



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
November 12, 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

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

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

Alderman Visioli noted that there was a meeting with the majority of the Municipal Democratic Committee for the purpose of nominating individuals to replace Alderman Paul Downs who recently passed away. The following people were nominated: Thomas MacDonald, William Gilbert and John Rich. Alderman Visioli had the opportunity to speak with the individuals and noted that John Rich declined the position which then left Thomas MacDonald and William Gilbert as candidates. As chairman of the committee Alderman Visioli recommended Thomas MacDonald as the successor to fill the unexpired term of Alderman Downs. The board of aldermen voted as follows:

Alderman Visioli moved the name of Thomas Mac Donald to fill the vacancy for Second Ward Aldermen and duly seconded by Alderman Picciallo and passed by the following roll call vote.

Ayes: Aldermen Visioli, Picciallo, Blackman, Rutan, Noriega and Mayor Dodd

Nays: Alderwoman Romaine Absent: None Abstained: Alderwoman Yzarnotegui

MUNICIPAL CORRESPONDENCE:

1. Ordinance from Mine Hill Township re: Amending Chapter 25 of the Revised General Ordinances of the Township of Mine Hill and Correcting the Listing of principal Permitted Uses in the Commercial Zones
2. Ordinance from Rockaway Township re: Amending Chapter 54 Entitled "Land Use and Development Regulations" of the Revised General Ordinance of the Township of Rockaway as it pertains to selective provisions
3. Ordinance from Rockaway Township re: To Petition the Highlands Council for Plan Conformance for the Planning Area
4. Ordinance from Rockaway Township re: Amending the Land Use ordinance to update the submission requirements for applications for development
5. Ordinance from Rockaway Township re: Amending Chapter 54 entitled " Land Use Development Regulations" of the Revised General Ordinance
6. Notice of Public Hearing – Randolph’s Planning Board – Randolph Business Campus Condominium Associates-961 Route 10 East
7. Notice of Public Hearing – Randolph’s Board of Adjustment – 206 Millbrook Avenue – Seeking C Variance Approval
8. Notice of Public Hearing – Rockaway Township’ Planning Board – Men’s Warehouse Inc. -301 Mt. Hope Avenue
9. Notice of Public Hearing – Town of Dover’s Board of Adjustment – Bronco Building, LLC – 26-28 E. Blackwell Street
10. Notice of Public Hearing – Town of Dover’s Board of Adjustment – St. Thomas Orthodoz Church of India, Inc. – 360 W. Blackwell Street
11. October 2013 – NJ State League of Municipalities’ Legislative Bulletin
12. Email from NJ Department of Environmental Protection re: Motorists Urged to be Cautious for Deer on Roads
13. Magazine of the NJ State League of Municipalities Order Form
14. 2012 Annual Report – The Land Conservancy of New Jersey

CONSENT AGENDA

1. Resolution Approving Limo Licenses (Schedule A)
2. Resolution Approving Mayor & Board of Aldermen Meeting Minutes for October 22, 2013
3. Resolution Removing Phil Wilks from the Dover Volunteer Fire Department
4. Resolution Approving Tax Redemption for 8 Parker Street, Dover

AGENDA ITEMS:

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Approving Transfer Resolution
3. Resolution Approving Change Order for the King Field Ball Field Improvements
4. Resolution Authorizing the Award of Contract for Expert Appraisal Services for State Tax court Cases to Associated Appraisal Group
5. Resolution Authorizing the Award of Contract to Robert Edgar of Certified Valuations, Inc. for Block 901 Lot 1.03

Alderman Picciallo abstained from line item # 13-02313 on the bills list.

REGULAR MEETING MINUTES
November 12, 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 7:07 pm

ROLL CALL

Present: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega, Yzarnotegui 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 announced that the Town of Dover will once again be partnering with Turkestanian American Association to provide free meals to the residents of the community this Thanksgiving holiday. This is the fourth year of the program which has grown to over 700 meals being served last year. The event will be held on Wednesday, November 27th from 3pm to 7pm at the Turkestanian America Association located on Princeton Avenue. He reminded the public that curbside leaf collection will run through the week of December 6th. The Holiday Tree Lighting ceremony will take place on Monday, December 2 at 6pm in JFK Commons Park. Mayor Dodd directed the Administrator to schedule a meeting with the Public Safety Director to address some concerns from last year's event. Mayor Dodd attended the Veteran's Day Ceremony at Hurd Park. He thanked the Dover Memorial Association for hosting the ceremony to honor all the men and women of the armed forces.

ATTORNEY'S REPORT – He 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

CITY LIMO AND TAXI INC

'05 Dodge	1D4GP45R15B434399	OL3734J
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ELITE LIMO & TAXI SRCV LLC

'03 Hummer	5GRGN23U73H128539	OL6143H
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FIRST CLASS OF DOVER, INC

'05 Lincoln	1LNHM82W25Y660343	OL3047H
'06 Lincoln	1LNHM84WX6Y645989	OL9830G

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: 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:

October 22, 2013 – Caucus & Regular

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: None Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
REMOVING PHIL WILKS FROM THE ROLLS OF THE DOVER VOLUNTEER FIRE DEPARTMENT**

WHEREAS, Section 20-5 provides that any member of the Dover Volunteer Fire Department with less than 10 consecutive years of active service who is not in good standing for two consecutive years shall be recommended to be removed by the Board of Engineers from the rolls of the Dover Volunteer Fire Department or Rescue Squad; and

WHEREAS, Phil Wilks is not in good standing; and

WHEREAS, the Dover Volunteer Fire Department recommends his removal from the rolls of the Dover Volunteer Fire Department; 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. Phil Wilks is hereby removed from the rolls of the Dover Volunteer Fire Department.

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: None Abstained: None**

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 5, 2011, a lien was sold on Block 607 Lot 15 also known as 8 Parker Street, Dover, New Jersey for delinquent 2010 taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 10-00001 was sold to Crestar Capital, LLC; and,

WHEREAS, redemption fees for Certificate No.10-00001 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 \$29,645.71 for redemption payment and premium made at time of sale, payable to US Bank CUST for Crestar Capital LLC, 2 Liberty Place, - 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 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: 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:	\$4,202.95
CURRENT ACCT claims in the amount of:	\$459,781.14
GENERAL CAPITAL ACCT claims in the amount of:	\$116,126.30
WATER UTILITY ACCT claims in the amount of:	\$88,484.05
WATER UTILITY RESERVE ACCT claims in the amount of:	\$0.00
WATER CAPITAL ACCT claims in the amount of:	\$27,537.46
PARKING UTILITY ACCT claims in the amount of:	\$5,337.00
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:	\$4,700.00
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:	\$7,664.74
COAH TRUST Acct claims in the amount of:	\$0.00
TOTAL CLAIMS TO BE PAID	\$713,833.64

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:	\$308,602.82
WATER UTILITY ACCT claims in the amount of:	\$22,438.12
PARKING UTILITY ACCT claims in the amount of:	\$2,785.64
PAYROLL AGENCY ACCT claims in the amount of:	\$153,762.01
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$20.74
TOTAL CLAIMS PAID	\$487,609.33

TOTAL BILL LIST RESOLUTION **\$1,201,442.97**

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

**Ayes: Aldermen Visioli, Picciallo, Romaine, Blackman, Rutan, Noriega and Yzarnotegui
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
Tax Collection OE
Legal Fees OE
Police S & W

Sewer OE
 Public Bldgs & Grds OE
 Recreation OE
 Public Defender 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

Police Dispatch/911
 Code Enforcement S & W
 Solid Waste & Recycling OE

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	
Police Dispatch/911	6,482	Tax Collection OE	1,000
Code Enforcement S & W	15,000	Legal Fees OE	15,000
Solid Waste & Recycling OE	71,168	Police S & W	60,000
		Sewer OE	5,000
		Public Bldgs & Grds OE	3,000
		Recreation OE	2,000
		Public Defender OE	6,650
Total	92,650	Total	92,650

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: None Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
 APPROVING A CHANGE ORDER FOR THE KING FIELD BALL FIELD IMPROVEMENTS**

WHEREAS, the Town of Dover solicited bids for King Field Ball Field Improvements; and

WHEREAS, there exists a need for a change orders as listed below in the amount of \$32,798.00; and

WHEREAS, the CFO has certified the funds are available; and

WHEREAS, the project will be funded Capitol Account #C-04-55-928-001; 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. Change order (1) is approved in the amount of \$16,500.00 for to install the conduit and electrical boxes for future scoreboards and field lighting.
2. Change order (2) is approved in the amount \$3,820.00 for the purchase and installation of four sets infield bases with anchors, plugs and anchor dig out tool.
3. Change order (3) is approved in the amount \$1,998.00 to furnish and install 20 tons of ¾” clean stone around existing seepage pit and re-excavate the proposed path of the new water line and deflect the pipe run using (2) 45° angle footings and adding approximately 10 LF of 4” Ductile Iron Pipe.
4. Change order (4) is approved in the amount \$10,480.00 for the installation and purchase of (6) Samsung 212R (4x20) Weather-Proof Color Bullet Cameras and (1) 24 Volt 8 Camera Altronix Fused Power Supply to

include installation of a new outlet, cabling, connections, final test, demo and required programming.

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

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR EXPERT
APPRAISAL SERVICES FOR STATE TAX COURT CASES**

WHEREAS, there exist a need for expert appraisal services and expert testimony to defend the case brought by SW/Dover I, L.P./Fed Ex Block 901, Lot 1.03 for tax years 2009 thru 2013 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20-5; and

WHEREAS, the Chief Financial Officer (CFO) has determined and certified in writing that the value of this service and other anticipated service will cumulatively exceed \$17,5000.00;

WHEREAS, Associated Appraisal Group (AAG) is a qualified appraisal company who has performed prior services for the Town on cases before the Morris County Board of Taxation; and

WHEREAS, the services to be acquired are exempt as Professional Services under the Local Public Contract Law at N.J.S.A 40a:11-5: and

WHEREAS, AAG has offered to perform such services including but not being limited to appraisal research, appraisal, expert testimony and consultation with assessor and municipal attorney in accordance with the attached quote sheet; and

WHEREAS, the total amount shall not exceed \$40,000.00;

WHEREAS, the anticipated term of this contract is for one year, and

WHEREAS, the CFO has certified funds are available for their award pursuant to N.J.S.A. 5:30-54; and

WHEREAS, AAG has submitted a Business Entity Disclosure Certification which states they have not made any reportable contributions to a political candidate or political committee in the Town of Dover as to the Mayor and Board of Aldermen, in the previous one year, and that the award of this contract will prohibit AAG from making any reportable contributions through the term of the contract.

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

1. The services of AAG at the rated on the attached quote sheet not to exceed \$40,000 is hereby approved;\
2. The administrator and municipal clerk are hereby authorized to negotiate a contract which contain the terms set for herein in a form satisfactory to them;
3. The mayor and clerk are hereby authorized to execute such contractual agreement

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 and Mayor Dodd
Nays: None Absent: None Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR EXPERT APPRAISAL
SERVICES FOR STATE TAX COURT CASES**

WHEREAS, there exist a need for expert appraisal services and expert testimony to defend the case brought by SW/Dover I, L.P./Fed Ex Block 901, Lot 1.03 for tax years 2009 thru 2013 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20-5; and

WHEREAS, the Chief Financial Officer (CFO) has determined and certified in writing that the value of this service and other anticipated service will cumulatively exceed \$17,5000.00;

WHEREAS, Robert Edgar of Certified Valuations, Inc. (CVI) has performed prior services for the Town of Dover for this property and

WHEREAS, the services to be acquired are exempt as Professional Services under the Local Public Contract Law at N.J.S.A 40a:11-5: and

WHEREAS, Robert Edgar has offered to perform an appraisal for all tax years for a fixed fee of \$5,000.00 for suce services including but not limited to appraisal research, appraisal, and consultation with assessor; and

WHEREAS, trial preparation and testimony shall be billed at a rate of \$150.00 per hour; and

WHEREAS, the total amount shall not exceed \$10,000.00;

WHEREAS, the anticipated term of this contract is for one year, and

WHEREAS, the CFO has certified funds are available for their award pursuant to N.J.S.A. 5:30-54; and

WHEREAS, CVI has submitted a Business Entity Disclosure Certification which states they have not made any reportable contributions to a political candidate or political committee in the Town of Dover as to the Mayor and Board of Aldermen, in the previous one year, and that the award of this contract will prohibit CVI from making any reportable contributions through the term of the contract.

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

1. The services of Robert Edgar of Certified Valuations, Inc. to prepare an appraisal on Block 901 Lot 1.03 for tax years 2009 thru 2012 for \$5,000.00 and for trial preparations and testimony and testimony at \$150.00 per hour the total not to exceed \$10,000 is hereby approved.
2. The administrator and municipal clerk are hereby authorized to negotiate a contract which contain the terms set for herein in a form satisfactory to them;
3. The mayor and clerk are hereby authorized to execute such contractual agreement.

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: None Abstained: None**

PUBLIC COMMENTS

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

**Motion to adjourn made by Alderman Rutan at 7:12 pm,
and duly seconded by Alderman Picciallo passed by the following voice vote.**

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk