



# TOWN OF DOVER

## MAYOR AND BOARD OF ALDERMEN

### Caucus Meeting Minutes of September 26, 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 7:08pm.

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

Absent: None

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

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

#### *MUNICIPAL CORRESPONDENCE:*

- Notice from Dover Planning Board re: Application SP-05-06 for construction of addition to existing supermarket (Pre-Unic Supermarket)
- Notice from Dover Planning Board re: Application SP-06-06 for renovation of existing building to accommodate a supermarket and other improvements (Orange Carpet Supermarket)
- Ordinance from Township of Mine Hill re: Amending Land Use and Development regulations to provide for a new zoning district "Planned Multifamily Age Restricted Community"
- Ordinance from Township of Rockaway re: Amending Land Use and Development due to typographical error
- Ordinance from Roxbury Township re: Urging State of NJ to provide defense and indemnification of municipal police and departments voluntarily serving on State and County Law Enforcement Task Forces
- Ordinance from Borough of Rockaway re: Amending Land Use Administration and Procedures Definitions and raising maximum penalties for violations of a Municipal Ordinance
- Dover Police Dept. Monthly Report - August

#### **AGENDA ITEMS:**

##### ORDINANCE(S) FOR INTRODUCTION

- Ordinance #29-2006 re: Amending Chapter 20 "Volunteer Fire Department"

##### ORDINANCE(S) FOR SECOND READING

- Ordinance #26-2006 re: Limiting parking adjoining Town Hall
- Ordinance #27-2006 re: Stop sign for the intersection of Carolyn Way and E. Munson Ave.
- Ordinance #28-2006 re: Amending Taxi Ordinance

##### RESOLUTIONS

- Approving Bills List
- Resolution approving minutes of regular meeting held on 3/28/06 and special meeting on 4/05/06
- Resolution approving One-Day ABC License for Casa Puerto Rico
- Resolution approving One-Day ABC License for Fiesta de Reyes
- Resolution approving One-Day ABC License for El Sonero Mayor Corp.
- Resolution authorizing Mayor and Clerk to sign agreement with Morris County
- Resolution rescinding resolution limiting the amount of stipend for the League of Municipalities
- Resolution appointing Margaret Verga as Assessment Searcher
- Resolution appointing Kelly Toohey as Acting Tax Searcher
- Resolution designating Commerce Bank as Depository



# TOWN OF DOVER

## MAYOR AND BOARD OF ALDERMEN

### REGULAR MEETING MINUTES OF SEPTEMBER 26, 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 7:18 pm

#### ROLL CALL:

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

Absent: None

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.

Mayor Dodd opened the meeting up to the public. Seeing no hands and hearing no voice, he closed this portion of the meeting to the public.

#### ADMINISTRATOR'S REPORT

- DOT – South Salem St. Bridge, DOT is anticipating construction start date of the summer of 2007. Feasibility studies are being done by DOT as it regards to detour of traffic.
- All special council cases that were designated to Attorney Jon Huston are now complete.
- Water Commission meeting regarding the repair and or complete replacement of bridge entering Water Works Park was attended and reported on. A feasibility study will be done.

#### MAYOR'S REPORT

- Attended a shared services meeting hosted by the Morris County Freeholders.
- The senior picnic was a great success.
- Bassett Highway project – the DEP has brought up new regulations. Met with professionals to see how it will affect our redevelopment project.
- Looking into the hiring of an architect to update Town Hall lobby.
- Mayor Dodd expressed his concerns to DOT that the replacement of the So. Salem St. Bridge is not a long drawn out process and has minimum inconvenience to town residents and businesses.
- A letter directing all down town businesses to clean up their store fronts and sidewalks was sent out.
- The owners of Murphy's Third Rail would like to do a fund raiser for the Town of Dover.
- Mayor Dodd would like an ordinance established that any business that has people who smoke in front of same be required to have butt containers in the front of their establishments.

#### ALDERMEN/COMMITTEE REPORTS

Alderman Newman – Street Department has been doing the work assigned to them. Requested update on no right turn in the business area as well as the no left turn on to Prospect Street heading South off Blackwell Street. Administrator Garvin responded it has been given to the Town Engineer. The “dead tree” ordinance should be strictly enforced as a matter of public safety. Mayor questioned as to whether this could be added to the property maintenance ordinance.

**Alderman Delaney** - Reported on Police Activity for the month of August.

**Alderman Fahy** – Has several requests in the third ward for “temporary blacktop curbing” to help with water run off. He was not able to attend the recent Recreation Commission meeting. Soccer teams will stop using Crescent Field in mid-October and utilize the High School field, in order to prepare the field for artificial turf.

**Alderman Visioli** - NJ Transit has completed phase I. Lighting and striping will be done this week. Several ward items were taken care of.

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**Alderman Poolas** - No formal Board of Health meeting was held. However, it was discussed by Board members that were at the meeting, that there is a definite need for butt receptacles. Warren St. restaurant (next to Barry's) leaves large deposits of grease on the paved sidewalks when they put their garbage out. Alderman Poolas also removed several bikes that were illegally strapped to poles and trees. Several ward complaints were taken care.

**Alderman Burbridge** – Attended Shade Tree meeting and Library Board meeting and reported on same. Thanked administrator for speed sign put up on Harvard St. Has there been update regarding Rt. 15 bridge from DOT? Administrator gave update.

**Alderman Ryan** – Attended the Board of Education meeting and reported on same. Alderman Ryan requested if the parking lot at town garage was going to be paved by the company building FEDEX. Mayor reported they are paving the upper lot.

**Alderman Romaine** – Code Enforcement report, year to date was provided to the board. After hour inspections are very productive. Mayor Dodd reported that Second Street Apartments were inspected during night time inspection last week and over 80 violations were found resulting to close to \$50,000 in fines. Mayor Dodd will have zero tolerance to over crowding and stacking.

**ATTORNEY REPORT** – Preparing for the taxi companies litigation.

### ***ORDINANCE(S) FOR INTRODUCTION***

***Ordinance #29-2006 re: Amending Chapter 20 “Volunteer Fire Department”***  
***AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE***  
***TOWN OF DOVER AMENDING AND SUPPLEMENTING THE CODE OF***  
***DOVER CHAPTER 20 ENTITLED “VOLUNTEER FIRE DEPARTMENT”***

### **CHAPTER 20: Volunteer Fire Department**

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#### **ARTICLE I Organization and Procedures**

##### **§ 20-1. Fire companies.**

The Volunteer Fire Department of the Town of Dover shall consist of four companies: the Protection Hook and Ladder Co. No. 1, Dover Fire Engine Co. No. 1, Vigilant Engine Co. No. 2 and the Board of Fire Wardens.

##### **§ 20-2. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**BOARD OF ENGINEERS** -- Line officers of the Volunteer Fire Department consisting of the Chief, First Assistant Chief, Second Assistant Chief and Third Assistant Chief.

**BOARD OF PAST CHIEFS** – The Board of Past Chiefs will consist of all past Chiefs of the Volunteer Fire Department currently on the active roles. Any past Chief who is currently serving as a Chief or Assistant Chief cannot serve on the Board of Past Chiefs. The Board of Past Chiefs will have a chairperson and a Clerk (secretary), who will be chosen by simple majority of the total members of the Board of Past Chiefs.

**GOOD STANDING** — A member of the Volunteer Fire Department is in good standing if the member has maintained a sixty-percent attendance at fires, drills, company meetings as per the company's bylaws and attendance at other Department activities (i.e. Firefighter Memorial Services and the Annual Inspection).

**MEMBERSHIP COMMITTEE** — A twelve-member committee consisting of three representatives selected by

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each of the four fire companies.

TRAINING COMMITTEE – The Training Committee shall consist of members appointed by the Volunteer Fire Chief.

### **§ 20-3. Organizations within Fire Department; number of members.**

- A. Emergency Squad. There may be formed within the Volunteer Fire Department an Emergency Squad comprised of members of the various companies of the Volunteer Fire Department. A Dover resident may enroll as a Dover Emergency Squad member without becoming a member of the Town's fire companies. The scope of emergency and firematic operations of such an Emergency Squad shall, at all times, be under the jurisdiction of the Volunteer Chief of the Fire Department.
- B. Association. There may be formed within the Volunteer Fire Department an association, comprised of the members of the various companies of the Volunteer Fire Department, to be known as the "Dover Volunteer Firemen's Association."
- C. Number of members in companies.
  - (1) Active members. The Protection Hook and Ladder Co. No. 1 shall consist of not more than 35 members; Dover Fire Engine Co. No. 1 shall consist of not more than 30 members; Vigilant Engine Co. No. 2 shall consist of not more than 30 members; and the Board of Fire Wardens shall consist of not more than 30 members.
  - (2) Clerk (Secretary). Each company shall annually elect one member to serve as Clerk (Secretary), who shall perform the duties hereinafter prescribed in this article.
  - (3) Chaplains. Each of the companies of the Volunteer Fire Department may appoint a member of the company or a member of the clergy of the Town of Dover to serve as Chaplain of said company, with all the rights and privileges of an active member, except that, should the Chaplain be a member of the clergy and not an active member of the company, the chaplain shall not have a vote or hold elective office in the company.

### **§ 20-4. Qualifications for membership in Fire Department.**

- A. Residency and age.
  - (1) No person shall become a member of the Fire Department unless he or she lives within one mile, measured as the crow flies, of the Town of Dover at the time they submit their application. The applicant shall be between 18 and 45 years of age, not including the 45<sup>th</sup> birthday
  - (2) If any Volunteer Fire Department member who has at least one full year of membership in the Town of Dover Fire Department moves his or her domicile and stays within a two-mile radius, measured as the crow flies, of the Town boundaries, upon his or her request, and upon his or her company's recommendation, such member may retain membership in the Volunteer Fire Department upon approval of the Mayor and Board of Aldermen.
- B. Exams.

A member must pass a general physical examination, including a chest x-ray, within 90 days prior to confirmation as a firefighter. The cost of such physical examination and x-ray shall be paid for by the Town of Dover. The member shall also promise to perform the duties of a fireman as they are now or may hereafter be prescribed by law or the ordinances of the Town.
- C. Qualifying tests. Each applicant must successfully pass Qualification For Membership tests as administered by the Membership Committee and approved by the Mayor and Board of Aldermen. Qualification tests for Volunteer Fire Department applicants are on file with the Town Clerk of the Town of Dover.

Membership in other Fire Departments

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- D. (1) Any applicant who belongs to another Volunteer Fire Department or Rescue Squad shall resign from that Volunteer Fire Department or Rescue Squad within two weeks after being accepted as a member of the Dover Volunteer Fire Department or Rescue Squad.
- (2) Any member of the Dover Volunteer Fire Department who joins another Fire Department or Rescue Squad shall resign from the Dover Volunteer Fire Department or Rescue Squad.
- (3) Any member who already belongs to another Volunteer Fire Department or Rescue Squad as of the effective date of the passage of this ordinance shall be allowed to remain a member of both Volunteer Fire Departments or Rescue Squads.
- (4) Any member of the Dover Volunteer Fire Department or Rescue Squad who belongs to another Volunteer Fire Department or Rescue Squad who wishes to become an officer in another Volunteer Fire Department or Rescue Squad as of the effective date of passage of this ordinance shall take a leave of absence during the term(s) of such officer position or resign from the Dover Volunteer Fire Department.

### **§ 20-5. Term of membership.**

- A. The term of membership shall be at the pleasure of the Mayor and Board of Aldermen. Each member who changes residency to a location outside the municipal boundaries or to a location inconsistent with § 20-4: A 1-2 shall submit his or her resignation to the Mayor and Board of Aldermen within 60 days of the date of such change of residency.
- B. A member who changes residence to a location beyond the two-mile radius limits of the Town of Dover may request a waiver of the residency requirement for a period not to exceed one year. The waiver request shall be forwarded to the Department Board of Engineers and if the member is found to be in good standing, the residency requirement may be waived for the period requested. If the member fails to reestablish residency within the corporate limits of the Town of Dover within the time period requested, the Volunteer Fire Chief shall recommend to the Mayor and Board of Aldermen to remove the member from the rolls of the Volunteer Fire Department.
- C. Any member with less than Ten consecutive years of active service who is not in good standing for two consecutive years shall be recommended to be removed by the Board of Engineers from the rolls of the Dover Volunteer Fire Department. The member being recommended to be removed shall have the right to appeal to the Board of Past Chiefs within 10 business days of notification of their removal. The Board of Past Chiefs shall recommend to the Mayor and Board of Aldermen the removal of any member found to be in violation with this section.

### **§ 20-6. Probationary period.**

Each applicant hereafter confirmed as an active Volunteer Fire Department member shall serve a probationary period of one year. During this probationary period, the member shall be required to attend the prescribed course conducted by the Training Committee of the Volunteer Fire Department. The member must also complete and pass both the written and practical test for the State Certified Firefighter I course at the direction of the Board of Engineers. He or She shall also comply with § 20-25 of this article. The progress of a probationary firefighter shall be reviewed quarterly by the Board of Engineers and the officers of the member company. Failure to comply with the applicable sections of this article will result in a recommendation to the Mayor and Board of Aldermen that the member be dropped from the roll of the Volunteer Fire Department.

### **§ 20-7. Line officers.**

- A. The line officers of the Volunteer Fire Department shall consist of the Chief, First Assistant Chief, Second Assistant Chief and Third Assistant Chief.
- B. Other line officers shall include a Captain and Lieutenant from each of the four companies of the Volunteer Fire Department.

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C. No paid member of the Fire Department can be a line officer except that any such member who is a line officer at the time of the final passage of this article may complete the then current term and an additional one-year term of office.

### **§ 20-8. Staff officers.**

Staff officers of the Volunteer Fire Department shall consist of the Captain of the Emergency Squad, Lieutenant of the Emergency Squad, and the Chaplains of the four companies.

### **§ 20-9. Chain of command.**

In the absence of the Chief of the Department at an alarm of fire or other emergency to which the Volunteer Department has been called, the First Assistant Chief shall assume command of the Department. The order of command following the First Assistant Chief shall be as follows: Second Assistant Chief, Third Assistant Chief, Captain of the Chief's company, Captain of the First Assistant Chief's company, Captain of the Second Assistant Chief's Company, Captain of the Third Assistant Chief's company, Lieutenant of the Chief's company, Lieutenant of the First Assistant Chief's company, Lieutenant of the Second Assistant Chief's Company and Lieutenant of the Third Assistant Chief's Company. If none of the above are present, the most senior qualified member will assume command.

### **§ 20-10. Qualifications for Chief officers.**

To be eligible for the office of Chief, First Assistant Chief, Second Assistant Chief or Third Assistant Chief, a member must be an active exempt firefighter in good standing in his or her assigned company and must have held the position of Captain for at least one full term prior to the date of his confirmation.

### **§ 20-11. Qualifications for Captains.**

To be eligible for the office of Captain, the member must be in good standing at the time of nomination and must also have served at least one term as Lieutenant.

### **§ 20-12. Qualifications for Lieutenants.**

To be eligible for the office of Lieutenant, a member must be in good standing in his or her company at the time of nomination. The member must also have served at least three years as an active volunteer firefighter from the date of appointment by the Mayor and Board of Aldermen. The member must possess the qualities necessary for leadership and the ability to direct and train firefighters and must also possess the State of New Jersey Certification for ICS 200 or such other requirement of the State of New Jersey.

### **§ 20-13. Terms of office.**

The words "term" or "term of office" wherever appearing in this article shall mean a period of 12 consecutive months commencing on January 1.

### **§ 20-14. Election and confirmation of officers.**

Officers of the Volunteer Fire Department shall be elected as provided in the bylaws of the individual companies and the Emergency Squad and must meet the requirements set forth in this article. All line officers shall be appointed by the Mayor and Board of Aldermen.

### **§ 20-15. Representative fire company.**

Each of the four fire companies shall have one representative on the Board of Engineers. The Chief and three Assistant Chiefs shall be appointed by the Mayor and Board of Aldermen for one-year terms upon the recommendation of their respective fire companies. Each representative on the Board of Engineers shall begin service on the Board in the position of Third Assistant Chief and shall, with the recommendation of his or her company and the approval of the Mayor and Board of Aldermen, advance each year to the next highest rank. The

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recommendation of each fire company shall be given to the Mayor and Board of Aldermen on the fifteenth day of December each year.

### **§ 20-16. Vacancy in office of Volunteer Fire Chief.**

Within 30 days of a vacancy in the office of Fire Chief, the Mayor and Board of Aldermen upon recommendation of the fire company shall appoint a past Chief from the Volunteer Fire Chief's Company to serve as the successor for the remainder of the term. In the event that there is no past Chief is willing to serve or none is available, the next Assistant Chief shall be appointed to that Chief's position and serve the remainder of that term, together with the term such Chief would have served in the normal course of events. In the event that an Assistant Chief is required to move up, then the Company Captain from the company where the vacancy was created shall serve as a representative to the Board of Engineers and will not assume the title of Assistant Chief.

### **§ 20-17. Vacancy on Board of Engineers.**

- A. If a vacancy should occur on the Board of Engineers by death, resignation or any reason within 180 days prior to the annual company elections, no replacement shall be made until the annual election. During such vacancy, the Captain of that fire company having no representation on the Board of Engineers shall, with the approval of the Mayor and Board of Aldermen, serve as Acting Third Assistant Chief. The remaining members of the Board of Engineers shall advance their standing to the next higher office.
- B. If the vacancy shall occur prior to 180 days before the next annual company elections, a special company election shall be held within 60 days of the date of the vacancy. The member elected shall, after appointment by the Mayor and Board of Aldermen, begin service on the Board of Engineers in the position of Third Assistant Chief for the unexpired term, and the remaining members shall each advance to the next higher office.

### **§ 20-18. Vacancy in junior offices.**

- A. In the event of a vacancy in the office of Captain, the company involved shall, within 30 days, elect a member subject to the appointment by the Mayor and Board of Aldermen to fill the vacancy for the remainder of the term of office. Said member shall be required to meet the provisions of § 20-11 of this article.
- B. In the event of a vacancy in the office of Lieutenant, the company involved shall, within 30 days, elect a member subject to the appointment of the Mayor and Board of Aldermen to fill the vacancy for the remainder of the term of office. Said member shall be required to meet the provisions of § 20-12 of this article.

### **§ 20-19. Powers, Duties and Responsibilities of the Volunteer Fire Chief**

- A. The Volunteer Fire Chief in all cases of fire within the Town, shall take prompt and efficient measures and use all means at the disposal of the Volunteer Fire Department to extinguish same and shall at such times and on occasion of alarms of fire have sole and absolute command over all members of the Fire Department and over all fire apparatus and persons aiding or assisting the Volunteer Fire Department in cases of actual fire.
- B. The Volunteer Fire Chief shall have, upon request, in all cases of actual fire, the use of any equipment or vehicles owned by the Town and the assistance of any Town employee necessary to operate such vehicles or equipment. The Chief may also, in cases of actual fire, employ the services of any person or equipment which the Chief deems necessary for the extinguishment of a fire and restoring the building or area to a safe condition.
- C. The Volunteer Fire Chief shall cause to be examined daily the fire apparatus, hose and other fire equipment and shall keep a record of such examinations, noting any unusual conditions.
- D. The Volunteer Fire Chief shall order all ordinary and necessary repairs to the fire apparatus and other fire equipment consistent with the Local Public Contracts Law and the Town's Purchasing Manual.
- E. The Volunteer Fire Chief shall keep an accurate record with the names of the officers and members of the Volunteer Fire Department and of all appointments, transfers, resignations and removals of volunteer firefighters, as the same shall take place from time to time. Such record shall exhibit the names of the volunteer firefighter belonging to each company, the commencement of their term of service and such other particulars as may be necessary and proper.

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- F. The Volunteer Fire Chief shall keep a record of all alarms of fire and of all fires which may occur within the Town of Dover, with the cause thereof whenever the same can be ascertained, together with a description of the building or buildings damaged or destroyed, the names of the owner or owners and occupants thereof, the amount of loss in each case and also the amount of insurance, if any, as can be ascertained on careful and diligent inquiry. The Volunteer Fire Chief shall also keep a record of all the members of each company who attend each fire or answer to the alarm thereof, as reported by the Captain or the Lieutenant of the respective companies. The Volunteer Fire Chief shall also keep a record of all violations of the Town's Ordinance dealing with the Volunteer Fire Department and the prevention and extinguishment of fires which may come to his knowledge and shall, without delay, report such violations to the Town Administrator.
- G. All records shall be kept by the Volunteer Fire Chief in suitable books to be provided for that purpose, and the Captain of each of the companies constituting the Volunteer Fire Department of the Town of Dover shall furnish and turn over to the Volunteer Fire Chief immediately after each fire or alarm of fire a printed list of the members of each company, respectively, who shall have answered the alarm of fire, if one may have occurred, and to cross off such a list the names of each of the members of each of the companies who failed to answer the alarm. At the end of each month, the Volunteer Fire Chief shall make out and present to the Town Administrator a report showing the number of alarms of fire and other emergencies and the number of fires which may have occurred during the preceding month.
- H. The Volunteer Fire Chief shall schedule a meeting of the Board of Engineers in each of the calendar months. The date of such meeting shall be posted on the departmental bulletin board.
- I. The Volunteer Fire Chief may, from time to time, issue such general or emergency orders as deemed necessary. These orders shall be posted on the departmental bulletin board with the effective date for each order.
- J. It shall be the responsibility of the Volunteer Fire Chief, upon assuming office, to post a list of all officers and relief drivers on the departmental bulletin board.
- K. In the event of a planned absence of the Board of Engineers from the corporate limits of the Town, the Chief shall designate, in a general order, the member or members to be in charge of the Department during the absence of the Board of Engineers and notify the Town Administrator of same.

### **§ 20-20. Powers and Duties of Volunteer Assistant Chiefs.**

- A. In all cases of an alarm of fire or other emergency to which the Volunteer Fire Department has been called, the Assistant Chiefs will report to and carry out all order given to them by the Volunteer Fire Chief. The Assistant Chiefs shall conduct such administrative duties as may be directed by the Volunteer Fire Chief. The Assistant Chief, when attending fires or emergencies, shall take all proper measures for the extinguishment of the fire or the control of the emergency.
- B. If, for any reason, the Volunteer Fire Chief is unable to perform the duties described in § 20-19 the duties, responsibilities and authority therein described shall devolve upon the First Assistant Chief.
- C. If, for any reason, the Volunteer Fire Chief and the First Assistant Chief are unable to perform the duties described in § 20-19 of this article, the duties, responsibilities and authority therein described shall devolve upon the Second Assistant Chief and, in the Second Assistant Chief's absence or inability, then upon the Third Assistant Chief.

### **§ 20-21. Powers and duties of junior officers.**

- A. Captain. It shall be the duty of each Captain to answer alarms of fire and report to the Volunteer Fire Chief or officer in charge of the fire or emergency. Each Captain shall carry out, or cause to be carried out, all orders given by superior officers. Captains shall report in writing to the Volunteer Fire Chief any loss, damage or malfunction of the apparatus or equipment assigned to the respective company. At the termination of the fire or emergency, each Captain shall supervise the necessary maintenance to restore the apparatus to readiness and dismiss the firefighters under such Captain's command. A Captain shall cause the roll to be called upon returning to headquarters following each alarm or company drill and shall turn the roll call report over to the Volunteer Fire Chief and shall give a copy of the roll call to the Clerk (Secretary) of his or her own company. The roll call shall be submitted on forms provided by the Town for this purpose. The Captain shall call a minimum of eight drills each year for the members under his or her command and shall notify a member of the Board of Engineers



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prior to any drills called for such Captain's company. Each Captain shall preserve order and discipline in the company at all times and shall assume command at an alarm of fire or emergency as provided in § 20-9. A Captain shall perform such other duties as assigned by the Board of Engineers.

- B. Lieutenant. In the absence of the Captain, the Lieutenant shall assume the duties of the Captain as outlined in Subsection A.

### **§ 20-22. Powers and duties of company Clerk (Secretary).**

- A. The Clerk (Secretary) of each company shall keep a record of the proceedings of the company. Each Clerk shall also keep a record of all appointments, resignations or removal of firefighters or officers attached to such company and report such actions, in writing, promptly to the Volunteer Fire Chief. Each Clerk shall, during the month of November of each year, submit in writing, to the Volunteer Fire Chief, the Clerk's company's recommendations for appointment to the Board of Engineers and the offices of Captain and Lieutenant.
- B. The Clerk shall make such reports to the Board of Engineers as may be requested from time to time by the Volunteer Fire Chief.

### **§ 20-23. Powers and duties of all firefighters.**

- A. It shall be the duty of every member of the Volunteer Fire Department to respond to each alarm of fire within the Town.
- B. Each volunteer firefighter shall perform such duties as may be ordered by the Board of Engineers and other line officers and shall at all times work to the best of his or her skill and ability to protect life and property at the scene of the fire or emergency.
- C. No volunteer firefighter shall be released from duty at an alarm of fire until all apparatus is back in service at the fire headquarters or at the discretion of the officer in charge of the respective firefighter's company.
- D. It shall be the duty of every volunteer firefighter to attend all drills or training sessions called by such volunteer firefighter's respective company or by the Training Committee.
- E. It shall be the duty of all volunteer firefighters at all times to observe and abide by the general orders that may be issued from time to time by the Volunteer Fire Chief.
- F. Each volunteer firefighter shall complete any training that may be required by the State of New Jersey.

### **§ 20-24. Annual inspection.**

It shall be the duty of each member of the Volunteer Fire Department to be present in full dress uniform and stand inspection on the second Saturday of October each year at 6:30 p.m. This inspection shall be held at fire headquarters.

### **§ 20-25. deleted.**

### **§ 20-26. Duty uniforms.**

- A. Each member of the Board of Engineers shall wear an approved protective helmet, white in color. The frontal piece of the helmet shall bear the word "Chief" in prominent letters. In the center of the frontal piece of the helmet shall be a gold-colored Chief's emblem badge designating his or her position on the Board of Engineers. Each Chief shall wear a protective white fire coat.
- B. Each Captain may wear an approved protective helmet, red in color. The frontal piece of the helmet shall be white in color and bear the word "Captain" in prominent letters in addition to the name of the company of which such Captain is a member.
- C. Each Lieutenant may wear an approved protective helmet, yellow in color. The frontal piece of the helmet shall be white in color and shall bear the word "Lieutenant" in prominent letters in addition to the name of the company of which such Lieutenant is a member.
- D. Except as specified in this article, all members shall wear approved and required personal protective equipment

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at the scene of any incident.

### **§ 20-27. Badges.**

Badges bearing the words "Dover Fire Department" and bearing distinctive numbers shall be provided for each member of the Volunteer Fire Department. Badges will be issued by the Volunteer Fire Chief and it shall be his responsibility to see that badges are returned within 10 days following the resignation or removal of a member. Badges shall be worn on the left breast of the dress uniform as specified by the regulations for wearing of uniforms of the Dover Volunteer Firemen's Association.

### **§ 20-28. Dress uniforms.**

The dress uniform of the Dover Fire Department shall be specified by the Dover Volunteer Firemen's Association. Dress uniform shall be worn when ordered by the Volunteer Fire Chief.

### **§ 20-29. Department records.**

All records referred to in § 20-19 shall be the property of the Town of Dover and shall be turned over to each Volunteer Fire Chief upon his or her appointment. These records shall remain within the confines of the Municipal Building at all times.

### **§ 20-30. Computation of length of service.**

The length of service for each active firefighter shall be computed from the date of appointment as an active firefighter by the Mayor and Board of Aldermen. The probationary year shall be included when computing a member's length of service.

### **§ 20-31. Certificates of exemption.**

Certificates of exemption shall be issued in accordance with the laws of the State of New Jersey to those members meeting the stated requirements.

### **§ 20-32. Expenses of Chief and Assistant Chiefs.**

Stipends for the Board of Engineers shall be subject to availability of funds in each calendar year budget adopted by the Mayor and Board of Aldermen. The Volunteer Fire Chief shall receive, at a minimum, a stipend of \$2,000 and the Assistant Chiefs shall receive, at a minimum, a stipend of \$1,100 both payable on a quarterly basis.

### **§ 20-33. Expenses of firemen.**

Volunteer firemen who meet the following criteria shall receive every December of each year a stipend consistent with the availability of funds in the adopted municipal budget: (1) attended and answered the alarm of at least 60 percent of all general alarms of fire and Department or company drills during the year; (2) A maximum of 20 department or company drills may be used in computing the percentage; (3) When an active firefighter has served seven years, one credit shall be given towards his or her percentage for every year of active service. The stipend for volunteer firemen shall be at a minimum \$200. An incentive at a minimum of \$100 shall be provided to any member who responds to 60 percent of all fire calls or 25 percent of all emergency calls.

### **§ 20-34. Insurance.**

- A. Life insurance. The Town of Dover shall make available and pay the full premium for each member of the Volunteer Fire Department's participation in a group life insurance program with minimum benefits of \$6,500. Upon retirement from active service after 28 years of satisfactory active service, the Town of Dover shall continue to pay the full annual premium for life insurance coverage for the retired member.
- B. Workmen's compensation. Members of the Volunteer Fire Department shall be covered by workmen's compensation.

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- C. Liability insurance. The Town of Dover shall provide liability coverage for each of the members of the Volunteer Fire Department.

### § 20-35. Complaints against members; procedures, hearings and punishment

#### A. Complaints against members of the Volunteer Fire Department

- (1) Any one witnessing an infraction of this Ordinance or the duly posted general order or oral order of the Volunteer Fire Chief by a member of Volunteer Fire Department while on fire duty, during a training session or drill, any dereliction of duty, or for the good cause at any time, may file a written, signed complaint thereof with the Volunteer Fire Chief. Each member complained of shall be considered as a separate complaint.
- (2) Each complaint must include the name and, if available, the badge number of the member complained of, the date, time, and location of the occurrence and a description of the incident. The complaint must be filed within ten business days of the date of the incident. The postmarked date of a mailed complaint shall be considered as the filing date.

#### B. Procedure.

- (1) Upon receipt of a complaint, the Volunteer Fire Chief will notify the Board of Engineers and before any action is taken thereon, mail a copy of the complaint to the member complained of within ten business days. This shall be done by certified mail, regular mail, or personal service and the date of the service shall constitute the date of notice.
- (2) Should the Volunteer Fire Chief decide to file a complaint himself, he must notify the Board of Engineers and the member complained of before any action what so ever is taken thereof.
- (3) Any complaint against the Volunteer Fire Chief by a member of the Volunteer Fire Department shall be addressed to The Board of Past Chiefs and a copy of same shall be forwarded to the Town Administrator.

#### C Hearing Process

- (1) Within ten business days following the date of the receipt, the Chief shall schedule a hearing before the Board of Engineers at which time the person making the complaint and the member complained of can be heard. If the complaint is against the Chief of the Department the Board of Past Chiefs will schedule a hearing within ten business days.
- (2) The Board of Engineers can impose discipline against a member as follows: verbal reprimand, written reprimand, suspension, or expulsion. If the member does not agree with the discipline imposed, the member may file an appeal with the Board of Past Chiefs within five business days. If the Board of Past Chiefs reprimands the Volunteer Fire Chief, then he can appeal to the Town Administrator. There must be a simple majority of the total members of the Board of Past Chiefs present during the time of the hearing. A verbal reprimand cannot be appealed.
- (3) If an appeal is made to the Board of Past Chiefs within five business days a hearing will be scheduled within twenty days from the date of receipt of the appeal. The member complained of shall receive at least seven days notice prior to the hearing with the Board of Past Chiefs. Witnesses may be called and be heard and evidence may be presented. Should a member complained of fail to appear at this hearing without good cause shown, the hearing may be conducted in the absence of the member charged.
- (4) The Board of Past Chiefs can dismiss the charges against the member if they find the charges have not been proved. The Board of Past Chiefs may affirm or modify the discipline imposed.









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|   |                       |
|---|-----------------------|
| RESERVE ACCT claims in the amount of:                       |                       |
| CURRENT ACCT claims in the amount of:                       | \$1,283,454.84        |
| CAPITAL ACCT claims in the amount of:                       | \$6,000.00            |
| WATER UTILITY ACCT claims in the amount of:                 | \$154,557.17          |
| WATER CAPITAL ACCT claims in the amount of:                 | \$28,659.26           |
| PARKING UTILITY ACCT claims in the amount of:               |                       |
| PARKING CAPITAL ACCT claims in the amount of:               |                       |
| ANIMAL CONTROL TRUST ACCT claims in the amount of:          | \$108.00              |
| 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:                   | \$4,692.08            |
| DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:   |                       |
| <b>TOTAL CLAIMS TO BE PAID</b>                              | <b>\$1,477,471.35</b> |

BE IT FURTHER RESOLVED that the following claims have been paid prior to the Bill List Resolution in the following amounts:

|  |                     |
|--|---------------------|
| CURRENT ACCT claims in the amount of:            | \$295,363.16        |
| 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:     | \$144,706.02        |
| TRUST ACCT claims in the amount of:              | \$7,600.00          |
| UNEMPLOYMENT TRUST ACCT claims in the amount of: | \$232.83            |
| <b>TOTAL CLAIMS PAID</b>                         | <b>\$449,867.11</b> |

**TOTAL BILL LIST RESOLUTION** **\$1,927,338.46**

**MANUAL DISBURSEMENTS**

*Resolution approving minutes of regular meeting held on 3/28/06 and special meeting on 4/05/06*

**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. March 28, 2006 – Caucus and Regular
2. April 5, 2006– Special Meeting

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





# **TOWN OF DOVER**

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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. An interlocal services agreement between the Town of Dover and the County of Morris for the utilization of the Sheriff's Radio Tower Sites by the Town of Dover; and
2. The Mayor and Clerk are hereby authorized to sign the necessary agreement

### ***Resolution rescinding resolution limiting the amount of stipend for the League of Municipalities***

#### ***RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER RESCINDING THE RESOLUTION LIMITING THE AMOUNT OF STIPEND FOR THE LEAGUE OF MUNICIPALITIES***

WHEREAS, the League of Municipalities "The League" is an organization of New Jersey municipalities the purpose of which is to provide information to members, allow the sharing of ideas and provide support for positions favorable to municipalities in the New Jersey Legislature; and

WHEREAS, the League conducts an annual meeting which provides invaluable information and ideas to municipal employees, officials and elected officials; and

WHEREAS, the Mayor and Board of Aldermen feel it is a benefit to our community to receive the information and ideas presented at the annual meeting.

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:

Rescinding the resolution, which limits the maximum stipend allowed, for attending the League annual meeting.

### ***Resolution appointing Margaret Verga as Assessment Searcher***

#### ***RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER APPOINTING MARGARET VERGA ASSESSMENT SEARCHER FOR THE TOWN OF DOVER***

**BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, NJ that **Margaret J. Verga** be and hereby is appointed **ASSESSMENT SEARCHER** for the Town of Dover for a term of one (1) year commencing January 1, 2006.

### ***Resolution appointing Kelly Toohey as Acting Tax Searcher***

#### ***RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER APPOINTING KELLY TOOHEY AS ACTING TAX SEARCHER FOR THE TOWN OF DOVER***

**BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, NJ that Kelly Toohey be and hereby is appointed **ACTING TAX SEARCHER** for the Town of Dover for a term of one (1) year commencing January 1, 2006 in the absence of the Tax Searcher.

### ***Resolution designating Commerce Bank as Depository***

#### ***RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER DESIGNATING DEPOSITORY FOR THE TOWN OF DOVER***

WHEREAS, Revised Statute 40A:5-14 of the State of New Jersey provides that the Governing Body of every municipality shall designate the depository or depositories wherein all public monies and other funds

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of the municipality shall be kept.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover that the following financial institution is designated as the depository wherein all such public monies and fund shall be deposited to the credit of the Town of Dover and the custodian shall be the Town Treasurer for the year commencing January 1, 2006:

Commerce Bank

Alderman Visioli has moved the foregoing consent agenda items be adopted and duly seconded by Alderman Delaney

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

Noes: none

Absent: none

Abstain: none

### UNFINISHED OR NEW BUSINESS

**A resolution to amend the annual meeting schedule of the Mayor and Board of Alderman in the Town of Dover to eliminate the first meeting in November, 2006.**

Alderman Romaine has moved the foregoing consent agenda items be adopted and duly seconded by Alderman Delaney

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

Noes: none

Absent: none

Abstain: none

### PUBLIC COMMENTS –

**Ray Newkirk – 93 Baker St.** Would like to confirm rumor that department heads were told not to attend any meetings or make any reports at Board of Alderman meetings. Mayor Dodd was not aware of this. Administrator stated as a matter of general policy, department heads are not allowed to discuss personnel matters at public meetings. There are 3 shade trees on North Sussex St. in front of Locust Hill Cemetery that are very dangerous and should be looked at and possibly removed, they are split in the middle.

**Connie Sibona-Foster – 90 Penn Ave.** The new lights have made a big difference and thanked the board. The speeding of Penn Ave. continues. There is not consistent enforcement. Children are not wearing helmets while riding bikes. Why is the state law not being enforced by our Police Department? She also reported Mercer and Blackwell, pipe hole in middle of street with no cover on it – anyone can loose a foot in it.

Mayor Dodd has received several complaints regarding historical lighting being out on Blackwell Street. The administrator was asked to take corrective action.

**Kay Walker – 72B E. Blackwell St.** Thanked the Town and Alice Gilbert for the excellent senior citizen's picnic. She was also pleased to see the new stop sign by Murphy's Third rail, it has helped. Reverend Johnson mentioned no street sign by Mercer and Blackwell. Will the antique lights be replaced that were taken down by traffic accidents? Is this a town or county responsibility? The Administrator will look in to this.

**Jon Sperry – Essex St.** Concern with bridge at Water Dept. and the time it may take and money to rectify, it has been on going for so many years why hasn't it been taken care of sooner. Mayor Dodd stated he has recently gotten involved, he has called Suburban Engineers who is of the opinion if bridge fails it will only drop 1". The town liability needs to be clarified as to the tonnage allowed to go over it. What we are now doing is getting the weight of heaviest fire truck and get in writing from Suburban that this truck can go over the bridge.

A resolution for the Mayor and Board of Alderman to go into Executive session for the purpose of negotiations; the minutes of the meeting will be available after review.

