



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
August 26, 2008

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 and Mayor Dodd

Absent: Aldermen Fahy & Donofrio

Also present were Attorney Pennella and Clerk Verga

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

PROCLAMATION – KALEIDOSCOPE OF HOPE – OVARIAN CANCER AWARENESS MONTH

Mayor Dodd is in receipt of a letter from Stacey Grant–Testa, who is a volunteer with the Kaleidoscope of Hope Organization. Ms. Testa requested permission from the Town of Dover to place teal ribbons on the downtown area trees. However, Mayor Dodd noted that this procedure requires approval from the County and or Shade Tree Commission. It was suggested to place teal ribbons on the light poles instead. Mayor Dodd’s only concern is that the ribbons be maintained and don’t become an eyesore. He commended the organization for their efforts.

MUNICIPAL CORRESPONDENCE:

1. Ordinance from the Township of Rockaway Re: Amending the revised general ordinance-Land Use & Development, Submission Requirements for Development Application, Requirements for all applications
2. Ordinance from the Borough of Rockaway Re: Amending Chapter 170, Land Use Design & Performance Standards
3. Resolution from the Township of Randolph Re: Opposing the 3rd Round Affordable Housing Rules as adopted by COAH
4. Letter from DOT Re: Memorandum of Record, Diagnostic Team Meeting, So. Morris Street
5. Letter from DEP Re: Construction permit issued pursuant to the NJ State Drinking Water Act
6. Letter from DEP Re: Remedial Action Progress Report & Baseline Ecological Evaluation Approval for Getty-Rt. 46
7. Reminder from Morris County Municipal JIF RE; 1st & 2nd Quarter Safety Incentive Program
8. July’s 2008 Tax Collector’s Report
9. Letter from the Morris County Board of Chosen Freeholders Re: September 11, 2001 Remembrance Service & Candlelight Vigil
10. Letter from Regency Grande Nursing & Rehabilitation Center Re: their annual Labor of Love Day & Gourmet BBQ
11. Notice of Filing & Public Hearing on September 8th & 9th from NJ Natural Gas Co.
12. Notice of Amendment to filing & Public Hearing from NJ Natural Gas Co.
13. Community Update from Verizon
14. Affordable Housing Professionals of NJ present Foreclosures Happens on September 8, 2008

AGENDA ITEMS:

ORDINANCE(S) FOR INTRODUCTION

1. Ordinance #29-2008 Canceling appropriation from previously adopted bond ordinance and determining that said appropriation/Ald. Romaine

Mayor Dodd noted that the bonds are old and the money was not used. The money will be appropriated and will not incur any new expense.

ORDINANCE(S) FOR SECOND READING

1. Ordinance #28-2008 Amending & supplementing revised ordinance 1969 Entitled “Parking”

RESOLUTIONS

1. Approving Bills List
2. Awarding Bid for Belmont & Depew Ave., Wayne, Trenton & Lynn St. Roadway Improvements to Jenicar Builders Contractor Co.
3. Awarding Bid for Second St., Kearney St., Everett Dr., Goodale Ave. & Van Nostrand Ave. Roadway Improvements to Arnold's Roads, Inc.
4. Authorizing the execution of an agreement between the State of NJ DOT and the Town of Dover
5. Approving the due date of 3rd Quarter Taxes to September 19, 2008
6. Approving Tax Redemption for 50 Reservoir Avenue
7. Approving Corrective Action Plan for the findings and conditions of the 2007 Audit
8. Authorizing settlement of tax appeal for 600 Mt. Pleasant Avenue
9. Authorizing the application for funding for the Dover & Victory Gardens Municipal Alliance
10. Approving 2007 Mayor & Board of Aldermen Meeting Minutes
11. Approving January 2008 – March 25, 2008 Mayor & Board of Aldermen Meeting Minutes
12. Approving Raffle License for Sacred Heart School
13. Approving installation of traffic control device on Route 15 and Grace Street
14. Approving Taxis/Limos Licenses

Mayor Dodd commented on the resolution to approve the installation of a traffic control device at the intersection of Rt. 15 & Grace Street (#13). Mayor Dodd noted that this intersection is very dangerous and has had fatalities in previous years. Alderman Poolas and Alderman Picciallo have championed an effort through NJDOT and along with the Engineering Department to have some sort of safety measures installed at this intersection. Due to their efforts of staying on top of this issue, the town has received a letter from NJDOT. The letter explained that NJDOT will install a signalized safety device that will be provided and paid for by the State of New Jersey. The town will only incur a \$200 a year expense for electricity. Mayor Dodd feels this safety measure is long overdue. NJDOT does not need to conduct a survey for residents' opinions. However, all NJDOT requires is the town to adopt a resolution.

Mayor Dodd noted that the Municipal Alliance had their first committee meeting and he was very pleased to see that all the members that attended, Alderman Visioli was also in attendance. Mayor Dodd looks forward to the Municipal Alliance taking an initiative for drug and alcohol awareness programs for the children. He also looks forward to the creation of new programs and new ideas so that the money is best used for what its intended for...drug and alcohol awareness.

Alderman Picciallo commented that the main concern at the intersection of Rt. 46 & Grace Street area has been the two fatalities and the ability for the Town of Dover to influence NJDOT to act upon the mentioned intersection. Alderman Picciallo thanked Mr. Michael Hanston, Town Engineer for his efforts in this great accomplishment. He believes that the residents of this area will welcome any traffic signal at this intersection and crosswalk. He also noted that it's very important for the new signalized safety device to be installed since school children travel this main street heading to the high school.



TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

REGULAR MEETING MINUTES August 26, 2008

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 7:06pm

ROLL CALL

Present: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine and Mayor Dodd
Absent Aldermen Fahy & Donofrio

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.

Sue Shauer – 346 W. Clinton Street (Rt. 15) – Ms. Shauer thanked Mayor Dodd, Alderman Picciallo, Alderman Poolas and Michael Hanston for their tremendous push in getting the NJDOT to pay attention to the intersection (Grace St. & Rt. 15) which is a very important problem. Ms. Shauer has been writing letters for the past eight years regarding this problem which has caused numerous accidents and two fatalities. Ms. Shauer has also written to three governors and to Department of Transportation. Ms. Shauer noted that the police department also wrote an extensive report on their recommendation after one of the fatalities at this intersection but it went upon deaf ears. She appreciates the effort that was put into this matter and is sure the residents in that area will be overjoyed.

Mayor Dodd's Report – Mayor Dodd noted that the first municipal alliance committee meeting has taken place. The meeting was very successful and he looks forward to a very productive Municipal Alliance in the future. The personnel committee has been hosting meetings in the attempt to hire a new administrator and new DPW director. Mayor Dodd is in receipt of a letter from Hope House regarding their walk "Share the Hope, Walk for you cause" which will take place on October 4th and he encourages everyone to attend. Mayor Dodd noted that every year the Town of Dover has sponsored this event and will continue to do so. Mayor Dodd feels it's a great event and it serves a very useful purpose.

Mayor Dodd commented on the recent arrests in the Town of Dover. Mayor Dodd commended the Police Department for their efforts in the investigation and arrests that took place with the gang activity in the town. Mayor Dodd is in receipt of a letter from the Morris County Prosecutor's Office relating to the incident and they also commended the officers involved.

Mayor Dodd announced that September 6th is opening Soccer Day and a parade will be hosted.

ALDERMEN/COMMITTEE REPORTS –

Alderman Fahy – Absent

Alderman Picciallo – Alderman Picciallo and Alderman Poolas attended the Rubber Ducky race that was sponsored by the Dover Renaissance which was very successful. Alderman Picciallo explained that the NJ Transit rail yard saga continues. Bill Isselin, Chief Code Enforcement Officer has not heard from NJ Transit concerning the five violations for which they have 30 plus days to respond. Since they have failed to respond Mr. Isselin has issued a summons which requires a court appearance and if they fail to appear a warrant will be issued.

Alderman Poolas – Alderman Poolas noted that starting in September the recycling station will be open Mondays, Wednesdays & Fridays on a trial basis. He has spoken to the DPW Superintendent, Luis Acevedo and signs will be posted to notify the residents of the days of operations.

Alderman Donofrio – Absent

Alderman Timpani – Alderman Timpani noted that a Police Committee meeting has been scheduled for Thursday.

Alderman Delaney – Alderman Delaney made the public aware that school will be starting soon and to please drive safely. He also made the public aware that the Fire Department is looking for volunteers.

Alderman Visioli – Alderman Visioli noted that the Personnel Committee has been aggressively pursuing the administrator opening as well as the Public Works Director. Interviews have been conducted and hopefully by the end of September something will be in place.

Alderwomen Romaine – Alderwoman Romaine publicly announced that the Senior Picnic will take place next week and volunteers are needed. The personnel committee has conducted several interviews. She mentioned that tonight there’s an ordinance cancelling some capital appropriations and putting forward a new one. The surplus that will be moved to fund other projects, provide us the opportunity to do some road projects without having to fund for our share of the DOT grants through additional spending. This is money that the town has already appropriated for projects and those projects are completed, and the town is just transferring the money to do other projects.

Attorney Pennella’s Report – Attorney Pennella noted that there’s a resolution before the board tonight for a tax appeal for 600 Mt. Pleasant Avenue which has been tentatively settled. There has been a recent sale of the property which was below the assessed value and actually somewhat below the settlement amount. That combined with the low equalized ratio makes it difficult to defend this tax appeal. The expert appraisal and tax assessor have signed off on this appeal settlement and I recommend the board vote “yes” for the resolution.

CONSENT AGENDA

ORDINANCE(S) FOR INTRODUCTION

ORDINANCE NO. 29-2008

BOND ORDINANCE CANCELING APPROPRIATIONS IN THE AMOUNT OF \$171,955.51 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 \$171,955.51 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 \$171,955.51 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 \$171,955.51 including bond proceeds, for the improvements hereinafter set forth are hereby canceled and the sum of \$171,955.51 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>Description of Improvement</u>	<u>Bond Ordinance Number</u>	<u>Appropriation to Be Canceled</u>
1) Playground Equipment and improvements.	No. 21-03 adopted on June 10, 2003	\$269.11
2) Water Recycle/tire change improvements.	No. 19-03 June 10, 2003	\$550.00
3) Open Space Project improvements.	No. 18-03 adopted June 10, 2003	\$35,000
4) Improvements to Elena & Brook Drive.	No. 30-04 adopted on November 9, 2004	\$3,265.39
5) Copier for Municipal Court.	Bond Ordinance No. 33-06 adopted on December 12, 2006	\$601.95

6) Town Share of 2003 Open Space.	Bond Ordinance No. 33-06 adopted on December 12, 2006	\$14,000
7) 4x4 Pickup Truck with Plow.	Bond Ordinance No. 33-06 adopted on December 12, 2006	\$214.40
8) Incident Command Vehicle.	Bond Ordinance No. 33-06 adopted on December 12, 2006	\$2,819.23
9) Fax/Copy Machine.	Bond Ordinance No. 33-06 adopted on December 12, 2006	\$2,489.98
10) Roadway/Construction Repairs.	Bond Ordinance No. 33-06 adopted on December 12, 2006	\$79,932.17
11) Crescent Field Improvements.	Bond Ordinance No. 33-06 adopted on December 12, 2006	\$2,875.55
12) Sidewalk Sweeper/cleaner.	Bond Ordinance No. 19-06 adopted on 25, 2006	\$10,144.21
13) Improvements to East McFarlan Street.	Bond Ordinance No. 18-07 adopted on June 26, 2007	\$10,270.51
14) Improvements to Searing St. -SC Match.	Bond Ordinance No. 18-07 adopted on June 26, 2007	\$9,523.01
TOTAL		\$171,955.51

Section 3. The amount of \$171,955.51 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) NJ DOT - Thompson Avenue, including all costs, equipment, improvements, and/or appurtenances necessary therefor or related thereto.	\$60,000.00
2) Small Cities - Belmont Avenue area, including all equipment, improvements, appurtenances and cost related thereto or necessary therefor.	\$32,000.00
3) Hurd Park Walkway, including all costs, equipment, improvements, and/or appurtenances necessary therefor or related thereto.	\$8,100.00
4) Town Hall Improvements including all costs, equipment, improvements, and/or appurtenances necessary therefor or related thereto.	\$71,855.51
TOTALS	\$171,955.51

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

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

ORDINANCE(S) FOR SECOND READING

**ORDINANCE NO. 28-2008
AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AMENDING AND SUPPLEMENTING REVISED ORDINANCES 1969
ENTITLED "PARKING," Title 28, 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:

Title 28 of the Revised Ordinances 1969 of the Town of Dover, Saved from Repeal under the Code of the Town of Dover is hereby supplemented and amended as follows:

1. The total number of parking permits that may be held by any one individual or business in all public parking lots in the Town of Dover shall not exceed nineteen (19) permit parking spots in the Town of Dover.
2. In the event spaces are unavailable for permit parking in any of the municipal lots, a waiting list is hereby established for each lot. An application for a permit may be for more than one lot. In determining the distribution of spaces as they become available, preference is to be given to Dover residents and local Dover business owners. However, said preference will only be given to residents or business owners when property taxes are current.
3. Permits may not be pre-paid by more than three consecutive months.
4. In the event payment is not received by the day prior to the permit(s) becoming effective, the space shall be deemed available and subject to assignment through the waiting list. The waiting list shall be formed on a first come first served basis and available spaces shall be offered to those individuals or businesses on the list in the chronological order that the request has been received. If an individual or business on the waiting list is notified that a space(s) is available, and that individual or business either requests removal from the list or does not make payment for the space(s) within 48 hours of notification of its availability, the person shall be removed from the list. Any person who, either by non-payment or request for removal from the list, is removed from the list may on his/her own initiative request to be placed back on the list whereby he/she shall be placed at the bottom of the list. A person or business shall not be placed on the waiting list for a number of permits that would place that individual or business in violation of paragraph 1 above for number of permits.
5. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.
6. 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.
7. The Ordinance shall take effect in accordance with law.

Alderman Delaney 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 this portion of the meeting to the public for a hearing.

Matthew Barrett – 107 Bassett Hwy. – Mr. Barrett noted that ordinance #28-2008 has the same wording as ordinance #7 that was passed last year and challenged by the court. Mr. Barrett wanted to know if there was resolution in court. Attorney Pennella noted that this ordinance is not exactly the same. Attorney Pennella explained that there’s a change in the limitation. He continued to explain that there had been a 5% cap that the court believed was not justified by the town. The court found that the methodology used by the municipality coming up with the limitation was good to a point. The initial methodology was to take an average of all the people holding permits and to take an average of the people on the waiting list and how many permits they were requesting. That number come to an 18-19 and the court felt that was defensible. However, the town adjusted it upwards to 25 cars which is greater than 5% trying to round the number up. The judge felt that it did not bare rational relationship to what the statistics had disclosed. Therefore, the town adjusted the limitations properly. The judge provided another chance and this ordinance has been revised. The Attorney feels comfortable defending the above ordinance.

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

Mayor Dodd stated that the town has a parking consultant that is making recommendations regarding our municipal lots. There has been constant controversy on the permit process. Mayor Dodd feels that the permit process in the Town of Dover is an antiquated system and it no longer serves a purpose. He feels that the Town will be far better off Kiosks which is based on a first come, first serve basis. The parking spaces in the town are not used to their full potential. There are a lot of vacant parking spaces and people can not park in them because they are held by permit holders who may only use the space once per week. Mayor Dodd has constant requests for commuter parking and businesses wanting to expand but can’t do so because there’s not enough parking for their employees. He is asking for the board’s consideration once the parking consultant provides his final recommendations

RESOLUTIONS

BILL 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:	
CURRENT ACCT claims in the amount of:	\$150,803.35
CAPITAL ACCT claims in the amount of:	
WATER UTILITY ACCT claims in the amount of:	\$461,762.98
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:	\$1,018.99
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:	\$193.50
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:	\$7,362.70

DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:
TOTAL CLAIMS TO BE PAID **\$621,141.52**

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:	\$284,104.87
WATER UTILITY ACCT claims in the amount of:	\$22,500.60
PARKING UTILITY ACCT claims in the amount of:	\$2,969.37
PAYROLL AGENCY ACCT claims in the amount of:	\$11,683.48
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$58.46
TOTAL CLAIMS PAID	\$321,316.78

TOTAL BILL LIST RESOLUTION ***\$942,458.30***

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AWARDING BID FOR BELMONT & DEPEW AVENUE,
WAYNE TRENTON & LYNN STREET ROADWAY IMPROVEMENTS

WHEREAS, the Town of Dover solicited bids for the Belmont & Depew Ave., Wayne, Trenton & Lynn Street Improvements; and

WHEREAS, bids were received on July 2, 2007; and

WHEREAS, the three lowest bidders submitted bids as follows:

- | | | |
|----|--|------------------|
| A. | Jenicar Builders Contractors Co., Inc. | \$312,715.00 |
| B. | GFC Paving & Masonry, LLC | \$323,016.00 |
| C. | D.L.S. Contracting, Inc. | \$345,890.00 and |

WHEREAS, the Engineering estimate for the project by the Town was \$413,115.00; and

WHEREAS, the Municipal Engineer has determined that the decrease in price was due to the lack of construction work in the current economy; and

WHEREAS, the project is to be funded from a Department of Community Affairs, Small Cities Public Facilities Grant; and

WHEREAS, the Municipal Engineer recommends awarding the contract to Jenicar Builders Contractors Co., Inc. located at 573 Belgrove Drive, Kearney, New Jersey in the amount of \$312,715.00;

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

1. The bid of Jenicar Builders Contractors Co., Inc. in the amount of \$312,715.00 for the Belmont & Depew Ave., Wayne, Trenton & Lynn Street Improvements is hereby accepted; and
2. The Mayor and Clerk are hereby authorized to execute a contract with Jenicar Builders Contractors Co., Inc. for the Belmont & Depew Ave., Wayne, Trenton & Lynn Street Improvements in the amount of \$312,715.00, subject to receipt of contractor clearance from the Department of Community Affairs.

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMAN OF THE TOWN OF DOVER AUTHORIZING THE MUNICIPAL TAX COLLECTOR TO PREPARE, COMPLETE, MAIL OR OTHERWISE DELIVER TAX BILLS TO INDIVIDUALS IN ACCORDANCE WITH THE NEW JERSEY STATE STATUTES FOR PAYMENT OF THE THIRD QUARTER TAXES FOR 2008.

WHEREAS, N.J.S.A 54:4-64 directs that the Municipal Tax Collector prepare, complete, mail or otherwise deliver tax bills to individuals assessed twenty five(25) calendar days before the third installment falls due; and

WHEREAS, the date of mailing Town of Dover Tax Bills has been delayed due to receipt of the certified tax rate from the County of Morris Board of Taxation: and

WHEREAS, in accordance with the spirit and intent of N.J.S.A 54:4-64, Taxpayers should be given adequate notice of taxes due before invoking any payment of interest for delinquency under the provisions of N.J.S.A 54:4-67.

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

- 1) Town of Dover third quarter taxes will not be considered delinquent and interest shall not be charged against same if the payment of such taxes is received by the Tax Collector on or before September 19, 2008.
- 2) If the third quarter tax payment is not paid on or before September 19, 2008 interest, as established by the Mayor and Board of Aldermen Resolution RL-021 dated January 1, 2008 shall be charged from August 1, 2008.

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 19, 2007, a lien was sold on Block 1001 Lot 1, also known as 50 Reservoir Avenue, for delinquent 2006 taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 06-00008 was sold to Crusader Servicing Corporation, for a 18% redemption fee; and,

WHEREAS, Jose & Ana Judith Castro & John Castro, owners, have effected redemption of Certificate No.06-00008 in the amount of \$35,291.42

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 \$35,291.42 payable to Crusader Servicing Corporation on this 26th day of August 2008.

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

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

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

RESOLUTION

WHEREAS, the Chief Financial Officer has prepared a Corrective Action Plan for the findings and conditions of the 2007 Audit;

NOW THEREFORE, it is hereby RESOLVED by the Mayor and Board of Aldermen that the following Corrective Action Plan be adopted:

DEPARTMENT – MUNICIPAL CLERK

Finding/Condition:

During the course of our testing, we noted instances in the Animal Control Fund where cash received was not deposited in the bank on a timely basis

Recommendation:

It is recommended that all funds received be deposited within 48 hours of receipt.

Explanation and Corrective Action:

Every effort will be made to ensure that collections are deposited with 48 hours of receipt.

Implementation Date: 7/1/08

DEPARTMENT – MUNICIPAL CLERK

Finding/Condition:

Although the resolutions and ordinances for all 2007 meetings of the Mayor and Board of Aldermen were available for audit review, the formal typed and approved minutes were not available. The Town had contracted with an outside service provider to prepare the formal minutes of the Town meetings but are still behind in preparation of the minutes.

Recommendation:

It is recommended that the older minutes be brought up to date and that the Town minutes be prepared on a timely basis in the future.

Explanation and Corrective Action:

The Town has hired an additional employee in the Town Clerk's Office who will be responsible for preparing the older outstanding minutes and preparing the current Town minutes in a timely manner. All older outstanding minutes have been prepared and will be kept current.

Implementation Date: 7/1/08

DEPARTMENT – POLICE DEPT

Finding/Condition:

During the course of our testing, we noted instances in Police services where cash received was not deposited in the bank on a timely basis.

Recommendation:

It is recommended that all funds received be deposited within 48 hours of receipt.

Explanation and Corrective Action:

Every effort will be made to ensure that collections are deposited with 48 hours of receipt.

Implementation Date: 7/1/08

DEPARTMENT – LIBRARY

Finding/Condition:

1. Overall, there appears to be inadequate control over incoming receipts. Pre-numbered receipts are only issued for collections over \$1.
2. The petty cash fund is not maintained at the authorized fund amount or closed out at year end.

Recommendation:

1. Pre-numbered receipts be issued for all collections; or, a cash register be obtained and utilized for all receipts.
2. The excess in the petty cash fund be turned over to the fines and fees account. The petty cash fund be closed out at year end.

Explanation and Corrective Action:

1. The library agrees that there is insufficient control over incoming receipts. However, as an alternative to installing a cash register, the library is currently researching appropriate POS (point of sale) software, which will be installed on one of the computers at the Circulation Desk. The software will be attached to an electronically-controlled cash drawer. Further, the software will produce receipts for all transactions, which will be given to patrons, as well as maintain a detailed record of all

transactions for in-house use. Transactions will be assigned codes, which will be used to identify the type of transaction completed. Employees will be assigned individual identification numbers, which will be used to track transactions entered by them. Software currently under consideration: Quicken POS.

2. The petty cash fund has, in the past, been a "rolling" account, which was not closed out at year end. To correct deficiencies found during the current audit cycle, the petty cash fund will be restored to its authorized fund amount (\$250.00). Any excess petty cash funds currently extant will be deposited into the library's fines and fees account. Petty cash vouchers will be issued for all petty cash disbursements and will be reconciled against total remaining petty cash at the time of each disbursement. At year end, the fund will be closed out and returned to its authorized fund amount.

Implementation Date: 7/1/08

FINANCE DEPARTMENT

Finding/Condition:

During our testing of internal controls over disbursements, we noted instances in which the signature for the claimant was missing.

Recommendation:

It is recommended that all signatures be obtained prior to the issuance of payment to vendors.

Explanation and Corrective Action:

Though it is difficult to obtain signatures from the State of New Jersey and some utility companies, the Town will take steps to ensure that all appropriate signatures are obtained prior to payment of vouchers.

Implementation Date: 7/1/08

Alderman Picciallo 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 and Mayor Dodd

Nays: None

Absent: Aldermen Fahy, Donofrio

Abstained: None

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AUTHORIZING SETTLEMENT OF TAX COURT CASE FOR BLOCK 901, LOT 5**

WHEREAS, 600 Mt. Pleasant Associates, LLC is the owner of property known as Block 901, Lot 5 and has filed a State Tax Court Appeal for the 2008 year; and

WHEREAS, the property is currently assessed for \$3,720,100.00; and,

WHEREAS, the plaintiff has provided discovery to the tax assessor and the Town's expert; and

WHEREAS, the Town expert, Robert Edgar, has reviewed the information and has advised that a reduction in the assessed value is appropriate; and

WHEREAS, the Tax Assessor has also reviewed the documentation and concurs in the opinion that a reduction is appropriate; and

WHEREAS, the parties have agreed to reduce the assessment by \$1,235,000.00 resulting in an assessment of \$2,485,100.00; and

WHEREAS, the taxpayer has agreed not to demand a refund of payment but to receive a credit against future tax obligations; and

WHEREAS, the taxpayer has agreed to waive all interest; and

WHEREAS, the reduction will be taken from the improvement; and

WHEREAS, there is currently a re-evaluation pending which could change the future assessment.

January 23, 2007 – Caucus and Regular
February 13, 2007 – Caucus and Regular
February 26, 2007 – Caucus and Regular
March 13, 2007– Caucus and Regular
March 27, 2007 – Caucus and Regular
April 10, 2007 – Caucus and Regular
April 24, 2007 – Caucus and Regular
May 8, 2007 – Caucus and Regular
May 22, 2007 – Caucus and Regular
June 12, 2007 – Caucus and Regular
June 26, 2007 – Caucus and Regular

August 14, 2007 – Caucus and Regular
August 28, 2007 – Caucus and Regular
September 11, 2007 – Caucus and Regular
September 25, 2007 – Caucus and Regular
October 9, 2007 – Caucus and Regular
October 23, 2007 – Caucus and Regular
November 27, 2007 – Caucus and Regular
December 11, 2007 – Caucus and Regular

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, and Mayor Dodd
Nays: None **Absent: Aldermen Fahy, Donofrio** **Abstained: Alderwoman Romaine**

**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:

January 1, 2008 – Re-Organization
January 8, 2008 – Caucus and Regular
January 22, 2008 – Caucus and Regular
February 12, 2008 – Caucus and Regular
February 26, 2008 – Caucus and Regular
March 11, 2008– Caucus and Regular
March 25, 2008 – Caucus and Regular

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING OF RAFFLE LICENSE**

WHEREAS, the below listed organization has applied for a Raffle License; and

WHEREAS, such license has 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:

1. The below listed raffle for the date set forth following their name is hereby approved:

Sacred Heart Home & School Association to be held on October 24, 2008 at 7:00 p.m.

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
ENDORING A TRAFFIC CONTROL DEVICE AT ROUTE 15 AND GRACE STREET

WHEREAS, the Town of Dover through Municipal Engineer Michael Hantson submitted a Transportation Problem Statement dated September 22, 2006 to the New Jersey Department of Transportation (NJDOT) requesting safety improvements to cross Route 15 at Grace Street in the Town of Dover; and

WHEREAS, NJDOT investigated the intersection and recommended that a flashing intersection control beacon, sidewalk, curbing, and ladder-style crosswalk striping be installed at the subject intersection; and,

WHEREAS, the NJDOT relied upon the crash history and the geometry of the intersection to determine that the flashing intersection control beacon was warranted as well as additional signing and striping ; and

WHEREAS, before proceeding NJDOT requests Dover officials to agree with the need for the flashing intersection control beacon at the above mentioned location; and

WHEREAS, the Mayor and Board of Aldermen of the Town of Dover recognize the safety issue involved and strongly endorse the installation of safety improvements to the Route 15/Grace Street intersection; and

WHEREAS, the Town of Dover will become responsible for yearly electrical operating costs which will be approximately \$200.00 per year;

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. The Town of Dover strongly endorses the installation of a flashing intersection control beacon, additional signing and striping; and
2. The Town of Dover agrees to be responsible for the electrical costs of operating the flashing beacon; and
3. A copy of this Resolution is to be forwarded immediately to NJDOT so that work can begin on the installation of the safety improvements to the Route 15/Grace Street intersection.

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

Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: None Absent: Aldermen Fahy, Donofrio 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, **First Class Taxi**, has applied for a license to operate the vehicle(s) listed below hereto and made a part hereof as taxicab(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;

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) listed below are hereby approved for taxi license(s) in the Town of Dover.

1. 1998 Lincoln Town Car (Limo) Passengers: 5 Color: Silver VIN # 10788 Plate #OL7588G

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

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

PUBLIC COMMENTS – Three Minutes per Person

Stacey Testa – 276 Beaufort Avenue, Livingston – Ms. Testa put in the request for the proclamation and she thanked the Board for the proclamation. Ms. Testa explained the ovarian cancer is known as the silent killer for women because it goes undiagnosed many times and the symptoms are closely related to other illnesses. The goals of Kaleidoscope of Hope are to get the education and awareness out about ovarian cancer and having October known as Ovarian Cancer Awareness Month throughout the state. She noted that the town’s participation is greatly appreciated and they have about 25 towns that are committed in making “September” Ovarian Cancer Awareness Month. They will place ribbons on Thursday or Friday with the Board’s approval and will stay up through the month of September. Mayor Dodd is in receipt of the letter requesting permission to place the ribbons in the downtown area. Mayor Dodd’s concern is that the ribbons are periodically maintained and don’t become an eye sore. Ms. Testa made a commitment to maintain the ribbons since she works in Dover. Mayor Dodd made a suggestion to use the JFK Park & Hurd Park which will raise awareness.

Antonio Acosta – 130 Madison Street – Mr. Acosta noted that he has seen the ribbons in other towns and believes it does raise awareness. Mr. Acosta wants to denounce the continued reckless comments made by a few self-appointed, non-elected spokesmen for the Hispanic Community in the Town of Dover. Mr. Acosta believes they do not speak for the entire community; everyone does not share their thoughts or feelings. He mentioned that the progressive Hispanic Community is not that apathetic, they can do things on their own and they don’t need help. Mr. Acosta stated shame on the Daily Record & Star Ledger for continuing to turn to these individuals for comments and to empower them as spokesmen. Mr. Acosta continued to say that one of the most ethically and moral obligation that the newspapers has...is to tell the whole story and to be fair and balance; far too often then haven’t and enough is enough. He mentioned that the real news story lies here...Why in the town that is 60% Hispanic and a school district that is 70% Hispanic and growing have no members on the board of education or on the governing body. He mentioned that these are not appointed jobs; these are jobs that come from the election process. It takes a candidate that wants to serve to place his or her hat in the ring; to some how blame this governing body for not including more Hispanics is utter and complete nonsense. Mr. Acosta noted that you must get yourself involved, run for office, volunteer and represent this town properly. He calls on these self-proclaimed leaders to stop whining and passing responsibility and to hold their own people accountable for their own faith and involvement. Finally, we have to stop focusing on the differences that we have and focus on what we have in common. We all want a town that we live in to be clean, safe and desirable. We want clean parks, good schools and finally we want involvement that everyone can be involved for the betterment of the town.

(Reverend) Daniel Martinez – 15 Lawrence Street – Reverend Martinez was told by the chairperson of the Municipal Alliance that there might be a possibility for something else to transpire over the months. He’s also aware that Mayor Dodd made a comment to Neighborhood News that there’s a possibility for people to volunteer with the Municipal Alliance. Reverend Martinez publically announced that he is willing to be a part of other committees that the Mayor may have not just the Municipal Alliance. Reverend Martinez does not want to come in just as a representative for the Hispanics because he believes this is a town that represents each other and should push each other forward. He mentioned a few other residents that are willing to volunteer and just wanted to let the Mayor know that they are willing to volunteer is something is available.

Alexandra Scarneo – 66 First Street - Ms. Scarneo attended the Route 46 Bridge Repair Meeting and her concern is with the snow removal of the sidewalks on the bridge. Ms. Scarneo wanted to know whose responsibility it would be to clean the sidewalks. Ms. Scarneo noted that the State said it would be the responsibility of the town however Mayor Dodd said “no.” Ms. Scarneo does not want this topic to go away because it’s a dangerous situation especially since the children will have to walk over this bridge to attend school (East Dover). Mayor Dodd mentioned that they will continue to have discussions with the State. He also explained that it will only be the bridge portion and the rest will be the responsibility of the property owner which is under the Property Maintenance Code and that will be Ayers Chevrolet. Mayor Dodd shares the same concern with Ms. Scarneo. He noted that one way or another the sidewalks will be cleared because we are a walking district. Mayor Dodd feels the State has to recognize the situation and work with the town. Ms. Scarneo’s other concern is the day laborers. She noted that they are lounging, laying on the grass, littering and they have no regards for other people’s property.

Ed Correa – 88A East Blackwell Street – At the last meeting, Mr. Correa referred to Ms. Bibi Stewart Garvin as being let go (from the administrator’s position) however, the attorney noted that she was not let go. The attorney also mentioned that her contract was not renewed and in the process she resigned. Mr. Correa wanted to know that if her contract was not renewed and she resigned then why does the town have to pay her a settlement and continue to keep her on the payroll.

Attorney Pennella responded “No Comment.” Mr. Correa also noticed that the Board of Aldermen approved minutes for 30 meetings dating back to 2007. He’s also noticed an audit report from the town’s Chief Financial Officer where recommendations were made based on the audit to the Town Clerk. His concern is that this is major violation to the OPRA Act and the board is setting the town for litigations. These minutes have to be written before the next town meeting in case residents want to review them. Mr. Correa made a recommendation that the board pay closer attention to this matter because this can result in litigation.

Connie Sibona-Foster – 90 Penn Ave. – Ms. Foster commented that this is not the first time this has occurred for the meeting minutes. Ms. Foster once typed minutes for the town. She typed Javier (Mayor Marin) meetings minutes which were also a year behind. She noted that it does happen and they take a lot of time.

**Motion made by Alderman Visioli to adjourn at 7:48 p.m.,
Seconded by Alderman Timpani and passed by the following voice vote.**

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

Respectfully submitted,

**Margaret J. Verga
Municipal Clerk**