



**TOWN OF DOVER**  
**MAYOR AND BOARD OF ALDERMEN**  
**CAUCUS MEETING MINUTES**  
**April 12, 2011 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 and prayer was given asking for guidance and strength to do what is right for our town and our citizens.

**ROLL CALL:**

Present: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd

Also present were Attorney Pennella and Clerk Verga

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

Mayor Dodd recognized several dignitaries in the audience, Senator Bucco, Mayor Rich Leary, Mine Hill and Mayor Art Ondish, Mount Arlington.

Mayor Dodd noted that Judge Maenza, who was also in the audience, was appointed to Superior Court in Morristown which left a vacancy in the Town of Dover Municipal Court. The Town of Dover had the task of finding a replacement and after reviewing many resumes and holding interviews, Michael Luther was selected. Mayor Dodd provided background information on Michael Luther.

Mayor Dodd recognized and thanked Governor Christie for recognizing the need for the communities of the Joint Municipal Court to know what's in their best interest. He thanked all the Mayors involved and Judge Miniman for holding the court together while the town looked for a replacement.

**RESOLUTION APPROVING THE APPOINTMENT OF**  
**MICHAEL M. LUTHER AS ACTING MUNICIPAL COURT JUDGE**

**WHEREAS**, in accordance with N.J.S.A. 2B:12-6 B. Theodore Bozonelis, Assignment Judge of the Superior Court, issued an order on March 29, 2011 appointing Michael M. Luther Acting Municipal Court Judge of the Joint Municipal Court of Dover; and

**WHEREAS**, the Town of Dover has determined the compensation for the Acting Municipal Court Judge is \$37,000.00 (Thirty-Seven Thousand, Dollars) annual salary.

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Board of Aldermen of the Town of Dover do hereby select Michael M. Luther as Acting Municipal Court Judge for the Joint Municipal Court of Dover, which serves the Town of Dover, Township of Mine Hill and Boroughs of Rockaway, Mt. Arlington and Wharton.

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

**Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd**  
**Nays: None      Absent: None      Abstained: None**

Michael Luther was given the oath of office by Judge Maenza.

Mayor Ondish and Mayor Leary said a few words on the Joint Court process and thanked the Town of Dover for hosting their court for their municipalities.

Senator Bucco said a few words on the process, and about Judge Maenza and Judge Luther.

**MUNICIPAL CORRESPONDENCE:**

1. Invitation to the Morris County Prosecutor's Office *Government Officials Briefing* on 4/4 & 4/7
2. Invitation to the Morris County Prosecutor's Office 4<sup>th</sup> Annual Women's History Month Celebration on 4/6
3. Invitation from NJ Natural Gas's 8<sup>th</sup> Annual Ocean Fun Days on 5/21/11 & 5/22/11

4. Invitation to attend the Celebration of Hope Benefit Gala in Honor of Sen. Edward “Ted” Kennedy on April 16, 2011
5. March 2011-Fire Department Report
6. April-May 2011 Calendar of Events from Morris County Department on Aging
7. Letter from the Best Family
8. Letter from Little People’s Academy re: Youth Art Month/Display of art work in the municipal building (Mayor Dodd’s response attached)
9. Letter from Dept. of Protection Re: Program entitled Trout in Classroom (Mr. Close’s response attached)
10. NJ League of Municipalities’ invitation to: “25 Month of Economic Recovery: Where are we and where a we going?” on July 8, 2011
11. Morris County League of Municipalities’ invitation to presentation from Mary Jo Buchanan, Director of Morris County Human Services & Catherine Engler, Administrator, Morris View Healthcare Center
12. Letter from Dover Area Little League re: 2011 Spring Season Opening Day

**CONSENT AGENDA**

1. Resolution Approving Limos – Schedule A
2. Resolution Raffle Licenses – Schedule A

**ORDINANCE(S) FOR INTRODUCTION**

1. Ordinance # 06-2011 – Amending & Supplementing “Public Parking System”

Alderman Visioli noted that the parking committee has been working on several items and this ordinance will amend the non-profit exemption and increase the fees for the municipal lots (premium and standard parking spaces).

**ORDINANCE(S) FOR SECOND READING**

1. Ordinance # 03-2011 – Providing a Supplemental Appropriation for Water Utility Improvements
2. Ordinance # 04-2011 – Providing for Parking Improvements for the Town Parking Utility
3. Ordinance # 05-2011 – Providing for the Acquisition of Police & Fire Equipment

**AGENDA ITEMS:**

**RESOLUTIONS**

1. Approving Bills List
2. Providing for a Temporary Capital Budget
3. Appointing Michael M. Luther as Acting Municipal Court Judge
4. Authorizing the Town of Dover to join the Morris County Adaptive Recreational Program (McARP)
5. Approving Special Permit for Social Event for Casa Puerto Rico to be held on 5/7/11
6. Supporting A-3412 Sharing the burden of Property Assessment Appeal Refunds
7. Supporting the Amended Undocumented Student Admissions Policy at the County College of Morris

Alderman Poolas asked the board to pass the resolution and provided several comments in support of resolution #7.

**REGULAR MEETING MINUTES**  
**April 12, 2011**

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 7:24 pm

**ROLL CALL**

Present: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd

Also present were Attorney Pennella and Clerk Verga

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

Mayor Dodd opened this portion of the meeting to the public for agenda items only.

**Edna Hayes** – 10 Mt. Hope Ave. – She expressed that taxi drivers are always parking in her driveway.

**MAYOR’S REPORT** – Mayor Dodd made the following announcement:

- He expressed his thoughts and prayers to the Gardner family on the passing on William “Lumper” Gardner, who was a volunteer fireman for 63 years.
- The Annual Mayor’s Fishing Derby will be held Saturday, May 14<sup>th</sup> at Hurd Park.
- Dover Little League’s Opening Day Ceremony will take place Saturday, April 16. The children will parade from Dover High School to the field, prior years’ parade route has been adjusted due to the Route 46 construction project.
- The Easter Egg Hunt will be held on Saturday, April 16<sup>th</sup> at JFK Park at 2:00pm

**ATTORNEY’S REPORT** – Attorney Pennella noted that the 2011 tax appeals are being filed. He noted that the Jersey City case is still in discovery process. The Briad case is done with the discovery phase.

**ALDERMAN PICCIALLO** – He thanked the Police Department for their tireless efforts. He provided the public with a report from the police department on the breakdown of the department’s work day. He noted that there are three (3) open positions on the patrol squad and currently there’s three (3) Class I Special Officers, one (1) Class II Special Officer and the merger with the dispatching system is moving forward. Alderman Picciallo expressed that the lack of police presence is due to staffing and the number of calls received during the day.

**ALDERMAN POOLAS** – The Dover Memorial Association will not have a parade, this year, due to the traffic problem in town (Rt. 46 construction). There will be a memorial service at Hurd Park on Monday, May 30<sup>th</sup>.

**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**

**CITY LIMO & TAXI SERVICE**

	<b>Year/Model/Make</b>	<b>Vehicle Identification Number</b>	<b>Plate #</b>
1.	'98 Lincoln Town car	1LNFM 81W8W Y7300 20	OL2575G
2.	'98 Lincoln TNE	1LNFM 81WXW Y7017 50	OL2571G
3.	'99 Lincoln TWN	1LNHM 82W3X Y7128 56	OL9799G
4.	'00 Lincoln TCC	1LNHM 82W5Y Y8162 96	OL7860G
5.	'01 Lincoln	1LNHM 84W51 Y6501 85	OL7867G
6.	'01 Dodge Caravan	2B4GP 44331 R2783 05	OL8835G

7.	'01 Dodge Caravan	1B4GP 25391 B2139 14	OL2579G
8.	'01 Chrysler Voyager	1C4GJ 45381 B1984 35	OL2584G
9.	'01 Lincoln	1LNHM 82W01 Y7336 41	OL9811G
10.	'02 Dodge GRA	2B4GP 44R52 R7259 65	OL8830G
11.	'02 Chrysler	2C4GP 443X2 R6163 52	OL6100H
12.	'03 Lincoln Town car	1LNHM 84W23 Y6296 67	OL7865G
13.	'03 Lincoln Town car	1LNHM 84W13 Y6336 28	OL3063H
14.	'03 Lincoln TC	1LNHM 81W33 Y6943 68	OL3062H
15.	'03 Lincoln Town car	1LNHM 81W83 Y6161 52	OL3064H
16.	'03 Lincoln Town car	1LNHM 81W83 Y6738 72	OL3078H
17.	'03 Lincoln Town car	1LNHM 84W33 Y6699 35	OL2490H
18.	'03 Lincoln Town car	1LNHM 84W83 Y6439 59	OL9825G
19.	'03 Lincoln Town car	1LNHM 81W63 Y6950 31	OL3079H
20.	'03 Lincoln Town car	1LNHM 84W73 Y6464 16	OL7866G
21.	'03 Chrysler Voyager	1C4GJ 25303 B2506 64	OL8834G
22.	'03 Dodge Caravan	1D4GP 25B23 B1485 03	OL3066H
23.	'03 Dodge Caravan	1D4GP 24353 B2407 81	OL2572G
24.	'03 Lincoln Town car	1LNHM 81W53 Y6908 69	OL9789G
25.	'03 Lincoln Town car	1LNHM 82WX3 Y6870 89	OL4115H
26.	'03 Lincoln Town car	1LNHM 84W43 Y6699 30	OL8403G
27.	'03 Lincoln Town car	1LNHM 84W63 Y6301 60	OL8404G
28.	'04 Lincoln Town car	1LNHM 81W84 Y6020 74	OL9824G
29.	'04 Lincoln Town car	1L1FM 81W04 Y6551 17	OL3080H
30.	'05 Dodge Caravan	1D4GP 25R45 B1031 88	OL2489H

**AXEL'S EXPRESS LIMO & TAXI SERVICE**

	<b>Year/Model/Make</b>	<b>Vehicle Identification Number</b>	<b>Plate #</b>
1.	'99 Plymouth Wagon	2P4FP 2533X R4558 00	OL8351G
2.	'00 Mazda MP2	JM3LW 28G2Y 01033 83*	OL2668H
3.	'00 Lincoln Towncar	1LNHM 81W7Y Y8088 33*	OL7863G
4.	'01 Chrysler	2C4GP 44311 R2793 12*	OL7593G
5.	'02 Dodge Caravan	1B4GP 24362 B6328 07*	OL7862G
6.	'02 Chrysler TC	2C4GP 34322 R5562 23*	OL7869G
7.	'02 Chrysler TC	2C8GP 34342 R6399 74*	OL2667H
8.	'03 Chrysler	2C8GP74L73R196700	OL6079H
9.	'03 Chrysler	1C4GJ 45363 B1294 10*	OL7858G
10.	'03 Dodge Caravan	1D4GP 25373 B2195 74*	OL7850G
11.	'03 Dodge Caravan	1D4GP 25363 B2087 30*	OL6878G
12.	'05 Lincoln Town car	1LNHM 84W75 Y6002 64*	OL3398G
13.	'05 Dodge Caravan	1D4GP 24R85 B2267 36	OL5083G
14.	'05 Toyota Sienna	5TDZA 23C15 S2867 12	OL7592G
15.	'05 Dodge Caravan	2D4GP 44L55 R5287 19	OL3264H

**ELITE LIMO & TAXI SERVICE**

	<b>Year/Model/Make</b>	<b>Vehicle Identification Number</b>	<b>Plate #</b>
1.	'98 Lincoln Towncar	1LNFM81W0W731906	OL3258H
2.	'98 Toyota Sienna	4T3ZF13CXWU080428	OL3443H
3.	'98 Dodge Wagon	2B4FP2534WR718344	OL6084H
4.	'99 Lincoln Towncar	1LNHM81W5XY652094	OL3276H
5.	'00 Chrysler	1C4GP44G4YB617782	OL9821G
6.	'00 Toyota Sienna	4T3ZF13C1YU230087	OL8357G
7.	'00 Lincoln Towncar	1L1FM81W3YY839490	OL490H
8.	'00 Toyota Sienna	4T3ZF19C1YU258544	OL3444H
9.	'00 Toyota Sienna	4T3ZF13C4YU197876	OL9813G
10.	'00 Lincoln Towncar	1LNHM81W3YY842591	OL8364G
11.	'01 Honda ODY	2HKRL18661H605075	OL9815G
12.	'01 Dodge Wagon	2B8GP44G21R100872	OL8361G
13.	'01 Chrysler Town	2C4GT54L81R217617	OL8369G
14.	'01 Chrysler Town	2C8GP74L21R406441	OL3257H
15.	'01 Dodge GC	2B8GP44371R403370	OL2652H

16.	'02 Ford WIN	2FMZA51482BA60303	OL6083H
17.	'02 Chrysler TC	2C4GP44312R501803	OL3254H
18.	'02 Lincoln Town	1LNHM84W12Y603348	OL2670H
19.	'03 Lincoln Town	1LNHM81W63Y703029	OL9816G
20.	'03 Chrysler TC	2C4GP54L73R156462	OL3440H
21.	'03 Lincoln Towncar	1LNHM81WX3Y638542	OL3252H
22.	'03 Lincoln Towncar	1LNHM81WX3Y697218	OL9819G
23.	'03 Dodge Caravan	1D4GP25R03B325692	OL9820G
24.	'03 Lincoln Town	1LNHM82W23Y667385	OL9834G
25.	'03 Lincoln TWC	1LNHM82W43Y675200	OL9818G
26.	'03 Dodge Caravan	1D4GP25B23B169688	OL3256H
27.	'03 Dodge Wagon	1D8GP24RX3B281703	OL3253H
28.	'04 Lincoln	1LNHM81W34Y622362	OL2671H
29.	'04 Lincoln EXC	1LNHM81W34Y655197	OL4903H
30.	'05 Chrysler TWN	1C4GP45R45B174920	OL2651H
31.	'05 Lincoln Towncar	1LNHM84W65Y664957	OL9817G

**FIRST CLASS OF DOVER, INC**

	<b>Year/Model/Make</b>	<b>Vehicle Identification Number</b>	<b>Plate #</b>
1.	'98 Plymouth	1P4GP 44R2W B7610 17	OL3266H
2.	'99 Ford Crown	2FAFP 71W9X X1300 06	OL7849G
3.	'99 Mercury GMA	2MEFM 74W4X X6261 79	OL7861G
4.	'00 Mercury GMG	2MEFM 74W1Y X6255 11	OL5351G
5.	'00 Plymouth Voyager	2P4GP 44G4Y R5655 18	OL8358G
6.	'01 Chrysler Voy	1C4GJ 25G31 B1216 39	OL3278H
7.	'01 Honda Ody	2HKRL 18681 H0067 44	OL3047H
8.	'01 Ford Crown	2FAFP 74W31 X1956 46	OL5367G
9.	'01 Dodge	1B4GP 25B81 B1903 60	OL6091H
10.	'02 Dodge Car	1B4GP 25302 B7039 52	OL8856G
11.	'02 Chrysler Tow	2C4GP 44382 R7926 69	OL3046H
12.	'02 Chevrolet Ven	1GNDX 03E92 D2065 23	OL7595G
13.	'02 Chrysler Voy.	1C4GJ 25382 B5147 62	OL2662H
14.	'02 Dodge Car	1B4GP 25372 B7107 05	OL3265H
15.	'03 Chrysler Wagon	2C4GP 44303 R2219 85	OL5369G
16.	'03 Dodge Caravan	1D4GP25383 B2353 01	OL5091G
17.	'03 Dodge Caravan	1D4GP 24323 B1196 09	OL8359G
18.	'03 Ford CV	2FAFP 71W23 X1744 07	OL6641G
19.	'03 Lincoln Towncar	1LNHM 81W43 Y6075 28	OL1100H
20.	'03 Lincoln Towncar	1LNHM 84WX3 Y6739 20	OL8409G
21.	'03 Lincoln Towncar	1LNHM 81W63 Y6278 14	OL8852G
22.	'03 Lincoln Towncar	1LNHM 81W03 Y6103 76	OL8358G
23.	'03 Lincoln Towncar	1LNHM 81W03 Y6192 69	OL486G
24.	'03 Lincoln M84	1LNHM 84W63 Y6739 01	OL5771H
25.	'03 Lincoln	1LNHM 81W33 Y6173 84	OL4107H
26.	'04 Lincoln Towncar	1LNHM 81W74 Y6013 19	OL3261H
27.	'04 Toyota Sienna	5TDZA 23C94 S1649 99	OL3048H
28.	'04 Lincoln M84	1LNHM 84W64 Y6172 81	OL4108H
29.	'04 Ford CVC	2FAFP 71W54 X1622 70	OL8367G
30.	'04 Lincoln L-T	1LNHM 81W94 Y6751 94	OL8838G
31.	'04 Lincoln Towncar	1LNHM 81WX4 Y6459 93	OL5374G
32.	'04 Lincoln Towncar	1LNHM 81W64 Y6513 06	OL2016H
33.	'04 Ford Crown	2FAHP 71WX4 X1818 91	OL6642G
34.	'04 Lincoln	1LNHM 83W44 Y6381 32	OL4117H
35.	'04 Lincoln	1LNHM 83W74 Y6634 93	OL5772H
36.	'05 Ford CVC	2FAFP 70W65 X1625 72	OL9830G
37.	'05 Mercury GRM	2MEFM 75W95 X6442 19	OL4106H
38.	'06 Lincoln TCW	1LNHM 85W16 Y6439 04	OL4105H

**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 Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd  
Nays: None      Absent: None      Abstained: None**

**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**

**Pearl Chapter #79**

to be held on Saturday, May 14, 2011 from 5:00pm to 12:00 am  
(50/50)

**Pearl Chapter #79**

to be held on Saturday, May 14, 2011 from 5:00pm to 12:00 am  
(TRICKY TRAY)

**Millpond Towers Resident Assoc.**

to be held on Wednesday, May 4, 2011 from 10:00am to 2:00pm  
(50/50)

**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 Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd  
Nays: None      Absent: None      Abstained: None**

**ORDINANCE(S) FOR INTRODUCTION**

**ORDINANCE NO. 06-2011  
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS,  
STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING REVISED ORDINANCES 1969  
ENTITLED "PARKING," CHAPTER A, "PUBLIC PARKING SYSTEM" OF THE REVISED  
ORDINANCES OF THE TOWN OF DOVER 1969 SAVED FROM REPEAL**

**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:

Article 28, "Parking," Chapter A, "Public Parking System" of the Revised Ordinances of 1969, Saved from Repeal under the Code of the Town of Dover, as amended, is hereby further amended and supplemented as follows:

1. Non-Profit Exemption/Reduction Repealed. The non-profit exemption/reduction as set forth in paragraph 3 of Ordinance # 11-2009 amending and supplementing the above captioned ordinance is hereby repealed.
2. Increased Fees. The Dover Public Parking Lot Operating Plan appended to Ordinance #11-2009 is amended to increase the "standard" parking space fee from \$2.50 per day to \$3.00 per day. The Operating Plan is further amended to increase the "prime" parking space fee from \$4.00 a day to \$5.00 a day.
3. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.

4. 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.

5. The Ordinance shall take effect in accordance with law but as to Section 1, no sooner than January 1, 2012 and as to Section 2, no sooner than July 1, 2011.

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

**Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd  
Nays: None      Absent: None      Abstained: None**

**ORDINANCE(S) FOR SECOND READING**

**ORDINANCE NO. #03-2011**

**BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION FOR WATER UTILITY IMPROVEMENTS, APPROPRIATING THE SUM OF \$275,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$261,250 OF BONDS OR NOTES FOR THE PURPOSES SET FORTH HEREIN AUTHORIZED AND REAUTHORIZED TO BE UNDERTAKEN IN AND BY THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. The improvements and purposes described in Section 3 of this bond ordinance are hereby authorized and reauthorized as general improvements to be made or acquired by the Town of Dover, County of Morris, New Jersey (hereinafter referred to as the "Town"). For said improvements or purposes stated in Section 3 of this bond ordinance, there is hereby appropriated \$275,000 as a supplemental appropriation, said sum being inclusive of all supplemental appropriations heretofore made therefore. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as this Bond Ordinance authorized obligations for a purpose which is self-liquidating and deductible from the gross debt of the Town as set forth in N.J.S.A. 40A:2-7(h) of the Local Bond Law of New Jersey, N.J.S.A. 40A:2-1, *et seq.* (the "Local Bond Law"), notwithstanding the forgoing, the sum of \$13,750 as the aggregate down payment from the Capital Improvement Fund or other funds of the Town which sum is now available by virtue of a provision in the currently adopted budget or a previously adopted budget of the Town and is currently available for down payment or capital improvement purpose, is herein appropriated as the down payment for said improvements.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$275,000 supplemental appropriation not otherwise provided for hereunder, negotiable bonds of the Town are hereby authorized to be issued in a principal amount not to exceed \$261,250 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds, negotiable notes of the Town in a principal amount not exceeding \$261,250 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed \$261,250, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding, at maturity. Each bond anticipation note issued pursuant to this ordinance shall be dated or about the date of its issuance and shall be payable not more than one (1) year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said notes shall be signed and shall be under the seal of said Town and attested as permitted by law. The appropriate Town officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine all matters in connection with this ordinance and also the power to sell said notes is hereby delegated to the Chief Financial Officer of the Town (the "Financial Officer"), who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law, and the Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. The Financial Officer is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this ordinance is made, such report to include the principal amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 3. The improvements hereby authorized and the purposes for the financing for which said obligations are to be issued are:

Improvement/Acquisition	Maximum Estimated Supplemental Cost	Down Payment (Capital Improvement Fund)	Bonds or Notes Authorized	Useful Life (years)
Supplemental Appropriation for the Restoration of the 1,500,000 gallon low service water tank, including engineering, planning, design, construction inspection, sampling for lead, lead abatement, sandblasting, steel repair, improvements and modifications for OSHA and AWWA, finishing, coating and cathodic protection system, to include all costs, improvements and appurtenances related thereto or necessary therefore.	\$275,000	\$13,750	\$261,250	40

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this Bond Ordinance are not current expenses and are property or improvements which the Town may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of such purposes is within the limitations of the Local Bond Law taking into consideration the amount of the said obligations authorized for such purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, as set forth in Section 3 hereof, the average period of usefulness is 40 years.

(c) The Supplemental Debt Statement required by the Law has been duly made and filed in the office of the Clerk of the Town and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such Statement shows that the gross debt of the Town determined as provided in the Law is increased by this bond ordinance by \$261,250 and obligations authorized hereunder will be within all debt limitations prescribed by the Law.

(d) This bond ordinance authorizes obligations of the Town solely for a purpose described in paragraph (h) of Section 40A:2-7 of the Local Bond Law, and the obligations authorized by this bond ordinance are to be issued for a purpose which is self-liquidating within the meaning and limitation of Section 40A:2-45 of said Law and are deductible pursuant to paragraph (c) of Section 40A:2-44 et seq. of said Law from the gross debt of the Town.

(e) Amounts not exceeding \$245,000 in the aggregate for interest on obligations, costs of issuing obligations, engineering costs, legal fees and other items of expense listed and permitted under N.J.S.A. 40A:2-20 of the Local Bond Law may be included as part of the costs of improvements and are included in the foregoing estimates thereof.

Section 5. Any grant or other moneys received by the Town, in addition to the sums expressly appropriated in Section 3 hereof, for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance and the amount of the obligations authorized herein for such purposes shall be reduced accordingly.

Section 6. The Capital Budget of the Town is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board of the New Jersey Department of Community Affairs showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Town Clerk and is available there for public inspection.

Section 7. The Governing body of the Town hereby covenants on behalf of the Town, to the extent any debt obligations are issued as tax-exempt debt obligations, to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of such debt obligations authorized hereunder and issued as tax-exempt obligations as is required under the Internal Revenue Code of 1986, as amended, including compliance with said Code with regard to the use, expenditure, investment, timely reporting and the rebate of investment earnings as may be required thereunder.

Section 8. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Town, and unless paid from other revenues of the Town, the Town shall be obligated to levy ad



valorem taxes upon all the taxable property within the Town for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 9. The Town reasonably expects to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 of this ordinance and paid prior to the issuance of any bonds or notes authorized by this ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Town, or any member of the same "control group" as the Town, within the meaning of Treasury Regulations Section 1.150-1, pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.150-2, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

Section 10. To the extent that any previous ordinance or resolution is inconsistent with or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. The provisions of this bond ordinance are severable. To the extent any clause, phase, sentence, paragraph, or provision of this ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

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

**Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd  
Nays: None Absent: None Abstained: None**

**ORDINANCE NO. 04-2011**  
**BOND ORDINANCE PROVIDING FOR PARKING IMPROVEMENTS FOR THE TOWN**  
**PARKING UTILITY, APPROPRIATING THE SUM OF \$493,586 THEREFOR, AND**  
**AUTHORIZING THE ISSUANCE OF \$468,906 OF BONDS OR NOTES FOR THE PURPOSES**  
**SET FORTH HEREIN AUTHORIZED TO BE UNDERTAKEN IN AND BY THE**  
**TOWN OF DOVER, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:**

Section 1. The improvements and purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements to be made or acquired by the Town of Dover, County of Morris, New Jersey (hereinafter referred to as the "Town"). For said improvements or purposes stated in Section 3 of this bond ordinance, there is hereby appropriated \$493,586, said sum being inclusive of all appropriations heretofore made therefore. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as this Bond Ordinance authorized obligations for a purpose which is self-liquidating and deductible from the gross debt of the Town as set forth in N.J.S.A. 40A:2-7(h) of the Local Bond Law of New Jersey, N.J.S.A. 40A:2-1, *et seq.* (the "Local Bond Law"), however, the appropriation set forth herein includes the sum of \$24,680 from the Parking Utility Capital Improvement Fund appropriated herein as the down payment. The \$24,680 for down payment purposes is hereby appropriated and is now available by virtue of a provision in the currently adopted budget, or in a previously adopted budget, and is currently available for down payment purposes

Section 2. For the financing of said improvements or purposes and to meet the part of said \$493,586 appropriation not otherwise provided for hereunder, negotiable bonds of the Town are hereby authorized to be issued in a principal amount not to exceed \$468,906 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds, negotiable notes of the Town in a principal amount not exceeding \$468,906 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed \$468,906, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes

then outstanding, at maturity. Each bond anticipation note issued pursuant to this ordinance shall be dated or about the date of its issuance and shall be payable not more than one (1) year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said notes shall be signed and shall be under the seal of said Town and attested as permitted by law. The appropriate Town officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine all matters in connection with this ordinance and also the power to sell said notes is hereby delegated to the Chief Financial Officer of the Town (the "Financial Officer"), who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law, and the Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. The Financial Officer is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this ordinance is made, such report to include the principal amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 3. The improvements hereby authorized and the purposes for the financing for which said obligations are to be issued are:

<b>Improvement/Acquisition</b>	<b>Maximum Estimated Cost</b>	<b>Down Payment (Parking Utility Capital Improvement Fund)</b>	<b>Bonds or Notes Authorized</b>	<b>Useful Life (years)</b>
Lot A - Train Station – Pave, Restripe, Construct two (2) Kiosk Enclosures, Decorative Perimeter Fencing, Signage, and Dumpster Enclosure, including all costs, improvements and appurtenances related thereto or necessary therefore.	\$133,690	\$6,685	\$127,005	15
Lot "B" Crescent Field - Pave, Restripe, Renumber, Construct (1) Kiosk Enclosures, Signage including all costs, improvements and appurtenances related thereto or necessary therefore.	\$171,402.48	\$8,570	\$162,832	15
Lot "C" Orchard Street - Pave, Restripe Renumber, Signage, Curb Sidewalk including all costs, improvements and appurtenances related thereto or necessary therefore.	\$43,186	\$2,160	\$41,026	15
Lot "D" Prospect Street - Pave, Restripe, Renumber, Signage including all costs, improvements and appurtenances related thereto or necessary therefore.	\$73,374	\$3,668	\$69,706	15
Lot "E" Sussex/Dickerson (East) - Pave, Restripe, Renumber, Signage including all costs, improvements and appurtenances related thereto or necessary therefore.	\$15,450	\$773	\$14,677	15
Lot "F" -Morris/Richards - Pave, Restripe, Renumber Signage including all costs, improvements and appurtenances related thereto or necessary therefore.	\$20,835	\$1,042	\$19,793	15
Lot "G" Sussex/Dickerson (West) - Pave, Restripe, Renumber, Signage including all costs, improvements and appurtenances related thereto or necessary therefore.	\$23,035	\$1,152	\$21,883	15
Lot "H" Dickerson West of Warren - Pave, Restripe, Renumber, Signage including all costs, improvements and appurtenances related thereto or necessary therefore.	\$12,614	\$630	\$11,984	
<b>TOTALS</b>	<b>\$493,586</b>	<b>\$24, 680</b>	<b>\$468,906</b>	

Section 4. The following additional matters are hereby determined, declared, recited and stated:

- (a) The purposes described in Section 3 of this Bond Ordinance are not current expenses and are property or improvements which the Town may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of such purposes is within the limitations of the Local Bond Law taking into consideration the amount of the said obligations authorized for such purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, as set forth in Section 3 hereof, the average period of usefulness is 15 years.
- (c) The Supplemental Debt Statement required by the Law has been duly made and filed in the office of the Clerk of the Town and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such Statement shows that the gross debt of the Town determined as provided in the Law is increased by this bond ordinance by \$468,906 and obligations authorized hereunder will be within all debt limitations prescribed by the Law.
- (d) This bond ordinance authorizes obligations of the Town solely for a purpose described in paragraph (h) of Section 40A:2-7 of the Local Bond Law, and the obligations authorized by this bond ordinance are to be issued for a purpose which is self-liquidating within the meaning and limitation of Section 40A:2-45 of said Law and are deductible pursuant to paragraph (c) of Section 40A:2-44 et seq. of said Law from the gross debt of the Town.
- (e) Amounts not exceeding \$75,000 in the aggregate for interest on obligations, costs of issuing obligations, engineering costs, legal fees and other items of expense listed and permitted under N.J.S.A. 40A:2-20 of the Local Bond Law may be included as part of the costs of improvements and are included in the foregoing estimates thereof.

Section 5. Any grant or other moneys received by the Town, in addition to the sums expressly appropriated in Section 3 hereof, for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance and the amount of the obligations authorized herein for such purposes shall be reduced accordingly.

Section 6. The Capital Budget of the Town is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board of the New Jersey Department of Community Affairs showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Town Clerk and is available there for public inspection.

Section 7. The Governing body of the Town hereby covenants on behalf of the Town, to the extent any debt obligations are issued as tax-exempt debt obligations, to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of such debt obligations authorized hereunder and issued as tax-exempt obligations as is required under the Internal Revenue Code of 1986, as amended, including compliance with said Code with regard to the use, expenditure, investment, timely reporting and the rebate of investment earnings as may be required thereunder.

Section 8. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Town, and unless paid from other revenues of the Town, the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 9. The Town reasonably expects to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 of this ordinance and paid prior to the issuance of any bonds or notes authorized by this ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Town, or any member of the same "control group" as the Town, within the meaning of Treasury Regulations Section 1.150-1, pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.150-2, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

Section 10. To the extent that any previous ordinance or resolution is inconsistent with or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. The provisions of this bond ordinance are severable. To the extent any clause, phrase, sentence, paragraph, or provision of this ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

**Mayor Dodd opened the meeting to the public for a hearing.**

*EMILIANO LEMOS* – Mr. Lemos feels that the amount of money used to beautify the parking lots would be better spent on the streets in the Town of Dover. Mayor Dodd explained that the Parking Utility collects revenues and that money can only be spent for parking utility projects.

**Seeing no hands or hearing no voices the meeting was closed to the public.**

**Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd  
Nays: None Absent: None Abstained: None**

**ORDINANCE NO. 05-2011**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF POLICE AND FIRE EQUIPMENT,  
APPROPRIATING THE SUM OF \$190,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$180,500  
OF BONDS OR NOTES FOR THE PURPOSES SET FORTH HEREIN AUTHORIZED TO BE UNDERTAKEN  
IN AND BY THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. The improvement and purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Town of Dover, County of Morris, New Jersey (hereinafter referred to as the "Town"). For said improvement or purpose stated in Section 3 of this bond ordinance, there is hereby appropriated \$190,000, said sum being inclusive of all appropriations heretofore made therefore including the sum of \$9,500 as the aggregate down payment from the Capital Improvement Fund or other funds of the Town which sum is now available by virtue of a provision in the currently adopted budget or a previously adopted budget of the Town and currently available for down payment or capital improvement purpose as required by the Local Bond Law of New Jersey, N.J.S.A. 40A:2-1, et seq. (the "Local Bond Law").

Section 2. For the financing of said improvement or purpose and to meet the part of said \$190,000 appropriation not otherwise provided for hereunder, negotiable bonds of the Town are hereby authorized to be issued in a principal amount not to exceed \$180,500 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds, negotiable notes of the Town in a principal amount not exceeding \$180,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed \$180,500, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding, at maturity. Each bond anticipation note issued pursuant to this ordinance shall be dated or about the date of its issuance and shall be payable not more than one (1) year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said notes shall be signed and shall be under the seal of said Town and attested as permitted by law. The appropriate Town officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine all matters in connection with this ordinance and also the power to sell said notes is hereby delegated to the Chief Financial Officer of the Town (the "Financial Officer"), who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law, and the Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. The Financial Officer is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this ordinance is made, such report to include the principal amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 3. The improvements hereby authorized and the purposes for the financing for which said obligations are to be issued are:

<b>Improvement/Acquisition</b>	<b>Maximum Estimated Cost</b>	<b>Down Payment (Capital Improvement Fund)</b>	<b>Bonds or Notes Authorized</b>	<b>Useful Life (years)</b>
1. Acquisition of radios for the Police and Fire Departments, including all costs, improvements and appurtenances related thereto or necessary therefore.	\$190,000	\$9,500	\$180,500	7

Section 4. The following additional matters are hereby determined, declared, recited and stated:

- (a) The purpose described in Section 3 of this Bond Ordinance is not a current expense and is property or an improvement which the Town may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of such purpose is within the limitations of the Local Bond Law taking into consideration the amount of the said obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, the period of usefulness is 7 years.
- (c) The Supplemental Debt Statement required by the Law has been duly made and filed in the office of the Clerk of the Town and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such Statement shows that the gross debt of the Town determined as provided in the Law is increased by this bond ordinance by \$180,500 and obligations authorized hereunder will be within all debt limitations prescribed by the Law.
- (d) Amounts not exceeding \$15,000 in the aggregate for interest on obligations, costs of issuing obligations, engineering costs, legal fees and other items of expense listed and permitted under N.J.S.A. 40A:2-20 of the Local Bond Law may be included as part of the costs of improvements and are included in the foregoing estimates thereof.

Section 5. Any grant or other moneys received by the Town, in addition to the sums expressly appropriated in Section 3 hereof, for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance and the amount of the obligations authorized herein for such purposes shall be reduced accordingly.

Section 6. The Capital Budget of the Town is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board of the New Jersey Department of Community Affairs showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Town Clerk and is available there for public inspection.

Section 7. The Governing body of the Town hereby covenants on behalf of the Town, to the extent any debt obligations are issued as tax-exempt debt obligations, to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of such debt obligations authorized hereunder and issued as tax-exempt obligations as is required under the Internal Revenue Code of 1986, as amended, including compliance with said Code with regard to the use, expenditure, investment, timely reporting and the rebate of investment earnings as may be required thereunder.

Section 8. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Town, and unless paid from other revenues of the Town, the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 9. The Town reasonably expects to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 of this ordinance and paid prior to the issuance of any bonds or notes authorized by this ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Town, or any member of the same "control group" as the Town, within the meaning of Treasury Regulations Section 1.150-1, pursuant

to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.150-2, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

Section 10. To the extent that any previous ordinance or resolution is inconsistent with or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. The provisions of this bond ordinance are severable. To the extent any clause, phrase, sentence, paragraph, or provision of this ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

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

**Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd  
Nays: None      Absent: None      Abstained: None**

#### **AGENDA ITEMS**

#### **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.

RESERVE ACCT claims in the amount of:	\$926.95
CURRENT ACCT claims in the amount of:	\$519,824.96
CAPITAL ACCT claims in the amount of:	
WATER UTILITY ACCT claims in the amount of:	
WATER UTILITY RESERVE ACCT claims in the amount of:	
WATER CAPITAL ACCT claims in the amount of:	
PARKING UTILITY ACCT claims in the amount of:	\$2,778.18
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$5.00
PARKING CAPITAL ACCT claims in the amount of:	
ANIMAL CONTROL TRUST ACCT claims in the amount of:	
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	\$3,512.53
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	
TRUST/OTHER ACCT claims in the amount of:	\$18,610.08
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
<b>TOTAL CLAIMS TO BE PAID</b>	<b>\$545,657.70</b>

**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:	\$632,227.82
WATER UTILITY ACCT claims in the amount of:	\$67,939.39
PARKING UTILITY ACCT claims in the amount of:	\$4,995.90
PAYROLL AGENCY ACCT claims in the amount of:	\$629,375.43
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$234.34
<b>TOTAL CLAIMS PAID</b>	<b>\$1,334,772.88</b>

**TOTAL BILL LIST RESOLUTION** **\$1,880,430.58**

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

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

**TEMPORARY BUDGET**  
**(SEE ATTACHED RESOLUTION)**

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

**Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd**  
**Nays: None      Absent: None      Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER TO JOIN THE MORRIS COUNTY ADAPTIVE RECREATIONAL PROGRAM (McARP)**

**WHEREAS**, there has been created a Morris County Adaptive Recreational Program (McARP); and

**WHEREAS**, said program intends to provide recreational services for persons with disabilities of all ages, and further to give said persons an opportunity to explore new leisure time opportunities in conjunction with their age and specific abilities; and

**WHEREAS**, the total project cost is estimated to exceed \$300,000; and

**WHEREAS**, the Town of Dover costs with respect thereto will be \$2,460.00 Fair Share Ratio Schedule.

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

That the Town of Dover hereby intends to join the Morris County Adaptive Recreation Program (McARP) as described above and contribute thereto in the amount not to exceed the Fair Share Assessment for one year.

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

**Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd**  
**Nays: None      Absent: None      Abstained: None**

**RESOLUTION**

**WHEREAS**, Casa Puerto Rico, Inc., filed an application for their **third** Special Permit for 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 a fund raising event (#3) to be held on Saturday, May 7, 2011 from 8:00 pm through 2:00 am.

2. This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

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

**Ayes: Aldermen Delaney, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd**

**Nays: None Absent: None Abstained: Alderman Poolas**

**RESOLUTION SUPPORTING A-3412 SHARING THE BURDEN OF  
PROPERTY ASSESSMENT APPEAL REFUNDS**

**WHEREAS**, when County Tax Board appeals are granted the municipality must reimburse the property taxpayer 100% of the appealed tax levy, which includes the municipal, school, county and any special districts tax; and

**WHEREAS**, the municipal tax collector makes the adjustment from the appeal as a credit on the 4<sup>th</sup> quarter tax bill resulting in the municipality's fund balance for the preceding year to diminished, if not completely depleted; and

**WHEREAS**, a recent League of Municipalities' survey has measured the extent to which residents have filed and won tax appeals in 2010; and

**WHEREAS**, one hundred fifty (150) municipalities, representing all both large and small municipalities in all 21 counties, that participated in the survey reported property value declines of more than \$87,900,000, which resulted from 19,788 tax appeals filed in 2010; and

**WHEREAS**, those responding to the survey indicated that 13,760 appeals were filed in 2009, compared to 19,788 in 2010, representing an increase of 43.7%; and

**WHEREAS**, a municipality often experiences an increase in tax appeals because they have conducted a revaluation, however, only 5 of the 150 municipalities, which participated in our survey, indicated that their 2010 appeals resulted from revaluations; and

**WHEREAS**, as a way of comparison, 23 of the participating municipalities conducted revaluations in 2009, when fewer tax appeals were presented to the County Tax Boards; and

**WHEREAS**, the 2010 spike in appeals should be attributed to the economic down-turn, which lowered property values and placed increased stress on the income of homeowners, all around our Garden State; and

**WHEREAS**, the survey also indicated that in 2010 the various County Tax Boards have granted average property value reductions of close to \$5,000, per appeal; and

**WHEREAS**, fifty-six percent of those responding indicated that the successful tax appeals would have an impact on fund balances and place additional pressures on local officials during 2011; and

**WHEREAS**, although the survey was a snapshot picture in time, it can be used to project what might follow in 2011, since the reductions, which were granted by County Tax Boards in 2010, will have a multiplier effect when neighbors learn of their neighbor's tax reduction, which will likely increase the appeals and in the alternative, Tax Assessors could be forced to adjust property values, based upon the appeal information; and

**WHEREAS**, successful tax appeals have a three-fold negative impact on municipal budgets. First, the municipality, as the collector of taxes for the School district, county and special districts, must fund the full cost of the legal defense of the assessment. Second, since State law guarantees to the county and the school district 100% of their levies, the municipality bears the full cost of any re-imbursments resulting from the appeal (as well as the full burden for any uncollected taxes). Third, the end result will be a further decline in the property tax base used to support Municipalities, County governments and School systems; and

**WHEREAS**, in light of the revenue limitations that have been placed on all levels of local government by the Legislature (2% cap), such declining values will compound and add additional stress to local public officials, as they grapple with the issues confronting the tax paying public; and

**WHEREAS**, Assemblyman Carroll has recently introduced A-3412, which requires fire districts, school districts, and county governments to share in burden of property assessment appeal refunds;



**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Board of Aldermen of the Town of Dover hereby urge the swift passage and signing of A-3412; and

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to Senator Anthony Bucco, to Assemblyman Michael Carroll, to Assemblyman Anthony Bucco and to the New Jersey League of Municipalities.

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

**Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd  
Nays: None      Absent: None      Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER  
SUPPORTING THE AMENDED UNDOCUMENTED STUDENT ADMISSIONS POLICY AT THE  
COUNTY COLLEGE OF MORRIS**

**WHEREAS**, the County College of Morris has adjusted their admissions policy to allow undocumented immigrants who do not hold a non-immigrant visa to be admitted if they can 1) provide proof of entrance to the United States before the age of 16 and are under the age of 35, 2) provide proof of having resided in the United States for at least five years without interruption and 3) provide proof of having graduated from an American high school or obtaining a GED or equivalent; and

**WHEREAS**, educating young people no matter what their status benefits our society; and,

**WHEREAS**, steps should be taken in removing educational barriers at any level of our educational system; and

**WHEREAS**, equal access to education is a human right; and

**WHEREAS**, options for undocumented students are limited and broadening educational opportunities is the right course of action for the community, the state and the nation; and

**WHEREAS**, Dover, New Jersey, the State of New Jersey, and our country have a rich history of immigration from all over the world;

**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. We support the County College of Morris trustees who voted on Wednesday, February 16, 2011 to amend the admissions policy to allow undocumented immigrants who meet the above-stated requirements to take classes.
2. We believe the amended admissions policy at County College of Morris provides equal access to education.
3. We support the County College of Morris Board of Trustees and urge that no changes should be made to the amended policy.

**Alderman Poolas has moved the foregoing resolution be adopted and duly seconded by Alderman Picciallo and failed by the following roll call vote.**

Mayor Dodd read a statement in reference to undocumented student admissions policy at the County College of Morris. He voiced his objection to the resolution and noted that the resolution provides no legal substance regarding tuition rates for undocumented aliens at the County College of Morris. He explained that by adopting the resolution, we are telling the county how to handle their resources and affairs.

Alderman Poolas doesn't believe the resolution regulates the county's position; the resolution is just supporting what the county is requesting. He read the first paragraph of the resolution.

Further discussion took place and the Mayor called for the vote.

**Ayes: Aldermen Delaney, Poolas, Picciallo, and Timpani,  
Nays: Aldermen Visioli, Romaine, Blackman, Downs & Mayor Dodd      Absent: None      Abstained: None**

**PUBLIC COMMENTS – Three Minutes per Person**

*Allesandra Scarneo* – 66 First St. – She asked if the sandbags at the corners of Richards Avenue and Blackwell Street can be picked up. She is concerned with pedestrians not obeying the signals in the downtown area. Mayor Dodd noted that both items would be looked into.

*Jose Barrientos* – 15 ½ Monmouth Ave - Thanked the Mayor and Board of Aldermen for passing the ordinance regulating the parking on Monmouth Ave. Mr. Barrientos offered his time to volunteer at the receptionist desk in the front lobby. Mayor Dodd will reach out to Mr. Barrientos.

**Motion to adjourn made by Alderman Visioli at 7:40 p.m.,  
and duly seconded by Mayor Dodd passed by the following voice vote.**

**Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd  
Nays: None      Absent: None      Abstained: None**

**Respectfully submitted,**

**Margaret J. Verga, Municipal Clerk**