



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
January 26, 2010 7:00 PM

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

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

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

ROLL CALL:

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

Also present were Administrator Close, Attorney Pennella, and Clerk Verga

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

POLICE OFFICER OF THE YEAR: OFFICER JUSTIN GABRYS

Chief Valentine commented on Justin's achievements and explained this award is voted on by his peers and Justin has been named Police Officer of the Year two years in a row. Justin was hired in January 2001 and became detective in 2005. Justin thanked the Mayor and Board of Aldermen, Administrator Close, Chief Valentine, Captain Kerwick and Harrison Dillard from the Morris County Prosecutor's Office. Mayor Dodd commended Justin for his dedication and hard work.

Officer Prichard who was in attendance thanked the board for all they did for the dedication of the plaque at the Salem Street Bridge and ceremony honoring fallen Police Officer Arthur Ohlsen.

MUNICIPAL CORRESPONDENCE:

1. Ordinance from the Borough of Rockaway re: Amending Chapter 171, Land Subdivision & Site Plan Review
2. Ordinance from the Borough of Rockaway re: Amending Chapter 169, Land Use Administration & Procedures
3. Ordinance from the Borough of Rockaway re: Amending Chapter 172, Zoning
4. Letter from NJ Department of Community Affairs re: Small Cities CDBG Payment and Amendment Policy
5. Letter & Invitation from Prosecutor Bianchi re: Morris County-Wide Intelligence Led Law Enforcement Initiative Presented on January 25 & 28
6. Public Notice for Planning Board application re: 9 E. Blackwell Street
7. Public Notice for Board of Adjustment Application re: 1 E. Blackwell Street (JPMorgan Chase Bank)
8. Notice from the NJ Highlands Municipal Property Tax Stabilization Board Re: Board Reorganization & review 2009 Tax Year Certification
9. Invitation to the Morris County League of Municipalities' "State of the State"
10. February – March 2010 Calendar of Events from Morris County's Division on Aging, Disabilities & Veterans

CONSENT AGENDA

1. Resolution Approving Bills List
2. Resolution Approving Mayor & Board of Aldermen Meeting Minutes – December 29, 2009
3. Resolution Approving Mayor & Board of Aldermen Meeting Minutes – January 1st & 12th, 2010
4. Resolution to join the Morris County Adaptive Recreational Program (McARP)
5. Resolution Approving Raffle License – Dover Auxiliary Saint Clare's Health System
6. Resolution Approving Raffle License – Sgt. Ryan E. Doltz Memorial Foundation, Inc.
7. Resolution Approving Municipal License – Dover Pet Shop

ORDINANCE(S) FOR INTRODUCTION

1. Ordinance # 01-2010 – Providing for Handicapped Parking Space at 115 N. Sussex Street

AGENDA ITEMS:

RESOLUTIONS

1. Approving Special Permit for Social Event for Casa Puerto Rico to be held on 2/13/2010
2. Approving Volunteer Fire Department Member – Eliezer Ruiz
3. Correcting an Erroneous Tax Assessment on Municipal Property
4. Approving the Settlement of a Tax Court Appeal for A.C. Moore Arts & Crafts, Block 901, Lot 2 - 2007, 2008 & 2009

Agreement

5. Approving the Settlement of a Tax Court Appeal for Casio, Inc., Block 901, Lot 6 – 2008 & 2009 Agreement
6. Appointing Board Committees - Health

REGULAR MEETING MINUTES
January 26, 2010

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 Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Romaine, Blackman and Mayor Dodd

Absent: Alderwoman Romaine

Also present were Administrator Close, Attorney Pennella and Clerk Verga

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

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

John Wettengel – 44 First Avenue, Mine Hill – complained about the condition of the American flag hanging by the firehouse. He was told this public portion was for agenda items only and he would get a chance to speak at the next public portion.

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

MAYOR'S REPORT – Mayor Dodd commented that the King Field Snack Stand project is expected to start this week and has a completion date of April 2nd. He noted that the Dover Public Schools will be hosting "Read across America" on Tuesday, March 2nd and encouraged the board to participate. Mayor Dodd stated the Route 15 and Route 46 T-intersection is scheduled for closure on Friday, January 29th at 9:00pm, signs are posted by NJ Department of Transportation. He expressed that it's going to be a difficult transition for a period of time until commuters to get used to it. He noted that the police department has been very active and they will continue to monitor traffic in this situation to provide safety for the community. He noted that several board members attended the Morris County Prosecutor's initiative to reach out to local municipalities program. Mayor Dodd, Administrator Close and several board members will attend Thursday's program.

Alderman Picciallo thanked Prosecutor Bianchi and the Morris County Prosecutor's Office for opening their doors to the Elected Officials, Chiefs of Police and members of the press (Alderman Delaney, Picciallo, Poolas, Donofrio, and Blackman were in attendance). He noted that the Morris County Wide Intelligence LED Initiative briefing was sponsored by the Morris County Prosecutor's Office in conjunction with the Sheriff's Department, Morris County Police and Morris County Chiefs of Police Association. Alderman Picciallo explained that the program will focus on offenders of all towns which are the worst of the worst. He noted that this will require police departments to be proactive instead of reactive and each department will have an officer assigned to help move the information to the Prosecutor's Office. Alderman Picciallo mentioned that the program will not cost the town any extra time or funding and the program will put Morris County ahead of other counties. He noted that, hopefully, when operational some of the worst offenders will be removed from the streets making the citizens safer. Alderman Picciallo encouraged Mayor Dodd and Mr. Close to attend the meeting of Thursday's night.

Mayor Dodd reminded the board members that starting February committee reports will be provided to the public.

ADMINISTRATOR'S REPORT – Mr. Close commented that during the past two weeks members of all committees have met to discuss goals and objectives. Mr. Close mentioned that local unit's contract negotiations are in progress. King Field snack stand preconstruction meeting was held. Phase II will take place in late spring or early fall.

Mayor Dodd noted that the Morris County Prosecutor's Office and NOBLE (National Organization of Black Law Enforcement) Northern New Jersey Chapter will have its 2010 Black History Month celebration on February 1, 2010 at 7:00pm at the Administration and Records Building in Morristown.

ATTORNEY'S REPORT – Attorney Pennella noted that there are two resolutions for the settlements of tax appeals and urges the board to support them.

CONSENT AGENDA

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:	\$145,828.65
CURRENT ACCT claims in the amount of:	\$1,413,406.45
CAPITAL ACCT claims in the amount of:	\$8,651.24
WATER UTILITY ACCT claims in the amount of:	\$52,286.67
WATER UTILITY RESERVE ACCT claims in the amount of:	\$108,385.43
WATER CAPITAL ACCT claims in the amount of:	\$2,482.60
PARKING UTILITY ACCT claims in the amount of:	\$91.74
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$7,426.67
PARKING CAPITAL ACCT claims in the amount of:	
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$5.40
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:	\$9,696.40
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$1,748,261.25

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:	\$344,120.39
WATER UTILITY ACCT claims in the amount of:	\$24,960.23
PARKING UTILITY ACCT claims in the amount of:	\$3,861.26
PAYROLL AGENCY ACCT claims in the amount of:	\$162,200.64
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$348.52
TOTAL CLAIMS PAID	\$535,491.04

TOTAL BILL LIST RESOLUTION **\$2,283,752.29**

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 Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Blackman and Mayor Dodd
Nays: None Absent: Alderwoman Romaine 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:

1. December 29, 2009 – Caucus and Special

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 Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Blackman and Mayor Dodd
Nays: None Absent: Alderwoman Romaine 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:

January 1, 2010 – Reorganization

January 12, 2010 – Caucus and 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 Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Blackman and Mayor Dodd
Nays: None Absent: Alderwoman Romaine Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
TO JOIN THE MORRIS COUNTY ADAPTIVE RECREATIONAL PROGRAM (McARP)**

WHEREAS, there has been created a Morris County Adaptive Recreational Program (McARP); and

WHEREAS, said program intends to provide recreational services for persons with disabilities of all ages, and further to give said persons an opportunity to explore new leisure time opportunities in conjunction with their age and specific abilities; and

WHEREAS, the total project cost is estimated to exceed \$300,000; and

WHEREAS, the Town of Dover costs with respect thereto will be \$2,460.00 Fair Share Ratio Schedule.

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

That the Town of Dover hereby intends to join the Morris County Adaptive Recreation Program (McARP) as described above and contribute thereto in the amount not to exceed the Fair Share Assessment for one year.

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

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

WHEREAS, the below listed organization has applied for a Raffle License; and

WHEREAS, such license has 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:

1. The below listed raffle for the date set forth following their name is hereby approved:

Dover Auxiliary Saint Clare's Health System to be held on June 10, 2010

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING OF RAFFLE LICENSE

WHEREAS, the below listed organization has applied for a Raffle License; and

WHEREAS, such license has 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:

1. The below listed raffle for the date set forth following their name is hereby approved:

Sgt. Ryan E. Doltz Memorial Foundation to be held on May 1, 2010
(Tricky Tray)

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING PET SHOP LICENSE FOR DOVER PET SHOP

WHEREAS, Section 113-8 of the Code of the Town of Dover requires any person who keeps or operates a pet shop to apply to the Clerk of the Town of Dover for a license to operate; and

WHEREAS, Gary Stites, t/a Dover Pet Shop, located at 112 E. Blackwell Street, Dover, New Jersey, has applied for renewal of a pet shop license; and,

WHEREAS, the Town of Dover Health Department inspected the premises and found the results of the inspection to be "satisfactory"; and

WHEREAS, the applicant has submitted the appropriate fee 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 Gary Stites t/a Dover Pet Shop for a license to operate a pet shop at 112 East Blackwell Street, Dover, New Jersey is hereby approved.

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

ORDINANCE NO. 01-10
ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER PROVIDING FOR
HANDICAPPED PARKING SPACE AT 115 N. SUSSEX 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 115 N. Sussex Street

Said handicap parking space shall be located along the westerly curblin e of N. Sussex Street beginning at a point 185ft. south of the southwesterly curblin e intersection of E. Fairview Avenue and N. Sussex Street, thence continuing in a southerly

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

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

RESOLUTION

WHEREAS, Casa Puerto Rico, Inc., filed an application for their **first** Special Permit for Social Affair to be held at the Casa Puerto Rico; and

WHEREAS, Casa Puerto Rico, 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 a dance (#1) to be held on Saturday, February 13, 2010 at Casa Puerto Rico, 50 W. Blackwell Street, Dover, NJ 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 Timpani has moved the foregoing resolution be adopted and duly seconded by Alderman Picciallo and passed by the following roll call vote.

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

RESOLUTION APPROVING VOLUNTEER FIRE DEPARTMENT MEMBER

WHEREAS, the Town of Dover Fire Department has received an application for membership in the Fire Department from Eliezer Ruiz; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of the Town of Dover approve the membership of Eliezer Ruiz to the Volunteer Fire Department as a member of Engine Company No. 1.

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
CORRECTING AN ERRONEOUS TAX ASSESSMENT ON MUNICIPAL PROPERTY**

WHEREAS, the Town of Dover, a municipal corporation of the State of New Jersey, owns property located at 37 N. Sussex Street, Dover, New Jersey; and

WHEREAS, on such property is a monopole erected for police and fire communication and also cellular companies providing cellular service to the Dover area based upon leases with the Town of Dover; and,

WHEREAS, the Lease Agreements call for a monthly payment which includes all expenses including taxes; and

WHEREAS, the records of the Assessor were mistakenly changed to impose a tax upon the cellular phone companies/tenants utilizing the monopole; and

WHEREAS, under the Lease Agreements it would be the Town’s responsibility to pay such taxes; 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:

1. The Collector is hereby authorized to eliminate the tax imposition upon the cellular phone companies/tenants for the monopole located at 37 N. Sussex Street, Dover, New Jersey; and
2. The Assessor is hereby requested to correct the tax records to reflect the above.

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING THE SETTLEMENT OF A TAX COURT APPEAL A. C. MOORE ARTS & CRAFTS,
BLOCK 901, LOT 2 FOR YEARS 2007, 2008 AND 2009 AGREEMENT**

WHEREAS, A. C. Moore Arts & Crafts is the owner of 550 Mt. Pleasant Ave., Dover New Jersey, also known as Block 901, Lot 2; and

WHEREAS, A. C. Moore Arts & Crafts filed appeals with the Tax Court of New Jersey for the years 2007, 2008 and 2009 bearing Docket # 007262-2007; 000695-2008 and 000864-2009; 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, a settlement including withdrawal of the 2007 appeal, a value of \$4,205,400 total assessment for year 2008 and \$7,417,000 total assessment for year 2009 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:

2007 – Withdrawn

<u>2008</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Tax Court Judgment</u>
Land:	\$3,366,800	None	\$2,590,900
Improvements:	<u>\$1,889,400</u>	Direct	<u>\$1,614,500</u>
Total:	\$5,266,200	Appeal	\$4,205,400

<u>2009</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Tax Court Judgment</u>
Land:	\$ 4,489,000	None	\$2,605,000
Improvements:	<u>\$ 5,661,000</u>	Direct	<u>\$4,812,000</u>
Total:	\$10,150,000	Appeal	\$7,417,000

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 by withdrawal of the 2007 appeal, a value of \$4,205,400 for the year 2008 and a value of \$7,417,000 for the year 2009.
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. The Municipal Attorney is hereby authorized to execute a Stipulation of Settlement upon the terms set forth above.

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

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

Nays: None Absent: Alderwoman Romaine Abstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING THE SETTLEMENT OF A TAX COURT APPEAL CASIO, INC., BLOCK 901, LOT 6
2008 and 2009 AGREEMENT

WHEREAS, Casio, Inc. is the owner of 570 Mt. Pleasant Ave., Dover New Jersey, also known as Block 901, Lot 6; and

WHEREAS, Casio, Inc. filed appeals with the Tax Court of New Jersey for the years 2008 and 2009 bearing Docket # 005639-2008 and 000863-2009; 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, a settlement value of \$4,341,300.00 total assessment for year 2008 and \$10,719,200.00 total assessment for year 2009 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:

<u>2008</u>	<u>Original</u>	<u>County Board</u>	<u>Tax Court</u>
	<u>Assessment</u>	<u>Judgment</u>	<u>Judgment</u>
Land:	\$ 2,200,000	None	\$1,523,300
Improvements:	\$ 3,315,300	Direct	\$2,818,000
Total:	\$ 5,515,300	Appeal	\$4,341,300
<u>2009</u>	<u>Original</u>	<u>County Board</u>	<u>Tax Court</u>
	<u>Assessment</u>	<u>Judgment</u>	<u>Judgment</u>
Land:	\$ 6,837,000	None	\$ 6,139,400
Improvements:	\$ 5,388,000	Direct	\$ 4,579,800
Total:	\$12,225,000	Appeal	\$10,719,200

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 amounts for years 2008, \$4,341,300, and 2009, \$10,719,200.
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. The Municipal Attorney is hereby authorized to execute a Stipulation of Settlement upon the terms set forth above.

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

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

Nays: None Absent: Alderman Romaine Abstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPOINTING BOARD COMMITTEES

WHEREAS, Ordinance 33-1998 provides for the process of appointments to the Standing Committee's of the Mayor and Board of Aldermen; and

WHEREAS, the Board of Aldermen have submitted interest forms that indicate which committees they wish to serve as chairperson.

NOW, THEREFORE, BE IT RESOLVED, that the following are appointed by the Mayor and Board of Aldermen to serve as Chairperson (first name) & members if the Standing Committees of the Board of Aldermen:

HEALTH.....Ald. Delaney, Donofrio, Blackman

BE IT FURTHER RESOLVED that the Mayor will serve as ex-officio member to all committees.

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

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

PUBLIC COMMENTS – Three Minutes per Person

Kevin Nash – Morristown – Mr. Nash explained that on Friday, January 22, 2010 he was cited for violation 273-1 which is soliciting without a license. Mr. Nash was on Blackwell Street playing his guitar with an open case and feels the citation was incorrectly given. He read a part of Section 273-1 and asked the board if they find him guilty of this violation. He will be in front of the municipal judge, next month, and would like some kind of vote that he could mention to the judge. Attorney Pennella advised the board not to discuss the matter because it's the jurisdiction, of the Municipal Court. Attorney Pennella explained that once a ticket is written by the Dover Police Department the proper process is through the municipal court. Mr. Nash closed his comments by saying that he doesn't believe the ordinance applies to him.

John Wettengel – 44 First Avenue, Mine Hill – Mr. Wettengel commented that he stopped by the office to complain about the badly torn flag and two weeks later the flag had not been changed. Mr. Wettengel contacted town hall several times and the complaints have gone unanswered. He expressed that we live in turbulent times and the flag to him is very important. He expressed that the flag stands for who we are and what we are and we should be proud of the flag. He commended the Board of Aldermen for starting their meetings with a prayer and flag salute. He noted that he's unemployed and has taken it upon himself to take care of the flags in the area and will continue to do so until the flags have been replaced or removed. He would rather see a bare pole then to see a torn flag. He's glad to see that the flag was replaced. Mayor Dodd offered his apologies on behalf of the board for allowing this to have occurred and assured Mr. Wettengel that a different course of action would be taken in the future, that the flags in the Town of Dover will be changed in a process that we can all be proud of. Alderman Poolas noted that he was aware of the complaint and noted that the flags were on order. He noted that the Memorial Association has about 50 flags on hand but are not the right size for the Fire Department's flag pole. Alderman Poolas noted that it was suggested that 3-4 flags be ordered to have a back-up right away. Mayor Dodd asked the Administrator to put out a directive, in the event that if any of the town's flags are damaged they are to be removed until replaced. Mr. Close noted the situation has been addressed and there's a standing instruction with five flags on hand. Alderman Timpani noted that the flag on the South Salem Bridge has been removed.

Kevin Baldwin – 116 E. Blackwell Street – Mr. Baldwin commented that there was a meeting with about forty drivers (signatures collected) to try to work together to have a flat fee established for the taxi companies. He noted that some companies are reducing their rates which make it difficult for other companies to do business. Mayor Dodd explained that the ordinance allows for a maximum rate of \$4.00 however if a company can operate at \$2.00 then it's called competitive pricing. Mayor Dodd expressed that in good conscience he couldn't set a flat fee rate and expressed that if any aldermen wanted to bring the idea of setting a minimum rate, they certainly can do so but in good conscience he couldn't set a minimum.

William Hann – 90 E. Munson - Mr. Hann explained that Sunday morning, him and his wife, noticed their window screen had a hole and the window was opened and contacted the police department. They were informed by the police that several attempts to break into homes have occurred in the last several weeks. Mr. Hann made the public aware of his situation and advised everyone to secure their homes.

Marie Tambini – 10 E. Blackwell Street – She thanked the rescue squad for their immediate response to her home. She expressed that they were very efficient and professional.

Alberto Santamarini – Michigan Avenue, Wharton – Mr. Santamarini had the same concern as Mr. Kevin Baldwin. Mr. Santamarini explained that an eighteen hour day only brings home \$30 to \$50. Mr. Santamarini expressed that he has to abide by Dover's regulations and fees, which is an additional charge for him, to operate his vehicle legally but illegal companies are not required to pay for such fees. Mayor Dodd has asked many times for the cooperation of local companies with respect to the prosecution of the illegal companies. Mayor Dodd expressed that the board is here to support local (legal) companies. Mr. Santamarini mentioned that there's a price war with the companies. Alderman Poolas provided an example that a gallon of milk in Krauser's is a lot higher than a gallon of milk in Shoprite.

David Alvarez – 57 Prospect Street - Mr. Alvarez is a limo driver and expressed that he can lower prices.

Eugenio Vasquez - 75 Maple Avenue – stated he would follow Axel and charge \$2.50.

Name inaudible -He noted that if Axel's Express Limo & Taxi continues to reduce their price other companies will break down.

John Wettengel – 44 First Avenue – Mine Hill – Mr. Wettengel defended the drivers to a degree. He mentioned that he read an article about the local police department that ticketed a van driver that provided illegal transportation but the police department couldn't impound the vehicle.

Dennis Menuccio (*sp*) – Blackwell Street –Mr. Menuccio noted that he works very hard. There are 4 companies in the town and Axel' Express Limo & Taxi company provides good prices and does a good job. He expressed that Axel's company provides the best service in town. Mayor Dodd expressed if the companies feel that Axel's Express is gaining all the business then other the owners should model their businesses after Axel's.

John Sperry – 15 N. Sussex Street – Mr. Sperry had a concern with the cost of the King Field Project. He feels that during these hard economic times the money could be better invested. Mayor Dodd feels that there's no better investment that the youth in our community. Alderman Poolas expressed that he saw the numbers and expressed that during these hard times the bids came in at very good prices.

Seeing no hands and hearing no voices, Mayor Dodd closed the meeting to the public and asked for a motion to adjourn.

Motion to adjourn made by Alderman Poolas at 8:21 p.m., and duly second by Alderman Picciallo and passed by the following voice vote.

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk