



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
October 27, 2009 7:00 PM

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

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

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

FLAG SALUTE LED BY DOVER CUB SCOUTS PACK 187

ROLL CALL:

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

Absent: Alderman Delaney

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 Rockaway re: Health Care Reform
2. Resolution from the Town of Boonton re: Opposing the Adoption of P.L. 2009, C.118 and its Application Statewide
3. Ordinance from Township of Union re: Model Highlands Septic System Maintenance Ordinance & Model Highlands Potential Contaminant Source Management Ordinance
4. Ordinance from Township of Mine Hill re: Amending township land use and development regulations to provide non-profit/public land overlay zone in specified area
5. September 2009 Garbage-Recycling Report from the Dover Health Department
6. October 2009 "Outdoor Issues"-News from The Land Conservancy of New Jersey
7. 2008 Annual Report from The Land Conservancy of New Jersey
8. Suspected hazardous substance discharge notification from NJ Dept. of Environmental Protection-23 Prospect Street
9. Suspected hazardous substance discharge notification from NJ Dept. of Environmental Protection-47 Sanford Street
10. Notice of Deficiency from NJ Department of Environmental Protection (NJDEP)
11. Letter from NJ Department of Environmental Protection (NJDEP) re: Town of Dover Water Commission-Low Service Reservoir Rehabilitation
12. No Further Action Letter from NJ Department of Environmental Protection re: 99 South Morris Street
13. Letter of concern regarding downtown businesses from business owner Scott Dickerson
14. Pamphlet from Alzheimer's Association re: Challenges in Care giving
15. Notification from Picatinny Arsenal Environmental Restoration Advisory Board re: Meeting date changed to October 29th
16. Notice from Rockaway Valley Regional Sewerage Authority re: Special Board Meeting
17. Letter from NJ Department of Transportation re: Chestnut Street Roadway Improvements
18. Letter from Cablevision re: Changes to their iO Entertainment cable package

CONSENT AGENDA

1. Resolution Approving Bills List
2. Resolution Approving Mayor & Board Meeting Minutes – October 13, 2009
3. Authorizing an Inter-local Services Agreement for Emergency 911 Dispatch Services
4. Resolution Approving Raffle License for Fusion Color Guard to be held on February 24, 2010
5. Approving Mobile Vendor Class III-Lincoln Ice Cream, LLC

ORDINANCE(S) FOR INTRODUCTION

1. Ordinance #17-2009 – Salary Ordinance – Non Union/Ald. Romaine

Alderman Donofrio commented on Ordinance # 17-2009. He wanted to explain the reasons why he would be voting "no" on the salary ordinance. Alderman Donofrio explained that he didn't feel comfortable enough that we've turned out of the down turn in the economy. He feels that some of the percentages of increase look to be ill-timed.

Mayor Dodd clarified that it's standard procedure that every year, every municipality sets a salary range. Mr. Close commented on Alderman Donofrio's concern regarding the increase of percentages. Mr. Close feels that the old percentage amounts to the

new percentage amounts are not relevant to the purpose of the salary ordinance. Mr. Close noted that the document simply sets forth a range which has been done every year, as a board. He noted that it gives the board the ability to establish a salary within the low and high ranges. He noted that after the ordinance is adopted, a resolution has to be adopted which will designate the salary for those perspective positions within the ranges that are introduced, tonight. Mr. Close noted that it's a task that should be done every year.

Alderman Donofrio noted that that the board will get a second bite of the apple with the votes but he just wanted to express his reservations and hopes the board would have kept things flat with the ranges in these times.

Mayor Dodd noted that the town is still obligated to give increases especially since the town is in a three year contract with some of the unions.

Alderman Donofrio believes it's inappropriate to see a \$500 plus increase (10%) for the Mayor & Board of Aldermen.

Alderman Romaine commented that she doesn't believe anyone would anticipate a 10% increase. She explained that if there's a vacancy, there has to be perimeters as to what our salaries would allow us to hire someone. Alderman Donofrio would prefer to see last year's list rather than this year's which reflects potential hikes.

AGENDA ITEMS:

RESOLUTIONS

1. Appointing Richard Marcickiewicz, Esq. as Special Counsel for State Tax Court Appeals
2. Approving Special Permit for Social Event for Fiesta de Reyes to be held at Casa Puerto Rico on 12/19/2009
3. Approving Special Permit for Social Event for Casa Puerto Rico on 12/31/2009
4. Approving Volunteer Fire Dept. Member – Abdullah Kahn
5. Approving Taxi Driver License
6. Approving Limos-First Class of Dover, Inc.
7. Awarding bid for Sammis Avenue Roadway improvements to Jenicar Builders Contractors Co.
8. Approval of settlement of tax appeal – 42-60 Richboynton Rd., Block 603, Lot 3
9. Approval of settlement of tax appeal – 23-53 Richboynton Rd., Block 615, Lot 1

Mayor Dodd commented on the appointment of Richard Marcickiewicz Esq. as Special Counsel for State Tax Court Appeals. He expressed that Municipal Attorney Pennella has a conflict and can not hear those cases. Mayor Dodd explained that the town has used Mr. Marcickiewicz in the past and he's a fine attorney. Mayor Dodd will be supporting his endorsement for Special Counsel.

REGULAR MEETING MINUTES
October 27, 2009

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

The meeting was called to order by Mayor Dodd at 7:19 pm

ROLL CALL

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

Absent: Aldermen Delaney

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.

JIM MULLIN – 150 Ann Street – Mr. Mullin had a couple questions regarding the salary ordinance. He wanted to know if there was a typo on the effective date of January 1, 2009. Mr. Close commented that any salary increase that would be given to non-union employees would be retro-active to the first of the year (effective date). Mr. Close also commented that any increases for promotions or new hires would be effective at the time of the promotion or hire date. Mr. Mullin wanted to know if any salary increases were anticipated from now to the year end that would be retro-active to January 1st. Mr. Close commented that there are salary increases that are anticipated for this year. Mr. Mullin wanted to know the combined increase from the prior set of ranges. Mr. Close didn't have that information available and explained that the ranges could be changed (lowered or higher) by the board at the next meeting. Mr. Mullin wanted to know where the ranges came from and Mr. Close commented that he put them together. Mr. Mullin commented that he's a little disturbed that the town is able to give an increase in December and have it retro-active for the whole year. Mr. Mullin wanted to know why the ranges couldn't remain the same and why increases were necessary, as previous mentioned by Alderman Donofrio. Mr. Close chose to increase the ranges to round them off, as identified earlier in the conversation in response to Alderman Donofrio. Mr. Close stated, with respect to the retro-active, it's a common practice in most communities for non-union personnel because union contracts typically have retro-active provisions. Those employees and respective positions are given pay retro-active to the date of implementation to a contract. Not unlike that, the same would apply for non-union personnel because you don't strike your budget and adopt it to later in the year because of the state process and the time frame. Mr. Close explained that when your budget is adopted, you then look at your salary ordinance and identify specific amounts within the ranges, as identified in the proposal, for which you would pay them retro-active to those dates.

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

MAYOR DODD – Mayor Dodd reserved his report till the next meeting

ADMINISTRATOR CLOSE – Mr. Close announced that the Recreation Commission will host their annual Halloween costume event on Thursday. He commented that the Cub Scouts did a great job and noted if anyone is interested to please contact Ms. Tchinchinian. He announced that the Town of Dover through the Municipal Alliance Program will host an event called "Operation Medicine Cabinet". This program allows for any unused or expired medication to be brought into Dover's Police Department on Saturday, November 14th. Alderwoman Romaine wanted to know if the prescription had to be in their marked bottles. Mr. Close commented that the police department will take the medicine in any fashion. Alderman Donofrio commented that prescription medicines were being flushed down the toilet and it was identified that these prescription medicines were turning up in the water system. Alderwomen Blackman commented that the seniors are very happy that this program is coming to Dover to help them dispose of their medicine safely.

ATTORNEY PENNELLA – Attorney Pennella recommended the passage of both tax appeals on tonight's agenda. Attorney Pennella explained the tax appeal process and noted that the approval for several tax appeals will be on the agenda in the weeks ahead since there are fifty-one appeals.

CONSENT AGENDA

BILLS LIST

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

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds in the account(s) to which respective bills have been 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:	\$1,491,626.98
CAPITAL ACCT claims in the amount of:	
WATER UTILITY ACCT claims in the amount of:	\$76,847.97
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:	\$13.38
PARKING UTILITY RESERVE ACCT claims in the amount of:	
PARKING CAPITAL ACCT claims in the amount of:	
ANIMAL CONTROL TRUST ACCT claims in the amount of:	
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	\$300.00
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:	\$6,512.52
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$1,575,300.85

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:	\$300,396.42
WATER UTILITY ACCT claims in the amount of:	\$22,809.11
PARKING UTILITY ACCT claims in the amount of:	\$3,036.47
PAYROLL AGENCY ACCT claims in the amount of:	\$108,460.48
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$18.77
TOTAL CLAIMS PAID	\$434,721.25

TOTAL BILL LIST RESOLUTION **\$2,010,022.10**

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

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

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

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

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

1. October 13, 2009 – Caucus and Regular

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AUTHORIZING AN INTER-LOCAL SERVICES AGREEMENT FOR EMERGENCY 911 DISPATCH SERVICES

WHEREAS, the Town of Dover has a need for radio dispatching services for primary emergency 911 support and telephone support; and

WHEREAS, the County of Morris has agreed to provide such service for the sum of \$17,384.40 for the calendar year 2010; and,

WHEREAS, Inter-local Service Agreements are authorized pursuant to N.J.S.A. 40:8A-4;

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. There is hereby authorized the entry into a contract with the County of Morris for Inter-local Services to provide a primary E - 911 support and telephone support for the calendar year 2010.
2. The sum paid to the County for this service will be \$17,384.40 prorated on a monthly basis.
3. The Mayor and Clerk are hereby authorized to execute the Inter-local Service Agreement for the calendar year 2010 with the County of Morris.

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

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

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

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

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

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

Fusion Color Guard to be held on February 24, 2010
(50/50)

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER APPROVING A MOBILE RETAIL FOOD ESTABLISHMENT

WHEREAS, Maria Paguay of Lincoln soft Ice Cream, LLC has filed a Class III Mobile Retail Food Establishment License; and

WHEREAS, a Class III license is for the sale of frozen dairy products and frozen snacks from a motorized vehicle. The licensee may sell in any zone, provided that no sale stops shall be for more than ten (10) minutes in any residential zone and thirty (30) minutes in any other zone.

WHEREAS, they have provided proof of insurance, sales tax certificate, physician certificate(s), photograph(s) of employees, proof of citizenship and proof of payment of sales tax; and

WHEREAS, the appropriate fees have been paid.

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 Lincoln Soft Ice Cream for a Mobile Retail Food Establishment, Class 3 License be approved.
2. This approval is conditioned upon approval of the Health Officer's satisfactory inspection of the vehicle for said license.

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

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 17-2009

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 72, SALARIES AND COMPENSATION

BE IT ORDAINED by the Mayor and Board of Aldermen, Town of Dover, County of Morris, NJ as follows:

A. CHAPTER C. "Salaries and Compensation for Certain Employees" is hereby amended and supplemented by the following:

CHAPTER C
SALARIES & COMPENSATION FOR CERTAIN EMPLOYEES

1. Effective January 1, 2009 as indicated below, salaries, compensation or fees are hereby established for the following named officers, employees or positions in the Town of Dover at the rate of or within the salary ranges listed.

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

C. This ordinance shall take effect immediately upon final passage and publication.

Job Title Non Union

Police Chief	\$119,048	\$135,000
Town Clerk	\$ 77,289	\$ 98,000
Health Officer	\$102,067	\$110,000
Fire Captain	\$ 90,793	\$100,000
Dept Head DPW	\$105,000	\$115,000
Street Superintendent	\$ 88,482	\$ 95,000
Supervisor Street	\$ 60,591	\$ 67,000
Supervisor Water	\$ 60,591	\$ 67,000
Municipal Engineer	\$123,821	\$135,000
Recy Coor/Eng. Aide/Chief Code Enf. Off.	\$ 96,904	\$105,000

Code Enforcement Officer	\$ 43,921	\$ 50,000
Chief Financial Officer/Treasurer	\$ 81,020	\$ 90,000
Library Director	\$ 67,966	\$ 75,000
Municipal Court Admin.	\$ 77,388	\$ 85,000
Tax Collector	\$ 49,210	\$ 55,000
Tax Assessor	\$ 39,140	\$ 45,000
Librarian	\$ 48,812	\$ 55,000
Supv. Library Asst.	\$ 36,201	\$ 38,406
Municipal Court Judge	\$ 25,000	\$ 80,000
Senior Housing Inspector	\$ 53,986	\$ 57,274
Sanitation Inspector	\$ 28,340	\$ 30,066
Deputy Clerk	\$ 53,560	\$ 60,000
Clerk Typist	\$ 39,142	\$ 45,000
Senior Clerk Typist	\$ 49,411	\$ 55,000
Plumbing Sub Code Official	\$ 12,174	\$ 15,000
Director Emergency Mgmt.	\$ 5,330	\$ 7,500
Deputy Emergency Mgmt. Coordinator	\$ 1,000	\$ 2,500
Construction Official PT	\$ 33,743	\$ 40,000
Police Matron	\$ 16.87	\$ 17.90
School Crossing Guard PT	\$ 16.87	\$ 17.90
Special Police Officers PT	\$ 14.42	\$ 15.30
Housing Inspector PT	\$ 13.82	\$ 14.66
Electric Subcode Official PT	\$ 33.70	\$ 35.75
Asst. Public Works Inspector	\$ 32.94	\$ 34.95
Mayor	\$ 7,286	\$ 7,962
Aldermen	\$ 5,463	\$ 5,970

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

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

Nays: Alderman Poolas & Alderman Donofrio Absent: Alderman Delaney Abstained: None

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPOINTING RICHARD MARCICKIEWICZ, ESQ. AS SPECIAL COUNSEL FOR STATE TAX COURT APPEALS**

WHEREAS, Municipal Attorney, David C. Pennella, has a conflict of interest in representing the Town of Dover in State Tax Court Appeals brought by Raimonds Ivanovs, Ayres Chevrolet and Cielo-Mar, LLC;

WHEREAS, the Town of Dover has a need to acquire legal services to defend themselves with regard to the above-mentioned tax appeals;

WHEREAS, the value of the services will be less than \$17,500.00;

WHEREAS, the hiring of Richard Marcickiewicz, Esq. is a professional service pursuant to NJSA40:A11-5 and is an exception to the bidding requirements of the local public contracts law and is further exempt as it does not exceed the bid threshold set by the State of New Jersey; and

WHEREAS the requirements of NJSA19:44A-20.4 et seq. are not applicable as the award is less than \$17,500.00;

WHEREAS, there are sufficient funds in the budget for the payment;

WHEREAS, Richard Marcickiewicz will receive the same hourly rate for litigation as paid to the current municipal attorney, which is \$160.00 per hour;

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. Richard Marcickiewicz, Esq. is hereby appointed as special counsel to the Town of Dover to defend Dover in Tax Court Appeals brought by Plaintiffs Raimonds Ivanovs, Ayres Chevrolet and Cielo-Mar, LLC;
2. The hourly rate to be paid to Richard Marcickiewicz, Esq. is \$160.00 an hour and all out-of-pocket expenses; and
3. The municipal attorney is hereby authorized to prepare a Contract between the Town of Dover and Richard Marcickiewicz to perform the above services.

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

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

RESOLUTION

WHEREAS, Fiesta De Reyes, filed an application for their **seventh** Special Permit for Social Affair to be held at the Casa Puerto Rico, which is their **fifteen** event; and

WHEREAS, Fiesta De Reyes, a non-profit organization is permitted to have twelve events per year and Casa Puerto Rico, is permitted to have twenty-five; 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, County of Morris and State of New Jersey that the following applications for Alcoholic Beverage Social Affair Permit(s) be approved:

1. Fiesta De Reyes is approved for a dance (#7) to be held on Saturday, December 19, 2009 at Casa Puerto Rico, 50 W. Blackwell Street, Dover, NJ (#15) from 8:00 pm through 2:00 am.
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 Donofrio and passed by the following roll call vote.

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

RESOLUTION

WHEREAS, Casa Puerto Rico, Inc. filed an application for their **sixtieth** Special Permit for Social Affair to be held at the Casa Puerto Rico,

WHEREAS, Casa Puerto Rico, is permitted to have twenty-five; 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, County of Morris and State of New Jersey that the following applications for Alcoholic Beverage Social Affair Permit(s) be approved:

1. Casa Puerto Rico, Inc. is approved for a dance (#16) to be held on Thursday, December 31, 2009 at Casa Puerto Rico, 50 W. Blackwell Street, Dover, NJ from 8:00 pm through 5:00 am.
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 Donofrio and passed by the following roll call vote.

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

RESOLUTION APPROVING VOLUNTEER FIRE EPARTMENT MEMBER

WHEREAS, the Town of Dover Fire Department has received an application for membership in the Fire Department from Abdullah Kahn; and

WHEREAS, he has met all the requirements as stated in Chapter 20-4, Volunteer Fire Department; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Dover approve the membership of Abdullah Kahn to the Volunteer Fire Department Emergency Squad

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the taxi driver licenses for those people listed on Schedule A attached hereto and made a part hereof are hereby approved.

Schedule A

Axel’s Express Limo and Taxi
Osvaldo Navarro

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

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

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

WHEREAS, **First Class of Dover, Inc.**, has applied for a license to operate the vehicle(s) listed below hereto and made a part hereof as taxicab(s) in the Town of Dover; and

WHEREAS, the appropriate municipal departments have reviewed the application(s) as required and have no objections to same being licensed as taxicabs;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the taxicab(s) listed below are hereby approved for taxi license(s) in the Town of Dover.

- | | | | | | |
|----|----------------------|---------------|--------------|----------|----------------|
| 1. | 2000 Plymouth (LIMO) | Passengers: 6 | Color: White | VIN 5518 | Plate# OL8358G |
| 2. | 2001 Chrysler (LIMO) | Passengers: 5 | Color: Red | VIN 9609 | Plate# OL8359G |

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AWARDING BID FOR SAMMIS AVENUE ROADWAY IMPROVEMENTS**

WHEREAS, the Town of Dover solicited bids for Sammis Avenue Roadway Improvements; and

WHEREAS, bids were received on October 21, 2009; and

WHEREAS, the three lowest bidders submitted bids as follows:

A.	Jenicar Builders Contractors Co., Inc., Kearney, NJ	\$111,726.00
B.	Owl Contracting, Kenvil, NJ	\$113,114.00
C.	Arnolds Roads, Morris Twp., NJ	\$124,940.00 and

WHEREAS, the Engineering estimate for the project by the Town was \$140,975.00; and

WHEREAS, the Municipal Engineer recommends awarding the contract to Jenicar Builders Contractors Co., Inc. located at 573 Belgrove Drive, Kearny, New Jersey in the amount of \$111,726.00;

WHEREAS, the project will be funded with \$120,000.00 from the NJDOT Municipal Grant Program; and

WHEREAS, the \$111,726.00 does not include police traffic directors

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 in the amount Jenicar Builders Contractors Co., Inc. of \$111,726.00 for Jenicar Builders Contractors Co., Inc. is hereby accepted; and
2. The Mayor and Clerk are hereby authorized to execute a contract with Jenicar Builders Contractors Co., Inc. in the amount of \$111,726.00.

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER APPROVING THE
SETTLEMENT OF A TAX COURT APPEAL DOVER-MORRIS PROPERTIES, L.L.C., BLOCK 603, LOT 3**

WHEREAS, Dover-Morris Properties, L.L.C., is the owner of 42-60 Richboynton Road, Dover New Jersey, also known as Block 603, Lot 3; and

WHEREAS, Dover-Morris Properties, L.L.C. filed appeals with the Tax Court of New Jersey for the year 2009 bearing Docket # 011133-2009 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 \$7,300,000.00 total assessment for the year 2009 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:

2009

	<u>Original Assessment</u>	<u>Requested Tax Court Judgment</u>
Land:	\$ 990,000	\$ 990,000
Improvements:	\$ <u>7,376,000</u>	\$ <u>6,310,000</u>
Total:	\$ 8,366,800	\$ 7,300,000

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 of \$7,300,000.00 for tax year 2009.
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 Romaine has moved the foregoing resolution be adopted and duly seconded by Alderman Visioli and passed by the following roll call vote.

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER APPROVING THE SETTLEMENT OF A TAX COURT APPEAL DENVILLE-MORRIS PROPERTIES, L.L.C., BLOCK 615, LOT 1

WHEREAS, Denville-Morris Properties, LLC is the owner of 23-53 Richboynton Road, Dover New Jersey, also known as Block 615, Lot 1; and

WHEREAS, Denville-Morris Properties, L.L.C. filed appeals with the Tax Court of New Jersey for the year 2009 bearing Docket # 011130-2009 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 \$6,790,100.00 total assessment for 2009 and a reduction in 2010 to \$6,400,000.00 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:

2009

	<u>Original Assessment</u>	<u>Requested Tax Court Judgment</u>
Land:	\$ 1,770,000	\$ 1,770,000
Improvements:	\$ <u>5,020,100</u>	\$ <u>5,020,100</u>
Total:	\$ 6,790,100	\$ 6,790,100

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 of \$6,790,100 for tax year 2009 and the assessment will be reduced to \$6,400,000.00 for the year 2010 with the right to appeal such assessment in 2010.
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 Romaine has moved the foregoing resolution be adopted and duly seconded by Alderman Visioli and passed by the following roll call vote.

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

PUBLIC COMMENTS – Three Minutes per Person

JIM MULLIN - 150 Ann Street – Mr. Mullin wanted to know if the amount that was given to the former administrator was paid by the insurance company or by taxpayers. Mayor Dodd stated that it was paid by the taxpayers.

DENISE RIDNER – Recreation Chairwoman – Mrs. Ridner invited the board and the public to Recreation’s Halloween Costume event at the JFK Park this Thursday.

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

Motion to adjourn made by Alderman Visioli at 7:40 p.m., and duly second by Alderman Donofrio and passed by the following voice vote.

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk