



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
November 25, 2008 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 Fahy, Visioli, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd

Absent: Aldermen Delaney & Poolas

Also present were Attorney Pennella and Clerk Verga

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

MUNICIPAL CORRESPONDENCE:

1. Resolution from Township of Hanover supporting Assembly, No. A-2760 and Senate, No S-1785-Enhanced Security for Municipal Court Facilities
2. The Land Conservancy of New Jersey's Newsletter
3. NJLM Legislative Bulletin
4. Fall Newsletter of the Center of Government Service "Conspectus"
5. October's 2008 Tax Collector's Report

AGENDA ITEMS:

ORDINANCE(S) FOR INTRODUCTION

1. Ordinance #34-2008 Repealing Handicapped Space at E. Munson Avenue
2. Ordinance #35-2008 Amending and Supplementing Chapter 113 of the Code of Dover, Entitled Animals
3. Ordinance #36-2008 Salary for Non-Union Employees
4. Ordinance #37-2008 Bond Ordinance providing for parking improvements

ORDINANCE(S) FOR SECOND READING

1. Ordinance #33-2008 Salary Ordinance for FMBA

RESOLUTIONS

1. Approving Bills List
2. Approving Mayor & Board of Aldermen Meeting Minutes for November 10, 2008
3. Approving Volunteer Rescue Squad Member
4. Approving Bingo License for Scared Heart Church
5. Approving Special Permit for Global Reach Int., to be held at the Baker Theater on December 13, 2008
6. Approving refund for overpayment of taxes for Mr. & Mrs. John Harrigan
7. Changing the December 9th Mayor & Board of Aldermen Meeting Date to December 15th for the year 2008
8. Approving the appointment of Police Officers
9. Authorizing Execution of an Agreement for Joint Municipal Court with the Township of Mine Hill, Borough of Mt. Arlington, Borough of Rockaway and the Borough of Wharton
10. Amending the Capitol Budget

Mayor Dodd commented on resolution #9 explaining that the Town of Dover has been working diligently with surrounding communities to come up with ways to reduce costs for taxpayers, one way is through Share Court Services. For the past year, Mayor Dodd has been working with a committee to establish an agreement with four additional municipalities.

There are a total of five municipalities which include Dover, Rockaway Borough, Mt. Arlington, Mine Hill and

Wharton. Dover would be the lead agency to host the court system, in doing so an additional day of court (Wednesdays) will be needed. Mayor Dodd noted that the projected cost savings to the taxpayers of the five municipalities in Morris County would be 2.6 million dollars over ten years. He expressed that it's another way the Town of Dover and surrounding municipalities realize that we have to reduce costs throughout our community especially through shared services. Mayor Dodd asked that the board give him the ability to enter into an execution of an agreement with those municipalities. Mayor Dodd believes it's a win-win situation for all the towns. Mayor Dodd has been working really closely with financial advisors, Attorney Pennella, Judge Bozonelis and Linda Murphy, Morris county Shared Services Coordinator. He noted that once the agreement is finalized, a press release will be given with more details.

In addition to the shared services agreement, Mayor Dodd included on the agenda to amend the Capitol Budget for a capitol improvement project. Mayor Dodd has been working with the parking committee to look at ways on how the town can create revenue in the community without impacting the residents. Mayor Dodd noted that there's a lot of parking in the Town of Dover that is under utilized. He noted that the Town of Dover is a very commuter based town and we're not capitalizing on it and also that the parking permit system has become antiquated. Mayor Dodd is proposing to install a Kiosk system and expressed that the system is an investment of approximately \$370,000 and it will repay itself in approximately 37 months. The units are solar powered and there's a reoccurring annual cost which Mayor Dodd will ask Level G Associates to provide a presentation.

REGULAR MEETING MINUTES
November 25, 2008

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

The meeting was called to order by Mayor Dodd at 7:09pm

ROLL CALL

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

Absent: Alderman Delaney & Poolas

Also present were Attorney Pennella and Clerk Verga

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

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

Mayor Dodd's Report – Mayor Dodd expressed that he has had numerous shared court services meetings, personnel committee meetings as well as interviews for the administrators' position. Mayor Dodd and Aldermen Visioli have been working with the new municipal department head, Carl Rossi in anticipation of the DPW and Water Department merger. It's been a busy couple weeks and progress has been made.

ALDERMEN/COMMITTEE REPORTS –

Alderman Fahy – No report

Alderman Picciallo – Alderman Picciallo attended the personnel committee meetings for the administrator's position. A review is being done to compare the Town of Dover's fees to surrounding towns' fees to see if they should be adjusted. Alderman Picciallo feels it's a proactive approach to see if the town of Dover is in line with our fees. He addressed ward complaints like speeding, sanitation and leaves. Last week, Alderman Picciallo attended the NJ League of Municipalities Convention and noted there were a lot of good vendors and good ideas.

Alderman Poolas – Absent

Alderman Donofrio – Alderman Donofrio thanked everyone that had a role with helping Van Nostrand's new curbing. Alderman Donofrio attended the NJLM and noted the Dover was mentioned in reference to the language issues on the website.

Alderman Timpani – Alderman Timpani and Mayor Dodd approached Home Depot to receive a donation of Christmas lights to light up the large tree at JFK Park for the tree lighting ceremony. He thanked the Public Works and Fire Departments and everyone else that was involved in the tree lighting set-up.

Alderman Delaney – Absent

Alderman Visioli – Alderman Visioli is pleased with the new department head for Public Works. He expressed that Carl Rossi is going through organizational charts, areas of responsibilities, equipment lists and looking at the best way to merge the two departments. The interview process for a Town Administrator continues. Alderman Visioli also worked on ward complaints (i.e. leaves, clogged drains).

Alderwomen Romaine – Alderwoman Romaine attended the NJ League of Municipalities. She attended the worker’s compensation seminar which will provide the town with a discount for those who attended. She also attended a seminar on how to cut cost on benefits for municipal and state employees. She noted that the tree lighting will be held on Wednesday. Ward complaints were also addressed.

Attorney Pennella Report – Attorney Pennella noted that he was asked to look into bicycles attached to trees and/or poles. He expressed that there’s no question that the town can prohibit, but the issue is, if the town can confiscate the bicycle. He expressed that the confiscation of bicycle is a more difficult and delicate issue because there’s a constitutional provision against taking private property. He noted that there was some information on bicycles attached to trees because of the potential damage that can be done to trees. However, there was no information on bicycles attached to poles. Attorney Pennella suggested that to look at what constitutional protections have to be put into place in order to do a confiscation. He believes that the town should come up with a plan of notification to the public. He feels that without signs to tell the public it’s prohibited or without a notice mechanism he believes any ordinance confiscating them, other then from trees would be a real hard issue to sustain. The Attorney did some research on the internet and found that New York City was going through the same issue and the lament was that there weren’t enough bicycle stands. Attorney Pennella noted that it could be looked into but it would have to be carefully drafted.

Alderman Donofrio noted that when he was off the council there had been some discussion of appropriate bicycle racks that were attentive to certain kind of sensibility that we wanted to convey for the town as opposed to a generic bicycle rack. He noted that there was some movement on the bicycle racks. Mayor Dodd expressed that Alderwoman Burbridge had bicycle racks donated to the town of Dover but we’re not in the position to place them on Blackwell Street because of the style of the rack was generic. The rack did not fit in with the downtown historic theme. Mayor Dodd noted that it will be looked into.

Attorney Pennella commented that he had the privilege of working with Mayor Dodd and other Mayors in reference to the joint court meetings. Attorney Pennella tips his hat off to Mayor Dodd for the great job he did as well as the other Mayors. He was very impressed with the cooperation of all the Mayors of the five towns and by Mayor Dodd’s leadership in organizing the group in doing something that is right for the public.

CONSENT AGENDA

ORDINANCE NO. 34-2008

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AMENDING AND SUPPLEMENTING ARTICLE XXVII OF THE REVISED GENERAL CODE OF THE TOWN OF DOVER ENTITLED “PARKING” HANDICAPPED PARKING “SPACES” BY REPEALING HANDICAPPED PARKING SPACE AT EAST MUNSON AVENUE

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

SECTION 1. The following location which was designated as a Handicapped parking space by Ordinance No. 33-2007 is hereby repealed:

HANDICAPPED PARKING FOR EAST MUNSON AVENUE

SECTION 2. Said handicap parking space located on the northerly curblin of East Munson Avenue beginning at a point sixty feet (60’) east of the northwesterly curb line intersection of South Morris Street and East Munson Avenue, thence continuing in a easterly direction for a distance of twenty-five (25’) feet to a point. Said handicap space shall be located a minimum of 50’ east of the existing stop sign.

SECTION 3. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. The Ordinance shall take effect in accordance with law.

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

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

ORDINANCE 35-2008

**AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER,
COUNTY OF MORRIS STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 113
SECTIONS 3, 9 AND 52 OF THE CODE OF THE TOWN OF DOVER, ENTITLED ANIMALS**

Article I – Control and Licensing of Dogs

113.3 Fees; renewals; exemption.

A. Each person applying for the license and registration tag for a dog shall pay a fee of \$14.80 for the license and the sum of \$1.20 for the registration tag of each altered male or female dog and a fee of \$17.80 which includes a \$3 surcharge for which proof of spay/neutered cannot be provided for the license and the sum of \$1.20 for the registration tag. Said licenses, registration tags and renewals and for each annual renewal, the fee for the license and for the registration tag shall be the same as for the original license and tag. Said licenses, registration tags and renewals thereof shall expire on January 31 in each year. In connection with the issuance of a renewal license, a penalty charge of \$10.00 shall be charged for the first thirty-day period after January 31 of each year that said renewal license is not obtained and \$1.00 for each first thirty-day period after March. The fee for a replacement license and registration tag shall be \$2.00.

B. Dogs used as guides for blind persons and commonly known as "Seeing Eye" dogs shall be licensed and registered as other dogs hereinabove provided for, except that the owner or keeper of such dog shall not be required to pay any fee therefore.

§ 113-9. Kennel and pet shop license fees.

The annual license fee for a kennel providing accommodations for 10 or fewer dogs shall be \$50, and for more than 10 dogs, the annual license fee shall be \$70. The annual license fee for a pet shop shall be \$50. No fee shall be charged for a shelter or pound.

Article VII - Cats

§ 113-52. License fee schedule.

A. A license shall be issued after payment of a fee of \$14.80 for the license and the sum of \$1.20 for the registration tag of each neutered/spayed cat for the first year and every year thereafter. A surcharge of \$3 will be imposed on any license and registration tag for which proof of spay/neutered cannot be provided. Said licenses, registration tags and renewals thereof shall expire on the last day of February in each year. In connection with the issuance of a renewal license, a penalty charge of \$10.00 shall be charged for the first thirty-day period after the last day of February of each year that said renewal license is not obtained and \$1.00 for each first thirty-day period after April. The fee for a replacement license and registration tag shall be \$2.00.

B. Fees; renewals; expiration date of license. The person applying for the license and registration tag and/or sleeve shall pay the fee fixed or authorized. The fee for the renewal of a license and registration tag or sleeve shall be the same as for the original and said license registration tag or sleeve and renewal thereof shall expire on the last day of February in each year.

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

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

ORDINANCE NO. 36-2008

**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.

Schedule A Non Union

Job Title Non Union

Police Chief	\$119,048	\$126,298
Town Clerk	\$ 77,289	\$ 81,996
Health Officer	\$102,067	\$108,283
Fire Captain	\$ 90,793	\$ 96,323
Dept Head DPW	\$105,000	\$113,300
Street Superintendent	\$ 88,482	\$ 93,870
Supervisor Street	\$ 60,591	\$ 64,281
Supervisor Water	\$ 60,591	\$ 64,281
Municipal Engineer	\$123,821	\$131,362
Recy Coord/Eng. Aide/Chief Code Enf. Off.	\$ 96,904	\$102,805
Code Enforcement Officer	\$ 43,921	\$ 46,596
Chief Financial Officer/Treasurer	\$ 81,020	\$ 85,955
Library Director	\$ 67,966	\$ 72,105
Municipal Court Admin.	\$ 77,388	\$ 82,101
Tax Collector	\$ 49,210	\$ 52,207
Tax Assessor	\$ 39,140	\$ 41,523
Librarian	\$ 48,812	\$ 51,784
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	\$ 56,822
Clerk Typist	\$ 39,142	\$ 41,525
Senior Clerk Typist	\$ 49,411	\$ 52,420
Plumbing Sub Code Official	\$ 12,174	\$ 12,915
Director Emergency Mgmt.	\$ 5,330	\$ 5,655
Deputy Emergency Mgmt. Coordinator	\$ 1,000	\$ 1,061

Construction Official PT	\$ 33,743	\$ 35,798
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	\$ 12,000	\$ 14,853
Aldermen	\$ 8,400	\$ 11,033

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

Ayes: Aldermen Visioli, Donofrio, Picciallo, Timpani and Mayor Dodd

Nays: Alderman Fahy, Alderwoman Romaine Absent: Aldermen Delaney & Poolas Abstained: None

BOND ORDINANCE NO. 37-2008

BOND ORDINANCE PROVIDING FOR PARKING IMPROVEMENTS, APPROPRIATING THE SUM OF \$370,714 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$352,114 OF BONDS OR NOTES FOR THE PURPOSES SET FORTH HEREIN AUTHORIZED TO BE UNDERTAKEN IN AND BY THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. The improvements and purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements to be made or acquired by the Town of Dover, County of Morris, New Jersey (hereinafter referred to as the "Town"). For said improvements or purposes stated in Section 3 of this bond ordinance, there is hereby appropriated \$370,714, said sum being inclusive of all appropriations heretofore made therefore and including the sum of \$18,600 as the aggregate down payment from the Capital Improvement Fund or other funds of the Town which sum is now available by virtue of a provision in the currently adopted budget or a previously adopted budget of the Town and is currently available for down payment or capital improvement purpose, as required by the Local Bond Law of New Jersey N.J.S.A. 40A:2-1 et seq.(the "Local Bond Law").

Section 2. For the financing of said improvements or purposes and to meet the part of said \$370,714 appropriation not otherwise provided for hereunder, negotiable bonds of the Town are hereby authorized to be issued in a principal amount not to exceed \$352,114 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds, negotiable notes of the Town in a principal amount not exceeding \$352,114 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed \$352,114, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding, at maturity. Each bond anticipation note issued pursuant to this ordinance shall be dated or about the date of its issuance and shall be payable not more than one (1) year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said notes shall be signed and shall be under the seal of said Town and attested as permitted by law. The appropriate Town officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine all matters in connection with this ordinance and also the power to sell said notes is hereby delegated to the Chief Financial Officer of the Town (the "Financial Officer"), who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law, and the Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. The Financial Officer is

authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this ordinance is made, such report to include the principal amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 3. The improvements hereby authorized and the purposes for the financing for which said obligations are to be issued are:

Improvement/Acquisition	Maximum Estimated Cost	Down Payment (Capital Improvement Fund)	Bonds or Notes Authorized	Useful Life (years)
Acquisition, installation and implementation of a multi-space parking meter system in the Town including bill acceptor, software and credit card system, stripping and painting of parking spaces, lighting, signs, and related equipment, to include all costs, improvements and appurtenances related thereto or necessary therefore.	\$370,714	\$18,600	\$352,114	15

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this Bond Ordinance are not current expenses and are property or improvements which the Town may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of such purposes is within the limitations of the Local Bond Law taking into consideration the amount of the said obligations authorized for such purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, as set forth in Section 3 hereof, the average period of usefulness is 15 years.

(c) The Supplemental Debt Statement required by the Law has been duly made and filed in the office of the Clerk of the Town and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such Statement shows that the gross debt of the Town determined as provided in the Law is increased by this bond ordinance by \$352,114 and obligations authorized hereunder will be within all debt limitations prescribed by the Law.

(d) This bond ordinance authorizes obligations of the Town solely for a purpose described in paragraph (h) of Section 40A:2-7 of the Local Bond Law, and the obligations authorized by this bond ordinance are to be issued for a purpose which is self-liquidating within the meaning and limitation of Section 40A:2-45 of said Law and are deductible pursuant to paragraph (c) of Section 40A:2-44 et seq. of said Law from the gross debt of the Town.

(e) Amounts not exceeding \$75,000 in the aggregate for interest on obligations, costs of issuing obligations, engineering costs, legal fees and other items of expense listed and permitted under N.J.S.A. 40A:2-20 of the Local Bond Law may be included as part of the costs of improvements and are included in the foregoing estimates thereof.

Section 5. Any grant or other moneys received by the Town, in addition to the sums expressly appropriated in Section 3 hereof, for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance and the amount of the obligations authorized herein for such purposes shall be reduced accordingly.

Section 6. The Capital Budget of the Town is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance

Board of the New Jersey Department of Community Affairs showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Town Clerk and is available there for public inspection.

Section 7. The Governing body of the Town hereby covenants on behalf of the Town, to the extent any debt obligations are issued as tax-exempt debt obligations, to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of such debt obligations authorized hereunder and issued as tax-exempt obligations as is required under the Internal Revenue Code of 1986, as amended, including compliance with said Code with regard to the use, expenditure, investment, timely reporting and the rebate of investment earnings as may be required thereunder.

Section 8. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Town, and unless paid from other revenues of the Town, the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 9. The Town reasonably expects to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 of this ordinance and paid prior to the issuance of any bonds or notes authorized by this ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Town, or any member of the same "control group" as the Town, within the meaning of Treasury Regulations Section 1.150-1, pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.150-2, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

Section 10. To the extent that any previous ordinance or resolution is inconsistent with or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. The provisions of this bond ordinance are severable. To the extent any clause, phrase, sentence, paragraph, or provision of this ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

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

ORDINANCE(S) FOR SECOND READING

ORDINANCE NO. 33-2008

**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, 2007 as indicated below, salaries, compensation or fees are hereby establishes 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.

Firemen's Mutual Benevolent Association		
Fire Fighter	\$73,105	\$84,693

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

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

RESOLUTIONS

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:	\$1,147.50
CURRENT ACCT claims in the amount of:	\$1,199,315.66
CAPITAL ACCT claims in the amount of:	\$6,713.49
WATER UTILITY ACCT claims in the amount of:	\$48,814.60
WATER UTILITY RESERVE ACCT claims in the amount of:	
WATER CAPITAL ACCT claims in the amount of:	\$2,729.40
PARKING UTILITY ACCT claims in the amount of:	\$13.26
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:	\$259.50
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	
TRUST/OTHER ACCT claims in the amount of:	\$4,005.81
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$1,262,999.22

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:	\$346,733.86
WATER UTILITY ACCT claims in the amount of:	\$23,750.89
PARKING UTILITY ACCT claims in the amount of:	\$2,969.35
PAYROLL AGENCY ACCT claims in the amount of:	
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$16.33
TOTAL CLAIMS PAID	\$373,470.43

TOTAL BILL LIST RESOLUTION **\$1,636,469.65**

Alderman Visioli has moved the foregoing resolution be adopted and duly seconded by Alderman Timpani and passed for second reading by the following roll call vote.

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

November 10, 2008 – Caucus and Regular

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

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

RESOLUTION APPROVING VOLUNTEER RESCUE SQUAD MEMBER

WHEREAS, the Town of Dover Fire Department has received an application for membership in the Rescue Squad from Diane Gonzales; 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 Diane Gonzales to the Dover Rescue Squad.

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

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

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

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

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

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

Sacred Heart Church to be held on
2009 Bingo
January 16th, February 6th, March 6th, April 3rd, July 10th

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

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

RESOLUTION

WHEREAS, Global Reach International, filed an application for their **twelfth** Special Permit for Social Affair to be held at the Baker Theater, which is their **fourteen** event; and

WHEREAS, Global Reach International, a non-profit organization is permitted to have twelve events per year and Baker Theater, 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. Global Reach International is approved for a dance (#12) to be held on Saturday, December 13, 2008 at Baker Theater, 41 W. Blackwell Street, Dover, NJ (#14) from 5:00 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 Visioli has moved the foregoing resolution be adopted and duly seconded by Alderman Picciallo and passed by the following roll call vote.

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

RESOLUTION

WHEREAS, there has been a double payment received for 2007 taxes from the homeowner and the bank resulting in an overpayment in the amount of \$2323.26 on Block 1305 Lot 6, otherwise known as 55 Lincoln Avenue, and

WHEREAS, the homeowner, John P. and Carol Harrigan have requested a refund of said overpayment,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Aldermen, Town of Dover, County of Morris, State of New Jersey that the treasurer be authorized to issue a check in the amount of \$2323.26 made payable to John and/or Carol Harrigan on this twenty-fifth day of November, 2008, and

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

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
CHANGING THE DECEMBER 9TH MEETING DATE TO DECEMBER 15TH FOR THE YEAR 2008

WHEREAS, the Mayor and Board of Aldermen designated meeting dates by resolution at the Reorganization Meeting of January 1, 2008; and

WHEREAS, the regular meeting dates for the Town of Dover are normally the second and fourth Tuesdays of the month; and

WHEREAS, the Mayor and Board of Aldermen wish to change this meeting date;

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 meeting date for December 9, 2008 shall be changed to December 15, 2008.

BE IT FURTHER RESOLVED that the regular public caucus meetings of the Mayor and Board of Alderman shall be held at 7:00 p.m. and the regular public meeting shall be held immediately following the conclusion of the caucus meeting at the Dover Town Hall, 37 N. Sussex Street.

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

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

RESOLUTION APPOINTING POLICE OFFICERS

WHEREAS, the Town of Dover has received a Certification of Eligible for Appointment from the New Jersey Department of Personnel for Police Officer in the Town of Dover; and

WHEREAS, background checks and necessary interviews have been completed satisfactorily on the candidates; and

WHEREAS, the Administrator/Appointing Authority has certified the appointments following the New Jersey Department of Personnel rules and regulations in N.J.S.A. 11 and N.J.A.C. 4A; and

WHEREAS, the Morris County Police and Firefighters Academy require a resolution of the governing body so that they may attend the academy.

NOW, THEREFORE, BE IT RESOLVED that the following are hereby confirmed as Police Officers at the salary and effective dates listed.

Frank Simini - \$44,122 Effective 1/05/09

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

RESOLUTION APPOINTING POLICE OFFICERS

WHEREAS, the Town of Dover has received a Certification of Eligible for Appointment from the New Jersey Department of Personnel for Police Officer in the Town of Dover; and

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WHEREAS, the Administrator/Appointing Authority has certified the appointments following the New Jersey Department of Personnel rules and regulations in N.J.S.A. 11 and N.J.A.C. 4A; and

WHEREAS, the Morris County Police and Firefighters Academy require a resolution of the governing body so that they may attend the academy.

NOW, THEREFORE, BE IT RESOLVED that the following are hereby confirmed as Police Officers at the salary and effective dates listed.

Jonathan Delaney - \$45,322 Effective 1/03/09

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

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

AUTHORIZING EXECUTION OF AN AGREEMENT FOR JOINT MUNICIPAL COURT WITH THE TOWNSHIP OF MINE HILL, BOROUGH OF MT. ARLINGTON, BOROUGH OF ROCKAWAY AND THE BOROUGH OF WHARTON

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER
AUTHORIZING EXECUTION OF AN AGREEMENT FOR
JOINT MUNICIPAL COURT**

WHEREAS, the Town of Dover, hereinafter "Dover," the Township of Mine Hill, hereinafter "Mine Hill," the

Borough of Mt. Arlington, hereinafter "Mt. Arlington," the Borough of Rockaway, hereinafter "Rockaway," and the Borough of Wharton, hereinafter "Wharton," (Mine Hill, Mt. Arlington, Rockaway and Wharton also referred to as the Supported Municipalities) desire to establish a joint municipal court pursuant to N.J.S.A. 2B:12-1 et. seq.; and

WHEREAS, the municipalities have determined it to be in their mutual best interests to provide for joint municipal court facilities, personnel and resources for use by their respective municipal courts with Dover as the lead agency; and,

WHEREAS, the agreement is established in accordance with the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:61-1 et. seq.; and

WHEREAS, each of participating municipalities will realize a savings to their respective tax payers in entering into this Shared Service Agreement; and

WHEREAS, the scope of services provides that Dover will make the necessary facilities available by way of courtroom, offices and storage space; and

WHEREAS, the Dover Municipal Court personnel will include judges, prosecutors and public defenders, interpreters and court administrators as well as security personnel; and

WHEREAS, the municipal court operations will be managed by Dover as a joint court using one set of books and one court calendar; and

WHEREAS, all municipalities will each receive and retain all net revenues generated by each of their respective cases; and

WHEREAS, there will be two judges and two prosecutors appointed with Dover making a recommendation for the presiding judge and the presiding prosecutor and a committee to be established to make a recommendation for the second judge and prosecutor; and

WHEREAS, Dover will continue to use its current court administration personnel and absorb court administrative personnel from the supported municipalities; and

WHEREAS, the term of the agreement is for ten years but with the ability of any municipality to leave the joint court upon one year's notice; and

WHEREAS, each of the supported municipalities shall pay a base fee of \$90,000.00 annually for their use of the Dover Joint Court; and

WHEREAS, some capital costs and expenses will be associated with the establishing of the joint court and Dover will apply for a SHARE Grant from the Department of Community Affairs to cover the costs and expenses; and

WHEREAS, Dover will be able to obtain a substantial annual cost savings benefit which benefit must continue into the future of the agreement; and

WHEREAS, the supported municipalities have agreed to pay increases based upon increases in the cost of the operation of the joint municipal court; and

WHEREAS, additional municipal participants may become part of the joint municipal court;

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 Mayor and Clerk are hereby authorized to execute an agreement for a joint shared court with Dover as the lead agency based upon the terms and conditions set forth herein and to hereby authorize the creation of the joint municipal court pursuant to N.J.S.A. 2B:12-1 et. seq. and N.J.S.A. 40A:65-1 et. seq.

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

AMENDING CAPITAL BUDGET
(SEE ATTACHED)

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

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

PUBLIC COMMENTS – Three Minutes per Person

Connie Sibona-Foster - 90 Penn Avenue: Ms. Foster commended those that voted for Jonathan Delaney. She knows Jonathan because they served on several committees together. She expressed that he's a fine young man and she believes he'll be an asset to the community. She noted that he's the kind of kid you would want to see appointed because he gives back to his community. Ms. Foster feels that to vote against Jonathan Delaney because his dad is an alderman is inappropriate.

Luis Gomez-172 So. Morris Street: Mr. Gomez brought to the board's attention that in front of Welsh's Deli on So. Morris Street there are many cars/trucks parked all the way to the corner of the street while their owner's enter the deli which causes a safety issue. He also expressed that in front of 174 South Morris Street there's a blue car that has not moved in over a week. Mayor Dodd stated that both issues would be looked into.

Carolyn Blackman-Brook Drive: Ms. Blackman asked if a sign could be installed at the entrance/exit of Salem Village because people are getting confused and enter in the exit lane. Mayor Dodd noted that a Do Not Enter sign could be installed.

Maria Tambini-10 E. Blackwell Street: She thanked the board for looking into the bicycle situation. She's not looking for the town to incur an additional cost for the bicycle racks but her only concern is the trees that these bicycles are tied to.

Bill Hann - 90 E. Munson Street: Mr. Hann attended the Elvis Concert at the Baker Theater and noted that it was a very well run event and he had a great time. He wanted to know if the bingo license for Sacred Heart was an event that was going to be held every week. Clerk Verga noted that there were only five games scheduled for the year.

Alderman Fahy wanted to clarify that he also knows Jonathan Delaney, he's a fine young gentlemen and he's sure he'll do a good job. Alderman Fahy's "no vote" was not against the candidate but against the process. He feels it's inappropriate as a sitting alderman that the son or whoever is hired to a paid position.

Motion made by Mayor Dodd to adjourn at 7:44 p.m.,
Seconded by Alderman Timpani and passed by the following voice vote.

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk