



TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

CAUCUS AGENDA MINUTES
MARCH 27, 2007

CALL MEETING TO ORDER: Meeting called to order at 7:00pm by Mayor Dodd

FLAG SALUTE

INVOCATION

ROLL CALL

Present Aldermen Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, Timpani and Mayor Dodd
Absent Alderman Poolas

Also present were Administrator Garvin, Attorney Pennella and Clerk Verga

Clerk Verga stated adequate notice was given to the official newspaper

SUNSHINE LAW STATEMENT

In accordance with the provisions set forth in the Open Public Meeting Law, notification of this meeting has been sent to all officially designated Town newspapers and notice is posted in the Town Hall.

PROCLAMATION – Harriet Buono

MUNICIPAL CORRESPONDENCE:

1. Notice from NJ League of Municipalities re: League Labor Relations Seminar
2. Notice from NJ League of Municipalities re: The Benefits of Historic Preservation
3. Letter from HNTB Corporation re: Application for permits to NJDEP for Route 46 and 15 Interchange Improvements
4. Ordinance from Borough of Rockaway re: Amending Land Use Administration and Procedures Fees and Escrow Deposits
5. Ordinance from Borough of Rockaway re: Amending Land Subdivision and Site Plan Review Off-Street Parking, Traffic Aisles and Driveways
6. Notice from Picatinny Arsenal re: Site 180 Proposed Plan
7. Letter from Nancy Weiss re: Issues concerning the Colombian Festival
8. Minutes of the Morris County Planning Board held on 2/15/07

ITEMS FOR DISCUSSION:

1. Ordinance re: Historic Preservation Commission
2. Ordinance re: Prohibiting smoking in parks and playgrounds
3. Ordinance re: Establishing procedures to adopt Policies and Procedures by resolution

AGENDA ITEMS:

ORDINANCE(S) FOR INTRODUCTION

1. Ordinance #08-2007 re: Limiting and restricting parking on N. Sussex Street/Ald. Picciallo
2. Ordinance #09-2007 re: Amending Chapter 337, adding Article X-parking of certain vehicles/Visioli
3. Ordinance #10-2007 re: Designating smoking and nonsmoking zones at municipal building

ORDINANCE(S) FOR SECOND READING

1. Ordinance #06-2007 re: Handicapped parking space located at 39 Baker Avenue/Ald. Poolas
2. Ordinance #07-2007 re: Limiting parking permits/Ald. Delaney

RESOLUTIONS

1. Approving Bills List
2. Approval of Executive Session Minutes
3. Emergency Temporary Budget for 2007
4. Upper Rockaway River Watershed Association be Category One Antidegradation Designation
5. Approval of Raffle License for Dover Boxing Club to be held on 7/07/07
6. Approval of One-Day ABC License for Global Reach International to be held at Baker Theatre on 4/14/07
7. Rejecting proposals for property re-valuation

REGULAR MEETING AGENDA
March 27, 2007

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 7:31 pm

ROLL CALL

Present Aldermen Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, Timpani and Mayor Dodd

Absent Alderman Poolas

Also present were Administrator Garvin, 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.

PUBLIC COMMENTS

Matthew Barrett-107 Bassett Hwy.- Mr. Barrett commended the Board for coming up with the parking ordinance. However, the ordinance dates back to the early 80's with revisions during this time left the Chief of Police in charge with day to day operations. The Chief of Police has nothing to do with the parking, knows nothing about it. The Town of Administrator has no knowledge about the parking utility. Someone should be put in charge of the day to day operations. This is the time to address the problem. There's some concerns regarding the waiting list for parking permits; the process of the waiting list & how many permits are issued to a business at one time.

Jim Mullen-W. Fairview Avenue. Mr. Mullen wanted to know if the readings of the ordinances are read? Are the ordinances available to anyone in the audience to read? Jim Mullen suggested that copies of the ordinance should be made available at the town meeting instead of having to go out to the bulletin board. What are the rules for weekend permits parking? (Monday-Saturday and Sunday's are free) My experience and observation is that the handicapped parking space by the cleaners is a detriment to the business in the area. Mr. Mullen is happy to hear that the property revaluations are taking place. Attorney Pennella shouldn't place blame on the delay in revaluations due to the past administration since this administration had been in place since '06 which means we wasted one year.

Administrator Garvin's Report –At the last meeting, there were a few action items that needed to be followed-up upon. Specifically, the meetings with Global Reach and Colombian Festival which has been schedule for this Thursday to review the facility use application and to insure we have adequate coverage from both the police and fire departments' stand point. An attempt to contact DOT was made regarding public notice for the So. Salem Street Bridge Project and the Mayor will be following up with DOT since they were not receptive to hosting another public information session despite the fact that residents received empty envelopes. Finally, we are in the process of negotiation and those are still on target however more details cannot be provided. As an update we will be accepting bids for the solid waste and recycling contract on April 5th. Once, those bids come out that will be a major part of our budget and we anticipate amending that so that way the Mayor & Board can introduce the budget with confirmed numbers.

Mayor Dodd's Report – Mayor Dodd had two meetings with the owners of the flea market, the Brumales, since we are in the fifth year of a five year contract. We have asked the Brumales to consider the relocation of the flea market since it's not the same as it use to be; there are fewer vendors and more spaces in between. The new location would be Crescent Field Parking lot. We also have asked them if they are not willing to relocated to the Crescent Field Parking lot if they would consider decreasing their footprint and looking at different alternatives. We have provided them with street maps in an attempt to hopefully keep the flea market here because it does serve a purpose. But no longer believe it's beneficial on Blackwell Street in the Downtown area. The public will be informed as to the progress we make. We are obligated to allow them to remain where they are for this year, if they choose to do so. We are attempting to at least negotiate with them to improving the traffic flow in the downtown area.

In the last two weeks, Town Engineer Mike Hantson and I have met with the Morris County Planning Board. We provided them with a presentation on our downtown area. Currently, there's a petition to the DEP to name every stream and river from Boonton to Water Works, a C-1 designated zone. It would be devastating to the town of Dover, if the DEP granted that C-1 designation. Basically, what it states that no development or re-development could occur within 300 ft. of the Rockaway River that puts us on the other side of Blackwell Street. It's not appropriate for dense community like ours, Rockaway Borough and the amazing part to me is that people that file the petition with DEP are friends of the Rockaway River. We have copies of a plan that was done in 1998 by Friends of the Rockaway that actually suggest we develop Basset Hwy. On one hand, we have them saying that we should develop the River and use it as an asset in our community and then on the other hand we have them saying we can't develop within 300 ft. They don't know what there asking for and we need to not allow C-1 to occur. The DEP fails to recognize, is they speak about what you cannot do but they don't speak about what you can do. We do intend to oppose this and resolution is in the works.

The Economic Development/Basset Hwy. Redevelopment Committee had a meeting with the proposed developer for the Bassett Hwy. area. The committee has requested them to provide us with some renderings of the redevelopment area. The drawings are not what we expected to see, two meeting were attended. The committee has made some suggestions on what we like to see for the building. A

meting should be scheduled for presentation of the area. A special meeting should be scheduled on April 17th for public comments regarding the Bassett Hwy. area.

Met with the Town Engineer and NJ Futures, we are being considered to receive the NJ Future award for the DOT Plan/Redevelopment. DPW and Water committee have met and the merge negotiations are still in the process. Met with Woodmont Properties and the Hilton Hotel project is still moving forward. There was a McFarland Street meeting regarding parking. Meeting with Taxi Owners to address some of there concerns, even though there's litigations there's still an obligations to address their concerns. We met with the Recreation Committee regarding Crescent Field Turf regarding the field's use. We've asked them to establish a policies and guidelines for the use of the field. DPW is working on cleaning up the downtown area. Home Depot supplied Hope House with refrigeration & stove as per the request of the Mayor. Hope Depot filled the request. Home Depot as requested to work with the Town. The Mayor's Assistance Program is moving forward with possible referrals from different areas like the Morris County Probation Dept.

ALDERMEN/COMMITTEE REPORTS –

Alderman Fahy –Attended the Fourth Annual Morris County Municipal Summit to discuss economic growth hosted by the Morris County Economic Development Corporation. Soccer will be opening on this Sunday and hopefully a ribbon cutting ceremony will take place. Attend the High School play which was very well attended. Finally, one of my other role is I'm a member on the Morris County Head start Board and they would like to meet with the Shade Tree Commission because they would like to participate in the annual Arbor Day.

Alderman Picciallo – Attended the play Guys & Dolls at the high school on Friday. Commended the children, staff, musical direction, set designing, ect. This takes a lot of work, the audience was great and the kids and everyone involved should be commended on a job well done. Commended the road dept. for handling the last storm they were right on top of the situation. Also, agrees that alternative side of street parking on a lot of streets should be addressed. It's unproductive when the street dept. has to return two-three times to clean the spots were cars were sitting. It's also a hazard to the citizens when ambulance and fire trucks cannot get through because of the areas not plowed. Attended many ongoing budget meetings with the Mayor and Administrator and we are making progress. Alderman Picciallo commended the Mayor's Assistance Program and supervision of Robert Tambini for a job well done with the renovation of the Library. The downstairs is over 50% painted and things are moving along. Great progress has been made; when people see that public buildings are being cared for then they will take pride in their own home.

Alderman Poolas – Absent

Alderman Ryan – A negotiation meeting with the Police Committee took place on March 22nd. Can't comment on the negotiations but it was a productive meeting. The next police committee meeting will take place April 5th. On March 23rd a meeting with three taxis cab owners which involved Mayor Dodd who already commented on this issue, Alderman Visioli and Alderman Ryan. We discuss the recently ordinance and Mayor Dodd addressed the owners in an honest and open manner. The town made an effort to keep the lines of communication open.

Alderman Donofrio – Hope House parade/walkathon is scheduled for April 6th. Alderman Donofrio asked the town administrator to speak about the children's food program. The town administrator, Bibi explained how the Neighborhood House would like to partner with the Town pending ironing out some details. The Child Nutrition Program which is held during the summer months through the recreation program will be a zero cost to the town. It would just require some oversight and completing federal application and it's based on financial needs on our demographics which our town will well qualified. Upper Rockaway River Watershed Association (URRWA) resolution there's a big C-change where we're starting to value water like we value oil. There was a story in the paper regarding Congressman Frelinghuysen was overjoyed by getting the federal government to release several millions of dollars for the Highlands project. This resolution takes place in the context of that, sometimes we can be a bit myopic and it's less threatening when we see in the context. Alderman Donofrio is certain that they won't have plans to do to Dover what they did to the old Boonton where's it s now at the bottom of the Jersey City Water Works.

Alderman Timpani – On the 22nd, attended the Board of Heath, DDA, & Recreation meeting. Attend the Chief dinner for Ed Ridner on the 25th. On the 27th we had an AIDS Walk meeting with Hope House as well as today and everything seems to be going well. A lot of work has been going on at Crescent Field for there opening first game ceremony on April 1st. March 31st there's a breakfast with the Easter Bunny at Sacred Heart. There's five opening for the Historical Trip to Boston on May 2nd if anyone is interested.

Alderman Delaney – Sat in on the meeting regarding the Flea Market and the proposed developers for the Bassett Hwy. area and they've come a long way however we need a little bit more. Met with the Town Engineer about the parking grant on McFarland plans, the angle parking doesn't work for the area so other plans are under review. At the last BOE meeting they expressed that they want to take advantage of the Mayor Assistance program. BOE will be going out to bid for their schools' playground and once that finished clean-up and landscaping will be needed. Budget meeting is coming along great. Spoke with the BOE to see if they were interested in having the Art Dept. do a community service project at the JFK Park. Superintendent Mr. Becker is drilled and they would like to re-paint the mural at JFK Park. Ex-Alderman Cindy Romaine would like to participate with the supervision and coordination of this project, if the Mayor permits it. The BOE will be announcing there will be a zero increase in school board's budget. Kathy Casiano, from the High School held a Parent Advisory Counsel Meeting which was a huge success and they discussed recreations and support services for families & children with disability, the Forgotten People of our public. Dover High School held a

passenger car type used for touring purposes or the carrying of farm products and milk, as the case may be.

NONCOMMERCIAL TRUCK - means every motor vehicle designed primarily for transportation of property, and which is not a "commercial vehicle".

PARKING - means the standing or waiting on a street, road or highway of a vehicle not actually engaged in receiving or discharging passengers or merchandise, unless in obedience to traffic regulations or traffic signs or signals.

PERSON - includes natural persons, firms, co-partnerships, associations and corporations.

RECREATION VEHICLE - means a self propelled or towed vehicle equipped to serve as temporary living quarters for recreational, camping, or travel purposes and used solely as a family or personal conveyance.

ROAD TRACTOR - means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

SEMI-TRAILER - means every vehicle with or without motive power, other than a pole trailer, designed or carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and out of its load rests upon or is carried by another vehicle.

TRAILER - means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing of vehicle.

TRUCK - means every motor vehicle designed, used or maintained primarily for the transportation of property.

TRUCK TRACTOR - means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of vehicle and load so drawn.

VEHICLE - means every device in, or upon or by which a person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks or motorized bicycles.

§ 337-44. Prohibited Parking.

No person shall park any:

- A. commercial or non-commercial motor vehicle or truck with more than four (4) wheels/tires
- B. road tractor
- C. trailer
- D. semi-trailer
- E. truck tractor
- F. recreational vehicle

on any street within the Town of Dover between the hours of 9:00 p.m. through 7:00 a.m.

§ 337-45. Exemptions.

- A. Exempt from this Article are commercial vehicles that are parked to deliver services or goods or are performing approved construction related activities to a site within the Town of Dover provided that they first notify the Town of Dover Police Department of their location and the time period.
- B. Also exempt from this Article are two (2) axle pickup trucks with no more than four (4) wheels/tires on the rear axle.

§ 337-46. Sign Posting.

There shall be posted an appropriate sign on each street entering the Town of Dover, at or near the Town's municipal boundary line giving notice of the terms of this Article.

§ 337-47. Enforcement.

This Article shall be enforced by the Police Department of the Town of Dover.

§ 337-48. Penalty.

Any person, firm or corporation who or which shall violate any of the provisions of this article shall be subject to one or more of the following: imprisonment in the county jail or in any place provided by the municipality for the retention of prisoners, for a term not exceeding 90 days; or by a fine not exceeding \$1,250.00; or by a period of community service not exceeding 90 days.

Section 2

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

Section 3

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

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:	\$1,190.75
CURRENT ACCT claims in the amount of:	\$1,623,495.54
CAPITAL ACCT claims in the amount of:	\$7,199.69
WATER UTILITY ACCT claims in the amount of:	\$189,698.41
WATER UTILITY RESERVE ACCT claims in the amount of:	\$42,507.25
WATER CAPITAL ACCT claims in the amount of:	\$5,500.00
PARKING UTILITY ACCT claims in the amount of:	\$240.00
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$172.75
PARKING CAPITAL ACCT claims in the amount of:	
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$126.60
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	\$72.00
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	
TRUST/OTHER ACCT claims in the amount of:	\$165.00
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$1,870,367.99

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:	\$297,549.24
CAPITAL ACCT claims in the amount of:	
PARKING UTILITY ACCT claims in the amount of:	\$3,339.64
PAYROLL AGENCY ACCT claims in the amount of:	\$86,830.21
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$284.06
TOTAL CLAIMS PAID	\$388,003.15
 TOTAL BILL LIST RESOLUTION	 \$2,258,371.14

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER FOR APPROVAL OF EXECUTIVE SESSION 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. April 5, 2006 – Executive Session
2. April 11, 2006 – Executive Session
3. September 26, 2006 – Executive Session
4. October 24, 2006 – Executive Session
5. December 12, 2006 – Executive Session

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

re-evaluation services; and

WHEREAS, three requests for proposals were received on March 2, 2007 from Realty Appraisal Company with a bid of \$290,000.00, Appraisal Systems, Inc. with a bid of \$299,800.00 and Certified Valuations, Inc. with a bid of \$333,600.00; and

WHEREAS, the Municipal Administrator has reviewed the proposals to insure their compliance with the request for proposals; and

WHEREAS, the proposals do not comply with the request for proposals in the following areas:

- A. Description of the overall ability of the vendor to mobilize, undertake and successfully complete the contract providing a contract management plan including the vendor's contract organizational charts, pursuant to RFP 3.2.3.
- B. Specifically identifying field personnel as having the requisite experience and training as set forth in RFP 5.1.2 (c).
- C. Providing sufficient information demonstrating compliance with RFP 5.12(d) as to field workers speaking Spanish; and

WHEREAS, the Town of Dover reserved the right to reject all responses to the RFP utilizing the same provisions as for rejection of bids pursuant to N.J.S.A. 40A:11-13.2;

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 Requests for Proposals submitted by the above three listed companies are hereby rejected.
2. The Administrator is hereby authorized to proceed to obtain new proposals either through competitive contracting or pursuant to the exception provisions of the Public Contracts Law.

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

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

SPECIAL MEETING RESOLUTION

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

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

UNFINISHED OR NEW BUSINESS

PUBLIC COMMENTS – Three Minutes per Person

Each person wishing to address the Mayor and Board of Aldermen on any item shall step up to the microphone and shall give his or her name in an audible tone for the record. All members of the public are expected to conduct themselves in a proper manner. Any derogatory, abusive or threatening statements will not be permitted.

Marie Tambini-10 E. Blackwell Street-Did the Mayor offered the flea market the Crescent Field Location? Clarification was made that the relocation would be Crescent Field Parking lot. Ms. Tambini attended the meeting regarding Morristown Mayor's idea on deputizing the police dept. The meeting was well attended but disorganized. Mayor Dodd does not agree with this idea because it should the Immigration's responsibility.

Alderman Fahy asked Mayor Dodd to provide any information in regards to the special meeting for Bassett Hwy, Redevelopment for review prior to voting on the resolution. Information will be ready the day prior to the special meeting and it will be passed along.

Motion made by Alderman Delaney to adjourn at 9:47 and seconded by Alderman Timpani
Ayes: Aldermen Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, Timpani & Mayor Dodd
Nays: None Absent: Alderman Poolas Abstained: None