



**TOWN OF DOVER**  
**MAYOR AND BOARD OF ALDERMEN**  
**CAUCUS MEETING MINUTES**  
**February 9, 2010 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. Letter from Mr. Arthur Ondish, Morris County League of Municipalities re: February 17, 2010's meeting on the Changes in Trenton
2. Letter from the Rockaway Valley Regional Sewerage Authority re: Annual Municipal Participant Charges
3. Letter from NJ Department of Transportation re: Chestnut Street FY2010 Municipal Aid Program
4. Invitation from Clare Monarch, North Dover Elementary School re: Read Across America & Dr. Seuss' Birthday on March 2, 2010
5. Thank you letter from Mr. Woodhull, Dover Senior Citizen Association
6. Health Department's 2009 Revenue Summary & January 2010 Garbage-Recycling Report
7. Fire Department's 2010 Report
8. Letter from Mr. Del Vecchio re: Dover Visions
9. Letter from Rockaway Valley Regional Sewerage Authority re: Contract 35 Interceptor Sewer Inspection & Rehabilitation
10. Invitation to the 2010 NJ Land Conservation Rally taking place on Saturday, March 20<sup>th</sup> at the Conference Center of Montclair State University
11. Notice of Intent to Terminate from the Dept. of Environmental Protection re: 15 No. Salem Street
12. Newsletter from NJ Transportation Conference & Expo Re: TransAction 2010

Alderman Donofrio expressed that Dover Visions was once a strong organization and the recent letter stated that they are looking to dissolve the organization. Alderman Donofrio suggested the word be put out for some fresh interest. The board noted that it's the first they have heard about the lack of interest in the organization and Mayor Dodd suggested that it be reviewed.

**CONSENT AGENDA**

1. Resolution Approving Bills List
2. Resolution Approving Mayor & Board of Aldermen Meeting Minutes – January 26, 2010
3. Changing the June 8<sup>th</sup> meeting date to June 1<sup>st</sup> for the year 2010
4. Approving Limos – First Class of Dover
5. Approving Raffle for Academy Street School PTA to be held on April 23, 2010 (50/50)
6. Approving Raffle for Academy Street School PTA to be held on April 23, 2010 (Tricky Tray)

**ORDINANCE(S) FOR INTRODUCTION**

1. Ordinance # 02-2010 – Repealing Handicapped Parking Space at 107-109 N. Sussex Street

**ORDINANCE(S) FOR SECOND READING**

1. Ordinance # 01-2010 – Providing for Handicapped Parking Space at 115 N. Sussex Street

**AGENDA ITEMS:**

**RESOLUTIONS**

1. Approving Tax Redemption for Block 811, Lot 4 (3-5 Sickle Street)
2. Approving Tax Redemption for Block 1311, Lot 5 (81 N. Sussex) #07-00007
3. Approving Tax Redemption for Block 1311, Lot 5 (81 N. Sussex) #200402
4. Approving the Settlement of a Tax Court Appeal for Block 1101, Lot 38 (134-136 Prospect Street)
5. Authorizing Execution of a confidential Joint Defense Privilege Agreement
6. Authoring Request for Bid for Land Lease & Monopole Co-Location

**REGULAR MEETING MINUTES**  
**February 9, 2010**

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

The meeting was called to order by Mayor Dodd at 7:11 pm

**ROLL CALL**

Present: Aldermen Delaney, Poolas, Visioli, 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.

**WARREN DARNULC** – 151 Grant Street – Mr. Darnulc wanted to know why Rockaway is being sued by the municipal utilities and why there needs to be a joint effort.

Attorney Pennella explained that the Rockaway Valley Regional Sewer Authority has a long history going back to (some) 50 to 60 years. There's a reservoir in Parsippany along Route 46 that is called Jersey City Water Works (JCWW). They received legislation designating Rockaway River as a source for their drinking water. Attorney Pennella explained that there came a point in time where towns along the Rockaway River were starting to develop and as they developed they didn't have sewer systems. He noted that many of the buildings were built adjacent to the Rockaway River and over time sewerage was escaping into the river and Jersey City was experiencing high disease rate and the source was the drinking water. He noted that Jersey City Water Works built a sewerage treatment plant just above the stream from the reservoir. Then, Jersey City Water Works (JCWW) went to the towns along the Rockaway River and expressed that the water needed to be cleaned up which the treatment would be provided by JCWW at no cost to the municipalities. Attorney Pennella explained that as time went on and the redevelopment occurred but all of a sudden the plant was overextended and the pollutants entered into the reservoir and possibly into the drinking system. He noted that numerous lawsuits were filed from different advocates. However, it finally shook out that Dover in the 1960's, with other towns, that utilized that plant were in a building demand, in other words you couldn't build anything unless you received sewerage allotments which had to be obtained by the courts. Then the courts ruled that something had to be done to upgrade the plant to take care of the issue. Attorney Pennella mentioned that this all pre-dates to the Clean Water Act. He noted that JCWW didn't want to build a new plant so they got together with other municipalities (Dover, Wharton, Rockaway, Boonton, etc.) and told them that they would give them their plant, if the municipalities went out and applied for federal funding to building a new plant which started a very long process. The Rockaway Valley Sewerage Authority (RVSA) was created and took over the JCWW sewerage plant. He noted that JCWW agreed to contribute to the capital expansion. However, since the Clean Water Act was passed JCWW wanted out of their agreement because they felt they were no longer responsible. They tried to get out of their contract even though they were the ones that originated it all. Attorney Pennella was involved in that lawsuit which resulted in a settlement. The settlement reduced JCWW's contributions, they didn't have to contribute to any more capital expansion of the plant and their operational of maintenance payment would be limited. In, 1984 the agreement was signed that said "no more lawsuits, case closed..." However, a couple of years ago representatives started the same argument which has brought this current lawsuit to light.

Mr. Darnulc wanted to know if the Town of Dover had a chance to win the lawsuit. Attorney Pennella didn't want to comment because they are currently in litigation but urged members of the board, if they have any questions on the issue, to enter into executive session.

**MAYOR'S REPORT** – Mayor Dodd expressed that the King Field Improvement Project has started with a completion date of April 2<sup>nd</sup>. Mayor Dodd and Alderman Timpani walked the site and he is quite pleased with the progress. Mayor Dodd feels that it's something that is well needed for Dover Little League, the coaches and staff which will provide them a place to meet. He noted that the second phase will start in fall of next year. Mayor Dodd noted that the Route 15 & Route 46 intersection change-over did take place and all the signs are posted by NJDOT. Mayor Dodd noted that some changes will occur but required some time. Mayor Dodd and most of the board members attended the Boy Scout of America's 100<sup>th</sup> year celebration which was a huge success. He commended Scout Master Scott Miller, who organized the event, for the wonderful event. Mayor Dodd reminded the board that they have been invited to read at North Dover Elementary School on March 2<sup>nd</sup> for "Read across America." He will be attending this event as he always does. Mayor Dodd, Mr. Close and Alderwoman Romaine attended the presentation held by Morris County's Prosecutor Office. Mayor Dodd commended Prosecutor Bianchi for his efforts. He has received a request from Scared Heart church for the use of Lot F (with suspended fees) on February 28<sup>th</sup>. He noted that the confirmation class of Scared Heart with the North Jersey Blood Bank will be hosting a blood drive. Mayor Dodd asked Mr. Close to make arrangements for the use of Lot F for the parish center and their parishioners. Mayor Dodd read a letter from the parents of Emily Silverstein regarding their daughter's murder by her ex-boyfriend. Attorney Pennella read the proclamation on

dating violence awareness and prevention. Alderwoman Romaine asked that a copy of the proclamation be sent to Dover High School.

## **COMMITTEE REPORTS**

**Finance Committee** – Alderwoman Romaine stated the auditors have been compiling the year end numbers for 2009 for the Annual Financial Statement, once completed; the town can go forward with the budget. The finance committee has already had several meetings.

**Health Committee** – Alderman Delaney stated that in 2009 the health department brought in \$209,393.00 and provided a breakdown of each item. He mentioned that the department received several grants for the H1N1 flu Clinics. He expressed that Dover gave 2,367 H1N1 injections and announced if anyone is interested to please contact the Board of Health. They have placed the fall order for flu shots. Alderman Delaney commented that there were several bat calls due to the few days of warm weather. He noted that when statistics were first kept for recycling there was a monthly average of 73 complaints which now has decreased to 8.

**Personnel Committee** – Alderman Visioli noted that the utility collector has been out with an anticipated long-term illness and at this time a part time temporary employee is being utilized. He noted that an in house employee has respectfully declined the position for housing officer. The position has been advertised on the league of municipalities' website and several inquiries have been received. He explained that the fire inspector will be on terminal leave starting mid-March. There are in house employees that are qualified for the position and the committee is in the process of evaluating the overall impact of any potential move. He noted that the personal committee has received several resumes for the position of municipal court judge and expressed that union negotiations are in progress.

**Parking Committee** – Alderman Visioli thanked Aldermen Delaney, Poolas and Picciallo for their work on the parking study. He noted that the committee will recommend to the Administrator to draft a policy that no refunds are to be granted unless the kiosk is found to be faulty. The parking utility has started enforcing parking regulations on Sundays. Alderman Visioli also mentioned that the committee has considered rate increases in the municipal lots. The other issue being discussed is parking on the streets when snow covered and he is looking for formal input from the board.

**ADMINISTRATOR'S REPORT** – He also believes King Field is moving with excellent progress and commended the Engineering Department. He noted that Senator Lautenberg and Menendez held a seminar on Grants and Appropriations for infrastructure improvements.

**Alderwoman Blackman** – She explained that a resident from Grant Street would like their sign repaired that fell down.

## **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:	\$30,859.46
CURRENT ACCT claims in the amount of:	\$510,855.38
CAPITAL ACCT claims in the amount of:	\$53,999.20
WATER UTILITY ACCT claims in the amount of:	
WATER UTILITY RESERVE ACCT claims in the amount of:	
WATER CAPITAL ACCT claims in the amount of:	
PARKING UTILITY ACCT claims in the amount of:	\$8,424.13
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:	\$802.80
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	\$556.50
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:	\$19,240.51
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
<b>TOTAL CLAIMS TO BE PAID</b>	<b>\$624,737.98</b>

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

CURRENT ACCT claims in the amount of:	\$307,992.08
WATER UTILITY ACCT claims in the amount of:	\$21,355.14
PARKING UTILITY ACCT claims in the amount of:	\$7,296.49
PAYROLL AGENCY ACCT claims in the amount of:	\$182,362.90
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$313.49
<b>TOTAL CLAIMS PAID</b>	<b>\$519,320.10</b>

**TOTAL BILL LIST RESOLUTION**

**\$1,144,058.08**

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

**Ayes: Aldermen Delaney, Poolas, Visioli, 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:

January 26, 2010 – 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 Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Blackman and Mayor Dodd  
Nays: None      Absent: None      Abstained: Alderman Romaine**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER  
CHANGING THE JUNE 8<sup>th</sup> MEETING DATE TO JUNE 1<sup>st</sup> FOR THE YEAR 2010**

**WHEREAS**, the Mayor and Board of Aldermen designated meeting dates by resolution at the Reorganization Meeting of January 1, 2010; and

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

**WHEREAS**, the meeting date of June 8, 2010 is Primary Election Day; 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 June 8, 2010 shall be changed to June 1, 2010.

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

**Ayes: Aldermen Delaney, Poolas, Visioli, 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 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. 2004 Lincoln Towncar (Limo)    Passengers: 5      Color: Green      VIN # 645993      Plate #OL5374G

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

**Ayes: Aldermen Delaney, Poolas, Visioli, 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:

**Academy Street School PTA** to be held on April 23, 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 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:

**Academy Street School PTA** to be held on April 23, 2010  
(Tricky Tray)

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

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

**ORDINANCE(S) FOR INTRODUCTION**

**ORDINANCE NO. 02-2010**

**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 107-109 N. SUSSEX STREET**

**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. 34-2003 is hereby repealed:

**HANDICAPPED PARKING FOR 107-109 N. SUSSEX STREET**

Said handicap parking space shall be located on the westerly curblin of North Sussex Street beginning at a point two hundred ten (210) feet south of the southwesterly curblin intersection of East Fairview Avenue and North Sussex Street, thence continuing in an southerly direction for a distance of twenty-five (25) feet to a point.

SECTION 2. This ordinance shall take effect in accordance with law.

**Alderman Picciallo has moved the foregoing ordinance be adopted and duly seconded by Alderman Poolas and passed for first reading 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**

**ORDINANCE(S) FOR SECOND READING**

**ORDINANCE NO. 01-10**

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER PROVIDING FOR HANDICAPPED PARKING SPACE AT 115 N. SUSSEX STREET**

**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. Description for handicap parking space to be located at 115 N. Sussex Street

Said handicap parking space shall be located along the westerly curblin of N. Sussex Street beginning at a point 185ft. south of the southwesterly curblin intersection of E. Fairview Avenue and N. Sussex Street, thence continuing in a southerly direction for a distance of 25 feet.

SECTION 2. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 3. 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 4. The Ordinance shall take effect in accordance with law.

**Mayor Dodd opened the meeting to the public for a hearing, seeing no hands and hearing no voices he closed this portion of the meeting and asked for roll call.**

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

**AGENDA ITEMS:**

**RESOLUTION**

**WHEREAS**, at the Municipal Tax Sale held on December 1, 2009, a lien was sold on Block 811 Lot 4, also known as 3-5 Sickie Street, Dover, New Jersey for delinquent 2008 water and sewer fees; and,

**WHEREAS**, this lien, known as Tax Sale Certificate 08-00033 was sold to US Bank Custodian for Phoenix for 160.40 and,

**WHEREAS**, redemption fees for Certificate No.08-00033 were received in the amount of \$389.44.

**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 \$389.44 payable to US Bank CUST for Phoenix, 2 Liberty Place, - TLSSG, 50 South 16<sup>th</sup> Street, Suite 1950, Philadelphia, PA. 19102.

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

**Alderman 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 18, 2008, a lien was sold on Block 1311 Lot 5, also known as 81 North Sussex Street, Dover, New Jersey for delinquent 2007 taxes; and,

**WHEREAS**, this lien, known as Tax Sale Certificate 07-00007 was sold to Plymouth Park Tax Services and,

**WHEREAS**, Sussex Street LLC, owner, has effected redemption fees for Certificate No.07-00007 in the amount of \$12,823.03.

**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 \$17,823.03 for Redemption and \$5,000.00 Premium paid at sale, payable to Plymouth Park Tax Services LLC.

**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 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**

**RESOLUTION**

**WHEREAS**, at the Municipal Tax Sale held on November 16, 2005, a lien was sold on Block 1311 Lot 5, also known as 81 N Sussex Street, Dover, New Jersey for delinquent 2004 taxes; and,

**WHEREAS**, this lien, known as Tax Sale Certificate 200402 was sold to American Tax Funding LLC for \$1,040.96 and,

**WHEREAS**, redemption fees for Certificate No. 200402 were received in the amount of \$18,038.28.

**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 \$26,938.28, for the redemption and Premium of \$8,900.00 paid at time of sale, payable to American Tax Funding LLC, P.O. Box 862652, Orlando, Florida, 32886-2658.

**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 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 THE SETTLEMENT OF A TAX COURT APPEAL BY  
HELEN RAZI-FERNANDEZ, BLOCK 1101 LOT 38**

**WHEREAS**, Helen Razi-Fernandez is the owner of 134-136 Prospect Street, Dover, New Jersey, also known as Block 1101, Lot 38; and

**WHEREAS**, Helen Razi-Fernandez filed an appeal with the Tax Court of New Jersey for the year 2009 bearing Docket # 014586-2009; and

**WHEREAS**, the Tax Assessor has reviewed Answers to Interrogatories and Plaintiff's appraisal 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 \$376,100.00 total assessment for 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:

<b><u>2009</u></b>	<b><u>Original</u></b>	<b><u>County Board</u></b>	<b><u>Tax Court</u></b>
	<b><u>Assessment</u></b>	<b><u>Judgment</u></b>	<b><u>Judgment</u></b>
Land:	\$119,300.00	\$119,300.00	\$119,300.00
Improvements:	<u>\$302,800.00</u>	<u>\$302,800.00</u>	<u>\$256,800.00</u>
Total:	\$422,100.00	\$422,100.00	\$376,100.00

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

1. The tax court appeals bearing the above referenced docket number is hereby authorized to be settled for the fair market value amounts for year 2009 in the amount of \$376,100.00.
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 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**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER  
AUTHORIZING EXECUTION OF A CONFIDENTIAL JOINT DEFENSE PRIVILEGE AGREEMENT**

**WHEREAS**, Jersey City and the Jersey City Municipal Utilities Authority have filed suit against the Rockaway Valley Regional Sewerage Authority and all of its member municipalities seeking to withdraw from their obligations; and

**WHEREAS**, the member municipalities object to their withdrawal and believe it in their best interests to cooperate one with the other to provide a unified defense to the complaint; and

**WHEREAS**, there may be jointly obtained experts or consultants necessary for the proper defense of this complaint which is contemplated to be shared among the member municipalities;

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

1. The Municipal Attorney, David C. Pennella, is hereby authorized to enter into a Joint Defense Agreement with the member municipalities of the Rockaway Valley Regional Sewerage Authority in opposition to the lawsuit filed by Jersey City and the Jersey City Municipalities Authority, Docket No. HUD-L 0131-10;
2. David C. Pennella is hereby designated as the contact person under the Agreement to act in concert with other municipal attorneys to effectuate the terms of the Joint Defense Agreement.

**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**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER  
AUTHORIZING REQUEST FOR BID FOR LAND LEASE AND MONOPOLE CO-LOCATION**

**WHEREAS**, the Town of Dover located at 37 North Sussex Street, Dover, New Jersey has construction upon its municipal property an existing 150 foot high monopole; and

**WHEREAS**, there is an existing available space on the monopole not needed by the Town of Dover; and

**WHEREAS**, the governing body wishes to lease such space, fix a minimum rent and reserve the right to reject all bids;

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

1. A land lease for the co-location of a wireless telecommunication antenna and supporting equipment on municipal property at the 150' level, provided same does not interfere with the broadcast or reception of the Town of Dover's high or low band signal is hereby authorized; and
2. That minimum bid shall be \$36,000 per year payable monthly; and
3. The Town reserves the right to reject all bids; and
4. The municipal clerk is hereby authorized to advertise requests for bids; and
5. All conditions, restrictions and limitations are to be set forth on a proposed draft of bid specifications currently on file in the municipal clerk's office and incorporated herein by reference.

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

**PUBLIC COMMENTS – Three Minutes per Person**

**Bill Hann** – 90 E. Munson Ave. - He wanted to know if the lights at the intersection of Route 46 & 15 where going to be timed differently to reduce the traffic. Mayor Dodd expressed that the project is being reviewed and changes will be made but its going to take time before any changes occur. He explained suggestions have been made for the intersection at Route 15 & 46 and NJ Department of Transportation (NJDOT) is aware of them. Mayor Dodd expressed that it's a difficult situation but the town is working with the NJDOT. He mentioned that the site manager Alex Borovskis has been working with the town to make improvements throughout the process. Mayor Dodd noted that a traffic study is needed to make any changes.

Alderman Donofrio wanted to know if there was an explanation why the light is red at the intersection of Pequannock and W. Clinton Street. Mayor Dodd stated that it's an engineering aspect of the department of transportation and that there are five detour phases but they never specially said why it was going to be red. Alderman Donofrio wanted to know if the proposal to make it green is not a temporary phase change is it what is going to be the outcome arrangement. Alderman Donofrio stated that many pedestrians in the downtown area are unaware of the prerequisites to change a light from green to red. He was concerned that the children going to the high school would not know the prerequisites to change the light and cross on a green light. Mayor Dodd explained that most of the kids walking the high school from the south side will go cut through the streets of Pequannock, Sussex, Losey, Segur. Alderman Donofrio asked if the Board of Education could be contacted to see if a crossing guard would be needed at the intersection. Mayor Dodd expressed that all of the issues have been addressed with the Board of Education and

he's confident if the board of education had an issue they would contact us.

**Jon Sperry** – 58 No. Essex Street – Mr. Sperry spoke with the owner of PJ Plumbing who is located in the dead end of the construction zone and the owner expressed that it's been the worst week he has ever had in business. He asked if signs could be placed to notify patrons that local businesses are open during construction. Mayor Dodd noted that a sign will be placed for the local businesses. Alderman Poolas commented that he doesn't contribute the bad business to the construction but believes the economy has made it difficult year for everyone. Mayor Dodd noted that they are committed to help all businesses in the town especially the ones in the construction zone.

**Jorge Zuzunage** - 116 E. Blackwell Street – Mr. Zuzunage provided the board with a business card of a transportation company which he believes is operating illegally. Mayor Dodd expressed that if they are not a licensed taxi company in Dover, they can not operate in Dover. Mayor Dodd noted that the board's obligation is to represent and protect the licensed companies in the Town of Dover. Mayor Dodd asked for the local companies to bring the information forward but also noted it requires more than just information but it requires being a witness.

**Danillo Arias** – 120 First Street – Mr. Arias made the same suggestion, to time the traffic light differently in the construction zone area (Pequannock & E. Clinton Street, Route 46 and Blackwell).

**Motion to adjourn made by Alderwoman Romaine at 8:12 p.m., and duly second by Alderman Timpani 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**

**Respectfully submitted,**

**Margaret J. Verga, Municipal Clerk**