



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
August 25, 2009 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, Donofrio, Picciallo, Blackman and Mayor Dodd
Absent: Alderman Timpani & Alderwoman Romaine

Also present were Administrator Close, Attorney Pennella, and Clerk Verga

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

MUNICIPAL CORRESPONDENCE:

1. Resolution from the Town of Boonton re: Supporting an Amendment to the Open Public Records Act (OPRA)
2. Resolution from the Borough of Riverdale re: Supporting an Amendment to the Open Public Records Act (OPRA)
3. Resolution from the Township of Mendham re: Requesting the Legislature to restructure and bring fairness to tax and franchise fees imposed on telecommunication and cable telecommunications service providers in New Jersey
4. Ordinance from the Township of Mine Hill re: Amending township land use and development regulations to provide for non-profit/public/public land overlay zone in specified areas
5. Ordinance from the Township of Randolph re: Refund of fees, of the land development ordinance
6. Invitation from the Board of Chosen Freeholders to the September 11th Remembrance Service & Candlelight Vigil on September 13, 2009
7. Morris County League of Municipalities' "Swine Flu Update" Program on September 16th
8. Thank you letter from Ligia Jaquez of the U.S. Census Bureau for Dover's participation in the outreach efforts of the 2010 census
9. Letter from the US Census Bureau re: Participation in the 2010 Census New Construction program
10. Tax Collector's Report for July 2009
11. Letter from Cablevision re: Channel moves in New Jersey
12. Letter from Cablevision re: Data Carrier Shut Down & Nickelodeon Rebranding
13. Notice from Rutgers on their Leadership Development Series Workshops
14. Environmental Alert Newsletter from the Birdsall Service Group
15. Summer 2009 Newsletter from the New Jersey Foundation for Aging
16. ShopRite Earth Newsletter and facts sheet on their environmental initiatives (recycling programs)
17. Notice from NJ State League of Municipalities (NJLM) re: 2009 Conference Resolutions
18. Invitation from NJ State League of Municipalities to attend the Annual Business Meeting on November 20th
19. Invitation to attend the Journey of Hope For Eva's Village 5k Walk/Run at Woodland Park, NJ
20. Summer 2009 Newsletter from H2M News
21. 48th Annual Municipal Public Information Contest hosted by Rutgers
22. Notice from the Township of Sparta hosting an auction "Annual Surplus Vehicle and Equipment Auction"

Alderman Donofrio commented on correspondence no. 4 wanting to know if it's something that would superimpose (well) for fees that come up with Dover. Administrator Close commented that he would have to review the ordinance with the Engineering Department and the Planning Board. He noted that he would provide an explanation at the next town meeting.

CONSENT AGENDA

1. Resolution Approving Bills List
2. Resolution Approval of Mayor & Board of Aldermen Meeting Minutes
3. Resolution Supporting an amendment of the Open Public Records Act (OPRA)

AGENDA ITEMS:

ORDINANCE(S) FOR SECOND READING

Mayor Dodd asked that any comments, regarding Ordinance #15-2009, be held until he recuses himself. Once he recuses himself a temporary chair will take his place.

1. Ordinance #14-2009 – Bond Ordinance for Various General Improvements
2. Ordinance #15-2009 – Vacating a Portion of Linwood Avenue
3. Ordinance #16-2009 – Amending & Supplementing Ordinance 01-2009 No parking on the eastside of Searing Lane

RESOLUTIONS

1. Approving Taxicab Driver's Licenses-First Class of Dover
2. Approving Limousines-Schedule A
3. Approving Change Order for the Revaluation Contract

REGULAR MEETING MINUTES
August 25, 2009

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 7:12 pm

ROLL CALL

Present: Aldermen Delaney, Poolas, Visioli, Donofrio, Picciallo, Blackman and Mayor Dodd

Absent: Aldermen Timpani & Alderwoman Romaine

Also present were Administrator Close, 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.

WARREN DARNULC – 151 Grant Street – Mr. Darnulc commented that it's apparent that the board is unwilling to perform the basic and necessary functions for which it was elected. He specifically noted that the informing of the citizen, that details of the agenda of these town meetings, in a timely matter. He noted that by resorting to the excuse of "being too busy" to perform the basic function, it brings a question, what other basic functions is the board unwilling to perform. He's forced to draw a conclusion that with, one exception, that the board needs to be replaced. He noted that he's compelled to bring this message to the members of the community.

Mayor Dodd commented that there's a lot of people in the community, including this board, that are dedicated in making the town a better place to live for everyone. He noted that the people sitting in the audience, tonight, are here because they want to be here and are proud of the town they live in. Mayor Dodd suggested to Mr. Darnulc that if he wants a better community he should get involved, volunteer his time, and dedicate his expertise instead of being negative towards the board. Mayor Dodd expressed that answers are given to you they might not be to your liking so in opinion the board isn't living up to your satisfaction. Mayor Dodd feels that it's unacceptable for Mr. Darnulc to try to humiliate the board. Mayor Dodd expressed that this board works very hard for the Town of Dover and he is very proud of them.

Alderman Visioli expressed his displeasure with Mr. Darnulc's constant negativity.

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

MAYOR DODD'S REPORT – Mayor Dodd and Mr. Close attended several meetings with residents and business owners regarding their tax bills. He expressed that they are working with the property owners to do whatever they can to help with the process and expressed that it's a very difficult situation. Mayor Dodd met with Councilman Tim Smith of Roxbury Township concerning a newly created program called Government Efficiency Morris Initiatives. The main goal is to explore ways that municipalities can save taxpayers money. Administrator Close will contact Mr. Smith for more information. Mayor Dodd attended the Ronald McDonald event at the Dover Public Library. He announced opening day of soccer will be Saturday, September 12th with a parade starting at Dover High School. Mayor Dodd and Mr. Close met with Home Depot's General Manager regarding the rebuilding of the concession stand. Mayor Dodd wants to make it a community event and get the children and volunteers involved. Mayor Dodd expressed that he made a commitment to Recreation, when he took the position, to focus on the fields for improvements. He commented that Mr. Close contacted Rockaway Township regarding the pavement of Mt. Pleasant Avenue and noted that the road has been paved.

ALDERMEN/COMMITTEE REPORTS

ALDERMAN DELANEY – Alderman Delaney received several resident complaints that have been rectified and some have been forwarded to the Administrator.

ALDERWOMAN BLACKMAN – Alderwoman Blackman reminded the public that on Thursday, September 3rd the Dover Recreation Commission will be hosting the senior picnic and expressed that they are always looking for volunteers. Alderwoman Blackman attended the senior meeting (game day) at the Dover Memorial Building and expressed that they are still looking for a new building to have their meetings. She thanked Mr. Close, Luis Acevedo and his team for the excellent work at Hoey Park. She announced that a movie will be shown at Hoey Park on August 30th. Mayor Dodd passed on Alderman Poolas' suggestion to Dover Renaissance that in conjunction with the concerts in the park it would be nice to have a movie also.

ALDERMAN VISIOLI – Alderman Visioli reminded that Personnel Committee that there's a meeting tomorrow. He noted that the Salem Street Bridge project is coming along nicely. Alderman Visioli addressed several ward issues.

ALDERMAN PICCIALLO – Alderman Picciallo thanked Mr. Close for having the Public Works Department address the chicanes on Princeton Street and for the property clean up on White Street. Alderman Picciallo recognized the Dover Boxing Club for their positive impact on their participants and on the town; they were featured in the Daily Record. Alderman Picciallo complimented the National Guard at the Dover Armory for their parking lot improvements. He attended the Ronal McDonald event at the Dover Library. He forwarded complaints to Code Enforcement regarding several stacking and property maintenance issues. He thanked Mr. Close and DPW for their immediate attention on several issues. He also thanked the Dover Fire Department for their professionalism in assisting with the medevac helicopter.

ALDERMAN POOLAS – Alderman Poolas thanked Mr. Close for the attention given to the problems in the first ward. He commented that when organizations/departments established areas throughout the town to be beautify, for example the chicanes, it provides additional work for the Department of Public Works (DPW). Alderman Poolas feels there should be ways to beautify the areas with low maintenance. He expressed that he will be working with Superintendent Acevedo to come up with ideas for these areas. Alderman Poolas suggested having trees planted instead of grass that would require the DPW workers to maintain. Alderman Poolas and Alderman Picciallo are doing a survey on street signs since a lot are missing or are missing letters.

ALDERMAN DONOFRIO – Alderman Donofrio attended the Dover Flea Market and announced that Sunday, September 6 the Historical Society in conjunction with the local train line (next to town hall) will be hosting a train ride with a historical presentation. Alderman Donofrio read the thank you card from the library’s Board of Trustees and Robert Tambini for the town’s assistance with the library’s landscaping. Alderman Donofrio attended a meeting at Housing Partnership re: the impact on the Council of Affordable Housing.

ALDERMAN TIMPANI – Absent

ALDERWOMAN ROMAINE – Absent

ADMINISTRATOR CLOSE – Mr. Close commented on the agreement with Rockaway Township with regards to Mt. Pleasant Ave. and is happy to see it repaved. He commented that the residents in the Park Heights area are having some problems with the Route 45/Route 15 construction area. He asked the construction manager for the project about having a traffic safety officer during peak hours (2-6pm) to assistance the Park Heights residents’ commute and it was agreed to.

Mayor Dodd and Mr. Close had a discussion on property maintenance. Mayor Dodd noted that some homes, which are up for sale, are being neglected with excessive growth of grass and weeds. He noted that the Department of Public Works will cut the grass to make the property look presentable and a lien would be placed on the property, for the work, to recoup the money once the property is sold. Mr. Close commented that the Code Enforcement has identified the properties that have contact information and they will be working with those banks to have the property maintained.

ATTORNEY PENNELLA – Attorney Pennella noted that two tax appeals that have been completed, both appeals have been sustained. Attorney Pennella noted that there are a large number of state tax court appeals and a record number of county tax court appeals. Attorney Pennella explained that the state tax court appeals are currently in discovery and information with regards to their property expenses is being requested from the property owners. Mayor Dodd explained it’s typical for many tax appeals to be filed after a revaluation process.

CONSENT AGENDA

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 charges.

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 for same.

RESERVE ACCT claims in the amount of:	
CURRENT ACCT claims in the amount of:	\$777,213.78
CAPITAL ACCT claims in the amount of:	
WATER UTILITY ACCT claims in the amount of:	\$482,349.57
WATER UTILITY RESERVE ACCT claims in the amount of:	\$7,503.00
WATER CAPITAL ACCT claims in the amount of:	\$1,260.00
PARKING UTILITY ACCT claims in the amount of:	\$262.99

PARKING UTILITY RESERVE ACCT claims in the amount of:	
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:	
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	
TRUST/OTHER ACCT claims in the amount of:	\$53,701.77
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$1,322,291.11

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:	\$308,387.83
WATER UTILITY ACCT claims in the amount of:	\$27,675.23
PARKING UTILITY ACCT claims in the amount of:	\$3,854.43
PAYROLL AGENCY ACCT claims in the amount of:	\$197,675.89
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$69.91
TOTAL CLAIMS PAID	\$537,663.29

Alderman Delaney 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, Donofrio, Picciallo, Blackman and Mayor Dodd
Nays: None Absent: Aldermen Timpani & Romaine Abstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER FOR APPROVAL OF MINUTES

WHEREAS, In accordance with the provisions set forth in the Open Public Meeting Law, annual notice has been provided for all Mayor and Board of Aldermen meetings; and

WHEREAS, The Mayor and Board of Aldermen of the Town of Dover held their Public Meetings, and minutes of those meetings were transcribed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey for approval the minutes for the following meetings:

1. August 11, 2009 – Caucus and Regular

Alderman Delaney 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, Donofrio, Picciallo, Blackman and Mayor Dodd
Nays: None Absent: Aldermen Timpani & Romaine Abstained: None

ORDINANCE(S) FOR SECOND READING

ORDINANCE NO. 14-2009

BOND ORDINANCE PROVIDING FOR VARIOUS GENERAL IMPROVEMENTS, APPROPRIATING THE SUM OF \$978,820 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$929,879 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 \$978,820, said sum being inclusive of all appropriations heretofore made therefore including the sum of \$48,941 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 improvements or purposes and to meet the part of said \$978,820 appropriation not otherwise provided for hereunder, negotiable bonds of the Town are hereby authorized to be issued in a principal amount not to exceed \$929,879 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 \$929,879 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 \$929,879, 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)
Harding Avenue Roadway improvements, Sammis Avenue Roadway Improvements, improvements to Recreation Field, and Various Roadway improvements in the Town, all said improvements to include all costs, improvements and appurtenances related thereto or necessary therefore.	\$978,820	\$48,941	\$929,879	13.3

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 13.3 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 \$929,879 and obligations authorized hereunder will be within all debt limitations prescribed by the Law.
- (d) Amounts not exceeding \$149,820 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 Picciallo has moved the foregoing ordinance be adopted and duly seconded by Alderman Visioli and passed for second reading by the following roll call vote.

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

Mayor Dodd & Alderman Donofrio recused themselves from the discussion and voting on Ordinance No. 15-2009 and Mayor Dodd asked the board to nominate a chair in his absence. Alderman Poolas nominated Alderwomen Blackman and was seconded by Alderman Picciallo and passed by the following roll call vote.

Ayes: Aldermen Poolas, Visioli, Picciallo, Romaine, Timpani, and Blackman
Nays: None Absent: Aldermen Delaney Abstained: none

Alderwoman Blackman asked the board if anyone had questions on Ord. No. 15-2009 which no one did and then opened the meeting to the public for a hearing. Seeing no hands and hearing no voices the meeting was closed to the public.

ORDINANCE NO. 15-2009
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
VACATING A PORTION OF LINWOOD AVENUE

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

1. The following portion of Linwood Avenue in the Town of Dover, Morris County, New Jersey is hereby vacated:

Linwood Avenue from its intersection with the westerly sideline of Glenwood Avenue in a westerly direction to the Town line.

2. There is hereby reserved an easement upon the vacated portion of roadway for all utilities including but not being limited to electric, gas, water, sewer, cable television. More specifically, but not by way of exclusion, the existing support utility pole belonging to either the telephone or electric utility company will remain as long as the support pole is deemed necessary by the utility. Also, the Town of Dover reserves a drainage easement on the vacated portion of Linwood Avenue to allow for the water flow of street runoff from the remaining Linwood Avenue.

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.

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

Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, and Blackman

Nays: None Absent: Aldermen Timpani and Romaine Abstained: None - Donofrio (recuse), Mayor Dodd (recuse)

Mayor Dodd & Alderman Donofrio returned to the meeting.

ORDINANCE NO. 16-2009
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" amended by Ordinance 01-2009, is hereby further amended and supplemented to establish no parking on the east side of Searing Lane between W. Munson Avenue and W. Chrystal Street.
2. There shall be no parking on Searing Lane for its entire length between W. Munson Avenue and W. Chrystal Street when snow covered.
3. All ordinances or parts of ordinances inconsistent with this within ordinances are hereby repealed to extent of such inconsistencies.
4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason 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.

Mayor Dodd opened this portion of the meeting up to the public for a hearing on Ordinance No. 16-2009 for a hearing. Seeing no hands and hearing no voices, he then closed this portion of the meeting.

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER APPROVING TAXICAB DRIVER LICENSE

WHEREAS, applications for taxicab drivers licenses have been made by the people listed on Schedule A attached hereto and made a part hereof; and

WHEREAS, the Police Department of the Town of Dover has reviewed their applications and has advised that there is no prohibition to the issuance of their license; and,

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 taxi driver licenses for those people listed on Schedule A attached hereto and made a part hereof are hereby approved.

Schedule A

First Class of Dover

Jorge Jimenez
Maria Mora

Alderman Delaney 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, Donofrio, Picciallo, Blackman and Mayor Dodd
Nays: None Absent: Aldermen Timpani & Romaine Abstained: None

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 limousine(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 limousine(s);

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 limousine(s) listed below are hereby approved as limousine(s) in the Town of Dover.

Schedule A

AXEL'S EXPRESS LIMOS, INC.

- | | | | | |
|-----------------------------|---------------|--------------|-----------|----------------|
| 1. 2001 Chevy VTR (Limo) | Passengers: 6 | Color: Black | VIN 53830 | Plate# OL5090G |
| 2. 2002 Chrysler T&C (Limo) | Passengers: 6 | Color: Black | VIN 56223 | Plate# OL7869G |

CITY LIMO & TAXI, INC.

- | | | | | |
|--------------------------------|---------------|--------------|-----------|----------------|
| 1. 2001 Dodge Caravan (Limo) | Passengers: 7 | Color: Black | VIN 78305 | Plate# OL8835G |
| 2. 2003 Lincoln Towncar (Limo) | Passengers: 5 | Color: Black | VIN 46416 | Plate# OL7866G |

ELITE LIMO & TAXI SERVICE, INC

- | | | | | |
|------------------------------|---------------|---------------|-----------|----------------|
| 1. 2002 Dodge Caravan (Limo) | Passengers: 7 | Color: Silver | VIN 76704 | Plate# OL9797G |
| 2. 2003 Dodge Caravan (Limo) | Passengers: 7 | Color: White | VIN 15193 | Plate# OL9796G |

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, Poolas, Visioli, Donofrio, Picciallo, Blackman and Mayor Dodd
Nays: None Absent: Alderman Timpani & Alderwoman Romaine Abstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
APPROVING A CHANGE ORDER FOR THE REVALUATION CONTRACT

WHEREAS, in accordance with the provisions set forth in the contract for revaluation services by Certified Valuations, Inc. section 5.20 Adjustment to Contract Amount; and

WHEREAS, the contract amount was based on the number of line items of each class as indicated in the proposal; and

WHEREAS, there were additional line items than those stated in the contract, which amounted to additional fees of \$6555.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey for approval of a change order to the contract between Certified Valuations, Inc and the Town of Dover in the amount of \$6,555.00.

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

Ayes: Aldermen Delaney, Poolas, Visioli, Donofrio, Picciallo, Blackman and Mayor Dodd

Nays: None Absent: Aldermen Timpani & Romaine Abstained: None

RESOLUTION SUPPORTING AN AMENDMENT TO THE OPEN PUBLIC RECORDS ACT

WHEREAS, the Town of Dover has consistently and reasonably fulfilled its responsibilities pursuant to the Open Public Records Act (N.J.S.A. 47:1A-1, et seq.); and

WHEREAS, notwithstanding the legitimate public interest which the Open Public Records Act is intended to protect, the broad scope of the Act allows for its abuse by individuals for an improper purpose, including, but not limited to, harassment of State, County, or Local Government, or governmental officials and employees; and

WHEREAS, there is a legitimate and pressing need to amend the Open Public Records Act to prevent improper use of the Act; and

WHEREAS, the Legislature of the State of California has recently introduced legislation to amend its Public Records Act to permit governmental entities to petition a Court of competent jurisdiction to issue a protective order limiting the number and scope of requests a requestor may make and/or eliminating a governmental entity's duty to respond to public record requests from the requestor in the future when said relief is appropriate given a demonstration by the governmental entity that the requestor has sought or is seeking governmental records for an improper purpose, including, but not limited to, the harassment of State, County, or Local Government, including officials and employees; and

WHEREAS, an amendment to the Open Public Records Act similar or equivalent to the pending California Legislation is necessary and appropriate.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Dover calls upon the State's Assembly and Senate to immediately enact an amendment to the Open Public Records Act equivalent to California Bill AB 520 (copy attached); and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be distributed to Governor Jon S. Corzine, all representatives of the 25th Legislative District and all Morris County Municipalities.

Alderman Visioli 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, Blackman and Mayor Dodd

Nays: Alderman Donofrio Absent: Aldermen Timpani & Romaine Abstained: None

PUBLIC COMMENTS – Three Minutes per Person

ROBIN FOSTER – 90 Penn Avenue – Mr. Foster thanked Mayor Dodd, Board of Aldermen and Mr. Close for their attention on the properties that are being neglected.

CONNIE SIBONA- FOSTER – 90 Penn Avenue – Mrs. Sibona-Foster thanked Mr. Close, Department of Public Works and Dover Renaissance for their assistance and work at JFK Park. Many people commented how nice the park was. She thanked Officer Delaney and Sgt. Smith for their interaction with the crowd at the event. She noted that the Mayor's Labor Assistance

Program will be working in Hooey Park. She expresses that a Dover science teacher was awarded a \$12,000 grant from the Michael Jordan foundation for project entitled "Digital Media" and the grant represents a partnership with Dover High School.

She reported that eight Dover Cheerleaders will march in the Macy's Thanksgiving Day Parade. She expressed her interest to assist with any projects at the baseball fields.

ALESSANDRIA SCARNEO – 66 First Street – Mrs. Scarneo thanked the finance committee and board for their diligence with keeping the taxes down. She and a few of her neighbors were very pleased to not see an increase in there taxes. She commented that years ago Dover Recreation did host a movie night in the park. Mrs. Scarneo suggested to Alderman Poolas that pavers with a park bench could also be placed in areas instead of grass. She commented on the property maintenance of the town's property on South Morris Street. She noted that this property has overgrown grass. Mayor Dodd will have Mr. Close look into it. Mrs. Scarneo has a concern about pedestrians crossing in the crosswalk when the signs specifically say "Do not walk." She also has concerns with seeing a lot of Pennsylvania license plates in Dover.

DENISE RIDNER – Dover Recreation Chairwoman – Mrs. Ridner invited the public to the Dover Senior Picnic on Thursday, September 3, 2009 and asked for volunteers for both the picnic and Dover Day.

MARIA TAMBINI – 6-16 E. Blackwell St - Ms. Tambini thanked the board for their hard work and noted that the other people in town hall also work very hard and just aren't as visible. Ms. Tambini wanted to know if there's a way to have the food vendors from the flea market placed somewhere else and use that lot for parking. Mayor Dodd commented that one of the things he won't do is pretend to know the best way to run a flea market, his concern was the food vendors taking away from local food businesses. Mayor Dodd had several meeting with the owners of the flea market and the town was assured that local business could be a part of the flea market. Mayor Dodd has not received any complaints from local businesses about the food vendors.

Seeing no hands and hearing no voices, Mayor Dodd closed this portion of the meeting to the public and asked for a motion to adjourn.

**Motion made by Alderman Poolas to adjourn at 8:08 p.m.,
Seconded by Alderman Picciallo and passed by the following voice vote.**

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

Respectfully submitted,

**Margaret J. Verga
Municipal Clerk**