiliary police personnel are not regular sworn police officers. NJSA App. A:9-45 states that auxiliary police shall have the powers of a regular police officer only during a declared emergency, disaster, or assigned training mission.
1. Regular police officers, regardless of rank or assignment, shall not relinquish their authority to any member of the Police Auxiliary.
 2. Auxiliary Police officers shall obey the instructions of any regular police officer except as provided in the Town of Dover Police Department Rules and Regulations.
 3. Powers granted to the Auxiliary Police can be restricted and controlled in accordance with applicable laws, statutes, guidelines, and directives issued by the New Jersey Legislature, New

- E. Auxiliary police personnel are covered by state and federal statutes for compensation insurance in case of death or personal injury only when on duty during a declared emergency, disaster, or assigned training mission.
- F. Auxiliary police officers are provided with public liability protection equal to that provided to regular police officers.
- G. Auxiliary police personnel must comply with all rules and regulations of the Town of Dover Police Department, those established for the Police Auxiliary, and applicable written directives as may be prescribed.
- H. Auxiliary police officers are prohibited from using their identification card, badge, or affiliation with the Town of Dover Police Auxiliary or the Town of Dover for any financial gain, advantage, or other unethical purpose. All Auxiliary Police, while on duty, shall be uniformed in a manner, which is clearly distinctive from that of a regular police officer within the Town of Dover. Additionally, each volunteer auxiliary police officer shall wear a badge at all times while on duty indicating membership in the auxiliary police of the Town of Dover.
- I. Arming of the Police Auxiliary with less lethal weapons is authorized subject to the following:
 - 1. The only authorized less lethal weapons are the:
 - a. Baton: collapsible friction lock baton
 - b. Oleoresin capsicum spray
 - 2. Auxiliary officers are also authorized to carry and use handcuffs in comportment with any training provided in basic training and/or in-service training provided by the police department.
 - 3. Only those Police Auxiliary officers who have been instructed in the Town of Dover Police Department's use of force and weapons directives and have demonstrated proficiency with the above less lethal weapons are authorized to carry these weapons.
 - 4. All Police Auxiliary officers must receive refresher training in the use of force and weapons directives and demonstrate proficiency with the above authorized less lethal weapons with the same frequency as regular police officers.
 - 5. These authorized weapons and equipment can only be carried on duty during a disaster, declared emergency, or authorized training mission.
 - 6. These authorized weapons must be stored in a safe manner while off duty to retard theft or unauthorized possession or use by unauthorized persons.
 - 7. Police Auxiliary officers shall promptly report any lost or stolen weapons or equipment to the Town of Dover Police Department as soon as possible following discovery of the loss.
 - 8. Any use of force must comply with the Town of Dover Police Department's use of force and weapons directives.
- J. UNDER NO CIRCUMSTANCES shall a Police Auxiliary officer initiate or participate in any motor vehicle pursuit or high-speed response.
 - 1. A high speed response is any call response that exceeds posted speed limit.
 - 2. Auxiliary police are authorized to use emergency lights and sirens under certain conditions to include:
 - a. Parades;
 - b. Funerals;
 - c. Other special events as authorized by the Chief of Police.
 - 3. Police Auxiliary personnel are permitted to utilize a Town of Dover vehicle only when assigned during a declared emergency, disaster, or training mission, when clearly designated by sign or emblem denoting Auxiliary Police, and with the approval of the squad commander of designee.
 - 4. Auxiliary Police are not authorized to utilize emergency lights or siren when driving to any fixed post assignment.

K. The following list is representative of the functions, which may be proper and appropriate for assignment to the Police Auxiliary. The list is not all inclusive and other functions may be assigned at the discretion of the Chief of Police or designee.

1. Vehicular and pedestrian traffic control;
2. Receive and disseminate warnings or information and instructions to the public as directed;
3. Crowd and assemblage control;
4. Security of Federal, State, County or local government buildings, excluding the Municipal Court, within the Town of Dover;
5. Assist with staffing and functioning of the Town's Emergency Operations Center, field command posts, staging areas, or police headquarters operations;
6. Enforcement of law and maintenance of order as required and/or directed;
7. Satisfactory documentation of all assigned tasks initiated or completed, and reporting unusual incidents encountered during assigned duty.

L. Auxiliary police officers are required to attend mandatory training made necessary by their assignment or duties. Those training topics statutory required of regular police officers shall be provided. These topics include, but are not limited to:

1. Use of Force;
2. Weapons proficiency (authorized less lethal);
3. Right to Know;
4. Hazardous Materials Awareness;
5. Other topics mandated by the Public Safety Director.

§ 57-21 Evaluation of Auxiliary Police

- A. Annually, the Chief of Police or designee shall submit to the State Director of Emergency Management the names and addresses of current Police Auxiliary officers and an outline of the proposed training program.
- B. Police Auxiliary officers shall receive annual performance evaluations in accordance with the Dover Police Department's Performance Evaluation directive.
1. All Police Auxiliary personnel shall be evaluated.
 2. Personnel should be evaluated by their immediate supervisor/commander.
 3. The Auxiliary Police Captain shall be evaluated by the Police Liaison.

§ 57-22 Appointment of Auxiliary Police Department Members

The Mayor and Board of Aldermen may appoint from time to time auxiliary police officers in accordance with New Jersey laws for terms not exceeding one year. They shall possess and exercise all the powers and duties provided by said laws consistent with this ordinance during their term in office, but shall not be considered as regular members of the Police Department and shall not be entitled to tenure.

§ 57-23 Term of Appointment; revocation

Auxiliary police shall be appointed annually by the Mayor and Board of Aldermen for a term of one year, and the appointment may be revoked by the Mayor and Board of Aldermen without cause and without a hearing. Auxiliary police so appointed shall not be members of the police force.

Section 2.

If any chapter, article, section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction such decisions shall not affect the remaining portions of this Ordinance.

Section 3.

Except to the extent amended hereunder, all other parts or sections of Chapter 57, Police, shall remain in full force and effect. All parts and provisions of any ordinance, which are inconsistent with the provisions of this ordinance, shall be repealed to the extent of such inconsistency.

Section 4.

This Ordinance shall take effect 20 days after final adoption and publication as provided by law.

Alderman Visioli has moved the ordinance be adopted and duly seconded by Alderwoman Romaine and passed for second reading by the following roll call vote.

Mayor Dodd opened the meeting to the public for a hearing on Ordinance 18-2012. Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public.

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: None**

RESOLUTIONS

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.

RESERVE ACCT claims in the amount of:	\$460.80
CURRENT ACCT claims in the amount of:	\$1,970,280.68
GENERAL CAPITAL ACCT claims in the amount of:	\$70,971.18
WATER UTILITY ACCT claims in the amount of:	\$75,335.78
WATER UTILITY RESERVE ACCT claims in the amount of:	\$9,699.15
WATER CAPITAL ACCT claims in the amount of:	\$10,118.25
PARKING UTILITY ACCT claims in the amount of:	\$3,715.10
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$95.19
PARKING CAPITAL ACCT claims in the amount of:	\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$2,941.00
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:	\$3,701.02
COAH TRUST Acct claims in the amount of:	\$0.00
TOTAL CLAIMS TO BE PAID	\$2,147,318.15

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:	\$720,920.08
WATER UTILITY ACCT claims in the amount of:	\$46,308.21
PARKING UTILITY ACCT claims in the amount of:	\$5,239.74

PAYROLL AGENCY ACCT claims in the amount of:	\$274,381.87
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$50.57
TOTAL CLAIMS PAID	\$1,046,900.47
TOTAL BILL LIST RESOLUTION	\$3,194,218.62

Alderman Visioli 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, Downs, Rutan and Noriega
Nays: None Absent: Alderman Timpani Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER FOR 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 the opinion that such circumstances presently exist; and

WHEREAS, The Mayor and Board of Aldermen of the Town of Dover wish to discuss:

1. Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matter falling within the attorney client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this meeting.

Alderman Visioli 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, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani 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 20, 2012 – Caucus & Regular

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

**Ayes: Aldermen Visioli, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: Alderman Picciallo**

RESOLUTION APPROVING A VOLUNTEER FIRE DEPARTMENT MEMBER

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

WHEREAS, he has met all the requirements as stated in Chapter 20-4, Volunteer Fire Department; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Dover approve the membership of Ryan Cloughley to the Volunteer Fire Department as a member of Protection Hook and Ladder.

Alderwoman Romaine 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, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
REMOVING KATIE PINKERTON FROM THE DOVER VOLUNTEER FIRE DEPARTMENT**

WHEREAS, Section 20-5 provides that any member of the Dover Volunteer Fire Department with less than 10 consecutive years of active service who is not in good standing for two consecutive years shall be recommended to be removed by the Board of Engineers from the rolls of the Dover Volunteer Fire Department or Rescue Squad; and

WHEREAS, Katie Pinkerton is not in good standing; and

WHEREAS, the Dover Volunteer Fire Department recommends her removal from the rolls of the Dover Volunteer Fire Department.

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. Katie Pinkerton is hereby removed from the rolls of the Dover Volunteer Fire Department.

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: None**

SALARY RESOLUTION

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

1. That the annual, hourly salaries and wages as set forth hereunder be and hereby are established for the officials and listed employees of the Town of Dover at the respective sums shown following their names and or position designation following their name listed below.

knowledge and expertise in the area which will result in a savings to the Town; and

WHEREAS, Parkeon Inc. shall do all maintenance on the kiosk system, telephone support for customers, along with weekly collections of the kiosks; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et sec.) authorizes the execution of service contracts without competitive bidding; and

WHEREAS, on the recommendation of the Mayor and Board of Aldermen of the Town of Dover, authorized the execution of a contract with Parkeon Inc. for \$19,188.00 per year commencing January 1, 2013 through December 31, 2013, with the option of another year,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, authorizes the Mayor and Municipal Clerk to enter into contract with Parkeon Inc. located at 40 Twosome Dr., Unit 7, Moorestown, NJ 08057 as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification be placed on file with this resolution.

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, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: None**

A RESOLUTION SUPPORTING THE COUNTY OF MORRIS' GRANT APPLICATION WITH THE NJDOT FOR THE REPAIR OF THE DOVER & ROCKAWAY RAILROAD

WHEREAS, the County of Morris has been awarded a grant to repair railroad track in the Town of Dover by the New Jersey Department of Transportation (NJDOT); and

WHEREAS, the project entails repair to the Dover & Rockaway Railroad with 3000 new rail ties, 4000 tons of stone, and raising and tamping the rail line; and

WHEREAS, the NJDOT's grant program is highly competitive with no guarantees of future funding opportunities; and

WHEREAS, the County is committed to working cooperatively with the Town on freight railroad issues, and

WHEREAS, after careful consideration of the track repair of the Dover & Rockaway Railroad, the Town Council believes it to be in the best interest of the Town to support the County as it seeks funds to improve its freight rail network.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Dover Council supports Morris County's "Dover & Rockaway Railroad Repair" project.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the Morris County Division of Transportation and the New Jersey Department of Transportation.

Alderwoman Blackman 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, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: None**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR
DOVER HIGHWAY SAFETY GRANT**

NOW, THEREFORE, BE IT RESOLVED that Council of Dover formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as HSF2012-Dover Town-00097 to the New Jersey Department of Transportation on behalf of the Town of Dover.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Dover and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**Alderman Rutan 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, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: None**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT
FOR WATER SYSTEM LEAK REPAIRS**

WHEREAS, the Town of Dover Mayor and Board of Aldermen have a need to obtain a contractor for leak repairs services for its water system and has, under the laws of the State of New Jersey, bid the project; and

WHEREAS, the Town of Dover Mayor and Board of Aldermen has determined and certified in writing that the value of the service will exceed \$17,500.00; and

WHEREAS, Suburban Consulting Engineers, Inc. the Water Commission Engineers received six bids and Reivax Contracting Corp. (“Reivax”) submitted a proposal indicating that they will provide services for leak repairs for \$33,500.00 as per schedule dated November 8, 2012 and made a part hereof; and

WHEREAS, Suburban Consulting Engineers, Inc. has reviewed Reivax’s response and finds that it is the best priced and qualified bid and recommends the award of the Contract to Reivax in an amount not to exceed \$33,500.00; and

WHEREAS, Reivax will adhere to all the requirements in the November 8, 2012 responsive proposal, as well as any and all requirements of the Dover Mayor and Board of Aldermen and Water Commission’s engineer, Suburban Consulting, Inc.; and

WHEREAS, Reivax 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 contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified that the funds are available for this contract. *(If those funds are not available, this Contract will not be let)*

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, in the County of Morris and State of New Jersey, that the Mayor and Board of Aldermen hereby awards a contract to Reivax Contracting Corp., of 46 Washington Street, Harrison, New Jersey, for repairs to leaks under the terms outlined in the attached proposal dated November 8, 2012; and

BE IT FURTHER RESOLVED that the previously filed Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AUTHORIZING EXECUTION OF MEMORANDUM OF AGREEMENT (MOA) WITH
THE OPEIU LOCAL 32 (WHITE COLLAR)**

WHEREAS, Dover and the OPEIU Local 32 are parties to a collective bargaining agreement which expired on December 31, 2011; and

WHEREAS, the parties have engaged in negotiations; and

WHEREAS, those negotiations have resulted in an agreement for a three (3) year contract commencing January 1, 2012 through December 31, 2014; and

WHEREAS, a copy of the MOA is attached hereto;

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 Mayor and Clerk are hereby authorized to execute the MOA between Dover and the OPEIU Local 32 in substantially the same formed as it is attached hereto.
2. The Mayor and Clerk are also authorized to execute a contract drafted in accordance with the Memorandum of Agreement.

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, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AUTHORIZING EXECUTION OF MEMORANDUM OF AGREEMENT (MOA)
WITH THE FMBA LOCAL 60 (FIREMEN'S)**

WHEREAS, Dover and the FMBA Local 60 are parties to a collective bargaining agreement which expired on December 31, 2011; and

WHEREAS, the parties have engaged in negotiations; and

WHEREAS, those negotiations have resulted in an agreement for a three (3) year contract commencing January 1, 2012 through December 31, 2014; and

WHEREAS, a copy of the MOA is attached hereto;

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 Mayor and Clerk are hereby authorized to execute the MOA between Dover and the FMBA Local 60 in substantially the same form as it is attached hereto.
2. The Mayor and Clerk are also authorized to execute a contract drafted in accordance with the Memorandum of Agreement.

Alderman Romaine 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, Downs, Rutan, Noriega and Mayor Dodd

Nays: None Absent: Alderman Timpani Abstained: None

EMERGENCY RESOLUTION

WHEREAS, an emergency has arisen with respect to the Hurricane Sandy (overtime, fuel for vehicles, brush removal etc.) and no adequate provision was made in the 2012 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of the emergency appropriation created including the appropriation to be created by this resolution is \$75,000 and three (3) percent of the total operating appropriations in the budget for the year 2012 is \$605,777.00.

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2012.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey that in accordance with the N.J.S.A. 40A:4-48 that:

1. An emergency appropriation is hereby made for the Hurricane Sandy in the amount of \$75,000.00.
2. That said emergency appropriation shall be provided in full in the 2012 budget, and is requested to be excluded from CAPS, pursuant to N.J.S.A. 40A:4-53.3c(1)
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

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

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd

Nays: None Absent: Alderman Timpani Abstained: None

Mayor Dodd asked the Public Safety Director, Rich Rosell to speak briefly on the overview of safety in the community. Mr. Rosell commented on the following:

- The Auxiliary Police will be a minimum outlay (training, uniforms) for the town but the yield will

be much higher. Mr. Rosell and Mr. Close worked on a grant that hopefully will fund the program. The Auxiliary Police will be fielded initially as a force multiplier for events like Hurricane Sandy.

- Mr. Rosell and Mr. Close applied for a Walmart grant which will enable the Fire Department and EMS to start a Vial of Life Program.
- Mr. Rosell met with faith based groups in town to discuss the town's performance during Hurricane Sandy. Overall, the groups were very happy with the town's performance, however, some suggestions were made.

Mayor Dodd welcomed Ryan Cloughley to the fire department and thanked him for volunteering.

PUBLIC COMMENTS

Maria Tambini - 6-16 E. Blackwell Street – Ms. Tambini thanked the Mayor and Board of Aldermen for the Thanksgiving dinners that were provided to the residents of Dover.

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

RETURN FROM EXECUTIVE SESSION

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: None**

**Motion to adjourn made by Alderman Romaine at 8:48 pm,
and duly seconded by Alderman Rutan passed by the following voice vote.**

**Ayes: Aldermen Visioli, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Timpani Abstained: None**

Respectfully submitted,

Margaret J. Verga, Municipal Clerk