



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
December 15, 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.

ROLL CALL:

Present: Aldermen Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Romaine, Blackman 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. Ordinance from Township of Mine Hill re: Amending township land use & development regulations to provide for non-profit/public land overlay zone in specified areas
2. Resolution from the Township of Roxbury supporting the enactment of P.L. 2009, c.118 and any plan to study the expansion of the pilot plan program to include Morris County
3. Fire Department's Report for November 2009
4. Police Department's Report for November 2009
5. Health Department's Garbage-Recycling Report for November 2009
6. Letter from Municipal Excess Joint Insurance Fund re: POL/EPL Deductibles
7. Municipal Excess Liability Joint Insurance Fund-Annual Report 2008-2009
8. Letter from Passaic River Coalition re: Membership Contribution
9. December-January 2009 Calendar of Events from County of Morris, Division on Aging, Disabilities & Veterans
10. Summer 2009 Edition of the Picatinny Restoration Advisory Board's publications titled, "Environmental Happenings at Picatinny Arsenal"
11. Invitation to Attend An Orientation for Municipal Officials that are Newly Elected, Re-Elected or Experienced from NJ State League of Municipalities
12. Thank You Letter from the Cole Family for the Volunteer Appreciation Dinner
13. Letter from a Park Heights Avenue Resident re: Jackson Brook

Alderman Donofrio commented that the correspondence packet didn't have any contents. Clerk Verga provided Alderman Donofrio with the correspondence packet for review.

Alderman Poolas wanted to know if Ms. Wirth's letter regarding Ordinance #19-2009 is considered part of the correspondence even though it's not on the agenda. Clerk Verga commented that copies of Ms. Wirth's letter were placed in the Mayor and Board of Aldermen's mailboxes since the letter was received after the agenda was distributed. Alderman Poolas wanted to know if the correspondence would be placed on the next agenda and Clerk Verga responded it would be placed on the next agenda.

Alderman Poolas feels that since Ms. Wirth is a business owner in the first ward he feels he should represent her regardless on how he's going to vote on the ordinance. Alderman Poolas requested that the ordinance be tabled until he's able to get a better understanding of Ms. Wirth's letter. Mayor Dodd doesn't see a problem with tabling the ordinance but reminded the board that ordinances cannot be carried from one year to the next so the second reading and public hearing would have to be conducted prior to January 1st in order for the ordinance to go into effect.

CONSENT AGENDA

1. Resolution Approving Bills List
2. Resolution Approving Mayor & Board Meeting Minutes – November 24, 2009
3. Resolution Approving Cancellation of Stale-Dated Checks
4. Resolution Approving Bingo License – W.H. Baker Post#27 – American Legion
5. Resolution Approving Raffle License – College Club of Dover

ORDINANCE(S) FOR INTRODUCTION

1. Ordinance # 19-2009 – Massage, Bodywork and Somatic Therapy Establishments

AGENDA ITEMS:

RESOLUTIONS

1. Resolution Approving Tax Sale Certificate for Block 1314 Lot11, 41-43 Hudson Street
2. Resolution Approving Limos – First Class of Dover

**REGULAR MEETING MINUTES
December 15, 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 7:07 pm

ROLL CALL

Present: Aldermen Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Romaine, Blackman 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. Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public.

MAYOR DODD – Mayor Dodd reserved his report till the next town meeting. However, he reminded the public that tonight is Dover Area Historical Society’s open house and encouraged everyone to attend to show their support. He also noted that St. Clare’s will be holding a blood drive on Wednesday, December 16th.

ADMINISTRATOR CLOSE – Mr. Close reserved his report till the next town meeting.

ATTORNEY PENNELLA – Mr. Pennella commented that there has been no change in litigation since the last meeting.

ALDERWOMAN BLACKMAN – Alderwoman Blackman commented that she received a letter from Pastor Johnny T. Booker from Mt. Zion Baptist Church wanting to notify the board and the public that they have a food pantry that serves 80 families. She also noted that they provide the community with donated clothing & household items, once a year, at no charge. She commented that during Thanksgiving and holidays they supply families with food baskets.

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:	\$577,809.88
CAPITAL ACCT claims in the amount of:	\$10,337.50
WATER UTILITY ACCT claims in the amount of:	\$56,021.00
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:	\$3,512.59
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:	\$13.20
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	\$298.50
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:	\$7,072.43
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	

TOTAL CLAIMS TO BE PAID

\$655,065.10

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:	\$303,892.32
WATER UTILITY ACCT claims in the amount of:	\$19,961.17
PARKING UTILITY ACCT claims in the amount of:	\$2,878.34
PAYROLL AGENCY ACCT claims in the amount of:	\$142,454.77
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$10.94
TOTAL CLAIMS PAID	\$469,197.54

TOTAL BILL LIST RESOLUTION

\$1,124,262.64

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

**Ayes: Aldermen Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Romaine, Blackman 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:

1. November 24, 2009 – Caucus and Regular

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

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

RESOLUTION CANCELLING STALE-DATED CHECKS

WHEREAS, the following checks have been outstanding for more than one year; and

WHEREAS, the Municipal Auditors have recommended they be reviewed and cancelled;

Central Disbursement Account-

4677	12/28/06	Timothy Donovan	\$ 35.00
5242	04/10/07	Prospect Court Condo Assn	\$6,669.71
6424	11/27/07	Israel Karinna Miranda	\$ 50.00
7602	06/25/08	Cosamar Travel	\$ 125.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen, Town of Dover, County of Morris, State of New Jersey, that the above mentioned checks are hereby cancelled.

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

**Ayes: Aldermen Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Romaine, Blackman 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 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:

W.H. Baker Post# 27 – American Legion to be held on every Wednesday starting January 6th thru June 30th, 2010
(BINGO)

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

Ayes: Aldermen Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Romaine, Blackman 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 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:

College Club of Dover to be held on April 6, 2010
(RAFFLE)

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

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

ORDINANCES FOR SECOND READING

ORDINANCE NO. 19-2009

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER REQUIRING A
PERMIT TO OPERATE A MASSAGE, BODYWORK AND SOMATIC THERAPY ESTABLISHMENT**

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

SECTION 1: DEFINITIONS.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Massage, bodywork and somatic therapies shall mean any systems of activity of structured touch which include, but are not limited to, holding, applying pressure, positioning and mobilizing soft tissue of the body by manual technique and use of visual, kinesthetic, auditory and palpating skills to assess the body for purposes of applying therapeutic massage, bodywork or somatic principles. Such applications may include, but are not limited to, the use of therapies such as heliotherapy or hydrotherapy, the use of moist hot and cold external applications, external application of herbal or topical preparations not classified as prescription drugs, movement and neuromyofacial education and education in self-care and stress management. Massage, bodywork and somatic therapies do not include the diagnosis or treatment of illness, disease, impairment or disability.

Massage, bodywork and somatic therapist shall mean any person licensed pursuant to the provisions of the Massage, Bodywork and Somatic Therapist Certification Act, N.J.S.A. 45:11-60 et. seq.

Massage, bodywork and somatic therapy establishment shall mean any establishment wherein massage, bodywork and/or somatic therapies are administered or are permitted to be administered, when such therapies are administered for any form of consideration.

SECTION 2. PERMIT REQUIRED.

(a) Massage, bodywork and somatic therapy establishment permit required. No person, firm or corporation shall operate any establishment or utilize any premises in the Town of Dover as or for a massage, bodywork and somatic therapy establishment unless or until there has first been obtained a permit for such establishment or premises from the Town of Dover in accordance with the terms and provisions of this section.

(b) Massage, bodywork and somatic therapist's permit required. No person shall in the Town of Dover practice massage or related therapies as a massage, bodywork or somatic therapist, employee or otherwise, unless he or she has a valid and subsisting massage, bodywork and somatic therapist's license issued to him or her by the New Jersey Board of Massage and Bodywork Therapy pursuant to the terms and provisions of the "Massage, Bodywork and Somatic Therapist Certification Act," N.J.S.A. 45:11-60 et. seq. This provision shall not become effective until adoption by the New Jersey Board of Massage and Bodywork Therapy of the regulations necessary to obtain the license.

SECTION 3. APPLICATION FOR MASSAGE, BODYWORK AND SOMATIC THERAPY ESTABLISHMENT PERMIT; REQUIREMENTS.

Any person desiring a massage, bodywork and somatic therapy establishment permit shall file a written application with the Town of Dover Board of Health upon a form to be furnished by the health department. The application form shall contain the following information:

- (1) The type of ownership of the business i.e., whether individual, partnership, corporation or otherwise.
- (2) The name, style and designation under which the business is to be conducted.
- (3) The business address and all telephone numbers, including facsimile, where business is to be conducted.
- (4) A complete list of the names and residence addresses of all massage, bodywork and somatic therapists and employees of the business and the name and residence address of the manager or other person principally in charge of the operation of the business.
- (5) A sworn statement indicating that all massage, bodywork and somatic therapists employed or to be employed by the establishment or otherwise permitted to work at the establishment have been licensed by the State of New Jersey pursuant to the Massage, Bodywork and Somatic Therapist Certification Act., N.J.S.A. 45:11-60 et. seq. This requirement shall not become effective until the State of New Jersey Board of Massage and Bodywork Therapy adoption of regulations for certification. Any existing establishments or new establishments will not have to comply with this provision until such time as regulations are adopted.
- (6) The following personal information concerning the applicant, if an individual; concerning each stockholder holding more than ten percent of the stock of the corporation, each officer and each director, if the applicant is a corporation; concerning the partners, including limited partners, if the applicant is a partnership; and, concerning the manager or other person principally in charge of the operation of the business; shall be provided:
 - a. The name, complete residence address and residence telephone number.
 - b. The two previous addresses immediately prior to the present address of the applicant.
 - c. Written proof of age.
 - d. Height, weight, sex, color of hair and eyes.
 - e. Two front-face portrait photographs taken within 30 days of the date of the application and at least two by two inches in size.
 - f. The massage therapy or similar business history and experience, including, but not limited to, whether or not such person has previously operated, in this or another municipality or state under a license or permit or has had such license or permit denied, revoked or suspended and the reason therefore and the business activities or occupations subsequent to such action or denial, suspension or revocation.
 - g. All criminal convictions other than misdemeanor traffic violations, fully disclosing the jurisdiction in which convicted and the offense for which convicted and circumstances thereof. The applicant shall execute a waiver and consent to allow a fingerprint

and criminal background check by the Town of Dover police department. Failure to execute such a waiver and consent shall result in a denial of a permit. An establishment permit shall be denied to any person who has been convicted of any crime or disorderly persons offense, other than traffic violations.

SECTION 4. MASSAGE, BODYWORK AND SOMATIC THERAPY ESTABLISHMENT PERMIT FEE.

Every applicant for a permit to maintain, operate or conduct a massage, bodywork and somatic therapy establishment shall file an application with the department of health upon a form to be furnished by said department, and pay an annual fee as set forth below, which permit fee shall become due on the first day of January each year:

<u>Massage, Bodywork & Somatic Therapy Establishment</u>	<u>Annual Permit Fee</u>
1 – 1,499 square feet	\$ 200.00
1,500 – 2,999 square feet	\$ 350.00
3,000 – 4,999 square feet	\$ 450.00
5,000 – 9,999 square feet	\$ 750.00
Over 10,000 square feet	\$1,000.00

SECTION 5. BUILDING REQUIREMENTS; INSPECTIONS.

The department of health, upon receiving an application for a massage, bodywork and somatic therapy establishment permit, shall refer the application to the building department, fire department, police department and planning department and, shall inspect the premises proposed to be operated as such an establishment and shall make written recommendations to the division of licensing and permits concerning compliance with the codes that they administer. No massage, bodywork, and somatic therapy establishment shall be issued a permit or be operated, established or maintained in the Town of Dover unless an inspection by the health officer, building inspector and fire inspector reveals that the establishment complies with the minimum requirements of the property maintenance building and health codes for businesses operating in the Town of Dover. In addition, the establishment must comply with each of the following minimum requirements:

- (1) All massage tables, bathtubs, shower stalls, steam or bath areas and floors shall have surfaces which may be readily disinfected, and shall be maintained in a sanitary condition and regularly cleaned and disinfected.
- (2) Adequate bathing, dressing and locker facilities shall be provided for the patrons to be served at any given time. In the event that male and female patrons are to be served simultaneously, separate bathing, dressing, locker and massage room facilities shall be provided.
- (3) The premises shall have adequate equipment for disinfecting and sterilizing non-disposable instruments and materials used in administering massages. Such non-disposable instruments and materials shall be disinfected after use on each patron.
- (4) Adequate hand washing facilities shall be provided at convenient locations as necessary to maintain clean hands and arms of all employees during hours of operation.

SECTION 6. SUSPENSION OR REVOCATION OF PERMIT.

(a) Permits issued under this section may be revoked by the health officer, after written notice and a hearing, for any of the following causes:

- (1) Fraud, misrepresentation or false statement in the application for the permit.
- (2) Fraud, misrepresentation or false statement made in the course of carrying on the permitted business in the township.
- (3) Any violation of this section.
- (4) Conviction by the owner or any employee of an establishment of a crime involving moral turpitude, a felony, an offense involving sexual misconduct, keeping or residing in a house of prostitution, and any crime involving dishonesty.
- (5) Conducting the permitted business in the Town of Dover in an unlawful manner or in such a manner as to constitute a menace to the health, safety or general welfare of the public.

(b) Notice of the hearing for the revocation of a permit shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be given personally or mailed to the permittee at his/her last known address at least five days prior to the date set for the hearing.

(c) Such permit may, pending revocation proceedings, be suspended for not more than ten days by the health officer if, in his/her opinion, the conduct of the permittee is detrimental to the health, safety and general welfare of the Town of Dover.

(d) The health officer shall serve as hearing officer for any hearing pursuant to this subsection.

SECTION 7. REGULATIONS.

Every massage, bodywork, and somatic therapy establishment shall comply with the following:

- (1) Every portion of the massage, bodywork and somatic therapy establishment, including appliances and apparatus, shall be kept clean and operated in a sanitary condition.
- (2) Price rates for all services shall be prominently posted in the reception area in a location available to all prospective customers.
- (3) All employees, including massage, bodywork and somatic therapists, shall wear non-transparent outer garments. Dressing rooms must be available on the premises. Doors to such dressing rooms shall open inward and shall be self-closing.
- (4) All massage, bodywork and somatic therapy establishments shall be provided with clean laundered sheets and towels in sufficient quantity which shall be laundered after each use thereof and stored in a sanitary manner.
- (5) The sexual or genital area of patrons must be covered by towels, cloths or undergarments when in the presence of an employee or massage, bodywork or somatic therapist.
- (6) It shall be unlawful for any person knowingly, in a massage, bodywork and somatic therapy establishment, to place his or her hand upon or touch with any part of his or her body, to fondle in any manner or to massage a sexual or genital area of any other person. No massage, bodywork and somatic therapist, employee or operator shall perform or offer to perform any act which would require the touching of the patron's sexual or genital area.
- (7) All walls, ceilings, floors, pools, showers, bathtubs, steam rooms and all other physical facilities and surfaces shall be in good repair and maintained in a clean and sanitary condition. Wet and dry heat-rooms, steam or vapor rooms or steam or vapor cabinets and shower compartments and toilet rooms shall be thoroughly cleaned each day the business is in operation. Bathtubs and showers shall be thoroughly cleaned after each use. When carpeting is used on the floors it shall be kept dry, clean and sanitary.
- (8) Oils, creams, lotions and other preparations used in administering massage, body work and somatic therapies shall be kept in clean closed containers or cabinets.
- (9) Animals, except for seeing-eye dogs, shall not be permitted in the massage work area.
- (10) Each massage, bodywork and somatic therapist shall wash his or her hands in hot running water, using a proper soap or disinfectant before administering a massage, bodywork or somatic therapy to a patron.
- (11) Each establishment regulated hereunder shall prominently display its permit to operate issued by the Town of Dover.
- (12) All massage, bodywork and somatic therapists employed in an establishment shall wear a badge displaying their name, title and state license number at all times during work. This provision shall not take effect until the Board of Massage and Bodywork Therapy adopts the regulations for licensing.

SECTION 8. INSPECTIONS.

The Department of health, police department and/or the building department shall, from time to time, at least twice a year, make an inspection of each massage, bodywork and somatic therapy establishment granted a permit under the provisions of this section for the purpose of determining whether the provisions of this section are being complied with. Such inspections shall be made at reasonable times and in a reasonable manner. It shall be unlawful for any permittee to fail to allow such inspection officer access to the premises or to hinder such officer in any manner.

SECTION 9. SLEEPING QUARTERS PROHIBITED.

No part of any quarters of any massage, bodywork and somatic therapy establishment shall be used for or connected with any bedroom or sleeping quarters nor shall any person sleep in such massage bodywork and somatic therapy establishment except for limited periods incidental to and directly related to a massage, bodywork or somatic therapy treatment or bath. This provision shall not preclude the location of massage, bodywork and somatic therapy establishment in separate quarters of a building housing a hotel or other separate businesses or clubs.

SECTION 10. PROHIBITED ACTS.

- (a) No owner or manager of a massage, bodywork and somatic therapy establishment shall tolerate in his or her establishment any activity or behavior prohibited by the laws of the State of New Jersey, particularly, but not limited to, laws proscribing prostitution, indecency and obscenity, including the sale, uttering or exposing and public communication of obscene material; laws which relate to the commission of sodomy, adultery and proscribing fornication, nor shall any owner or manager tolerate in his or her establishment any activity or behavior which violates this section.
- (b) Any conviction of any employee of a massage, bodywork and somatic therapy establishment of a violation of the

forementioned statutes and codes shall devolve upon the owner or manager of such establishment, it being specifically declared that following such conviction of an employee, the owner or manager of the establishment shall be prosecuted as an accessory to such violation and the permits which have been issued shall be automatically revoked.

SECTION 11. EXCEPTIONS.

The provisions of this section shall not apply to massage, bodywork or somatic therapies given:

- (1) In the office of licensed physician, chiropractor or physical therapist; or
- (2) By a regularly established medical center, hospital or sanatorium having a staff which includes licensed physicians, chiropractors and/or physical therapists; or
- (3) By any licensed physician, chiropractor or physical therapist in the residence of his or her patient; or
- (4) By a licensed barber or cosmetologist/hairstylist limited to the areas of the face, neck, scalp or upper part of the body as set forth in the Cosmetology and Hairstyling Act of 1984, N.J.S.A.

SECTION 12. VIOLATIONS AND PENALTIES.

In addition to the revocation or suspension of the permit granted under this section any person who violates any provision of this section shall, upon conviction hereof, be punished by a fine not exceeding \$2,000.00 or by imprisonment for a term not exceeding 90 days, or both, in the discretion of the court.

SECTION 13. REPEALER.

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

SECTION 14. SAVING CLAUSE.

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 15. EFFECTIVE DATE.

The Ordinance shall take effect in accordance with law.

Alderman Poolas has moved the foregoing ordinance be tabled and duly seconded by Alderman Delaney and passed by the following roll call vote.

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

AGENDA ITEMS:

**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

FIRST CLASS OF DOVER, INC.

1. 1999 Ford Victoria (LIMO)	Passengers: 5	Color: Gold	VIN 96408	Plate# OL8368G
2. 2001 Dodge Caravan (LIMO)	Passengers: 6	Color: Gray	VIN 84835	Plate# OL8367G
3. 2003 Ford Lincoln (LIMO)	Passengers: 5	Color: Gray	VIN 07528	Plate# OL1100H
4. 2004 Lincoln Towncar (LIMO)	Passenger: 5	Color: Tan	VIN 51306	Plate# OL2016H

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

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

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 1, 2009, a lien was sold on Block 1314 Lot 11, also known as 41-43 Hudson Street, Dover, New Jersey for delinquent 2008 water and sewer fees; and,

WHEREAS, this lien, known as Tax Sale Certificate 08-00042 was sold to CCTS Capital for \$228.76 and,

WHEREAS, redemption fees for Certificate No.08-00042 were received in the amount of \$273.36.

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 \$273.36 payable to US Bank CUST for CCTS Capital, 2 Liberty Place, 50 South 16th Street, Suite 1950, Philadelphia, PA. 19102.

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 Alderwoman Romaine and passed by the following roll call vote.

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

PUBLIC COMMENTS – Three Minutes per Person

Connie Sibona-Foster – 90 Penn Avenue – Mrs. Foster gave the Mayor and Board of Aldermen an award from Dover Renaissance (Lights of Dover) which recognized the Town of Dover for their beautifully decorated parks. Mayor Dodd commented that they will certainly recognize the Department of Public Works (DPW) and the Recreation Commission for their efforts in making the parks what it is today because without their assistance and help it wouldn't be as attractive as it is.

Mr. Barrientos – 15A Monmouth Avenue – Mr. Barrientos commented that the parking situation has become a problem on Monmouth Avenue. He noted that commuters are parking on the street to avoid paying for their daily pass. He expressed that during the winter season parking is very difficult and suggested a permit for residents to park on Monmouth Avenue. Mayor Dodd asked Attorney Pennella if it's possible to make Monmouth Avenue "resident parking only." Attorney Pennella commented that he would have to research the request and would provide feedback at the next town meeting. Alderman Poolas commented that the street survey shows that Monmouth Avenue is the worst street in Dover to remove the vehicles on snow covered days because of the amount of vehicles and the fact that there's no place to put them. He stated it is done by Morristown Memorial Hospital and also Rutgers's University.

Warren Darnulc – 151 Grant Street - Mr. Darnulc wanted to know why the special meeting of December 29, 2009 has not been posted on the bulletin board in front of the municipal building. Clerk Verga commented the only meetings that are posted on the bulletin board are regular scheduled meetings. She also noted that the special meetings only require 48 hour notice. Mayor Dodd reiterated the same information to Mr. Darnulc. Alderman Donofrio noted that typically special meetings are shorter in length and involve specific bit of business which in this case is ordinance no. 18-2009 that required a large mailing that needed to be prior to the second reading and public hearing.

Debra Mantini – 305 E. McFarlan Street - Mrs. Mantini is concerned with the traffic around East Dover Schools during school hours. She noted that that the parents wait for their kids in the no parking area which causes a dangerous situation. Mayor Dodd expressed that he will have the administrator speak with Mr. Becker (Superintendent) regarding her concern.

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

Motion to adjourn made by Alderwoman Romaine at 7:21p.m., and duly second by Alderman Donofrio and passed by the following voice vote.

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