



TOWN OF DOVER MAYOR & BOARD OF ALDERMEN

REGULAR MEETING MINUTES
DOVER TOWN HALL
37 N. SUSSEX ST., DOVER, NJ 07801
FEBRUARY 25, 2020

Mayor Carolyn Blackman called the February 25, 2020 Regular Meeting of the Mayor and Board of Alderman to order at 7:03p.m. and read the Sunshine Statement that the meeting was 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, 2020 and published in the Record and Ledger on January 10, 2020. Notice was also posted on the Bulletin Board in Town Hall. Mayor Blackman also advised that under State Law that there is a no smoking in this public building and asked those in attendance to take notice of the emergency exits in the event of an emergency.

The Mayor then led those in attendance in the salute to the flag. Acting Clerk Schmidt then conducted the roll which resulted in the following:

Name	Present	Absent	Excused
Alderman Correa	X		
Alderman Tapia	X		
Alderman Ballesteros	X		
Alderwoman Rugg	X		
Alderwoman Cruz	X		
Alderman Valencia	X		
Alderman Quinones	X		
Alderwoman Wittner	X		
Mayor Blackman	X		

Following the roll, the Clerk announced that all members of the Governing Body were present and there was a quorum. Also present at the meeting was Acting Municipal Clerk John P. Schmidt and Town Attorney Timothy P. Downs.

The first item for consideration were the meeting minutes of February 11, 2020. Mayor Blackman asked for a motion to approve the Regular and Executive Session meeting minutes of February 11, 2020. Alderman Correa made a motion to approve the minutes in bloc, seconded by Alderman Quinones.

	A.M. Correa	A.M. Tapia	A.M. Ballesteros	A.M. Rugg	A.M. Cruz	A.M. Valencia	A.M. Quinones	A.M. Wittner	Mayor Blackman
Motion	X								
Second							X		
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

The motion carried 9-0.

REPORT OF COMMITTEES

Alderman Correa gave an update on the Special Committee for Recommending Amendments to Chapter 2 of the Town Code. He said that the committee is working deliberating and replacing sections of the Code and that the committee recently met again for nearly 3.5 hours. He commented that at the latest the committee hopes to distribute the Code for consideration and introduction at the last meeting in March. He thanked Town professionals and employees including Attorney Downs and Clerk Schmidt.

PRESENTATIONS OF COMMUNICATIONS, PETITIONS, ETC.

Mayor Blackman asked Clerk Schmidt to explain the first communication on the agenda. Mr. Schmidt advised the Board as to DCA LGN-2020-02 concerning the 2020 Municipal Cap Referendum Procedures.

The Mayor, Board and those in attendance then heard a presentation from Marvin J. Joss, Partnership Specialist from the New Your Regional Census Center concerning the 2020 U.S. Census. Mr. Joss works for the U.S. Census Bureau within the U.S. Department of Commerce. Mr. Joss spoke about the importance to be counted in the Census, which is important for congressional representation and receiving federal funds such as CDBG and FEMA funds. He stressed that the information collected is secure and is not shared with any other government agency including law enforcement. He also explained that individuals can now respond online. Online responses start March 12 and ends April 27. He also explained that following April 27, census workers will be in the field collecting data and that the jobs are available. They are flexible and are \$21.00 per hour. The Mayor and Board thanked Mr. Joss for the informative presentation. Mayor Blackman asked where people could get information about census jobs, which Mr. Joss explained. Alderwoman Rugg asked if there will be any type of meeting in Dover. Mr. Joss said that if it is not in Dover, it will be nearby. Alderwoman Rugg expressed concern about those who do not drive. The Mayor offered the municipal building as a potential meeting place for a meeting in Dover.

Following the presentation about the Census, Tom Spring from Public Works spoke about the banners from St. Clare's hospital. There was an agreement with the prior administration to put up banners on Blackwell Street. St. Clare's was promised to be put up February 1, 2020. Mr. Spring explained that there is a gap when banners are up between March 20th and May 25th between Winter and the Heroes Banners. The St. Clare's banners are current at Public Works and were delivered in November. Alderwoman Wittner asked how this topic came about. Mr. Spring commented that he did not know. He also mentioned that there would be no cost to put up the banners since DPW would be out there to remove the Winter banners. Alderman Quinones asked if this was advertisement for St. Clare's and how would this impact other businesses. Mr. Spring said that this was the first time for something like this and that usually the banners have been our banners.

Mr. Spring then explained the DPW Generator project. He said that DPW does not currently have a generator and when power goes down there is no backup power, which does not allow the

Town to fuel vehicles including fire trucks. Monies for the generator have been allocated from the capital budget and DPW hopes that the Governing Body will award the contract for the generator to the lowest bidder. He also mentioned that as a result of an energy audit, LED lights were installed in Public Works, which reduced the energy output allowing for a less expensive generator which lowered the expense of the project.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

After reading a statement and procedures for public comment, the Mayor then opened the floor up to the public who wished to make comments on agenda items only. Seeing that no one wished to comment, Mayor Blackman closed the public comment portion on agenda items only.

APPROVAL OF VOUCHERS

The Governing Body the considered the Bills List / Res. 73-2020. A motion was made by Alderman Ballesteros, seconded by Alderwoman Wittner to approve.

	A.M. Correa	A.M. Tapia	A.M. Ballesteros	A.M. Rugg	A.M. Cruz	A.M. Valencia	A.M. Quinones	A.M. Wittner	Mayor Blackman
Motion			X						
Second								X	
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

The motion carried 9-0 and the Bills List / Res. 73-2020 was approved.

APPROVAL OF RESOLUTIONS

The Governing Body then acted upon the consent agenda resolutions.

- 1) Res. 74-2020 – Self Examination Budget Res.
- 2) Res. 75 -2020 – Transfer Res.
- 4) Res. 77 -2020 – Awarding PSC for Grant Writer – Millennium Strategies
- 5) Res. 78 -2020 – Appointing Municipal Prosecutor – Lisa Thompson, Esq.
- 6) Res. 79 -2020 – Appointing Public Defender – Gerald Kelly, Esq.
- 7) Res. 80-2020 – Appointing Municipal Attorney – Timothy P. Downs, Esq. / Mason, Thompson, LLC
- 8) Res. 81 -2020 – Awarding PSC for Bond Counsel - McManimon, Scotland & Baumann
- 9) Res. 82 -2020 – Awarding PSC for Labor Counsel - Jardim, Meisner & Susser, PC
- 10) Res. 83 -2020 – Awarding PSC for Labor Counsel – Rainone Coughlin Minchello
- 11) Res. 84 -2020 – Awarding PSC for Forensic Auditor / Budget Consultants – O’Connor Davies
- 12) Res. 85 -2020 – Awarding PSC for Municipal Auditor - Donohue, Girona, Doria & Tomkins, LLC, as Municipal Auditor
- 13) Res. 86 -2020 – Awarding PSC for Redev. Counsel – Decotiis, Fitzpatrick, Cole and Giblin, LLP

- 14) Res. 87 -2020 – Awarding PSC for Special OPRA Counsel – Walter M. Luers of the Law Offices of Walter M. Luers, Esq.
- 15) Res. 88 -2020 – Awarding PSC for Water Commission Attorney – Peter J. King, Esq. of King, Moench, Hirniak & Mehta, LLP
- 16) Res. 89 -2020 – Awarding PSC for Historic Preservation Attorney – Peter J. King, Esq. of King, Moench, Hirniak & Mehta, LLP
- 17) Res. 90 -2020 – Awarding PSC for IT Cybersecurity Consultants – O’Connor Davies
- 18) Res. 91 -2020 – Awarding PSC for Ombudsman - John O’Reilly, Esq. of McElroy, Deutsch, Mulvaney & Carpenter, LLP
- 19) Res. 92 -2020 – Awarding PSC for Conflicts Counsel – John O’Reilly, Esq. of McElroy, Deutsch, Mulvaney & Carpenter, LLP
- 20) Res. 93 -2020 – Awarding PSC for Conflicts Counsel – Rainone Coughlin Minchello
- 21) Res. 94-2020 – Awarding PSC for Conflicts Counsel – Weiner Law Group, LLP
- 22) Res. 95-2020 – Awarding PSC for Conflicts Counsel - Decotiis, Fitzpatrick, Cole and Giblin, LLP
- 23) Res. 96 -2020 – Awarding PSC for Health Insurance Brokerage/Consulting Services – RD Parisi Associates
- 24) Res. 97 -2020 – Awarding PSC for Risk Management Consultant – RD Parisi Associates
- 25) Res. 98-2020 – Awarding PSC for Municipal Planner – CME Associates
- 26) Res. 99-2020 – Resolution Amending Resolution 64-2020
- 26) Res. 100-2020 – Resolution Amending Resolution 01-2020

A motion was made by Alderman Correa, seconded by Alderwoman Rugg to approve the consent agenda resolutions.

Resolutions 74, 75, and 76-100 2020

	A.M. Correa	A.M. Tapia	A.M. Ballesteros	A.M. Rugg	A.M. Cruz	A.M. Valencia	A.M. Quinones	A.M. Wittner	Mayor Blackman
Motion	X								
Second				X					
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

Resolutions 74-2020, 75-2020 and 76-2020 to 100-2020 passed by a vote of 9-0.

The Governing Body then acted upon the non-consent agenda resolutions. A motion to adopt Resolution 76 - Approving Raffle License for American Legion was made by Alderman Correa, seconded by Alderman Ballesteros.

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Res. 76-2020

	A.M. Correa	A.M. Tapia	A.M. Ballesteros	A.M. Rugg	A.M. Cruz	A.M. Valencia	A.M. Quinones	A.M. Wittner	Mayor Blackman
Motion	X								
Second			X						
Yes	X	X	X		X	X		X	X
No									
Abstain				X					
Not Voting							X		

Resolution 76-2020 passed by a vote of 7-0-1-1.

The Governing Body then considered Res. 101-2020 – Authorizing a closed session for four litigation matters: Litigation: A.B. Designs Contracting Corp. v. Town of Dover, MRS-L-2448-19, Sgt. Charles Peterson v. Town of Dover, Docket No. CSR-10851-19; Scott Divkerson v. Dover Town, Docket Nos. 005403-2010, 004187-2011 and 008887-2012; and Jersey City MUS v. Town of Dover et. al., Docket No. MRS-L-1313-10. A motion was made to adopt the resolution by Alderman Ballesteros, seconded by Alderman Correa.

Res. 101-2020

	A.M. Correa	A.M. Tapia	A.M. Ballesteros	A.M. Rugg	A.M. Cruz	A.M. Valencia	A.M. Quinones	A.M. Wittner	Mayor Blackman
Motion			X						
Second	X								
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

The resolution was approved 9-0. It was announced in the reading of the resolution that the Governing Body would be in Closed/Executive Session for 60 minutes. The Governing Body entered closed session at 7:55. Clerk Schmidt informed the public after an hour that the Governing Body would be about another 30 minutes. The closed session ended at 9:28p.m. and Mayor Blackman called the public portion of the meeting back to session at 9:31p.m.

The Governing Body then considered Res. 102-2020 – Approving a Temporary Contract for IT Consultant – Nisivoccia Consulting, LLC. A motion was made to adopt the resolution by Alderwoman Wittner, seconded by Alderman Ballesteros.

Res. 102-2020

	A.M. Correa	A.M. Tapia	A.M. Ballesteros	A.M. Rugg	A.M. Cruz	A.M. Valencia	A.M. Quinones	A.M. Wittner	Mayor Blackman
Motion								X	
Second			X						
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

The resolution was approved 9-0.

The Governing Body then considered Res. 103-2020 – Approving a Temporary Contract for Special Counsel with David Panella, Esq. which was explained by Clerk Schmidt. A motion was made to adopt the resolution by Alderwoman Wittner, seconded by Alderman Correa.

Res. 103-2020

	A.M. Correa	A.M. Tapia	A.M. Ballesteros	A.M. Rugg	A.M. Cruz	A.M. Valencia	A.M. Quinones	A.M. Wittner	Mayor Blackman
Motion								X	
Second	X								
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

The resolution was approved 9-0.

The Governing Body then considered Res. 104-2020 – Rescinding and Repealing Resolution No. 223-2019, authorizing the award of a contract for the new Municipal Building: Renovation and Restoration Project. A motion was made to adopt the resolution by Alderman Ballesteros, seconded by Alderwoman Wittner.

Res. 103-2020

	A.M. Correa	A.M. Tapia	A.M. Ballesteros	A.M. Rugg	A.M. Cruz	A.M. Valencia	A.M. Quinones	A.M. Wittner	Mayor Blackman
Motion			X						
Second								X	
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

The resolution was approved 9-0.

ORDINANCES FOR SECOND READING/ADVERTISED HEARINGS

(The Aldermember Moving the Motion / Ordinance, the Aldermember Seconding and the Votes of Each Member are included in the tables below the description of each vote. All motions to open for public hearing, close the public hearing and adopt each Ordinance for second reading were approved by a 9-0 vote of the Governing Body of the Town of Dover).

The Governing Body then considered Ord. 08-2020 – Ordinance of the Town of Dover, County of Morris and State of New Jersey amending the Code of the Town of Dover creating the position of Constituent Affairs Coordinator.

Motion to Open Public Hearing

	A.M. Correa	A.M. Tapia	A.M. Ballesteros	A.M. Rugg	A.M. Cruz	A.M. Valencia	A.M. Quinones	A.M. Wittner	Mayor Blackman
Motion	X								
Second					X				
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

The Mayor opened the public hearing. Seeing that no one wished to address the Governing Body, Mayor Blackman entertained a motion to close the public hearing.

Motion to Close Public Hearing

	A.M. Correa	A.M. Tapia	A.M. Ballesteros	A.M. Rugg	A.M. Cruz	A.M. Valencia	A.M. Quinones	A.M. Wittner	Mayor Blackman
Motion			X						
Second	X								
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

Adoption of Ordinance 08-2020

	A.M. Correa	A.M. Tapia	A.M. Ballesteros	A.M. Rugg	A.M. Cruz	A.M. Valencia	A.M. Quinones	A.M. Wittner	Mayor Blackman
Motion			X						
Second	X								
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

The Board then considered Ord. 09-2020 – Ordinance of the Town of Dover, County of Morris and State of New Jersey Repealing and Replacing Chapter 25 of the Code of the Town of Dover.

Motion to Open Public Hearing

	A.M. Correa	A.M. Tapia	A.M. Ballesteros	A.M. Rugg	A.M. Cruz	A.M. Valencia	A.M. Quinones	A.M. Wittner	Mayor Blackman
Motion								X	
Second				X					
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

The Mayor opened the public hearing. Seeing that no one wished to address the Governing Body, Mayor Blackman entertained a motion to close the public hearing.

Motion to Close Public Hearing

	A.M. Correa	A.M. Tapia	A.M. Ballesteros	A.M. Rugg	A.M. Cruz	A.M. Valencia	A.M. Quinones	A.M. Wittner	Mayor Blackman
Motion	X								
Second			X						
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

Ordinance 09-2020

	A.M. Correa	A.M. Tapia	A.M. Ballesteros	A.M. Rugg	A.M. Cruz	A.M. Valencia	A.M. Quinones	A.M. Wittner	Mayor Blackman
Motion			X						
Second								X	
Yes	X	X	X	X	X	X	X	X	X
No									
Abstain									

Ordinance 09-2020 was introduced 9-0.

INTRODUCTION OF ORDINANCES

There were no ordinances for introduction.

UNFINISHED OR NEW BUISNESS / ALDERMEN COMMENTS

Alderman Correa commented that the Board had a long closed session and the committee re-writing Chapter 2 is working to change the order of business as it is written right now in the Code. He thanked the public for being patient.

PUBLIC COMMENT:

Scott Dickerson – Dover, NJ. (Mr. Dickerson did not provide his name or address for the Clerks records). Mr. Dickerson spoke about his family’s history in Dover and service to the Town as well as his lawsuit.

The Mayor then entertained a motion to adjourn. Alderman Ballesteros moved to adjourn, seconded by Alderman Correa. On voice vote, 9-0 (Aldermembers Correa, Tapia, Ballesteros, Rugg, Cruz, Valencia, Quinones, Wittner and Mayor Blackman in favor) the meeting was adjourned at 9:53p.m.

Respectfully Submitted,



John P. Schmidt, MLS
Acting Municipal Clerk