



TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

CAUCUS MEETING MINUTES OF SEPTEMBER 12, 2006

This 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 7:06pm.

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 its' people.

ROLL CALL:

Present Aldermen Romaine, Fahy, Burbridge, Delaney, Poolas, Ryan and Mayor Dodd

Absent: Aldermen Newman and Visioli

Also present were Attorney Pennella, Administrator Garvin and Acting Clerk Verga

PRESENTATION – Dover Strikers Freedom Team

Clerk Verga stated this meeting is in compliance with the Open Public Meetings Act.

MUNICIPAL CORRESPONDENCE:

- Letter from NJ League of Municipalities re: Annual Business Meeting
- Notice from NJ League of Municipalities re: Consulting Period on General Municipal Topics
- Notice from NJ League of Municipalities re: Pay to Play Ethics seminar
- Notice from NJ League of Municipalities re: Municipal Elected Officials Certificate Programs
- Ordinance from Township of Mine Hill re: New Zoning District entitled "Planned Multifamily Age Restricted Community"
- Ordinance from Borough of Rockaway re: Notice of Applications
- Resolution from Township of Montville re: State and County Law Enforcement Task Forces
- Resolution from Town of Boonton re: Amendments to the NJ Senior Tax Freeze Protection Act
- Resolution from Town of Boonton re: Opposing Metropolitan Area Airspace redesign as proposed by the FAA
- Resolution from Town of Boonton re: State and County Law Enforcement Task Forces
- Notice from Morris County League of Municipalities re: Program addressing Drug Issues in Morris County
- Letter from NJDEP re: Mc Keel Brook Flood Control Project
- Letter from JCP&L re: Annual Proposal for Basic Generation Service
- Letter from Cablevision re: Launching of WPIX multicast service "The Tube"
- Minutes of the Dover Public Library Board of Trustees
- Minutes of the Dover Housing Authority
- Dover Fire Dept. Run Report

AGENDA ITEMS:

ORDINANCE(S) FOR INTRODUCTION

- Ordinance #27-2006 re: Stop sign for the intersection of Carolyn Way and E. Munson Ave.
- Ordinance #28-2006 re: Amending Taxi Ordinance

ORDINANCE(S) FOR SECOND READING

- Ordinance #26-2006 re: Limiting parking adjoining Town Hall



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RESOLUTIONS

- Approving Bills List
- Resolution Corrective Action Plan
- Resolution authorizing reduction of Performance Bond for N. Sussex Street Landfill Redevelopment Project
- Resolution for Chapter 159 – Pandemic Influenza Planning Grant
- Resolution approving Raffle License for Dover Boxing Club
- Resolution approving Raffle License for El Primer Paso
- Resolution approving extension of premise for Murphy's Third Rail
- Resolution awarding bid to Arnold's Roads, Inc. for Penn Avenue Phase III Roadway Improvements
- Resolution approving One-Day ABC License for Casa Puerto Rico
- Resolution approving Taxi Cab Driver Licenses

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REGULAR MEETING MINUTES OF SEPTEMBER 12, 2006

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

Mayor Dodd called the meeting was to order at 7:44 pm

ROLL CALL:

Present: Aldermen Romaine, Fahy, Burbridge, Delaney, Poolas, Ryan and Mayor Dodd

Absent: Alderman Newman, Visioli

Also present were Administrator Garvin, Attorney Pennella and Acting Clerk Verga

Acting Clerk Verga stated adequate notice has been provided and this meeting is in compliance with the Open Public Meetings Act.

PUBLIC COMMENTS

George Bowen, 12 Harvard St. questioned the requirement for taxi's having to have an office in every town they serve. Mayor Dodd explained that this is not the case.

This portion of the meeting was closed to the public by Mayor Dodd.

ADMINISTRATOR'S REPORT

Updates were given for action items from previous meeting, specific items were:

- Enforcement of park hours at JFK Commons – a directive has been issued to all patrolmen to physically check the park and all instances are to be entered.
- Goodale Avenue – contractor has reseeded the area. The Engineering Dept. is meeting with contractor to discuss outstanding drainage issues.
- Reflectors have been put up by DPW at the request of Alderman Delaney at the intersection of Rt. 46 and McFarlan.
- Update of fee schedules for items such as yard sales was requested by Alderman Romaine. A review of other towns is being researched to see if we are on target with our fees.
- Property maintenance is looking at a way to address the issues of air conditioners installed in second and third story windows especially in the down town area. This was requested by Alderman Newman.
- Per board's directive, the Dover Youth Soccer Group has been removed from the application, funding was reallocated to the ATO an amendment has been made to re consider the Dover Strikers for consideration in this years funding.
- A meeting was held with Town of Boonton officials regarding property maintenance issues. Boonton was very impressed with actions being taken by Dover – that we are not just enforcing, but taken steps with local realtors to identify affordable housing.
- A written report was given to the Board regarding the vacancy in the Fire Department.

MAYOR'S REPORT

- Mayor Dodd personally thanked the Dogs of Dover Committee for the wonderful dedication ceremony on Saturday.
- The 9/11 event held on September 11 at Prospect Park was successful as well as the employee picnic.
- The State Dept. of Corrections will be sending people to Dover on Saturday for the Mayor's Labor Assistance Program to do community clean up.

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- A meeting was held with St. Claire's regarding the relocation of the behavioral center. Mayor Dodd will relay information to the public as it is updated.

ALDERMEN/COMMITTEE REPORTS

Alderman Poolas:

No formal report on the Board of Health. Activities on Wednesday evenings are ongoing. Alderman Poolas reported on the Dogs ceremony and commented it was one of the best Dover has had in a long time. Alderman Poolas is working with the Board of Health on an ordinance related to food vending machines and making sure they are licensed.

Alderman Delaney:

Noted that the wards in Dover UK have competitions between wards such as soccer, etc. This promotes residents getting to know each another.

Alderman Burbridge:

Alderman Burbridge requested that the chicanes on Baker and Princeton be weeded by Department of Public Works. Thanked town for acknowledging the Donofrio's for steel Twin Tower beams located at Prospect Street Park.

Alderman Fahy:

Alderman Fahy reminded everyone to drive safely now that school is back in session. Alderman Fahy attended several events and meetings in town. Recreation is in full swing for soccer and various other sporting events.

Alderman Ryan:

No official report on the Board of Education. Spoke with Superintendent Becker briefly who reported that the new school year has started without a hitch. Alderman Ryan requested update of property maintenance report after June. Glenmore St. needs to be paved and widened. Administrator will forward this to the Town Engineer.

Alderman Romaine:

She was in attendance with Mayor at the St. Claire's meeting regarding relocation of the Riverside behavioral center. Alderman Romaine thanked the Dogs of Dover Committee for putting on such a great ceremony without any expense to the taxpayers. The updated property maintenance code should be available at the next meeting.

ATTORNEY REPORT

A follow up with Engineering Department was made as to Alderman Newman's request regarding air conditioners in second and third story windows. This should be addressed through the property maintenance code and the units should be secured in accordance to manufacturers instructions. Mayor Dodd also wants this clarified so that this is a part of any new Certificate of Compliance.

ORDINANCE(S) FOR INTRODUCTION

Ordinance NO. 27-2006

ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER ESTABLISHING A STOP SIGN(S) ON CAROLYN STREET AND EAST MUNSON AVENUE

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. There is hereby established a stop sign on Carolyn Street on the westerly side of East Munson Avenue and the easterly side of Carolyn Street described as follows:

The proposed stop sign(s) shall be located on the westerly side of Carolyn Street 10 feet north of the northwesterly curb line intersection of Carolyn Street and

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East Munson Avenue, and on the easterly side of Carolyn Street 10' south of the southeasterly curb line intersection of Carolyn Street and East Munson Avenue, in accordance with MUTCD Standards.

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.

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

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

Ayes: Aldermen Romaine, Fahy, Burbridge, Delaney, Poolas, Ryan, and Mayor Dodd.

Noes: none

Absent: Aldermen Newman and Visioli

Abstain: none

Ordinance No. 28-2006

ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AMENDING AND SUPPLEMENTING THE CODE OF DOVER, CHAPTER 349 ENTITLED "TAXICABS AND LIMOUSINES"

Be it ORDAINED by the Mayor and Board of Aldermen of the Town of Dover as follows:

Section 1. Section 349-8 entitled "Business office to be maintained; hours and days of operation" is amended to read as follows:

§349-8. Business office to be maintained.

All owners or operators, upon applying for one or more regulated vehicle licenses, shall be required to maintain a business office. The address and telephone number of said office must be listed on all regulated vehicle license applications.

Section 2. Section 349-9 entitled "Photographic and fingerprints; age requirements for license (Section A) is amended to read as follows:

§349-9. Photographs and fingerprints; age requirements for license.

A. Each applicant for a regulated vehicle driver license shall, upon making application therefore, furnish his or her existing driver's license and fingerprints for a record check and three recent photographs of passport-size. One shall be retained by the Town Clerk, another shall be affixed to the driver license, and the third shall be affixed to a card, suitably framed under any transparent covering approved by the Police Department and displayed in a prominent place mounted as close as possible to the center of the front dash board of the

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regulated vehicle so that it is plainly visible to passengers. Said card must also contain a brief description of the driver, including his or her age, height, complexion, color of hair and color of eyes. Each applicant shall submit to the Town Police Department his or her driver abstract from the Division of Motor Vehicles.

Sections B and C of § 349-9 shall remain the same.

Section 3. Section 349-14 entitled "Refusal to license; suspension or revocation is amended to read as follows:

A. The Mayor and Board of Aldermen may refuse to issue a license or suspend any license or revoke any license after notice and hearing if:

1. This chapter is violated in any particular.

2. The operator or driver has been convicted of a felony, driving under the influence, refusal of test for driving under the influence or has had his or her driver's license suspended. The Chief of Police may suspend the license of an operator or driver upon written notice for violations of this section pending a hearing being conducted in front of the Mayor and Board of Aldermen within five days of the operator or driver requesting a hearing in writing.

3. The driver fails to render reasonably prompt and adequate service while driving a regulated vehicle, has contributed to injury to person or property or for other good cause.

4. The regulated vehicle has become unsafe or unsanitary.

B. The license to operate a regulated vehicle shall be automatically suspended in the event of a lapse in insurance coverage and such suspension shall continue until adequate verifiable proof of insurance coverage has been provided to the municipal clerk.

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

Section 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.

Section 6. This ordinance shall take effect in accordance with law.

Alderman Delaney has moved the foregoing ordinance be adopted and duly seconded by Alderman Burbridge and was passed for first reading by the following roll call vote.

Ayes: Alderman Romaine, Fahy, Burbridge, Delaney, Poolas, Ryan, and Mayor Dodd.

Noes: none

Absent: Alderman Newman and Visioli

Abstain: none

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ORDINANCES FOR SECOND READING

ORDINANCE 26-2006

ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER LIMITING PARKING ADJOINING TOWN HALL

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:

Section 1. Parking on municipally owned land surrounding the Town of Dover Municipal Building located at 37 N. Sussex Street in the Town of Dover, County of Morris and State of New Jersey by municipal employees shall be limited to specifically designated spaces as set forth in the attached Exhibit A; and

Section 2 Designated spaces for Mayor, Alderman and Administrator will be enforced twenty-four hours a day. Enforcement of all others will be from 8:00am to 5:00pm. Emergency responders shall be entitled to park in any space, except that of the Mayor, Alderman and Administrator during the response to an active fire call.

Section 3. Penalty. The violation of this ordinance shall result in a penalty of \$54.00 plus court costs; and

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

Section 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.

Section 6. The Ordinance shall take effect in accordance with law.

A motion was made by Alderman Delaney to amend Ordinance 26-2006 by the following:

- Changing the parking prohibition from 8am to 5pm
- exclude the requirement that would prohibitive parking for fire fighters responding to a fire or squad call. They are exempt for the time required to attend to the call and get back to Town Hall.
- amend the map as contained in the ordinance to provide that on the South Side of the building on the westerly most handicap spot will be moved to the westerly most short term parking spot along the south side of the building and the short term spot will be put in place of the handicap spot which is being relocated.
- The short term parking time period is to be changed from 15 minutes to 30 minutes.
- parking spots designated for the Mayor, Aldermen and Administrator will have prohibitive parking 24 hours per day.

Attorney Pennella stated because of all the amendments this ordinance must be advertised in full again and it would be First Reading.

Alderman Delaney has moved the foregoing ordinance be adopted and duly seconded by Alderman Romaine and was passed for first reading by the following roll call vote.

Ayes: Alderman Romaine, Fahy, Burbridge, Delaney, Poolas, Ryan, and Mayor Dodd.

Noes: none

Absent: Alderman Newman and Visioli

Abstain: none

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RESOLUTIONS

Approving Bills List

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

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

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

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

RESERVE ACCT claims in the amount of:	
CURRENT ACCT claims in the amount of:	\$509,948.30
CAPITAL ACCT claims in the amount of:	
WATER UTILITY ACCT claims in the amount of:	
WATER CAPITAL ACCT claims in the amount of:	
PARKING UTILITY ACCT claims in the amount of:	\$2,984.65
PARKING CAPITAL ACCT claims in the amount of:	
ANIMAL CONTROL 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:	\$1,463.00
TRUST/OTHER ACCT claims in the amount of:	\$23,762.93
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$538,158.88

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:	\$284,414.01
WATER UTILITY ACCT claims in the amount of:	
PARKING UTILITY ACCT claims in the amount of:	\$1,965.10
PAYROLL AGENCY ACCT claims in the amount of:	\$81,485.03
TRUST ACCT claims in the amount of:	\$599.98
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$350.54
TOTAL CLAIMS PAID	\$368,814.66

TOTAL BILL LIST RESOLUTION **\$906,973.54**

MANUAL DISBURSEMENTS **\$1,652,269.62**

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Resolution Corrective Action Plan

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

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

DEPARTMENT – LIBRARY

Finding/Condition:

1. Vouchers were not prepared for disbursements from the Library account.
2. There appears to be inadequate control over incoming receipts. In order to strengthen controls, prenumbered receipts should be issued for all funds received; or, a cash register be obtained and utilized for all receipts.

Recommendation:

- a) Vouchers be prepared for all disbursements from the Library account.
- b) numbered receipts be issued for all collections; or, a cash register be obtained and utilized for all receipts.

Explanation and Corrective Action:

- a) Previously, disbursements from the Library Board of Trustees' checking account were completed in a manner similar to that used for the disbursement of funds from the Library Current Fund budget. This process included presentation of such disbursements to the Board, approval of a majority of a quorum of the Board and signatures of two Board members on all checks. However, vouchers that had been signed by the recipient of the funds disbursed had not been required.

Therefore, in order to bring Library procedure into compliance with the audit recommendations, vouchers will be required for all disbursements from the Library Board of Trustees' checking account.

- b) The library currently issues receipts for all transactions in excess of \$1.00. Due to the nature of the Library's financial interaction with its patrons, many transactions involve amounts that do not justify the cost of expending employees' time in recording transactions for a \$.10 fine or \$.20 sheet of paper for the public printer, therefore receipts are not issued for these transactions.

Implementation Date: 6/7/06

DEPARTMENT – MUNICIPAL COURT

Finding/Condition:

1. A significant number of tickets and special complaints listed on the tickets and special complaints assigned but not issued reports were issued over six months ago. The Court Administrator has made an effort to obtain the older tickets and special complaints from the respective officers and void them. However, these void tickets and special complaints have not been removed from the report due to difficulties with the State's Automated Traffic System (ATS) program.
3. Monthly bank reconciliations were not prepared on a timely basis for the regular account. Additionally, although an attempt was made, the account was not completely reconciled for all months. Finally, there were a number of minor unaccounted for differences noted between individual receipts per the ATS cashbook printout and deposits per the bank statements for the regular account.

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Recommendation:

1. The Court Administrator continue to pursue removal of the voided older tickets and special complaints from the State's Automated Traffic (ATS) program. A periodic review of all outstanding tickets and special complaints per the tickets and special complaints assigned but not issued reports should be performed.
2. Complete bank reconciliations for the regular account be prepared on a timely basis in the future. Differences noted between deposits per the bank statements and the related receipt per the ATS cashbook printout should be identified with an explanation for the difference noted in the cashbook printout.

Explanation and Corrective Action:

1. The Municipal Court has contacted the Police Dept. to review the issuance of assigned ticket/summonses and the return of same to the court if not issued in a timely manner. All officers on sick/extended leave or light duty have been instructed to return used tickets/summonses for reassignment to other officers.

At the end of each month the squad sergeant will be provided with a list of unused tickets/summonses so necessary action can be taken to correct this situation.

2. Daily deposits will be checked by the Court Administrator or a second person to ensure all errors are noted in the cash journal. A separate file has been created to keep all daily adjustments to the cash journal each month.

Implementation Date: 6/2006

WATER UTILITY OPERATING BUDGET

Finding/Condition:

During our review of the records for the Water Utility Operating Fund, we noted that obligations were not liquidated in a timely manner. Overall, it appears as if from an operational perspective, the Water Utility Operating Fund budget was not adequately controlled or monitored.

Recommendation:

It is recommended that adequate controls be implemented to ensure that Water Utility Operating Fund obligations are liquidated in a timely manner. Also, controls be implemented to ensure that the Water Utility Operating budget is adequately controlled and monitored from an operational perspective.

Explanation and Corrective Action:

The Treasurer will assist the Water Superintendent in monitoring the Water Utility Operating budget to ensure that future obligations are liquidated in a timely manner. Controls have been implemented to ensure that the Water Utility Operating budget is properly monitored and controlled.

The Water Operating budget has been restructured which will make things clearer from an operational perspective.

Implementation Date: 1/1/06

TREASURER'S DEPARTMENT

Finding/Condition:

1. There are a number of interfund receivable balances as of December 31, 2005. Due to the nature of the way transactions are processed by the Town, these interfunds will never be fully eliminated; however, as every effort is made to limit the number of interfund transactions, no formal recommendation is warranted.
2. General ledgers were not prepared for the Unemployment Trust and the Parking Utility Capital Funds. Additionally, the general ledgers for the Current and Recycling Trust Funds were out of balance. Also, although journal entries in total for the Current Fund were balanced, a few one-sided entries were noted.

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3. Certain cash receipts and disbursements were not posted to the general ledgers for the various funds. Thus, the cash balance per the bank reconciliations were not in agreement with the cash balance per the various funds' general ledgers.
4. Federal and State grant fund budgets were entered incorrectly into the accounting software which required extensive review to determine current year receipts and disbursements for the various grants.
5. The interfunds per the respective general ledgers between the Current, Water Utility Operating and Parking Utility Operating Funds were not in agreement.
6. Clerical addition errors were noted on the Water Utility and Parking Utility Operating Funds cash receipts spreadsheets.
7. The Town has not adopted a cash management plan. N.J.S.A. 40A:5-14 requires each municipality to adopt a cash management plan and deposit, invest, both deposit and invest, its funds pursuant to that plan.

Recommendation:

1. General ledgers be prepared for all funds which are in balance. All journal entries should be double sided.
2. All cash receipts and disbursements be posted to the various general ledgers. Cash balances per the bank reconciliations and general ledgers should be in agreement.
3. Federal and state grant fund budgets be properly recorded in the accounting software.
4. The interfunds per the respective general ledgers between the various funds be in agreement.
5. Every effort be made to ensure that cash receipts spreadsheets contain no clerical errors.
6. The Town adopt a cash management plan annually in accordance with N.J.S.A. 40A:5-14.

Explanation and Corrective Action:

In 2005, the Accounts Payable clerk was on sick leave for a number of weeks following an operation. Also, the Chief Financial Officer was on sick leave for a number of weeks following an operation. Additionally, she was in the process of training a new assistant.

1. General ledgers have been prepared for the Unemployment Trust and Parking Utility Capital Fund. Implemented 1/1/06
2. Procedures have been instituted to ensure that all cash receipts and disbursements are properly recorded in the various general ledgers and cash per bank reconciliations are in agreement with the general ledgers. Implemented 1/1/06
3. Interfunds between the various funds are monitored to ensure that they are in agreement. Implemented 1/1/06
4. All receipts are recorded directly in the accounting software. Implemented 1/1/06
5. Manual cash receipts spreadsheets are no longer utilized. Implemented 1/1/06
6. The Town will adopt a cash management plan in accordance with N.J.S.A. 40A:5-14.

Resolution authorizing reduction of Performance Bond for N. Sussex Street Landfill Redevelopment Project

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***RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER AUTHORIZING REDUCTION OF PERFORMANCE
BOND FOR NORTH SUSSEX STREET LANDFILL REDEVELOPMENT PROJECT***

WHEREAS, S.W. Dover I, L.P., and Woodmont at Dover ET, LLC entered into a Developer's Agreement dated October 5, 2005 with the Town of Dover; and

WHEREAS, as part of a major sub-division and final site plan certain public improvements associated with the North Sussex Street Landfill Redevelopment Project were to be constructed; and

WHEREAS, a Performance Bond was required as condition 8 of the Developer's Agreement; and

WHEREAS, Paragraph 14 of the Developer's Agreement requires the Developer to provide for a Surety Maintenance Bond; and

WHEREAS, S.W. Dover I, L.P. and Woodmont at Dover ET, LLC have requested a reduction in the Performance Bond to reflect work already completed; and

WHEREAS, the Municipal Engineer has reviewed such request and has established the renewed Performance Bond amount to be \$118,997.52; and

WHEREAS, the Municipal Engineer has recommended that concurrent with the reduction of the Performance Bond S.W. Dover I, L.P. and Woodmont at Dover ET, LLC post a Maintenance Bond in the amount of \$81,554.30;

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 Performance Bond posted for the North Sussex Street Landfill Redevelopment Project by S.W. Dover I, L.P. and Woodmont at Dover ET, LLC may be reduced to \$118,997.52; and

2. This reduction is conditioned upon the delivery of a Surety Maintenance Bond by S.W. Dover I, L.P. and Woodmont at Dover ET, LLC in the amount of \$81,554.30 in form satisfactory to the Municipal Engineer and Municipal Attorney.

3. The above is not to be taken as an acceptance of any work performed or an acceptance of the roadway.

Resolution for Chapter 159 – Pandemic Influenza Planning Grant

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 2006 in the sum of \$5,637.00; which item is now available as revenue from the State of New Jersey, Department of Health and Senior Services, Pandemic Influenza Planning Grant pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED that a like sum of \$5,637.00 be and the same is hereby appropriated under the caption of

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Public and Private Programs Offset by Revenues:
Pandemic Influenza Planning Grant

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

Ayes: Aldermen Romaine, Fahy, Burbridge, Delaney, Poolas, Ryan, and Mayor Dodd.

Noes: none

Absent: Aldermen Newman and Visioli

Abstain: none

Resolution approving Raffle License for Dover Boxing Club and El Primer Paso, LTD

***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 Raffle Licenses; 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:

1. The below listed raffles for the dates set forth following their name are hereby approved:
 - A. El Primer Paso, LTD, 29 Segur St. – 11/14/06 – 7:30pm.
 - B. Dover Boxing Club, 41 W. Blackwell St. – 9/23/06 – 6pm to 11pm.

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

Ayes: Aldermen Romaine, Fahy, Burbridge, Delaney, Poolas, Ryan, and Mayor Dodd.

Noes: none

Absent: Aldermen Newman and Visioli

Abstain: none

Resolution approving extension of premise for Murphy's Third Rail

WHEREAS, Dover Liquor License LLC, t/a Murphy's Third Rail located at 3 South Bergen Street, filed an application to Extend their Licensed Premises; and

WHEREAS, the petitioner is holder of retail license no. 1409-32-010-007 and is holding the event for a local charity fundraiser; and

WHEREAS, with the event being held on Sunday October 8, 2006, between the hours of 12pm and 1am; and

WHEREAS, the Police Chief will determine what special conditions if any are needed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover that said application be approved and that the Petition to Extend Licensed Premises be granted; and

BE IT FURTHER RESOLVED that the Town Clerk and Police Chief are authorized to sign said application.

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

Ayes: Aldermen Romaine, Fahy, Burbridge, Delaney, Ryan, and Mayor Dodd.

Abstain: Alderman Poolas

Absent: Aldermen Newman and Visioli

Abstain: none

Resolution awarding bid to Arnold's Roads, Inc. for Penn Avenue Phase III Roadway Improvements

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AWARDING BID FOR PENN AVENUE ROADWAY IMPROVEMENTS – PHASE III

WHEREAS, the Town of Dover solicited bids for the Penn Avenue Roadway Improvements – Phase III; and

WHEREAS, bids were received on August 18, 2006; and

WHEREAS, three bidders submitted bids as follows:

A.	Arnold's Road, Inc.	\$140,775.00
B.	Jenicar Builders, Inc.	\$158,200.00
C.	Tomaro Contracting, Inc.	\$162,000.00 and

WHEREAS, the Engineering estimate for the project by the Town was \$130,050.00; and

WHEREAS, the Municipal Engineer has determined that the increase in price was due to the cost of bituminous material and curbing; and

WHEREAS, it is not anticipated that there will be a reduction in oil prices resulting in a reduction in cost of the bituminous material and curbing and that a re-bid of the project would therefore not be successful in reducing the cost of the project; and

WHEREAS, the project is to be funded with \$125,000.00 from the NJ DOT Municipal Aid Grant Program with the balance of the project costs being funded from Bond Ordinance Numbers 37-205; and

WHEREAS, the Municipal Engineer recommends awarding the contract to Arnold's Road, Inc. located at 2 Sylvester Court, East Brunswick, New Jersey in the amount of \$140,775.00;

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 Arnold Road, Inc. in the amount of \$140,775.00 for the Penn Avenue Roadway Improvements – Phase III project is hereby accepted; and

2. The Mayor and Clerk are hereby authorized to execute a contract with Arnold Road, Inc. for the Penn Avenue Roadway Improvements – Phase III in the amount of \$140,775.00.

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

Ayes: Aldermen Romaine, Fahy, Burbridge, Delaney, Poolas, Ryan, and Mayor Dodd.

Noes: none

Absent: Aldermen Newman and Visioli

Abstain: none

TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

***RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING AN ALCOHOLIC BEVERAGE SOCIAL AFFAIR PERMIT PURSUANT TO
N.J.A.C. 13:2-5.1 FOR FIESTA DE REYES, INC.***

WHEREAS, Fiesta De Reyes, Inc. has filed an application for their third Alcoholic Beverage Social Affair Permit to be held at the Casa Puerto Rico; and

WHEREAS, Fiesta De Reyes, Inc. has provided proof of their status as a non-profit organization operating solely for civic, religious, educational, charitable, fraternal, social or recreational purposes and not for private gain; and

WHEREAS, this request being the third request is within the permitted limits of twelve social affairs permits allowed per non-profit organization; and

WHEREAS, the approval of this permit at Casa Puerto Rico is within the twenty-five permitted per location, being the ninth event held at such location;

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. That the application of Fiesta De Reyes, Inc. be approved for an Alcoholic Beverage Social Affair Permit to be held on July 15, 2006 at Casa Puerto Rico, 50 W. Blackwell Street, Dover, NJ from 8:00 pm through 2:00 a.m.

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

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

Ayes: Aldermen Romaine, Fahy, Burbridge, Delaney, Ryan, and Mayor Dodd.

Abstain: Alderman Poolas

Absent: Aldermen Newman and Visioli

Abstain: none

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

WHEREAS, applications for taxicab drivers licenses have been made by the people listed on Schedule B 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.

A. Queens Limo -

Felipe Lura

Ramon O. Matos Feliz

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

TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

Ayes: Aldermen Romaine, Fahy, Burbridge, Delaney, Poolas, Ryan, and Mayor Dodd.

Noes: none

Absent: Aldermen Newman and Visioli

Abstain: none

PUBLIC COMMENTS –

George Bowen - 12 Harvard Street requested that something be done about the traffic and speeding on Harvard Street. Mayor Dodd told Mr. Bowen that this will be addressed. This is the first time that this problem was brought to the board. A police car will be placed to patrol the area.

Ana Bocchino – 33 Spruce St. – children are back in school and the speeding on this street is dangerous. Is Madison Street going to be paved? Mayor Dodd reported it will be patched and actual street paving and curbs are scheduled for next year. Ms. Bocchino questioned as to whether 35 Spruce St. has a construction permit. Mayor Dodd requested that the Administrator look into this.

Maria Tambini – Blackwell Street requested that the town consider relocating the flea market. She continued to address her concerns and lack of ability for the Town to address the day laborer situation in the down town area. Mayor Dodd is monitoring Newton's ordinance to see how it plays out in court. He will not risk task payers dollars in law suits regarding this situation.

William Gilbert – Chief Dover Fire Dept. –would like this board to know the members of the Fire Department are in support of moving part time fireman into the position of full time. The Fire Department disagrees with the process being used to select the candidate for this position. The part time fireman has already met the qualifications and scored number one on the test.

Antonio Acosta – 130 Madison St.

Praised recent events in Town such as the Dogs of Dover Ceremony and 9/11 ceremony. Questioned when the Bassett Highway bids were due.

This portion of the meeting was closed to the Public.

Mayor Dodd appointed Helen Pennella to the Library Board.

A Motion was made to adjourn at 8:49 by Mayor Dodd and seconded by Alderman Poolas and passed by voice vote.

Ayes: Alderman Romaine, Fahy, Burbridge, Delaney, Poolas, Ryan and Mayor Dodd

Noes: none

Absent: Alderman Newman and Visioli

Abstain: none

Respectfully submitted,

Margaret J. Verga, Acting Clerk