



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
May 12, 2009 7:00 PM

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

Mayor Dodd called the meeting to order at 7:00 pm

All joined in the Pledge of Allegiance to the Flag and prayer was given asking for guidance and strength to do what is right for our town and our citizens.

ROLL CALL:

Present: Aldermen Delaney, Poolas, Visioli, Donofrio, Picciallo, Romaine, Blackman and Mayor Dodd
Alderman Timpani

Also present were Administrator Close, Attorney Pennella and Clerk Verga

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

MUNICIPAL CORRESPONDENCE:

1. Notice from NJDOT re: Activation of a temporary signal at intersection of Route 15 and Route 46 due to the closure of the section of Route 15 under Route 46 effective 5/15/09 at 9pm
2. Notice from Center for Disease Control (CDC) re: Risk of Swine Flu associated with travel to affected areas
3. Notice from NJDEP re: Suspected Hazardous substance discharge notice for 22 Richboyton Road
4. Notice from NJDEP re: Completion of a Remedial Investigation for 75 Hillside Avenue
5. Letter from NJ Council on Affordable Housing (COAH) re: Objection to the Town of Dover's Third Round Housing Element and Fair Share Plan
6. Resolution from Rockaway Twp. re: Supporting Assembly Bill A-3570 proposing the abolition of the Council on Affordable Housing (COAH)
7. Code Enforcement Monthly Report for March 2009
8. DPW Monthly Report for March 2009
9. Notes of appreciation to the Mayor & Board for acknowledging the passing of employee family members

Alderman Donofrio wanted more information on the correspondence from the Council on Affordable Housing (#5, #6). Mayor Dodd noted that he will discuss the correspondence during his report.

AGENDA ITEMS:

ORDINANCE(S) FOR INTRODUCTION

1. Ordinance #10-2009 – Handicap Parking space located at 47 Guy Street
2. Ordinance #11-2009 – Parking Kiosks System

Mayor Dodd commented on ordinance #11-2009-Parking Kiosks System. Mayor Dodd noted that there has been some concern from the senior community about the new parking system. Mayor Dodd expressed that the kiosk system will provide an opportunity for everyone. However, in addressing the needs of the senior community and realizing that most of them are on a fixed income, the parking committee felt that it was best if the fees were waived for kiosk parking. Mayor Dodd expressed that another concern was for non-profit organizations and a reduction in fees. He noted that several departments discussed the issue and they felt that it was best if non-profit organizations were ramped in the system progressively. Mayor Dodd noted that for the year 2009, non-profit organizations would be exempted from the fees since enough time was not provided to them for budgeting purposes. However, non-profit organizations will have to pay in the future. He noted that other suggestions were made in reference to percentage increases per year for non-profit organizations.

Mayor Dodd requested several changes to the ordinance (#3-Lot C needs to be changed to Lot D and he requested removal of Sections B & C). He noted that the kiosk system's effective date is June 1, 2009. Mayor Dodd showed the public the "information" sign that will be posted in all municipal lots and noted that Parkeon representatives will be present to show commuters how to operate the machine. Mayor Dodd commended Alderman Delaney for his hard work on the ordinance with Jerry (consultant) and Engineer Hantson.

Alderman Delaney expressed that commuters will like the new system once they become familiar with the process.

Alderman Donofrio wanted to know the savings for non-profit organizations. Mayor Dodd noted it would be 50% of the cost.

Alderman Poolas wanted to know why the lot at Legion Place did not have a kiosk machine present. Mayor Dodd commented that he wanted the (inactive) meters placed in Legion Place but American Legion representative expressed that seniors park there when attending bingo. Mayor Dodd expressed that meters need to be placed in the Legion Place lot since commuters will take advantage of the free parking and he noted that the seniors' concern will be resolved with the decal option.

ORDINANCE(S) FOR SECOND READING

1. Ordinance #09-2009 – Imposing a Tax on Hotel/Motel Occupancy

Alderman Poolas wanted to know if this ordinance covers bed & breakfast. Attorney Pennella commented that he would have to review the statute but believes an amendment would have to be introduced to include a bed & breakfast.

RESOLUTIONS

1. Approving Bills List
2. Approving minutes of the Mayor and Board of Aldermen held on 3/10/09, 3/24/09 and 4/14/09
3. Approving Mayor and Chief of Police to sign Memorandum of Understanding for access to the Morris County Integrated Justice Information System (MCIJIS)
4. Approving Mayor and Clerk to sign agreement with Morris County for road opening or excavation purposes
5. Appointing Ernest Ciccone and Donna Long as Alternate School Crossing Guards
6. Approving Limo License for City Limo, Inc. (See Schedule A)
7. Approving Taxi Driver Licenses (See Schedule A)
8. Approving Mobile Vendor License Class III for Ricky's Ice Cream
9. Approval of Alcoholic Beverage Social Affair Permit for Fiesta de Reyes on June 27, 2009
10. Approval to release the performance bond for Briad Lodging Group Dover, LLC
11. Approval of Memorandum of Understanding for a consolidated application for the 2009 Edward Byrne Memorial Justice Assistance Program with seven municipalities

REGULAR MEETING MINUTES
May 12, 2009

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

The meeting was called to order by Mayor Dodd at 7:33 pm

ROLL CALL

Present: Aldermen Delaney, Poolas, Donofrio, Picciallo, Romaine, Blackman and Mayor Dodd

Absent: Aldermen Timpani & Visioli

Also present were Administrator Close, Attorney Pennella and Clerk Verga

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

Mayor Dodd opened this portion of the meeting to the public for agenda items only. Seeing no hands and hearing no voices Mayor Dodd closed this portion of the meeting to the public.

MAYOR DODD'S REPORT – Mayor Dodd commented that the Mayor's 4th Annual Fishing Derby is being held on May 30th from 7:00am to noon. He thanked the fishing derby committee and the sponsors that provided donations. Mayor Dodd provided an explanation of the Route 15 closure at Route 46. He noted that starting Friday, May 29, 2009, Route 15 will no longer pass under the Route 46 Bridge. He explained a temporary T-intersection with Route 46 will be opened at that time until the permanent T-intersection is being constructed. The existing section of Route 15 between Warren and Route 46's underpass will permanently be closed (dead-end) at that time. He continued to explain that the Route 15 northbound traffic will be directed to Route 46 and commuters will be able to make a right turn onto Route 15 as a temporary signalized intersection. Mayor Dodd explained that the town has experienced five different detours with the Route 46 Bridge project and it's still anticipated to be a three year project. Mayor Dodd expressed that there's still some concerns with NJ Department of Transportation (NJDOT) which will be discussed. He anticipates visiting the businesses in the project area to make sure their businesses are not affected by the construction.

Mayor Dodd commented that the board is in receipt of a letter from the Fair Share Housing Center. He explained that the Assembly Bill A-500 was passed into law (last July) which requires all municipalities in the highlands region to provide 20% of affordable housing within all project unless it's economically infeasible. Trammel Crow submitted an application to Council on Affordable Housing (COAH) for a waiver of the full 20% of affordable housing inclusions in their project and presented documentation on the economic infeasibility in January 6, 2009. The proposal from Trammel Crow Residential was for 28 out of 344 units to be affordable and the town felt that it was adequate. COAH had scheduled an action on the motion for their April 8th meeting but it was pulled from their agenda due to the intervention of the Fair Share Housing Center. On May 4th, the Fair Share Housing Center of Cherry Hill, NJ filed an objection to the town's third round housing element and fair share plan which is currently under review by COAH. The Fair Share Housing Center of Cherry Hill has a history of objecting Fair Share plans and has challenge COAH's third round rules and methodology before the Appellate Court.

Mayor Dodd noted the two objections to the plan from the Fair Share Housing Center. They noted the first reason is because Dover's plan does not comply with the Fair Share Housing Act requirement that 20% of all developments in the Highlands be affordable to low and moderate income households. Dover is required by law to implement the above requirement but has not done so with regards to the Trammel Crow development. The second reason for their objection is because Dover has not provided enough very low income units and had not indicated where those units will be provided. Mayor Dodd explained that Engineer Hantson gathered the information and noted that 20% of Dover's households are very low income (\$23,629), 38% are low-income (\$39,381) and 58% are moderate income (\$63,010). Mayor Dodd believes the system needs to be changed so it becomes a fair system. Mayor Dodd with the assistance of Mr. Close will be writing a letter to COAH to express the towns' concerns.

Mayor Dodd thanked the volunteer group, Bridging the Generation Gap, who through donations provided the senior citizen residents of Millpond Towers with various items of clothing, jewelry and accessories. Mayor Dodd commented on the swine flu issue and thanked everyone (Office of Emergency Management Officer Scott Warner, Aldermen Delaney, and Health Officer Donald Constanzo) that was involved. Mayor Dodd commented that the town is in the process of completing an Edward Byrne Memorial Justice Assistance Program application. The Edward Byrne application provides a grant to municipalities for the purchase of police equipment. Mayor Dodd will be attending a full-day "stimulus money" seminar.

Mayor Dodd will be meeting with the owners of the flea market regarding a business complaint. Mayor Dodd and Mr. Close drove around town to review the quality of life issues that are affecting the community.

ALDERMEN/COMMITTEE REPORTS

ALDERMAN PICCIALLO – Alderman Picciallo noted that the concession stand at King Field was damaged by fire and Spartan Gas Station on Route 15 experienced a fire, as well. He thanked the county, Dover’s Fire & Police Departments for their quick responses. He attended various Memorial Association meetings and noted that they are working on the Memorial Day parade which is on Monday, May 25th. He attended the Dover Little League parade. He reminded the public about the Mayor’s Fishing Derby. He congratulated Sue Shauer for being elected as president of the Board of Education.

ALDERMAN POOLAS – Alderman Poolas commented that the Memorial Day parade is in the works and the service will be held at JFK Park. He noted that this year the association will be honoring four women who are Rosie the Riveters which the Memorial Association is very proud to do.

ALDERMAN DONOFRIO – Alderman Donofrio attended the presentation by Morris County to introduce elected officials to many of the new department heads. The presentation also provided an explanation of the role of each department.

ALDERWOMAN ROMAINE – Alderwoman Romaine attended a municipal alliance meeting to review the budget and other options on how to provide additional programs. Alderwoman Romaine offered her assistance to Mr. Close and Clerk Verga regarding the review of the insurance policy for the concession stand claim.

ALDERWOMAN BLACKMAN – Alderwoman Blackman attended the Board of Education meeting and thanked Mrs. Shauer for her input. She met with the manager at Sovereign Bank who provided a presentation for the students of Dover High School on how to manage their checking account and safeguards on how to prevent identity theft. She attended the Board of Health meeting and on June 6th they will be providing a cholesterol screening program. Alderwoman Blackman introduced herself to the owner of VIP Barbershop (new business). She attended the loss of memory class at Regency Grande Nursing Home

ALDERMAN DELANEY – Alderman Delaney noted that the town and the county were fully prepared for the Swine Flu epidemic. He commented on the fire at the baseball concession stand. Alderman Delaney received an email from the President of Rosie the Riveters National Society and they will also honor the four women with a membership to the National Society.

ALDERMAN VISIOLI – Absent

ALDERMAN TIMPANI – Absent

ADMINISTRATOR CLOSE – Administrator Close commented that a grant application (JAG) for police equipment is in the process of being completed. He noted that the town is working with the insurance company to resolve the claim with the concession stand.

ATTORNEY PENNELLA – Mr. Pennella noted that a memorandum concerning regulating the hours of operation for mobile vendors, as per Alderman Timpani, has been prepared.

CONSENT AGENDA

ORDINANCE FOR INTRODUCTION

ORDINANCE NO. 10-2009

ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER PROVIDING FOR HANDICAPPED PARKING SPACE AT 47 GUY 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 47 Guy Street

Said handicap parking space shall be located along the westerly curb line of Guy Street beginning at a point 80 ft. south of the southwesterly curb line intersection of Berry Street and Guy Street, thence continuing in a southerly direction for a distance of 25’ to a point.

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.

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Romaine, Blackman, and Mayor Dodd

Nays: None Absent: Aldermen Visioli & Timpani Abstained: None

ORDINANCE NO. 11-2009
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AMENDING AND
SUPPLEMENTING REVISED ORDINANCES 1969 ENTITLED, "PARKING" CHAPTER A,
"PUBLIC PARKING SYSTEM" OF THE REVISED ORDINANCES OF THE
TOWN OF DOVER 1969, SAVED FROM REPEAL

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

Article 28, "Parking" Chapter A, "Public Parking System" of the revised Ordinances of 1969, saved from repeal under the Code of the Town of Dover, is hereby amended and supplemented as follows:

1. Operating Plan. The Town of Dover hereby adopts the Dover Public Parking Lots Operating Plan which is attached hereto and made a part hereof.
2. Resident Senior Citizen Exemption. There is hereby implemented a senior citizen decal program for exemption from all parking fees for all those lots governed by pay stations. Application may be made by any Dover resident senior citizen to the Town of Dover for a parking decal, which decal will exempt them from the requirement of making payment at pay stations in Lot A through Lot H. Decal holders can only park in said lots during the designated operating hours of the lot. The fee for filing the application will be \$5.00 per year, and applications shall be made at the office of the Town Clerk. Decals shall be valid for a period of one (1) year from the date of issuance, and shall expire immediately upon change of residency status. Decals shall be issued to no more than one passenger vehicle per resident senior citizen and shall apply only to the person to whom it is issued and shall not be transferable. A senior citizen shall be a person 65 years of age or older. Proof of residency must be provided in the form of the applicant's driver's license and a utility bill or lease agreement which establishes the applicant's residency in the Town of Dover.
3. Non-Profit Exemption/Reduction. Non-profit organization as defined herein may apply for a parking permit for their employees to park in municipal lot D free of charge for year 2009.

A non-profit organization is defined to be an entity organized under the laws of the State of New Jersey pursuant to N.J.S.A. 16-1 et .seq. and which entity has qualified as a tax exempt organization under Section 501 (c) (3) of the Internal Revenue Code. There shall be imposed an administrative fee of \$5.00 per permit. Proof of employment must accompany the application for a permit. The non-profit corporation must advise the Town if the employee ceases employment, at which time the permit shall no longer be valid. The Town shall not be obligated to pay a refund if an employee leaves or is terminated. Permits shall be issued for one year. If the permit extends into a year which carries a higher fee, it shall be calculated based on both the lower and higher fee using the actual months in each year multiplied by the monthly fee.
4. Operating Hours. All public parking lots shall be closed to parking between the hours of 2:00 a.m. and 5:00 a.m. for valid night time permit holders in designated spaces.
5. Penalty. Any person, firm or corporation who shall violate any section of this Ordinance shall, upon conviction, pay a fine of \$ 25.00.
6. Repeal. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.
7. Validity. 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.
8. Effective Date. The Ordinance shall take effect in accordance with law, but not sooner than 5:00 a.m. Monday, June 1, 2009.

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

ORDINANCE FOR SECOND READING

ORDINANCE NO. 09-2009
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY IMPOSING A TAX ON HOTEL/MOTEL OCCUPANCY

Be it **ORDAINED** by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey as follows:

1. **Imposition of Tax.** Pursuant to N.J.S.A. 40:48F-1, the Town of Dover hereby imposes a tax of three (3%) percent on charges of every rent for every occupancy of a hotel or motel located within the municipal borders of the Town of Dover, Morris County, New Jersey. The imposition of this tax is in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the occupancy of a hotel room.

2. **Payment of Tax.** All taxes imposed under this ordinance shall be paid by the purchaser. The vendor shall not assume or absorb any tax imposed by this ordinance. The vendor shall not in any manner advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the tax will be assumed or absorbed by the vendor, that the tax will not be separately charged and stated to the customer, or that the tax will be refunded to the customer.

3. **Collection of Tax.**

A. The tax imposed pursuant to this ordinance shall be collected on behalf of the municipality by the person collecting the rent from the hotel customer.

B. Each person required to collect a tax imposed by this ordinance shall be personally liable for the tax imposed, collected or required to be collected hereunder. Any such person shall have the same right in respect to collecting the tax from a customer as if the tax were a part of the rent and payable at the same time; provided however, that the chief financial officer of the municipality shall be joined as a party in any action or proceeding brought to collect the tax.

4. **Returns.**

A. A person required to collect a tax imposed pursuant to this ordinance shall, on or before the dates required pursuant to N.J.S.A. 54:32B-17, forward to the director of the Division of Taxation in the Department of the Treasury, the tax collected in the preceding month and make and file a return for the preceding month with the director in any form and containing any information as the director shall prescribe as necessary to determine liability for the tax in the preceding month during which the person was required to collect the tax.

B. If the director permits or requires returns to be made covering other periods and other dates as the director may specify, the person required to collect a tax imposed under this ordinance shall abide by the director's requirements.

5. **Governing Law.** A tax imposed herein shall be governed by the provisions of the "State Uniform Tax Procedure Law," R.S. 54:48-1, *et seq.*

6. **Penalties.** If a vendor assumes or absorbs the tax being charged under this ordinance, each assumption or absorption shall be deemed a separate offense and each representation or advertisement by a vendor for each day the representation or advertisement continues of an assumption or absorption shall be deemed a separate offense. Such offense shall be punishable by a fine of not more than \$1,250.00, imprisonment for 30 days, or both.

7. **Filing of Ordinance.** A copy of this ordinance once adopted shall be transmitted to the state treasurer.

8. **Effective Date.** This ordinance shall be effective upon second reading and publication in the official newspaper of the State of New Jersey and 90 days after the transmittal of the adopted ordinance to the State treasurer.

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

10. **Severability.** 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.

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

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

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:	\$12.00
CURRENT ACCT claims in the amount of:	\$335,840.03
CAPITAL ACCT claims in the amount of:	\$34,132
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:	\$3,149.87
PARKING UTILITY RESERVE ACCT claims in the amount of:	
PARKING CAPITAL ACCT claims in the amount of:	
ANIMAL CONTROL TRUST ACCT claims in the amount of:	
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	
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:	\$2573.04
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$375,706.94

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:	\$294,542.07
WATER UTILITY ACCT claims in the amount of:	\$22,664.72
PARKING UTILITY ACCT claims in the amount of:	\$3854.45
PAYROLL AGENCY ACCT claims in the amount of:	\$477,194.22
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$139.00
TOTAL CLAIMS PAID	\$798,394.46

TOTAL BILL LIST RESOLUTION **\$1,174,101.40**

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER FOR APPROVAL OF MINUTES**

WHEREAS, In accordance with the provisions set forth in the Open Public Meeting Law, annual notice has been provided for all Mayor and Board of Aldermen meetings; and

WHEREAS, The Mayor and Board of Aldermen of the Town of Dover held their Public Meetings, and minutes of those meetings were transcribed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey for approval the minutes for the following meetings:

1. March 10, 2009 – Caucus and Regular
2. March 24, 2009 – Caucus and Regular
3. April 14, 2009 – Caucus and Regular

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF MORRIS
FOR ACCESS TO THE MORRIS COUNTY INTEGRATED JUSTICE INFORMATION SYSTEM (“MCIJIS”)**

WHEREAS, the Town of Dover wishes to enter into an Agreement with the County of Morris via a Memorandum of Understanding regarding the use of the Morris County Integrated justice Information System (“MCIJIS”) ; and

WHEREAS, the purpose of the document is to create a criminal justice information system that may be called upon by various participating County and Municipal law enforcement agencies to enhance the delivery of law enforcement services to the residents of Morris County and to the participating municipalities located therein;

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 authorize the Mayor and Chief of Police to sign the Memorandum of Understanding.

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF MORRIS
FOR ROAD OPENING OR EXCAVATION PURPOSES**

WHEREAS, the Town of Dover wishes to enter into an Agreement with the County of Morris for road opening purposes; and

WHEREAS, when necessary for the Town of Dover to make openings or excavations in and upon the County Road System; and

WHEREAS, in lieu of making payment the Town of Dover will restore such road to the same or as good condition as they were before making of such opening or excavations

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 authorize the Mayor and Clerk to sign the Agreement.

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPOINTING CROSSING GUARDS FOR THE TOWN OF DOVER

BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover that the following be and hereby are appointed **CROSSING GUARDS** for the Town of Dover for a term of one (1) year commencing January 1, 2009.

ERNEST CICCONE

DONNA LONG

Alderman Delaney 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, Donofrio, Picciallo, Romaine, Blackman, and Mayor Dodd

Nays: None Absent: Aldermen Visioli & Timpani 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 limousine(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 limousines;

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 limousine(s) listed below are hereby approved for limousine(s) in the Town of Dover.

CITY LIMO & TAXI, INC.

1. 2003 Chrysler Wagon (Limo) Passengers: 6 Color: Silver VIN: 250664 Plate# OL8834G

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Romaine, Blackman, and Mayor Dodd

Nays: None Absent: Aldermen Visioli & Timpani Abstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING TAXICAB DRIVER LICENSES

WHEREAS, applications for taxicab drivers licenses have been made by the people listed on Schedule A attached hereto and made a part hereof; and

WHEREAS, the Police Department of the Town of Dover has reviewed their applications and has advised that there is no prohibition to the issuance of their license; 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 taxi driver licenses for those people listed on Schedule A attached hereto and made a part hereof are hereby approved.

Schedule A

First Class Taxi

Ramon Matos-Feliz
Rubiel Gomez
Rafael Gonzalez-Osorio
Remberto Delacruz
Maximo Delacruz
Victor Guardia
Jose Reyes

Axel's Express

Yuri Bustamante
Axel Acevedo
Juan Cardona

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Romaine, Blackman, and Mayor Dodd

Nays: None Absent: Aldermen Visioli & Timpani Abstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER APPROVING A MOBILE RETAIL FOOD ESTABLISHMENT

WHEREAS, Paguay Zola of Ricky's Ice Cream Inc. has filed for renewal of a Class 3 Mobile Retail Food Establishment License; and

WHEREAS, a Class 3 license is for the sale of frozen dairy products and frozen snacks from a motorized vehicle. The licensee may sell in any zone, provided that no sale stops shall be for more than ten (10) minutes in any residential zone and thirty (30) minutes in any other zone.

WHEREAS, Ricky's Ice Cream Inc. has provided proof of insurance, sales tax certificate, physician certificate(s), photograph(s) of employees, proof of citizenship and proof of payment of sales tax; and

WHEREAS, the appropriate fees have been paid.

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. That the application of Ricky's Ice Cream Inc. for a Mobile Retail Food Establishment, Class 3 License be approved.
2. This approval is conditioned upon approval of the Health Officer's satisfactory inspection of the vehicle for said license.

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Romaine, Blackman, and Mayor Dodd

Nays: None Absent: Aldermen Visioli & Timpani Abstained: None

RESOLUTION

WHEREAS, Fiesta de Reyes filed an application for their **fourth** Special Permit for Social Affair to be held at Casa Puerto Rico, which is their **tenth** event; and

WHEREAS, Fiesta de Reyes, a non-profit organization is permitted to have twelve events per year and Casa Puerto Rico is permitted to have twenty-five; and

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

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

1. Fiesta de Reyes is approved for a concert/dance (#4) to be held on Saturday, June 27, 2009 at the Casa Puerto Rico, 50 W. Blackwell Street, Dover, NJ (#10) from 8:00 p.m. through 2:00 a.m.

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

Ayes: Aldermen Delaney, Donofrio, Picciallo, Romaine, Blackman, and Mayor Dodd

Nays: None Absent: Aldermen Visioli & Timpani Abstained: Alderman Poolas

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS RELEASING PERFORMANCE BOND FOR BRIAD LODGING GROUP DOVER, LLC

WHEREAS, Briad Lodging Group Dover, LLC, hereinafter "Briad" is the named developer of property located at Block 901 Lot 1.05; and

WHEREAS, Briad entered into a Developer's Agreement with the Town of Dover in which, pursuant to N.J.S.A. 40:55D-53, they were required to post a performance bond equal to the cost of installing along Commerce Boulevard lighting, sidewalks, hydrant relocation and restoration; and,

WHEREAS, the Municipal Engineer has certified that this work has been satisfactorily completed, inspected and accepted by the Town; and

WHEREAS, Briad needs to provide the Town of Dover with a two-year Surety Maintenance Bond equivalent to fifteen (15%) percent of the cost of improvements as defined in the Developer's Agreement (\$8,859.68); and

WHEREAS, the escrow for the cost of Municipal review has a balance of \$4,484.03; and

WHEREAS, the Municipal Engineer has advised that at least \$2,000.00 should remain in the inspection escrow until the end of the Maintenance Bond in order to cover the cost of additional inspections that will be required prior to the release of that bond in two years; and

WHEREAS, Briad has asked for release of the Performance Bond and escrow;

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 Performance Bond issued by Briad to the Town of Dover is hereby released on the condition that a Surety Maintenance Bond in the amount of at least \$8,859.68 is provided to the Town in acceptable form; and
2. The escrow held by the Town of Dover for Municipal costs and inspections in excess of \$2,000.00 shall be returned to Briad with \$2,000.00 remaining in anticipation of future inspection costs and expenses.

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

2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
RESOLUTION FOR GRANT ADMINISTRATIVE SUPPORT

WHEREAS, the Mayor and Board of Aldermen of the **Town of Dover** and the Governing Bodies of **Township of Jefferson, Township of Morris, Town of Morristown, Township of Parsippany-Troy Hills, Township of Rockaway, and Township of Roxbury** agree to make a consolidated application for a 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Program award through the U.S. Department of Justice, Office of Justice Programs in the total amount of \$201,116 for the seven municipalities; and

WHEREAS, U.S. Department of Justice, Office of Justice Programs awards non-competitive formula grants to support components of the criminal justice system, including but not limited to, multijurisdictional drug and gang task forces; crime prevention and domestic violence programs; and courts, corrections, treatment, and justice information sharing initiatives; and

WHEREAS, the Township of Parsippany-Troy Hills agrees to act as Lead Agency for the 2009 JAG program, submit the consolidated grant application, and provide ongoing grant administrative support including oversight and assistance to the other participating Municipalities as required by the JAG program; and

WHEREAS, in return for the grant administrative support provided by Parsippany, each other Municipality has agreed to cover costs of providing this support by accepting a modification to the Municipality's 2009 JAG award amount prior to dispersal.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the **Town of Dover**, that **Town of Dover** does hereby join with the Governing Bodies of **Township of Jefferson, Township of Morris, Town of Morristown, Township of Parsippany-Troy Hills, Township of Rockaway, and Township of Roxbury** in applying for a grant for the purpose of certain criminal justice system programs and initiatives; and

BE IT FURTHER RESOLVED that the Chief of Police and Attorney are hereby authorized to sign the Memorandum of Understanding on behalf of the Town of Dover and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

BE IT FURTHER RESOLVED that **Town of Dover** agrees to provide a portion of its awarded grant amount of **\$41,700.00** in the amount of **\$1,000.00** to the **Township of Parsippany-Troy Hills** prior to funds dispersal as its contribution to the costs associated with the ongoing grant administrative support.

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

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

Mayor Dodd opening the meeting to the public.

MATTHEW BARRICK – 107 Bassett Hwy. – He commented that the State of New Jersey (Unemployment Office) has been on an extended month to month lease. The State of NJ will be going out to bid and Mr. Barrick has submitted a proposal for the lease of his property. Mr. Barrick has properties in Denville and Dover however the State of NJ has denied his request to keep the office in Dover. Mayor Dodd will be sending letters to the state to show support to keep the unemployment office in Dover.

Seeing no hands and hearing no voices, Mayor Dodd closed this portion of the meeting.

**Motion made by Alderwoman Romaine to adjourn at 8:27 p.m.,
Seconded by Alderman Poolas and passed by the following voice vote.**

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk