



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
January 10, 2012 7:00 PM

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

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

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

ROLL CALL:

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

Also present were Attorney Downs, Administrator Close and Clerk Verga

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

MUNICIPAL CORRESPONDENCE:

1. Ordinance from the Borough of Rockaway, Amending Chapter 169, Land Use Admin. & Procedures, Article V, Fees & Escrow Deposits
2. Resolution from the Township of Mendham, Calling for improved storm response from JCP &L & commitment to develop a better storm action plan
3. Letter from Nisivoccia LLP confirming the services that they will provide the Town of Dover for the year end December 31, 2012
4. Notification letter from Brinkerhoff Environment Services, Inc. re: 267 US HWY. 46 (Block 2308, Lot 2)
5. NJ Department of Agriculture Seeks sponsors for summer food service program
6. Notice from Jersey Central Power & Light on the proposed increase in remediation adjustment clause and notice of public hearing
7. Letter of resignation from Manuel P. Fanarjian, Municipal Prosecutor
8. Invitation from the Morris County League of Municipalities: "State of the State" on February 15, 2012
9. Membership Advisory from NJ State League of Municipalities re: Executive Leadership Training for Mayor's and Council Presidents
10. Membership Advisory from NJ State League of Municipalities re: Orientation for the newly elected, re-elected, or experienced
11. Membership Advisory from NJ State League of Municipalities re: League Professional Development Seminar: "Budget Updates"
12. 2010-2011 Annual Report from Municipal Excess Liability Joint Insurance Fund
13. Letter from NJ Dept. of Environmental Protection re: 1 Christopher St.
14. Notice from Division of Local Government Service re: CY 2012 Municipal Transitional Aid to Localities Application Process
15. Letter from the State of NJ, Office of Planning Re: Six Public Hearings for the draft final stage strategic state plan: NJ's State Development & Redevelopment Plan

CONSENT AGENDA

1. Resolution Authorizing credit for Sewer Charges – 164 W. Chrystal St.
2. Resolution Authorizing the Town of Dover to participate in the First Responder Identification Card Program
3. Resolution Authorizing Contract with Randolph Township for 2012 Animal Control Services
4. Resolution Approving Raffle Licenses – Schedule A

Resolution cancelling stale dated checks was removed from the consent agenda and placed on the agenda items (below).

ORDINANCE FOR FIRST READING

1. Ordinance #01-2012 – Providing for a Handicapped Parking Space at 74 Prospect St.

AGENDA ITEMS:

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Approving Municipal Licenses for Social & Athletic Clubs – Schedule A
3. Resolution Approving Transfer Resolution
4. Resolution Appointing Board of Health Members – Judith Rugg & Darlene Kasko
5. Resolution Authorizing the Award of Contract for Special Municipal Counsel – David Pennella, Esq. (Pennella & Claps)
6. Resolution Cancelling Stale-Dated Checks

REGULAR MEETING MINUTES
January 10, 2012

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 7:14pm

ROLL CALL

Present: Aldermen Visioli, Picciallo, Timpani, Downs, Rutan, Noriega and Mayor Dodd

Absent: Alderwomen Romaine & Blackman

Also present were Attorney Downs, Administrator Close and Clerk Verga

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

Mayor Dodd opened the meeting to public.

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

MAYOR'S REPORT:

- He reminded the public that the Town of Dover will begin Single Stream Recycling which means everything can be put into the same container and also noted the whole town will be picked up every other Friday.
- He made the board aware of the problem with birds ripping open garbage bags. He expressed that the board should encourage residents to put their garbage bags in cans.
- He noted that the Warren St. & N. Sussex St. railroad crossings are being rehabilitated.
- He encouraged the board members to attend the State of NJ's final draft of the State's Strategic Plan.
- He noted that there's a pre-construction public information meeting (Randolph Township) for construction of the overpass from Salem Street to Route 10
- Attorney Downs drafted a memo for the board explaining that responsibilities of the Mayor, Elected Officials and Administrator

ATTORNEY'S REPORT: No Report

CONSENT AGENDA

RESOLUTION AUTHORIZING CREDIT FOR SEWER CHARGES

WHEREAS, the owner of 164 W. Chrystal Street has contacted Dover Water Commission seeking a credit for Sewer Charges because of a water leak; and

WHEREAS, the owner has corrected the leak and it was verified that the loss of water had not entered the sewer system; and

WHEREAS, he is requesting an adjustment on the sewer portion of his utility bill; and

WHEREAS, the Dover Water Board Commissioners recommend that the owner of account 317860 be credited \$51.36.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Aldermen of the Town of Dover that a sewer credit be issued in the amount of \$51.36.

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

Ayes: Aldermen Visioli, Picciallo, Timpani, Downs, Rutan, Noriega and Mayor Dodd

Nays: None Absent: Alderwomen Romaine & Blackman Abstained: None

RESOLUTION

WHEREAS, The County of Bergen was a designated recipient of United States Homeland Security Funding in Federal Fiscal years 2004 and 2005, and

WHEREAS, The Federal funding is administered through the New Jersey Office of the Attorney General to the Bergen County Office of Emergency Management, and

WHEREAS, The Bergen County Terrorism Task Force under the direction of the County Executive formulates and approves a spending plan for the Homeland Security Funds directed to the County of Bergen that is consistent with the rules and parameters of the specific grant and submits the spending plan to the New Jersey Office of the Attorney General for approval, and

WHEREAS, The Bergen County Terrorism Task Force recognized that there is no current standardized identification card for first responders within the County of Bergen, and

WHEREAS, The Town of Dover wishes to participate in this program for a secure, easily recognizable identification card for first responders, and

WHEREAS, The Town of Dover First Responder Identification Card will display the Town of Dover emergency services symbol and the emergency services name, and

WHEREAS, Participation in this program is at no cost to the Town of Dover, and

WHEREAS, this body supports a secure, easy-to-read identification card for our emergency services to employ,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Aldermen of the Town of Dover County of Morris, New Jersey that the Town of Dover be and is hereby authorized to participate in this program;

BE IT FURTHER RESOLVED that Chief Richard Mattison be and is hereby authorized and directed to undertake the necessary municipal requirements and provide the necessary data and information to the County of Bergen to insure participation in this program.

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

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

**RESOLUTION AUTHORIZING CONTRACT WITH
RANDOLPH TOWNSHIP FOR 2012 ANIMAL CONTROL SERVICES**

BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey that the Mayor is hereby authorized to sign an agreement with the Township of Randolph for Animal Control Services for the year 2012 at a rate of \$84.00 per hour at a minimum of 520 to 624 hours of dog control services per year.

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

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

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

WHEREAS, the below listed organizations have applied for a Raffle/Bingo License; and

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

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

The below listed raffles for the date set forth following their names are hereby approved:

Schedule A

MILLPOND TOWERS RESIDENT ASSOC.

To be held on Friday, February 10, 2012 from 10:00am to 2pm
(50/50)

DOVER AUXILIARY SAINT CLARE'S HEALTH SYSTEM

To be held on Tuesday, June 19, 2012 at 2pm
(50/50)

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

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

ORDINANCE FOR SECOND READING

ORDINANCE NO. 01-2012

ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER PROVIDING FOR HANDICAPPED PARKING SPACE AT 74 PROSPECT STREET

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

SECTION 1. Description for handicap parking space to be located at 74 Prospect Street

Said handicap parking space shall be located along the easterly curb line of Prospect Street beginning at a point 468 feet south of the southeasterly curb line intersection of Chestnut Street and Prospect Street, thence continuing in an southerly direction for a distance of 20 feet.

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

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

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

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

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

RESOLUTIONS

BILLS LIST

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

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

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

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

RESERVE ACCT claims in the amount of:	\$1,128,986.04
CURRENT ACCT claims in the amount of:	\$7,130.01
CAPITAL ACCT claims in the amount of:	\$10,011.33
WATER UTILITY ACCT claims in the amount of:	\$28,961.12
WATER UTILITY RESERVE ACCT claims in the amount of:	\$14,438.04
WATER CAPITAL ACCT claims in the amount of:	\$33,369.00

PARKING UTILITY ACCT claims in the amount of:	\$7,100.00
PARKING UTILITY RESERVE ACCT claims in the amount of:	
PARKING CAPITAL ACCT claims in the amount of:	\$944.44
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$3,256.38
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	
TRUST/OTHER ACCT claims in the amount of:	\$1,261.04
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$1,235,457.40

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:	\$306,202.95
WATER UTILITY ACCT claims in the amount of:	\$18,380.62
PARKING UTILITY ACCT claims in the amount of:	\$2,500.00
PAYROLL AGENCY ACCT claims in the amount of:	\$118,929.29
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$10.77
TOTAL CLAIMS PAID	\$446,023.63

TOTAL BILL LIST RESOLUTION **\$1,681,481.03**

Alderman Visioli 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, Timpani, Downs, Rutan and Noriega
Nays: None Absent: Alderwomen Romaine & Blackman Abstained: Mayor Dodd

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
FOR THE RENEWAL OF SOCIAL AND ATHLETIC CLUB LICENSES

WHEREAS, any person or group of persons, association or corporation, which meets for the purpose of promoting athletic sports, contests, exhibitions, classes or gymnasium; and

WHEREAS, any person or group of persons, association or corporation which owns, leases, operates or controls premises for the purpose of social intercourse and entertainment; excluding organizations of state or national scope and religious organizations; and

WHEREAS, the appropriate fees have been received with the renewal applications;

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 Social and Athletic licenses are hereby approved:

SCHEDULE A

Casa Puerto Rico
50 W. Blackwell Street

Dover Hilltop Athletic Club
17 Grant Street

Acropolis Social Club
5 E. Blackwell Street

Alderman Visioli 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, Timpani, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderwomen Romaine & Blackman Abstained: None

TRANSFER RESOLUTION

WHEREAS, there appears to be insufficient funds in the following accounts (excepting the Appropriation of Contingent Expenses or Deferred Charges) to meet the demands thereon for the balance of the year, viz: 2011

Utilities & Bulk Purchases

WHEREAS, there appears to be a surplus in the following accounts (excepting the Appropriation for Contingent Expenses, Down Payments and Capital Improvement Fund) over and above the demand necessary for the balance of the year, viz: 2011

Group Insurance
Fire S & W

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover (not less than two thirds of all members thereof affirmatively concurring) that in accordance with the provision of R.S. 40A:4-58, part of the surplus in the accounts heretofore mentioned be and the same are hereby transferred to the account (excepting the Appropriation for Contingent Expenses or Deferred Charges) mentioned as being sufficient to meet the current demands; and

BE IT FURTHER RESOLVED that the Treasurer be and she is hereby authorized to make the following transfers:

FROM		TO	
Group Insurance OE	25,000	Utilities & Bulk Purchases	50,000
Fire S & W	25,000		
Total	50,000	Total	50,000

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPOINTING MEMBERS TO THE BOARD OF HEALTH FOR THE TOWN OF DOVER

BE IT RESOLVED by the Mayor and Board of Aldermen, Town of Dover, County of Morris, NJ that the following hereby are appointed to the BOARD OF HEALTH commencing January 1, 2012.

Judith Rugg - 3 year term expires 12/31/2014
Darlene Kasko – Alternate 2 year term exp. 12/31/13

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

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

APPOINTING SPECIAL COUNSEL
UNDER THE SUPERVISION AND DIRECTION OF THE TOWN ATTORNEY

WHEREAS, the current Town Attorney, Timothy P. Downs, Esq., (“Town Attorney”) has advised that the transfer of some open litigation files could result in additional legal expenses to the Town of Dover, and has therefore recommended that it is in the best financial interests of the Town of Dover to have former Town Attorney, David Pennella, Esq. (“Pennella”) of Pennella & Claps Esqs., continue with some litigation files which Pennella had been handling; and

WHEREAS, the Mayor and Personnel Committee has concurred in the Town Attorney’s recommendation; and

WHEREAS, the Mayor and Board of Aldermen find it in the best interests to follow the recommendation of the Town Attorney;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, the following:

1. For the calendar year 2012, Pennella is hereby designated as Special Counsel on behalf of the Town of Dover, under the supervision and direction of the Town Attorney;
2. Pennella & Claps Esqs. shall immediately provide the Town Attorney with a list of each open Dover matter he has, together with a short summary of the matter, and the current status of same indicating any action which needs to be taken within the next 30 days;
3. Pennella & Claps Esqs. shall continue to handle such matters as assigned to them by the Town Attorney, such as the Rockaway Valley Sewerage Authority matter, captioned Jersey City v. Dover, et. al.; at an hourly rate of \$165/hour, reviewed annually for reappointment, and subject to the following conditions of this Resolution, which shall likewise apply to all Special Counsel doing legal work for the Town:
4. Pennella & Claps Esqs. shall copy the Town Attorney on all correspondence, communications, and pleadings relative to the matters assigned to them;
5. Pennella & Claps Esqs. shall supply the Town Attorney with a written quarterly status report concerning matters assigned to him;
6. Pennella & Claps Esqs. shall communicate with the Administrator, Mayor, and Board of Aldermen through the Town Attorney;
7. Pennella & Claps Esqs. shall promptly respond to all requests made by the Town Attorney concerning the matters assigned to them;
8. All billings for legal services rendered by Pennella & Claps Esqs. for the matters assigned to them shall be first submitted to the Town Attorney for his review, and upon his approval, such billings will be forwarded to the Administrator for processing of vouchers and submission to the Mayor and Board of Aldermen for action.

Alderman Timpani 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, Timpani, Downs, Noriega and Mayor Dodd
Nays: None Absent: Alderwomen Romaine & Blackman Abstained: Alderman Rutan

RESOLUTION CANCELLING STALE-DATED CHECKS

WHEREAS, the following checks have been outstanding for more than one year; and

WHEREAS, the Municipal Auditors have recommended they be reviewed and cancelled;

Central Disbursement Account-

11365	3/9/10	Beranda Inc.	3.03
11474	3/23/10	Ihralim Elreda	356.32
11665	4/27/10	Comm of Virgin Guadalupe	62.66
12080	7/13/10	Abra-Cadabra	400.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen, Town of Dover, County of Morris, State of New Jersey, that the above mentioned checks are hereby cancelled.

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

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

PUBLIC COMMENTS

MARIE TAMBINI – 10 E. Blackwell St. – Ms. Tambini explained the difficulties her apartment complex will have with putting garbage bags in cans; currently the complex utilizes a garbage compactor, which makes square cubes. Ms. Tambini asked the board to take her comments into consideration. Mayor Dodd noted the board will take her comments

into consideration but noted that garbage is a problem and needs to be addressed.

ANTONIO ACOSTA – 130 Madison St. – He hopes that this year the town progresses as a community and moves forward. He prefers to put the garbage out in the morning but would be in agreement with the cans if it helps the town stay cleaner. He's disappointed that he was not reappointed to the planning board but understands the reasons behind the decision.

WILLIAM (INAUDIBLE) – Victory Gardens – He noted that there are five (5) flood lights in the Town of Dover that remain on all 24 hours/7days a week (4 lights at the NJ Transit and 1 light at JFK Park). His other concern is idling engines; he explained the laws are not being enforced. He provided information and articles that were published on idling engines.

Motion to adjourn made by Alderman Downs at 7:36 p.m. and passed by the following voice vote.

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk