



**TOWN OF DOVER**  
**MAYOR AND BOARD OF ALDERMEN**  
**CAUCUS MEETING MINUTES**  
**May 26, 2009 7:00 PM**

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

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

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

**ROLL CALL:**

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

Absent: Alderman Timpani

Also present were Administrator Close, Attorney Pennella and Clerk Verga

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

Mayor Dodd noted that Dave Evans from Nisivoccia & Co and Chief Finance Officer (CFO) Kelly Toohey are present for the introduction of the municipal budget in case anyone has questions. Mayor Dodd explained that the Finance Committee and Town Administrator Mr. Close have spent many hours developing the budget. He believes that the budget has a modest increase and expressed that it's very difficult in these times to find cuts however the administration was able to accomplish those challenges. Mayor Dodd commented that the Town Administrator, CFO and Finance Committee did a phenomenal job. Mayor Dodd is proud to say that the average home assessed at \$290,000 will see an increase of \$3.58 per month or \$43.00 for the year. Mayor Dodd asked Dave Evans from Nisivoccia & Company to say a few words.

Mr. Evans explained that three actions will take place in regards to the 2009 budget. First, the board would need to vote on the resolution to use a three year average on the collection percentage to determine the reserve from uncollected taxes. He noted that this resolution and this methodology have become a necessity for many towns because of the downturn in the economy. Secondly, the board would be asked to introduce the the cost of living adjustment (COLA) ordinance which establishes the expenditure cap bank. Finally, the board is asked to formally introduce the 2009 budget. Tonight, these actions will not have any public input however on June 3<sup>rd</sup> there will be a hearing on the cost of living adjustment ordinance and municipal budget. Mr. Evans explained that if the state has heard the application (police & firemen's pension deferral) then the next step would be to adopt or amend the budget on June 23<sup>rd</sup>. If action can not be taken it would be because the state has not allowed the town to do so. Mr. Evans mentioned that it has been an extraordinary difficult year for many towns and noted that most towns have not adopted their budgets. He noted that the Governing Body and the administration should be applauded for their hard work and efforts.

Mr. Evans asked to take action on the resolution, see resolution and ordinance section.

Mr. Close thanked Mayor Dodd and the finance committee for their time, patience, and the diligence in working with Mr. Close, Kelly Toohey and Mr. Evans in getting the final budget completed.

**MUNICIPAL CORRESPONDENCE:**

1. Ordinance from Mine Hill Twp. re: Rezoning certain lands to remove them from the zoning district entitled "Planned Multifamily Age Restricted Community"
2. Ordinance from Randolph Twp. re: Amending Lot Grading permits and amending fee schedule
3. Ordinance from Randolph Twp. re: Extension of Shongum Road sewer line
4. Ordinance from Parsippany-Troy Hills re: Opposing Governor Corzine's proposal to transfer money from the EMT Training Fund
5. Resolution from Township of Parsippany re: Opposing Governor Corzine's proposal to transfer money from the EMT Training Fund
6. Resolution from Township of Hanover re: Opposing Governor Corzine's proposal to transfer money from the EMT Training Fund

Alderman Donofrio wanted to know more details on correspondence #4, 5, 6, Opposing Governor Corzine's proposal to transfer money from the EMT Training Fund. Mr. Close noted that he would look into the request and would provide more information at the next town meeting.

**AGENDA ITEMS:**

**ORDINANCE(S) FOR INTRODUCTION**

1. Ordinance #12-2009 – Amending Code Section 199-9 et. Sec. Mobile Retail Food Establishments
2. Ordinance #13-2009 – Calendar year 2009 to exceed the Municipal Budget appropriation limits and to establish a cap bank

Attorney Pennella commented on Ordinance #12-2009 and noted that there are two changes which include the hours of operation to specify sunset hours and an exemption to the hours of operation that may be made to for special events with prior approval from the Mayor and Board of Aldermen.

Alderman Poolas wanted to know if the amended ordinance would be sent to the current mobile vendors. Mayor Dodd confirmed that it would be sent to the vendors.

**ORDINANCE(S) FOR SECOND READING**

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

Alderman Donofrio commented that he has received many calls from non-profit organization (Head Start & Housing Partnership) regarding the future payments for parking. He noted that a courtesy of not charging the non-profit organizations has been given to them till of the end of the calendar year. Mayor Dodd asked the parking committee to get together to discuss how to move forward. Mayor Dodd noted that it's an inconvenience for the group and that's why he made a recommendation to not charge them for this year. He explained that there's maintenance of the municipal lots (paving, drainage, line stripping and system maintenance of the kiosks). The parking committee felt that it can't fall entirely on the backs of the taxpayers. Mayor Dodd explained that we have become accustom in the town to have a user based system (water/sewer system). He believes we have to be consistent in the message we send, users need to pay, which doesn't mean we couldn't make a recommendation to have a reduced rate for some of the parking lots (non-profit groups). Mayor Dodd requested the parking committee to get together and have a recommendation ready for the board prior to the end of the year.

**RESOLUTION**

1. Approval to seek permission from DLGS to anticipate a current tax collection experience of 96.99% for year 2009
2. Introduction of the 2009 Municipal Budget
3. Approving Bills List
4. Approving Temporary Budget
5. Approving Taxi Cab Drivers Licenses
6. Approving Amusement Device Licenses
7. Approving Theatre License
8. Amending the Layout of the Dover Flea Market
9. Denial of taxicab owners license to Globe Limo and Taxi Service
10. Approving a Junk Dealer License for C&M Metals Recycling, LLC
11. Approving the establishment of the NJ Sustainable Energy Joint Meeting

Mr. Close commented on resolution #11 and explained that it was for local units to enter into a joint contract for the joint procurement of natural gas, electricity and other forms of energy. By joining with other local units we can aggregate purchasing power of energy and achieve financial savings.

**REGULAR MEETING MINUTES**  
**May 26, 2009**

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

The meeting was called to order by Mayor Dodd at 7:31 pm

**ROLL CALL**

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

Absent: Aldermen Timpani

Also present were Administrator Close, Attorney Pennella and Clerk Verga

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

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

**WARREN DARNULC** – 151 Grant Street – Mr. Darnulc wanted to know if municipal budgets, regular meeting agendas, resolutions and ordinances could be displayed on the town's website. Mayor Dodd noted that the municipal budget is a very large document. Mr. Close suggested a summary could be posted on the website. Town Clerk Verga noted that she has a copy of the budget in her office that can be viewed by the public.

**MARK FUTTERWEIT** – Blackwell Street, local attorney – Mr. Futterweit commented on the resolution to deny taxi owners' license to Globe Limo and Taxi Service. Mr. Futterweit is present on behalf of Globe Taxi & Limo. He believes enough information has been provided however Capt. Ugalde required additional information. Mr. Futterweit commented that a new location is needed for the business since the current zone is not a valid location. Mr. Futterweit would like to know the specific zones that are allowed for a taxi company. Mayor Dodd commented that the current location would not be an approved location. Attorney Pennella commented that the application has been under review and there are more concerns than just the location. Attorney Pennella noted that a hearing could be requested.

**JIM MULLIN** – 150 Ann Street – Mr. Mullin wanted to know if a vehicle is parked in lots A or B and has paid for an all day space but the owner didn't return till the next day would a ticket be issued. Attorney Pennella noted that if an officer on patrol sees that the space is overdue a ticket will be issued. Mr. Close clarified that the lots are closed from 2:00am to 5:00am for maintenance of the lots. Mayor Dodd added that the lots are closed for street sweeping, snow plowing and maintenance of the lots. It was clarified that overnight permits are for specific locations only.

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

**MAYOR AND ALDERMEN REPORTS**

**MAYOR DODD'S REPORT** – Mayor Dodd commented that Saturday, May 30<sup>th</sup> is the Mayor's 4<sup>th</sup> Annual Fishing Derby. He thanked the committee for their time and effort for putting this event together. Mayor Dodd commented that Route 15 will no longer pass under Route 46 beginning at approximately 9pm on Friday, May 29, 2009. At that time, a temporary T-intersection with Route 46 will be used and a permanent T-intersection will be constructed.. The existing section of Route 15 between Warren Street and Route 46 underpass will be permanently closed and it will become a dead end. Route 15's northbound traffic will be directed to Route 46 where they will be able to make a right turn onto Route 15 at a temporary signalized intersection. Mayor Dodd regrettably announced that the Bassett Highway project has been terminated between Trammell Crow Residential and the Barnish Family due to economic conditions and delays that the town experienced with Council on Affordable Housing (COAH). Mayor Dodd believed that the project would have provided an economic stimulus to the community as well as an environmental benefit. He also believes that this project will come to fruition at a future date. The Bassett Highway Redevelopment Committee has worked real hard to have the project come to fruition and unfortunately do to economic times we will not see that happen for a year or two. He noted that at this time, the agreement has been terminated. Mayor Dodd noted that the parking system will go into effect next week. Mayor Dodd and Administrator Close met with the little league President Victor Rodriguez and Dave Sagalia to discuss redevelopment of the baseball field. Mayor Dodd thanked the Memorial Association and President Alderman Frank Poolas for the great job with the parade. He also thanked DPW, Luis Acevedo and Carl Rossi with the parks and the preparations for the parade.

**ALDERMAN DELANEY** – Alderman Delaney and Mayor Dodd attended the Firemen's Memorial Service. He attended meetings on the budget, fishing derby and Memorial Day parade. He looks forward to the parking kiosk system going online.

**ALDERMAN PICCIALLO** – Alderman Picciallo thank Mr. Close, Kelly Toohey and Mr. Evans for their great job on the budget preparation. He noted that Chairwoman Romaine, Alderman Delaney and he spent many hours on the budget and feels that they have presented a very tight and beneficial budget to the citizens without any lose of services. Alderman Picciallo thanked Mr. Close for the clean up of the property between Davis Avenue and Route 15. He thanked Mr. Close and Mr. Isselin for the follow up on the NJ Transit rail yard. He announced that the Firemen’s Parade is on June 6<sup>th</sup> which will start at Salem Village and end at Crescent Field. He announces that on June 5<sup>th</sup> Dover Daycare is hosting a tricky tray and also noted that the fishing derby will be on Saturday.

**ALDERWOMAN BLACKMAN** – Alderwoman Blackman commented that Dover High School is hosting a fundraiser (clothing) and their graduation is on Tuesday. Alderwoman Blackman attended the recreation meeting and noted that they are gearing up for the new summer program she also attended the Casa Puerto Rico Memorial Day Festival and had a good time.

**ALDERMAN POOLAS** – Alderman Poolas commented that the Memorial Association Parade was a great parade. He and Mayor Dodd took a tour of the parks prior to parade day to get things in order with DPW. He commended the library on their paint job. Alderman Poolas commented on the Route 15 construction and suggested that the short piece of property be a cobble stone road with enhanced antique lighting since the section of Route 15 is going to become a dead end at Charlotte’s Web. He hopes that it could be a walking path. Alderman Poolas commented that there’s a broken daily record machine and suggested that it should be removed.

**ALDERMAN VISIOLI** – Alderman Visioli commented regarding some property maintenance complaints. He commented on the taxi and limo ordinance and the possibility of some assistance from other towns.

**ALDERMAN DONOFRIO** – Alderman Donofrio attended the Memorial Day Parade. He commented on the library renovations and noted that the library’s front step repair is a bigger than anticipated. He mentioned that the cracked pole on Lawrence and Ann Street had a couple of supports bolted in. He thanked Mr. Close for addressing the tree complaint on Audrey Place.

**ALDERWOMAN ROMAINE** – Alderwoman Romaine echoed the same sentiments on the budget and thanked Kelly, Mr. Close, Finance Committee and Mr. Evans for their assistance. She thanked the administrator for taking care of the housing complaints. Alderwoman Romaine also commented that the cracked pole should be looked into having it removed.

**ALDERMAN TIMPANI** – Absent

**ADMINISTRATOR CLOSE** – Mr. Close noted that the Fire Department has applied for several grants with the assistance of Alderman Delaney, Chief McDougall and Captain Warner. He expressed that the committee did an outstanding job with the Memorial Day Parade. Mr. Close thanked the Department of Public Works, Fire Department and Police Department for their assistance. He noted the NJ Transit has attempted to establish a relationship with the town on property maintenance. He commented that the white collar/blue collar contracts are being negotiated. Mr. Close congratulated Andrea Coroneos on passing her State Tax Collector’s Exam.

**ATTORNEY PENNELLA** – Attorney Pennella commented that as a result of revaluations the date for filing tax appeals has been extended through the beginning of May. He noted that there were 127 tax appeals filed with the Board of Taxation which is a record number. He explained that there’s also an increase of state tax court cases that have been filed. He commented that there are two days in June with an approximately 60 cases per day. He noted that the Tax Assessor and Certified Valuations are attempting to review all information that was submitted to them. He explained that he will provide an update to the board once more information becomes available.

Alderman Donofrio wanted to know what proportion of the tax appeals are business entity versus residential entity. Attorney Pennella commented that it’s predominately residential-single families but there are a number of commercial properties that have taken appeals.

Mayor Dodd commented that there’s a need to amend the layout of the Dover Flea Market. He explained that there was a meeting with the Brumales, owners of the flea market. Mayor Dodd noted that they were apparently under the impression that Dickerson Street would be part of the footprint for the flea market, in fact when the resolution was review it was not. The Brumales have asked to increase Sussex Street from Bassett Hwy to the railroad tracks in front of Laughing Lion. He noted that it’s in the best interest of the board to allow them to increase the layout on Sussex Street.

**ORDINANCE(S) FOR INTRODUCTION**

**ORDINANCE No. 12-2009**

**OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CODE SECTION 199-9 et. seq. "MOBILE RETAIL FOOD ESTABLISHMENTS"**

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

1. A new Section 199-16 is hereby enacted as follows:

Section 199-16. Hours of Operation and Areas. No holder of any class of a mobile retail food license shall be permitted to operate in any residential zone as shown on the Zoning Map of the Town of Dover before 8 a.m. in the morning and after sunset. Sunset shall be defined to be the published time of sunset in Dover, New Jersey by the United States Naval Observatory. Special events may be an exception as approved by the Mayor and Board of Aldermen.

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

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

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

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

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

**Nays: None      Absent: Alderman Timpani      Abstained: None**

**ORDINANCE NO. 13-2009**

**CALENDAR YEAR 2009 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK N.J.S.A. 40a:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S.A.40A"4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

**WHEREAS**, the Mayor and Board of Aldermen of the Town of Dover in the County of Morris finds it advisable and necessary to increase its CY 2009 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and Board of Aldermen hereby determines that a 1% increase in the budget for said year, amounting to \$137,531 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Board of Aldermen of the Town of Dover, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2009 budget year, the final appropriations of the Town of Dover shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$481,359 and that the CY 2009 municipal budget for the Town of Dover be approved and adopted in accordance with this ordinance; and,

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

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

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

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

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

**ORDINANCE(S) FOR SECOND READING**

**ORDINANCE NO. 10-2009  
ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER  
PROVIDING FOR HANDICAPPED PARKING SPACE AT 47 GUY STREET**

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

**SECTION 1.** Description for handicap parking space to be located at 47 Guy Street

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

**SECTION 2.** All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.

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

**SECTION 4.** The Ordinance shall take effect in accordance with law.

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

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

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

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

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

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

1. Operating Plan. The Town of Dover hereby adopts the Dover Public Parking Lots Operating Plan which is attached hereto and made a part hereof.

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

3. Non-Profit Exemption/Reduction. Non-profit organization as defined herein may apply for a parking permit for their employees to park in municipal lot D free of charge for year 2009.

A non-profit organization is defined to be an entity organized under the laws of the State of New Jersey pursuant to N.J.S.A. 16-1 et seq. and which entity has qualified as a tax exempt organization under Section 501 (c) (3) of the Internal Revenue Code. There shall be imposed an administrative fee of \$5.00 per permit. Proof of employment must accompany the application for a permit. The non-profit corporation must advise the Town if the employee ceases employment, at which time the permit shall no longer be valid. The Town shall not be obligated to pay a refund if an employee leaves or is terminated. Permits shall be issued for one year. If the permit extends into a year which carries a higher fee, it shall be calculated based on both the lower and higher fee using the actual months in each year multiplied by the monthly fee.

4. Operating Hours. All public parking lots shall be closed to parking between the hours of 2:00 a.m. and 5:00 a.m. for valid night time permit holders in designated spaces.

5. Penalty. Any person, firm or corporation who shall violate any section of this Ordinance shall, upon conviction, pay a fine of \$ 25.00.

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

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

8. Effective Date. The Ordinance shall take effect in accordance with law, but not sooner than 5:00 a.m. Monday, June 1, 2009.

Mayor Dodd opened the meeting to the public for a hearing.

**JIM MULLIN** - 150 Ann Street – Mr. Mullin wanted to know if there was a typo in the operating hour section: All public parking lots shall be closed to parking between the hours of 2:00 a.m. and 5:00 a.m. for valid night time permit holders in designated spaces. He wanted to know if it should say “except for valid night time permit holders.” Attorney Pennella commented that he doesn't believe it's necessary because the issuance of a permit is an exemption to the rule.

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

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

Seeing no hands and hearing no voices he closed the meeting to the public.

**CONSENT AGENDA**

**RESOLUTION**

**WHEREAS**, the Town of Dover, County of Morris realized 96.22% of current tax collections for the year 2008; and

**WHEREAS**, the tax collection percentage was adversely impacted by tax appeals; and

**WHEREAS**, the percentage of cash collections on current taxes for the three prior years was as follows:

<u>Year</u>	<u>Percentage</u>
2005	97.17%
2006	97.03%
2007	96.70%

**AND WHEREAS**, THE Mayor and Board of Aldermen believe the tax collections for the year 2009 will improve over the year 2008.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Board of Aldermen that permission be required by the Director of the Division of Local Services to permit the Town to anticipate a current tax collection percentage experience of 96.99% for the year ended December 31, 2009.

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

#### **INTRODUCTION OF THE 2009 BUDGET**

(See Attached)

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

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

#### **BILLS LIST**

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

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

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

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

RESERVE ACCT claims in the amount of:	\$2,423.85
CURRENT ACCT claims in the amount of:	\$1,268,157.87
CAPITAL ACCT claims in the amount of:	\$3,592.32
WATER UTILITY ACCT claims in the amount of:	\$190,218.84
WATER UTILITY RESERVE ACCT claims in the amount of:	\$3,045.50
WATER CAPITAL ACCT claims in the amount of:	\$3,643.09
PARKING UTILITY ACCT claims in the amount of:	\$240.54
PARKING UTILITY RESERVE ACCT claims in the amount of:	
PARKING CAPITAL ACCT claims in the amount of:	
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$81.60
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	\$189.00



COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	
TRUST/OTHER ACCT claims in the amount of:	\$23,920.55
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
<b>TOTAL CLAIMS TO BE PAID</b>	<b>\$1,495,513.16</b>

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

CURRENT ACCT claims in the amount of:	\$291,866.88
WATER UTILITY ACCT claims in the amount of:	\$23,242.34
PARKING UTILITY ACCT claims in the amount of:	\$3,854.42
PAYROLL AGENCY ACCT claims in the amount of:	\$85,983.83
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$130.02
<b>TOTAL CLAIMS PAID</b>	<b>\$405,077.49</b>

**TOTAL BILL LIST RESOLUTION** **\$1,900,590.65**

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

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

**TOWN OF DOVER  
EMERGENCY TEMPORARY BUDGET 2009**

**WHEREAS**, N.J.S.A. 40A:4-19 provides for the making of temporary appropriations to finance the operations of municipal government between the first day of January of the budget year and the date of the adoption of the budget for such year;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover that there be and is hereby appropriated

as follows:

CURRENT FUND	<b>5,971,076.00</b>
WATER UTILITY	<b>815,366.00</b>
PARKING UTILITY	<b>108,450.00</b>

as temporary appropriations for the year 2009

<u>FCOA</u>	<u>GENERAL GOVERNMENT</u>		
20-100	Administrative & Executive	Salaries & Wages	51,700.00
		Other Expenses	50,000.00
20-110	Mayor & Board of Aldermen	Salaries & Wages	12,748.00
		Other Expenses	20,000.00
20-125	Town Clerk	Salaries & Wages	40,000.00
		Other Expenses	7,000.00
20-130	Financial Administration	Salaries & Wages	60,000.00
		Other Expenses	3,000.00
20-135	Annual Audit	Other Expenses	5,000.00
20-145	Collection of Taxes	Salaries & Wages	30,000.00
		Other Expenses	3,000.00

20-150	Assessment of Taxes	Salaries & Wages	35,000.00
		Other Expenses	8,000.00
20-155	Legal Services & Costs	Other Expenses	50,000.00
20-165	Engineering Services	Salaries & Wages	55,000.00
		Other Expenses	18,000.00
20-167	Planning Consultant	Other Expenses	3,000.00
20-175	Historic Preservation	Salaries & Wages	2,000.00
		Other Expenses	5,000.00
21-180	Planning Board	Salaries & Wages	2,000.00
		Other Expenses	3,000.00
21-185	Board of Adjustment	Salaries & Wages	2,000.00
		Other Expenses	3,000.00
22-195	Construction	Salaries & Wages	50,000.00
		Other Expenses	5,000.00
22-200	Code Enforcement	Salaries & Wages	120,000.00
		Other Expenses	5,000.00
23-210	Other Insurance		85,000.00
23-215	Workers Compensation		103,094.00
23-220	Group Insurance		1,000,000.00
25-240	Police	Salaries & Wages	1,500,000.00
		Other Expenses	30,000.00
25-252	Office of Emergency Mgmt.	Salaries & Wages	-
		Other Expenses	1,000.00
25-265	Fire	Salaries & Wages	175,000.00
		Other Expenses	45,000.00
25-266	Uniform Fire Safety Act	Salaries & Wages	27,000.00
		Other Expenses	2,000.00
25-275	Municipal Prosecutor	Salaries & Wages	18,000.00
26-290	Streets & Roads	Salaries & Wages	200,000.00
		Other Expenses	30,000.00
26-292	Snow & Ice Removal	Salaries & Wages	30,000.00
		Other Expenses	65,000.00
26-295	Solid Waste & Recycling	Salaries & Wages	35,000.00
		Other Expenses	500,000.00
26-300	Sewer	Salaries & Wages	70,000.00
		Other Expenses	3,000.00
26-310	Public Buildings & Grounds	Salaries & Wages	23,000.00
		Other Expenses	20,000.00
27-330	Health	Salaries & Wages	65,000.00
		Other Expenses	45,000.00
27-347	Sr. Citizen Services	Salaries & Wages	17,000.00
		Other Expenses	5,000.00
28-370	Parks & Playgrounds	Salaries & Wages	40,000.00
		Other Expenses	18,000.00
28-375	Shade Tree	Other Expenses	10,000.00
	Maintenance of Free Public		
29-390	Library	Salaries & Wages	100,000.00
30-419	Lease Agreement	Other Expenses	28,724.00
31-430	Utilities & Bulk Purchases	Other Expenses	350,000.00
37-480	Judgements		52,084.00
42-490	ILSA - Municipal Court		

43-490	Municipal Court	Salaries & Wages	150,000.00
		Other Expenses	25,000.00
43-495	Public Defender	Other Expenses	10,000.00

**STATUTORY EXPENDITURES**

36-471	Public Employees Retirement System		
36-474	Consolidated Police & Firemen's Pension Fund		10,661.00
36-475	Police & Firemen's Retirement System		
36-472	Social Security/medicare	150,000.00	
36-477	DCRP	7,000.00	

**OTHER OPERATIONS**

	Safe & Secure Neighborhoods/Local	10,000.00	
	Safe & Secure Neighborhoods/State	20,000.00	
	Health State Aid	5,000.00	
	Municipal Alliance Grant/Local	3,000.00	
	Municipal Alliance Grant/County	12,000.00	
09-775	The College of NJ Mobility & Comm Form Pilot Project		35,750.00
	<b>SUB TOTAL</b>	<b>5,779,761.00</b>	

	Debt Service - Payment of		
45-920	Bonds	Principal	-
45-930		Interest	101,315.00
	Debt Service - Payment of		
45-935	Notes	Interest	

**TOTAL GENERAL APPROPRIATIONS 5,881,076.00**

**WATER UTILITY**

55-500	Salaries & Wages	225,000.00
55-500	Other Expenses	500,000.00
55-508	Social Security	17,225.00
55-540	PERS	
	<b>SUB TOTAL</b>	<b>742,225.00</b>

	Debt Service - Payment of		
55-520	Bonds	Principal	-
55-522		Interest	73,141.00

**TOTAL WATER APPROPRIATIONS 815,366.00**

**PARKING UTILITY**

55-500	Salaries & Wages	45,000.00
55-500	Other Expenses	60,000.00
55-503	Social Security	3,450.00
55-540	PERS	

**TOTAL PARKING APPROPRIATIONS 108,450.00**

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

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the taxi driver licenses for those people listed on Schedule A attached hereto and made a part hereof are hereby approved.

**Schedule A**

**First Class Taxi**

Jorge Zuzunga  
Miguel Cabarallo  
Israel Arteaga  
Gregorio Monserrate

**Axel's Express**

Alexander Guridy  
Teudy Guridy  
Luis Higuera  
Zoyola Paguay  
Tito San Jaun Gonzalez

**City Limo & Taxi Inc.**

Jose A. Quintero  
Guillermo Castrillion  
Ana Rosa Acevedo

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

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

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

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the coin operated amusement device licenses for those people listed on Schedule A attached hereto and made a part hereof are hereby approved.

**SCHEDULE A**

1. Elizabeth Chaplin of the Bassett Pub – 8 Bassett Hwy. (1)
2. Edward Murray of Shiller's – 9 W. Clinton St. (1)
3. Petrin Vending Co. – At the Hop – 14 N. Morris St. (1)
4. Petrin Vending Co. – Murray's – 111 E. Blackwell St. (2)
5. Petrin Vending Co. – Schiller's – 9 W. Clinton St. (1)

6. Petrin Vending Co. – Celebrity Bar & Liquor – Rt 46 & Perry St. (1)
7. Petrin Vending Co. – Unique Bar – 97 E. Blackwell St. (1)
8. Angel Mero of Mero’s Lounge – 337 E. Blackwell St. (1)
9. Master Vending – Pub 66 – 3 So. Bergen St. (2)

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN  
OF THE TOWN OF DOVER APPROVING A THEATER LICENSE FOR THE BAKER THEATER**

**WHEREAS**, application for a Theater License has been made by the Baker Theater located at 41 West Blackwell Street; and

**WHEREAS**, the appropriate fees have been paid and the license shall be prominently displayed at the location; 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 theater license for the Baker Theater is hereby approved.

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER  
AMENDING THE LAYOUT OF THE DOVER FLEA MARKET**

**WHEREAS**, the Town of Dover has entered into a contract for the operation of the flea market with the “Dover Flea Market”; and

**WHEREAS**, the parties desire to amend the footprint of the flea market to add an additional portion of a street; and

**WHEREAS**, the additional portion of street will improve the attractiveness of the Flea Market to patrons and will not be detrimental to the functioning of the downtown area;

**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:

- (a) The layout of the Dover Flea Market (footprint) is hereby supplemented to add North Sussex Street northerly from Bassett Highway to the railroad tracks.

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER  
DENYING A TAXICAB LICENSE TO GLOBE LIMO AND TAXI SERVICE**

**WHEREAS**, Globe Limo and Taxi Service filed an application for a new taxi owner’s license; and

**WHEREAS**, it is the recommendation of the Dover Police Department that the license application be denied on the basis that the applicant has not answered inquiries made by the police department to complete its’ investigation; and

**WHEREAS**, the current address proposed for this company does not have zoning approval.

**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 application of Globe Limo and Taxi Service, Inc. is hereby denied based upon the police department investigation and no zoning approval for the business location.
2. Globe Limo and Taxi Service is entitled to a due process hearing before the Mayor and Board of Aldermen.
3. A hearing shall be conducted within 45 days of written notice Globe Limo and Taxi Service, Inc.
5. A copy of this Resolution shall be mailed to Globe Limo and Taxi Service, Inc. and to their counsel Mark Futterweit, Esq.

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

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

**Nays: None      Absent: Alderman Timpani      Abstained: None**

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

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

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

**WHEREAS**, the applicant has submitted the appropriate fees and completed the application as needed.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the application of James Witte t/a C & M Metals Recycling, LLC is hereby approved for a license to operate as a Junk Dealer at 160 Richards Ave., Dover, New Jersey.

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

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

**Nays: None      Absent: Alderman Timpani      Abstained: None**

**APPROVING THE ESTABLISHMENT OF THE NJ SUSTAINABLE ENERGY JOINT MEETING**

**WHEREAS**, Local Units of the State of New Jersey are authorized to enter into a joint contract to provide for the formation of a joint meeting for the joint procurement of natural gas, electricity and other forms of energy as permitted by N.J.S.A. 40A:65-14 et seq.; and

**WHEREAS**, the statutes regulating the creation and establishment of a Joint Meeting contain a mechanism for local units to aggregate their collective energy consumption in order to negotiate and contract for energy in a cost-effective, environmentally sensitive manner, furthering the public interest entrusted to such a Joint Meeting; and

**WHEREAS**, the governing body of the Town of Dover has determined that membership in the Joint Meeting is in the best interest of the Town of Dover.

**NOW THEREFORE, BE IT RESOLVED**, that the governing body of the Town of Dover does hereby resolve and agree to become a member in the New Jersey Sustainable Energy Joint Meeting (NJSEM) for the purpose of joining with other Local Units in the State to aggregate purchasing power of energy so as to achieve financial savings and to encourage Local Units to cooperate in seeking ways to jointly implement sustainable energy alternatives;

**BE IT FURTHER RESOLVED** that the Mayor is authorized to execute the Joint Contract Joinder Agreement,

attached hereto, and that William Close is hereby designated to represent the Local Unit as a member of the State Management Committee of the NJSEM; and

**BE IT FURTHER RESOLVED** that the Mayor is authorized and directed to execute such other documents signifying their membership in the NJSEM, and make payment of the Initial Membership Fee of \$600 as required by the NJSEM's Bylaws and to deliver same to the Executive Director of the NJSEM.

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

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

**LOCAL FINANCE BOARD**  
(SEE ATTACHED)

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

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

**PUBLIC COMMENTS – Three Minutes per Person**

**EDWARD CORREA** – 88A E. Blackwell Street – Mr. Correa is very concerned with the increased number of incidents involving pedestrians in the Route 46 area. He expressed that last week a young gentleman from Mexico was struck by a vehicle. He asked Mayor Dodd for assistance with arranging a meeting with the authorities and the board to develop a plan to decrease the amount of incidents on Route 46.

Mayor Dodd expressed that the administration takes these situations very seriously. Mayor Dodd noted that this administration will do whatever it can do in its power to have a safe walking community. He understands Mr. Correa's concerns and encouraged him to offer any help that he can to benefit the community. Mayor Dodd expressed that it's in the best interest at this time to allow the professionals (here) to do their part. Mayor Dodd asked the Administrator through the Planning and Engineer Department to reach out to the people on the state level to address the concerns and allow us the opportunity to gather data that is needed. Mayor Dodd asked Mr. Correa to contact Mr. Close to arrange a meeting and thanked Mr. Correa for his concern.

**EDNA HAYES** – 10 Mt. Hope Avenue – Mrs. Hayes noted that she was able to see the accident and expressed that she's scared to walk in the area.

**WALT SLICKER** – 10B Bowlby Place – Mr. Slicker provided the Administrator with pictures of the tree on Audrey Place that needs to be removed. He expressed that a lot of money was spent on Penn Avenue with the third or fourth phase of milling and paving project and noted that there's a section that needs repairs. He stated it should be looked into because money is being wasted.

**EMILIO LEMOS** – Second Street – Mr. Lemos also expressed his concerns regarding the Route 46 incident and noted other issues in the community. He expressed that the Municipal Alliance does a great job with the children. He noted his concern with pubs selling alcohol at an early time and expressed it's a sad situation for everyone around. He congratulated Officer Delaney for his great work in the community.

**MARIE TAMBINI** – 6-16 E. Blackwell Street – Ms. Tambini commented that the flea market is much better in reference to her previous concerns. Ms. Tambini wanted to know if owners have to register their property with the town if it's rented. Mayor Dodd noted that every time a property is transferred (sold or rented) there must be a Certificate of Compliance issued.

Alderman Poolas added that a thank you card was received from Emily Fernandez, a young girl who attended her first (Memorial Day) parade.

**Motion made by Alderwoman Romaine to adjourn at 8:42 p.m.,  
Seconded by Alderman Picciallo and passed by the following voice vote.**

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

**Respectfully submitted,**

**Margaret J. Verga, Municipal Clerk**