



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
September 10, 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, Romaine, Blackman, Rutan, Noriega, Yzarnotegui and Mayor Dodd

Absent: Alderman Downs

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

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

MUNICIPAL CORRESPONDENCE:

1. Notice of Public Hearing for the Adoption of the Periodic Re-Examination Report and Resolution on September 16th at 7:30pm – Township of Rockaway
2. Notice of Public Hearing – Jersey Central Power & Light Re: Notice of Proposed Increase in Societal Benefits Charge and Notice of Public Hearing
3. Mayor's Advisory from NJLM re: Public Health Reminder-West Nile Season
4. Fax from Cablevision re: ESPN 3D ceasing operation
5. Fax from Cablevision re: Tariff filed with OCTV

CONSENT AGENDA

1. Resolution Approving Limo Licenses (Schedule A)
2. Approving One-Day Special Permit for Casa Puerto Rico to be held on 10/11/2013
3. Approving One-Day Special Permit for Casa Puerto Rico to be held on 12/31/2013

ORDINANCE FOR INTRODUCTION

1. Ord. No. 16-2013 – Providing for Recreation Field and Park Improvements/Ald. Romaine

Mayor Dodd explained that the bond ordinance would add additional funds for King Field, the playground equipment at JFK Park and drainage at Crescent Field.

Alderman Visioli wanted to know if the drainage is at the north side of Crescent Field, near the fence line. Mayor Dodd noted that it is and that there's a manhole that needs to be raised and there's also a situation where the run-off is going onto the field and trench drainage needs to be installed.

ORDINANCE FOR SECOND READING

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

AGENDA ITEMS:

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Amending Capital Budget
3. Resolution Authorizing Extension of Grace Period for Third Quarter 2013 Tax Payments
4. Resolution Authorizing Tax Redemption for 27 ½ Park Avenue, Block 1806 Lot 18.01
5. Resolution Approving a Volunteer Fire Department Member – Thomas Bartku
6. Resolution Awarding the King Field Ball Field Project to J.C. Landscape

Alderman Picciallo abstained from line item #13-01906 off the bills list.

REGULAR MEETING MINUTES
September 10, 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 7:09 pm

ROLL CALL

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

Absent: Alderman Downs

Also present were 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 reserved his report

ATTORNEY'S REPORT – Report reserved

CONSENT AGENDA

RESOLUTION

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

CITY LIMO AND TAXI INC

'03 Lincoln Towncar	1LNHM84WX3Y669947	OL1051J
'04 Lincoln Towncar	1LNHM84W54Y681697	OL1469H
'05 Lincoln Towncar	1LNHM85W25Y601126	OL1054J

AXEL'S EXPRESS LIMO & TAXI

'01 Dodge	1B8GP45371B152850	OL1623J
'03 Lincoln Towncar	1LNHM81W13Y650238	OL8035H
'05 Chrysler Wagon	2C8GP54L95R212614	OL9957H

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

Nays: None

Absent: Alderman Downs

Abstained: None

RESOLUTION

WHEREAS, Casa Puerto Rico, Inc., filed an application for their **sixth** Special Permit for a Social Affair to be held at the 50 W. Blackwell Street; and

WHEREAS, Casa Puerto Rico, Inc., a non-profit organization is permitted to have twenty-five events per year; and

WHEREAS, the Police Chief will determine what special conditions if any are 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 following applications for Alcoholic Beverage Social Affair Permit(s) be approved:

1. Casa Puerto Rico is approved for an event to be held on Saturday, October 11, 2013 (#5) from 7:00 pm through 2:00 am.
2. This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

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

RESOLUTION

WHEREAS, Casa Puerto Rico, Inc., filed an application for their **sixth** Special Permit for a Social Affair to be held at the 50 W. Blackwell Street; and

WHEREAS, Casa Puerto Rico, Inc., a non-profit organization is permitted to have twenty-five events per year; and

WHEREAS, the Police Chief will determine what special conditions if any are 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 following applications for Alcoholic Beverage Social Affair Permit(s) be approved:

1. Casa Puerto Rico is approved for an event to be held on Tuesday, December 31, 2013 (#6) from 8:00 pm through 5:00 am.
2. This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

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

ORDINANCE FOR INTRODUCTION

ORDINANCE NO. 16-2013

BOND ORDINANCE PROVIDING FOR RECREATION FIELD AND PARK IMPROVEMENTS, APPROPRIATING THE SUM OF \$85,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$57,000 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 \$85,000, said sum being inclusive of all appropriations heretofore made therefore including the sum of \$3,000 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 \$85,000 appropriation not otherwise provided for hereunder, negotiable bonds of the Town are hereby authorized to be issued in a principal amount not to exceed \$57,000 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 \$57,000 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 \$57,000, 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	Capital Fund Balance	Down Payment (Capital Improvement Fund)	Bonds or Notes Authorized	Useful Life (years)
Recreation Field and Park Improvements, including all costs, improvements and appurtenances related thereto or necessary therefore.	\$85,000	\$25,000	\$3,000	\$57,000	15

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 15 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 \$57,000 and obligations authorized hereunder will be within all debt limitations prescribed by the Law.

(d) Amounts not exceeding \$15,000 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.

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

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

ORDINANCE FOR SECOND READING

ORDINANCE 15-2013

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

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

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

SECTION 1. *Definitions - Loading Zone*

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

SECTION 2. *N. Morris Street*

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

SECTION 3. *Utilization of a Loading Zone*

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

SECTION 4. *Violation and Penalties*

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

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

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

Mayor Dodd opened the meeting for public comments on ordinance 15-2013. Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public.

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

RESOLUTIONS

BILL LIST RESOLUTION

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

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

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

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

RESERVE ACCT claims in the amount of:	\$485.00
CURRENT ACCT claims in the amount of:	\$1,706,494.96
GENERAL CAPITAL ACCT claims in the amount of:	\$70,299.20
WATER UTILITY ACCT claims in the amount of:	\$139,838.71
WATER UTILITY RESERVE ACCT claims in the amount of:	\$2,985.00
WATER CAPITAL ACCT claims in the amount of:	\$2,761.83
PARKING UTILITY ACCT claims in the amount of:	\$29,619.32
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$0.00
PARKING CAPITAL ACCT claims in the amount of:	\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$0.00
EVIDENCE TRUST ACCT claims in the amount of:	\$0.00
RECYCLING TRUST ACCT claims in the amount of:	\$512.50
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	\$0.00
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	\$0.00
TRUST/OTHER ACCT claims in the amount of:	\$4,530.50
COAH TRUST Acct claims in the amount of:	\$0.00

TOTAL CLAIMS TO BE PAID \$1,957,527.02

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:	\$335,603.90
WATER UTILITY ACCT claims in the amount of:	\$27,840.36
PARKING UTILITY ACCT claims in the amount of:	\$2,785.64
PAYROLL AGENCY ACCT claims in the amount of:	\$247,464.34
UNEMPLOYMENT TRUST ACCT claims in the amount of:	<u>\$36.10</u>
TOTAL CLAIMS PAID	\$613,730.34

TOTAL BILL LIST RESOLUTION **\$2,571,257.36**

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

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

AMENDING THE CAPITAL BUDGET

(Attached)

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AUTHORIZING EXTENSION OF GRACE PERIOD FOR THIRD QUARTER 2013 TAX PAYMENTS

WHEREAS, the budget of the Town of Dover could not be fixed due to delays in the State of New Jersey providing information and approving of same; and

WHEREAS, this has caused an issue with the cycle of tax bills as they could not be printed and distributed in a timely fashion; and,

WHEREAS, the tax bills for the second half of 2013 and the first half of 2014 will be delivered to the Town of Wednesday, August 7, 2013 and;

WHEREAS, additional grace time must be granted to taxpayers to pay their tax bills as taxes are due on the first day of August, 2013; and

WHEREAS, the new recommended grace period for third quarter taxes is September 3, 2013;

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. There is hereby approved an extension of the grace period from August 10, 2013 to September 3, 2013, during which time period payments received will not be considered delinquent.
2. The tax collector is hereby authorized to receive tax payments through September 3, 2013 without the imposition of a penalty, but all payments received after September 3, 2013 will receive the penalty for interest charges from August 1, 2013 to the date of payment.

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

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

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 3, 2012, a lien was sold on Block 1806 Lot 18.01 also known as 27 ½ Park Avenue, Dover, New Jersey for delinquent 2011 taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 11-00032 was sold to Phoenix Funding Inc.; and,

WHEREAS, redemption fees for Certificate No.11-00032 were received in full.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen, Town of Dover, County of Morris, State of New Jersey that the Treasurer be authorized to issue a check in the amount of \$19,434.93 for redemption payment and premium made at time of sale, payable to US Bank CUST for Phoenix, 2 Liberty Place - TLSG, 50 South 16th Street, Suite 1950, Philadelphia, PA. 19102.

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

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

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

RESOLUTION APPROVING A VOLUNTEER FIRE DEPARTMENT MEMBER

WHEREAS, the Town of Dover Fire Department has received an application for membership in the Dover Volunteer Fire Department from Thomas Bartku; and

WHEREAS, he has met all the requirements as stated in Chapter 20-4, Volunteer Fire Department;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Dover approve the membership of Thomas Bartku to the Volunteer Fire Department as a member of Protection Hook and Ladder.

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

RESOLUTION

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

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

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

WHEREAS, the apparent low bidder Turco Golf, Inc. did not include a list of sub-contractors as required by statute, N.J.S.A. 40A:11-16 and failure to do so is a non-waivable statutory requirement, therefore Turco Golf, Inc. bid is rejected; and

WHEREAS, the Municipal Engineer and Municipal Attorney recommend awarding the contract to the lowest responsive and responsible bidder, JC Landscape Construction, located at 8 Industrial Road, Pequannock, New Jersey 07440 in the amount of \$770,005.00; and

WHEREAS, the project will be funded Capitol Account #C-04-55-921-003, C-04-55-925-001, C-04-55-927-002, G-01-13-760-301, G-01-13-770-301 and 3-01-20-100-029; and

NOW THEREFORE, it is hereby RESOLVED by the Mayor and the Board of Aldermen of the Town of Dover, Morris County, New Jersey as follows:

1. The bid be awarded in the amount \$770,005.00 to JC Construction, Inc.; and

2. The Mayor and Clerk are hereby authorized to execute a contract with JC Construction, Inc. in the amount of \$770,005.00.

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

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

PUBLIC COMMENTS

FRED KANTOR – 81 Hanover Road, Mt. Lakes, NJ – Mr. Kantor is concerned with Mayor Dodd’s comments that Mr. Kantor should take the Town of Dover to court. He believes it’s a conflict when Mayor Dodd says that he has the responsibility for the health, safety and welfare of the residents of the Town of Dover but can go ahead and spend \$20,000 in legal fees when that money can be better spent on the residents. He feels that there’s a hostile atmosphere that comes from the Mayor since he’s the only one that speaks and he the only one that needs to be addressed. He feels that the Mayor’s action reflects that he wants Mr. Kantor to go away and that he’s not wanted there. Mr. Kantor noted that meeting minutes are not on the agenda which he believes is illegal. Mr. Kantor feels that the lawyer has failed to notify the board of the correct procedures on approving meeting minutes. He suggested to the board to get their paperwork in order and he will stop attending the meetings.

Mayor Dodd commented that Mr. Kantor alluded to the fact that every time the town consults a municipal attorney there’s additional expense to the taxpayers. Mayor Dodd confirmed that the attorney in this municipality is on a retainer which includes certain items (resolutions, ordinance, etc.) Mayor Dodd feels very confident with the attorney and the municipal clerk and values their opinions. He noted that Dover is doing the best that they possible can and they are not breaking the law in any shape or form and if there’s an oversight the Mayor is happy to correct it. Mayor Dodd believes that Mr. Kantor’s case was overturned in Superior Court but until Dover has the opportunity to research the case to make sure it’s identical to what Dover is dealing with, it cannot be taken at face value. He noted that Mr. Close reached out to Mr. Kantor for additional information and has not received any information. Mayor Dodd expressed that he will not make a recommendation on the ordinance until he reviews the findings.

PAULA MEYERS – 130 Baker Street, Dover – Ms. Meyers thanked the board for the wonderful picnic that was held for the seniors. Ms. Meyers expressed that her driveway behind her house is always blocked by other vehicles. Mayor Dodd noted that additional signs (No Parking) were installed and now it becomes an enforcement issue. Mayor Dodd noted that the issue will be addressed.

DOMINIC TIMPANI – Elm Street, Dover – Mr. Timpani noted that Alderman Downs has not been present at the meetings for a long time and would like to know why Mr. Downs is still on the board. Mayor Dodd expressed that (Alderman) Mr. Downs is very ill and he is not prepared to make a recommendation to replace Alderman Downs. He’s confident that the other aldermen would step up to the plate, if it was needed.

MARIE TAMBINI – 6-16 E. Blackwell Street, Dover – She thanked the board for the senior picnic and expressed that she looks forward to it every year.

PEGGY WRIGHT – Daily Record - She wanted an explanation on what happened to the Auxiliary Police. Mayor Dodd expressed that the Auxiliary Police is currently on hold until the Morris County Prosecutor’s Office approves the plan. The Town of Dover wants to continue with the Auxiliary Police but its pending the Prosecutor’s approval.

FRED KANTOR – 81 Hanover Road, Mt. Lakes, NJ – Mr. Kantor continued his comments by confirming the statement that was made by Mayor Dodd in regards to the attorney fees. Mr. Kantor expressed several issues with how the board introduced an ordinance without repealing the previous ordinance and noted that these are housekeeping rules that the board should have been made aware of.

DOMINIC TIMPANI – Elm Street, Dover – Mr. Timpani expressed that when he was on the board it was determined that by this time, the board would have hired three police officers. He noted that hiring seventeen (17) auxiliary police officers is not putting safety back into town. Mr. Timpani expressed that Mayor Dodd contradicted himself regarding the legal fees since other attorneys are brought in for ligation purposes.

Mayor Dodd noted that the personnel committee is in the process of hiring new police officers. Mayor Dodd expressed that the streets are safe and noted that negative news sells newspaper.

FRED KANTOR – 81 Hanover Road, Mt. Lakes, NJ – He continued with his feeling on the atmosphere of the meeting and noted that it came through when Alderman Timpani spoke and Mayor Dodd called him disgruntled. Mr. Kantor

expressed that the board should welcome the comments instead of working against them. Mr. Kantor is trying to bring the information forward to make it a better working machine.

ED CORREA – E. Blackwell Street, Dover – Mr. Correa asked why the Chief of Police is not overseeing the Auxiliary Police. Mayor Dodd noted that the Auxiliary Police falls under the Office of Emergency Management (OEM) but even under the OEM they still work hand in hand with the Chief of Police. Mr. Correa asked when Water Works Park would be fixed. Mayor Dodd noted that one of the problems is that Water Works Park is worn out because it does not have time to recover. Mayor Dodd recognized that there is a need for recreational fields and noted that there is no exact time as to when the Water Works Park would be reconstructed.

JOE SABO – He wanted to know if the gazebo at Hurd Park will ever be completed. Mayor Dodd noted that they hope to have it completed by the end of the year.

Alderwoman Blackman thanked the community, board members and employees of the Town of Dover for all the support that was given to her for the loss of her husband Nathan.

**Motion to adjourn made by Alderwoman Romaine at 7:56 pm,
and duly seconded by Mayor Dodd passed by the following voice vote.**

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk