



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
July 9, 2013 7:00 PM

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

Mayor Dodd called the meeting to order at 7:05 pm

All joined in the Pledge of Allegiance to the Flag.

ROLL CALL:

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

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

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

MUNICIPAL CORRESPONDENCE:

1. Notice of Public Hearing – Town of Dover’s Planning Board – Chaplin Home - Harding Avenue, Dover – Block 2205, Lots 1, 2, & 3
2. Notice of Public Hearing – Township of Randolph’s Planning Board – 161, 171, 177 Quaker Church Road - Randolph
3. Notice of Public Hearing – Township of Randolph’s Planning Board 1171 Sussex Turnpike, Randolph
4. Letter from NJ League of Municipalities re: 16th Annual Elected Officials Hall of Fame
5. Thank you card from Alderman Visioli

CONSENT AGENDA

1. Resolution Approving a Permit for Use of Loud Speakers or Amplifiers –MIRA Group
2. Approving Raffle License – Schedule A
3. Approving Tax Redemption for 101 Clark Street
4. Appointing William Close as Interim Municipal Alliance Coordinator

Alderswoman Romaine asked if the noise permit was scheduled for the same day as of the Colombian Festival. Mayor Dodd explained that the main event was canceled. Mr. Close noted that the MIRA Group is looking to hold a family festival day with carnival rides for the children and music for all to enjoy.

ORDINANCE FOR INTRODUCTION

1. Ord. No. 11-2013 –Bond Ordinance Providing for Various Water Utility Improvements
2. Ord. No. 12-2013 – Bond Ordinance Providing for Various Capital Improvements
3. Ord. No. 13-2013 – Bond ordinance Cancelling Previous Bond Balance & Re-appropriating same

ORDINANCE FOR SECOND READING

1. Ord. No. 09-2013 – Establishing a Stop Sign on Leonard Street
2. Ord. No. 10-2013 – Amending and Supplementing Article 28A “Parking”

AGENDA ITEMS:

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Amending Capital Budget
3. Resolution Approving Personnel Actions
4. Resolution Approving Chapter 159 – Drunk Driving Enforcement Fund
5. Resolution Authorizing the Application for funding from the Municipal Alliance
6. Resolution Renewing Liquor License for Tovar Enterprise Inc.

Alderman Picciallo abstained from line item #13-01378 on the bills list.

**REGULAR MEETING MINUTES
JULY 9, 2013**

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

The meeting was called to order by Mayor Dodd at 7:08 pm

ROLL CALL

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

Absent: Alderman Downs

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

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

Mayor Dodd opened the meeting to the public.

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

MAYOR'S REPORT: The outdoor movie night in the park is going really well, Mayor Dodd thanked Alderwoman Blackman for her efforts in hosting the event. The next outdoor movie night is scheduled for Friday, July 26th at JFK Park. Dover Renaissance will be holding its 14th Annual Summer Concert Series beginning Sunday, July 14th at JFK Park. The Dover Fire Dept. will be holding its 8th Annual Clam Bake and Pig Roast on Saturday, August 3rd. Mayor Dodd noted that the roof at the library was damaged during the micro burst storm. He noted that Home Depot has called to provide their assistance with either materials and or labor. Mayor Dodd expressed his disappointment with the town's fireworks show and apologized for the display. Mayor Dodd has requested that a meeting be scheduled with the Administrator, DPW Superintendent and the vendor to discuss their performance.

ATTORNEY'S REPORT - No report

CONSENT AGENDA

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING A PERMIT FOR USE OF LOUD SPEAKERS OR AMPLIFIERS**

WHEREAS, MIRA Group has requested a permit for the use of loud speakers or amplifiers for an outdoor event to be held at Second Street Park on Saturday August 3rd from 12:00 pm to 5:00 pm; and

WHEREAS, the purpose is to have a family festival; and

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

1. There is hereby approved a permit for the use of loudspeakers or amplifiers by MIRA Group on Saturday, August 3rd from 12:00 pm to 5:00 pm.

2. This authorization is conditioned upon the use of the loudspeakers or amplifiers being in conformance with all regulations of the Code of the Town of Dover.

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

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

Nays: None

Absent: Alderman Downs

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

LOOM #541 ROCKAWAY/DOVER LODGE
to be held on Friday, June 14, 2013
(Merchandise Raffle)

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

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

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 5, 2011, a lien was sold on Block 2009 Lot 25 also known as 101 Clark Street, Dover, New Jersey for delinquent 2010 taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 10-00010 was sold to Crestar Capital, LLC; and,

WHEREAS, redemption fees for Certificate No.10-00010 were received in full.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen, Town of Dover, County of Morris, State of New Jersey that the Treasurer be authorized to issue a check in the amount of \$12,118.46 for redemption payment and premium made at time of sale, payable to US Bank CUST for Crestar Capital LLC, 2 Liberty Place, - 50 South 16th Street, Suite 1950, Philadelphia, PA. 19102.

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

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPOINTING MEMBERS TO THE MUNICIPAL ALLIANCE
FOR THE TOWN OF DOVER/VICTORY GARDENS

WHEREAS, The Municipal Alliance Chairman resigned and a chairman is needed to complete reports and necessary paperwork.

BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover that the following be and hereby are appointed as a member to the *MUNICIPAL ALLIANCE* commencing July 9, 2013

William Close – Interim Chairman – Concerned Citizen

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

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

ORDINANCE FOR INTRODUCTION

ORDINANCE NO. 11-2013

BOND ORDINANCE PROVIDING FOR VARIOUS WATER UTILITY IMPROVEMENTS, APPROPRIATING THE SUM OF \$500,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$500,000 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 \$500,000, 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. 40A2-7(h) of 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 \$500,000 appropriation not otherwise provided for hereunder, negotiable bonds of the Town are hereby authorized to be issued in a principal amount not to exceed \$500,000 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 \$500,000 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 \$500,000, 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 Cost	Bonds or Notes Authorized	Useful Life (years)
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1. Interconnect rehabilitation Victory Gardens, including all costs, improvements and appurtenances related thereto or necessary therefore.	\$15,000	\$15,000	40
2. Installation of and acquisition of Crane Hill Booster Pump including all costs, improvements and appurtenances related thereto or necessary therefore.	\$95,000	\$95,000	40
3. Booster Pump #1 and #3 rehabilitation, including all costs, improvements and appurtenances related thereto or necessary therefore.	\$120,000	\$120,000	40
4. Adams Avenue Water Main Replacement, including all costs, improvements and appurtenances related thereto or necessary therefore.	\$75,000	\$75,000	40
5. Bassett Highway Water Main Extension, including all costs, improvements and appurtenances related thereto or necessary therefore.	\$60,000	\$60,000	40
6. Service Meter Replacements (250), including all costs, improvements and appurtenances related thereto or necessary therefore.	\$100,000	\$100,000	15
7. Booster Service Area MCMUA Meter, including all costs, improvements and appurtenances related thereto or necessary therefore.	\$35,000	\$35,000	15
TOTALS:	\$500,000	\$500,000	

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 33.25 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 \$500,000 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 \$100,000 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 Rutan has moved the ordinance be adopted and duly seconded by Alderman Picciallo and passed for first reading by the following roll call vote.

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

ORDINANCE NO. 12-2013

BOND ORDINANCE PROVIDING FOR VARIOUS GENERAL IMPROVEMENTS, APPROPRIATING THE SUM OF \$1,000,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$950,000 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 \$1,000,000, said sum being inclusive of all appropriations heretofore made therefore including the sum of \$50,000 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 \$1,000,000 appropriation not otherwise provided for hereunder, negotiable bonds of the Town are hereby authorized to be issued in a principal amount not to exceed \$950,000 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 \$950,000 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 \$950,000, 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 Cost	Down Payment (Capital Improvement Fund)	Bonds or Notes Authorized	Useful Life (years)
Various Road Improvement Projects including but not limited to First Street, Mountain Avenue, Maple Avenue, Watson Street, Central Avenue, and Princeton & Baker Avenues, including curb replacements, and roadway striping, including all costs, improvements and appurtenances related thereto or necessary therefore.	\$1,000,000	\$50,000	\$950,000	10

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 10 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 \$950,000 and obligations authorized hereunder will be within all debt limitations prescribed by the Law.
- (d) Amounts not exceeding \$100,000 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 ordinance be adopted and duly seconded by Alderman Picciallo and passed for first reading by the following roll call vote.

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

ORDINANCE NO. 13-2013

BOND ORDINANCE CANCELING APPROPRIATIONS IN THE AMOUNT OF \$424,085.45 FROM PREVIOUSLY ADOPTED BOND ORDINANCES AND DETERMINING THAT SAID APPROPRIATIONS, INCLUDING BOND PROCEEDS, ARE NO LONGER NEEDED FOR THE PURPOSES SET FORTH IN SAID ORDINANCE AND TRANSFERRING SAID AMOUNT TO THE CAPITAL SURPLUS FUND AND APPROPRIATING THE SUM OF \$424,000 TO FUND THE COST OF CERTAIN GENERAL IMPROVEMENTS 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. Pursuant to the Local Bond Law (N.J.S.A. 40A:2-1 *et seq.*) and the Local Budget Law (N.J.S.A. 40A:4-1 *et seq.*) of the State of New Jersey, including N.J.S.A. 40A:2-39, the Town of Dover, County of Morris, State of New Jersey (hereinafter the "Town") hereby determines that \$424,085.45 of capital appropriations, including bond proceeds as hereinafter set forth, are not necessary for the purposes set forth in the Bond Ordinance authorizing said appropriations and that it is in the best interests of the Town to cancel said appropriations and to transfer said amount to the Capital Surplus Fund of the Town, and to reappropriate said amount to other bondable projects of Town, as set forth herein. Further, the description and the authorization for the acquisition, construction and/or installation of the projects and improvements previously authorized are hereby amended as set forth hereinafter in Section 2 of this ordinance.

Section 2. The authorization and appropriation in the amount of \$424,085.45 including bond proceeds, for the

improvements hereinafter set forth are hereby canceled and the sum of \$424,085.45 is transferred to the Capital Surplus Fund (provided said funds are used for another project or projects for which bonds may be issued, and as set forth in Section 3 hereof), and the authorizations and appropriations set forth in the Bond Ordinance authorizing same is hereby amended as follows:

<u>Bond Ordinance Number</u>	<u>Appropriation to Be Canceled</u>
Bond Ordinance No. 17-2006	\$16,235.84
Bond Ordinance No. 18-2007	\$4,944.92
Bond Ordinance No. 29-2008	\$30,006.45
Bond Ordinance No. 14-2009	\$13,561.53
Bond Ordinance No. 16-2010	\$214,357.71
Bond Ordinance No. 18-2011	\$34,000
Bond Ordinance No9-2012	\$979.00
Bond Ordinance No18-2007	\$60,000
Bond Ordinance No5-2011	\$50,000
	\$424,085.45

Section 3. The amount of \$424,000 is hereby appropriated from the Capital Surplus Fund as a supplemental appropriation for the improvement hereby authorized and reauthorized as follows:

<u>Improvement/Acquisition</u>	<u>Capital Surplus Fund</u>
1) Sprinkler System/ Town Hall, including all costs, equipment, improvements, and/or appurtenances necessary therefor or related thereto.	\$114,000
2) King Field Improvements, including all equipment, improvements, appurtenances and cost related thereto or necessary therefor.	\$250,000
3) VMB at JFK Park, including all costs, equipment, improvements, and/or appurtenances necessary therefor or related thereto.	\$40,000
4) New Vehicle for Code Enforcement, including all costs, equipment, improvements, and/or appurtenances necessary therefor or related thereto.	\$20,000
TOTALS	\$424,000

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 according to the reasonable life thereof computed from the date hereof is 10 years.
- (c) Amounts not exceeding \$0 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. 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 6. To the extent that any previous Bond Ordinance or resolution is inconsistent with or contradictory hereto, said Bond Ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 7. 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 8. 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 ordinance be adopted and duly seconded by Alderman Picciallo and passed for first reading by the following roll call vote.

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

ORDINANCE FOR SECOND READING

ORDINANCE NO. 09-2013

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER ESTABLISHING A STOP SIGN ON LEONARD STREET

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. Pursuant to N.J.S.A. 39:4-8b(1)c, there is hereby established a stop intersection on Leonard Street at its intersection with Hillside Ave. The proposed stop sign shall be located on the eastbound side of Leonard Street at its intersection with Hillside Ave.

2. This ordinance shall be submitted to the Municipal Engineer and he shall, under his seal as a licensed professional engineer, certify to the governing body of Dover that the sign and its placement have been approved by the engineer after investigation of the circumstances, and that it appears to the engineer to be in the interest of safety and expedition of traffic on the public highways and conforms to the current standards prescribed by the manual of the uniform traffic control devices for streets and highways as adopted by the Commissioner of Transportation, all as required by N.J.S.A. 39:4-8.

3. A certified copy of the adopted ordinance shall be transmitted by the Clerk of the Town of Dover to the Commissioner of Transportation within 30 days of adoption together with the certification of the Municipal Engineer, requesting the Commissioner's approval of the Ordinance.

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

5. 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.

6. The Ordinance shall not take effect until it is approved by the Commissioner of Transportation of the State of New Jersey.

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

Mayor Dodd opened the meeting to the public for public hearing on ordinance 09-2013
Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public.

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

ORDINANCE 10-2013
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AMENDING AND SUPPLEMENTING ARTICLE 28A "PARKING" 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, Morris County, New Jersey as follows:

1. Article 28A, entitled "Parking," is hereby amended and supplemented to establish no parking anytime on along both sides of the center island on Leonard Street between the intersections of Highland Ave. to the East and Hillside Ave. (North) and Baker Ave. (South) to the West.
2. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of 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.

Alderwoman Noriega has moved the 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 for public hearing on ordinance 10-2013
Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public.

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

RESOLUTIONS

BILL LIST RESOLUTION

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

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

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

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

RESERVE ACCT claims in the amount of:	\$22,035.00
CURRENT ACCT claims in the amount of:	\$648,776.50
GENERAL CAPITAL ACCT claims in the amount of:	\$3,140.83
WATER UTILITY ACCT claims in the amount of:	\$343,182.80
WATER UTILITY RESERVE ACCT claims in the amount of:	\$7,950.00
WATER CAPITAL ACCT claims in the amount of:	\$26,521.00
PARKING UTILITY ACCT claims in the amount of:	\$29,777.94
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$6,750.00
PARKING CAPITAL ACCT claims in the amount of:	\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$0.00
EVIDENCE TRUST ACCT claims in the amount of:	\$0.00
RECYCLING TRUST ACCT claims in the amount of:	\$0.00
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	\$0.00
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	\$0.00
TRUST/OTHER ACCT claims in the amount of:	\$15,899.09
COAH TRUST Acet claims in the amount of:	\$0.00
TOTAL CLAIMS TO BE PAID	<u>\$1,104,033.16</u>

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:	\$313,798.87
WATER UTILITY ACCT claims in the amount of:	\$22,555.02
PARKING UTILITY ACCT claims in the amount of:	\$2,785.64
PAYROLL AGENCY ACCT claims in the amount of:	\$109,293.23
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$101.08
TOTAL CLAIMS PAID	\$448,533.84
TOTAL BILL LIST RESOLUTION	\$1,552,567.00

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

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

Alderman Picciallo abstained from line item #13-01378 on the bills list.

RESOLUTION AMENDING CAPITAL BUDGET
(See attached)

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

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

RESOLUTION APPROVING PERSONNEL ACTIONS

BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Dover, upon the recommendation of the Business Administrator, approve the following personnel actions subject to applicable N.J. Department of Personnel regulations:

New Hire(s)/ Seasonal Employees:

Tammy O’Leary-Gummerson	Summer Camp Director	(Hourly Rate \$16.00)
Michelle Agudelo	Summer Camp Counselor	(Hourly Rate \$11.00)
Leticia Lucero	Summer Camp Counselor	(Hourly Rate \$11.00)
Victor Rogue	Summer Camp Counselor	(Hourly Rate \$11.00)
Brandon Scalley	Summer Camp Counselor	(Hourly Rate \$11.00)
Kyla Dodd	Summer Camp Park Aide	(Hourly Rate \$ 9.00)
Michael Husbands	Summer Camp Park Aide	(Hourly Rate \$ 9.00)
Kyle Jeager	Summer Camp Park Aide	(Hourly Rate \$ 9.00)

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

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

RESOLUTION CHAPTER 159

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made by law and the amount thereof was not determined at the time of adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Town of Dover hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$12,088.15; which item is now available as revenue from the State of New Jersey, Division of Motor Vehicles, Drunk Driving Enforcement Fund pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED that a like sum of \$12,088.15 be and the same is hereby appropriated under the caption of

Public and Private Programs Offset by Revenues:
Drunk Driving Enforcement Fund

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

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

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

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

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

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

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

WHEREAS, \$2,000.00 supplemental funding was requested for programs with the Boy Scouts with a cash match of \$1,000.00; and

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

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

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

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

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

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

RESOLUTION

WHEREAS, the herein named duly filed applications for renewal of their Alcoholic Beverage Licenses for their respective premises as shown on Schedule A for July 1, 2013 to June 30, 2014; and

WHEREAS, no objections have been received from the public; and

WHEREAS, the required fees have been paid and all premises have been inspected and approved by the Police Department, Board of Health and the Bureau of Fire Prevention.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover that said applications be approved and that the respective licenses be granted; and

BE IT FURTHER RESOLVED that the Town Clerk or Director in the case of a conflict license be and hereby is authorized to issue license certificates accordingly as listed below.

SCHEDULE A
2013/2014 LIQUOR LICENSES

TOVAR ENTERPRISES INC. TEQUILA’S 55 BISTRO GRILL 1409-33-019-007
55 E. BLACKWELL ST

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

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

PUBLIC COMMENTS

FRED KANTOR – 81 Hanover Road, Mt. Lakes, NJ – He wants to hear a response from someone with legal knowledge if the Town of Dover can pass an ordinance on “junked vehicles” that has already been found to be unconstitutional by the Morris/Sussex Vicinage. Mayor Dodd noted that they have an obligation as elected officials to enhance the quality of life for the residents and that this ordinance was requested from the residents. Mayor Dodd noted that he will have the attorney review the ordinance. He expressed that the ordinance will not be enforced until a legal written opinion from the attorney has been provided. Mr. Kantor expressed that it puts him at ease that the ordinance is not being enforced.

Alderman Visioli expressed that he’s the individual that initiated the ordinance on junked vehicles and he’s not intimidated by Mr. Kantor’s comments or approach. Alderman Visioli has no desire to recommend to the board any revision to the particular ordinance or deletion of such ordinance until further notice from the legal counsel. He thanked Mr. Kantor for his input.

Town Attorney Downs asked if Mr. Kantor can provide any information that may be helpful about the ordinance.

Alderwoman Romaine asked for a meeting regarding the taxis cabs. Mayor Dodd noted that they are on it and directed Alderman Visioli to set up a meeting.

Motion to adjourn made by Alderman Visioli at 7:36 pm,
and duly seconded by Alderman Picciallo passed by the following voice vote.

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk