



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
March 27, 2012 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 Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd

Also present were Attorney Downs, Administrator Close and Municipal Clerk Verga

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

MUNICIPAL CORRESPONDENCE:

1. Ordinance from the Borough of Rockaway re: Amending Chapter 172, Zoning
2. Resolution from the Town of Boonton re: Supporting the "Alex DeCroce Crime Victim's Bill of Rights"
3. Resolution from the Town of Boonton re: Calling for the Restoration of Energy Taxes to Municipalities
4. Resolution from the Borough of Butler re: Calling for the Restoration of Energy Taxes to Municipalities
5. Resolution from the Borough of Mt. Arlington Re: Opposing the NJ Water Supply Fluoridation Act
6. Notice of Hearing on Application to the Dover Planning Board re: Dover Business College for preliminary & final site plan approval
7. Invitation from the Morris County League of Municipalities for their Clean Community Energy/Aggregation Energy Savings for NJ Municipalities program to be held on April 18th
8. Letter from NJDEP re: Conditional No Further Action Letter for 46 Richboynton Road
9. Letter from AARP urging municipal officials to attend the upcoming 2012 Complete Streets Workshop on April 4th
10. Police Dept. Report - February 2012
11. Letter from Mrs. Shenoa Scullin, Mrs. Mendham Township re: NJ Pageant Contestant

*NJLM = NJ State League of Municipalities

*NJDEP = NJ Department of Environmental Protection

CONSENT AGENDA

1. Resolution Approving Raffle License – Schedule A
2. Resolution Approving Limos – Schedule A
3. Resolution Approving Mayor & Board of Aldermen Meeting Minutes – 2/28/12 & 3/13/12

ORDINANCES FOR FIRST READING

1. Ordinance #03-2012 – Amending Chapter 236, Land Subdivision and Site Plan
2. Ordinance #04-2012 – Amending Chapter 236, Zoning
3. Ordinance #05-2012 – Amending the Code of the Town of Dover to Prohibit Acts of Graffiti pursuant to the Municipal Beautification Act
4. Ordinance #06-2012 – Amending and Supplementing Chapter 72, Salaries and Compensation – Police Aide

Mayor Dodd explained Ordinance #05-2012 and noted the recent acts of graffiti that have occurred in the Town of Dover. He noted the Mayor's Labor Assistance Program will assist with the removal of graffiti on Saturday. He encouraged the board to support the ordinance because it gives the town the ability to enforce and penalize to the fullest extent of the law.

Alderman Timpani asked if (private) property owners are responsible for the clean-up or will the Mayor's Labor Assistance Program (MLAP) assist with the removal of graffiti. Mayor Dodd noted that MLAP will not go onto private property due to liability issues. Discussion continued.

AGENDA ITEMS:

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Supporting the “Alex DeCroce Crime Victim’s Bill of Rights”
3. Resolution Calling for the Restoration of Energy Taxes to Municipalities
4. Resolution Establishing “Complete Streets” Policy for the Town of Dover
5. Resolution Approving Catering Permit – Dover Entertainment LLC
6. Resolution Approving Billiard Hall License – Su Casa Colombia, Inc.

Alderman Picciallo abstained from item #12-00593 on the Bills List.

Alderman Noriega abstained from item #12-00415 on the Bills List.

REGULAR MEETING MINUTES
March 27, 2012

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 7:20 pm

ROLL CALL

Present: Aldermen Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd

Also present were Attorney Downs, Administrator Close and Clerk Verga

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

Mayor Dodd opened the meeting to public.

Seeing no hands and hearing no voices Mayor Dodd closed the meeting to the public.

MAYOR'S REPORT: Mayor Dodd noted the following:

- The concrete deck at the Route 46/Route 15 project has been poured and the approach ramps that lead to the deck are being constructed. The project's completion date is scheduled for September 31st
- The Town of Dover entered into a partnership with "MIRA USA" in an attempt to come up with a beautification of Dover plan. MIRA has a long history in the Latino community in helping to, not only, beautify the community but also to educate in the process of what it takes to keep a community clean. Dover will kick-off a campaign called "Keep Dover Clean" and work will start off this weekend with the shade trees
- Mayor Dodd thanked Mr. Bill Hann for his assistance with the Mayor's Labor Assistance Program (MLAP)
- A letter was received from Governor Christie's office on a NJDOT grant that was awarded to the Town of Dover for \$100,000 for repairs to Leonard Street
- Mayor Dodd acknowledged the need for additional soccer fields in the community. He has spoken to Freeholder Bill Chegwiddden regarding the situation and he has provided his assistance in providing the town with the use of a soccer field at Heddon Park; however certain logistical issues have to be worked out. Mayor Dodd publicly thanked Freeholder Chegwiddden for his assistance.

ATTORNEY'S REPORT: No Report

Aldermen Picciallo thanked Mr. Close and the Department of Public Works (DPW) for their assistance with the repairs of the street signs and pot holes. He thanked Bill Hann and the Mayor's Labor Assistance for the clean up by the town garage (N. Sussex St).

Alderwoman Blackman announced that the Easter Egg Hunt will be held on Saturday, April 31 at JFK Park. She also announced the details on Reverend Quiles' service. Alderwoman Blackman thanked the Mayor for looking at other ways to obtain fields for the youth.

CONSENT AGENDA

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

WHEREAS, the below listed organizations have applied for a Raffle/Bingo License; and

WHEREAS, such licenses have 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:

The below listed raffles for the date set forth following their names are hereby approved:

Schedule A

ROCKAWAY/DOVER LOOM 541

To be held on Sunday thru Saturday starting July 18, 2012 to July 17, 2013
(Pull-Tab)

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

**Ayes: Aldermen Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega 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, 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

Axel's Express Taxi & Limo, LLC

YEAR/MAKE/MODEL	Vehicle Identification #	Plate #
'03 Mercedes ML3	4JGAB57E03A407520	OL9341H
'01 Chevy Tahoe	1GNEK13T91R172866	OL9342H

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

**Ayes: Aldermen Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega 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:

February 28, 2012 – Caucus & Regular

March 13, 2012 – Caucus & Regular

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

**Ayes: Aldermen Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: None Abstained: None**

ORDINANCE FOR INTRODUCTION

ORDINANCE NO. 03 -2012
ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE
TOWN OF DOVER AMENDING CHAPTER 236, LAND USE AND DEVELOPMENT,
ARTICLE V, LAND SUBDIVISION AND SITE PLAN.

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

Section 1

The Code of the Town of Dover, Chapter 236, LAND USE AND DEVELOPMENT Article V, Land Subdivision and Site Plan. shall be amended as follows to exempt the construction of Trash Enclosures from the requirement of Site Plan review.

§ 236-47. A. Exceptions, is supplemented as follows:

(3) Construction of a Trash Enclosure in accordance with the requirements of § 236-54M.(4) that is reviewed and approved by the Town Engineer and Town Recycling Coordinator.

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.

Section 4

This ordinance shall take effect immediately upon final publication as provided by law.

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

Alderman Visioli noted that the ordinance has been discussed at numerous planning board meetings. He provided details on the ordinance.

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Downs, Rutan, Noriega, Mayor Dodd
Nays: None Absent: None Abstained: Alderman Timpani

ORDINANCE NO. 04-2012
ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AMENDING CHAPTER 236, LAND USE AND DEVELOPMENT, ARTICLE IV, ZONING

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

Section 1

The Code of the Town of Dover, Chapter 236, LAND USE AND DEVELOPMENT Article IV, Zoning. shall be amended as follows to provide for certain uses on floors above and/or below street level.

Table 236-17.1 – 3 is replaced with the following:

Permitted Uses By Building Type Summary table											
Building Types	Permitted Uses										
	Dwelling Unit	Hotel	Business/Professional Office	Bank	Retail Sales and Service	Drive-Through Uses	Restaurant	Theater	Music & Dance Studios, And Fitness Centers	Club /Fraternal Organization	Civic Use/Community Center
Commercial Block (CO)	Pu	P	Pul	P	P	N	P	P	Pul	Pu	P
Liner Building (LB)	Pu	Pu	P	P	P	N	P	P	P	Pu	P
Townhouse (TH)	P	N	N	N	N	N	N	N	N	N	N
Courtyard Building (CY)	Pu	Pu	P	P	P	N	P	P	P	Pu	P
Corner Building (CR)	Pu	P	Pul	P	P	N	P	P	Pul	Pu	P
Civic Building (CI)	N	N	N	N	N	N	N	N	P	P	P
Multi-Family Building (MF)	P	N	N	N	N	N	N	N	N	N	N
All Existing Buildings	Pu	P	Pul	P	P	N	P	P	Pul	Pu	P
P	Permitted (All Floors) Principal Use – Use may be provided on all floors in this Building Type										
Pu	Permitted (Upper Floors – Above Street Level) Principal Use – Use may only be provided on the upper floors (above street level) of this Building Type										
Pul	Permitted (Upper or Lower Floors – Above or below Street Level) Principal Use – Use may only be provided on the upper or lower floors (above or below street level) of this Building Type										
N	Not Permitted – Use is prohibited in this Building Type										

Table 236-17.1- 1

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.

Section 4

This ordinance shall take effect immediately upon final publication as provided by law.

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

Alderman Visioli provided details on the ordinance.

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Downs, Rutan, Noriega, Mayor Dodd
Nays: None Absent: None Abstained: Alderman Timpani**

ORDINANCE NO. 05-2012
AN ORDINANCE AMENDING THE CODE OF THE TOWN OF DOVER TO PROHIBIT ACTS
OF GRAFFITI PURSANT TO THE MUNICIPAL BEAUTIFICATION ACT

WHEREAS, the “Municipal Beautification Act” provides that the governing body of a municipality may make, amend, repeal, and enforce ordinances to prohibit acts of graffiti on buildings, structures and other exposed surfaces located within the municipality and to require the owner of a building, structure or other exposed surface located in the municipality to remove graffiti; and

WHEREAS, the Town desires to amend the Code of the Town of Dover to include a new Chapter to adopt the provisions of the “Municipal Beautification Act” pursuant to N.J.S.A. 40:48-2.59; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey, that a new Chapter of the Town Code entitled, “Municipal Beautification Act” is hereby added to read in its entirety as follows:

§ ____-1. Municipal Beautification Act.

- a. For the purposes of this section, “graffiti” shall mean any drawing, painting or making of any mark or inscription on public or private real or personal property without the prior written permission of the owner of the property.
- b. It shall be prohibited for a property owner to maintain graffiti on buildings, structures and other exposed surfaces within the Town of Dover.”
- c. (1) The owner of record of the property that contains graffiti shall be entitled to written notice of an order to remove graffiti and that the notice shall be delivered to the owner by certified and regular mail. The order shall afford the owner the opportunity to remove the graffiti within 90 days from the date that the notice is sent, however, the Department of Transportation shall be afforded 120 days from the date a notice is sent to remove graffiti from property owned by the department. Such notice shall be in writing and have substantially the following form:

NOTICE TO REMOVE GRAFFITI FROM PROPERTY

TO THE OWNER, AGENT OF THE OWNER OR PERSON MANAGING THE PROPERTY HEREINAFTER DESCRIBED

YOUR ATTENTION IS HEREBY DIRECTED TO THE PROVISION OF THE CODE OF THE TOWN OF DOVER ON FILE IN THE OFFICE OF THE TOWN CLERK IN

THE MUNICIPAL BUILDING. PURSUANT THERETO, YOU ARE HEREBY NOTIFIED THAT A CERTAIN UNSIGHTLY CONDITION EXISTS ON PREMISES SPECIFICALLY DESCRIBED AS _____ WHICH INJURES NEIGHBORING PROPERTY AND THE PUBLIC HEALTH, SAFETY AND WELFARE. YOU ARE HEREBY NOTIFIED TO IMMEDIATELY REMOVE SUCH GRAFFITI FROM THE PROPERTY AND THEREAFTER TO KEEP THE PROPERTY FREE THEREFROM. UPON REMOVAL OF SUCH GRAFFITI, YOU MUST NOTIFY THE UNDERSIGNED IN WRITING, WHICH SHALL INCLUDE A CERTIFICATION THAT THE GRAFFITI HAS BEEN REMOVED. SAID CERTIFICATION SHALL BE UNDER OATH AND SUBJECT TO THE SAME PENALTIES AS PROVIDED BY LAW FOR PERJURY.

IN THE EVENT YOU FAIL TO COMPLETE SUCH WORK, THE UNDERSIGNED SHALL CAUSE THE SAME TO BE REMOVED AND YOU WILL BE RESPONSIBLE FOR THE COST OF REMVOAL OF THE CONDITION FROM THE PROPERTY INCLUDING IMPOSITION OF THE COST AS A MUNICIPAL LIEN UPON THE PROPERTY.

(2) An owner who has been ordered to remove graffiti shall respond to the Town by personal delivery or by certified mail:

- (i) of any objection to the order, within 30 days of the date of the order, or
- (ii) of notice that the graffiti has been removed, within 90 days of the date of the order, or in the case of the Department of Transportation, within 120 days of the date of the order.

d. An owner who objects to an order to remove graffiti, pursuant to paragraph (2) of subsection b. of this section, may institute an action challenging the order before a court of competent jurisdiction within 60 days of the date of the order.

e. If a property owner does not undertake the removal of graffiti within 90 days of the date of the order, or in the

case of the Department of Transportation, within 120 days of the date of the order, unless an action challenging the order to remove graffiti is still pending pursuant to subsection c. of this section, the municipality may remove the graffiti from that property and present the property owner with a detailed itemization of the costs incurred by the municipality, by certified and regular mail, for reimbursement from the property owner.

f. Whenever a municipality undertakes the removal of graffiti from any building, structure or other exposed surface, the governing body of the municipality, in addition to assessing the cost of removal as a municipal lien against the premises, may enforce the payment of such assessment, together with interest, as a debt of the owner of the property and may authorize the institution of an action at law for the collection thereof. The Superior Court shall have jurisdiction of any such action.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

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

Ayes: Aldermen Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: None Abstained: None

ORDINANCE NO. 06-2012

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

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

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

CHAPTER C. SALARIES & COMPENSATION FOR CERTAIN EMPLOYEES

1. Effective March 1, 2012 as indicated below, salaries, compensation or fees are hereby established for the following named officers, employees or positions in the Town of Dover at the rate of or within the salary ranges listed.

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

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

Job Title White Collar

Police Aide

\$ 33,500

\$ 46,000

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

Ayes: Aldermen Visioli, Picciallo, Timpani, Romaine, Blackman, Rutan, Noriega, Mayor Dodd
Nays: None Absent: None Abstained: Alderman Downs

RESOLUTIONS

BILLS LIST

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

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds in the account(s) to which respective bills have been charged.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Dover do hereby approve the bills as listed; and

BE IT FURTHER RESOLVED that the proper officials are hereby authorized to sign the checks for payments of same.

RESERVE ACCT claims in the amount of:	\$12,932.38
CURRENT ACCT claims in the amount of:	\$2,999,257.58
CAPITAL ACCT claims in the amount of:	\$1,282.59
WATER UTILITY ACCT claims in the amount of:	\$98,812.81
WATER UTILITY RESERVE ACCT claims in the amount of:	\$3,950.50
WATER CAPITAL ACCT claims in the amount of:	\$33,303.18
PARKING UTILITY ACCT claims in the amount of:	\$16,472.82
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$4.00
PARKING CAPITAL ACCT claims in the amount of:	\$603.57
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$156.60
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	
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:	\$18,045.30
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$3,184,821.33

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:	\$309,495.87
WATER UTILITY ACCT claims in the amount of:	\$20,039.05
PARKING UTILITY ACCT claims in the amount of:	\$2,543.17
PAYROLL AGENCY ACCT claims in the amount of:	\$110,777.83
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$294.84
TOTAL CLAIMS PAID	\$443,150.76

TOTAL BILL LIST RESOLUTION **\$3,627,972.09**

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

Alderman Picciallo abstained from item #12-00593 on the Bills List.
Alderman Noriega abstained from item #12-00415 on the Bills List.

Ayes: Aldermen Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega, Mayor Dodd
Nays: None Absent: None Abstained: None

RESOLUTION IN MEMORY OF ASSEMBLYMAN ALEX DeCROCE AND TO SUPPORT
THE "ALEX DeCROCE CRIME VICTIM'S BILL OF RIGHTS"

WHEREAS, Assemblyman Alex DeCroce was born in Morristown on June 10, 1936, and served as a legislator since 1989 and as the Assembly Republican Leader since 2003; and

WHEREAS, Assemblyman Alex DeCroce was remembered by many as a special leader, friend, and mentor who fought tirelessly to make New Jersey a better place for all; and

WHEREAS, Assemblyman Alex DeCroce's chief legislative accomplishments include a constitutional amendment to protect and strengthen the rights of crime victims as he came to the aid of a crime victim's family, whom he did not know and worked to initiate and then lead the movement; and

WHEREAS, Assemblyman Alex DeCroce is an honorary board member of the New Jersey Crime Victim's Law Center and worked to keep the Center and movement going forward when there were insufficient funds to do so; and

WHEREAS, Assemblyman Alex DeCroce was known for his bipartisanship, loyalty, respect, true sense of caring about others, and for placing the public interest above self-interest; and

WHEREAS, Assemblyman Alex DeCroce was remembered by Governor Christopher J. Christie as someone who "fought for his beloved colleagues, for his steadfast principals...for the people he "was" elected to serve until the very last moments of his life", and

WHEREAS, Assemblyman Alex DeCroce will be remembered by many for his "reach out, "his way", as "the father of New Jersey," his true bi-partisanship, loyalty, respect for the individual, and working for the public-interest and not self-interest.

NOW, THEREFORE, BE IT RESOLVED, as a tribute to Assemblyman Alex DeCroce and his legacy of public service, the Mayor and Board of Aldermen of the Town of Dover support the movement to rename the crime victim's legislation to continue his legacy; and

BE IT FURTHER RESOLVED by the Mayor and Board of Aldermen of the Town of Dover that they are in support of renaming the crime victim's bill of rights to the "Alex DeCroce Crime Victim's Bill of Rights."

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

Ayes: Aldermen Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega, Mayor Dodd

Nays: None Absent: None Abstained: None

RESOLUTION CALLING FOR THE RESTORATION OF ENERGY TAXES TO MUNICIPALITIES

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, while the State may need to have the right to over-ride the statutory dedication of these revenues to local governments, in order to deal with emergencies and crises that may occur; current State policy makers should not exercise that right automatically; and

WHEREAS, while that right should be the exception, it has become the rule; and

WHEREAS, by using tactics such as reducing CMPTRA, which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, from \$72 million in State Fiscal Year 2005, to \$505 million in State Fiscal Year 2011, the State's diversion of Energy Taxes has continued to grow; and

WHEREAS, in 2008, 2009 and 2010 (SFY 2009, 2010 and 2011), funding for municipal revenue replacement was slashed by about \$26 million in 2008 and \$32 million in 2009, followed by losses of about \$271 million in 2010; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use for these resources, which were always intended to fund local programs and services;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen of the Town of Dover, that we join with the League of Municipalities in calling for the immediate restoration of funding diverted from Energy Taxes intended for local use; and

BE IT FURTHER RESOLVED, that we, respectfully, call on State policy makers to end the diversion of our municipal resources to cover State spending and to provide us with this important tool to relieve the worst-in-the-nation property tax burden borne, for too long, by the people of New Jersey; and

BE IT FINALLY RESOLVED, that copies of this Resolution be forwarded to the Governor of the State of New Jersey, our State Legislators and the League of Municipalities, and to the Town of Dover's official Newspapers, The Citizen of Morris County and The Daily Record.

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

**Ayes: Aldermen Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega, Mayor Dodd
Nays: None Absent: None Abstained: None**

RESOLUTION ESTABLISHING “COMPLETE STREET” POLICY FOR THE TOWN OF DOVER

WHEREAS, the Town of Dover is committed to creating street corridors that accommodate all road users of all ages and abilities for all trips; and

WHEREAS, “Complete Streets” refers to a balanced approach to transportation solutions that takes into account the needs of all roadway users: pedestrians, bicyclists, transit users and motorists.

WHEREAS, the Town of Dover has already completed extensive and detailed planning through the adoption of its new Land Use Element, Transportation Oriented Development Plan, Circulation Plan Element and Form Based Code, all of which promote “Complete Streets” principals; and

WHEREAS, significant accomplishments have already been achieved by incorporating pedestrian safety and traffic calming measures when public streets are improved; and

WHEREAS, the Mayor & Board of Aldermen fully supports these initiatives and wish to reinforce its commitment to creating a comprehensive, integrated, connected street network that accommodates all road users of all abilities and for all trips; and

NOW THEREFORE BE IT RESOLVED that all public street projects, both new construction and reconstruction (not including maintenance) in the Town of Dover shall be designed and constructed as complete streets. The "complete street" accommodates travel by pedestrians, bicyclists, public transit, and other motorized vehicles and their passengers. This policy shall be implemented as follows:

1. All Town of Dover streets shall be designed and constructed to include accommodations for pedestrians, bicyclists, public transit, and motorists. Complete streets shall accommodate users of all ages and abilities.
2. Recognizing the inter-connected multi-modal network of street grid, the Town of Dover will work with the County of Morris, New Jersey Transit, New Jersey Department of Transportation and other state agencies through existing planning efforts to ensure complete streets principles are incorporated in a context sensitive manner.
3. While complete streets principles are context sensitive, it would be appropriate to consider these features during the design, planning, maintenance and operations phases and incorporate changes into some retrofit and reconstruction projects. Departments shall reference New Jersey Roadway Design Manual; the AASHTO Guide for the Traffic Control Devices; the NACTO Urban Bikeway Design Guide and other design criteria as necessary, striving to balance all needs, when repaving or reconstructing streets.
4. To facilitate timely implementation of the new policy, the following steps shall be taken:
 - a. A memorandum outlining this new policy will be distributed to all department heads within 90 days of this resolution.

- b. At least one training about complete streets will be conducted for appropriate staff within 180 days of this resolution.
 - c. Oversight of the new complete streets policy will be handled by the Town Engineer, or other appropriate Department Heads as approved by the Governing Body.
5. Exceptions may be made to this policy under any one of the following conditions:
- a. Bicycle and pedestrian facilities are not required where they are prohibited by law.
 - b. Public transit facilities are not required on streets not serving as transit routes. The desirability of transit facilities will be determined on a project specific basis.
 - c. When the cost of incorporating new bicycle, pedestrian, and/or public transit facilities is excessive, defined as greater than 20% of the overall project cost, the need for and or probable use of the facility shall be considered in making the determination as to budget and capital improvements program approval process or when project plans and specifications are being prepared. Exceptions due to cost increases shall be sent to the Mayor & Board of Aldermen for formal approval.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor & Board of Aldermen of the Town of Dover that the Town of Dover hereby consents to all public street projects, both new construction and reconstruction (not including maintenance) in the Town of Dover shall be designed and **constructed** as complete streets; and

BE IT FURTHER RESOLVED, that this resolution shall remain on file in the Town Clerk's office and a copy be provided to the Morris County Freeholders, the New Jersey Department of Transportation and New Jersey Transit.

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

**Ayes: Aldermen Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega, Mayor Dodd
Nays: None Absent: None Abstained: None**

RESOLUTION

WHEREAS, Dover Entertainment LLC located at 337 E. Blackwell Street, Dover, New Jersey has submitted an application for a Catering Permit to be held on May 18, 2012 from 5:00pm to 11:00pm at Dover Boxing Club located at 79B Bassett Highway; and

WHEREAS, Dover Boxing Club will be holding boxing matches as fundraising at said event; and

WHEREAS, the Police Chief will decide what special conditions if any are needed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the following application for Alcoholic Beverage Catering Permit be approved:

- 1. Dover Entertainment LLC, license number 1409-33-002-007 is hereby approved for a Catering Permit for an event to be held at Dover Boxing Club, 79B Bassett Highway on May 18, 2012 from 5:00pm to 11:00pm.
- 2. This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

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

**Ayes: Aldermen Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega, Mayor Dodd
Nays: None Absent: None Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
TOWN OF DOVER APPROVING A BILLIARD HALL LICENSE**

WHEREAS, an application for a Billiard Hall license has been made by Su Casa Colombia, Inc located at 112 E. Blackwell St; and

WHEREAS, the applicant is requesting a license for one (1) pool table; and

WHEREAS, the appropriate fees have been paid and the license shall be prominently displayed; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the Billiard Hall License for one (1) pool table is hereby approved.

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

Ayes: Aldermen Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega, Mayor Dodd

Nays: None Absent: None Abstained: None

PUBLIC COMMENTS

Christine Jaeger – 430 Quaker Church Rd., Randolph – Ms. Jaeger is representing Dover Strikers and is the field scheduler for the travel and recreation programs. Ms. Jaeger is asking for the board’s help to expedite the fields. She noted that she submitted field use applications on January 2nd, then made two separate amendments and finally on March 2nd the permits were tracked down. She expressed that opening day is on Sunday and the fields are not set up. Mayor Dodd clarified that every person that applies for a field use application must adhere to the process and noted that soccer is no different. He noted that this process had been in place for many years. Mayor Dodd wanted to know if Ms. Jaeger brought the concerns, about the fields not being ready, to the Recreation Commission. She expressed that she was there in February and the permit indicates the date for opening day. Mayor Dodd expressed that there’s a process which is to first approach the recreation commission and if you are not satisfied then contact the administrator. However, giving the board a couple of days prior to opening day is not reasonable. Ms. Jaeger reminded the board that the permits were given in January. Discussion continued on the field use topic. Mayor Dodd will schedule a meeting to discuss the field use for opening day. Alderman Timpani wanted to know why the T-ball team was granted a permit for Second Street field when they have three fields by North Dover. Mayor Dodd suggested attending a recreation commission since they granted the permit.

Charles Brown – 297 Smithwall Rd, Somerset, NJ – Mr. Brown thanked the Board, on behalf of the Department of Transportation & Rutgers University, for approving the “Complete Streets” resolution. He thanked the City Manager and Town Engineers for their efforts.

Michelle Vega – E. Dickerson St. – Ms. Vega brought to the board’s attention the noise level and occupancy level at Murphy’s Third Rail. She wanted to know that, if there’s a noise ordinance then why does a resident have to sign a complaint. Mayor Dodd explained that a decibel meter has been purchased however proper training is required. Currently, there are two police officers that have been trained. Mayor Dodd explained that there’s a safety issue with the occupancy level and requested Code Enforcement be notified, as well, as the Fire Marshall. Mr. Close noted that NJ Transit should also be notified since Murphy’s Third Rail leases the property from them.

Patrick Fahy – 51 W. Chrystal St. – Mr. Fahy thanked the Mayor for his kind words on the soccer program. He noted that the soccer organization wants to work with the recreation commission but there are 1 or 2 individuals that don’t want to work together. He also noted that the commission is charging a user’s fee for traveling soccer for the use of the Crescent Field. Discussion and suggestions were made on the field use application.

Daniel Martinez – 57 Spring St. – Mr. Martinez wanted to know if there’s a process to expedite a permit for Second field for the soccer program prior to the recreation commission meeting. Mayor Dodd expressed that there’s a process that needs to be utilized through the recreation commission. Mr. Martinez noted that there’s talk about using Water Works Park as a soccer field and asked that the field be looked at because it’s very unsafe. The discussion led into Mr. Martinez’s Facebook posting that said the following “Call your Mayor and your Aldermen and tell them to stop the abuse against our town’s children and families...” Mayor Dodd expressed that those were a poor choice of words and takes offense. Mr. Martinez expressed that every year it’s the same issue about the fields and that’s the reason for his comments. Alderman Romaine commented that people forget how hard the board worked to get a state of the art soccer field and they are continuing their efforts. The discussion continued on Mr. Martinez’s posting on Facebook ending with Alderman Downs commenting that Mr. Martinez always picks the toughest topic and that he’s disappointed in Mr. Martinez for his posting.

Natalie Martinez – 57 Spring St – Ms. Martinez asked Mr. Close if the town has take advantage of the flood mitigation program and if any residents have submitted applications. Mr. Close noted that one person has submitted an application but he’s not sure of its current status. She suggested looking into the flood mitigation program to use funds from the historical preservation trust funds to purchase properties at the end of East Blackwell Street and use those properties for fields. She noted that the town should be looking at solutions and not her husband’s facebook page. Mayor Dodd explained the loss of ratable, if properties are purchased from the homeowners. He noted that the Town of Dover doesn’t have the luxury to gain ratables like Rockaway Township with the shopping mall however he has been meeting with re-developers to bring in ratables.

Michelle Yzarnotegui – 14B Belmont Ave – Ms. Yzarnotegui believes that people need to bring solutions to the table and the residents can not expect the town to do everything. Families need to work together for solutions.

Patrick Fahy – 51 W. Chrystal St. – Mr. Fahy expressed that they really do appreciate the efforts of the town and thanked Mr. Acevedo for sprucing up the fields.

Mayor Dodd thanked Alderman Visioli and Alderwoman Romaine for attending the “Red, White and Blue Ceremony” where they recognize law enforcement officers, fire fighters, and emergency medical personnel who serve in the community. He also thanked the First Baptist Church of Dover/Rockaway Township for hosting the ceremony every year because it’s important to recognize them.

**Motion to adjourn made by Alderwoman Romaine at 8:48 pm,
and duly seconded by Alderman Visioli passed by the following voice vote.**

**Ayes: Aldermen Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: None Abstained: None**

Respectfully submitted,

Margaret J. Verga, Municipal Clerk