



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
August 27, 2013 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.

ROLL CALL:

Present: Aldermen Visioli, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd

Absent: Aldermen Picciallo and Downs

Also present were Attorney Finc, Town Administrator Close and Municipal Clerk Verga

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

MUNICIPAL CORRESPONDENCE:

1. Letter from NJ Dept. of Environmental Protection re: Major Landfill Disruption Approval
2. Notice of Public Hearing – Town of Dover – Chaplin Homes, Inc. Harding Avenue, Subdivision
3. Notice of Public Hearing – Township of Randolph – 4 Elm Place, Randolph, Application for a variance
4. Notice of Public Hearing – Jersey Central Power & Light Re: Basic Generation Service proposal
5. Notice of Public Hearing – NJ Natural Gas Re: Basic Gas Supply Service
6. Letter from Verizon Re: Application by Verizon New Jersey Inc. for a Renewal of a System-Wide Cable Television Franchise
7. Letter from NJ State League of Municipalities re Annual Business Meeting

CONSENT AGENDA

1. Resolution Approving Limo Licenses (Schedule A)
2. Resolution Approving Mayor & Board of Aldermen Meeting Minutes for July 23, 2013 and August 13, 2013

ORDINANCE FOR FIRST READING

1. Ord. No. 15-2013 – Repealing Ord. 23-2003 Establishing a Loading Zone by Reducing the Size of Said Loading Zone/Ald. Picciallo

In Alderman Picciallo's absence, Mayor Dodd asked Alderwoman Noriega to introduce ordinance 15-2013.

AGENDA ITEMS:

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Approving a Bond Sale for General Bonds
3. Resolution Approving Responsible Bidder Resolution for Basement Sprinkler System Installation Proposal
4. Resolution Rejecting all Bids for the King Field Ball Field Improvements

Mayor Dodd made a motion to table resolution #4, rejecting all bids for the King Field Ball Field Improvement. Mayor Dodd wants to look at different options before they reject all the bids.

Alderwoman Noriega abstained from item #1301452 & #1301711 on the bills list.

REGULAR MEETING MINUTES
August 27, 2013

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 7:06 pm

ROLL CALL

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

Absent: Alderman Downs

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

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

Mayor Dodd opened the meeting to the public.

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

MAYOR'S REPORT: Mayor Dodd reserved his report

ATTORNEY'S REPORT – Report reserved

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

'03 Dodge	1D4GP25323B227274	OL3552J
'05 Lincoln	1LNHM81W45Y655064	OL7212H
'05 Lincoln	1LNHM81W75Y622284	OL7211H
'05 Lincoln	1LNHM81W15Y603813	OL6159H

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 Visioli, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd

Nays: None Absent: Aldermen Picciallo & Downs Abstained: None

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

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

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

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

**July 23, 2013 – Caucus & Regular
August 13, 2013 – Caucus & Regular**

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

ORDINANCE FOR FIRST READING

**ORDINANCE NO. 15-2013
AN ORDINANCE REPEALING ORDINANCE NO. 23-2003 ESTABLISHING A LOADING ZONE
IN THE TOWN OF DOVER BY REDUCING THE SIZE OF SAID LOADING ZONE**

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

Ordinance No. 23-2003 created a Loading Zone on the entire easterly curb line of N. Morris Street from its intersection with Route 46 to its intersection with Route 15. This ordinance is repealed and replaced to create a smaller Loading Zone and to create additional off-street parking spaces.

SECTION 1. *Definitions - Loading Zone*

A loading zone, for the purpose of this ordinance shall be an area along the side line of a public street reserved solely for use during specific hours for vehicles for the purpose of loading and unloading goods, records and passengers, and in which said area any vehicle shall not stand, stop or park for more than fifteen (15) minutes.

SECTION 2. *N. Morris Street*

A Loading Zone shall be created along the easterly curb line of N. Morris Street beginning at a point 212 feet south of the northeasterly curb line intersection of Route 46 and N. Morris Street, thence continuing in a southerly direction for a distance of 64 feet. The remainder of this section of roadway shall be turned back into on-street parking with a 2 hour limit.

SECTION 3. *Utilization of a Loading Zone*

Between the hours of 7:00 A.M. and 4:00 P.M. Monday through Friday, vehicles will be permitted to stop, stand or park within the Loading Zone described in Section 2 above and no vehicle shall stop, stand or park for more than fifteen (15) minutes.

SECTION 4. *Violation and Penalties*

Every person convicted of a violation of a provision of this Ordinance or any supplement thereto shall be liable to a penalty of not more than fifty (\$50.00) dollars or imprisonment for a term not exceeding fifteen (15) days or both.

SECTION 5. This Ordinance shall take effect in accordance with law.

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

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

RESOLUTIONS

BILL LIST RESOLUTION

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:	\$0.00
CURRENT ACCT claims in the amount of:	\$1,839,562.39
GENERAL CAPITAL ACCT claims in the amount of:	\$14,021.00
WATER UTILITY ACCT claims in the amount of:	\$180,087.76
WATER UTILITY RESERVE ACCT claims in the amount of:	\$0.00
WATER CAPITAL ACCT claims in the amount of:	\$0.00
PARKING UTILITY ACCT claims in the amount of:	\$2,995.88
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$0.00
PARKING CAPITAL ACCT claims in the amount of:	\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$0.00
EVIDENCE TRUST ACCT claims in the amount of:	\$0.00
RECYCLING TRUST ACCT claims in the amount of:	\$237.50
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	\$0.00
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	\$0.00
TRUST/OTHER ACCT claims in the amount of:	\$15,038.38
COAH TRUST Acct claims in the amount of:	\$0.00
TOTAL CLAIMS TO BE PAID	\$2,051,942.91

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:	\$325,021.69
WATER UTILITY ACCT claims in the amount of:	\$23,269.13
PARKING UTILITY ACCT claims in the amount of:	\$2,785.64
PAYROLL AGENCY ACCT claims in the amount of:	\$30,093.81
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$46.36
TOTAL CLAIMS PAID	\$381,216.63

TOTAL BILL LIST RESOLUTION **\$2,433,159.54**

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

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

RESOLUTION

BOND RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN NOT TO EXCEED \$6,294,000 PRINCIPAL AMOUNT OF BONDS CONSISTING OF \$4,733,000 GENERAL OBLIGATION GENERAL IMPROVEMENT BOND, SERIES 2013A, \$791,000 PARKING UTILITY BONDS, SERIES 2013A, AND \$770,000 WATER UTILITY BONDS, SERIES 2013A AND DETERMINING THE FORM AND OTHER DETAILS OF SUCH BONDS AUTHORIZED IN AND BY THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, NEW JERSEY.

WHEREAS, the Town Council (the “Council”) of the Town of Dover, County of Morris, New Jersey (the “Town”) has deemed it in the best interests of the Town to authorize and issue bonds to finance various capital improvement projects.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF ALDERMEN OF THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

Section 1. Authorization for the Bonds. Pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1, *et seq.* (the “Local Bond Law”), specifically including N.J.S.A 40A:2-26(f), and N.J.S.A. 40A:2-27 and in lieu of the issuance of multiple issues of bonds, the issuance of not to exceed \$6,294,000 principal amount of bonds consisting of \$4,733,000 General Obligation General Improvement Bond, Series 2013A (the “General Improvement Bonds”), \$791,000 Parking Utility Bonds, Series 2013A (the “Parking Utility Bonds”) and \$770,000 Water Utility Bonds, Series 2013A (the “Water Utility Bonds” and together with the General Improvement Bonds and Parking Utility Bonds, the “Bonds”), authorized by the Bond Ordinances (the “Ordinance”) set forth in Section 2 shall be combined into one (1) issue of bonds as hereinafter set forth.

Section 2. Projects to be funded. The Bonds are authorized to be issued pursuant to the Ordinance and for the following purposes:

General Improvement			
Ordinance No. And dated of Adoption	Authorized Amount	Bonds to be Issued	Purpose
Bond Ordinance No. 14-2009 adopted on August 25, 2009	\$929,879	\$885,100	Various General Improvements
Bond Ordinance No. 16-2010 adopted on September 14, 2010	\$706,750	\$673,000	Various General Improvements
Bond Ordinance No. 5-2011 adopted on April 12, 2011	\$180,500	\$180,500	Police and Fire Equipment
Bond Ordinance No. 18-2011 adopted on September 13, 2011	\$676,400	\$676,400	Various General Improvements
Bond Ordinance No. 9-2012 adopted on July 24, 2012	\$1,368,000	\$1,368,000	Various General Improvements
Bond Ordinance No. 12-2013 adopted July 23, 2013	\$950,000	\$950,000	Various General Improvements
Total General Improvement Bonds To Be Issued		\$4,733,000	
Parking Utility			
Ordinance No. And dated of Adoption	Authorized Amount	Bonds to be Issued	Purpose
Bond Ordinance No. 37-2008 on December 15, 2008	\$352,114	\$322,094	Parking Utility Improvements
Bond Ordinance No. 4-2011 adopted April 12, 2011	\$468,906	\$468,906	Parking Utility Improvements
Total Parking Utility Bonds To Be Issued		\$791,000	
Water Utility			
Ordinance No. And dated of Adoption	Authorized Amount	Bonds to be Issued	Purpose
Bond Ordinance No. 10-2012 on July 24, 2012	\$270,000	\$270,000	Water Utility Improvements

Bond Ordinance No. 11-2013	\$500,000	\$500,000	Various Water Utility Improvements
Total Water Utility Bonds To Be Issued		\$770,000	

Section 3. Details of the Bonds. The terms of the Bonds shall be and are more particularly described as follows:

- Dated: September 15, 2013
- Interest Payments Dates: September 15 and March 15
- Record Date: September 1 and March 1
- Registrar & Paying Agent: To be named.
- Officers to Execute Bonds: Mayor and Chief Financial Officer, or their authorized deputies.
- Attesting Officer: Town Clerk, Deputy Clerk or Acting Clerk.

The General Improvement Bonds will be titled “General Obligation General Improvement Bonds, Series 2013A”, the Parking Utility Bonds will be titled: “Parking Utility Bonds, Series 2013A”, and the Water Utility Bonds will be titled “Water Utility Bonds, Series 2013A” and will be dated September 15, 2013, with interest payable semiannually on March 15 and September 15 in each year (the “Interest Payment Dates”) until maturity, commencing March 15, 2014. The Bonds shall mature on September 15 in each year in the principal amounts (subject to modification by the Chief Financial Officer consistent with the Notice of Sale and the accepted bid) as follows:

GENERAL OBLIGATION GENERAL IMPROVEMENT BONDS, SERIES 2013A

<u>YEAR</u>	<u>PRINCIPAL AMOUNT</u>
2014	\$320,000
2015	335,000
2016	350,000
2017	370,000
2018	390,000
2019	415,000
2020	640,000
2021	640,000
2022	640,000
2023	633,000

PARKING UTILITY BONDS, SERIES 2013A

<u>YEAR</u>	<u>PRINCIPAL AMOUNT</u>
2014	\$40,000
2015	40,000
2016	45,000
2017	45,000
2018	50,000
2019	50,000
2020	55,000
2021	55,000
2022	55,000
2023	60,000
2024	60,000
2025	60,000
2026	60,000
2027	60,000
2028	56,000

WATER UTILITY BONDS, SERIES 2013A

<u>YEAR</u>	<u>PRINCIPAL AMOUNT</u>
2014	\$35,000
2015	35,000
2016	40,000
2017	40,000
2018	40,000
2019	45,000
2020	45,000
2021	45,000
2022	45,000
2023	50,000
2024	70,000
2025	70,000
2026	70,000
2027	70,000
2028	70,000

The Bonds will be issued in fully registered book-entry form, without coupons, in denominations of \$5,000 or any integral multiple thereof or such other denomination as is determined by the Town’s Chief Financial Officer (the “Financial Officer”). The Bonds shall be payable in lawful money of the United States of America, shall be executed by the manual or facsimile signatures of the Mayor and the Financial Officer or acting Financial Officer under the official seal, affixed, imprinted or reproduced thereon and attested to by the manual or facsimile signature of the Town Clerk, Deputy Clerk or Acting Clerk, and the Bonds shall be authenticated by the manual signature of an Authorized Officer of the Registrar of the Bonds, as required and directed by the Financial Officer in accordance with law.

REDEMPTION

The Bonds of this issue maturing on or after September 15, 2024 shall be redeemable at the option of the Town in whole on any date or in part on any interest payment date on or after September 15, 2023 at the respective prices expressed as percentages of principal amount set forth below (the “redemption price”), plus, in each case, accrued interest to the date fixed for redemption:

<u>Redemption Period</u> <u>(both dates inclusive)</u>	<u>Redemption</u> <u>Price</u>
September 15, 2023 and thereafter.....	100%

The Bonds of certain years may, in accordance with the terms of the accepted bid, be subject to mandatory sinking fund redemption, if a bidder has aggregated consecutive principal maturities of the same interest rate into a term Bond.

If the Town determines to redeem a portion of the Bonds prior to maturity, such Bonds shall be selected in any order of maturity and by lot within a maturity by the Chief Financial Officer or his designee. So long as the Bonds are in Book-Entry form in the DTC System, the portion of such Bonds to be redeemed shall be selected in a manner consistent with DTC practice.

Unless waived by any owner of Bonds to be redeemed, official notice of any such redemption shall be given by the Registrar on behalf of the Town by mailing a copy of an official redemption notice by registered or certified mail at least thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption to the registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Registrar.

All official notices of redemption shall be dated and shall state: (i)the redemption date; (ii)the Redemption Price; (iii)the CUSIP numbers of all Bonds being redeemed; (iv)the maturity date of each Bond being redeemed; (v)the original issue date of the Bonds;(vi) the rate of interest borne by each Bond being redeemed; (vii)if less than all outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed; (viii)any other descriptive information needed to identify accurately the Bonds being redeemed; (ix)that on the redemption date the Redemption Price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date; and (x)the place where such Bonds are to be surrendered for payment of the Redemption Price, which place of payment

shall be the principal corporate trust office of the Paying Agent.

Prior to any redemption date, the Town shall deposit with the Paying Agent an amount of money sufficient to pay the Redemption Price of all the Bonds or portions of Bonds which are to be redeemed on that date. Upon the payment of the Redemption Price of the Bonds being redeemed, each check or other transfer of funds issued for such purpose shall bear the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer.

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the Redemption Price therein specified, and from and after such date (unless the Town shall default in the payment of the Redemption Price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Paying Agent at the Redemption Price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered owner a new Bond or Bonds of the same maturity in the amount of the unpaid principal or there shall be made an appropriate notation on the Bond certificate indicating the date and amounts of such reduction in principal, except in case of final maturity.

In addition to the foregoing notice, further notice shall be given by the Registrar on behalf of the Town as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as above prescribed.

1. Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption.
2. Each further notice of redemption shall be sent at least 30 days prior to the redemption date by registered or certified mail or overnight delivery service to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Bonds (such depositories now being The Depository Trust Company of New York, New York; Midwest Securities Trust Company of Chicago, Illinois; Pacific Securities Depository Trust Company of San Francisco, California; and Philadelphia Depository Trust Company of Philadelphia, Pennsylvania) and to one or more national information services that disseminate notices of redemption of obligations such as the Bonds.

If Notice of Redemption has been given as provided herein, the Bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the redemption price, together with accrued interest to the date fixed for redemption. Payment shall be made upon surrender of the Bonds redeemed.

Interest & Principal

The Bonds will bear interest at the rate or rates determined upon their sale in accordance with the official Notice of Sale at a single rate per annum expressed in a multiple of one-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%).

Interest on the Bonds is payable by check, draft or wire transfer mailed, transmitted or delivered on the Interest Payment Dates to the registered owners thereof as of the first day of the month in which an Interest Payment Date occurs (the "Record Dates") at his or her address as shown on the registration books (the "Bond Register") of the Town kept for that purpose at the principal corporate trust office of the Registrar for the Bonds. The Bonds as to principal, when due, will be payable at the principal corporate trust office of the Paying Agent upon presentation and surrender of the Bonds.

So long as the Bonds are in Book-Entry form in the DTC System, interest will be paid on the Interest Payment Dates by payment of money to The Depository Trust Company or its authorized nominee. The Depository Trust Company will credit payments of principal of and interest on the Bonds to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company.

Transfer

The Bonds are transferable only upon the Bond Register, by the registered owner in person or by his attorney duly authorized in writing, upon surrender of a Bond with a written instrument of transfer satisfactory to the Registrar duly executed by the registered owner or his duly authorized attorney and upon the payment of any tax, fee, governmental or administrative charge or expense. Upon surrender for transfer of a Bond, the Registrar shall issue in the name of the transferee, a bond or bonds equal in aggregate principal amount to the Bond so surrendered for transfer.

The Town, Registrar and Paying Agent may deem and treat the person in whose name a Bond is registered as the absolute owner thereof for the purpose of such person receiving payment of the principal and interest due thereon, and for all other purposes whatsoever.

Section 4. Additional Matters. The following additional matters are hereby determined, declared, recited and stated:

- (a) The Bonds described in Sections 1 and 2 hereof have not been heretofore sold or issued and the Ordinances described in Section 1 have not been rescinded and now remain in full force and effect as authorization for the aggregate principal amount of the Bonds.
- (b) The purposes for which the Bonds described in Sections 1 and 2 hereof have been authorized to be issued are purposes for which bonds may lawfully be issued pursuant to the Local Bond Law.
- (c) All Bonds issued hereunder, except to the extent otherwise specifically set forth herein, shall bear interest at such rate and shall mature in such principal amounts and at such times as may be determined by the Financial Officer or as such rates shall be determined by receipt and acceptance of bids from potential purchasers by the Financial Officer as hereinafter provided.
- (d) The Bonds shall be sold and issued in accordance with the provisions of the Local Bond Law, N.J.S.A. 40A:2-1, et seq., applicable to the sale and issuance of multiple issues of bonds and accordingly may be sold with other issues of bonds.
- (e) The Bonds of this issue shall mature at a period within the average period of usefulness for all bonds authorized by the Ordinance set forth herein, taking into consideration the respective amount of bonds authorized by the Ordinance and the period or average period of usefulness therein determined. Said average period of usefulness for the General Improvement Bonds is hereby determined to be in excess of 10 years, for the Parking Utility Bonds is hereby determined to be in excess of 15 years and for the Water Utility Bonds is hereby determined to be in excess of 15 years.
- (f) If any Bond is mutilated, destroyed, lost or stolen and replaced in accordance with the Local Bond Law, including specifically N.J.S.A. 40A:2-36, the owner thereof shall be responsible for all costs incurred in connection with the replacement thereof, including legal, printing and other related costs.

Section 5. The Depository Trust Company. The Bonds shall be made eligible for The Depository Trust Company (“DTC”) Book-Entry-Only System. The appropriate Town officials are hereby authorized and directed to execute the appropriate Letter of Representation to DTC, and to take such action and execute such other documents consistent herewith as is necessary to qualify the Bonds as eligible for the DTC Book-Entry-Only System. The terms of the Letter of Representations are hereby agreed to and approved.

The Financial Officer is authorized to withdraw the Bonds from the DTC Book-Entry-Only System and qualify the Bonds for another book-entry-only system. In the event the Bonds are withdrawn from the DTC Book-Entry-Only System and are not transferred to another book-entry-only system, the Bonds shall become certificated bonds. The “Beneficial Owners” (i.e., the actual individual purchasers of the Bonds with ownership interests as evidenced on the records of their broker-dealer or other DTC Participant) of the Bonds shall be entitled to become registered owners upon submission to the Registrar proof of ownership interest, payment of all applicable fees and expenses, and the approval thereof by the Registrar, who shall be responsible and is directed to issue bond certificates representing such ownership interests and reflecting terms identical to the Bonds as of the original issue date.

Section 6. Additional Covenants. The Town hereby covenants, to the extent permitted by the Constitution and laws of the State of New Jersey and to the extent that such action is within the control of the Town, that it will comply with the provisions of the Internal Revenue Code of 1986, as amended (the “Code”) relating to the preservation of the exclusion from gross income of interest on the Bonds for Federal income tax purposes and Code provisions relating to the deductibility of related interest expenses of affected financial institutions, including any continuing requirements of the Code and including, but not limited to, the following specific matters:

- (a) Private Activity Bonds. No bonds issued hereunder shall be “private activity bonds” within the meaning of Section 141 of the Code in that, among other requirements, no more than 10% of the proceeds of the Bonds are to be used for any private business use, or repayment of more than 10% of the proceeds is secured by property used for a private business use nor shall any loan from the proceeds be made to any persons other than governmental units.
- (b) All Lawful Action. To take all lawful action within the Town’s control and which is necessary under the Code to ensure that interest on the Bonds will remain excluded from the gross income of the

recipients thereof for Federal income tax purposes and to refrain from taking any action that would cause interest on the Bonds to become included in such gross income.

- (c) Bank Eligibility. For the purposes of meeting the requirements of Section 265(b)(3) of the Code, the Town reasonably expects to limit the issuance of its obligations to an aggregate face amount not to exceed \$10,000,000 for the calendar year 2013 (excluding refundings), including in said amount the obligations of any “subordinate entities” of the Town, as the term is used in the Code.

Section 7. Security for the Bonds. Any Bond issued pursuant to this Resolution shall be a general obligation of the Town, and the Town’s full faith and credit are hereby pledged to the punctual payment of the principal of and the interest on the Bonds and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 8. Form of the Bonds. The Bonds shall be in substantially the form as provided in Attachment “A”, subject to such modifications as are necessary for the Parking Utility Bonds and the Water Utility Bonds, and as are otherwise necessary and approved in the reasonable discretion of the Financial Officer in consultation with Bond Counsel, and consistent with applicable law.

Section 9. Sale of the Bonds. The Bonds shall be sold upon sealed proposals on September 4, 2013 or such other date and time as the Financial Officer in her reasonable discretion shall select. All proposals are to be received by the Financial Officer until 11:00 a.m., prevailing time on said date, or by and ELECTRONIC PROPOSALS received via Grant Street Group’s MuniAuction Website (“MuniAuction”), in a closed auction, from 10:45 a.m. to 11:00 a.m., local time, and the opening of the sealed proposals by the Financial Officer shall occur at said time in her office at the Municipal Building, Dover, New Jersey. Sealed proposals will be received by the Financial Officer in her office at the Municipal Building, Town of Dover, 37 North Sussex Street, Dover, New Jersey 07801. An award will be made by the Financial Officer on said date, with no withdrawals of bids allowed until 11:30 p.m., prevailing time on said date and only if such award has not been made prior to the withdrawal.

Section 10. Notice of Sale. The Notice of Sale of the Bonds, attached hereto as Attachment B is hereby approved as to both form and content, subject to such modification as are approved in the reasonable discretion of the Financial Officer and consistent with applicable law, and the Town Clerk is hereby authorized and directed to publish the Notice of Sale in the official local newspaper of the Town and a summary of same in the Daily or Weekly Bond Buyer, a financial newspaper published and circulating in the City of New York, State of New York, the first publication to be not less than seven (7) days prior to the date of sale, all in consultation with Bond Counsel and in accordance with the Local Bond Law. The terms of the final form of the Notice of Sale are incorporated herein and made a part hereof.

Section 11. Preliminary Official Statement. The Official Statement to be prepared in preliminary form in connection with the sale of the Bonds is hereby approved and is further authorized to be prepared in final form, with such modifications as are approved in the reasonable discretion of the Financial Officer, in accordance with law, with copies to be made available to the purchasers of the Bonds at such time as the Financial Officer shall determine, in accordance with law.

Section 12. Delegation of Authority. Except as otherwise provided herein, the Financial Officer is hereby authorized and directed to sell and award the Bonds in accordance with the advertised terms of public sale and to make such modifications to said terms, except for increasing the total principal amount of Bonds authorized, as is consistent with the Local Bond Law and in particular N.J.S.A. 40A:2-26(g) to adjust the maturity schedule of the Bonds subject to the limitations of such section, to permit bidders to aggregate consecutive principal maturities for which a bidder has bid the same interest rate into a term bond in accordance with N.J.S.A. 40A:2-23(g) and pursuant to the advice of Bond Counsel, and to determine all matters in connection with the Bonds not determined by this or a prior or subsequent resolution, including the determination and selection of printers of the Bonds and the Official Statement, all in consultation with Bond Counsel, and the manual or facsimile signature of the Financial Officer upon the Bonds shall be conclusive as to such determinations. The Financial Officer is further authorized to sign the Official Statement on behalf of the Town in as many counterparts as are needed for the Closing and delivery of the Bonds. The Financial Officer and the Town Clerk are hereby authorized and directed to execute and deliver such documents as are necessary for the issuance and delivery of Bonds and to take such actions or refrain from such actions as are necessary for the issuance of the Bonds, in consultation with Bond Counsel.

Section 13. Execution of Documents. The proper officers and agents of the Town are hereby authorized and directed to do any and all acts, and to make, execute and deliver any and all certificates, documents and instruments, deemed necessary or useful and convenient by the, subject to the advice of Town Attorney and/or Bond Counsel to the Town, in furtherance of the issuance of the Bonds and the uses of the proceeds thereof and other related transactions.

Section 14. Authorization of Officials. The appropriate officials of the Town are hereby authorized and directed to execute the Bonds and such certificates and closing documents as are needed for the Closing and delivery of the Bonds, and to deliver same to the purchasers and other parties to the issuance of the Bonds upon receipt of payment therefor in accordance with this Resolution.

Section 15. Closing and Delivery of the Bonds. The Town shall cause the Bonds to be prepared and made ready for delivery on the Closing Date, which shall no later than September 24, 2013 or at such other time as agreed to by the Financial Officer. The delivery of and payment for the Bonds shall take place at the offices of Law Office of John G. Hudak, Esq., LLC, Bond Counsel, or at such other place as is agreed to by the Financial Officer. At the Closing, the Town will deliver the Bonds to the purchaser in definitive or temporary form duly executed and authenticated, together with the other required documents and, subject to the terms and conditions hereof, the purchaser will accept such delivery and pay the aggregate purchase price of the Bonds in immediately available funds.

Section 16. Report on the Bonds. The Financial Officer is hereby directed to report in writing to the governing body of the Town at the meeting next succeeding the date when any action relating to the sale or delivery of the Bonds pursuant to this resolution has occurred. After the sale of Bonds, such report shall include the principal amount, description, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser.

Section 17. Legal Opinion. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of Law Office of John G. Hudak, Esq., LLC, complete except for the omission of its date. The Clerk of the Town is hereby authorized and directed to certify the truth and the correctness of the copy of such opinion by executing one each of the Bonds by facsimile signature in form satisfactory to that law firm and to file a signed duplicate of such written opinion in the Clerk's office.

Section 18. Printing of Bonds. Such law firm is authorized to arrange for the printing of the Bonds, and is authorized to arrange for the printing of the Official Statement, and the proper officials of the Town are hereby authorized and directed to execute the Bonds, deliver them to the purchaser upon receipt of payment thereof, including accrued interest from their date to the date of delivery.

Section 19. Appointment of Auditor. Nisivoccia, LLP is hereby appointed and reappointed as Auditor to the Town for the purpose of the issuance of the Bonds and is hereby authorized to do all things necessary to accomplish the issuance of the Bonds.

Section 20. Appointment of Bond Counsel. The law firm of Law Office of John G. Hudak, Esq., LLC., Linden, New Jersey, is hereby appointed and reappointed as Bond Counsel to the Town for the issuance of the Bonds and is hereby authorized to do all things necessary to accomplish the issuance of the Bonds.

Section 21. Appointment of Registrar & Paying Agent. The Registrar and Paying Agent for the Bonds, if other than the Chief Financial Officer, shall be appointed under separate resolution.

Section 22. Continuing Disclosure. The Town covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate to be provided at the closing of the sale of the Bonds. The appropriate Town official is hereby authorized to execute the Continuing Disclosure Certificate.

Notwithstanding any other provisions of this Resolution, failure of the Town to comply with the Continuing Disclosure Certificate shall not be considered an event of default, however, any Bondholder may, at the Bondholder's own cost and expense, take such action as may be necessary and appropriate, including seeking mandate or specific performance by Court Order, to cause the Town to comply with its obligations under this Section.

"Continuing Disclosure Certificate" shall mean that certain Continuing Disclosure Certificate executed by an authorized official of the Town, and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

Nothing herein shall be deemed to create an obligation or duty upon any member of the governing body or any official of the Town, individually, and failure of the Town to comply with the covenant herein shall not result in any liability to any such person under this Resolution. In addition, the Town's failure to comply with this covenant shall not give rise to any claim for damages under this Resolution, and any Bondholders sole and exclusive remedy shall be to seek specific performance of this provision.

Section 23. Repealer. To the extent that any previous resolution is inconsistent with or contradictory hereto, said resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 24. Effective Date. This resolution shall take effect immediately.

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

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

"RESPONSIBLE" BIDDER RESOLUTION
TOWN HALL BASEMENT SPRINKLER SYSTEM INSTALLATION BID
TOWN OF DOVER, MORRIS COUNTY, NEW JERSEY

WHEREAS, the Town of Dover has a compelling interest in ensuring that contracts for construction projects that it undertakes are performed promptly, at reasonable costs and with the highest degree of quality and to that end has adopted a Responsible Bidder Resolution No. 190-2013 setting forth criteria to be used to determine the responsibility of bidders for bids and/or proposals for municipal contracts; and

WHEREAS, such Resolution provides that the criteria set forth therein shall be implemented whenever deemed practicable by the Mayor and Board of Aldermen in the best interests of the community; and

WHEREAS, the Town of Dover shall seek proposals for a project entitled "Town Hall Basement Sprinkler System Installation"; and

WHEREAS, the Town of Dover wishes to ensure that this Contract for the Town Hall Basement Sprinkler System Installation project be awarded in an atmosphere that invites competition and guards against favoritism, improvidence, arbitrary conduct, extravagance, fraud and corruption, so as to secure the best work or supplies at the lowest cost practicable; and

NOW, THEREFORE, BE IT RESOLVED, that it is in the best interests of the Town of Dover that the provisions of the Responsible Bidder Resolution be included in the Contract Documents and Specifications for the Town Hall Basement Sprinkler System Installation project; and

BE IT FURTHER RESOLVED, that contract for the Town Hall Basement Sprinkler System Installation may only be awarded to the lowest responsible bidder who demonstrates compliance with the requirements set forth in the project specifications, including but not limited the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) and the Responsible Bidder Resolution.

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

**Ayes: Alderman Visioli, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd
Nays: None Absent: Alderman Picciallo & Downs Abstained: None**

RESOLUTION

WHEREAS, the Town advertised for sealed bids for the King Field Ball Field Improvements; and

WHEREAS, on August 21, 2013 Bids were received as follows:

Turco Golf, Inc.	\$764,819.70
JC Landscape Construction	\$770,005.00
Tomco Construction, Inc.	\$771,403.00; and

WHEREAS, the lowest bid substantially exceeds the Town's appropriation for the goods or services; and

WHEREAS, N.J.S.A. 40A:11-13.2 provides for the rejection of all Bids if they substantially exceed the Town's appropriation for the goods or services.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provision of N.J.S.A. 40A:11-13.2 the Town rejects the above bids as the bids substantially exceeded the Town's appropriation for the goods or services.

Mayor Dodd has tabled the foregoing resolution and duly seconded by Alderman Visioli and passed by the following roll call vote.

**Ayes: Alderman Visioli, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd
Nays: None Absent: Alderman Picciallo & Downs Abstained: None**

PUBLIC COMMENTS

MARY ROMANCE – Library Director - She wanted to introduce herself to the board and also wanted to thank the town for their support that they have shown to the library during the building repairs. She acknowledged Sergeant Anthony Smith of the police department, Luis Acevedo and the finance department for their assistance with the microburst storm.

FRED KANTOR – 81 Hanover Rd. Mt. Lakes, NJ – Mr. Kantor apologized to the Mayor for calling him a liar at the last town meeting. He noted that the original (property maintenance code) ordinance should have been repealed when the new (junked vehicle) ordinance was introduced. Mr. Kantor expressed that the mayor, solely, cannot suspend the enforcement of the ordinance because it requires the approval of the majority of the board. He also commented that on tonight’s agenda there are no meeting minutes to be approved and noted that Judge Bozonelis decided that meeting minutes must be produced 48 hours prior to the next meeting. He noted that the reason for the Judge’s decision is for the board and public to get a feeling of continuity. Mr. Kantor noted that Mayor Dodd is out of line when he promotes himself (campaign speech) during a town meeting. Mr. Kantor expressed that he is present at Dover’s town meetings because he cares.

Mayor Dodd expressed its very sad when Mr. Kantor takes a part of his statement and tries to portray it to the public as something the Mayor said. Mayor Dodd doesn’t care what Mr. Kantor thinks because he’s not responsible to him as a resident of Mountain Lakes. Mayor Dodd expressed that he was not making a campaign speech; he’s just making it perfectly clear to him that the residents of Dover continue to re-elect him (seven (7) times). Mayor Dodd expressed that his is responsible to the tax payers and residents of Dover and also for the enhancement of the resident’s quality of life in town.

Clerk Verga commented that tonight’s agenda has two meeting minutes for approval and that they were produced as soon as possible. Clerk Verga also expressed that the special election took some time away from preparing the meeting minutes. Mr. Kantor expressed that Judge Bozonelis said that there is no excuse for the delay on approving meeting minutes.

ANTONIO ACOSTA – 130 Madison St. Dover, NJ – He thinks the borders around the new street signs are great. He noted that it’s very refreshing to see Berkeley College coming to Dover. He suggested the town purchase flags to be placed on the light poles that say “Dover welcomes Berkeley College” which will help people to get re-energized. Mr. Acosta commented on the flea market and noted that it’s nothing more than a garage sale and suggested that the board reevaluate the idea.

MARIA LOPEZ – 46 Searing St – She expressed that her property is next to a paper street (Beech Street) that has water sitting on the property and does not move. The problem is that the water enters her driveway and then enters her basement. She’s concerned with the trees on the property which look like they are about to fall. Mayor Dodd expressed that he will have the Administrator look into the drainage issue.

ANTONIO ACOSTA – 130 Madison Street, Dover, NJ – Mr. Acosta wanted to know where the students from Berkeley College would be parking, and it was noted that the municipal lots will be used. Mr. Acosta asked that the town keep up with NJ Transit for property maintenance issues since students will be using the lots near NJ Transit’s property. Mayor Dodd expressed that it’s an ongoing problem and he has asked that the storage unit be moved to the end of Dickerson Street.

FRED KANTOR – Mr. Kantor asked that the speaking time (public comments) be changed from three minutes to five minutes. Mayor Dodd expressed that the three minutes rule allows everyone to have an opportunity to speak especially when many people are in attendance.

Alderwoman Yzarnotegui wanted to clarify that she has an opinion and is not under the directive of the Mayor. She respects Mr. Kantor’s opinion and takes into consideration everything he says. Mr. Kantor expressed that the Mayor took the board members’ right away when he, solely, suspended the junked vehicle ordinance.

**Motion to adjourn made by Alderwoman Romaine at 7:39 pm,
and duly seconded by Alderman Visioli passed by the following voice vote.**

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk