

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, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd Absent: Aldermen Fahy & Visioli

Also present were Attorney Pennella and Clerk Verga

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

MUNICIPAL CORRESPONDENCE:

- 1. Resolution from the Town of Boonton Re: Supporting Assembly Bill 2046 & Senate Bill 1830 regarding "Senior Citizens & Disabled residents transportation assistance program
- 2. Resolution from the Town of Boonton Re: Supporting S-445 Sponsored by Senator Joe Pennacchio the "Transparency in Government Act" which provide for establishment of State Public Finance Website
- 3. Resolution from the Town of Boonton Re: Opposing the Third Round Affordable Housing Rules as adopted by the council on affordable housing
- 4. Resolution from the Township of Parsippany-Troy Hills Re: Opposing the Third Round Affordable Housing Rules as adopted by the council on affordable housing
- 5. Resolution from the Borough of Carlstadt Re: Endorsing the efforts of NJLM to correct the unjust public policy contained in the COAH growth share rules & in the recent amendments
- 6. Resolution from Morristown Re: Requesting support & adoption of legislation pertaining to adoptee's access to a copy of their original birth certificate
- 7. Resolution from the Township of North Brunswick, Re: Urging the NJ State Legislative to enact legislation allowing municipalities to opt out of the civil service system
- 8. August & September 2008 Calendar Events from the County of Morris Dept. of Senior, Disability & Veteran Services Division on Aging, Disability & Veterans
- 9. NJDEP Notification for 174 E. Blackwell Street, Dover
- 10. Progress Report Approval from DEP for Carrell St. & E. Blackwell Street
- 11. Biennial Report for CEA Approval from DEP for Getty-88 Rt. 46, Dover
- 12. Legislative Bulletin No. 5, July 28, 2008
- 13. Landlord Registration and Fees publication-order form from NJLM
- 14. Letter from Cablevision re: Launches of LATV, The Hallmark Movie Channel & 15 HD Channels
- 15. Newsletter from Horizon NJ Health-Community Health Facts Blasts
- 16. NJLM present "The New Education Order: School Consolidation, Construction, Funding & Preschool Expansion" on 9-19-2008
- 17. Rutgers' 47th Annual Municipal Public Information Contest
- 18. Newsletter of The Center of Government Services, "Conspectus" Summer 2008
- 19. Rutgers' Economic Development Workshop
- 20. Summer 2008 Newsletter of the Zufall Health Center
- 21. Annual Universal Service Fund Compliance Filing from JCP&L

AGENDA ITEMS:

ORDINANCE(S) FOR INTRODUCTION

1. Ordinance #28-2008 Amending & supplementing revised ordinance 1969 Entitled "Parking"

Attorney Pennella explained the above ordinance. The firm of DGR filed suit against the Town of Dover challenging amendments to the parking ordinance in municipal lots. The town has received many complaints from the

taxpayer/residents regarding the town not having a fair and equitable allocation system for long term parking spaces. The unfortunate circumstance is the town has far less spaces then there's demand.

The Mayor appointed a committee to study the subject and met with a parking consultant and made two major changes to the ordinance. One of the amendments was there would be a limitation to the number of spaces anyone person or entity could hold (5%) and the other amendment was that no late payments would be received and no grace period would be applied. The matter was trialed approximately three-four weeks ago and the ruling by the court was that (1) the town didn't sustain its burden with regards to the 5% that if the town would have said 18-19 spaces it would've been sustainable. (2) The second amendment was the grace period. The Judge determined that it was legal for Dover not to have a grace period. The message set by the ruling was to give the plaintiff another chance, re-pass the ordinance and if the person doesn't comply with the ordinance (this time) then they're out of luck.

Attorney Pennella recommended the town not file an appeal because it will be to costly and time consuming. He suggested to re-pass the ordinance and noted the only changes to the ordinance are that now the limitation is set at 19 spaces as opposed to 5% which equated to 25 spaces.

ORDINANCE(S) FOR SECOND READING

- 1. Ordinance #24-2008 Bond Ordinance providing various improvements for the water dept. & appropriating the sum of \$150,000
- 2. Ordinance #25-2008 Amending & Supplementing Article 28A "Parking", Repealing Ordinance 6-2008 restricted parking at Maple Ave./Ald. Timpani
- 3. Ordinance #26-2008 Amending ordinance # 22-the code of the Town of Dover Section 57-18 "Police Dept. contracted off-duty employment/Ald. Picciallo
- 4. Ordinance #27-2008 Creating the position of Municipal Housing Liaison for the purpose of administering Dover's affordable Housing Program/Mayor Dodd

RESOLUTIONS

- 1. Approving Bills List
- 2. Appropriating Funds under Public & Private Programs Offset by Revenue-National Film Preservation Foundation
- 3. Approving a Redemption Certificate for 58 Central Avenue
- 4. Approving a Redemption Certificate for 87 Maple Avenue
- 5. Approving a Redemption Certificate for 19 Spruce Street
- 6. Approving a Redemption Certificate for 79 W. Blackwell Street
- 7. Authorizing application for Small Cities Grant for Housing Rehabilitation in the amount of \$200,000
- 8. Authorizing application for Small Cities Grant for Public Facilities (Street) Project in the amount of \$400,000
- 9. Appointing Patrick Laverty as Municipal Housing Liaison
- 10. Approving Salary Resolution for Municipal Housing Liaison
- 11. Renewal of Alcoholic Beverage License for The Quite Man, Inc & John F. Corp-Mambo's Bar Cafe
- 12. Approving Raffle License for Dover Child Care Center, Inc. to be held on September 24, 2008
- 13. Approving Raffle License for College Club of Dover to be held on December 2, 2008
- 14. Approving of Mobile Vendor License for Big D's Hot Dogs
- 15. Approving Taxi Drivers Licenses
- 16. Approving Taxis/Limos Licenses
- 17. Approving Renewal of Annual Dance License for Mambo's Bar Café
- 18. Granting permission for 76 Everett Drive, Randolph to connect to the Dover sewer system
- 19. Appointing Members to the Municipal Alliance



TOWN OF DOVER MAYOR AND BOARD OF ALDERMEN

REGULAR MEETING MINUTES August 12, 2008

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

The meeting was called to order by Mayor Dodd at 7:09pm

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, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd Absent Aldermen Fahy & Visioli

Also present were 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.

Mayor Dodd's Report – Mayor Dodd attended the Thomas Edison State College for a seminar that was hosted by NJ Department of Community Affairs, Office Smart Growth. It was a two-day seminar about downtown revitalization and management. He noted that the Personnel Committee has been very busy with the interviewing process in hopes of a replacement for the Business Administrator's position & the DPW Director. The Bassett Highway Redevelopment Committee continues to negotiate and the project is still on the table. Mayor Dodd will keep the public updated as information becomes available.

ALDERMEN/COMMITTEE REPORTS -

Alderman Fahy – Absent

Alderman Picciallo – Alderman Picciallo attended the Dover Housing Authority Board meeting and the building facade is about 75% complete. Alderman Picciallo and Bill Isselin stopped by the NJ Transit rail yard and many situations were identified. The town has sent notice of violations due to non-compliance and a 30-day period has been provided for clean-up. Alderman Picciallo attended the Ronald Mc Donald Read-a-thon, and the redevelopment meeting. The personnel committee has been reviewing resumes for the administrator's and DPW director's position. He also attended the concerts in the park which were very entertaining.

Alderman Poolas – Aldermen Poolas, Picciallo & Delaney attended the Ronald McDonald Read-a-thon Day at the library for first & second graders. He attended the Bassett Highway Redevelopment meeting as noted by Mayor Dodd. He also spoke with the DPW superintendent regarding the recycling center which is open Fridays and the second Saturday of every month. Alderman Poolas spoke with Louie (DPW's Superintendent) if it would be a burden if the center was open on Monday, Wednesday and Friday of every week. Louie noted that it wouldn't hinder anything and maybe the residents would be able to make it on those days. Alderman Poolas commented that Board of Health should look into the flea market because there's a vendor selling pets some of them are turtles which are not allowed to be sold in the state of NJ. He received two complaints regarding speeding and the request for speed humps which were addressed. Alderman Poolas would like the board to review the towing ordinances (which was passed while he was absent) which has affected Jim's Mobile Garage who has provided many years of service to the town. Alderman Poolas will be making soup for the senior's picnic. Mayor Dodd commented that Dover still has curbside pickup for recycling for residents which most towns do not provide. Mayor Dodd suggested a trial basis for the center.

Alderman Donofrio – Alderman Donofrio, Don Costanzo and Irma McKenna retired nurse attended the event at Head Start that was sponsored by the ZuFall Health Clinic on healthy eating.

Alderman Timpani – Alderman Timpani apologizes for not have any Police Committee reports but hopes to have a report ready for the next meeting.

Alderman Delaney – The bleachers at Hamilton Field are in the works. The Fire Department has been really busy, they addressed 128 EMT calls in July (plus 34 fire calls) and in 2007 they had 112 calls within the same time-period. Mayor Dodd noted that an ordinance for review regarding childcare center has been provided to the board for review and if there's any comments please direct them to Lisa or Marge. Alderman Delaney explained that the State of NJ allows a person to have a childcare centers in their home that have six or less children which is not regulated by the town. However, throughout the state there have been incidents were children have died in house fires because the firefighters are unaware of the centers and the number of children in the home. The ordinance is to have these homes registered for the safety of the children.

Alderman Visioli – Absent

Alderwomen Romaine – Alderwomen Romaine noted that she's amazed at the number of resumes that have been received for the two positions. The committee is currently reviewing the resumes and appointments are being scheduled which the process will take a couple of months. She noted that Recreation's summer program is ending this week and there was a large enrollment this year. Recreation will review the program to see if any adjustments need to be made. Recreation also has some trips scheduled and the New England trip is sold out.

Attorney Pennella's Report – Attorney Pennella commented on Ordinance No. 28-2008 (comments below). He also noted that the PBA grievance was heard by the arbitrator that deals with the same issue that the SOA had brought up years ago with regards to the length of time they had for sick and vacation time based upon 12 hour work day. Attorney Pennella noted that everything has been based on eight hour work days but their contention was that their work day changed to twelve hour days. The PBA feels that their sick and vacation days should be based on twelve hour days which increases by 50% the amount of time they acrue. The town is in the process of preparing briefs and once a decision is made the board will be notified.

CONSENT AGENDA

ORDINANCE(S) FOR INTRODUCTION

ORDINANCE No. 28-2008

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER <u>AMENDING AND SUPPLEMENTING REVISED ORDINANCES 1969 ENTITLED</u> <u>"PARKING," Title 28, SAVED FROM REPEAL</u>

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:

Title 28 of the Revised Ordinances 1969 of the Town of Dover, Saved from Repeal under the Code of the Town of Dover is hereby supplemented and amended as follows:

1. The total number of parking permits that may be held by any one individual or business in all public parking lots in the Town of Dover shall not exceed nineteen (19) permit parking spots in the Town of Dover.

2. In the event spaces are unavailable for permit parking in any of the municipal lots, a waiting list is hereby established for each lot. An application for a permit may be for more than one lot. In determining the distribution of spaces as they become available, preference is to be given to Dover residents and local Dover business owners. However, said preference will only be given to residents or business owners when property taxes are current.

3. Permits may not be pre-paid by more than three consecutive months.

4. In the event payment is not received by the day prior to the permit(s) becoming effective, the space shall be deemed available and subject to assignment through the waiting list. The waiting list shall be formed on a first come first served basis and available spaces shall be offered to those individuals or businesses on the list in the chronological order that the request has been received. If an individual or business on the waiting list is notified that a space(s) is available, and that individual or business either requests removal from the list or does not make payment for the space(s) within 48 hours of notification of its availability, the person shall be removed from the list. Any person who, either by non-payment or request for removal from the list, is removed from the list may on his/her own initiative request to be placed back on the list whereby he/she shall be placed at the bottom of the list. A person or business shall not be placed on the waiting list for a number of permits that would place that individual or business in violation of paragraph 1 above for number of permits.

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 take effect in accordance with law.

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: NoneAbsent: Aldermen Fahy, VisioliAbstained: None

ORDINANCE FOR SECOND READING

ORDINANCE NO. 24-2008

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS FOR THE WATER DEPARTMENT AND APPROPRIATING THE SUM OF \$150,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$142,500 OF BONDS OR NOTES FOR THE PURPOSES SET FORTH HEREIN AUTHORIZED TO BE UNDERTAKEN IN AND BY THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS**:

Section 1. The improvements and purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements to be made or acquired by the Town of Dover, County of Morris, New Jersey (hereinafter referred to as the "Town"). For said improvements or purposes stated in Section 3 of this bond ordinance, there is hereby appropriated \$150,000, said sum being inclusive of all appropriations heretofore made therefore and including the sum of \$7,500 as the aggregate down payment from the Capital Improvement Fund or other funds of the Town which sum is now available by virtue of a provision in the currently adopted budget or a previously adopted budget of the Town and is currently available for down payment or capital improvement purpose, as required by the Local Bond Law of New Jersey N.J.S.A. 40A:2-1 et seq.(the "Local Bond Law").

Section 2. For the financing of said improvements or purposes and to meet the part of said \$150,000 appropriation not otherwise provided for hereunder, negotiable bonds of the Town are hereby authorized to be issued in a principal amount not to exceed \$142,500 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds, negotiable notes of the Town in a principal amount not exceeding \$142,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed \$142,500, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding, at maturity. Each bond anticipation note issued pursuant to this ordinance shall be dated or about the date of its issuance and shall be payable not more than one (1) year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said notes shall be signed and shall be under the seal of said Town and attested as permitted by law. The appropriate Town officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine all matters in connection with this ordinance and also the power to sell said notes is hereby delegated to the Chief Financial Officer of the Town (the "Financial Officer"), who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law, and the Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. The Financial Officer is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this ordinance is made, such report to include the principal amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 3. The improvements hereby authorized and the purposes for the financing for which said obligations are to be issued are:

Improvement/Acquisition	Maximum Estimated Cost	Down Payment (Capital Improvement Fund)	Bonds or Notes Authorized	Useful Life (years)
Utility relocation and adjustment of existing water and sewer facilities in the area of Route 46, from Princeton Ave. To N. Sussex St. In conjunction with the New Jersey Department of Transportation Route 46, Section 7L and 8K Project, to include all costs, improvements and appurtenances related thereto or necessary therefore.	\$150,000	\$7,500	\$142,500	40

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

(a) The purposes described in Section 3 of this Bond Ordinance are not current expenses and are property or improvements which the Town may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of such purposes is within the limitations of the Local Bond Law taking into consideration the amount of the said obligations authorized for such purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, as set forth in Section 3 hereof, the average period of usefulness is 40 years.

(c) The Supplemental Debt Statement required by the Law has been duly made and filed in the office of the Clerk of the Town and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such Statement shows that the gross debt of the Town determined as provided in the Law is increased by this bond ordinance by \$142,500 and obligations authorized hereunder will be within all debt limitations prescribed by the Law.

(d) This bond ordinance authorizes obligations of the Town solely for a purpose described in paragraph (h) of Section 40A:2-7 of the Local Bond Law, and the obligations authorized by this bond ordinance are to be issued for a purpose which is self-liquidating within the meaning and limitation of Section 40A:2-45 of said Law and are deductible pursuant to paragraph (c) of Section 40A:2-44 et seq. of said Law from the gross debt of the Town.

(e) Amounts not exceeding \$20,000 in the aggregate for interest on obligations, costs of issuing obligations, engineering costs, legal fees and other items of expense listed and permitted under N.J.S.A. 40A:2-20 of the Local Bond Law may be included as part of the costs of improvements and are included in the foregoing estimates thereof.

Section 5. Any grant or other moneys received by the Town, in addition to the sums expressly appropriated in Section 3 hereof, for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance and the amount of the obligations authorized herein for such purposes shall be reduced accordingly.

Section 6. The Capital Budget of the Town is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board of the New Jersey Department of Community Affairs showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Town Clerk and is available there for public inspection.

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

Alderwoman 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.

ORDINANCE NO. 25-2008 AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER REPEALING ORDINANCE # 6-2008 "RESTRICTED PARKING ON MAPLE AVENUE"

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

1. Ordinance # 6-2008 establishing no parking on the northeast side of Maple Avenue for its entire length is hereby repealed; and

2. Parking on Maple Avenue for its entire length is hereby permitted on both sides of the street; and

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

4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: NoneAbsent: Aldermen Fahy, VisioliAbstained: None

ORDINANCE NO. 26-2008

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AMENDING <u>THE</u> <u>CODE OF THE TOWN OF DOVER SECTION 57-16, et. seq. – "POLICE DEPARTMENT CONTRACTED OFF-</u> DUTY EMPLOYMENTAMENDING ORDINANCE 22-2001, SECTION 57-18, (b) ADMINISTRATIVE FEE

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:

Section 1. It is hereby established in the Code of the Town of Dover revised Sections 57-16 through 57-19 as follows:

ARTICLE III POLICE OUTSIDE EMPLOYMENT

Subsections:

57-16	Purpose
57-16A	Escrow Accounts
57-17	Requests for services
57-18	Rate of compensation; administrative fee; payment

57-16 Purpose

For the convenience of those persons and entities which utilize the services of off-duty law enforcement officers of the Dover Police Department and to authorize the outside employment of Town police while off duty, the Town hereby establishes a policy regarding the use of said officers:

(a) Members of the Police Department shall be permitted to accept police related employment for private employers or school district only during off-duty hours and at such time as will not interfere with the efficient performance of regularly scheduled or emergency duty for the Town.

(b) Any person or entity wishing to employ off-duty police shall first obtain the approval of the Chief of Police, which approval shall be granted if in the opinion of the Chief, such employment would not be inconsistent with the efficient functioning and good reputation of the Police Department, and would not unreasonably endanger or threaten the safety of the officer or officers who are to perform the work.

15-16A Escrow Accounts

(a) Any person or entity requesting the services of an off-duty law enforcement officer in the Dover Police

Department shall estimate the number of hours such law enforcement services are required, which estimate shall be approved in writing by the Chief of Police, and shall establish an escrow account with the Town Treasurer by depositing an amount sufficient to cover the rates of compensation and administrative fees set forth in Section 57-18 for the total estimated hours of service.

(b) Prior to posting any request for services of off-duty law enforcement officers, the Chief of Police or his designee, shall verify that the balance in the escrow account of the person or entity requesting services is sufficient to cover the compensation and fees for the number of hours specified in the request for services. The Chief of Police shall not post a request for services from any person or entity unless all fees and compensation required in the manner described above have been deposited with the Town Treasurer. No officer shall provide any such services for more hours than are specified in the request for services.

(c) In the event the funds in such an escrow account should become depleted, services of off-duty law enforcement officers shall cease and requests for further or future services shall not be performed or posted until additional funds have been deposited in the escrow account in the manner prescribed above.

(d) The person or entity requesting such services shall be responsible for ensuring that sufficient funds remain in the escrow account in order to avoid any interruption of services.

57-17 Requests for long-term services

All requests to the Town for services of off-duty law enforcement officers in the Dover Police Department for a period of one week or longer shall be forwarded to the Chief of Police for posting at least ten days before such services are required. Any law enforcement officers, when so employed by the Town, shall be treated as an employee of the Town provided, however, that wages earned for outside employment shall not be applied toward the pension benefits of law enforcement officers so employed, nor shall hours worked for outside employment be considered in any way compensable as over-time.

57-18 Rates of compensation; administrative fee; payment for services

(a) Rates of compensation for contracting the services of off-duty law enforcement officers shall be based on regular rates of the officer working the detail.

(b) An additional fee of 20% per hour for any person or entity and 10% per hour for Board of Education and nonprofit organizations is hereby established to cover administrative costs, overhead and out-of-pocket expenses of the Town of Dover.

Section 2. All ordinances or parts of ordinances contrary to or inconsistent with this within ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 4. The Ordinance shall take effect in accordance with law.

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

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: NoneMayor Dodd
Absent: Aldermen Fahy, VisioliAbstained: None

ORDINANCE NO. 27-2008

AN ORDINANCE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING THE TOWN OF DOVER'S AFFORDABLE HOUSING PROGRAM PURSUANT TO THE FAIR HOUSING ACT.

BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Dover in the County of Morris and State of New Jersey that the following amendments be made to Chapter 99 of the Town of Dover:

Section 1. Purpose.

The purpose of this article is to create the administrative mechanisms needed for the execution of *the Town of Dover*'s responsibility to assist in the provision of affordable housing pursuant to the Fair Housing Act of 1985.

Section 2. Definitions.

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

MUNICIPAL HOUSING LIAISON – The employee charged by the governing body with the responsibility for oversight and administration of the affordable housing program for the Town of Dover.

Section 3. Establishment of Municipal Housing Liaison position and compensation; powers and duties.

- A. Establishment of position of Municipal Housing Liaison. There is hereby established the position of Municipal Housing Liaison for the Town of Dover.
- B. Subject to the approval of the Council on Affordable Housing (COAH), the Municipal Housing Liaison shall be appointed by the Governing Body and may be a full or part time municipal employee.
- C. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the Town of Dover, including the following responsibilities which may not be contracted out, exclusive of item 6 which may be contracted out:
 - 1. Serving as the municipality's primary point of contact for all inquiries from the State, affordable housing providers, administrative agents, and interested households;
 - 2. Monitoring the status of all proposed and completed affordable housing programs and affordable units in the municipality's Fair Share Plan;
 - 3. Compiling, verifying, and providing monitoring information at such time and in such form as the Council requires;
 - 4. Coordinating meetings with affordable housing providers and administrative agents, as applicable; and
 - 5. Where applicable, providing to an administrative agent a copy of the adopted municipal operating manual(s), Housing Element and Fair Share Plan and ordinances relating to the creation and administration of the municipality's affordable housing programs and/or affordable units.
- D. Compensation. Compensation shall be fixed by the Governing Body at the time of the appointment of the Municipal Housing Liaison.

Section 4. Severability.

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

Section 5. Inconsistent Ordinances Repealed.

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

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

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

RESOLUTIONS

BILLS LIST

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

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

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

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

RESERVE ACCT claims in the amount of:	\$34,133.50
CURRENT ACCT claims in the amount of:	\$1,315,657.88
CAPITAL ACCT claims in the amount of:	\$706.02
WATER UTILITY ACCT claims in the amount of:	
WATER UTILITY RESERVE ACCT claims in the amount of:	
WATER CAPITAL ACCT claims in the amount of:	
PARKING UTILITY ACCT claims in the amount of:	\$34,982.17
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$4,250.00
PARKING CAPITAL ACCT claims in the amount of:	
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$130.20
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	
TRUST/OTHER ACCT claims in the amount of:	\$33,511.08
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$1,423,370.85

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:	\$280,082.38
WATER UTILITY ACCT claims in the amount of:	\$25,921.73
PARKING UTILITY ACCT claims in the amount of:	\$2,969.35
PAYROLL AGENCY ACCT claims in the amount of:	\$82,801.74
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$72.85
TOTAL CLAIMS PAID	\$391,848.05
TOTAL BILL LIST RESOLUTION	\$1,815,218.90

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

CHAPTER 159 RESOLUTION

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made by law and the amount thereof was not determined at the time of adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Town of Dover hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2008 in the sum of \$5,050.00; which item is now available as revenue from the National Film Preservation Foundation pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED that a like sum of \$5,050.00 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues: NFPF-Dover's Fourth Annual Baby Parade

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: NoneAbsent: Aldermen Fahy, VisioliAbstained: None

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 19, 2007, a lien was sold on Block 609 Lot 5, also known as 58 Central Avenue, for delinquent 2006 taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 06-00003 was sold to Stuart Lasher, for a 18% redemption fee; and,

WHEREAS, Susan A. Rondan, owner, has effected redemption of Certificate No.06-00003 in the amount of \$18,945.36.

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 \$18,945.36 payable to Stuart Lasher on this 12th day of August 2008.

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

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: NoneMayor Dodd
Absent: Aldermen Fahy, VisioliAbstained: None

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 19, 2007, a lien was sold on Block 2030 Lot 20, also known as 87 Maple Avenue, for delinquent 2006 taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 06-00021 was sold to J. Hark, LLC, for a premium of \$2,600.00 and,

WHEREAS, Roberta S and Roger Dickerson, owners, have effected redemption of Certificate No.06-00021 in the amount of \$10,395.93

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 \$12,995.93 payable to J. Hark, LLC, which is the total of the redemption and the premium paid, on this 12th day of August 2008.

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

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: NoneMayor Dodd
Absent: Aldermen Fahy, VisioliAbstained: None

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 19, 2007, a lien was sold on Block1105 Lot 14, also known as 19 Spruce Street, for delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 06-00010 was sold to Robert Rothman, for a 18% redemption fee; and,

WHEREAS, Juan Varga, owner, has effected redemption of Certificate No.06-00010 in the amount of \$10,200.17.

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 \$10,200.17 payable to Robert Rothman on this 12th day of August 2008.

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

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: NoneAbsent: Aldermen Fahy, VisioliAbstained: None

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 19, 2007, a lien was sold on Block1204 Lot 3, also known as 79 W Blackwell Street, for delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 06-00011 was sold to Park Finance, LLC, for a 18% redemption fee; and,

WHEREAS, James and Juanita Elder, owners, have effected redemption of Certificate 06-00011 in the amount of \$9,851.75.

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 \$9,851.75 payable to Park Finance on this 22nd day of July 2008.

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

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: NoneMayor Dodd
Absent: Aldermen Fahy, VisioliAbstained: None

<u>Authorizing application for Small Cities Grant for Housing Rehabilitation in the amount of \$200,000.</u> <u>See Attached</u>

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

Authorizing application for Small Cities Grant for Public Facilities (Street) Project in the amount of \$400,000. See Attached

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, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: NoneAbsent: Aldermen Fahy, VisioliAbstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, MORRIS COUNTY, STATE OF NEW JERSEY APPOINTING A MUNICIPAL HOUSING LIAISON

WHEREAS, the Governing Body of Town of Dover petitioned the Council on Affordable Housing (COAH) for substantive certification of its 3rd Round Housing Element and Fair Share Plan on 12/16/2005; and

The Town of Dover was granted substantive certification of its 2^{nd} Round Housing Element and Fair Share Plan by the Council on Affordable Housing (COAH) on 12/4/96 and

WHEREAS, Town of Dover's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, et. seq.); and

WHEREAS, pursuant to <u>N.J.A.C</u>. 5:94-7 and <u>N.J.A.C</u>. 5:80-26.1 <u>et</u>. <u>seq</u>., Town of Dover is required to appoint a Municipal Housing Liaison for the administration of [Town of Dover's affordable housing program to enforce the requirements of <u>N.J.A.C</u>. 5:94-7 and <u>N.J.A.C</u>. 5:80-26.1 <u>et</u>. <u>seq</u>.; and

WHEREAS, Town of Dover has amended Chapter 99 entitled Affordable Housing to provide for the appointment of a Municipal Housing Liaison to administer Town of Dover's affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Town of Dover in the County of Morris, and the State of New Jersey that Patrick Laverty is hereby appointed by the Governing Body of Town of Dover as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Section 9 of the Town of Dover's Affordable Housing Code.

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: NoneAbsent: Aldermen Fahy, VisioliAbstained: None

SALARY RESOLUTION

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

1. That the annual, hourly salaries and wages as set forth hereunder be and hereby are established for the officials and listed employees of the Town of Dover at the respective sums shown following their names and or position designation following their name listed below.

2. This resolution directs the Treasurer of the Town of Dover to withhold such monies from individual salaries and wages so there is no advance payment of salaries and wages and annual sums may be adjusted through December 31, 2008.

Non Union

Patrick Laverty - Municipal Housing Liaison

\$2,000 effective 8/12/08

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

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, 2008 to June 30, 2009 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 license(s) 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 per attached Schedule A.

The Quiet Man, Inc	The Quiet Man 64 E. McFarlan St. Dover, NJ 07801	1409-33-016-003
Jhon F. Corporation	Mambo's Bar Cafe 90 Belmont Ave. Dover, NJ 07801	1409-33-014-003

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

Ayes: Aldermen Delaney, Donofrio, Picciallo, Timpani, Romaine and Mayor DoddNays: NoneAbsent: Aldermen Fahy, VisioliAbstained: Alderman Poolas

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

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

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

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

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

Dover Child Care Center, Inc. to be held on September 24, 2008 (50/50)

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: NoneAbsent: Aldermen Fahy, VisioliAbstained: 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:

College Club of Dover to be held on December 2, 2008 (50/50)

Alderman Delaney 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, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: NoneAbsent: Aldermen Fahy, VisioliAbstained: None

<u>RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE</u> TOWN OF DOVER APPROVING A MOBILE RETAIL FOOD ESTABLISMENT(S)

WHEREAS, a Class 2 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 Dominick Angelone of Big D's Hot Dogs for a Mobile Retail Food Establishment, Class 2 License be approved.

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Timpani, Romaine and Mayor DoddNays: NoneAbsent: Aldermen Fahy, VisioliAbstained: 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

Axel's Express Taxi & Limo – Edgar Celi

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

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

WHEREAS, First Class Taxi, has applied for a license to operate the vehicle(s) listed below hereto and made a part hereof as taxicab(s) in the Town of Dover; and

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

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

1. 2000 Chrysler GRV (TAXI) Passengers: 6 Color: Green VIN # 748717 Plate #OXY5280

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: NoneAbsent: Aldermen Fahy, VisioliAbstained: None

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

WHEREAS, Mambo's Bar Cafe located at 90 Belmont Avenue, Dover, NJ has applied for renewal of their Annual Dance License(s) for the period July 1, 2008 - June 30, 2009; 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, 2008 – June 30, 2009 to the following establishments:

A. Mambo's Bar Café – 90 Belmont Avenue, Dover, NJ

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

Ayes: Aldermen Delaney, Donofrio, Picciallo, Timpani, Romaine and Mayor DoddNays: NoneAbsent: Aldermen Fahy, VisioliAbstained: Alderman Poolas

<u>RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER</u> <u>GRANTING PERMISSION FOR 76 EVERETT DRIVE, RANDOLPH TOWNSHIP,</u> <u>NEW JERSEY TO CONNECT TO THE DOVER SEWER SYSTEM</u>

WHEREAS, Mr. & Mrs. Greco, hereinafter "Greco" residing at 76 Everett Drive, Block 125, Lots 1 & 2 in the Township of Randolph, Morris County, New Jersey, have made a request to connect to the Town of Dover Sanitary Sewer Line; and

WHEREAS, they have petitioned the Township of Randolph for sewer gallonage through the Rockaway Valley Regional Sewerage Authority; and

WHEREAS, Randolph Township endorses their petition and will require the Greco's to obtain a right-of-way permit and plumbing permit; and

WHEREAS, the Greco's must obtain gallonage approval from Rockaway Valley Regional Sewerage Authority through the Township of Randolph; and

WHEREAS, the Town of Dover will require a road opening permit for the connection; and

WHEREAS, the Engineering Department of the Town of Dover will review the plans and approve same subject to the applicant obtaining all proper permits and obtaining sewer gallonage allocation from the Rockaway Valley Regional Sewerage Authority;

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 connection of Greco for 76 Everett Drive, Block 125, Lots 1 & 2 in the Township of Randolph to the Dover Sewer transmission lines and for the issuance of a Road Opening Permit is hereby approved subject to the following:

- a. The Greco's must obtain all permits required by the Township of Randolph;
- b. The Greco's must obtain sewerage gallonage allocated from Randolph Township;

c. The Greco's shall be responsible for any sewer hookup and/or sewer transmission fees applicable payable to Randolph Township and the Town of Dover;

d. The Greco's must obtain all permits required by the Town of Dover Engineering Department, including but not limited to a Road Opening Permit.

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, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: NoneMayor Dodd
Absent: Aldermen Fahy, VisioliAbstained: None

<u>RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER</u> <u>APPOINTING MEMBERS TO THE MUNICIPAL ALLIANCE FOR THE TOWN OF DOVER</u>

BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover that the following be and hereby are appointed as members to the **MUNICIPAL ALLIANCE** commencing August 12, 2008.

James Visioli – Governing Body Valerie Williams – Representative from Victory Gardens Thomas Iwicki – Representative from Recreation Commission Rev. Cheryl Johnson – Representative from Dover Clergy Association Sgt. Frank Coppinger – Representative from Dover Police Dept. Patrick Doughy – Representative of Labor Union Rick Johnston Julia Popovitch – Concerned Citizen Karen Vaughn Ana Bocchino Connie Sibona-Foster – Director

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

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: NoneAbsent: Aldermen Fahy, VisioliAbstained: None

UNFINISHED/NEW BUSINESS

*Mayor's Appointment to the Shade Tree Commission – William Thompson – unexpired term 12/31/2009

PUBLIC COMMENTS – Three Minutes per Person

Robin Foster – 90 Penn Avenue – The summer concerts are great to attend, they're a lot of fun and good music. This year there was an added phase with open-mic that is sponsored by Kenny Segall, owner of the Music Box. There were about 8-9 acts that performed. Mr. Foster noted that at the corner of Rt. 46 and Mercer Street-Dover Plaza (Nail Place) there's some graffiti on the building.

Antonio Acosta – 130 Madison Street – He did not attend the Taste of Dover however from the newspaper article and from others he noticed that it went well. He believes that's it's a way to market ourselves in addition to our attributes like the train station and hospital. He thinks it's something that has been ignored maybe conscientiously or unconscientiously but its something we should look at to make Dover the capital of different food. He has concerns with the Newberry Building which is currently vacant and it's an eyesore and we should be encouraging to get someone in there. He also noted that when heading up Morris Street & Prospect Street it's a gateway into town which we fall short of making the gateway look appropriate (curbing, weeding) the details need work. He also commented that he's a friend of the administration but first and foremost his loyalty is towards the town. He would be remiss not to say that the recent litigations weren't good. We have to be smart in our process, our thoughts, how we select and how we negotiate because we know that these things come up and it makes us not look good. It's a disappointment to see that happen.

Luis Gomez – 172 South Morris Street – Mr. Gomez notified the board that there are many street lights in the downtown area (Blackwell St) that are out and has noticed police cars parked right underneath these lights. The Crescent Field Park has adults playing on the field without permits and police cars drive by and don't pull over to verify the situation. There's a childcare center near his house that is not registered, they block off certain areas of the street. Code Enforcement contacted the tenant and they were told that the kids are her grandchildren. There was a previous complaint about a lady selling computers on Penn Avenue on Saturdays is now selling old stereos which is an eyesore. Mayor Dodd asked for a review of other town ordinances regarding yard sales.

<u>Connie Sibona-Foster</u> – 90 Penn Avenue – She's glad to hear that others see the same situation regarding the computers that are for sale on Penn Avenue. Ms. Foster believes a garage sale is when someone clean-outs their basement but this lady is running a "computer" business. The lady has posted signs on telephone poles regarding her computer sale. Ms. Foster provided an update on the Mayor's Assistance Program. Last week the restroom building at Water Works Park was power washed. The building received a coat of primer and a color will be applied next week. Alderman Donofrio gave Ms. Foster "kudus" for her volunteering effort that was mention in the newspaper.

Edward Correa – 88A E. Blackwell Street – Mr. Correa is very disturbed with the articles that have been printed in the newspapers (Star Leger, Daily Record). Mr. Correa is concerned with the settlement of \$750,000 that the police sergeant received and he's wondering if the tax payers of the town are going to be paying for this settlement. Mr. Correa noted that the State has already put constraints with the budget cuts. He's also disturbed that Bibi Stewart-Garvin, the former administrator was let go and she's still on the payroll. He would like to know why she was let go and who's going to be paying for the settlement. Mr. Correa wanted to know if the taxpayers or the insurance of the town will be paying for the settlement.

Mayor Dodd referred the question to the municipal attorney.

Attorney Pennella explained that because it was involved with an employee and because there were negotiations and a confidentiality clause involved for both sides, parties negotiated an agreement as a business decision. The matter is confidential and will not be released and the town is not in a position to discuss Ms. Garvin. One thing that Mr. Pennella was able to correct was that Ms. Garvin was not let go, as indicated by Mr. Correa. Mr. Pennella noted that there was a vote by the board not to renew her contract because she required under her current/prior contract, notice of six months if the town was not going to be renew. The attorney noted that it was not firing a person and the issue was not renewing her contract so she wasn't discharged as Mr. Correa mistakenly indicated. Ms. Garvin then issued a resignation early which was her right under the contract. The town has to take the position of "no comment" which is Mr. Pennella's advice to the Mayor & Board and they have to abide by it.

Mr. Correa wanted to know if the Municipal Alliance committee was an existing committee or a new committee. Mayor Dodd noted that it's a previous committee that was appointed. Mr. Correa also asked the role of the committee. Mayor Dodd commented that the State of NJ & County of Morris allocates funds for drug awareness programs for the youth and seniors citizens. Mayor Dodd noted that he's not happy with the applications that were submitted in the past. Mayor Dodd believes it was a waste of taxpayers' money when municipal alliance committee programs submit receipts for hundreds of dollars to take kids to McDonalds which doesn't show good education on drug awareness. Mayor Dodd believes some of the programs were beneficial and he believes a new committee needs to take a fresh look at what could potentially benefit the community. There were many vacancies, for example there was no representation from the Board of Education and Mayor Dodd felt that's a very important component of Municipal Alliance, as the Board of Education pertains to the students. Mayor Dodd noted that there has to be better representation on the Municipal Alliance. It's not a decision that Mayor Dodd will make on the funding, it's a decision that a committee as a whole will make a recommendation, file an application, submit for Mayor Dodd's signature and then forward to the county. Mayor Dodd wants to make sure new programs are created and that the money is allocated correctly. Mr. Correa asked the criteria to be on the Municipal Alliance Committee, if any. Mayor Dodd read the different representation that were required (Representatives of the Governing Body, Representation from the Police Department, Concern Citizens, Senior Citizens, etc.).

Debbie Mantini – 305 E. McFarlan Street – Ms. Mantini felt that Mayor Dodd or Mr. Pennella didn't answer Mr. Correa's question. She assumes that the money for Bibi's settlement is taxpayers but is Sgt. Whitmore's settlement made by the town's insurance or taxpayers. Attorney Pennella didn't handle the case but Sgt. Whitmore's case was handled by the insurance carrier and there was an agreement not to discuss the case and it's upheld, it's an exception under OPRA with regards to the Whitmore case. Mr. Pennella felt it was inappropriate that there were comments or quotes made in the newspaper by the plaintiff in that case which is being looked into. The attorney's advice to the town is that their comment is no comment. Attorney Pennella noted that as payments are made those are able to be obtained through OPRA and they have been and he believes the Star Ledger has that information.

<u>Reverend Daniel Martinez</u> – 15 Lawrence Street – Reverend Martinez wanted to comment on the Alliance and noted that we are a diverse town. He feels that the diversity of the town is not represented in anyway by the alliance committee. In Reverend Martinez's opinion it's a show of no care not to include Latinos on the committee who can bring different perspectives. Reverend Martinez feels that it's a good opportunity for others to get involved and feels the town should be a more considerate when it forms committees. Mayor Dodd expressed that he understands Rev. Martinez's concern and agrees, however he noted that a member that was kept on committee is Julia Popovitch whose maiden name is Vega and she's a Latino and is representing the committee.

<u>Matty Barrick</u> – 107 Bassett Hwy. – Mr. Barrick wanted to discuss the previous question that was asked and wanted to know where the \$750,000 comes from and he didn't ask for a legal opinion apparently there was a settlement. Mayor Dodd noted "No Comment." Mr. Barrick expressed that he doesn't understand, obviously this money has to come from somewhere and as taxpayers we don't we have a right to know. Mayor Dodd expressed that their legal advice is "No Comment" and they will continue to take that position.

Edward Correa – 88A E. Blackwell Street – Mr. Correa continues to be very concerned because he has noticed that the approval of meeting minutes are not on agenda. He would like to know the procedure for approving meetings.

Mayor Dodd expressed that three town employees are in the process of creating the minutes and the board members tonight received a stack of minutes that will be presented at the next council meeting. Mr. Correa wanted to know the procedures the town administration and police department are taking to address the mistakes so the taxpayers do not have to go through the constraints.

Mayor Dodd stated that the town is in the process of interviewing for a new administrator and DPW Director and time will be taken to make sure that the person the town hires is a qualified person. (In regards to the Police Department) Mayor Dodd noted that courses are being given to department heads for conduct and there are steps being taken on a personnel level that Mayor Dodd is not at liberty to discuss. Mayor Dodd assured Mr. Correa that the town recognizes and the town is taking steps to prevent any future problems from occurring.

<u>Robin Foster</u> – 90 Penn Avenue – Ms. Foster commented in regards to the previous comments about the town not having enough Hispanic influences. Mr. Foster stated for the record, that the previous Mayor was Hispanic and he did absolutely zero for the Hispanic community and he feels that the current Mayor & Board have done more for the community.

Edward Correa – 88A E. Blackwell Street – Thanked Robin and Mr. Correa understand his concerns. However, Mr. Correa believes that it's a matter of communication from the town to their citizens which there's none. Mr. Correa noted that the residents don't find out about the committees, commissions, and boards and how to apply for them.

Motion made by Alderwoman Romaine to adjourn at 8:11 p.m., Seconded by Alderman Picciallo and passed by the following voice vote.

Ayes: Aldermen Delaney, Poolas, Donofrio, Picciallo, Timpani, Romaine and Mayor DoddNays: NoneAbsent: Aldermen Fahy, VisioliAbstained: None

Respectfully submitted,

Margaret J. Verga Municipal Clerk