



# TOWN OF DOVER

## MAYOR AND BOARD OF ALDERMEN

### CAUCUS MEETING MINUTES

May 13, 2008

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 Fahy, Delaney, Poolas, Visioli, Donofrio, Picciallo, Romaine and Mayor Dodd

Absent Alderman Timpani

Also present were Administrator Garvin, Attorney Pennella and Clerk Verga

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

#### **PRESENTATION FROM CAROL LOWEY-SMALL CITIES PROGRAM UPDATE**

#### **MUNICIPAL CORRESPONDENCE:**

1. Resolution from the Township of Lawrence-County of Cumberland opposing the Governor's proposed state budget for the 2008-2009 fiscal year for its failure to treat property tax relief as a priority
2. Resolution from the Board of Chosen Freeholders re: Park Improvement Trust Allocations for the year 2008
3. Public Hearing Notice from the Township of Randolph's Re: Amending the Recycling Element of the Master Plan
4. Ordinance from Mine Hill Township Re: Amending "Land Development Code" to require recycling plans to be submitted as part of site plan & subdivision application
5. Ordinance from Randolph Township re: Amending & Supplementing Chapter 15-73, Solid Waste & recyclables, of the land use & development ordinance
6. Ordinance from Randolph Township re: Amending & Supplementing Chapter 42, Solid waste management, of the revised ordinances
7. Legislative Bulletin No. 3 from NJLM
8. "Evaluating Financial Conditions & Trends" course offered by Rutgers's Center for Government Services
9. Letter from Tilcon informing the town about their plans to start milling & paving on Rt. 46
10. Public Hearing notice from the Dept. of Planning, Development & Technology re: Block 604, Lot 5 -County owned Dover & Rockaway Railroad
11. Notice from the NJ Natural Gas re: Approval of an increase in its gas rate, depreciation rates for gas property and for changes in the tariff for gas service
12. Quarterly Progress Report from DEP for NJ Natural Gas-Carrell St. & Blackwell Street
13. Directory of Services in Morris County, NJ from the Board of Chosen Freeholders
14. Request to connect to the Dover Sewer System at 77 Everett Drive, Randolph
15. Notice of Deficiency for 211 No. Sussex St., Dover
16. Letter from Cablevision re: Digital Transition Project
17. Brochure from Rutgers University offering "See it, Keep it, Use it: The New American Standard" course
18. Hope House's Spring 2008 newsletter-"Happenings..."
19. Notice from DEP re: 406 W. Clinton Street

#### **AGENDA ITEMS:**

##### **ORDINANCE(S) FOR INTRODUCTION**

1. Ordinance #11-2008 Repealing ordinance #7-85, Amending Article 38 "Streets, Gutters & Sidewalks: Chapter C-Left Turn"
2. Ordinance #12-2008 Amending & Supplementing Chapter 189 "Fire Prevention of the Code of Dover"
3. Ordinance #13-2008 re: Handicap parking space located at 41 Richards Avenue
4. Ordinance #14-2008 re: Amending Code Section 179-2 "False Electronic Transmissions Fines"
5. Ordinance #15-2008 re: Group Term Life Accidental Death and Dismemberment for members for the Volunteer Fire Department

##### **ORDINANCE(S) FOR SECOND READING**

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1. Ordinance #7-2008 Amending Chapter 291, Recycling & Chapter 236 Land Use & Development
2. Ordinance #10-2008 Repealing Handicapped Parking Space at 155 Baker Street

**RESOLUTIONS**

1. Approving Bills List
2. Authorization to award a non-fair & open contract for administration of small cities housing rehabilitation grant application
3. Awarding of a non-fair and open contract for administration of small cities community development block grant for the reconstruction of Belmont, Depew, & Trenton Street
4. Authorizing an agreement for the Flea Market
5. Establishing a self-insurance policy for Volunteer Fire Department Members
6. Approving a discharge of mortgage under the Housing Rehabilitation Program for 27 Kyle Drive
7. Approving Special Permit for Social Event for Global Reach to be held at Baker Theater on May 24, 2008
8. Approving Special Permit for Social Event for Casa Puerto Rico, Inc. to be held at Casa Puerto Rico on June 14, 2008
9. Approving Special Permit for Social Event for Fiesta De Reyes, Inc. to held at Casa Puerto Rico on June 21, 2008
10. Approving Municipal License for Dover Lanes to operate bowling alley
11. Approving Municipal License to operate amusement device (Schedule A Attached)
12. Approving Municipal License to operate a Junk Dealer for C& M Metal Recycling, LLC
13. Approving of Mobile Vendor License for Ricky's Ice Cream
14. Approving Raffle License for Mill Pond Towers Resident Assoc.
15. Approving Raffle License for Dover Rotary
16. Approving Taxis/Limos Licenses
17. Approving Taxi Drivers Licenses
18. Approving the Mayor and Board of Aldermen to enter into Executive Session

# TOWN OF DOVER

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### REGULAR MEETING MINUTES

May 13, 2008

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 7:23 pm

#### ROLL CALL

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

Absent Alderman Timpani

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.

**Blaise DeMasi** – Attorney in Mt. Lakes – Mr. DeMasi is the representative for Ana Lara on the sale of the subject property. Mr. DeMasi disclosed that there's a sheriff sale that is scheduled for June 5, 2008 which was once adjourned. He believes the sheriff's sale is almost eminent and if there's a foreclosure. Then Countrywide Mortgage Company will take over the property and becomes vacant.

He stated that there's a contract of sale where someone is willing live on the property, pay taxes, improve the property and make contributions to the community. Mr. DeMasi understands it's not a good situation for the town for the fear of setting a precedent but he mentioned that this is the reality of the times. Mr. DeMasi requested the town to make a decision on releasing the lien for a thousand dollars (\$1,000.00). He believes the town will be better off if they have someone living there, its also better for the community.

**Christian Vega** – 21 Meadowview Ave. Rockaway – Mr. Vega is employed by Real Estate Consultants, Randolph Office - He notified the board that Ms. Lara's second mortgage is with AIG. Countrywide initially had the second mortgage but then it was sold to AIG. AIG approved the short sale and will receive \$3,000 of the \$257,000 contract.

**Emiliano Lemos** – 48 Second St. – Mr. Lemos commented that the lien is money from the community and if the town permits a discharge a precedent will be created. He mentioned that the Town of Dover has many foreclosures. Mr. Lemos noted that the town is fighting for taxes to meet the budget and if the resolution is passed, it's like we're giving money away.

**Administrator Garvin's Report** – There has been several meetings regarding the proposed shared services coordination effort that the Mayor has initiated with several other towns. The meetings are still ongoing and the administration is looking at the problematic aspects of those shared services agreement.

There was an informal resolution held to make grievances that have been filed by the white collar & blue collar union, upon review of the DOP paperwork and the explanation of same. There's pre-interest arbitration scheduled for next week with the PBA, Town Attorney and members of Administration. Notice was received that the So. Salem Bridge opened and NJ Transit Line will be temporary closed on Saturday May 17<sup>th</sup> from 7am -5pm. Tax maps have been approved by the State Dept. of Treasury Division of Taxation to be used for revaluation purposes. Upon receipt of the formal approval the town can proceed with the revaluation. There's a request from the Morris County Board of Chosen freeholders to host a public meeting at town hall on July 23<sup>rd</sup>. The planning board has rescheduled there meeting to accommodate the Board of Chosen Freeholders.

**Mayor Dodd's Report** – The shared services meetings continue with several surrounding towns to consolidate services throughout communities. There has been discussion to bring another town into the 4 to 5 towns shared service agreement. Mayor Dodd & Alderman Poolas attended a meeting with the Morris County's Prosecutor Robert Bianchi and discussed some projects

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and opportunities the Prosecutor's office has to offer to the community. Prosecutor's office will participate in some of the senior events and Alderman Poolas will spearhead those events. Mayor Dodd attended the ribbon cutting ceremony for JK Steakhouse and welcomed them to the community; also attended a training session for Atillio's and the work that was done to the building is phenomenal. He thanked George Laurie, Stan Schoonmaker & the Historical Society for supplying old photos which were placed in the Atillio's. Mayor Dodd, Alderman Poolas and Mr. & Mrs. Brumale, owners of the flea market have established an agreement and a resolution has been added to the agenda for approval. There's been a delay with the Bassett Hwy. project regarding the interim developer Trammel Crow due to some financial and negotiating issues with the property owners. Trammel Crow replenished their escrow account to pay for professional fees and services. Mayor Dodd hopes to have negotiations on the table soon and have the Bassett Hwy. project start in the fall.

### ALDERMEN/COMMITTEE REPORTS –

**Alderman Fahy** – He has received the request of Second Street & Penn Avenue shade trees to be prune. He noticed three street signs that have been knocked off, which he will forward the complaint to the administator's office. He received an update on the improvements to be made at Hooley Park the new equipment should be in place towards the end of June or July.

**Alderman Picciallo** – Attended the Fishing Derby which was a great success, also attended the ribbon cutting ceremony at JK Steakhouse. He has addressed several citizens' complaints. He attended numerous meetings with the Memorial Associations to prepare for the parade. He has reviewed the details for the Route 46 construction and detours. A survey was conducted on the chicanes in the Princeton & Baker Ave. areas which have been compared the speed bumps on Sussex Street and some changes are in the works. He also attended the JJ Senior Housing board meeting and a contract has been awarded for the new facade which will be funded by HUD. He reminded the residents to keep on property maintenance.

**Alderman Poolas** – Attended the shared services meeting and flea market negotiations. Alderman Poolas and the Mayor went to a resident's house and addressed some complaints which have been satisfied. He also met with the Prosecutor's office. First Ward complaints have been addressed. The Memorial Association worked on their parade and making wreaths. Ms. Connie Sibona-Foster decorated Veteran's path which came out beautiful. New benches donated by the Memorial Association have arrived and have been laid in place. New Flags will be set-up for the Memorial Service. All the events occurring by the Memorial Association have come from donations which have been provided by the residents of Dover and surrounding areas. Aldermen Poolas and Picciallo received several complaints regarding the chicanes on Princeton & Baker. DOT gave them permission for removal and most residents agree with the removal.

**Alderman Donofrio** – Alderman Donofrio reported that the Board of Health will conduct a male cancer screening and cholesterol screening program. Also, re-inspection on a restaurant regarding a conditional satisfactory or unsatisfactory will have to pay a hundred dollar (\$100) re-inspection fee.

**Alderman Timpani** – Absent

**Alderman Delaney** – During the past couple of weeks there have been several Board of Education meetings. The Board of Education has appointed a new head football coach. There have been several Memorial Association meetings. Alderman Delaney attended the JK Steakhouse ribbon cutting ceremony and wished them well. He also very impressed with Atillio's and the beautiful job they did on the building. The Fire Department has a truck out of service due to electrical problems.

**Alderman Visioli** – Alderman Visioli commented that Dover is an attractive location for development and re-development. He has been working with JCP&L and believes they've come to an agreement on what's needed at the crossing on South Morris Street. The personnel committee has been very busy and there would be discussions later on in the night.

**Alderwomen Romaine** – Alderwoman Romaine, Thomas Iwicki, Alice Gilbert met with the Athletic Director of Dover High School and it was determined a survey will be sent to the children in the schools to get an idea of what types of sports activities are needed. Their goal is to interest them in other sports. A Finance Committee meeting is scheduled. They hope to have more information on the budget and they're waiting for additional information from the auditors and the State. Alderwomen Romaine attended the personnel meeting. There's a resolution and an ordinance on the agenda concerning the Fire Department to replace an existing insurance policy that the town will self-insure for the volunteer members.

**Attorney Pennella Report** – Morris County Board of Taxation held its hearing on the Dover tax appeals. There were nine tax appeals filed. Tax Assessor, Therese DePierro was able to accommodate six homeowners whom have reached a settlement. There was one case that went to trial and they're waiting on a decision. The other case was rescheduled due to attorney conflict. Attorney Pennella made a motion to dismiss DGR's case because they're one year behind on taxes. They have 10 days to pay the full amount if they make payment the case can then be heard.

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**CONSENT AGENDA**

**ORDINANCE(S) FOR INTRODUCTION**

**ORDINANCE NO. 11-2008**

**AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER REPEALING  
ORDINANCE # 7-85, AMENDING ARTICLE 38 "STREETS, GUTTERS AND SIDEWALKS;  
CHAPTER C - LEFT TURN"**

**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. Ordinance #7-85 entitled "An Ordinance to Amend and Supplement an Ordinance entitled "Article 38, Streets, Gutters and Sidewalks; Chapter C – Left Turn" which prohibited left turns onto Dickerson Street from South Morris Street going North and left turns onto Dickerson Street from Orchard Street/Warren Street going North is hereby repealed in its entirety;
2. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.
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.
4. The Ordinance shall take effect in accordance with law.

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

**ORDINANCE NO. 12-2008**

**AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER  
AMENDING AND SUPPLEMENTING CHAPTER 189 "FIRE PREVENTION OF THE CODE OF DOVER"**

**NOW, THEREFORE, 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. Section 189-10 entitled "Additional Required Inspections and Fees" is amended and supplemented to read as follows:

<b>Non-Life Hazard Use</b>	<b>Registration/Inspection Fee</b>
<b>Retail stores and other mercantile uses containing:</b>	
<u>Description:</u>	<u>Fee:</u>
1 to 1,000 sq. ft.	50.00
1,001 to 5,000 sq. ft.	75.00
5,001 to 9,000 sq. ft.	100.00
9,001 to 12,000 sq. ft.	125.00
12,001 to 15,000 sq. ft.	190.00
15,001 to 18,000 sq. ft.	250.00
over 18,000 sq. ft.	\$25.00/10,000 sq. ft. addl.
Over 50,000 sq. ft.	\$15.00/10,000 sq. ft. addl.
 <b>Multiple-family dwellings per building (required once every five years) containing:</b>	
3-10 units	\$ 100.00
11-15 units	125.00
16-20 units	190.00
21-25 units	215.00

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26-30 units	250.00
Church	25.00
Common Areas, 1 Fee per Building	50.00
Apartment Complex, 1 Fee per Building	100.00

2. Section 189-11 entitled "Permit Fees" is amended and supplemented as follows:

<u>Permit Type</u>	<u>Fee:</u>
Open Flame	\$ 60.00
Welding	75.00
Bonfire	60.00
Torch	75.00
Cooking	75.00
Suppression Tent	60.00
Hazmat	497.00
Flammable Liquids	497.00
Assembly	60.00
Bowling Alley Lanes	166.00
Blasting	75.00
Fireworks	331.00

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

4. 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.

5. The Ordinance shall take effect in accordance with law.

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

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

**ORDINANCE NO. 13-2008**  
**AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE**  
**TOWN OF DOVER PROVIDING FOR HANDICAPPED PARKING SPACE AT 41 RICHARDS AVE.**

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 41 Richards Ave. Said handicap parking space shall be located along the northerly curb line of Richards Ave. Beginning at a point 95 ft. west of the northwesterly curb line intersection of Passaic Street and Richards Ave. thence continuing in a westerly direction for a distance of 20 ft. 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 and duly seconded by Alderwoman Romaine and passed for first reading by the following roll call vote.**



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### ORDINANCE(S) FOR SECOND READING

#### ORDINANCE NO. 07-2008

#### AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS AND THE STATE OF NEW JERSEY AMENDING CHAPTER 291, RECYCLING OF THE CODE OF THE TOWN OF DOVER TO REPLACE IT IN ITS ENTIRETY AND CHAPTER 236, LAND USE AND DEVELOPMENT, ARTICLE V, 236-54. STANDARD REQUIRED IMPROVEMENTS, TO REPLACE PARAGRAPH M. AND AMEND CHAPTER 333, SOLID WASTE DISPOSAL.

**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**

Chapter 291, RECYCLING, is replaced with the following:

#### **Chapter 291, RECYCLING**

##### **§ 291-1. Short Title.**

This chapter shall be known and may be cited as the "Town of Dover Recycling Ordinance."

##### **§ 291-2. Purpose.**

In accordance with the requirements of the New Jersey Solid Waste Management Act (N.J.S.A. 13:E-1 et seq.), Morris County has been designated as a solid waste management district, along with each of the remaining New Jersey counties and the New Jersey Meadowlands Commission. Each solid waste management district has been charged with the responsibility of developing a solid waste management plan consistent with the state's goals and objectives. The Morris County Municipal Utilities Authority ("MCMUA") has been designated by the Morris County Board of Chosen Freeholders as the agency responsible for implementing the Morris County Solid Waste Management Plan ("SWMP" or "Plan"). In order to insure the achievement of the Municipal Solid Waste Recycling Goal established by Morris County, and in order to meet the requirements as set forth in N.J.S.A. 13:1E-99.16, this ordinance sets forth the mandated municipal responsibilities and recommendations identified in the Town of Dover Recycling Element of the Master Plan.

##### **§ 291-3. Definitions.**

As used in this Article, the following terms shall have the meanings indicated:

COMMINGLED - means a combining of non-putrescible source-separated recyclable materials for the purpose of recycling;

DESIGNATED RECYCLABLE MATERIALS - means those materials designated within the Morris County District Solid Waste Management Plan to be source separated for the purpose of recycling. These materials include:

Aluminum Cans - Cans made from aluminum that was manufactured to hold a serving of a beverage. Specifically omitted from this definition are aluminum foil and aluminum pie plates.

Glass Bottles and Jars - Bottles and jars made from glass including clear, brown and green glass. A bottle is defined as a receptacle having a narrow neck and a mouth that can be corked or capped. A jar is defined as a wide mouthed container that can be capped. Caps and lids not included. Specifically omitted from this definition are drinking glasses, windows, mirrors, light bulbs, and anything made of Pyrex® or ceramic.

Plastic Bottles (coded 1 and 2) - Plastic bottles coded to indicate that they are comprised of the specific types of plastic compounds (polymers) known as



**PETE HDPE**

polyethylene terephthalate (PETE) or high density polyethylene (HDPE). See symbols to the left. A bottle is defined as a receptacle having a narrow neck and a mouth that can be corked or capped. Caps and lids not included. Any item made of plastic that is not a bottle, and any plastic bottle without one of the symbols shown to the left is specifically omitted from this definition. Empty bottles which contained hazardous materials, such as motor oil, antifreeze, etc. should not be recycled.

Steel (Tin) Cans - An air-tight container for the distribution or storage of goods, composed of thin, usually ferrous, and metal. Examples are soup cans and tuna fish cans.

Newspaper - A publication containing news, information and advertising, usually printed on low-cost paper called newsprint.

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Newspaper may include glossy inserts which come with the paper, dependent upon the market conditions at the time. Corrugated Cardboard - Shipping containers made with kraft paper linerboard and corrugated medium.

Mixed Paper - Various categories of recyclable paper including, but not limited to white and colored paper used in printers, photocopiers and fax machines, white and colored ledger paper, carbonless copy paper, construction paper, undeliverable mail, mailed promotional letters/advertisements/circulars, magazines, catalogues, envelopes, soft cover books.

Leaves - Vegetative material, typically generated in the autumn when they fall from trees and then are raked from residents' and/or commercial lawns.

Grass Clippings - Vegetative material generated when grass (lawns) are cut.

Brush - Branches, woody plants and other similar vegetative material. Leaves and grass do not constitute brush.

Natural Wood Waste - Logs, stumps, branches and other wood tree parts.

Dimensional lumber is omitted from inclusion in this definition.

Oil-Contaminated Soil - Non-hazardous soil that contains petroleum hydrocarbons (gasoline, diesel, kerosene, jet fuel, #4 & #6 heating oils and certain other refinery products including coal tar). This type of soil shall be determined to be non-hazardous in accordance with the standards set forth in N.J.A.C. 7:26. Used Motor Oil - Motor oil from motor vehicles, lawn mowers, boats, etc., which has served its intended useful purpose.

Lead-Acid Batteries - Storage batteries in which the electrodes are grids of lead containing lead oxides that change in composition during charging and discharging, and the electrolyte is dilute sulfuric acid. These include starting batteries such as car batteries that deliver a short burst of high power to start the engine. In addition, they may include deep cell batteries found on boats or campers used to power accessories like trolling motors, winches or lights.

Hazardous Dry Cell Batteries - Rechargeable batteries, such as nickel-cadmium, nickel-iron, nickel metal hydride, lithium ion, small sealed lead acid, etc. These are often used as substitutes for non-rechargeable batteries in standard sizes such as AAA, AA, C, D and 9V. Rechargeable batteries are commonly found in cordless tools, cellular and cordless phones, laptop computers, cameras, remote controls, toys, etc. Also included in this definition are non-rechargeable batteries that are hazardous as defined by the Resource Conservation Recovery Act ("RCRA"), regardless of the RCRA exclusion of household waste from the definition of hazardous waste pursuant to 40 C.F.R. 261.4(b). Non-rechargeable, hazardous batteries include older alkaline and carbon zinc batteries as well as silver oxide, mercury and magnesium button-type batteries, etc. It should be noted that domestically manufactured alkaline and carbon zinc non-rechargeable batteries made after circa 1994 eliminated mercury content to the point that they should not be considered RCRA hazardous and therefore are not included in this material category.

Metal Appliances - Appliances composed predominantly of metal, and may include stoves, washing machines and dryers, for example, if the appliance is predominantly metal. Also included are air conditioners, refrigerators and dehumidifiers if they are predominantly metal. If these appliances on the latter list contain refrigerants that are prohibited by the Clean Air Act from being knowingly vented, the refrigerant must be recovered accordingly.

Whole Tires\* - Tires that are whole, not chipped into small pieces.

\*Tires are allowed to be recycled and/or incinerated for energy recovery.

ELECTRONIC WASTE - (to be included in those instances where a recycling program has been, or will be, established for these materials. Additionally, the following definition may be changed to reflect individual municipal program requirements) shall mean a computer central processing unit and associated hardware including keyboards, modems, printers scanners and fax machines; a cathode ray tube, a cathode ray tube device, a flat panel display or similar video display device with a screen that is greater than 4 inches measured diagonally and that contains one or more circuit boards, including a television, and cell phones;

MULTIFAMILY DWELLING - means any building or structure, or complex of buildings in which three or more dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (see NJSA 13:1E-99.13a.) and shall include hotels, motels, or other guest houses serving transient or seasonal guests as those terms are defined under subsection (j) of section 3 of the "Hotel and Multiple Dwelling Law," P.L. 1967, c. 76 (C.55: 13A-1 et seq.);

MUNICIPAL RECYCLING COORDINATOR - means the person or persons appointed by the municipal governing body to fulfill the requirements of the Morris County Solid Waste Management Plan and the New Jersey Statewide Mandatory Source Separation and Recycling Act and those rules and regulations promulgated therefore.

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**MUNICIPAL RECYCLING ENFORCEMENT COORDINATOR** – means the person or persons named by the municipality who shall fulfill the responsibilities with respect to recycling enforcement coordination detailed in the March 2007 Morris County Solid Waste Management Plan Amendment Section 8.6. This person may be the same person designated as the Municipal Recycling Coordinator.

**MUNICIPAL SOLID WASTE (MSW) STREAM** - means all solid waste generated at residential, commercial, and institutional establishments within the boundaries of the Town of Dover which is not bulky waste or construction and demolition debris;

**RECYCLABLE MATERIAL** - means those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products;

**SOURCE-SEPARATED RECYCLABLE MATERIALS** - means recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

**SOURCE SEPARATION** - means the process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

### **§ 291-4. Source Separation; Exemption from Source Separation Requirements.**

- A. Mandatory source separation: It shall be mandatory for all persons who are owners, tenants, or occupants of residential and non-residential premises, which shall include but not be limited to retail and other commercial locations, as well as government, schools and other institutional locations within the Town of Dover, to separate designated recyclable materials from all solid waste. Designated recyclable materials shall be deposited separate and apart from other solid waste generated by the owners, tenants, or occupants of such premises. Designated recyclable materials shall be placed separately at the curb in a manner and on such days and times as may be hereinafter established by regulations promulgated by the Town of Dover.
- B. Exemptions: Pursuant to N.J.S.A. 13:1E-99.16.6.(d), the governing body of a municipality may exempt persons occupying commercial or institutional premises within its municipal boundaries from the source separation requirements of the ordinance which requires persons generating municipal solid waste within its municipal boundaries to source separate from the municipal solid waste stream, the specified recyclable materials if those persons have otherwise provided for the recycling of all designated recyclable materials. To be eligible for an exemption pursuant to this Chapter, a commercial or institutional generator of solid waste shall file an application for exemption with the municipal recycling coordinator on forms to be provided for this purpose. The form shall include, at a minimum, the following information: the name of the commercial or institutional entity; the street address location and lot and block designation; the name, official title and phone number of the person making application on behalf of the commercial or institutional entity; the name, address, official contact person and telephone number of the facility which provides the service of recycling those designated recyclable materials, and a certification that the designated recyclable materials will be recycled, and that, at least on an annual basis, said recycling service provider or commercial/institutional generator shall provide written documentation to the municipal recycling coordinator of the total number of tons collected and recycled for each designated material.

### **§ 291-5. Acceptance of the Municipal Solid Waste Recycling Goal**

As set forth in N.J.S.A. 13:1E-99.13.3.b.(4)(c), the Town of Dover accepts the goal of 50% recycling of municipal solid waste by 2015 and shall monitor its level of recycling and solid waste disposal and shall strive to achieve the recycling of 50% of the municipal solid waste generated within its borders.]

### **§ 291-6. Collection of Recyclable Materials.**

#### **A. Prohibited deposit in Business Areas.**

It shall be unlawful to deposit or leave any Recyclable Materials, including containers for same, of any kind upon the sidewalks, curbs or gutters of the Town of Dover on the following streets, except that such Recyclable Materials, including containers for same, of any kind may be placed on the sidewalks or curbs only from 5:00 p.m. the night before the designated Recyclable Materials removal date until 5:00 p.m. the day of the Recyclable Materials collection for such section. The streets in question are as follows:

- (1) Blackwell Street from Prospect Street to Mercer Street.
- (2) Dickerson Street from Warren Street to Essex Street.
- (3) Bassett Highway from Warren Street to Sussex Street.
- (4) Warren Street from Dickerson Street to Bassett Highway.

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- (5) Sussex Street from Dickerson Street to Clinton Street.
- (6) Morris Street from Dickerson Street to Clinton Street.
- (7) Essex Street from Dickerson Street to Central Railroad tracks.
- (8) Bergen Street from the Dover Train Station to the Central Railroad tracks.
- (9) Union Street from Blackwell Street to the Central Railroad tracks.

### B. Prohibited deposit in Other Areas.

It shall be unlawful to deposit or leave any Recyclable Materials of any kind upon the sidewalks, curbs or gutters of the Town of Dover, on any streets in the Town of Dover, except those streets set forth in § 291-5.A. above, except that such Recyclable Materials of any kind may be placed on the sidewalks or curbs only from 5:00 p.m. the night before the designated Recyclable Materials removal date until 8:00 p.m. the day of the Recyclable Materials collection for such section.

### C. Recyclable Materials Containers.

Recyclable Materials Containers shall be used for commingled aluminum cans, glass bottles, glass jars, plastic bottles coded 1 and 2, and steel and tin cans properly prepared. Recyclable Materials Containers shall be any light-gauge steel, plastic or galvanized receptacle, closed at one end and open at the other, furnished with a top or lid, and weighing not more than 30 pounds when full of Recyclable Materials.

### D. Preparation of Recyclable Materials.

Recyclable Materials shall be prepared in accordance with the annual Recycling and Garbage Handbook, copies of which are available at the office of the Town Clerk.

### E. Storage of Recyclable Material

Recyclable materials and recyclable material containers shall not be permitted to be stored in the front yard space, as defined in §236-5, for any residential use regardless of zoning district.

### F. Recyclable Materials Collection Contractor

The Recyclable Materials Collection Contractor for the Town of Dover shall, subject to procedures and exceptions set forth in the contract with the Town of Dover, as amended, provide curbside recyclable materials collection for all recyclable materials generated in the Town of Dover from each residential dwelling unit, multifamily dwelling, business, office and store. Such work shall be under the supervision of the Town of Dover Health Department. Specifically excluded from recyclable materials pickup are schools, hospitals and industrial buildings. Also specifically excluded from recyclable materials collection is the collection of Municipal Solid Waste, medical waste, industrial waste, hazardous materials and construction debris. The Town of Dover Department of Public Works or an authorized contractor will provide collection of white goods and tires to all premises receiving curbside solid waste collection, subject to the requirements of the sticker program.

G. All receptacles and dumpsters used for the storage of recyclable materials shall be kept in a clean and safe manner.

### **§ 291-7. Residential Dwelling Compliance Requirements.**

The owner of any property shall be responsible for compliance with this chapter. For multifamily units, the management or owner is responsible for setting up and maintaining the recycling system, including collection of recyclable materials, in accordance with guidelines or regulations established by the appropriate municipal office. Violations and penalty notices will be directed to the owner or management, in those instances where the violator is not easily identifiable. The management shall issue notification and collection rules to new tenants when they arrive and every 6 months during their occupancy.

### **§ 291-8. Non-Residential Establishment Compliance Requirements.**

A. All non-residential generators, including commercial, industrial and institutional establishments, of solid waste shall be required to comply with the provisions of this Ordinance.

B. The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial, institutional or industrial property owner or their designee, unless the municipality provides for the collection of designated recyclable materials. All commercial, institutional or industrial properties which provide outdoors litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents.

C. Non-residential facilities meeting the minimum size indicated in the table below, shall report on an annual basis to the

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Municipal Recycling Coordinator no later than March 1st of the year following the reporting period, on such forms as may be prescribed, on recycling activities at their premises, including the amount of recycled material, by material type, collected and recycled and the vendor or vendors providing recycling service.

Facility Type/Use	Minimum Size Requiring Reporting (Square Feet of Gross Floor Area)
Retail	6,000
Manufacturing and other General Commercial	7,500
Office, Educational & Institutional	5,000
Multi-Dwellings	10 Units or More

D. All retail food establishments as defined in NJAC 8:24, shall, in addition to compliance with all other recycling requirements, be required to recycle grease and/or cooking oil created in the processing of food or food products, and maintain such records as may be prescribed, for inspection by any code enforcement officer.

**§ 291-9. New Developments of Multi-Family Residential Units or Commercial, Institutional, or Industrial Properties**

A. Any application to the Planning Board or Board of Adjustment of Town of Dover for subdivision or site plan approval for the construction of multi-family dwellings of three or more units, single family developments of 50 or more units or any commercial, institutional, or industrial development for the utilization of 1,000 square feet or more of land, must include a recycling plan in accordance with § 236-54.M (1).

B. Prior to the issuance of a Certificate of Occupancy by the Construction Official of the Town of Dover, the owner of any new multi-family housing or commercial, institutional, or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials, in those instances where the municipality does not otherwise provide this service.

C. Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste, to be approved by the Town Engineer.

**§ 291-10. Prohibition of the Collection of Solid Waste Mixed with Recyclable Materials**

A. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of, designated recyclable materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the load of solid waste contains designated recyclable materials.

B. It shall be the responsibility of the resident or occupant to properly segregate the uncollected solid waste for proper disposal or recycling. Allowing such unseparated solid waste and recyclables to accumulate will be considered a violation of this article.

C. Once placed in the location identified by this Ordinance, or any rules or regulations promulgated pursuant to this Ordinance, no person, other than those authorized by the municipality, shall tamper with, collect, remove, or otherwise handle designated recyclable materials.

**§ 291-11. Enforcement**

The Code Enforcement Official, the Department of Health, the Recycling Coordinator, the Property Maintenance Official, the Housing Officer, and the Morris County Office of Health Management are hereby individually and severally empowered to enforce the provisions of this Ordinance. An inspection may consist of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any recyclable material.

**§ 291-12. Penalty for Non-compliance with Source Separation Requirement**

A. Any person who violates a provision of Chapter 291 shall, upon conviction, forfeit and pay a fine of seventy-five dollars (\$75.) for the first offense, one hundred fifty dollars (\$150) for the second offense and, for the third and any subsequent offenses, shall be subject to one (1) or more of the following: a minimum fine of two hundred fifty dollars (\$250) but not exceeding one thousand, two hundred fifty dollars (\$1,250.), a term of imprisonment not exceeding ninety (90) days or a period of community service not exceeding ninety (90) days. And if the municipality has provided

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for clean up and disposal, an additional penalty for the reasonable costs of this work, as specified in the following section.

B. Fines levied and collected pursuant to the provisions of this Ordinance shall be immediately deposited into the Municipal Recycling Trust Fund (or equivalent). Monies in the Municipal Recycling Trust Fund shall be used for the expenses of the municipal recycling program.

**Section 2**

Chapter 236, LAND USE AND DEVELOPMENT, ARTICLE V, 236-54. Standard required improvements, paragraph M. is replaced with the following:

A. Recycling Plan and Solid Waste & Recyclable Materials Storage.

(1) Recycling Plan

Any application to the Planning Board or Board of Adjustment of Town of Dover for subdivision or site plan approval for the construction of multifamily dwellings of three or more units, single family developments of 50 or more units or any commercial, institutional, or industrial development for the utilization of 1,000 square feet or more of land, must include a recycling plan. This plan must contain, at a minimum, the following:

- (a) A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development; and
- (b) Locations documented on the application’s site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as required below, and as may be recommended by the municipal recycling coordinator.

(2) Solid Waste & Recyclable Materials Storage There shall be included in all uses other than single or two-family homes that require subdivision or site plan approval an indoor and/or outdoor solid waste and recycling area(s) for the collection and storage of commercially and/or residentially-generated solid waste and recyclable materials. The number of sites and dimensions of the solid waste and recycling areas shall be sufficient to accommodate solid waste and recycling bins or containers which are of adequate size and number, and which are consistent with anticipated usage and with current methods of collection in the area in which the project is located. The number of sites and dimensions of the solid waste and recycling areas, and the bins or containers shall be determined in consultation with the Health Department and the Municipal Recycling Coordinator, and shall be consistent with the Morris County Solid Waste Management Plan adopted pursuant to section 3 of P. L. 1987, c.102 (N.J.S.A.13:1E-99.13) and any applicable requirements of the Town of Dover Master Plan, adopted pursuant to section 26 of P.L. 1987, c102, but in no case smaller than that indicated below.

Facility Type/Use	Minimum Enclosure Size
Retail	5 SF / 1,000 GFA*
Manufacturing and other General Commercial	3 SF / 1,000 GFA*
Office, Educational & Institutional	2 SF / 1,000 GFA*
Multi-Dwellings	100 SF for 1st 10 DU Plus 5 SF/Additional DU **

\*65 SF Min., 1,000 SF Max.

\*\* DU = Dwelling Unit

(3) For existing developed sites, this requirement may be waived by the Planning Board or Board of Adjustment upon showing by the applicant that the site currently handles all solid waste and recyclable materials in an existing location not meeting these standards, but in a satisfactory manner. Evidence of this shall include a report from the Town of Dover Health Department and Recycling Coordinator indicating same.

(4) Solid waste and recycling areas shall be subject to the following minimum standards:

- (a) The solid waste and recycling areas should not be located within any front yard area.
- (b) The walls of each solid waste and recycling enclosure shall be constructed of solid masonry material with decorative exterior surface finish compatible to the main structure(s). Split face concrete block finish is recommended. The walls

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shall be a minimum of six feet in height.

(c) Each recycling and trash enclosure shall have decorative solid heavy gauge metal gates and be designed with cane bolts to secure the gates when in the open and closed positions

(d) One side should contain a gate of sufficient width to accommodate the containers.

(e) A separate pedestrian entrance shall be provided. The pedestrian entrance shall be located such that it shields the view of the containers, or in the alternative accommodated with a decorative solid heavy gauge metal gate

(f) A concrete apron shall be constructed either in front of each recycling and trash enclosure or at the point of receptacle pick-up to minimize damage to the surrounding asphalt paving. The minimum dimensions of the concrete apron shall be 10 feet wide and twenty feet long. The apron material shall consist of five inch dense graded aggregate base and six inch Class B concrete slab.

(g) The location, size and shape of the storage area should be such that each container can be moved in and out of the storage area without interfering with other containers in the storage area or other land uses adjacent to the storage area. The size shall be in accordance with paragraph 3. above, unless otherwise approved by the Planning Board.

(h) A five-foot-minimum-width landscape area should be provided along the fence or wall enclosing the refuse storage area where deemed appropriate by the Planning Board or Board of Adjustment. The landscaping to be provided should be shown on the site plan submitted to the Planning Board or Board of Adjustment for approval.

(i) The solid waste and recycling areas should be well lit, and shall be safely and easily accessible by solid waste and recycling personnel and vehicles. Collection vehicles shall be able to access the solid waste and recycling areas without interference from parked cars or other obstacles. Reasonable measures should be taken to protect the solid waste and recycling areas, and the bins or containers.

(j) The solid waste and recycling areas and the bins/containers placed therein should be designed so as to provide protection against adverse environmental conditions which might render the recyclable materials unmarketable. Any bins or containers which are located in an outdoor solid waste and recycling area, should be equipped with a lid, or otherwise covered, so as to keep the contents dry.

(k) Signs clearly identifying the recycling portion of the solid waste and recycling areas and the materials accepted therein should be posted adjacent to all points of access to the solid waste and recycling areas. Individual bins or containers for recyclable materials should be equipped with signs indicating the materials to be placed therein.

(l) No containers or solid waste and recycling materials should be maintained anywhere on a site except in a solid waste and recycling area meeting these requirements.

(m) It should be a violation of the site plan when the gates of a solid waste and recycling area are left open or when solid waste or recyclable material is placed outside of the approved solid waste and recycling area(s).

(n) If outdoor storage of solid waste or recyclable materials is not proposed, the site plan should detail the methods proposed for accommodating the solid waste or recyclable materials within the structure. The Planning Board or Board of Adjustment may require that a suitable area be set aside, but not improved, for a future solid waste and recycling area meeting these requirements even if indoor accommodations are proposed.

(5) Standard details of solid waste and recyclable material enclosures prepared by the Town Engineer and approved by the Recycling Coordinator that meet the requirements of (4) above shall be made available to applicants required to comply with this section.

### **Section 3**

Chapter 333, SOLID WASTE DISPOSAL, § 333-4. Residential Solid Waste, is supplemented with the following:

Storage of Municipal Solid Waste Municipal Solid Waste and Municipal Solid Waste Containers shall not be permitted to be stored in the front yard space, as defined in §236-5, for any residential use regardless of zoning district.

### **Section 4**

Chapter 333, SOLID WASTE DISPOSAL, § 333-16. Violations and penalties. Additional penalty for cleanup cost, is replaced with the following:

Any person who violates a provision of Chapter 291 shall, upon conviction, forfeit and pay a fine of seventy-five dollars (\$75.) for the first offense, one hundred fifty dollars (\$150) for the second offense and, for the third and any subsequent offenses, shall be subject to one (1) or more of the following: a minimum fine of two hundred fifty dollars (\$250) but not exceeding one thousand, two hundred fifty dollars (\$1,250.), a term of imprisonment not exceeding ninety (90) days or a period of community service not exceeding ninety (90) days. And if the municipality has provided for clean up and disposal, an additional penalty for the reasonable costs of this work, as specified in the following section.

### **Section 5**

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

### **Section 6**

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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 7

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

**Mayor Dodd opened this portion of the meeting up to the public for a hearing, seeing no hands and hearing no voices this portion of the meeting was closed.**

**Mayor Dodd has moved the foregoing ordinance be adopted and duly seconded by Alderman Poolas and passed for second reading by the following roll call vote.**

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

### ORDINANCE NO. 10-2008

#### AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AMENDING AND SUPPLEMENTING ARTICLE XXVII OF THE REVISED GENERAL CODE OF THE TOWN OF DOVER ENTITLED “PARKING” HANDICAPPED PARKING “SPACES” BY REPEALING HANDICAPPED PARKING 155 BAKER STREET

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

SECTION 1. The following location which was designated as a Handicapped parking space by Ordinance No. 29-2002 is hereby repealed:

Handicapped Parking for 155 Baker Street

Said handicap parking space shall be located along the westerly curb line of Baker Street beginning at a point two hundred forty-five (245) feet north of the northwesterly curb line intersection of Lemar Street and Baker Street, thence continuing in a westerly direction for a distance of twenty-five (25) feet 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.

**Mayor Dodd opened this portion of the meeting up to the public for a hearing, seeing no hands and hearing no voices this portion of the meeting was closed.**

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

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

### RESOLUTIONS

#### BILL 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)

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to which respective bills have been charged.

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

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

RESERVE ACCT claims in the amount of:	\$30,490.71
CURRENT ACCT claims in the amount of:	\$345,895.98
CAPITAL ACCT claims in the amount of:	\$6,327.65
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:	\$2,180.76
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:	\$76.80
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:	\$1,917.80
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	
TRUST/OTHER ACCT claims in the amount of:	\$12,854.50
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
<b>TOTAL CLAIMS TO BE PAID</b>	<b>\$399,744.20</b>

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

CURRENT ACCT claims in the amount of:	\$577,073.23
WATER UTILITY ACCT claims in the amount of:	\$44,076.18
PARKING UTILITY ACCT claims in the amount of:	\$326.98
PAYROLL AGENCY ACCT claims in the amount of:	\$233,917.92
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$330.50
<b>TOTAL CLAIMS PAID</b>	<b>\$855,724.81</b>

***TOTAL BILL LIST RESOLUTION*** ***\$1,255,469.01***

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

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

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT**  
**FOR ADMINISTRATION OF SMALL CITIES HOUSING REHABILITATION GRANT APPLICATION**

**WHEREAS**, the Town of Dover has a need to acquire services to prepare and process the Small Cities Housing Rehabilitation and Public Facility Grants for 2008 and administration of the same as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5

**WHEREAS**, the services required are specialized and require special expertise in the Federal Government Housing Rehabilitation program, extensive training in grant administration and compliance and require a proven reputation in such field rendering this as

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an extraordinary unspecifiable service; and

**WHEREAS**, the Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

**WHEREAS**, the anticipated term of this contract is one year; and

**WHEREAS**, Housing & Community Development Services, Inc. has submitted a proposal dated April 16, 2008 indicating they will provide the services for an amount not to exceed the following:

1. Three Thousand Five-Hundred Dollars (\$3,500.00) upon completion of each Grant Application and Four Thousand Dollars (\$4,000.00) upon approval of each Grant Application as set forth in its proposal; and

**WHEREAS**, Housing & Community Development Services, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Housing & Community Development Services, Inc. has not made any reportable contributions to a political or candidate committee in the Town of Dover in the previous one year, and that the contract will prohibit the Housing & Community Development Services, Inc. from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer has certified that there are sufficient funds to make this award;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Board of Aldermen of the Town of Dover authorizes the Mayor and Municipal Clerk to enter into a contract with Housing & Community Development Services, Inc. as described herein; and

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

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

**Ayes: Aldermen Fahy, Delaney, Poolas, Visioli, Donofrio, Picciallo, Romaine and Mayor Dodd**

**Nays: None**

**Absent: Alderman Timpani**

**Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ADMINISTRATION OF SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE RECONSTRUCTION OF BELMONT, DEPEW AND TRENTON STREET**

**WHEREAS**, the Town of Dover has a need to acquire services to administer a Public Facilities Small Cities Grant for Belmont, Depew and Trenton Street as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5

**WHEREAS**, the services required are specialized and require special expertise in the Federal Government Community Development Block Grant program, extensive training in grant administration and compliance and require a proven reputation in such field rendering this as an extraordinary unspecifiable service; and

**WHEREAS**, the Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

**WHEREAS**, the anticipated term of this contract is one year; and

**WHEREAS**, Housing & Community Development Services, Inc. has submitted a proposal dated April 1, 2007 indicating they will provide the services for an amount not to exceed Six Thousand One Hundred Dollars (\$6,100.00) as set forth in its proposal; and

**WHEREAS**, Housing & Community Development Services, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Housing & Community Development Services, Inc. has not made any reportable contributions to a political or candidate committee in the Town of Dover in the previous one year, and that the contract will prohibit the Housing & Community Development Services, Inc. from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer has certified that there are sufficient funds to make this award;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Board of Aldermen of the Town of Dover authorizes the Mayor and Municipal Clerk to enter into a contract with Housing & Community Development Services, Inc. as described herein; and



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12. The footprint of the Flea Market has been modified to remove Dickerson Street and South Sussex Street; and

**WHEREAS**, the Mayor and Board of Aldermen believe it in the best interest of the Town to approve of the negotiated agreement for operation of the Flea Market in the Town of Dover with the changes set forth above;

**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 negotiated agreement to operate a flea market upon public property is hereby approved; and
2. The Mayor and Clerk are hereby authorized to execute the agreement upon passage of this Resolution.

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

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

**Mayor Dodd saw Carol and Bob Brumale in the audience and asked if they would like to speak.**

**Bob Brumale** – Dover Flea Market - We've been here for ten years and the flea market is a weather permitted business. Mr. Brumale is very positive about the changes. Mr. Brumale hopes to hold special events that will take place on the streets of Dover.

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**  
**ESTABLISHING A SELF-INSURANCE POLICY FOR VOLUNTEER FIRE DEPARTMENT MEMBERS**

**WHEREAS**, the Town of Dover provides life insurance in the amount of \$6,500.00 to members of the Volunteer Fire Department under Section 20-34 of the Code of Dover; and

**WHEREAS**, the Town of Dover has purchased such coverage from outside insurance agencies and/or companies; and

**WHEREAS**, the municipality desires to self-insure the payment of the obligation set forth under Section 20-34 of the Code of Dover; and

**WHEREAS**, there is a need to establish a policy of coverage;

**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:

**POLICY ON LIFE INSURANCE FOR**  
**VOLUNTEER FIRE DEPARTMENT MEMBERS**

1. Amount of Insurance.

Basic Coverage	\$6,500.00
Accidental Death and Dismemberment Coverage	\$6,500.00
2. Eligibility. All eligible persons as stated on the plan census which will be annually updated

Any person who satisfies the requirements of the by-laws as an active emergency service volunteer, or a retired emergency service volunteer, is a person eligible for coverage.

For coverage to apply, the eligible person must be actively involved with the organization or is a retired member in good standing of the Town of Dover Volunteer Fire Department who has retired from active service after 28 years of satisfactory active service. Such qualifying retired member shall continue to receive the benefit of the life insurance provided by the Town of Dover.

3. **Death Benefit.** The amount of \$6,500.00 will be paid in the event of a death from any cause, subject to the exclusions below.

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4. **Beneficiary.** An eligible person may name anyone as beneficiary and may change the beneficiary at any time. This must be done in writing and filed with the Clerk of the Town of Dover to be effective. The beneficiary of an eligible person shall be that person or those persons designated by the eligible person for this insurance. The eligible person may change the beneficiary at any time upon the submission of a written change of beneficiary to the municipal clerk.

5. **Termination.** Upon termination of an eligible person's membership for any reason the life insurance payment requirement will be continued for 31 days.

6. **Exclusions.**

A. No life insurance benefit will be payable under a policy for an eligible person's death caused by suicide or self-destruction, or any attempt at suicide or self-destruction within 24 months after his or her effective date of coverage under this policy.

7. **Benefit for accidental death and dismemberment.** If injuries result in death or dismemberment of an eligible person, within 365 days of the date of the covered accident that caused the injuries, the Town will pay in one sum the indicated percentage of the principle sum for:

Loss of life	100%
Loss of both hands of both feet or sight of both eyes	100%
Loss of one hand and one foot	100%
Loss of either hand or foot and sight in one eye	100%
Loss of speech and hearing in both ears	100%
Loss of either hand or foot	50%
Loss of sight of one eye	50%
Loss of speech or hearing in both ears	50%
Loss of hearing in one ear	25%
Loss of thumb and index finger of one hand	25%

Only one amount, the largest to which you are entitled, is payable for all losses resulting from one accident.

8. **Exposure and Disappearance.** If by reason of a covered accident, an eligible person is unavoidably exposed to the elements and as a result of such exposure, suffers a loss for which benefits are otherwise payable, the loss will be covered under the terms of the Town's plan. If an eligible person has not been found within one year of the disappearance, forced landing, stranding, sinking or wrecking of a conveyance in which the eligible person was an occupant, then the eligible person will be deemed to have lost his/her life subject to all other terms and provisions of the plan.

9. **Accidental Death and Dismemberment Exclusions.** No benefit will be payable for accidental death and dismemberment caused by or arising out of:

- A. Suicide or intentionally self-inflicted injury or any attempt at suicide or intentionally self-inflicted injury;
- B. Declared or undeclared war or any act of declared or undeclared war;
- C. Full-time active duty in the armed forces of any country or international authority, except the National Guard or organized reserve corps duty;
- D. Committing or attempting to commit a felony;
- E. Sickness, disease or infection of any kind, except bacterial infection, which occurs through an accidental cut or wound, botulism or ptomaine poisoning;
- F. Travel or flight in or on (including getting in or out of, or on or off of) any vehicle used for aerial navigation, if the eligible person is: (1) riding as a passenger in any aircraft not licensed for the transportation of passengers for hire, or, (2) performing, learning to perform, or instructing others to perform as a pilot or crew member of any aircraft.
- G. Being under the influence of drugs or intoxicants, unless taken under the advice of a physician.

10. **Covered activity – benefit.** If as a result of participation in a covered activity, injuries result in death or dismemberment within 365 days of the date of the covered activity, the Town will pay a percentage of the principal sum shown on the schedule. This benefit will be payable in addition to any other benefits payable under this policy.

All other provisions of this policy apply.

“Covered activity” means any activity, which is a normal duty of an eligible person, including travel directly to and from

# TOWN OF DOVER

## MAYOR AND BOARD OF ALDERMEN

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such activity.

### 11. **Paralysis Benefit:**

Benefit: If injury to the eligible person results, within 365 days of the date of the accident that caused the injury, in any one of the Types of Paralysis specified below, the Town will pay the percentage of the maximum amount shown below for that Type of Paralysis:

<u>Type of Paralysis</u>	<u>Percentage of Principle Sum</u>
Quadriplegia	100%
Paraplegia	75%
Hemiplegia	50%
Uniplegia	25%

“Quadriplegia” means the complete and irreversible paralysis of both upper and lower limbs. “Paraplegia” means the complete and irreversible paralysis of both lower limbs. “Hemiplegia” means the complete and irreversible paralysis of the upper and lower limbs of the same side of the body. “Uniplegia” means the complete and irreversible paralysis of one limb. “Limb” means an entire arm or entire leg.

If the insured suffers more than one Type of Paralysis as a result of the same accident, only one amount, the largest, will be paid.

**Exclusions.** Benefits will not be payable for any loss caused in whole or in part by, or resulting in whole or in part from, the following:

- A. Suicide or any attempt at suicide or intentionally self-inflicted injury or any attempt at intentionally self-inflicted injury;
- B. Sickness, disease or infections of any kind; except bacterial infections due to an accidental cut or wound, botulism or ptomaine poisoning;
- C. The insured’s commission of or attempt to commit a felony;
- D. Declared or undeclared war, or any act of declared or undeclared war;
- E. Full-time active duty in the armed forces of any country or international authority, except the National Guard or organized reserve corps duty (unearned premium will be returned if the insured enters military service);
- F. Travel or flight in or on (including getting in or out of, or on or off of) any vehicle used for aerial navigation, if the insured is: (1) riding as a passenger in any aircraft not licensed for the transportation of passengers for hire, or, (2) performing, learning to perform, or instructing others to perform as a pilot or crew member of any aircraft.
- G. The insured’s being under the influence of drugs or intoxicants, unless taken under the advice of a physician.

### 12. **Accelerated Life Benefit:**

#### **Benefit.**

- A. The company may pay a portion of the eligible person’s life insurance benefit before the eligible person’s death. To qualify for this benefit, the eligible person must have been diagnosed as being terminally ill while insured under the policy.
- B. The maximum accelerated life insurance benefit will be paid in a lump sum. The maximum amount of benefits an eligible person may receive is the lesser of (1) fifty percent (50%) of the eligible person’s life insurance benefit shown in the schedule of benefits minus any accelerated life insurance benefit already paid; or (2) six thousand five hundred dollars (\$6,500.00).

#### **Proof of Terminal Illness.**

- A. The eligible person must provide satisfactory written proof to the Town that his or her life expectancy is twelve (12) months or less from the date of application for the accelerated life insurance benefit.
- B. This proof must include certification from a physician who is not the eligible person, the eligible person’s spouse, child (including adopted child), an immediate family member, or a person residing with the eligible person. “Immediate family member” means the eligible person’s or eligible person’s spouse’s: parent (including stepparent), grandparent, aunt, uncle, niece, or nephew.
- C. The Town reserves the right to obtain a second or third medical opinion at its own expense.

**Effect on Life Insurance Benefit at Eligible Person’s Death:** The eligible person’s life insurance benefit amount shown in

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the schedule of benefits, which is payable at death, will be reduced by any Accelerated Life Benefit paid and interest accrued on this amount.

Termination of Accelerated Life Insurance Coverage: This coverage will terminate on the date the eligible person's insurance under the policy terminates or upon the Town's receipt of the eligible person's written request for termination.

Benefit Limitations: The Town will not provide accelerated life insurance benefits if:

- A. The eligible person would be required by law to use the benefit to meet the claims of creditors, whether in bankruptcy or otherwise;
- B. The eligible person is required by any government agency to use this accelerated life insurance benefit in lieu of applying for, obtaining, or otherwise keeping a government benefit or entitlement;
- C. The eligible person's life insurance benefits under the policy have been assigned;
- D. The eligible person's coverage under the policy is not in force; or
- E. The eligible person is not eligible for waiver of premium.

Receipt of this accelerated life insurance benefit may be taxable. The eligible person should seek assistance from a personal tax advisor with respect to receipt of this benefit. The Town makes no representation as to any issue of taxation of this benefit.

13. Termination of Coverage under the Policy. Coverage under the policy will terminate the date the eligible person is no longer considered to be a member of an eligible class.

**Mayor Dodd has moved the foregoing resolution be tabled until we get more information and duly seconded by Alderwoman Romaine and passed by the following roll call vote.**

**Ayes: Aldermen Fahy, Delaney, Poolas, Visioli, Donofrio, Picciallo, Romaine and Mayor Dodd**

**Nays: None**

**Absent: Alderman Timpani**

**Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AUTHORIZING DISCHARGE OF MORTGAGE OF ANA LARA FOR 27 KYLE DRIVE, DOVER, NEW**

WHEREAS, the Town of Dover Housing Rehabilitation Program issued a mortgage to Ana Lara in the amount of \$14,060.00 for property located at 27 Kyle Drive, Dover, New Jersey; and

WHEREAS, there is approximately \$370,000.00 in debt to Countrywide Home Loans, Inc. which holds a superior position to the Town of Dover Housing Rehabilitation Mortgage Loan; and

WHEREAS, there is insufficient equity to cover all three loans; and

WHEREAS, Countrywide Home Loans, Inc. has filed a foreclosure action in Superior Court, Morris County, Chancery Division bearing Docket No. F-22472-07; and

WHEREAS, the borrower, Ana Lara, is attempting to do a short sale to Aida Hernandez for the amount of \$257,000.00; and

WHEREAS, such sale cannot take place as long as the Town of Dover mortgage continues to exist; and

WHEREAS, Ms. Lara has requested the Town of Dover to discharge its mortgage in return for a \$7,000.00 payment to be paid by Countrywide Home Loans, Inc. to the Town of Dover;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Dover, Morris County, NJ as follows:

1. The Town of Dover hereby authorizes the Discharge of Town of Dover Housing Rehabilitation Program Mortgage in the amount of \$14,060.00 filed in Mortgage Book 20846 page 0163 on June 18, 2007 for the sum of \$1,000.00;
2. The debt, however, is not forgiven and the balance owned on the Note remains due and payable to the Town.
3. The Administrator is hereby authorized to execute the Discharge of Mortgage.

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**Mayor Dodd has moved the foregoing resolution be tabled and duly seconded by Alderwoman Romaine and passed by the following roll call vote.**

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

**RESOLUTION**

**WHEREAS**, Global Reach International, filed an application for their **sixth** Special Permit for Social Affair to be held at the Baker Theater, which is their **eighth** event; and

**WHEREAS**, Global Reach International, a non-profit organization is permitted to have twelve events per year and Baker Theater, 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 applications for Alcoholic Beverage Social Affair Permit(s) be approved:

1. Global Reach International is approved for a dance (#6) to be held on Saturday, May 24, 2008 at Baker Theater, 41 W. Blackwell Street, Dover, NJ (#8) from 7:00 pm through 2:00 am.
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 Delaney and passed by the following roll call vote.**

**Ayes: Aldermen Fahy, Delaney, Picciallo, Romaine and Mayor Dodd**  
**Nays: Alderman Visioli, Donofrio**                      **Absent: Alderman Timpani**                      **Abstained: Alderman Poolas**

**RESOLUTION**

**WHEREAS**, Casa Puerto Rico, filed an application for their **sixth** Special Permit for Social Affair to be held at Casa Puerto Theater, and

**WHEREAS**, Casa Puerto Rico, a non-profit organization is permitted to have twenty-five events per year; 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 applications for Alcoholic Beverage Social Affair Permit(s) be approved:

1. Casa Puerto Rico is approved for a dance (#6) to be held on Saturday, June 14, 2008 at Casa Puerto Rico, 50 W. Blackwell Street, Dover, NJ from 7:00 pm through 2:00 am.
2. This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

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

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### RESOLUTION

**WHEREAS**, Fiesta De Reyes, Inc., filed an application for their **second** Special Permit for Social Affair to be held at Casa Puerto Theater, which is their **seventh** 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 applications for Alcoholic Beverage Social Affair Permit(s) be approved:

1. Fiesta De Reyes is approved for a dance (#2) to be held on Saturday, June 21, 2008 at Casa Puerto Rico, 50 W. Blackwell Street, Dover, NJ from 8:00 pm through 2:00 am.
2. This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

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

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

### RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER RENEWING BOWLING ALLEY LICENSE

**WHEREAS**, Dover Lanes, located at 63 Bassett Highway, is the owner and operator of a 34-lane bowling alley; and

**WHEREAS**, Dover Lanes has applied for a renewal of its bowling alley license; and,

**WHEREAS**, Dover Lanes has submitted the appropriate application fee; and

**WHEREAS**, the appropriate departments have reviewed the renewal application and have no objection to same;

**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 license for bowling alley for Dover Lanes, located at 63 Bassett Highway, consisting of 34 lanes is hereby approved.

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

### RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER APPROVING AMUSEMENT DEVICE LICENSE(S)

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

**WHEREAS**, the appropriate fees have been paid and the license shall be prominently displayed by attaching the same on each device, and

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**WHEREAS**, the placement of each and every amusement game within an establishment must have the approval of the chief of police of the Town of Dover.

**WHEREAS**, no amusement device shall be installed within two (200) hundred feet of any school or church.

**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 coin operated amusement device licenses for those people listed on Schedule A attached hereto and made a part hereof are hereby approved.

**SCHEDULE A**

1. Elizabeth Chaplin of the Bassett Pub – 8 Bassett Hwy. (1)
2. Edward Murray of Shiller’s – 9 W. Clinton St. (1)

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**  
**APPROVING A JUNK DEALER LICENSE FOR C & M METALS RECYCLING, LLC**

**WHEREAS**, Section 229-2 of the Code of the Town of Dover requires any person or corporation who keeps or operates a Junk Dealership to apply to the Clerk of the Town of Dover for a license to operate; and

**WHEREAS**, James Witte t/a C & M Metals Recycling, LLC located at 160 Richards Ave., Dover, New Jersey has applied for renewal of a Junk Dealers License; and

**WHEREAS**, the applicant has submitted the appropriate fees and completed the application as 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 application of James Witte t/a C & M Metals Recycling, LLC is hereby approved for a license to operate as a Junk Dealer at 160 Richards Ave., Dover, New Jersey.

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

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

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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 Visioli and passed by the following roll call vote.**

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**  
**APPROVING OF RAFFLE LICENSE**

**WHEREAS**, the below listed organization has applied for a Raffle License; and

**WHEREAS**, such license has been reviewed by the appropriate departments and found to meet with all of the requirements and conditions of the municipality;

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

1. The below listed raffle for the date set forth following their name is hereby approved:

**Mill Pond Towers Residents Assoc.** to be held on every Thursday night (7:00 p.m. to 9:00 p.m.) & every other Saturday of the month (5:00 p.m. to 7:00 p.m.)  
(Bingo)

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**  
**APPROVING OF RAFFLE LICENSE**

**WHEREAS**, the below listed organization has applied for a Raffle License; and

**WHEREAS**, such license has been reviewed by the appropriate departments and found to meet with all of the requirements and conditions of the municipality;

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

1. The below listed raffle for the date set forth following their name is hereby approved:

**Dover Rotary** to be held on September 8, 2008 from at 12:15 pm at 8 So. Morris Street

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

# TOWN OF DOVER

## MAYOR AND BOARD OF ALDERMEN

### 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 taxi companies listed below have applied for a license(s) to operate the vehicle(s) listed below hereto and made a part hereof as taxicab(s) in the Town of Dover; and

**WHEREAS**, the appropriate municipal departments have reviewed the application(s) as required and have no objections to same being licensed as taxicabs;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the taxicab(s) listed below are hereby approved for taxi license(s) in the Town of Dover.

#### AXELS EXPRESS TAXI & LIMO-RENEWALS OF TAXIS

1. 2000 Chevrolet	Passengers 6	Color: Black	VIN #108777	Plate #OXZ2580
2. 2000 Lincoln Town	Passengers 6	Color: Black	VIN #842591	Plate #OXY5270
3. 2000 Chevrolet	Passengers 6	Color: Black	VIN #624234	Plate #OXY4604
4. 2000 Lincoln	Passengers 5	Color: Black	VIN #797020	Plate #OXY4602
5. 2000 Dodge Car.	Passengers 6	Color: Black	VIN #753782	Plate #OXY4603
6. 2001 Chevrolet	Passengers 6	Color: Black	VIN #296781	Plate #OXY4606
7. 2001 Lincoln Town	Passengers 5	Color: Black	VIN #634310	Plate #OXZ2574
8. 2000 Windstar ( <u>Limo</u> )	Passengers 5	Color: Black	VIN #A27414	Plate #OL6860G-NEW

#### FIRST CLASS OF DOVER, INC.-RENEWALS OF TAXIS

1. 1999 Lincoln Town	Passengers 5	Color: Grey	VIN #612643	Plate #OXY8399
2. 1999 Mercury Wagon	Passengers 6	Color: Red	VIN #J10694	Plate #OXY8392
3. 1999 Ford Crown Vict.	Passengers 5	Color: Green	VIN #130006	Plate #OXY8409
4. 1999 Mercury GMA	Passengers 5	Color: Green	VIN #626179	Plate #OXY8395
5. 2001 Dodge Pasvn.	Passengers 6	Color: White	VIN #168500	Plate #OXY5272
6. 2001 Dodge Caravan	Passengers 6	Color: Gray	VIN #184835	Plate #OXY8393
7. 2002 Lincoln Town	Passengers 5	Color: Black	VIN #661057	Plate #OXY8396
8. 2004 Ford CVC	Passengers 5	Color: White	VIN #127203	Plate #OXY8400
9. 2004 Ford CV	Passengers 5	Color: White	VIN #143420	Plate #OXY8394
10. 2000 Mercury ( <u>Limo</u> )	Passengers 5	Color: Silver	VIN #626315	Plate #OL5367G-NEW

#### 07 TAXI LIMO, INC.-RENEWALS OF TAXIS

1. 1999 Dodge Wagon	Passengers 6	Color: Red	VIN #839731	Plate #OXY6808
2. 1999 Dodge Wagon	Passengers 6	Color: Gray	VIN #416867	Plate #OXY6806
3. 1999 Toyota Siena	Passengers 6	Color: Gray	VIN #101591	Plate #OXY8413 (NEW)
4. 1999 Ford Vict.	Passengers 5	Color: Gold	VIN #196408	Plate #OXY6805
5. 1999 Ford Mercury	Passengers 5	Color: Blue	VIN #610127	Plate #OXY5929
6. 2001 Lincoln Towncar	Passengers 5	Color: Black	VIN #650185	Plate #OXY8214

#### DOVER LIVERY, INC. RENEWALS OF LIMOS

1. 1996 Ford Crown	Passengers 5	Color: Blue	VIN #80516	Plate #OL3053F
2. 1998 Ford CVC	Passengers 5	Color: White	VIN #85390	Plate #OL3052F
3. 1998 Dodge Wagon	Passengers 8	Color: Green	VIN #31486	Plate #OL3059F
4. 1999 Plymouth Voy.	Passengers 8	Color: White	VIN #68129	Plate #OL3054F
5. 1999 Ford CRW	Passengers 5	Color: White	VIN #03836	Plate #OL1750G
6. 2000 Ford	Passengers 8	Color: White	VIN #14420	Plate #OL6000F
7. 2000 Chrysler Voy.	Passengers 8	Color: Blue	VIN #97850	Plate #OL3051F
8. 2000 Chevy	Passengers 12	Color: White	VIN #12760	Plate #OL3056F

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

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



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Alderman Fahy left prior to entering into executive session.

Motion was made by Alderman Visioli to reopen the regular meeting at 9:12pm and seconded by Alderwoman Romaine and passed by the following roll call vote.

Ayes: Aldermen Delaney, Poolas, Visioli, Donofrio, Picciallo, Romaine and Mayor Dodd  
Nays: None                      Abstain: none                      Absent: Alderman Fahy, Timpani

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**  
**AUTHORIZING NOTICE OF NON RENEWAL OF THE ADMINISTRATOR'S CONTRACT**

**WHEREAS**, the Code of the Town of Dover, Section 2-8, C has established a term for the position of Administrator of three years;

**WHEREAS**, by agreement, the municipality must advise the Administrator of the non-renewal of the Administrator's contract six month prior to the expiration of the term; and,

**WHEREAS**, the expiration of the administrator's contract is December 31, 2008; 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 as follows:

1. A Notice of Non-Renewal is to be given immediately upon passage of this Resolution to the Administrator of the non-renewal of contract for the term January 1, 2009 through December 31, 2011.

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

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

**PUBLIC COMMENTS**

**Connie Sibona-Foster** – Ms. Sibona-Foster wanted to confirm that recycling containers now need lids. She was informed by Mayor Dodd that containers now require lids. Ms. Sibona-Foster wants to know if there were any ordinances that require permits or limit the number of garage sales. She has a concern with one of her neighbors that hold constant garage sale where computers are for sale it looks like a business. She would like to know the status on the performance bond for the curbing on Penn Ave. She's upset with the way it looks and stated it's a big mess. Ms. Foster, Mayor Dodd & Luis Acevedo are working together with the Mayor Assistance Program.

**Emiliano Lemos** – 48 Second Street - He was astonished when he read the Daily Record on May 4<sup>th</sup> about the confession Mr. Korpita made about violating the civil rights of the community. He's requesting from the press to clear the comments that Mr. Korpita made and an investigation to take place. The Attorney General's meeting was a great presentation.

**Motion made by Mayor Dodd to adjourn at 9:15 p.m.,  
Seconded by Alderman Visioli and passed by the following voice vote. All ayes.**

**Submitted by,**

**Margaret J. Verga, Municipal Clerk**