



TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

CAUCUS MEETING MINUTES

February 26, 2008 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 7:00pm.

All joined in the Pledge of Allegiance to the Flag and prayer was given asking for guidance and strength to do what is right for our town and its' people.

ROLL CALL:

PRESENT: Aldermen Delaney, Poolas, Visioli, Donofrio (7:08), Picciallo, Timpani, Romaine and Mayor Dodd

ABSENT: Alderman Fahy

Also present were Administrator Garvin, Attorney Pennella and Clerk Verga

Clerk Verga stated adequate notice has been provided and this meeting is in compliance with the Open Public Meetings Act.

PRESENTATION: Therese dePierro, Tax Assessor and Ted Lamisilo from Certified Valuations, Inc. were present and gave an explanation of the revaluation process. He explained the revaluation is ordered to be done by Morris County Board of Taxation when the equalization rate falls below 50%. It is not done to raise taxes, the same amount of money is collected for taxes, but it insures the tax burden is distributed equally.

Alderman Visioli asked about the firm's stance on stacking and overcrowding. Mayor Dodd responded that is handled internally by the assessor. Certified Valuation was asked to have ward meetings.

Alderman Visioli stated property values are repressed, how does that affect the town? It was answered that they will be assessed at the true market value as of October 1, 2008.

Alderman Delaney asked what happens if can't get into a property? It was answered that the full potential will be assumed such as the basement and attic are finished.

Mayor Dodd opened the meeting to the public.

William Hann – 90 E. Munson Ave. - Will out buildings be assessed? It was answered yes.

Alderwoman Romaine inquired about swimming pools, it was answered in ground pools are assessed above ground are not.

Matthew Barrick – 107 Bassett Highway – asked if commercial property owners disagreed with the assessment, does the company get paid a flat rate for the whole assessment process or an additional fee to go to court for each appeal. He also asked how many appeals happened in the 1997 revaluation.

Attorney Pennella answered you have the option of sitting with the appraisers if you disagree. If you still disagree after that, only the tax court decides fair valuation. After the 1997 revaluation there were several appeals for commercial properties. He stated Casio as an example: Town assessed \$15,000,000 they appealed for \$10,000,000 the court's decision was \$12,750,000.

Mayor Dodd stated in the bid process it was requested that the company have bilingual field workers and also that literature would be in Spanish and English.

Edward Correa – 88A First Street- stated the mayor answered on his bilingual question but also wanted to know how the community was being notified.

Mayor Dodd replied that your here because Certified Evaluation is doing a presentation. The town's obligation is fulfilled because the town advertised for this meeting; it was also on the website. Administrator Garvin also stated



TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

MUNICIPAL CORRESPONDENCE:

- Letter from Rockaway River Watershed Cabinet Re: Requesting a 2008 budget appropriation for \$1,500
- Ordinance from the Borough of Wharton Re: General capital project enumerated within for the borough of Wharton, County of Morris
- Ordinance from the Borough of Wharton Re: Bond Ordinance Appropriating \$600,000, and Authorizing the Issuance of \$600,000, for various sewer systems improvements or purposes authorized
- Ordinance from the Borough of Wharton Re: Bond Ordinance Providing for the Improvement of Racine Street
- Ordinance from the Borough of Rockaway Re: Repealing Section 169-36, "Appeals to the Mayor & Council"
- Letter from Municipal Excess Liability Joint Insurance Fund Re: POL/EPL Deductibles
- Letter from Reverend Daniel Martinez & concerned citizens regarding town issues
- Municipal Court Financial Report for January 2008
- Tax Collector's Report for January 2008
- 2008 Government Online Auctions (Vehicles)

AGENDA ITEMS:

ORDINANCE(S) FOR INTRODUCTION

- Ordinance #4-2008 Re: Amending "Snow and Ice Removal"
- Ordinance #5-2008 Re: Amending Code Section 57-19 "Organization of Dover Police Department"

RESOLUTIONS

- Approving Bills List
- Approving Transfer Resolution
- Approving Contract with Randolph Township for 2008 Animal Control Services
- Approving the authorization of the advertisements of bids for the right to operate a flea market upon public property
- Approving Raffle License for Morris County Council of Education Association to be held on May 3, 2008
- Approving Taxi/Limos as per Schedule A
- Approving credit for sewer charges for 79 Liberty Street
- Approving the Mayor and Board of Aldermen to enter into Executive Session



TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

REGULAR MEETING MINUTES

February 12, 2008

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

Mayor Dodd called the meeting to order at 7:26pm

ROLL CALL

Present: Alderman Fahy (7:36pm), Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd

Absent: None

Also Present: Administrator Garvin, Attorney Pennella and Clerk Verga

Clerk Verga stated adequate notice has been provided and this meeting is in compliance with the Open Public Meetings Act.

Mayor Dodd opened this portion of the meeting to the public for agenda items only. Seeing no hands and hearing no voices this portion of the meeting was closed.

ADMINISTRATOR'S REPORT

- No formal report.

ALDERMEN/COMMITTEE REPORTS

- No formal report

ATTORNEY REPORT

- No formal report.

CONSENT AGENDA

ORDINANCE(S) FOR FIRST READING

ORDINANCE NO. 04-2008
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AMENDING THE CODE OF THE TOWN OF DOVER SECTION 337-29, ET. SEQ.
"SNOW AND ICE REMOVAL"

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

Chapter 337, entitled "Streets and Sidewalks," Article VI, entitled "Snow and Ice Removal," Section 337-29 through 337-33 is hereby amended and supplemented pursuant to N.J.S.A. 40:65-12 as follows:

1. **Section 337-29. "Responsibility for Removal of Snow, Hail and Ice."** The owner of any lands abutting upon the public streets (as defined by N.J.S.A. 48:3-11) of the Town of Dover, shall, within 24 hours after every fall of snow or hail or the formation of ice, remove all snow and ice from the abutting sidewalks within 24 hours after every snow or hail or the formation of ice upon the sidewalks.

2. **Section 337-30. "Placing or Throwing Snow into Street Prohibited."** It shall be unlawful for anyone, after the snow has been plowed by a snow plow or removed by snow loader or other apparatus, to place or throw any snow from sidewalks, driveways or any private or public property onto any street or thoroughfare where cleared.

3. **Section 337-31. "Removal of Dangerous Snow and Ice Projections."** The owner of any lands abutting upon the public streets of the Town of Dover where the property is located within the C-1 zone as designated on the Town of Dover Zoning Map shall remove potentially dangerous snow or ice which could topple onto or which projects over the sidewalk or the adjacent right-of-way of the street. It is the intention of this provision to protect against overhangs or dangerously high piles of snow or ice which may threaten pedestrians or vehicles traveling alongside the snow or ice accumulation or pile.



TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

4. **Section 337-31. "Violations and Penalties."** Any owner who violates a provision of this article shall, upon conviction, forfeit and pay a fine of \$50.00 for the first offense, \$150.00 for the second offense, and for a third or subsequent offense be subject to one or more of the following: (a) A fine not less than \$250.00 but not exceeding \$1,250.00, and/or (b) a term of imprisonment not exceeding 90 days or a period of community service not exceeding 90 days.

In addition, where the owner of any real estate shall fail to remove the snow or ice as provided in this ordinance, the enforcing official may employ the necessary labor and materials to perform the required work of removal as expeditiously as possible. The cost of such removal shall be the responsibility of the owner.

In the event of non-compliance with the within provisions, any person authorized to enforce this ordinance may provide notice to the owner of the property of such non-compliance and the intention within 24 hours of such notice of having the snow and ice removed at the owner's expense. Notice shall be by personal service upon the owner, or service may be made by posting upon the property on the main entry door a copy of the Ordinance and a statement that an inspection has determined that the property is in violation of this Ordinance and that, unless the snow and ice is removed within 24 hours of the delivery or posting of the notice, the enforcing official may employ the necessary labor and materials to perform the required snow and ice removal as expeditiously as possible and the cost of same shall be borne by the owner of the property. If the enforcing official causes the necessary labor and materials to be utilized to perform the required work, the costs of the removal shall be certified by the enforcing official to the governing body of the municipality. The governing body shall examine such certificate and, if found to be correct, shall cause such cost to be charged against such real estate so abutting upon such sidewalk covered by snow and ice and the amount so charged shall thereupon become a lien and tax upon such real estate and be added to and be part of the taxes next to be levied and assessed thereon and enforced and collected with interest by the same officers in the same manner as other taxes.

5. **Section 337-33. "Enforcement."** This article shall be enforced by the Dover Police Department, any code enforcement inspectors, or any housing inspectors of the Town of Dover.

6. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.

7. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

8. The Ordinance shall take effect in accordance with law.

Mayor Dodd has moved the foregoing ordinance be adopted and duly seconded by Alderman Romaine and passed for first reading by the following roll call vote.

Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: Alderman Donofrio **Absent: Alderman Fahy** **Abstained: None**

ORDINANCE NO. 05-2008
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AMENDING CODE SECTION 57-19 "ORGANIZATION OF DOVER POLICE DEPARTMENT"

Be it ORDAINED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey as follows:

1. Section 57-19 of the Code of Dover entitled "Organization of the Dover Police Department" is hereby amended to temporarily increase the number of sergeants in the department from five to six. The increase in the number of sergeants will commence upon the execution of a settlement agreement under the lawsuit bearing Docket # MRS-L-1088-05 and the sixth position shall automatically terminate on the earlier of the following: notice of disapproval of the settlement by the Merit System Board of the State of New Jersey, nine months from the approval of the settlement by the Merit System Board, or a date prior to such nine month period, a lateral transfer occurs. At the occurrence of one of these three events, the organizational table of the Dover Police Department will revert to five sergeant positions.

2. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN

such inconsistencies.

3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

4. The Ordinance shall take effect in accordance with law.

Mayor Dodd opened the meeting up to the public for a hearing, seeing no hands and hearing no voices he closed the hearing.

Alderman Romaine has moved the foregoing ordinance be adopted and duly seconded by Alderman Donofrio and passed for first reading by the following roll call vote.

Ayes: Aldermen Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: None Absent: Alderman Fahy Abstained: None

RESOLUTIONS

Approving Bills 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.

Table with 2 columns: Description of claims and Amount. Includes rows for RESERVE ACCT, CURRENT ACCT, CAPITAL ACCT, WATER UTILITY ACCT, WATER UTILITY RESERVE ACCT, WATER CAPITAL ACCT, PARKING UTILITY ACCT, PARKING UTILITY RESERVE ACCT, PARKING CAPITAL ACCT, ANIMAL CONTROL TRUST ACCT, EVIDENCE TRUST ACCT, RECYCLING TRUST ACCT, COUNTY FORFEITED ASSETS TRUST ACCT, FEDERAL FORFEITED ASSETS ACCT, TRUST/OTHER ACCT, DOVER MARKETPLACE INC TRUST ACCT, and TOTAL CLAIMS TO BE PAID.

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

Table with 2 columns: Description of claims and Amount. Includes rows for CURRENT ACCT claims and WATER UTILITY ACCT claims.



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN

PARKING UTILITY ACCT claims in the amount of:	\$2,969.37
PAYROLL AGENCY ACCT claims in the amount of:	\$84,907.30
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$295.21
TOTAL CLAIMS PAID	\$396,936.89

TOTAL BILL LIST RESOLUTION **\$1,942,451.23**

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

Ayes: Aldermen Fahy, Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Romaine and 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: 2007

Water OE

WHEREAS, there appears to be a surplus in the following accounts (excepting the Appropriation for Contingent Expenses, Down Payments and Capital Improvement Fund) over and above the demand necessary for the balance of the year, viz: 2007

Water 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	
Water S & W	50,000.00	Water OE	50,000.00	

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

Ayes: Aldermen Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: None Absent: Alderman Fahy Abstained: None

RESOLUTION AUTHORIZING CONTRACT WITH RANDOLPH TOWNSHIP
FOR 2008 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 2008 at a rate of \$76.00 per hour at a minimum of 520 to 624 hours of dog control services per year.

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

Ayes: Aldermen Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: None Absent: Alderman Fahy Abstained: None



TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

Approving Raffle License for Morris County Council of Education Association to be held on May 3, 2008
See Attached Resolution

Approving Taxi/Limos as per Schedule A
See Attached Resolution

Approving credit for sewer charges for 79 Liberty Street
See Attached Resolution

Approving the Mayor and Board of Aldermen to enter into Executive Session
See Attached Resolution

Approving the authorization of the advertisements of bids for the right to operate a flea market upon public property

Mayor Dodd has tabled the foregoing resolution and duly seconded by Alderman Visioli and passed by the following roll call vote.

Ayes: Aldermen Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: None **Absent: Alderman Fahy** **Abstained: None**

Mayor Dodd opened the meeting up to the public.

Luis Gomez – 172 S. Morris Street – His concern is with the day laborers by Dickerson Street, he explained that he was almost hit.

Mayor Dodd explained that this was a big issue for Mrs. Tambini as well. Our police department does patrol the area but, we do not have the authority to enforce immigration. He has contacted Congressman Frelinghuysen who agreed to attend one of our meetings and he strongly suggested residents attend same.

Emilio Limos – 48 Second Street – His complaint was about the bridge on Prospect Street still having ice on it.

Mayor Dodd stated that it is Morris County's responsibility to maintain it and the town would report it.

Connie Sibona Foster – 90 Penn Ave. – She would like to thank Alderman Timpani for his help with the speeding on Penn Ave.

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

Alderwoman Romaine made a motion to adjourn seconded by Alderman Timpani and passed by the following voice vote at 7:46pm. All ayes.

Respectfully submitted,

Margaret Verga,
Municipal Clerk