



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
July 23, 2013 7:00 PM

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

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

All joined in the Pledge of Allegiance to the Flag.

ROLL CALL:

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

Absent: Aldermen Romaine, Downs & Noriega

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

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

MUNICIPAL CORRESPONDENCE:

1. Ordinance from the Township of Mine Hill re: Adopting a complete revision to Chapter 25, "Land Use Ordinance", of the revised general ordinances of the Township of Mine Hill
2. Resolution from the Borough of Butler re: Opposing Senate Bill 252 and Assembly Bill 3713 Amendments to Open Public Meetings Act (OPMA)
3. Resolution from the Borough of Butler re: Opposing Senate Bill 252 and Assembly Bill 3712 Amending the Open Public Records Act (OPRA)
4. Notice of Public Hearing – Town of Dover's Planning Board – SW Dover I, L.P. – Commerce Center Drive, Dover – Block 901, Lots 1.03
5. Letter from Dover Area Historical Society re: The condition, maintenance and preservation of the two Dover Dog statues located at town hall.
6. Letter from NJ Dept. of Environmental Protection re: The many events and natural resources that is available for the constituents at NJ's parks, forest, historic sites and wildlife management areas.
7. Letter from NJ Dept. of Transportation (NJDOT) re: Accepting application for NJDOT's FY 2014 State Aid programs

Mayor Dodd is proud to announce that Town of Dover is a recipient of a \$200,000 Baseball Tomorrow Grant. He noted that the grant will be used for renovation of King Field Baseball Complex, which consists of four fields. Mayor Dodd thanked the staff and Millennium Strategies (grant consultants) for their work in obtaining the grant.

Mayor Dodd also announced that the Town of Dover will receive a \$49,000 SAFE Corridor Grant that can be used for enforcement, equipment, police vehicle, radar hardware & software and salaries.

CONSENT AGENDA

1. Resolution Approving Chapter 159 – SAFE Corridor Grant
2. Resolution Approving Chapter 159 – Baseball Tomorrow Fund
3. Resolution Identifying the CDBG Fair Housing Officer Public Facilities Reconstruction Project
4. Resolution Approving Grant Management Plan for a Public Facilities Reconstruction Project
5. Resolution Approving the Citizen Participation Plan for Public Facilities Reconstruction Project
6. Resolution Approving the CDBG Fair Housing Officer for Housing Rehabilitation Projects
7. Resolution Approving Grant Management Plan for Housing Rehabilitation Projects
8. Resolution Approving Citizen Participation Plan for Housing Rehabilitation Projects

ORDINANCE FOR INTRODUCTION

1. Ord. No. 14-2013 – Establishing stop signs on along Baker and Parker Street

ORDINANCE FOR SECOND READING/PUBLIC HEARING

1. Ord. No. 11-2013 –Bond Ordinance Providing for Various Water Utility Improvements
2. Ord. No. 12-2013 – Bond Ordinance Providing for Various Capital Improvements
3. Ord. No. 13-2013 – Bond ordinance Cancelling Previous Bond Balance & Re-appropriating same

AGENDA ITEMS:

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Approving Limos – Schedule A
3. Resolution Approving Mayor & Board of Aldermen Meeting Minutes for June 25, 2013 & July 9, 2013
4. Resolution Approving Special Police Officers
5. Resolution Approving “Responsible Bidder” resolution
6. Resolution Approving the execution of grant agreement for Baseball Tomorrow Fund

Alderman Picciallo abstained from line item #13-00586 of the Bills List.

**REGULAR MEETING MINUTES
JULY 23, 2013**

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

The meeting was called to order by Mayor Dodd at 7:08 pm

ROLL CALL

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

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

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

Mayor Dodd opened the meeting to the public.

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

MAYOR'S REPORT: Mayor Dodd reminded the public that there will be an outdoor movie night at JFK Park on Friday, July 26th and it will feature Hotel Transylvania; the park opens at 7pm. The next free summer concert sponsored by Dover Renaissance will be held on Sunday August 4th at 7pm at JFK Park. The Fire Department will host its Clam Bake & Pig Roast on August 3rd from noon to 6pm with a rain date of August 4th. He announced that the Senior Citizen Picnic will be held on Thursday, September 6th and arrangements are underway by Alderwoman Blackman and a host of volunteers. The library had some extensive damage to the roof which caused interior damage. The roofing company, electrician and cleaning crews have started with the repairs. The library is anticipated to be closed through the middle of August. He noted that Leonard Street Road Improvements Project was milled and paved last Monday & Tuesday, striping and signage were installed on Friday. The contractor will be required to re-do top soil and seed in the fall. We are receiving quotes for asphalt testing and once the testing is found to be in compliance, the project will be complete. Also, the Lawrence Street Improvement Project is underway. Mayor Dodd is pleased to announce that a member of Dover Boy Scout Troop #64, Michael Vazzuto, has completed all the requirements for attaining Eagle Scout designation. He expressed that is quite an accomplishment in achieving scouting's highest honor.

ATTORNEY'S REPORT - No report

CONSENT AGENDA

RESOLUTION CHAPTER 159

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 2013 in the sum of \$49,140.55; which item is now available as revenue from the State of New Jersey, Department of Transportation, Safe Corridor Grant pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED that a like sum of \$49,140.55 be and the same is hereby appropriated under the caption of

Public and Private Programs Offset by Revenues:
Safe Corridor Grant

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

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

RESOLUTION CHAPTER 159

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 2013 in the sum of \$200,000.00; which item is now available as revenue from Major League Baseball, Major League Baseball Players Association, Baseball Tomorrow Fund pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED that a like sum of \$200,000.00 be and the same is hereby appropriated under the caption of

Public and Private Programs Offset by Revenues:
Baseball Tomorrow Fund

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

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

RESOLUTION IDENTIFYING CDBG FAIR HOUSING OFFICER

WHEREAS, the Town of Dover has applied for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (hereinafter DCA) for a public facilities reconstruction project within the Town of Dover; and

WHEREAS, the public facilities project will be constructed in the Fairview, Front, Baker and Pequannock Street area; and

WHEREAS, the Town of Dover must make efforts to affirmatively further fair housing; and

WHEREAS, the Town of Dover has made assurances in the grant agreement that:

1. It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and
2. It will comply with the Civil Rights Act of 1964, and the regulations issued thereto; and
3. It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
4. It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that William Close, Administrator shall be designated as the Fair Housing Officer for the Town of Dover.

BE IT FURTHER RESOLVED that the Fair Housing Officer shall contact the US HUD Regional Office of Housing and Equal Opportunity and the NJ Division of Civil Rights, inform those agencies of his appointment as Fair Housing Officer and request Fair Housing Information; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair Housing advisory services and assistance and referral advice to persons requesting such assistance from the Town of Dover; and

BE IT FURTHER RESOLVED that the Town of Dover will publish in the local newspaper of record and post at the Town Hall a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

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

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

GRANT MANAGEMENT PLAN
TOWN OF DOVER, MORRIS COUNTY, STATE
OF NEW JERSEY RESOLUTION

WHEREAS, the Town of Dover has applied for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs for a public facilities reconstruction project; and

WHEREAS, the Grant Agreement requires the Town of Dover to comply with all federal regulations with respect to grant management; and

WHEREAS, the Town of Dover has reviewed the Grant Management Plan prepared for Small Cities Community Development Block Grant submission; and

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

The Grant Management Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Town of Dover; and

The Town of Dover will follow all regulations set forth in that document throughout the term of the Grant Agreement.

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

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

CITIZEN PARTICIPATION PLAN
TOWN OF DOVER, MORRIS COUNTY, STATE
OF NEW JERSEY RESOLUTION

WHEREAS, the Town of Dover has applied for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs for Town of Dover public facilities projects; and

WHEREAS, the Grant Agreements require the Town of Dover to comply with all federal regulations with respect to citizen participation; and

WHEREAS, the Town of Dover has reviewed the Citizen Participation Plan prepared for Small Cities Community Development Block Grant grantees; and

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

The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Town of Dover; and

The Town of Dover will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above.

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

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

RESOLUTION IDENTIFYING CDBG FAIR HOUSING OFFICER

WHEREAS, the Town of Dover has applied for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (hereinafter DCA) for housing rehabilitation projects within the Town of Dover; and

WHEREAS, these housing rehabilitation projects will be constructed throughout the Town and directly benefit qualified low to moderate income residents; and

WHEREAS, the Town of Dover must make efforts to affirmatively further fair housing; and

WHEREAS, the Town of Dover has made assurances in the grant agreement that:

1. It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and
2. It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and
3. It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
4. It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that William Close, Administrator shall be designated as the Fair Housing Officer for the Town of Dover.

BE IT FURTHER RESOLVED that the Fair Housing Officer shall contact the US HUD Regional Office of Housing and Equal Opportunity and the NJ Division of Civil Rights, inform those agencies of his appointment as Fair Housing Officer and request Fair Housing Information; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair Housing advisory services and assistance and referral advice to persons requesting such assistance from the Town of Dover; and

BE IT FURTHER RESOLVED that the Town of Dover will publish in the local newspaper of record and post at the Town Hall a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

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

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

GRANT MANAGEMENT PLAN
TOWN OF DOVER, MORRIS COUNTY, STATE
OF NEW JERSEY RESOLUTION

WHEREAS, the Town of Dover has applied for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs for housing rehabilitation projects; and

WHEREAS, the Grant Agreement requires the Town of Dover to comply with all federal regulations with respect to grant management; and

WHEREAS, the Town of Dover has reviewed the Grant Management Plan prepared for Small Cities Community Development Block Grant submission; and

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

The Grant Management Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Town of Dover; and

The Town of Dover will follow all regulations set forth in that document throughout the term of the Grant Agreement.

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

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

CITIZEN PARTICIPATION PLAN
TOWN OF DOVER, MORRIS COUNTY, STATE
OF NEW JERSEY RESOLUTION

WHEREAS, the Town of Dover has applied for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs for Town of Dover housing rehabilitation projects; and

WHEREAS, the Grant Agreements require the Town of Dover to comply with all federal regulations with respect to citizen participation; and

WHEREAS, the Town of Dover has reviewed the Citizen Participation Plan prepared for Small Cities Community Development Block Grant grantees; and

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

The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Town of Dover; and

The Town of Dover will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above.

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

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

ORDINANCE FOR INTRODUCTION

ORDINANCE NO. 14-2013
ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
ESTABLISHING STOP SIGNS ALONG BAKER AND PARKER STREET

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

1. Pursuant to N.J.S.A. 39:4-8b(1)c, there is hereby established a stop intersection along Baker Street in the southbound direction at the intersection with Parker Street and along Baker Street in the northbound direction at the intersection with Parker Street.
2. Pursuant to N.J.S.A. 39:4-8b(1)c, the established stop intersection along Parker Street in both the eastbound and westbound directions is hereby abolished.
3. This ordinance shall be submitted to the Municipal Engineer and he shall, under his seal as a licensed professional engineer, certify to the governing body of Dover that the signs and their placement have been approved by the engineer after investigation of the circumstances, and that it appear to the engineer to be in the interest of safety and expedition of traffic on the public highways and conforms to the current standards prescribed by the manual of the uniform traffic control devices for streets and highways as adopted by the Commissioner of Transportation, all as required by N.J.S.A. 39:4-8.
4. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.
5. If any section, subsection, sentence, clause, phrase, or portion of the ordinance is for any reason held invalid or unconstitutional by an 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.
6. The Ordinance shall not take effect until it is approved by the Commissioner of Transportation of the State of New Jersey.

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

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

ORDINANCE FOR SECOND READING/PUBLIC HEARING

ORDINANCE NO. 11-2013

BOND ORDINANCE PROVIDING FOR VARIOUS WATER UTILITY IMPROVEMENTS, APPROPRIATING THE SUM OF \$500,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$500,000 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 improvement and purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Town of Dover, County of Morris, New Jersey (hereinafter referred to as the "Town"). For said improvement or purpose stated in Section 3 of this bond ordinance, there is hereby appropriated \$500,000, said sum being inclusive of all appropriations heretofore made therefore. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as this Bond Ordinance authorized obligations for a purpose which is self-liquidating and deductible from the gross debt of the Town as set forth in N.J.S.A. 40A2-7(h) of 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 improvement or purpose and to meet the part of said \$500,000 appropriation not otherwise provided for hereunder, negotiable bonds of the Town are hereby authorized to be issued in a principal amount not to exceed \$500,000 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 \$500,000 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 \$500,000, 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	Bonds or Notes Authorized	Useful Life (years)
1. Interconnect rehabilitation Victory Gardens, including all costs, improvements and appurtenances related thereto or necessary therefore.	\$15,000	\$15,000	40

2. Installation of and acquisition of Crane Hill Booster Pump including all costs, improvements and appurtenances related thereto or necessary therefore.	\$95,000	\$95,000	40
3. Booster Pump #1 and #3 rehabilitation, including all costs, improvements and appurtenances related thereto or necessary therefore.	\$120,000	\$120,000	40
4. Adams Avenue Water Main Replacement, including all costs, improvements and appurtenances related thereto or necessary therefore.	\$75,000	\$75,000	40
5. Bassett Highway Water Main Extension, including all costs, improvements and appurtenances related thereto or necessary therefore.	\$60,000	\$60,000	40
6. Service Meter Replacements (250), including all costs, improvements and appurtenances related thereto or necessary therefore.	\$100,000	\$100,000	15
7. Booster Service Area MCMUA Meter, including all costs, improvements and appurtenances related thereto or necessary therefore.	\$35,000	\$35,000	15
TOTALS:	\$500,000	\$500,000	

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

- (a) The purpose described in Section 3 of this Bond Ordinance is not a current expense and is property or an improvement which the Town may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of such purpose is within the limitations of the Local Bond Law taking into consideration the amount of the said obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, the period of usefulness is 33.25 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 \$500,000 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 \$100,000 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.

Section 7. The Governing body of the Town hereby covenants on behalf of the Town, to the extent any debt obligations are issued as tax-exempt debt obligations, to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of such debt obligations authorized hereunder and issued as tax-exempt obligations as is required under the Internal Revenue Code of 1986, as amended, including compliance with said Code with regard to the use, expenditure, investment, timely reporting and the rebate of investment earnings as may be required thereunder.

Section 8. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Town, and unless paid from other revenues of the Town, the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 9. The Town reasonably expects to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 of this ordinance and paid prior to the issuance of any bonds or notes authorized by this ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Town, or any member of the same "control group" as the Town, within the meaning of Treasury Regulations Section 1.150-1, pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.150-2, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

Section 10. To the extent that any previous ordinance or resolution is inconsistent with or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. The provisions of this bond ordinance are severable. To the extent any clause, phrase, sentence, paragraph, or provision of this ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

Mayor Dodd opened the meeting for public hearing on ordinance 11-2013.
Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public.

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

ORDINANCE NO. 12-2013

BOND ORDINANCE PROVIDING FOR VARIOUS GENERAL IMPROVEMENTS, APPROPRIATING THE SUM OF \$1,000,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$950,000 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 improvement and purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Town of Dover, County of Morris, New Jersey (hereinafter referred to as the "Town"). For said improvement or purpose stated in Section 3 of this bond ordinance, there is hereby appropriated \$1,000,000, said sum being inclusive of all appropriations heretofore made therefore including the sum of \$50,000 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 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 improvement or purpose and to meet the part of said \$1,000,000 appropriation not otherwise provided for hereunder, negotiable bonds of the Town are hereby authorized to be issued in a principal amount not to exceed \$950,000 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 \$950,000 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 \$950,000, 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)
Various Road Improvement Projects including but not limited to First Street, Mountain Avenue, Maple Avenue, Watson Street, Central Avenue, and Princeton & Baker Avenues, including curb replacements, and roadway striping, including all costs, improvements and appurtenances related thereto or necessary therefore.	\$1,000,000	\$50,000	\$950,000	10

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

- (a) The purpose described in Section 3 of this Bond Ordinance is not a current expense and is property or an improvement which the Town may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of such purpose is within the limitations of the Local Bond Law taking into consideration the amount of the said obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, the period of usefulness is 10 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 \$950,000 and obligations authorized hereunder will be within all debt limitations prescribed by the Law.

- (d) Amounts not exceeding \$100,000 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.

Section 7. The Governing body of the Town hereby covenants on behalf of the Town, to the extent any debt obligations are issued as tax-exempt debt obligations, to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of such debt obligations authorized hereunder and issued as tax-exempt obligations as is required under the Internal Revenue Code of 1986, as amended, including compliance with said Code with regard to the use, expenditure, investment, timely reporting and the rebate of investment earnings as may be required thereunder.

Section 8. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Town, and unless paid from other revenues of the Town, the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 9. The Town reasonably expects to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 of this ordinance and paid prior to the issuance of any bonds or notes authorized by this ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Town, or any member of the same "control group" as the Town, within the meaning of Treasury Regulations Section 1.150-1, pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.150-2, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

Section 10. To the extent that any previous ordinance or resolution is inconsistent with or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. The provisions of this bond ordinance are severable. To the extent any clause, phrase, sentence, paragraph, or provision of this ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

Mayor Dodd opened the meeting for public hearing on ordinance 12-2013.
Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public.

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

ORDINANCE NO. 13-2013

BOND ORDINANCE CANCELING APPROPRIATIONS IN THE AMOUNT OF \$424,085.45 FROM PREVIOUSLY ADOPTED BOND ORDINANCES AND DETERMINING THAT SAID APPROPRIATIONS, INCLUDING BOND PROCEEDS, ARE NO LONGER NEEDED FOR THE PURPOSES SET FORTH IN SAID ORDINANCE AND TRANSFERRING SAID AMOUNT TO THE CAPITAL SURPLUS FUND AND APPROPRIATING THE SUM OF \$424,000 TO FUND THE COST OF CERTAIN GENERAL IMPROVEMENTS 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. Pursuant to the Local Bond Law (N.J.S.A. 40A:2-1 et seq.) and the Local Budget Law (N.J.S.A. 40A:4-1 et seq.) of the State of New Jersey, including N.J.S.A. 40A:2-39, the Town of Dover, County of Morris, State of New Jersey (hereinafter the "Town") hereby determines that \$424,085.45 of capital appropriations, including bond proceeds as hereinafter set forth, are not necessary for the purposes set forth in the Bond Ordinance authorizing said appropriations and that it is in the best interests of the Town to cancel said appropriations and to transfer said amount to the Capital Surplus Fund of the Town, and to reappropriate said amount to other bondable projects of Town, as set forth herein. Further, the description and the authorization for the acquisition, construction and/or installation of the projects and improvements previously authorized are hereby amended as set forth hereinafter in Section 2 of this ordinance.

Section 2. The authorization and appropriation in the amount of \$424,085.45 including bond proceeds, for the improvements hereinafter set forth are hereby canceled and the sum of \$424,085.45 is transferred to the Capital Surplus Fund (provided said funds are used for another project or projects for which bonds may be issued, and as set forth in Section 3 hereof), and the authorizations and appropriations set forth in the Bond Ordinance authorizing same is hereby amended as follows:

<u>Bond Ordinance Number</u>	<u>Appropriation to Be Canceled</u>
Bond Ordinance No. 17-2006	\$16,235.84
Bond Ordinance No. 18-2007	\$4,944.92
Bond Ordinance No. 29-2008	\$30,006.45
Bond Ordinance No. 14-2009	\$13,561.53
Bond Ordinance No. 16-2010	\$214,357.71
Bond Ordinance No. 18-2011	\$34,000
Bond Ordinance No9-2012	\$979.00
Bond Ordinance No18-2007	\$60,000
Bond Ordinance No5-2011	\$50,000
	\$424,085.45

Section 3. The amount of \$424,000 is hereby appropriated from the Capital Surplus Fund as a supplemental appropriation for the improvement hereby authorized and reauthorized as follows:

<u>Improvement/Acquisition</u>	<u>Capital Surplus Fund</u>
1) Sprinkler System/ Town Hall, including all costs, equipment, improvements, and/or appurtenances necessary therefor or related thereto.	\$114,000
2) King Field Improvements, including all equipment, improvements, appurtenances and cost related thereto or necessary therefor.	\$250,000

3) VMB at JFK Park, including all costs, equipment, improvements, and/or appurtenances necessary therefor or related thereto.	\$40,000
4) New Vehicle for Code Enforcement, including all costs, equipment, improvements, and/or appurtenances necessary therefor or related thereto.	\$20,000
TOTALS	\$424,000

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 benefitted thereby.

(b) The period of usefulness according to the reasonable life thereof computed from the date hereof is 10 years.

(c) Amounts not exceeding \$0 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. 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.

Section 6. To the extent that any previous Bond Ordinance or resolution is inconsistent with or contradictory hereto, said Bond Ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 7. The provisions of this Bond Ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this Ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 8. This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

Mayor Dodd opened the meeting for public hearing on ordinance 13-2013. Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public.

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

RESOLUTIONS

BILL LIST RESOLUTION

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

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

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

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

RESERVE ACCT claims in the amount of:	\$0.00
CURRENT ACCT claims in the amount of:	\$252,105.98
GENERAL CAPITAL ACCT claims in the amount of:	\$14,780.00

WATER UTILITY ACCT claims in the amount of:	\$7,134.23
WATER UTILITY RESERVE ACCT claims in the amount of:	\$0.00
WATER CAPITAL ACCT claims in the amount of:	\$8,145.50
PARKING UTILITY ACCT claims in the amount of:	\$95.01
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$0.00
PARKING CAPITAL ACCT claims in the amount of:	\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$205.20
EVIDENCE TRUST ACCT claims in the amount of:	\$0.00
RECYCLING TRUST ACCT claims in the amount of:	\$0.00
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	\$0.00
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	\$1,081.85
TRUST/OTHER ACCT claims in the amount of:	\$3,111.49
COAH TRUST Acct claims in the amount of:	\$0.00
TOTAL CLAIMS TO BE PAID	\$286,659.26

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:	\$370,065.06
WATER UTILITY ACCT claims in the amount of:	\$23,696.78
PARKING UTILITY ACCT claims in the amount of:	\$2,645.24
PAYROLL AGENCY ACCT claims in the amount of:	\$183,226.27
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$139.12
TOTAL CLAIMS PAID	\$579,772.47
TOTAL BILL LIST RESOLUTION	\$866,431.73

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

Alderman Picciallo abstained from line item #13-00586

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

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

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

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

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

Schedule A

AXELS EXPRESS LIMO & TAXI LLC

'07 Lincoln TC	1LNHM84W27Y610025	OL6092H
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ELITE LIMO & TAXI SERVICE LLC

'03 Lincoln	1LNHM82W43Y653827	OL3453H
'05 Toyota	5TDZA22C85S238321	OL2529J
'06 Dodge	2D4GP44LX6R662997	OL2528J
'07 Dodge	2D4GP44L97R171211	OL2526J

FIRST CLASS OF DOVER, INC

'01 Toyota	4T3ZF13CO1U321003	OL1030J
'03 Lincoln	1LNHM81W63Y608938	OL2512J

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

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

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

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

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

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

June 25, 2013 – Caucus & Regular
July 9, 2013 – Caucus & Regular

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

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

Mr. Rosell, Public Safety Director recommends Mr. Campbell and Ms. Covine to be hired as specials. Mr. Campbell is a retired police sergeant from Chester Borough and has a valid police training certificate. He will be able to start once a background check has been completed. Mr. Campbell will be used for various quality life issues in the town. Ms. Corvine will be a part time/per diem police matron. He noted that she would be good addition to the police department. He noted that she will be able to transition to a special police officer, once she completes the police academy training program.

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPOINTING SPECIAL POLICE OFFICERS**

BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover that the following be and hereby are appointed **SPECIAL LAW ENFORCEMENT OFFICERS** for the Town of Dover for a term of one (1) year commencing January 1, 2013 upon successful completion of their background investigations.

CLASS I: Laura C. Covine

CLASS II: Charles J. Campbell Sr.

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

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

"RESPONSIBLE" BIDDER RESOLUTION
TOWN OF DOVER, MORRIS COUNTY, NEW JERSEY

WHEREAS, the Town of Dover has a compelling interest in ensuring that all its contracts for construction projects that it undertakes or for which it provides financial assistance are performed promptly, at reasonable costs and with the highest degree of quality and for that reason shall implement this Resolution whenever deemed practicable and in the best interests of the community; and

WHEREAS, the Town of Dover also seeks to ensure that job opportunities generated by contracts as described above are also utilized to help local citizens gain access to employment opportunities; and

WHEREAS, the Town of Dover finds that it is in its best interest to define the term "responsible" as contained in competitive bidding statutes governing its purchases of construction goods and services; and

WHEREAS, the Town of Dover wishes to ensure that contracts are awarded in an atmosphere that invites competition and guards against favoritism, improvidence, arbitrary conduct, extravagance, fraud and corruption, so as to secure the best work or supplies at the lowest cost practicable; and

WHEREAS, the Town of Dover possesses great discretion in determining the "lowest responsible bidder" and is entitled to specify the terms of the contract when it solicits bids and the criteria that bidders must meet in order to be considered a "responsible" bidder in the exercise of its proprietary duties and responsibilities; and

WHEREAS, the contracting authority of the Town of Dover is entrusted with the power to determine whether a respective bidder is the "lowest responsible bidder;" and

WHEREAS, the Town of Dover solicits bids and/or proposals on many different types of construction contracts with varying factors affecting each purchasing decision, and therefore must take into account reasonable benefits to the community's welfare arising from each bid and in the exercise of its proprietary functions.

NOW, THEREFORE, BE IT RESOLVED, that financial responsibility is an important factor in determining the lowest responsible bidder, and the Town of Dover, through its contracting authority, shall require an entity that bids on a public construction contract or on a private construction contract that receives financial assistance produce satisfactory evidence that the business entity is properly registered and authorized to conduct the type of work to be performed, including evidence that demonstrates that the entity possesses or complies with all valid licenses, registrations or certificates required by the federal, state, or county law, as well as complying with the general business license requirements of the Town of Dover prior to the award and during the term of the contract.

Additionally, the contracting authority, in order to make its determination as to whether the bidding entity is responsible, shall confirm and substantiate that the contract awardee can reasonably be expected to complete and perform under the contract specifications, and the contracting authority may require the successful bidder to post a bid performance, wage/fringe benefit, and/or material bond(s). The contracting authority shall also determine if the successful bidder can reasonably be expected to complete the project within the time constraints as delineated in the request for bids and/or proposals. The contracting authority shall also determine if the bidding entity maintains a satisfactory level of past performance and integrity as well as possesses the financial, supervisory, personnel, material, equipment, and other resources and expertise to satisfactorily meet its contractual responsibilities and obligations. The contracting authority shall also determine as a condition of being deemed "responsible" that the successful bidder has not been debarred by any federal, state, county or local agency or authority within the past three years or has not been convicted of any crime related to the construction business.

BE IT FURTHER RESOLVED, that social responsibility is a concern in awarding public contracts, and the contracting authority shall factor in its determination of whether a bidder is "responsible," such factors as bidder's record of conformity with environmental, labor, and health and safety laws including compliance with the requirements of the U.S. Department of Labor's Occupational Safety & Health Administration or the New Jersey Department of Labor and Workforce Development. The bidder and all its subcontractors must participate in an apprenticeship program, registered and approved by the United States Department of Labor, for each separate trade or classification for which it employs craft employees. All bidders and subcontractors must continue to participate in such apprenticeship programs for the duration of the project. In addition, the bidder and any and all of its subcontractors, will be required to show that such apprenticeship programs graduated apprentices to journey-person status for three of the past five years. Furthermore, the bidder shall be required to demonstrate and affirm that it is in compliance with the provisions of N.J.S.A. C.34:20-1 et seq. "Construction Industry Independent Contractor Act."

BE IT FURTHER RESOLVED, that all bidding entities must provide satisfactory evidence that it provides a benefit configuration being no less than required under N.J.S.A. C.34:11-56.25 et seq., the "New Jersey Prevailing Wage Act," is minimally required to demonstrate that a bidding entity is "responsible." Furthermore, the bidder shall affirm that it has made a good faith effort to provide 40% of all project work hours to residents of the Town of Dover. For the purposes of this section, good faith effort shall constitute a minimum of at least two community job fairs related to the construction of this project and adherence to the aforementioned provisions of being considered a "responsible bidder." Should it be established, after awarding a contract that any of the information required by this resolution and provided by the bidding entity to the Town of Dover was falsified or inaccurate, the contract shall be voided. If any provision of the resolution shall be held to be invalid or unenforceable by a court of competent jurisdiction, any such holding shall not invalidate any other provisions of this resolution and all remaining provisions shall remain in full force and effect.

The following definitions shall govern this resolution:

Public Construction Contract shall mean any public construction project for the construction, reconstruction, demolition, or renovation of buildings at the public expense, **required to be bid under the Local Public Contracts Law**, which it is required by law that workers be paid prevailing wage determined by the Commissioner of Labor pursuant to the provisions of the "New Jersey Prevailing Wage Act," P.L. 1963, c.150 (C.34:11-56.25 et seq.). **Roadway projects are hereby specifically excluded from compliance with this Resolution.**

Financial Assistance shall mean something of economic value provided by the Town of Dover to a private entity, expressly articulated or identified in writing by the Town of Dover, including, but not limited to loans, loan guarantees, grants, tax exemptions, tax abatements, tax incentive financing, and rent subsidies or reductions approved, funded, authorized, administered or provided by the local government entity or any of its instruments in connection with construction.

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 Visioli, Picciallo, Blackman, Rutan, Yzarotegui & Mayor Dodd
Nays: None Absent: Alderman Romaine, Downs, Noriega Abstained: None

RESOLUTION

APPROVAL TO EXECUTE A GRANT AGREEMENT WITH THE BASEBALL TOMORROW FUND WHICH IS A JOINT INITIATIVE OF MAJOR LEAGUE BASEBALL AND THE MAJOR LEAGUE BASEBALL PLAYERS ASSOCIATION TO RENOVATE FOUR YOUTH BASEBALL/SOFTBALL FIELDS AT THE KING FIELD COMPLEX

NOW, THEREFORE, BE IT RESOLVED that Mayor and Board of Aldermen of the Town of Dover formally accepts the grant in the amount of \$200,000.00 for the above stated project.

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

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

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

PUBLIC COMMENTS

No public comments

**Motion to adjourn made by Alderman Visioli at 7:19 pm,
and duly seconded by Alderman Picciallo passed by the following voice vote.**

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk