



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
June 22, 2010 7:00 PM

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

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

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

ROLL CALL:

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

Also present were Administrator Close, Attorney Pennella and Clerk Verga

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

WATER & SEWER RATE INCREASE PRESENTATION – MR. DAVID EVANS, NISIVOCIA GROUP

Mr. Evans noted that in May, a draft of the latest water rate study was circulated to the members of the governing body which indicated a necessary increase in the water rates. Mr. Evans explained that the town is proposing a quarterly increase of about \$12.00 or a monthly increase of \$4.00 for the average residential water user and also about the same proposed increase for sewers. He explained that one thing that must be noted with regards to the water & sewer rates is that the Town of Dover has inexpensive utilities. He explained that when you look at your water rate and compare it to Roxbury, Randolph, Mine Hill or Wharton, the Town of Dover is equal to or less than just about everyone.

Alderman Donofrio noted that the “dedicated revenue” for the 2009 water utility was \$120,000 and the projection for 2010 is \$202,000 and wanted to know if this is duck tailing into the above action. Mr. Evans explained that its money that was left over that is being utilized to balance the budget for this year and has nothing to do with the water & sewer charges.

ORDINANCE NO. 09-2010

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING THE SUBSECTION OF THE REVISED
GENERAL CODE OF THE TOWN OF DOVER ENTITLED, “WATER CHARGES FOR DOMESTIC,
COMMERCIAL, PUBLIC, AND INDUSTRIAL USE IN THE TOWN OF DOVER, BOROUGH OF VICTORY
GARDENS, AND PORTIONS OF THE TOWNSHIP OF RANDOLPH, TOWNSHIP OF ROCKAWAY,
TOWNSHIP OF MINE HILL AND BOROUGH OF WHARTON”

WHEREAS, the Water Utility provides water service in the Town of Dover, Borough of Victory Gardens, portions of the Township of Randolph, Township of Rockaway, Township of Mine Hill and Borough of and Wharton; 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:

SECTION 1. Rate Schedule 1., **General Metered Service:**

Applicable to Use of Service for:

All water service applied through meters for domestic, commercial, public and industrial use.

Character of Service:

Continuous

Fixed Service Charge Per Quarter:

5/8” meter	\$ 14.74
3/4” meter	\$ 22.10
1” meter	\$ 36.84
1 1/4” meter	\$ 36.84
1 1/2” meter	\$ 73.67
2” meter	\$ 117.88
3” meter	\$ 221.00
4” meter	\$ 368.34

Rate:

All Water consumed over 333 cubic feet, a flat \$ 2.287
Rate charge per hundred cubic feet (c.c.f.)

SECTION 2. Rate Schedule No. 7, Miscellaneous Charges

Applicability:

Customer requested service: turning on water at the curb (seasonal or restoration of service subsequent to delinquent payment).
The following fee does not apply for customer request for meter testing:

Rate:

Business hours (Monday-Friday – 8:00am to 4:30pm) \$ 21.00
After business hours and weekends \$ 69.00

Applicability:

Removing, repairing, and replacing meters damaged due to
Negligence of customer including frozen and broken meters:

Meter sizes - 5/8", 3/4", 1" \$ 59.00
1 1/2", 2" and above \$ 310.00

Connection fees:

Effective July 1, 2010 and thereafter, there shall be a connection fee charged in the amount of \$1,735 for all new customers connected to the system. Said connection fee shall be calculated annually, utilizing the cumulative capitol and debt service charges of the water utility, divided by the current number of customers.

Hook up fees:

Effective January 1, 2007 and thereafter, there shall be a hookup charged as listed below for all new customers connected to the system. These hookup charges will be as follows:

5/8" and 3/4" meters \$ 730.00
1" meters \$ 900.00
1 1/5" and larger meters \$ 1,280.00

Terms of payment:

Net cash becoming delinquent 20 days from the billing date.

SECTION 3. Rate Schedule No. 3., Private Fire Service or Fire Sprinkler Service

Applicability:

All fire protection service throughout the service territory

Charter of Service:

Continuous

Rate:

Each protection unit per quarter:

1" \$ 23.21
2" \$ 23.21
4" \$ 38.69
6" \$ 77.37
8" \$ 116.05
10" \$ 324.94
12" \$ 324.94

Terms of Payment:

Net cash becoming delinquent 20 day from billing date.

SECTION 4. Rate Schedule No. 4., Public and private fire service, (Fire Hydrants):

Activity:

All fire protection service throughout the service territory.

Character of Service:

Continuous

Rate:

Each protection unit per year \$ 156.00

Terms of Payment:

Net cashing becoming delinquent 20 days from billing date.

SECTION 5. Rate Schedule No. 8, Emergency Metered Services:

Applicability:

Water service through interconnections.

Character of Service:

On an emergency need basis

Rate:

All water delivered at a rate of \$2.287 per hundred cubic feet (c.c.f.)

SECTION 6. Rate Schedule No. 5, Testing Customer Meters

Rate:

Test for accuracy at customer's request, once every twelve (12) months No Charge

Test for accuracy more than once every twelve (12) months \$ 15.25 each occurrence

SECTION 7. All ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phase or sentence shall be deemed separable.

SECTION 9. This ordinance shall take effect upon final publication as provided by law.

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

RESOLUTION

WHEREAS, Ordinance 5-1998 established procedures for establishing a sewer user fee; and

WHEREAS, the Town has estimated total sewer costs for 2010; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen, Town of Dover, County of Morris and State of New Jersey, that the Sewer User Fee for each of the Sanitary Sewer System in 2010 will be \$3.21 for each cubic feet of water used.

BE IT FURTHER RESOLVED, that this rate is to be effective with the July 1, 2010 billing.

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

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

PRESENTATION OF PAINTING – MR. FRANK HANNOCH

Mr. Frank Hannoeh, Jr., who is present here today, has a family history with the Town of Dover. His grandfather, Max Heller, owned several properties in Dover, including the Heller Building located on Blackwell Street and also in 1913 built the Playhouse Theatre that was located on Morris Street. Max Heller and his wife Jennie had 4 children, Gustav, Ruth, Carolyn and

Frank. Max Heller's eldest daughter, Ruth, married Frank Hannotch (Frank's father). Frank Hannotch's uncle, Frank Heller, was a distinguished television director and producer of TV and theater in NY. He is well known for his TV programs "What's My Line", "To Tell the Truth" and "The Web". Frank Heller attended Carnegie Tech where he met and married Elizabeth Shannon Phillips (artist of painting).

Mr. Hannotch is donating this painting done by his aunt, Elizabeth Shannon Phillips Heller, who was a W.P.A. artist. WPA is an acronym for Works Progress Aministration, which was a government funded arts program. This federal program employed many to carry out public works projects including construction of public buildings and roads and operated large arts, drama, media and literacy projects. The WPA provided jobs and income to the unemployed during the Great Depression.

The WPA was the idea of George Biddle, a talented artist, who presented his program to President Franklin D. Roosevelt. Biddle felt the plight of the unfortunate and poor arts community during the Depression. He asked FDR to create a program for the arts. The WPA program included many projects, Art, Music, Theater and Writers Projects. This program existed from August 29, 1935 until it disbanded on June 30, 1943. Over 5,000 artists throughout the nation were involved all of whom created posters, murals, and paintings and other artworks, some of which are among the most significant works of public art in the country. The goal of the WPA was to employ out of work artists and provide art for tax-supported buildings such as courthouses, post offices and libraries. Elizabeth Shannon Phillips Heller was one of these artists. She had one of her paintings displayed in the Roaring Springs, PA post office named "Mountain Landscape".

Mr. Hannotch introduced his family which were present in the audience and presented the town with the painting entitled "Downtown Dover". The painting is of a Lackawanna steam engine located at the Morris Street rail crossing in 1942.

MUNICIPAL CORRESPONDENCE:

1. Resolution from the Rockaway Township re: Adopting the 2010 Housing Element & Fair Share Plan
2. Notice of Hearing to Property Owners – Application for Development, Township of Randolph
3. Public Notice – Application for Christian Center of Morris – Planning Board, Dover
4. Public Notice – Discussion of the 2011 Application for Senior Citizens & Disabled Residents Transportation assistance Program funded through Casino revenue Funds - Morris Area Paratransit System (MAPS)
5. Public Notice – Preliminary & Final Site Plan Approval, Township of Denville
6. Suspected Hazardous Substance Discharge Notification from the State of NJ Department of Environmental Protection for E. Blackwell Street/Rockaway Road
7. NJ Dept. of Environmental Protection (NJDEP) Child Care Facility Approval Letter for Imagine & Learn Preschool
8. May 2010 – Fire Department Reports
9. May 2010 – Health Department Reports
10. Shoprite Earth 2010 Newsletter and Environmental Fact Sheet
11. Thank You note from Sacred Heart Church expressing their gratitude for the change in Sunday parking
12. July 2010 Event Calendar - Publication of the Morris County Board of Chosen Freeholders
13. Letter from the New Jersey State League of Municipalities re: 13th Annual Elected Officials Hall of Fame

Alderman Donofrio commented on correspondence he received from the Department of Health and Human Services regarding an important "National Health and Nutrition Examination Survey" which is being conducted in Morris County by the Centers for Disease Control & Prevention's National Center for Health Statistics. He noted that this is a mobile examination center that will be sent around and wanted to make the public aware of the survey.

CONSENT AGENDA

1. Resolution Approving Mayor & Board of Aldermen Meeting Minutes – May 25, 2010 & June 1, 2010
2. Resolution Approving Limo – Schedule A
3. Resolution Approving Tax Drivers' Licenses – Schedule A
4. Resolution Approving Mobile Vendor Class II License – Astro Dogs
5. Resolution Approving Tax Redemption Certificate #08-00015 – 229 Prospect Street
6. Resolution Approving Tax Redemption Certificate #08-00031 – 44 Davis Avenue
7. Resolution Approving the settlement of a tax court appeal for A.C. Moore Arts & Crafts, Block 901, Lot 2
8. Approving Amendment to the Policies & Procedures Manual
9. Approving Cancellation of Unexpended Balanced of the Water Utility Fund

Alderman Delaney noted that he will abstain to #1 on the consent agenda, the approval of one of the meeting minutes. Alderman Timpani asked that the meetings be separated for two votes.

Alderman Poolas noted that he would be voting "no" for #1 on the consent agenda. He explained that the minutes did not state his comments between him and the administrator on recreation's fee structure.

Alderman Donofrio wanted to know if the minutes included the addendums which referred to comments provided by him and Mr. Hantson regarding the Region Oil tanks. Clerk Verga expressed the minutes include the addendums.

ORDINANCE FOR INTRODUCTION

1. Ordinance # 08-2010 – Establishing a Stop Sign on Brook Drive and No Stopping or Standing on Portions of Brook Drive & Elena Place/Ald. Blackman
2. Ordinance #09-2010 – Amending “Water Charge for Domestic, Commercial, Public and Industrial Use in the Town of Dover, Borough of Victory Gardens and portions of the Township of Randolph, Township of Rockaway, Township of Mine Hill and Borough of Wharton/Ald. Romaine
3. Ordinance #10-2010- Establishing a one-way street on Davis Avenue/Ald. Poolas

Alderman Poolas noted that the last correspondence he received from Mr. Close regarding the one-way street on Davis Street stated that letters were going out to all of the residents. He would have like to receive the responses from the residents. Mr. Close noted that there was only one letter from Ms. Wirth, owner of the beauty parlor. Alderman Poolas did receive a copy of that letter.

Alderman Romaine asked if the residents were in favor of ordinance # 08-2010. Alderman Poolas noted that at the time they spoke with residents they were in favor of the ordinance. Mr. Close explained that they received input from the town engineer, police department, fire department and residents.

ORDINANCE(S) FOR SECOND READING

1. Ordinance # 07-2010 – To Exceed the Municipal Budget Appropriation Limits & to Establish a Cap Bank

AGENDA ITEMS:

RESOLUTIONS

1. Approving Bills List
2. Approving Sewer User Fee for each of the Sanitary Sewer System in 2010
3. Approving Annual Dance Licenses-Sabor Latino & Pub 66
4. Approving the Renewal of 2010/2011 Liquor Licenses
5. Denying the Renewal of Alcoholic Beverage Licenses
6. Approval to Submit a Grant Application Under the Cops Hiring Recovery Program (CHRP)
7. Approving Raffle License for Millpond Towers Residents Association to be held on August 4, 2010
8. Amending the fees for purchasing copies of public records
9. Accepting the bid for land lease for the co-location of a wireless telecommunications antenna & support equipment on monopole and property from Metro PCS New York, LLC

Alderman Picciallo noted that he will abstain on the bills list because of item # T-20-55814677

Alderman Poolas asked for clarification on the bills list for the bill of \$6,500 and it says for maintenance of municipal lots (page 14 of the bills list). Mr. Close explained that it's for maintenance of municipal lots.

Attorney Pennella provided an explanation for the resolution “Accepting the bid for land lease for the co-location of a wireless telecommunications antenna & support equipment on monopole and property from Metro PCS New York, LLC.”

Alderman Donofrio wanted to know how the grant for \$623,508 factors in for two police officers. Mr. Close noted that the figure includes salary and benefits for two officers for period of three years. He wanted to know if the town would be obligated to keep the police officers. Mr. Close noted that the grant administrators would like you to keep the officers on but it depends on the resources.

REGULAR MEETING MINUTES

June 22, 2010

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

The meeting was called to order by Mayor Dodd at 7:36 pm

ROLL CALL

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

Absent: Alderwoman Blackman

Also present were Administrator Close, Attorney Pennella and Clerk Verga

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

Mayor Dodd opened this portion of the meeting to the public for agenda items only.

WARREN DARNULC – 151 Grant Street – Mr. Darnulc doesn't recall the introduction of Ordinance #07-2010 and asked for clarification. Alderwoman Romaine noted that it's an ordinance for calendar year 2010 to exceed the Municipal Budget Appropriation Limits & to establish a Cap Bank. She explained that this provides that the preparation of the annual budget shall increase in the said budget 0% unless authorize by ordinance to increase it to 3.5% over the previous years final appropriations. She noted that this is within the limitations that have been set by the Governor and the existing statutes. She explained that the ordinance is just accepting that the town is establishing 3.5% this year so that we can introduce the 2010 budget with the cap.

IRENE WIRTH – 2 Davis Avenue – Ms. Wirth expressed her concerns on ordinance #10-2010 and the speeding on Davis Avenue. She noted that Davis Avenue, at one point, was a one-way street which resulted in an increase of speed. Ms. Wirth would like to see some speed bumps at the bottom of Davis Avenue to make drivers slow down. Ms. Wirth expressed her other fear, that without a speed bumps accidents will occur at the top of the hill because drivers will not realize the 2-way traffic. Her other concern was drivers not being able to make a left on Lemar Street because of the traffic speeding through. She expressed that a speed bump would be advantages to the street. Mayor Dodd expressed that the board can have the engineering department look into a speed calming device for that street. He noted that a speed bump or hump is out of the question because there are certain criteria that have to be met and a certain grade percentage. Mayor Dodd noted that from a safety perspective, speed bumps or humps can not be installed but other speed calming devices can be put into place. Mr. Hantson explained that when there's a public street that intersects a state highway, the NJ Department of Transportation (NJDOT) would have to approve the ordinance. Mr. Hantson took the liberty to present the ordinance to NJDOT and they concurred that the Davis Avenue should be a one-way street. He noted that you can never control speed with speed bumps and explained that the speed bumps are regulated by the NJDOT. He noted that several steps have to take place for speed bumps to be installed. Mr. Hantson read Ms. Wirth's letter and noted that she had a good suggestion for additional signage. Mr. Hantson supports the ordinance and doesn't see NJDOT having a problem with the one-way street.

Alderman Timpani asked about the new house at the corner of Rt. 46 and the status of the trees being trimmed down. Mr. Hantson noted that he would have to look into the matter because he's unaware of the request.

Alderman Poolas noted that the main concern in reference to ordinance #10-2010 was a safety issue. He believes the biggest (speeding) offenders were school buses.

MIKE CICHETTI – 130 So. Salem Street - Mr. Cichetti suggested charging only the surrounding municipalities that use Dover's wells the increase and leave Dover alone. He was told that the process was illegal to only charge certain municipalities. He also suggested the town apply for grants to do things for the town and not just apply for a grant to hire more police officers.

EMILIANO LEMOS – 40A Second Street – Mr. Lemos wanted to know if the resolution on the agenda would establish two different prices for police report(s) when being requested in person versus being requested through OPRA. The board explained that it does establish two different fees. He wanted to know, why there was a charge for police reports, if police report(s) could be emailed. Clerk Verga explained that the clerk's office doesn't have access to the police department's computers and she also noted that certain information has to be redacted from the police reports. Mr. Lemos had a concern with the police department grant and feels that instead of "protecting" the police officers from the lawsuits, they should be investigated. Mayor Dodd explained that the grant was to hire additional police officers and it was not to protect them. Mr. Lemos mentioned that some police officers do a great job but some officers cause the town lawsuits, the latest lawsuit of \$15,000. He wanted to know where the money came from to pay the lawsuit. Mr. Close noted that the money is paid through the insurance fund through a settlement. Mayor Dodd explained to Mr. Lemos that if he has an issue with how the police department is being run under the

supervision of Chief of Police, Mayor Dodd suggested taking it up with the Chief. Mayor Dodd also noted that people have the right to sue and feels that the Dover police officers do a good job.

FRANK SIMINI – 93 Prospect Street – Mr. Simini commended the board for submitting a grant application to hire additional police officers and feels it's needed. He is concerned with the ice cream trucks that travel around town and when they stop at the Crescent Field Park. He feels there's going to be a disaster and believes a police officer should be present in the park. Mayor Dodd noted that he wished there could be enough funding to hire additional police officers but noted that the town is limited with funding during these difficult times.

IRENE WIRTH – 2 Davis Avenue – Ms. Wirth responded to Mr. Poolas' statement, she reminded the board that many years ago there was not a house at 6 Davis Avenue which she believes is now a four bedroom colonial house. She noted that two homes had additions but did not increase their driveway space which caused on street parking. She noted that trees were trimmed but not enough which blocks the view.

MAYOR'S REPORT – Mayor Dodd reserved his comments till the next meeting and requested that the committee reports be changed to quarterly reports.

COMMITTEE REPORTS

FINANCE – Alderwoman Romaine noted that the 2010 budget will be adopted at the July 13th meeting with a public hearing.

PUBLIC WORKS – Alderman Poolas publicly thanked Jon Sperry and his wife for the water they sent over to the people that attended the Memorial Day Parade. Alderman Poolas spoke to Mr. Acevedo regarding the garbage cans at King Field and suggested the galvanized 30 gallons be changed to Rubbermaid cans because kids are smashing them. Alderman Poolas noted that he spoke to the men playing soccer on the field and feels it's a shame that Dover doesn't have an adult recreational facility to accommodate the adult population. He expressed that the Crescent Field is a waste because it's not being used by the residents. Alderman Poolas noted that the Memorial Association's shed is being moved by Tony's Towing for free to the back of the Firemen's Antique garage. Alderman Poolas suggested scrapping the shopping carts at Conca's to get rid of them. He also asked for information on the water tower which there was a meeting that he and Alderman Picciallo were not invited to. He feels that he and Alderman Picciallo are not being included in the events that take place in the first ward.

Alderman Poolas explained that the comments that were left out in the minutes were about the fees that are being charged by recreation for the use of the fields. He noted that, last Saturday, the Little League team had a picnic and loud music. He doesn't recall a noise permit being approved for Little League and noted that he received three complaints. He feels that it was inappropriate for the Little League team. Alderman Poolas expressed that he's against the fees and noted that Water Works Park was always free to residents.

PERSONNEL – Alderman Visioli noted that there has been a lot of interaction between finance committee and personnel committee. He expressed that tough decisions have been made and certain items can not be discussed due to confidentiality.

CONSTRUCTION, ZONING, ENGINEERING – Alderman Timpani noted that the emergency lane on Route 46 is being worked on and tickets are being issued. He expressed that code enforcement is doing a great job but had a few concerns regarding a town property that is directly across from a property that was issued a handful of tickets. His complaint is with the town property that has not been maintained and noted that it's at the end of Myrtle Avenue. Mayor Dodd noted that the code enforcement department is very active in the community. He also noted that the town encourages the residents to maintain their own properties but he also encourages the town to maintain their own. Alderman Timpani named several of the violations at the property. Mr. Close commented that the town property was cleaned up as soon as it was brought to his attention. Mr. Close explained that he has talked to the Department of Public Works (DPW) and it's on their schedule. Alderman Timpani is concerned about the fence (barbed wire) and the danger it poses to the children in the park. Mr. Close noted that Code Enforcement has been in contact with the adjoining property regarding the fence.

Mr. Hantson explained that the barbed wire fence is located on private property and it's not a violation. He explained that the town has a choice to either install a fence on the town property or talk to the property owner. He noted that the town chose to approach the property owner to ask him if he would agree to remove the barbed wire from the fence which lawfully exists. Mr. Hantson noted that he's not aware of the status but knows that William Isselin (Code Enforcement Official) has been talking to the property owner. Mr. Hantson noted that if the property owner doesn't agree with the request then the town would have to install a fence on the town's property side. He noted that the best approach was to ask the property owner for his cooperation. Mayor Dodd asked the board to give the property owner & code enforcement an opportunity to resolve the issue prior to taking any another measures.

Alderman Timpani is upset that his request for a sign at the end of East Cooper Street has not been fulfilled. Mayor Dodd noted that the town has a sign machine and it can be done.

Mr. Close expressed that the request are on (superintendent's) list of things to do but the department is understaffed and they have to prioritize the work orders.

Mayor Dodd noted that the departments work very hard to accommodate the residents of the town and noted that if there are habitual abusers of the system it is recognized. He expressed that when there's a home that is not well maintained it brings down the property values of the surrounding homes which is a concern. Mayor Dodd is confident that the town employees are working very hard.

ADMINISTRATOR CLOSE – Mr. Close mentioned that there will be a public meeting on June 24, 2010 to discuss the Route 46 bridge closure that should be taking place on July 9th.

ATTORNEY'S REPORT – Mr. Pennella noted that the resolution for AC Moore & Crafts is a corrective resolution, the figures on the prior resolution were wrong.

Mayor Dodd received a note from Alderman Delaney to announce that on July 22, 2010 there will be free skin cancer screening for Dover residents at the Sister Catherine Health Center located at St. Clare's Hospital.

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

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

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

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

May 25, 2010 – Caucus & Regular

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

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

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

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

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

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

June 1, 2010 – Caucus & Regular

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

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

Alderman Poolas asked that the resolution to "amend the policies and procedures manual" be tabled since several members of the board are unaware of the details pertaining to the amendments. Mayor Dodd asked Attorney Pennella to provide the board with details on the resolution.

Attorney Pennella explained that the resolution "Amending the policies & procedures manual" is an annual review of the policies & procedure that is required by the Morris County Joint Insurance Fund (JIF). He noted that the Morris County JIF provided the municipalities with standard samples of the policies & procedures manual based on JIF's experiences.

CONSENT AGENDA

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING TAXIS/LIMOS TO BE LICENSED IN THE TOWN OF DOVER**

WHEREAS, the following companies, have applied for a license to operate the vehicle(s) listed below on Schedule A hereto and made a part hereof as taxicab(s)/limo(s) in the Town of Dover; and

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

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

Schedule A

FIRST CLASS OF DOVER, INC.

- | | | | |
|--------------------------------|--------------|--------------|----------------|
| 1. 2000 Chrysler Grand Voyager | Color: Green | VIN # 748717 | Plate #OL2662H |
| 2. 2003 Dodge Wagon | Color: Red | VIN # 119609 | Plate #OL8359G |
| 3. 2002 Dodge Wagon (Taxi) | Color: Green | VIN # 715039 | Plate #OXZ8634 |

AXEL'S EXPRESS LIMO & TAXI, LLC

- | | | | |
|---------------------------------|--------------|--------------|----------------|
| 1. 2002 Chrysler Town & Country | Color: Black | VIN # 639974 | Plate #OL2667H |
| 2. 2003 Dodge Caravan | Color: Black | VIN # 219574 | Plate #OL7850G |
| 3. 2000 Lincoln Towncar | Color: Black | VIN # 808833 | Plate #OL7863G |
| 4. 2002 Chrysler | Color: Black | VIN # 556223 | Plate #OL7869G |
| 5. 1998 Pontiac | Color: Black | VIN # 145066 | Plate #OL5083G |
| 6. 1999 Lincoln Towncar | Color: Black | VIN # 674096 | Plate #OL5106G |

ELITE LIMO & TAXI SERVICE, LLC

- | | | | |
|---------------------------|---------------|--------------|----------------|
| 1. 1997 Mercury G M | Color: Silver | VIN # 602326 | Plate #OL2670H |
| 2. 2000 Chrysler Wagon | Color: Gray | VIN # 617782 | Plate #OL9821G |
| 3. 2000 Chevrolet Ventura | Color: Silver | VIN # 165703 | Plate #OL9820G |
| 4. 2004 Lincoln Towncar | Color: Black | VIN # 622362 | Plate #OL2671H |

CITY LIMO & TAXI SERVICE, INC

- | | | | |
|-------------------------|--------------|--------------|----------------|
| 1. 2003 Dodge Caravan | Color: Black | VIN # 240781 | Plate #OL2572G |
| 2. 2001 Dodge Caravan | Color: Black | VIN # 278305 | Plate #OL8835G |
| 3. 2001 Chrysler Wagon | Color: Black | VIN # 198435 | Plate #OL2584G |
| 4. 2003 Chrysler Wagon | Color: Black | VIN # 250664 | Plate #OL8834G |
| 5. 2000 Lincoln Towncar | Color: Black | VIN # 816296 | Plate #OL7860G |
| 6. 2003 Lincoln Towncar | Color: Black | VIN # 630160 | Plate #OL8404G |
| 7. 2003 Lincoln Towncar | Color: Black | VIN # 694368 | Plate #OL3062H |
| 8. 2004 Lincoln Towncar | Color: Black | VIN # 655117 | Plate #OL3080H |
| 9. 2001 Lincoln Towncar | Color: Black | VIN # 650185 | Plate #OL7867G |
| 10. 2002 Dodge Wagon | Color: Black | VIN # 715105 | Plate #OL9789G |

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

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

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

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

WHEREAS, the Police Department of the Town of Dover has reviewed their applications and has advised that there is no prohibition to the issuance of their license; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and

State of New Jersey that the taxi driver licenses for those people listed on Schedule A attached hereto and made a part hereof are hereby approved.

Schedule A

FIRST CLASS TAXI OF DOVER

Maria Mora
Carlos Cabarca

AXEL'S EXPRESS TAXI

Jaime Garzon
Leopoldo Montano
Juan Cardona

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

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

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

WHEREAS, a Class II license allows the licensee to set up on the paved portions of the following public parks and or playgrounds of the town: Crescent Field, Second Street Playground, Hooey Park, King Field, Hurd Park, Steffany Park at Waterworks and Overlook Park.

WHEREAS, the vendors have 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.

WHEREAS, this approval is conditioned upon approval of the Health Officer's satisfactory inspection of the vehicle for said license.

WHEREAS, the Police Department has approved the location of the vendors.

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

1. That the application of Paul Randazzo of Astro Dogs for a Mobile Retail Food Establishment, Class 2 License be approved.

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

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

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 1, 2009, a lien was sold on Block 407 Lot 13 also known as 229 Prospect Street, Dover, New Jersey for delinquent 2008 water and sewer fees; and,

WHEREAS, this lien, known as Tax Sale Certificate 08-00015 was sold to Phoenix Funding, Inc; and,

WHEREAS, redemption fees for Certificate No.08-00015 were received in the amount of \$404.04.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen, Town of Dover, County of Morris, State of New Jersey that the Treasurer be authorized to issue a check in the amount of \$404.04 for redemption payment, payable to US Bank CUST for Phoenix, 2 Liberty Place, - TLSG, 50 South 16th Street, Suite 1950, Philadelphia, PA. 19102.

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

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

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

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 1, 2009, a lien was sold on Block 709 Lot16, also known as 44 Davis Avenue, Dover, New Jersey for delinquent 2008 water and sewer fees; and,

WHEREAS, this lien, known as Tax Sale Certificate 08-00031 was sold to US Bank Custodian for Phoenix for 62.02 and,

WHEREAS, redemption fees for Certificate No.08-00031 were received in the amount of \$1,397.80.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen, Town of Dover, County of Morris, State of New Jersey that the Treasurer be authorized to issue a check in the amount of \$1,397.80 payable to US Bank CUST for Phoenix, 2 Liberty Place, - TLSG, 50 South 16th Street, Suite 1950, Philadelphia, PA. 19102.

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

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
CORRECTING AND APPROVING THE SETTLEMENT OF A TAX COURT APPEAL
A. C. MOORE ARTS & CRAFTS, BLOCK 901, LOT 2
2007, 2008, 2009 AND 2010 AGREEMENT**

WHEREAS, A. C. Moore Arts & Crafts is the owner of 550 Mt. Pleasant Ave., Dover New Jersey, also known as Block 901, Lot 2; and

WHEREAS, A. C. Moore Arts & Crafts filed appeals with the Tax Court of New Jersey for the years 2007, 2008, 2009 and 2010 bearing Docket # 007262-2007; 000695-2008, 000864-2009 and 001156-2010; and

WHEREAS, the Tax Assessor has reviewed Answers to Interrogatories and consulted with the expert appraiser for the Town, Robert J. Edgar of Certified Valuations, who has thoroughly reviewed the appeal; and,

WHEREAS, a settlement was previously approved by Resolution dated January 26, 2010 which was in error; and

WHEREAS, this Resolution corrects such errors; and

WHEREAS, a settlement including withdrawal of the 2007 appeal, a value of \$2,403,100 total assessment for year 2008, \$4,450,200 total assessment for year 2009 and \$3,708,500 total assessment for year 2010 was recommended by the expert appraiser for the Town; and

WHEREAS, the taxpayer has accepted the market value offer of judgment; and

WHEREAS, the original assessments and requested tax court judgment are as follows:

2007 – Withdrawn

<u>2008</u>	<u>ORIGINAL ASSESSMENT</u>	<u>COUNTY BOARD JUDGMENT</u>	<u>TAX COURT JUDGMENT</u>
Land	\$3,366,800.00	None	\$ 788,600.00
Improvements	<u>\$1,899,400.00</u>	Direct	<u>\$1,614,500.00</u>
Total	\$5,266,200.00	Appeal	\$2,403,100.00

<u>2009</u>	<u>ORIGINAL ASSESSMENT</u>	<u>COUNTY BOARD JUDGMENT</u>	<u>TAX COURT JUDGMENT</u>
Land	\$ 4,489,000.00	None	\$ 887,800.00
Improvements	<u>\$ 5,661,000.00</u>	Direct	<u>\$3,562,400.00</u>
Total	\$10,150,000.00	Appeal	\$4,450,200.00

<u>2010</u>	<u>ORIGINAL ASSESSMENT</u>	<u>COUNTY BOARD JUDGMENT</u>	<u>TAX COURT JUDGMENT</u>
Land	\$ 4,489,000.00	None	\$1,629,500.00

Improvements	<u>\$ 5,661,000.00</u>	Direct	<u>\$2,079,000.00</u>
Total	\$10,150,000.00	Appeal	\$3,708,500.00

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

1. The tax court appeals bearing the above referenced docket numbers are hereby authorized to be settled by withdrawal of the 2007 appeal, a value of \$2,403,100.00 for the year 2008, a value of \$4,450,200.00 for the year 2009 and a value of \$3,708,500.00 for the year 2010.
2. The settlement shall be paid by tax credit to future tax bills and not by refund.
3. The taxpayer must waive interest on the overpaid amounts.
4. The Municipal Attorney is hereby authorized to execute a Stipulation of Settlement upon the terms set forth above.
5. The Resolution passed on January 26, 2010 authorizing the settlement of Tax Court appeals in these matters was in error and is hereby rescinded. The within Resolution shall supersede the earlier Resolution passed.

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

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

**A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AMENDING THE POLICIES AND PROCEDURES MANUAL**

WHEREAS, the Mayor and Board of Aldermen have adopted a Policies and Procedures setting the benefits of employees; and

WHEREAS, the Mayor and Board of Aldermen has determined that there is a need to update the personnel policies and procedures manual to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, NJ that the Policies and Procedures Manual is hereby amended to include and or update the following sections:

- Anti-Sexual Harassment Policy
- General Anti-Harassment Policy
- Family and Medical Leave Act Policy
- Americans with Disabilities Act Policy

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Town of Dover officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

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

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

RESOLUTION

WHEREAS, the following Water Utility Operations Fund Balances were unexpended as of December 31, 2009:

Other Expenses	\$125,000
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WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Fund Balance;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen, Town of Dover, County of Morris and State of New Jersey, that the above listed unexpended balances of the Water Utility Fund be canceled as of December 31, 2009.

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

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

ORDINANCE FOR INTRODUCTION

**ORDINANCE NO. 08-2010
AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
ESTABLISHING A STOP SIGN ON BROOK DRIVE AND NO STOPPING OR STANDING ON PORTIONS OF
BROOK DRIVE AND ELENA PLACE**

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. Pursuant to N.J.S.A. 39:4-8b(1)c, there is hereby established a stop intersection on Brook Drive at its intersection with Elena place. The proposed stop sign shall be located on the Southerly side of Brook Drive at its intersection with Elena Drive.
2. There shall be a crosswalk striped across Brook Drive at its intersection with Elena Place. There shall be no stopping or standing within fifty feet (50') of the stop sign, within the crosswalk and within twenty feet (25') of the crosswalk.
3. This ordinance shall be submitted to the Municipal Engineer and he shall, under his seal as a licensed professional engineer, certify to the governing body of Dover that the sign and its placement have been approved by the engineer after investigation of the circumstances, and that it appears to the engineer to be in the interest of safety and expedition of traffic on the public highways and conforms to the current standards prescribed by the manual of the uniform traffic control devices for streets and highways as adopted by the Commissioner of Transportation, all as required by N.J.S.A. 39:4-8.
4. A certified copy of the adopted ordinance shall be transmitted by the Clerk of the Town of Dover to the Commissioner of Transportation within 30 days of adoption together with the certification of the Municipal Engineer, requesting the Commissioner's approval of the Ordinance.
5. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.
6. 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.
7. The Ordinance shall not take effect until it is approved by the Commissioner of Transportation of the State of New Jersey.

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

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

**ORDINANCE NO. 10-2010
OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
ESTABLISHING A ONE-WAY STREET ON DAVIS AVENUE AMENDING AND SUPPLEMENTING THE
REVISED ORDINANCES OF THE TOWN OF DOVER, 1969, SAVED FROM REPEAL**

Be it ORDAINED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the Revised Ordinances of the Town of Dover, 1969, Chapter 38, G, entitled "One Way Street," Saved From Repeal under the Code of Dover is amended and supplemented as follows:

1. Pursuant to N.J.S.A. 39:4-197, there is hereby established a one way street at David Avenue northerly between the northerly side of the driveway at 2 Davis Avenue to Lemar Street.
2. Parking shall be permitted on the east side of Davis Avenue only.
3. This ordinance shall be submitted to the Municipal Engineer and he shall, under his seal as a licensed professional engineer, certify to the governing body of Dover that the sign and its placement have been approved by the engineer after

investigation of the circumstances, and that it appears to the engineer to be in the interest of safety and expedition of traffic on the public highways and conforms to the current standards prescribed by the manual of the uniform traffic control devices for streets and highways as adopted by the Commissioner of Transportation, all as required by N.J.S.A. 39:4-8.

4. A certified copy of the adopted ordinance shall be transmitted by the Clerk of the Town of Dover to the Commissioner of Transportation within 30 days of adoption together with the certification of the Municipal Engineer, requesting the Commissioner's approval of the Ordinance.

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

6. 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.

7. The Ordinance shall not take effect until it is approved by the Commissioner of Transportation of the State of New Jersey.

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

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

ORDINANCE FOR SECOND READING

ORDINANCE NO. 07-2010

CALENDAR YEAR 2010 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK N.J.S.A. 40a:4-45.14

WHEREAS, the Local Government Cap Law, N.J.S.40A"4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Board of Aldermen of the Town of Dover in the County of Morris finds it advisable and necessary to increase its CY 2010 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Board of Aldermen hereby determines that a 3.5% increase in the budget for said year, amounting to \$475,895 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Board of Aldermen hereby determine that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Board of Aldermen of the Town of Dover, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2010 budget year, the final appropriations of the Town of Dover shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$475,895 and that the CY 2010 municipal budget for the Town of Dover be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Dodd opened this portion of the meeting to the public for a hearing on Ordinance 07-2010, seeing no hands and hearing no voices, he closed the meeting to the public.

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

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

AGENDA ITEMS

BILLS LIST

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

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

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

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

RESERVE ACCT claims in the amount of:	\$805.06
CURRENT ACCT claims in the amount of:	\$1,313,741.64
CAPITAL ACCT claims in the amount of:	\$63,409.59
WATER UTILITY ACCT claims in the amount of:	\$87,238.33
WATER UTILITY RESERVE ACCT claims in the amount of:	\$1,934.65
WATER CAPITAL ACCT claims in the amount of:	\$5,140.28
PARKING UTILITY ACCT claims in the amount of:	\$17,193.95
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:	\$74.40
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	\$531.00
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	
TRUST/OTHER ACCT claims in the amount of:	\$18,170.83
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$1,508,239.73

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:	\$676,239.12
WATER UTILITY ACCT claims in the amount of:	\$37,552.90
PARKING UTILITY ACCT claims in the amount of:	\$7,706.75
PAYROLL AGENCY ACCT claims in the amount of:	\$271,191.93
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$267.75
TOTAL CLAIMS PAID	\$992,958.45

TOTAL BILL LIST RESOLUTION **\$2,501,198.18**

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
TOWN OF DOVER APPROVING RENEWAL OF ANNUAL DANCE LICENSE(S)**

WHEREAS, Sabor Latino located at 19 Bassett Hwy., Dover, NJ and Pub 66 located at 3 So. Bergen Street, Dover, NJ have applied for renewal of their Annual Dance License(s) for the period July 1, 2010 - June 30, 2011; and

WHEREAS, all the applicant(s) have submitted appropriate licensing fee; and,

WHEREAS, the appropriate municipal departments have reviewed the renewal request and have no objections thereto; 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. An annual dance license is hereby granted for the period July 1, 2010 – June 30, 2011 to the following establishments:
 - A. Sabor Latino, 19 Bassett Highway, Dover, NJ
 - B. Pub 66, 3 So. Bergen Street, Dover, N.J.

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

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

RESOLUTION

WHEREAS, the herein named duly filed applications for renewal of their Alcoholic Beverage Licenses for their respective premises as shown on Schedule A for July 1, 2010 to June 30, 2011; and

WHEREAS, no objections have been received from the public; and

WHEREAS, the required fees have been paid and all premises have been inspected and approved by the Police Department, Board of Health and the Bureau of Fire Prevention.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover that said applications be approved and that the respective licenses be granted; and

BE IT FURTHER RESOLVED that the Town Clerk or Director in the case of a conflict license be and hereby is authorized to issue license certificates accordingly as listed below.

2010/2011 LIQUOR LICENSES

MY PLACE LOUNGE, INC.	JAI ALAI RESTAURANT 73-75 W. BLACKWELL ST.	1409-33-001-006
SILVANA'S INC.	MERO'S LOUNGE 337 E. BLACKWELL ST.	1409-33-002-007
THE BASKET OF CHEER LTD.	AMANDEEP INC. 380 U.S. HIGHWAY 46, P.O. Box 542	1409-44-003-003
TWICE 21, INC.	SCHILLER'S 9 W. CLINTON ST.	1409-33-004-005
AC DOIT CORP.	UNIQUE BAR & GRILL 97 E. BLACKWELL ST.	1409-33-005-006
IE & ANGIE LLC	CELEBRITY BAR & LIQUORS LLC. 260 ROUTE 46 EAST	1409-33-006-006
BLACKWELL STREET CAFE, INC.	MURRAY'S 111 E. BLACKWELL ST.	1409-33-008-004
D RUEDA LLC POCKET	DAVID RUEDA 399 KAPLAN AVE. HACKENSACK, NJ 07601	1409-33-009-002

DOVER LIQUOR LICENSE, L.L.C.	PUB 66 3 S. BERGEN ST.	1409-32-010-007
SHANTIVAN LIQUORS, INC.	NEIGHBORHOOD DELI 263 E. BLACKWELL ST	1409-44-015-006
QUIET MAN INC., THE	QUIET MAN 62-64 E. MC FARLAN ST.	1409-33-016-003
ATTILIO'S TAVERN LLC	ATTILIO'S TAVERN 80 E. McFARLAN ST.	1409-33-017-005
DIXIT JR, CORP	DOVER LIQUORS 10 W. BLACKWELL ST.	1409-44-018-006
TOVAR ENTERPRISES INC.	TSIDRO TOVAR POCKET	1409-33-019-005
LAKE HOPATCONG CLASSICS, L.L.C.	BASSETT PUB 8 BASSETT HWY.	1409-33-021-006
19 BASSETT CORP.	SABOR LATINO RESTAURANT 19 BASSETT HWY	1409-33-023-005
SHIV LIQUOR LLC.	SAM'S LIQUOR WINE & DELI 325 W. CLINTON ST.	1409-44-026-005
NATASHA JR CORP.	THOMAS LIQUORS 26 S. MORRIS ST.	1409-44-027-007
MARK MONT INC.	CHARLOTTE'S WEB 39 W. CLINTON ST.	1409-33-031-003
WILLIAM HEDGES BAKER POST #27 AMER. LEGION	AMERICAN LEGION POST #27 2 LEGION PLACE	1409-31-032-001
DOVER HILLTOP ATHLETIC CLUB INC.	DOVER HILLTOP A.C. 17 GRANT ST.	1409-31-034-001
ROCKAWAY TWP. DOVER LODGE 541	LOYAL ORDER OF MOOSE 21 SAMMIS AVE.	1409-31-039-001
BRIAD LODGING GROUP DOVER LLC HILTON HOMEWOOD SUITES 2 COMMERCE CENTER DR.	BRIAD LODGING GROUP 78 OKNER PARKWAY LIVINGSTON, NJ 07039	1409-36-042-001

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

Ayes: Aldermen Delaney, Visioli, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd

Nays: None Absent: Alderwomen Blackman Abstained: Alderman Poolas

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
DENYING THE RENEWAL OF ALCOHOLIC BEVERAGE LICENSES**

WHEREAS, the herein named duly filed applications for renewal of their Alcoholic Beverage Licenses for their respective premises shown below for July 1, 2010 to June 30, 2011; and

WHEREAS, a pre-condition to approval is the submission of a tax clearance certificate from the State of New Jersey, (hereinafter "Certificate"); and

WHEREAS, the applicants have not been granted such Certificate from the NJ Division of Taxation; and

WHEREAS, the Town of Dover is prohibited from approving the renewal; and

WHEREAS, the applicants may apply to the director of Alcoholic Beverage Control for an *ad interim* permit; 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. The Town of Dover hereby denies the renewal applications as listed below for failure to obtain a Tax Clearance Certificate:

FRESH SEAFOOD INC.	GEORGE AURIEMMA POCKET	1409-33-012-003
JHON F. CORPORATION	MAMBO'S BAR CAFE RT. 46 & BELMONT AVE.	1409-33-014-003
AT THE HOP INC.	AT THE HOP 14 N. MORRIS ST.	1409-33-030-005
CASA PUERTO RICO	CASA PUERTO RICO 325 W. CLINTON ST.	1409-31-033-002

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
FOR APPROVAL TO SUBMIT A GRANT APPLICATION UNDER THE COPS HIRING
RECOVERY PROGRAM (CHRP)**

WHEREAS, the Town of Dover is requesting \$623,508.00 to hire two police officers; and

WHEREAS, without this funding it would not be possible to do so or to maintain existing departmental staffing levels; and

WHEREAS, in the opinion of the Mayor and Board of Aldermen that this grant will enhance the safety of the citizens of Dover.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Dover, formally approves the grant application for the hiring of two police officers.

BE IT FURTHER RESOLVED that the administrator is hereby authorized to submit an electronic grant application to the U.S. Department of Justice Office of Community Oriented Policing Services.

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

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

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

MILLPOND TOWERS RESIDENTS ASSOCIATION to be held on August 4, 2010 from 10:00am to 3:00pm
(50/50)

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMAN OF THE TOWN OF DOVER
AMENDING THE FEES FOR PURCHASING COPIES OF PUBLIC RECORDS**

WHEREAS, the Municipal Clerk receives numerous requests from the general public for the production of public records, documents and information pertaining to the Town of Dover; and

WHEREAS, such requests for public records, documents and information shall be processed as per the Open Public Records Act (OPRA).

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

- A. The following rules and regulations pertaining to the dissemination of public records, documents and information requested by the general public pertaining to the Town of Dover.
- B. Any and all requests for the production of public records, documents and information shall be tendered to the Office of Municipal Clerk in writing on a request form provided by the Office of Municipal Clerk or in writing including the same information as the form.
- C. The citizen requesting said public records shall be advised of the fees for photocopying of the requested records, which fee shall be tendered to the Office of Municipal Clerk and shall be based upon the total number of pages as follows:
 1. Standard size documents - 8½” x 11” or 8½” x 14” \$0.10 per page
 2. Large-size paper documents/maps actual costs
 3. Police accident reports – same as standard size documents if picked up in person
Police accident reports – other than in person: \$5.00 for the first three pages and \$1.00 per page for each additional page, as established by N.J.S.A. 39:4-131.
 4. Copies of Public Meetings on compact disc \$1.00 per disc

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
ACCEPTING THE BID FOR LANDLEASE FOR THE CO-LOCATION OF A WIRELESS
TELECOMMUNICATIONS ANTENNA AND SUPPORT EQUIPMENT ON THE TOWN OF DOVER
MONOPLI AND PROPERTY FROM METRO PCS NEW YORK, L.L.C.**

WHEREAS, Metro PCS New York, L.L.C. (“Metro PCS”) submitted a bid for a landlease for the co-location of wireless telecommunications pursuant to contract documents and specifications; and

WHEREAS, Metro PCS has met the minimum bid requirements; and,

WHEREAS, Metro PCS has asked for certain modifications to the specifications and proposed lease; and

WHEREAS, such changes have been reviewed and are acceptable to the Town; and

WHEREAS, the time period for the issuance of the lease has passed but the Town and Metro PCS mutually agreed to waive the time period for the issuance of the lease; 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. The landlease for the co-location of a wireless telecommunications antenna and supporting equipment on the Town of Dover monopole property at the 150 foot level received on March 2, 2010 is hereby awarded to Metro PCS New York, L.L.C. as modified by the proposed bid and lease modifications attached hereto and made a part hereof;

2. The Mayor and Clerk are hereby authorized to execute the lease.

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

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

Nays: None Absent: Alderwoman Blackman Abstained: None

PUBLIC COMMENTS – Three Minutes per Person

JON SPERRY, SR. – 58 North Essex Street – Mr. Sperry expressed that the signage for the construction of the South Salem Street Bridge is still up. Mr. Sperry asked if it was ever discussed to change North Morris Street between Rt. 46 and W. Clinton Street into a two way street during the bridge construction.

Alderman Poolas noted that he expressed, last year, his concern with moving traffic from the completed Route 46/15 T-intersection. Alderman Poolas suggested changing several streets to a one way to help move traffic.

Mr. Hantson explained the proposed local and regional detours for the bridge closure to the public. He noted that the town has made several suggestions to the Department of Transportation which has been considered by the state. He explained that once several changes are made, the waiting time at the T-intersection will decrease and commuters will be deterred from wanting to cut through local streets.

Alderman Picciallo expressed that there should be a 4 ton weight limit because commuters (trucks) will cut through the neighborhood. Mayor Dodd expressed that he was told that the weight limit needed the Department of Transportation's approval. Attorney Pennella noted that he will review the request.

MIKE CICHETTI – 130 South Salem Street – **He wanted to know if the traffic lights on Blackwell Street could have a left hand turn signals installed to help with the traffic. Mr. Cicchetti expressed that he keeps hearing the town is in a budget crisis and wanted to know where the money went for the jobs that were recently vacated (prior Administrator & DPW Director) and what about the money that was used to build a snack stand. He stated more employees are needed in Public Works instead of police officers. Mr. Close explained that public safety is essential.**

LUIS GOMEZ - 172 South Morris Street – Mr. Gomez agrees that there are certain police officers that are not pulling their weight. He's also very upset with a comment made by a police officer and has spoken with the chief regarding an investigation in the matter.

DOMINICO ANASTASIO – 82 Belmont Avenue – Mr. Anastasio explained his has property maintenance issues that resulted in 15 tickets for multiple properties. Attorney Pennella noted that the tickets are outstanding and comments should not be made since the tickets are jurisdiction of the courts.

EDWARD CORREA – 88A East Blackwell Street – Mr. Correa detailed the incident that occurred on Election Day at the Sacred Heart Parish. Mr. Correa wanted to know how Mayor Dodd knew about the incident since he was noted on the police report as the person calling in the incident. Mayor Dodd noted that Alderwoman Blackman called him. Mr. Correa wanted to know how Alderwoman Blackman was able to report the incident to the Mayor if she expressed that she didn't see anything. Mayor Dodd wasn't able to answer the question since he was unaware of the reason.

EMILIANO LEMOS - 48 Second Street – Mr. Lemos wanted to know when the residents will receive the real story about Ms. Bibi Garvin's pay-off. Attorney Pennella noted that the settlement agreement is available upon request through the Open Public Records Act. Attorney Pennella also noted that the agreement requires both sides not to speak about the agreement.

MIKE CICHETTI – 130 South Salem Street – Mr. Cicchetti asked if there's an ordinance that dumpsters have to be closed in. Mr. Hantson noted that new construction and any renovation that requires an appearance before the planning board require the dumpster to be enclosed.

EDWARD CORREA – 88A East Blackwell Street – Mr. Correa asked the Mayor & Board of Aldermen to put an electronic version of the 2010 budget online. Mr. Close noted that the auditor has software that generates the documents and then it's

forwarded to the board. He noted that the town doesn't have access to their software. Mr. Correa thanked the board for lifting the parking restrictions.

Alderwoman Donofrio suggested asking Mr. Evans if other municipalities have asked for an electronic copy of the budget.

Motion to adjourn made by Mayor Dodd at 9:15 p.m., and duly seconded by Alderman Donofrio and passed by the following voice vote.

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk