



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
January 11, 2011 7:00 PM

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

Mayor Dodd called the meeting to order at 7:00 pm

All joined in the Pledge of Allegiance to the Flag and prayer was given asking for guidance and strength to do what is right for our town and our citizens.

ROLL CALL:

Present: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd

Also present were Administrator Close, Attorney Pennella and Clerk Verga

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

MUNICIPAL CORRESPONDENCE:

1. Resolution from the Township of Mendham Re: Opposing Assembly Bill A-2095 & Senate Bill S-818 which revises requirements for Medical Service Delivery
2. Resolution from the Borough of Kinnelon Re: Opposing Assembly Bill No. 2095 which revises requirements for Medical Service Delivery
3. Resolution from the Township of Mine Hill Re: Authorizing entry into an agreement for a Shared Municipal Court Facilities, Personnel & Resources.
4. Resolution from the Borough of Wharton Re: Authorizing entry into an agreement for a Shared Municipal Court Facilities, Personnel & Resources.
5. Notice of Public Hearing from Borough of Wharton's Planning Board Re: Redevelopment Plan for Block 403, Lot 1
6. Notice of Public Hearing from Township of Rockaway's Planning Board Re: Rustic Ridge Associates LP
7. Letters regarding Joint Municipal Court of Dover/Expansion (Sent to Township of Rockaway, Borough of Victory Gardens & Township of Roxbury)
8. Invitation from the NJ League of Municipalities (NJLM) Re: League Professional Development Seminar - Budget Updates
9. Membership Advisory from NJ League of Municipalities (NJLM) Re: Orientation for the Newly Elected, Re-elected, or Experienced on January 29, 2011
10. Invitation from NJLM Re: 19th Annual Mayors' Legislative Day
11. Invitation to the Government Finance Officers' Association Annual Conference
12. January 2011 Calendar of Events from Division on Aging, Disabilities & Veterans
13. October/November 2010 - Police Department Report
14. December 2010-Fire/Squad Department Run Report

CONSENT AGENDA

1. Resolution Approving Social & Athletic Club Licenses
2. Resolution Approving an Auction License – Berman's Auction
3. Resolution Approving Limo & Taxi – Schedule A
4. Resolution Approving Raffle/Bingo Licenses – Schedule A
5. Resolution Approving Mayor & Board of Aldermen Reorganization Meeting Minutes – January 1, 2011
6. Resolution Approving the Settlement of a Tax Court Appeal – Plaza K Realty-Dover, Block 901, Lot 4
7. Resolution Rescinding Authorization for Redemption and Approving New Redemption for Block 1204, Lot 3

AGENDA ITEMS:

RESOLUTIONS

1. Approving Bills List
2. Approving Mayor & Board of Aldermen Meeting Minutes – December 2nd & 14th, 2010
3. Calling on the State Legislature and the Governor to exempt the reserve for uncollected taxes from the 2% CAP
4. Awarding a Bid For Street Sweeper to W.E. Timmerman Company
5. Authorizing the Mayor & Board of Aldermen to Enter into Executive Session – Personnel Matter

REGULAR MEETING MINUTES
January 11, 2011

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 7:11 pm.

ROLL CALL

Present: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd

Also present were Administrator Close, Attorney Pennella and Clerk Verga

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

Mayor Dodd opened this portion of the meeting to the public for agenda items only.

Mayor Dodd closed the meeting to the public.

MAYOR'S REPORT – Mayor Dodd made the following announcements:

- The Town received reimbursement of \$22,722.44 for expenses related to the spring 2010 flood incident (the amount represented a federal 75% cost shared authorized under the Stafford Act). He commended Capt. Warner and Chief Berg for their efforts.
- A \$25,000 reimbursement application has been sent to the county for the last snow storm. He commended those involved in the process.
- An Energy Efficiency Conservation Block Grant Application was submitted for funding consideration. The grant application is for energy efficiency lighting (occupancy sensors & programmable thermostats) at the Public Works Facility.
- Mayor Dodd commented that NJ Dept. of Transportation anticipates opening one lane on the Route 46 Bridge by the end of this month.
- Mayor Dodd explained that as of January 1, 2011, NJ's new Electronics Recycling Act mandates all televisions, portable desktop or personal computers and monitors have to be recycled. Manufacturers of these items are required to pay for the recycling programs. The town has proposed two options, curbside pickup with a \$5.00 sticker from the Dept. of Health and a drop off location for residents at the Department of Public Works recycling facility.
- George Reinert and Joe Regelski submitted their resignations to the town. Mayor Dodd extended the board's best wishes and thanked them for their years of service.
- He commented that the Morris County Freight Advisory Committee for which he is a member has made a commitment to redo the Warren Street RR Crossing.

ADMINISTRATOR CLOSE – Mr. Close commented that the budget is under review. He also commended DPW for their efforts with the snow storms.

ATTORNEY'S REPORT – Attorney Pennella commented that he continues to work on tax appeals. He commented that Briad litigation required additional discovery. He noted that Jersey City's litigation is in the discovery phase.

CONSENT AGENDA

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
FOR THE RENEWAL OF SOCIAL AND ATHLETIC CLUB LICENSES

WHEREAS, any person or group of persons, association or corporation, which meets for the purpose of promoting athletic sports, contests, exhibitions, classes or gymnasium; and

WHEREAS, any person or group of persons, association or corporation which owns, leases, operates or controls premises for the purpose of social intercourse and entertainment; excluding organizations of state or national scope and religious organizations; and

WHEREAS, the appropriate fees have been received with the renewal applications;

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 following Social and Athletic licenses are hereby approved:

Casa Puerto Rico (Social Club)
50 W. Blackwell Street

Club Colombia (Social Club)
11 E. Blackwell Street

Acropolis Social Club
5 E. Blackwell Street

Dover Hilltop (Athletic Club)
17 Grant Street

Dover Boxing Club (Athletic Club)
79B Bassett Hwy.

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING AN AUCTION LICENSE FOR BERMAN'S AUCTION

WHEREAS, Section 118-2 of the Code of the Town of Dover requires any person who operates a auction apply to the Clerk of the Town of Dover for a license to operate; and

WHEREAS, Donna Kurtz, t/a Berman's Auction, located at 33 West Blackwell Street, Dover, New Jersey, has applied for renewal of an Auction license; and,

WHEREAS, the applicant has submitted the appropriate fees and completed the application as needed;

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 application of Donna Kurtz, t/a Berman's Auction for a license to operate an auction house at 33 West Blackwell Street, Dover, New Jersey is hereby approved.

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING TAXIS/LIMOS TO BE LICENSED IN THE TOWN OF DOVER

WHEREAS, the following companies, have applied for a license to operate the vehicle(s) listed below on Schedule A hereto and made a part hereof as taxicab(s)/limo(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/limos;

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

Schedule A

- | | | | | |
|------------------------|---|----------------------|--------------------|-----------------------|
| | ELITE LIMO & TAXI SERVICE, LLC | | | |
| 1. 1999 Lincoln (LIMO) | Passengers: 5 | Color: Grey | VIN: 652094 | Plate# OL3276H |
| | FIRST CLASS OF DOVER, INC | | | |
| 2. 2003 Mercury (LIMO) | Passengers: 5 | Color: Silver | VIN: 649451 | Plate# OL5367G |

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

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

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

WHEREAS, the below listed organizations have applied for a Raffle/Bingo License; and

WHEREAS, such licenses have been reviewed by the appropriate departments and found to meet with all of the requirements and conditions of the municipality;

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

The below listed raffles for the date set forth following their names are hereby approved:

DOVER AUXILIARY SAINT CLARE'S HEALTH SYSTEM

to be held on June 14, 2011 at 2:00 pm

(50/50)

MILLPOND TOWERS RESIDENTS ASSOC.

to be held on February 4, 2011 from 10:00am to 3:00pm

(50/50)

WM. HEDGES BAKER-AMERICAN LEGION POST #27

to be held on Wednesday starting February 2, 2011 thru October 5, 2011

(Bingo)

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

Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd

Nays: None Absent: None Abstained: None

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

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

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

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

January 1, 2011 – Reorganization Meeting

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

Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd

Nays: None Absent: None Abstained: None

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING THE SETTLEMENT OF A TAX COURT APPEAL PLAZA K REALTY-DOVER, LLC,
BLOCK 901, LOT 4 2009 AND 2010 AGREEMENT**

WHEREAS, Plaza K Realty-Dover, LLC, hereinafter "Plaza K," is the owner of 500 Mt. Pleasant Avenue, Dover New Jersey, also known as Block 901, Lot 4; and

WHEREAS, Plaza K filed appeals with the Tax Court of New Jersey for the year 2009 bearing Docket # 012197-2009; and

WHEREAS, the Tax Assessor has reviewed Answers to Interrogatories and consulted with the expert appraiser for the Town, Robert J. Edgar of Certified Valuations, who has thoroughly reviewed the appeal; and,

WHEREAS, a settlement value of \$1,900,000.00 total assessment for years 2009, 2010 and 2011 was recommended by the expert appraiser for the Town; and

WHEREAS, the taxpayer has accepted the market value offer of judgment; and

WHEREAS, the original assessments and requested tax court judgment are as follows:

<u>2009</u>	Original <u>Assessment</u>	County Board <u>Judgment</u>	Tax Court <u>Judgment</u>
Land:	\$ 1,047,100	None	\$ 737,600
Improvements:	<u>\$ 1,310,200</u>	Direct	<u>\$ 1,162,400</u>
Total:	\$ 2,357,300	Appeal	\$ 1,900,000

<u>2010</u>	Original <u>Assessment</u>	County Board <u>Judgment</u>	Tax Court <u>Judgment</u>
Land:	\$ 1,047,100	None	\$ 737,600
Improvements:	<u>\$ 1,310,200</u>	Direct	<u>\$ 1,162,400</u>
Total:	\$ 2,357,300	Appeal	\$ 1,900,000

<u>2011</u>	Original <u>Assessment</u>	County Board <u>Judgment</u>	Tax Court <u>Judgment</u>
Land:	\$ 1,047,100	None	\$ 737,600
Improvements:	<u>\$ 1,310,200</u>	Direct	<u>\$ 1,162,400</u>
Total:	\$ 2,357,300	Appeal	\$ 1,900,000

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 tax court appeals bearing the above referenced docket numbers are hereby authorized to be settled for the fair market value amounts for years 2009, 2010 and 2011 for \$1,900,000.
2. The settlement shall be paid by tax credit to future tax bills and not by refund.
3. The taxpayer must waive interest on the overpaid amounts.
4. The Municipal Attorney is hereby authorized to execute a Stipulation of Settlement upon the terms set forth above.

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
RESCINDING AUTHORIZATION FOR REDEMPTION AND APPROVING NEW REDEMPTION
FOR BLOCK 1204, LOT 3**

WHEREAS, a tax lien was sold on Block 1204, Lot 3 (79 West Blackwell Street) for delinquent 2008 taxes at the municipal tax sale held on December 1, 2009; and

WHEREAS, the tax sale certificate # is 08-00038 and was sold to U.S. Custodian for Phoenix; and,

WHEREAS, the Mayor and Board of Aldermen authorized the treasurer to issue a check in the amount of \$6,026.61 payable to U.S. BANK CUST for Phoenix by resolution dated August 24, 2010 (Resolution # RL-208); and

WHEREAS, such redemption never took place; and

WHEREAS, a new request for redemption has been received; and

WHEREAS, the new amount for redemption is \$7,404.41 which includes the \$1,000.00 premium paid at sale which payment will be made to Phoenix Funding, Inc.

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 Ordinance authorizing redemption of tax sale certificate 08-00038 adopted on August 24, 2010 is hereby rescinded.
2. The treasurer is hereby authorized to issue a check in the amount of \$7,404.41 for redemption and premium paid at sale to Phoenix Funding, Inc. or their custodian if applicable.
3. Two certified copies of this rescinding and authorizing resolution shall be forwarded to the tax collector of the Town of Dover.

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

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

AGENDA ITEMS

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:	\$1,440,781.55
CURRENT ACCT claims in the amount of:	\$741,339.28
CAPITAL ACCT claims in the amount of:	\$197,448.00
WATER UTILITY ACCT claims in the amount of:	
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:	\$2,938.11
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$1,077.07
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:	\$120.00
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:	\$45,425.82
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$2,429,129.83

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:	\$661,127.14
WATER UTILITY ACCT claims in the amount of:	\$61,659.18
PARKING UTILITY ACCT claims in the amount of:	\$7,755.00
PAYROLL AGENCY ACCT claims in the amount of:	\$405,581.41
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$4,964.00
TOTAL CLAIMS PAID	\$1,141,086.73

TOTAL BILL LIST RESOLUTION

\$3,570,216.56

Alderman Romaine 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, Blackman, Downs and Mayor Dodd
Nays: None Absent: None Abstained: None**

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

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

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

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

**December 2, 2010 – Special Meeting
December 14, 2010 – Caucus and Regular**

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

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

Alderman Visioli thanked the Administration Department for their efforts in preparing the minutes.

**RESOLUTION CALLING ON THE STATE LEGISLATURE AND THE GOVERNOR
TO EXEMPT THE RESERVE FOR UNCOLLECTED TAXES FROM THE 2% CAP**

WHEREAS, on July 13, 2010, Governor Christie signed into law P.L. 2010, c. 44, which reduced the cap on the property tax levy from 4% to 2% and limited the number of exemptions; and

WHEREAS, when the property tax levy was reduced, the exemption for the Reserve for Uncollected Taxes was removed; and

WHEREAS, in addition to collecting property taxes for its own operations, the municipality also serves as the collection agent for the county, school districts, fire districts and other special local entities; and

WHEREAS, the municipality must provide those entities with the full amount they deem necessary for their operations, regardless of the actual collection rate; and

WHEREAS, due to myriad factors beyond local control, the actual collection rate never equals the total local levy, especially during an economic downturn, when unemployment soars and property values plummet, causing an increase in tax appeals, which the municipality must defend and which subject the municipal budget to further losses, when successful; and

WHEREAS, to account for the shortfall and potential losses, State law requires the municipality to budget an appropriation in a line item known as the Reserve for Uncollected Taxes, which is generally determined through a formula driven calculation in which the variables change year to year; and

WHEREAS, without a levy cap exemption, municipalities will be forced to further cut their own operations, in order to meet the 2% tax levy cap to provide the county, school districts, fire districts and other special local entities the full amount they deem necessary for their operations; and

WHEREAS, those other local entities, which do not have to budget for collection rate short-falls or the impact of declining property values, have been granted levy cap exceptions to address factors beyond their control; and

WHEREAS, Assemblymen McKeon and Burzichelli has recently introduced A-3603, which excludes increases in appropriations to the Reserve for Uncollected Taxes in excess of two percent, from calculations of the municipal adjusted tax levy;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Aldermen of the Town of Dover hereby urges the swift passage and signing of A-3603;

BE IT FURTHER RESOLVED, that consideration also be given to providing a levy cap exception to account for the impact of tax appeals on local operations; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AWARDING A BID FOR STREET SWEEPER TO W.E. TIMMERMAN COMPANY, INC.**

WHEREAS, the Town of Dover advertised for bids for a Street Broom Sweeper; and

WHEREAS, bids were received on Tuesday, December 21, 2010 from the following company for the amount set forth:

a. W.E. Timmerman Company, Inc. \$171,775.00; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires award to the lowest responsible bidder; and

WHEREAS, W.E. Timmerman Company, Inc. complied in all respects with the bid specifications; and

WHEREAS, the bid of \$171,775.00 is within the amount budgeted by the Town for the Street Sweeper; and

WHEREAS, the project will be funded Capitol Account #C-04-55-922-001; and

WHEREAS, the Engineering estimate for the Street Sweeper was \$180,000.00; and

WHEREAS, the Municipal Engineer recommends awarding the contract to W.E. Timmerman Company, Inc. located at 3554 Route 22 West, PO Box 71, Whitehouse, New Jersey 08888 in the amount of \$171,775.00;

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

1. The bid be awarded in the amount \$171,775.00 to W.E. Timmerman Company, Inc.
2. The Mayor and Clerk are hereby authorized to execute a contract with J.A. Alexander, Inc. in the amount of \$171,775.00.

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

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

Alderman Timpani thanked Mr. Close for getting the bid in on time which allowed the town to get the 2010 price.

Mayor Dodd opened the meeting to the public to provide the public an opportunity to comment prior to a possible lengthy, execution session.

PUBLIC COMMENTS – Three Minutes per Person

Jorge (Last Name inaudible) - 159 Rt. 46 Mine Hill – Jorge is the owner of Apple Limo located in Mine Hill, NJ and wanted to know the reason why the other cab companies have been complaining. Alderman Visioli explained that the Town of Dover has four (4) licensed taxi/limo companies and when other cab companies come into town they must have their paperwork in order. Mayor Dodd explained that the licensed companies in the Town of Dover have strict guidelines that must be followed; outside companies don't have that obligation which is probably the (cab companies) concern.

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER FOR EXECUTIVE SESSION**

WHEREAS, the Open Public Meeting Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, The Mayor and Board of Aldermen of the Town of Dover wish to discuss:

1. Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matter falling within the attorney client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.
2. PERSONNEL ISSUES such as: any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public office officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW, THEREFORE, BE IT RESOLVED, that the public be excluded from this meeting.

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

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

Mayor Dodd noted that formal action maybe taken.

MOTION TO RETURN FROM EXECUTIVE SESSION

Alderman Visioli has made a motion to return from executive session and duly seconded by Alderwoman Romaine and passed by the following roll call vote.

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

Mayor Dodd provided the public with background on Captain Scott Warner and noted his accomplishments. He recognizes how difficult it is for the town to take this step especially during these tough economic times, but clarified that the town will not incur an increase to the budget.

SALARY RESOLUTION

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

1. That the annual, hourly salaries and wages as set forth hereunder be and hereby are established for the officials and listed employees of the Town of Dover at the respective sums shown following their names and or position designation following their name listed below.
2. This resolution directs the Treasurer of the Town of Dover to withhold such monies from individual salaries and wages so there is no advance payment of salaries and wages and annual sums may be adjusted through December 31, 2011.

Non Union

Scott Warner, Fire Captain

\$ 96,123

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

Ayes: Aldermen Visioli, Romaine, Blackman, Downs and Mayor Dodd

Nays: None Absent: None Abstained: Aldermen Delaney, Poolas, Picciallo, Timpani

Mayor Dodd opened the meeting to the public, seeing no hands or hearing no voices Mayor Dodd closed the meeting to the public.

Motion to adjourn made by Alderman Visioli at 8:31 p.m., and duly seconded by Alderwoman Romaine and passed by the following voice vote.

Ayes: Aldermen Delaney, Poolas, Visioli, Picciallo, Timpani, Romaine, Blackman, Downs and Mayor Dodd

Nays: None Absent: None Abstained: None

Respectfully submitted,

Margaret J. Verga, Municipal Clerk