



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
January 14, 2014 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, MacDonald and Mayor Dodd

SUNSHINE LAW STATEMENT

In accordance with the provisions set forth in the Open Public Meeting Law, notification of this meeting has been sent to all officially designated Town newspapers and notice is posted in the Town Hall.

DISCUSSION: MORRIS HABITAT FOR HUMANITY - \$200,000 GRANT FROM THE HOME INVESTMENT PARTNERSHIP PROGRAM

Morris Habitat for Humanity is seeking a \$200,000 grant from Home Investment Partnership Program for the construction of four single family homes on the (Salem Street) Harding Street property. The home grant program requires the non-profit developer to advise the municipality that affordable activity is being conducted with governmental funds in the community and also to discuss the application at a public meeting. Alderwoman Romaine noted that the planning board placed some conditions on the property but that the application was approved. Mayor Dodd directed Attorney Downs to draft a developer's agreement for Morris Habitat for Humanity.

MUNICIPAL CORRESPONDENCE:

1. Resolution from the Borough of Netcong Re: Urging the United States Congress to Dedicate Additional Federal Funds to the State of New Jersey for Highway Maintenance and infrastructure
2. Resolution from the Township of Randolph Re: Urging the United States Congress to Dedicate Additional Federal Funds to the State of New Jersey for Highway Maintenance and infrastructure
3. Resolution from the Township of Hanover Re: Urging the United States Congress to Dedicate Additional Federal Funds to the State of New Jersey for Highway Maintenance and infrastructure
4. Resolution from the Township of Washington Re: Urging the United States Congress to Dedicate Additional Federal Funds to the State of New Jersey for Highway Maintenance and infrastructure
5. Resolution from the Township of East Hanover Re: Urging the United States Congress to Dedicate Additional Federal Funds to the State of New Jersey for Highway Maintenance and infrastructure
6. Resolution from the Township of Pohatcong Re: Urging our Legislature to implement a water tax fund the loss of land equity for property owners in the Highlands Region
7. Notice of Public Hearing – Township of Randolph's Zoning Board of Adjustment – A Touch of Elegance, LLC – Block 18.02, Lots 1 & 2 also known as 3 Middlebury Blvd. Randolph
8. Notice of Public Hearing – Township of Randolph's Planning Board – Randolph Realty Associates LLC – Block 101, Lots 22.01 & 22.02 located within the Township's Village Center
9. Invitation to the Morris County Board of Chosen Freeholders' meeting on January 15, 2014 to discuss the FY 2014 Morris County Budget
10. Invitation from the Morris County Economic Development Corporation to their work session on January 14, 2014, presenters included Robert Lipka, director of the County College of Morris's Center of Business & Technology and Michael Obremski, JCP&L Area Manager
11. Letter from State of New Jersey's Department of Transportation re: Proposed Amendments to the FFY2014 Priority System, Intended Use Plan and Project Priority List
12. Letter from NJ Department of Agriculture seeking sponsors for Summer Food Service Program
13. December 2013 Newsletter: News from the Land Conservancy of New Jersey
14. Fall 2013 Newsletter "Touchstone" from the ARC of Morris
15. Fax from Cablevision re: Programming Change
16. Invitation from the American Cancer Society re: Relay for Life Kickoff Event on January 15, 2014

CONSENT AGENDA

1. Resolution Approving Limos – Schedule A
2. Resolution Approving Anthony Fortunato as a Volunteer Fire Department Member
3. Resolution Approving Auction License – Berman’s Auction
4. Resolution Approving Municipal License – Schedule A
5. Resolution Approving Raffle License-Schedule A
6. Resolution Approving Mayor & Board of Aldermen Meeting Minutes for December 17, 2013

ORDINANCE FOR FIRST READING

1. Ord. #01-2014 – Amending Chapter 383-7, Miscellaneous “Water Charges”
2. Ord. #02-2014 – Providing for Handicapped Parking Space at 219 S. Morris Street

Mayor Dodd provided an explanation on ordinance no. 01-2014 noting the changes in water charges.

AGENDA ITEMS:

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Approving Transfer Resolution
3. Resolution Appointing David Pennella as Special Legal Counsel for Tax Court Appeals
4. Resolution Approving Tax Court Appeal – Bank of America Block 1207 Lot 6
5. Resolution Approving Tax Court Appeal – Bank of America Block 611 Lot 7
6. Resolution Authorizing Contract with Randolph Township for 2014 Animal Control Services
7. Resolution Approving Mayor & Board of Aldermen Meeting Minutes for November 26, 2013
8. Resolution Approving Salary Resolution

REGULAR MEETING MINUTES
January 14, 2014

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 7:07 pm

ROLL CALL

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

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 – Mr. Downs reserved his report.

CONSENT AGENDA

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

ELITE LIMO & TAXI SRCV LLC

'02 Toyota	4T3ZF13C12U458016	OL8136H
'02 Toyota	4T1B728B62U240072	OL4904H
'04 Lincoln	1LNHM81W34Y655197	OL4903H
'04 Toyota	5TDZA22C34S054872	OL1049J
'06 Toyota	5TDZA23C96S525134	OL3422J
'07 Lincoln	1LNHM81W07Y628740	OL4003J

FIRST CLASS OF DOVER, INC

'04 Lincoln	1LNHM83W14Y638122	OL3278H
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Alderwoman Romaine has moved the foregoing resolution be adopted and duly seconded by Alderman Picciallo and passed by the following roll call vote.

Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald & Mayor Dodd
Nays: None Absent: None 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 Anthony Fortunato; 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 Anthony Fortunato to the Volunteer Fire Department as a member of Engine Company No. 2.

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, MacDonald and Mayor Dodd

Nays: None Absent: None Abstained: None

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING AN AUCTION LICENSE FOR BERMAN’S AUCTION**

WHEREAS, Section 118-2 of the Code of the Town of Dover requires any person who operates a auction apply to the Clerk of the Town of Dover for a license to operate; and

WHEREAS, Donna Kurtz, t/a Berman’s Auction, located at 33 West Blackwell Street, Dover, New Jersey, has applied for renewal of an Auction license ; and,

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the application of Donna Kurtz, t/a Berman’s Auction for a license to operate an auction house at 33 West Blackwell Street, Dover, New Jersey is hereby approved.

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, MacDonald & Mayor Dodd

Nays: None Absent: None Abstained: None

**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

Club Colombia
11 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, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald & Mayor Dodd

Nays: None Absent: None 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

College Club of Dover

to be held Monday, April 14, 2014
(50/50 Raffle)

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, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald & Mayor Dodd

Nays: None Absent: None 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:

December 14, 2013 – Caucus & Regular

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, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald & Mayor Dodd

Nays: None Absent: None Abstained: None

ORDINANCE FOR FIRST READING

ORDINANCE NO. 01-2014

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING CHAPTER 383-7, MISCELLANEOUS
“WATER CHARGES FOR DOMESTIC, COMMERCIAL, PUBLIC, AND
INDUSTRIAL USE IN THE TOWN OF DOVER, BOROUGH OF VICTORY GARDENS,
AND PORTIONS OF THE TOWNSHIP OF RANDOLPH, TOWNSHIP OF ROCKAWAY,
TOWNSHIP OF MINE HILL AND BOROUGH OF WHARTON”

WHEREAS, the Water Utility provides water service in the Town of Dover, Borough of Victory Gardens, portions of the Township of Randolph, Township of Rockaway, Township of Mine Hill and Borough of and Wharton; and

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

SECTION 1

§383-7 Rate Schedule No. 7, Miscellaneous Charges

A. Customer requested service: turning on water at the curb (seasonal or restoration of service subsequent to delinquent payment). The following fee does not apply for customer request for meter testing:

Rate:

Business hours (Monday-Friday – 8:00am to 4:30pm)	\$	21.00
After business hours and weekends	\$	123.00

B. For removing, repairing, and replacing meters damaged due to Negligence of customer including frozen and broken meters:

Meter sizes - 5/8”, 3/4”, 1”	\$	59.00
1 1/2”, 2” and above	\$	310.00

C. Connection fees: Effective January 1, 2014 and thereafter, there shall be a connection fee charged in the amount of \$1,500 per equivalent service unit for all new customers connected to the system. Said connection fee shall be calculated annually, utilizing the cumulative capitol and debt service charges of the water utility, divided by the current number of customers.

Residential Unit:

Each residential unit shall be equal to one service unit. New residential buildings shall pay the connection fee stated above per service unit times each residential unit or service unit. A *new residential unit* shall mean any new residential area, including but not limited to an apartment, co-operative, mobile home, rented room with separate bath facilities, and single family house, which unit is created either by new construction, or by conversion from an existing use. Included within the definition of *new residential unit* is a condominium or cooperative apartment created by conversion from an existing rental building and an apartment created within an existing single family house.

Nonresidential Unit:

New nonresidential units that use the water system of the Town shall pay connection fees equal to the connection fee stated above per service unit times the number of equivalent service units in each establishment for the right to use the existing water facilities.

Equivalent service units shall be equal to the projected daily water demand divided by 275, rounded up to the nearest whole number. Each separate nonresidential establishment shall at the minimum equal one equivalent service unit.

The projected daily water demand for various types of establishments shall be determined by the unit water demands in the table titled, “Nonresidential/Average Daily Water Demand” in Appendix D of the Town of Dover Water System Procedures Manual Water Commissioners of the Mayor and Board of Alderman. Projected water demands will be calculated by the applicant, and will be subject to review and approval by the Town.

A new nonresidential unit will be any new nonresidential area, including any new office or business with separate toilet facilities, created by new construction or by conversion from an existing use.

SECTION 2. All ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phase or sentence shall be deemed separable.

SECTION 4. This ordinance shall take effect upon final publication as provided by law.

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

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

ORDINANCE NO. 02-2014
ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
PROVIDING FOR HANDICAPPED PARKING SPACE AT 219 S. MORRIS 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 219 S. Morris Street

Said handicap parking space shall be located along the westerly curb line of S. Morris Street beginning at a point 65 feet north of the northwesterly curb line intersection of S. Morris Street and W. Chrystal Street, thence continuing in a northerly direction for a distance of 25 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 Visioli has moved the ordinance be adopted and duly seconded by Alderwoman Blackman and passed for first reading by the following roll call vote.

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald & Mayor Dodd
Nays: None Absent: None 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:	\$1,236,412.50
CURRENT ACCT claims in the amount of:	\$656,224.47
GENERAL CAPITAL ACCT claims in the amount of:	\$4,442.50
WATER UTILITY ACCT claims in the amount of:	\$199,750.26
WATER UTILITY RESERVE ACCT claims in the amount of:	\$61,304.91
WATER CAPITAL ACCT claims in the amount of:	\$364.00
PARKING UTILITY ACCT claims in the amount of:	\$17,398.03
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$10,958.54
PARKING CAPITAL ACCT claims in the amount of:	\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$4,042.00
EVIDENCE TRUST ACCT claims in the amount of:	\$0.00
RECYCLING TRUST ACCT claims in the amount of:	\$747.17
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	\$1,000.00
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	\$0.00
TRUST/OTHER ACCT claims in the amount of:	\$1,095.81
COAH TRUST Acct claims in the amount of:	\$0.00
TOTAL CLAIMS TO BE PAID	\$2,193,740.19

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:	\$326,712.44
WATER UTILITY ACCT claims in the amount of:	\$26,981.78

PARKING UTILITY ACCT claims in the amount of:	\$2,785.64
PAYROLL AGENCY ACCT claims in the amount of:	\$219,091.72
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$12.33
TOTAL CLAIMS PAID	\$575,583.91
TOTAL BILL LIST RESOLUTION	\$2,769,324.10

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 & MacDonald
Nays: None Absent: None Abstained: Mayor Dodd

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: 2013

Legal OE	Public Defender OE	Police S & W
Administration OE	Fire OE	
Public Bldgs & Grds OE	Water OE	

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: 2013

Group Insurance OE	Water S & W
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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	52,100	Legal OE	20,000
Water S & W	50,000	Public Defender OE	2,600
		Administration OE	5,500
		Fire OE	2,000
		Public Bldgs & Grds OE	2,000
		Water OE	50,000
		Police S & W	20,000
Total	102,100	Total	102,100

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, MacDonald & Mayor Dodd
Nays: None Absent: None Abstained: None

RESOLUTION APPOINTING DAVID PENNELLA
AS SPECIAL LEGAL COUNSEL FOR TAX COURT APPEALS
(SEE ATTACHED RESOLUTION)

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, Noriega, Yzarnotegui, MacDonald and Mayor Dodd
Nays: None Absent: None Abstained: Alderman Rutan

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING THE SETTLEMENT OF A TAX COURT APPEAL
BANK OF AMERICA, BLOCK 1207, LOT 6
2009, 2010 AND 2011 AGREEMENT

WHEREAS, Bank of America is the owner of 25 West Clinton Street, Dover New Jersey, also known as Block 1207, Lot 6; and

WHEREAS, Bank of America filed appeals with the Tax Court of New Jersey for the years 2009, 2010 and 2011 bearing Docket # 004988-2009, 002461-2010 and 002361-2011; and

WHEREAS, the Tax Assessor has reviewed Answers to Interrogatories and consulted with the expert appraiser for the Town, Robert J. Edgar of Certified Valuations, who has thoroughly reviewed the appeal; and,

WHEREAS, the tax appeal for 2009 was withdrawn, a settlement value of \$1,700,000.00 total assessment for year 2010 and \$1,600,000.00 total assessment for year 2011 was recommended by the expert appraiser for the Town; and

WHEREAS, the taxpayer has accepted the market value offer of judgment; and

WHEREAS, the original assessments and requested tax court judgment are as follows:

2009 - Withdrawn

<u>2010</u>	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Tax Court</u> <u>Judgment</u>
Land:	\$ 462,000	None	\$ 462,000
Improvements:	<u>\$1,336,600</u>	Direct	<u>\$1,238,000</u>
Total:	\$1,798,600	Appeal	\$1,700,000

<u>2011</u>	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Tax Court</u> <u>Judgment</u>
Land:	\$ 462,000	None	\$ 462,000
Improvements:	<u>\$1,366,600</u>	Direct	<u>\$1,138,000</u>
Total:	\$1,798,600	Appeal	\$1,600,000

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

1. The tax court appeals bearing the above referenced docket numbers are hereby authorized to be settled for the fair market value amount of \$1,700,000 for 2010 and \$1,600,000.00 for 2011.
2. The settlement shall be paid by tax credit to future tax bills and not by refund.
3. The taxpayer must waive interest on the overpaid amounts.
4. David C. Pennella, Esq. is hereby authorized to execute a Stipulation of Settlement upon the terms set forth above.

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING THE SETTLEMENT OF A TAX COURT APPEAL
BANK OF AMERICA, BLOCK 611, LOT 7
2009, 2010 AND 2011 AGREEMENT

WHEREAS, Bank of America is the owner of 25 West Clinton Street, Dover New Jersey, also known as Block 611, Lot 7; and

WHEREAS, Bank of America filed appeals with the Tax Court of New Jersey for the years 2009, 2010 and 2011 bearing Docket # 006198-2009, 013541-2010 and 012964-2011; and

WHEREAS, the Tax Assessor has reviewed Answers to Interrogatories and consulted with the expert appraiser for the Town, Robert J. Edgar of Certified Valuations, who has thoroughly reviewed the appeal; and

WHEREAS, the tax appeal for 2009 was withdrawn, a settlement value of \$850,000.00 total assessment for year 2010 and \$750,000.00 total assessment for year 2011 was recommended by the expert appraiser for the Town; and

WHEREAS, the taxpayer has accepted the market value offer of judgment; and

WHEREAS, the original assessments and requested tax court judgment are as follows:

2009 - Withdrawn

<u>2010</u>	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Tax Court</u> <u>Judgment</u>
Land:	\$ 583,800	None	\$ 583,800
Improvements:	\$ 362,300	Direct	\$ 266,200
Total:	\$ 946,100	Appeal	\$ 850,000

<u>2011</u>	<u>Original</u> <u>Assessment</u>	<u>County Board</u> <u>Judgment</u>	<u>Tax Court</u> <u>Judgment</u>
Land:	\$ 583,800	None	\$ 583,800
Improvements:	\$ 362,300	Direct	\$ 166,200
Total:	\$ 946,100	Appeal	\$ 750,000

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

1. The tax court appeals bearing the above referenced docket numbers are hereby authorized to be settled for the fair market value amount of \$850,000 for 2010 and \$750,000.00 for 2011.
2. The settlement shall be paid by tax credit to future tax bills and not by refund.
3. The taxpayer must waive interest on the overpaid amounts.
4. David C. Pennella, Esq. is hereby authorized to execute a Stipulation of Settlement upon the terms set forth above.

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

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

RESOLUTION AUTHORIZING CONTRACT WITH RANDOLPH TOWNSHIP
FOR 2014 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 2014 at a rate of \$88.00 per hour at a minimum of 520 to 624 hours of dog control services per year.

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

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

November 26, 2013 – Caucus & Regular

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, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald & Mayor Dodd
Nays: None Absent: None Abstained: Alderwoman Romaine

SALARY RESOLUTION

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

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

2. This resolution directs the Treasurer of the Town of Dover to withhold such monies from individual salaries and wages so there is no advance payment of salaries and wages and annual sums may be adjusted through December 31, 2014.

Gerard Smith, Chief Judge	\$ 44,880.00
Michael Luther, Judge	\$ 38,760.00

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, Romaine, Blackman, Rutan, Noriega, Yzarnotegui, MacDonald & Mayor Dodd
Nays: None Absent: None Abstained: None

Mayor Dodd explained that there was a water main break on January 7, 2014 in the fourth ward on Rutan Drive. He expressed that the staff had to work in difficult conditions due to the sub-zero weather but did an outstanding job in having the water main repaired within 24 hours. The board commended and applauded the staff for their efforts.

Mayor Dodd noted that there was a situation on the way the public was notified and he understands that it could have been handled better. The town took every possible action to notify the public via the reverse 911, visual message board located at Blackwell and Salem Streets, the town's website, the town's Facebook page and through the County's McUrgent; however there were some issues with who received the reverse 911 messages. He expressed that the reverse 911 was not as effective the first time because the "mapping tool" was performed via telephone by the county. The second phone call was mapped out by several municipal employees, which was effective and reached a wider range of homes. Mayor Dodd expressed to the public that the only time you end up with water contamination is when you have negative pressure and at no time did Dover experience negative pressure. Mayor Dodd noted that they learned from this experience (communication) and changes will be made. We are aware that we are able to set up areas in the system by wards, sections, etc. Mayor Dodd reminded the public that the board takes the safety of their residents with the up most importance. The board will continue to review the policy and procedures

PUBLIC COMMENTS

DIANA MINERS – 187 Baker Street, Dover - She commended the Mayor for admitting that there was a communication issue. She noted she left messages with the Office of Emergency Management, Carlos from the Water Department and the Department of Public Works but no one returned her calls. Mayor Dodd apologized and noted that it's unacceptable. She was advised that in the future if she can't reach anyone at town hall, to contact the administration department, there is always someone there. Mayor Dodd thanked her for the information because it allows the town to make improvements.

BRAIN GORSKI - 9 Summer Avenue, Dover – He thanked the Mayor for his email and thanked the water department for fixing the water line so quickly. His issue was with the lack of communication to the residents regarding the boil water advisory notice. The board explained the different forms of communications and is aware that there were some issues and they will continue to make changes with the policy and procedures.

LINDA SPERRY – 67 N. Bergen Street, Dover – She wanted to know the procedure to register for the reverse 911. Mayor Dodd noted that there's a link on the town's website and it has also been published in the previous newsletters.

JON SPERRY – 67 N. Bergen Street, Dover – Mr. Sperry noted that on New Year's Eve the water and road department arrived at the corner of Bergen and Clinton Streets for what they thought was a possible water main leak. The roads were salted due to an icy mess. Both departments returned the next day, and it turned out to be a problem with the drains that were installed by the state. He noted that it's a state problem and not the town's problem. He commended the water and road department for doing a great job and not walking away from the situation since it was a state issue.

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

Alderman Rutan expressed that the employees did a magnificent job with the water main break.

**Motion to adjourn made by Alderwoman Romaine at 7:46 pm,
and duly seconded by Mayor Dodd passed by the following voice vote.**

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk