



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
November 20, 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.

ROLL CALL:

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

Absent: Alderman Picciallo & Timpani

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

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

Mayor Dodd introduced Dave Vozza from the Morris County Health Insurance Fund (HIF) who presented the town with a check for \$136,867. Mayor Dodd explained that the Town of Dover is receiving a dividend check from the insurance fund. Mr. Vozza thanked the town for allowing Margaret Verga to serve on JIF's board and William Close for his time in the HIF Fund.

MUNICIPAL CORRESPONDENCE:

1. Resolution from the Town of Boonton re: Support of A-3393, Legislation to Protect Residential Property Taxpayers from the Loss of Telecommunication Tax Support
2. Resolution from the Town of Boonton re: Support the Passage of S180/A640 by the Legislature to Amend Megan's Law
3. Resolution from the Township of Hanover re: Supporting Assembly, No. 3393 Clarifying Verizon's Responsibility to Remit Business Personal Property Taxes to Municipalities
4. Letter from NJ General Assembly congratulating the Town of Dover on the NJDEP's Recycling Tonnage Grant
5. Letter from Assemblyman Anthony Bucco re: Hurricane Preparedness
6. Fax from Assemblyman Bucco advising the town that Governor Chris Christie announced Federal Emergency Declaration for NJ
7. Letter from NJDEP re: Christie's administration awarding \$13.1 million in grants to bolster local recycling efforts
8. Letter from NJDEP re: Christie Administration Working with Storm-Affected Counties and Municipalities to Ensure Safe and Environmentally Responsible Debris Removal
9. Letter from NJDEP re: Delaware Bay Shellfish Beds to Reopen at Sunrise on Monday Decision by DEP on More Beds Expected Soon
10. Letter from the State of NJ Department of the Treasury re: Audit relating to the annual \$250 property tax deduction
11. Notice of Public Hearing to Property Owners for certain variances at 144-146 Munson Rd – Township of Randolph Board of Adjustment – American Interior & Exterior Contracting, LLC.
12. Notice of Public Hearing sponsored by the NJ Clean Water Council on 12/10/12 re: Greening NJ's Water Infrastructure
13. Notice of Public Hearing from the Morris County Sheriff's Office for public comments on their reaccreditation assessment on November 14, 2012.
14. Notice of Public Hearing for a "C: Bulk Variance at 32 Spring Street - Morris Habitat for Humanity Inc.
15. 2011-2012 Annual Report for Habitat for Humanity, South Sarasota County, Inc.
16. Letter from Ms. Michele Vega, President of Dover Strikers Recreation Soccer on their elections/new board.
17. Compliance Advisory from NJDEP on the illegal dumping of solid waste.
18. Letter from Cablevision re: Launch of One World Sports and new Japanese Package

NJDEP = NJ Department of Environmental Protection

CONSENT AGENDA

1. Resolution Approving Limo(s) – Schedule A

2. Resolution Approving Mayor & Board of Aldermen Meeting Minutes – October 23, 2012
3. Resolution Approving Tax Settlement - 28 W. Blackwell St., LLC Block 1218, Lot 16
4. Resolution Supporting A-3393, Legislation to Protect Residential Property Taxpayers from the Loss of Telecommunications Tax Support

ORDINANCE FOR FIRST READING

1. Ordinance #18-2012 – Amending Chapter 57 of the Code of Town of Dover - Police Dept.

Mayor Dodd noted that ordinance #18-2012 will create an auxiliary police department. He noted that the auxiliary police department would be a supplement to the police department to assist the department during events like Hurricane Sandy.

AGENDA ITEMS:

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Approving Mayor & Board of Aldermen Meeting Minutes – October 9, 2012
3. Resolution Approving Volunteer Fire Dept. Member – Dishant Patel
4. Resolution Approving Transfer Resolution
5. Resolution Approving Salary Resolution – Non-Union
6. Resolution Approving submission of grant application & execution of grant contract with NJDOT for targeted impaired driving enforcement
7. Resolution Changing the December 11th meeting date to December 18th for the year 2012

REGULAR MEETING MINUTES
November 20, 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 7:14 pm

ROLL CALL

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

Absent: Alderman Picciallo & Timpani

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.

An audience member asked about the Warren Street parking. Mayor Dodd provided an update on the Warren Street parking. He noted that he has been in contact with NJ Department of Transportation (NJDOT) and was informed that the NJDOT's emergency maintenance crew will perform the job since PKF Contracting rejected the job. However, their emergency maintenance crew is now stationed in South Jersey due to Hurricane Sandy and a completion date can not be provided.

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

MAYOR'S REPORT – Mayor Dodd and members of the board attended the grand opening for the Zufall Health Clinic. Mayor Dodd noted that in 2013 the clinic has projected that they will see 59,000 patients and currently 25% of them are from Dover. Mayor Dodd commended them for the service that they provide to the community. He reminded the public that tomorrow the Turkestan American Association will host their annual thanksgiving dinner. He also noted that the Salvation Army will host a breakfast for needy families on Thursday morning. He expressed that the Santa Run will take place on December 16th. Mayor Dodd thanked the voters in Dover and congratulated Michelle Yzarnotegui.

ATTORNEY'S REPORT – Mr. Downs provided an updated on the OPRA lawsuit that was filed against the Municipal Clerk's office. He noted that the order came back favorable to the town.

Mayor Dodd provided a summary on the events of Hurricane Sandy in the Town of Dover. He thanked Rich Riley, Office Emergency Management Coordinator, Deputy Coordinator Frank Coppinger, Town Administrator Mr. Close, Public Safety Director Richard Rosell, Municipal Clerk Margaret Verga and staff including Department of Public Works.

Mayor Dodd thanked and recognized Danielle Guzman and the MIRA group for their assistance with the warming center. He also thanked Sabor Latino, Viking Bakery of Denville, Pan Pizza Bakery and Burger King for their donations of meals and snacks to the warming center.

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

Axel's Express Limo & Taxi

Year/Model/Make	Vehicle Identification Number	Plate #
2004 Lincoln Towncar (Taxi#25)	1LNHM 81W84 Y6591 47	OXZ8918
2005 Dodge Wagon (Taxi# 26)	1D4GP 24R85 B2267 36	OXZ8917

First Class of Dover, Inc

Year/Model/Make	Vehicle Identification Number	Plate #
2007 Dodge CRV	1D8GP 25E87 B2082 51	OL5796G

Elite Limo & Taxi Service LLC

Year/Model/Make	Vehicle Identification Number	Plate #
2000 Toyota Sienna	4T3ZF13C5YU249497	OL1575J

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

Ayes: Aldermen Visioli, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Picciallo & Timpani 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 23, 2012 – Caucus & Regular

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER APPROVING THE SETTLEMENT OF A TAX COURT APPEAL 28 W. BLACKWELL ST., LLC, BLOCK 1218, LOT 16 2009, 2010 AND 2011 AGREEMENT

WHEREAS, 28 W. Blackwell St., L.L.C. is the owner of 28 W. Blackwell St., A through D &31, Dover New Jersey, also known as Block 1218, Lot 16; and

WHEREAS, 28 W. Blackwell St., L.L.C. filed appeals with the Tax Court of New Jersey for the years 2009, 2010 and 2011 bearing Docket # 013280-2009, 017410-2010 and 012998-2011; 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, a settlement value of \$699,400.00 total assessment for year 2009, \$599,400.00 total assessment for year 2010 and \$599,400.00 total assessment for year 2011 and \$500,000.00 total assessment for year 2012 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>2009</u>	Original <u>Assessment</u>	County Board <u>Judgment</u>	Tax Court <u>Judgment</u>
Land:	\$ 238,300.00	\$ 238,000.00	\$ 238,000.00
Improvements:	\$ 461,400.00	\$ 461,400.00	\$ 461,400.00
Total:	\$ 699,400.00	\$ 699,400.00	\$ 699,400.00
<u>2010</u>	Original <u>Assessment</u>	County Board <u>Judgment</u>	Tax Court <u>Judgment</u>
Land:	\$ 238,000.00	\$ 238,000.00	\$ 238,000.00
Improvements:	\$ 461,400.00	\$ 461,400.00	\$ 361,400.00
Total:	\$ 699,400.00	\$ 699,400.00	\$ 599,400.00
<u>2011</u>	Original <u>Assessment</u>	County Board <u>Judgment</u>	Tax Court <u>Judgment</u>
Land:	\$ 238,000.00	\$ 238,000.00	\$ 238,000.00
Improvements:	\$ 361,400.00	\$ 361,400.00	\$ 361,400.00
Total:	\$ 599,400.00	\$ 599,400.00	\$ 599,400.00
<u>2012</u>	Original <u>Assessment</u>	County Board <u>Judgment</u>	Tax Court <u>Judgment</u>
Land:	\$ 238,000.00	\$ None	\$ 238,000.00
Improvements:	\$ 361,400.00	\$ None	\$ 262,000.00
Total:	\$ 599,400.00	\$ None	\$ 500,000.00

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 2009, 2010, 2011 and 2012.
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.

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

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

**RESOLUTION IN SUPPORT OF A-3393,
LEGISLATION TO PROTECT RESIDENTIAL PROPERTY TAXPAYERS FROM THE LOSS OF
TELECOMMUNICATIONS TAX SUPPORT**

WHEREAS, in 1997, at the request of incumbent utilities, the laws regarding State taxation of telecommunications corporations were amended in response to technological and market innovations, in order to increase competition; and

WHEREAS, the amendments sought to preserve revenues to local governments by providing that local exchange telephone companies subject to the New Jersey Franchise and Gross Receipts Tax on April 1, 1997 would continue to be subject, annually, to the Business Personal Property Tax (“BPPT”); and

WHEREAS, the statute defines local exchange companies as those telecommunications carriers “providing dial tone and access to 51% of a local telephone exchange”; and

WHEREAS, Verizon’s self-serving interpretation of the statutory definition has led it to claim exemption from the BPPT in any municipality where the corporation unilaterally determines, in any given year, that it no longer supplies dial tone and access to at least 51% of the local telephone exchanges; and

WHEREAS, Hopewell Borough’s challenge to that claim was upheld by the Mercer County Board of Taxation in 2009; and

WHEREAS, Verizon’s appeal of that determination to the Tax Court resulted in a June, 2012 trial court decision accepting the corporation’s self-serving interpretation of the law; and

WHEREAS, as things now stand, over 100 municipalities know that they enter 2013 without BPPT revenues that will cost property taxpayers well in excess of \$8 million and, unless matters change, more municipalities will lose more millions in the future; and

WHEREAS, remedial legislation (A-3393) has been introduced by Assemblyman Ralph Caputo, which will clarify the perceived ambiguity of the statutory definition to further implement the original legislative intent to preserve revenues to local governments; and

WHEREAS, we anticipate the introduction of companion legislation by Senator Bob Smith, as soon as the Senate next convenes;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Board of Aldermen of the Town of Dover commends Assemblyman Caputo and Senator Smith and strongly supports A-3393, which would clearly identify the telecommunications carriers subject to taxation on their business personal property and remove the budget uncertainty caused by Verizon’s obfuscation; and

BE IT FURTHER RESOLVED, that we urge our State Senator and our representatives in the General Assembly to join as co-sponsors of A-3393 and its companion bill; and

BE IT FINALLY RESOLVED, that copies of this Resolution be forwarded to the Honorable Governor Chris Christie, the Honorable Speaker of the General Assembly Sheila Oliver, the Honorable President of the State Senate Stephen M. Sweeney, the Honorable Assembly Republican Leader Jon Bramnick, the Honorable Senate Republican Leader Thomas H. Kean, Jr., and our own State Senator and Representatives in the General Assembly, and to the New Jersey State League of Municipalities.

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

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

ORDINANCE FOR INTRODUCTION

ORDINANCE NO. 18-2012 **AN ORDINANCE AMENDING CHAPTER 57 OF THE CODE OF THE TOWN OF DOVER,** **ENTITLED “POLICE DEPARTMENT”**

BE IT ORDAINED by the Municipal Council of the Town of Dover (the “Town”), in the County of Morris and State of New Jersey, that:

WHEREAS, the governing body of a municipality may make, amend, repeal, and enforce ordinances to adopt policies and procedures for the protection of public health, safety and welfare; and

WHEREAS, the Town of Dover desires to amend Chapter 57 of the Town Code to create an Auxiliary Police Force and to reallocate responsibilities accordingly. This Ordinance shall be organized under Article IV of the Code, and the current “Article IV Table of Organization (§ 57-19)” shall be now designated as “Article V Table of Organization (§ 57-19)”

WHEREAS, the Board of Aldermen of the Town of Dover believes that it is in the best interests of the Town to establish an auxiliary police organization to assist and augment the regular police force during disasters and other

emergency conditions, all in accordance with New Jersey Statute, Appendix A: 9, et seq., all duly adopted Executive Orders promulgated by the New Jersey Office of Emergency Management, and all rules, regulations and memoranda issued by the Local Emergency Management Coordinator and the Chief of Police; and

WHEREAS, the Board of Aldermen wishes to establish rules and procedures governing the interaction between the Auxiliary Police and the Dover Police Department; and

WHEREAS, it is hereby established as a policy of the Dover Police Department to utilize the Police Auxiliary as a supplement to police personnel in times of disaster or public emergency and assist in the training of the Police Auxiliary, so as to maximize preparedness in times of disaster or emergency; and

WHEREAS, it is the further stated intent of this legislation to establish the Police Auxiliary of the Town of Dover as being under the direct supervision of the Dover Emergency Management Coordinator during a properly declared state or local emergency or disaster, and under the direct supervision of the Chief of Police during period of bona fide training in preparation for such occurrence, such training being nevertheless as approved by the Board of Aldermen in cooperation with the Mayor and Borough Emergency Management Coordinator;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey, that Chapter 57 of the Town Code entitled, "Police Department" is hereby amended as follows (any subsection not enumerated herein remains unchanged):

Article IV

Section 1

§ 57-19 Auxiliary Police Department Established

There is hereby established in the Town of Dover an Auxiliary Police Department. The purpose of this ordinance is to establish rules and regulations regarding the Auxiliary Police Department, consistent with Appendix A, Chapter 9, National Defense and other directives of the State of New Jersey Director of Emergency Management or the Governor of the State of New Jersey.

Section 2.

§ 57-20 Qualifications of the Town of Dover Auxiliary Police

A. All members of the Police Auxiliary must be residents of and maintain residence in the Town of Dover. Exceptions will be considered on a case by case basis and only when:

1. The applicant's residence is not more than five (5) miles from the nearest corporate borders of the Town of Dover; and
2. Upon approval of the Mayor and Board of Aldermen

B. The selection criteria for membership in the Borough of Dover Policy Auxiliary include:

1. Citizen of the United States and the State of New Jersey;
2. At least 18 years of age;
3. Able to read, write and speak the English language;
4. Good moral character (based upon contemporary standards);
5. Physically qualified to perform assigned duties. Physical disability is not a disqualifier if the person is able to perform assigned duties;
6. Free of criminal conviction involving moral turpitude;
7. Must possess a valid New Jersey driver's license by date of appointment if vehicle operation is required;
8. Auxiliary Police members may not simultaneously be members of the regular Dover Police Department;
9. Shall agree to an extensive background investigation and shall have his fingerprints taken, and they shall be filed with the Division of State Police and the Federal Bureau of Investigation.
10. Meet such other requirements as are established in the Dover Auxiliary Police Rules and Regulations;

§ 57-21 Responsibilities of Department Officers

A. All auxiliary police officers are required to successfully complete a basic training course for auxiliary police prior to taking an oath of office.

B. All auxiliary police officers, before assuming the duties of their office, shall take and subscribe to the oaths required by NJSA 41:1-1, et seq. The original executed oaths shall be filed with the Municipal Clerk. Copies shall be forwarded to:

1. The Police Auxiliary officer taking the oath;
2. The Chief of Police;

3. If not a Town of Dover resident, to the clerk of the municipality in which the officer(s) reside(s).
- C. Auxiliary police officers in good faith carrying out, and complying with, or attempting to comply with rules and regulations made and promulgated or performing any authorized service shall have and possess all the rights, privileges and immunities conferred upon civilian defense volunteers by the laws of this State.
 - D. Auxiliary police personnel are not regular sworn police officers. NJSA App. A:9-45 states that auxiliary police shall have the powers of a regular police office only during a declared emergency, disaster, or assigned training mission.
 1. Regular police officers, regardless of rank or assignment, shall not relinquish their authority to any member of the Police Auxiliary.
 2. Auxiliary Police officers shall obey the instructions of any regular police officer except as provided in the Town of Dover Police Department Rules and Regulations.
 3. Powers granted to the Auxiliary Police can be restricted and controlled in accordance with applicable laws, statutes, guidelines, and directives issued by the New Jersey Legislature, New Jersey Office of Emergency Management, New Jersey Attorney General, Morris County Prosecutor, Board of Aldermen, or the Chief of Police.
 - E. Auxiliary police personnel are covered by state and federal statutes for compensation insurance in case of death or personal injury only when on duty during a declared emergency, disaster, or assigned training mission.
 - F. Auxiliary police officers are provided with public liability protection equal to that provided to regular police officers.
 - G. Auxiliary police personnel must comply with all rules and regulations of the Town of Dover Police Department, those established for the Police Auxiliary, and applicable written directives as may be prescribed.
 - H. Auxiliary police officers are prohibited from using their identification card, badge, or affiliation with the Town of Dover Police Auxiliary or the Town of Dover for any financial gain, advantage, or other unethical purpose. All Auxiliary Police, while on duty, shall be uniformed in a manner, which is clearly distinctive from that of a regular police officer within the Town of Dover. Additionally, each volunteer auxiliary police officer shall wear a badge at all times while on duty indicating membership in the auxiliary police of the Town of Dover.
 - I. Arming of the Police Auxiliary with less lethal weapons is authorized subject to the following:
 1. The only authorized less lethal weapons are the:
 - a. Baton: collapsible friction lock baton
 - b. Oleoresin capsicum spray
 2. Auxiliary officers are also authorized to carry and use handcuffs in comportment with any training provided in basic training and/or in-service training provided by the police department.
 3. Only those Police Auxiliary officers who have been instructed in the Town of Dover Police Department's use of force and weapons directives and have demonstrated proficiency with the above less lethal weapons are authorized to carry these weapons.
 4. All Police Auxiliary officers must receive refresher training in the use of force and weapons directives and demonstrate proficiency with the above authorized less lethal weapons with the same frequency as regular police officers.
 5. These authorized weapons and equipment can only be carried on duty during a disaster, declared emergency, or authorized training mission.
 6. These authorized weapons must be stored in a safe manner while off duty to retard theft or unauthorized possession or use by unauthorized persons.
 7. Police Auxiliary officers shall promptly report any lost or stolen weapons or equipment to the Town of Dover Police Department as soon as possible following discovery of the loss.
 8. Any use of force must comply with the Town of Dover Police Department's use of force and weapons directives.
 - J. UNDER NO CIRCUMSTANCES shall a Police Auxiliary officer initiate or participate in any motor vehicle pursuit or high-speed response.
 1. A high speed response is any call response that exceeds posted speed limit.
 2. Auxiliary police are authorized to use emergency lights and sirens under certain conditions to include:
 - a. Parades;
 - b. Funerals;

- c. Other special events as authorized by the Chief of Police.
 - 3. Police Auxiliary personnel are permitted to utilize a Town of Dover vehicle only when assigned during a declared emergency, disaster, or training mission, when clearly designated by sign or emblem denoting Auxiliary Police, and with the approval of the squad commander of designee.
 - 4. Auxiliary Police are not authorized to utilize emergency lights or siren when driving to any fixed post assignment.
- K. The following list is representative of the functions, which may be proper and appropriate for assignment to the Police Auxiliary. The list is not all inclusive and other functions may be assigned at the discretion of the Chief of Police or designee.
- 1. Vehicular and pedestrian traffic control;
 - 2. Receive and disseminate warnings or information and instructions to the public as directed;
 - 3. Crowd and assemblage control;
 - 4. Security of Federal, State, County or local government buildings, excluding the Municipal Court, within the Town of Dover;
 - 5. Assist with staffing and functioning of the Town's Emergency Operations Center, field command posts, staging areas, or police headquarters operations;
 - 6. Enforcement of law and maintenance of order as required and/or directed;
 - 7. Satisfactory documentation of all assigned tasks initiated or completed, and reporting unusual incidents encountered during assigned duty.
- L. Auxiliary police officers are required to attend mandatory training made necessary by their assignment or duties. Those training topics statutory required of regular police officers shall be provided. These topics include, but are not limited to:
- 1. Use of Force;
 - 2. Weapons proficiency (authorized less lethal);
 - 3. Right to Know;
 - 4. Hazardous Materials Awareness;
 - 5. Other topics mandated by the Public Safety Director.

§ 57-21 Evaluation of Auxiliary Police

- A. Annually, the Chief of Police or designee shall submit to the State Director of Emergency Management the names and addresses of current Police Auxiliary officers and an outline of the proposed training program.
- B. Police Auxiliary officers shall receive annual performance evaluations in accordance with the Dover Police Department's Performance Evaluation directive.
 - 1. All Police Auxiliary personnel shall be evaluated.
 - 2. Personnel should be evaluated by their immediate supervisor/commander.
 - 3. The Auxiliary Police Captain shall be evaluated by the Police Liaison.

§ 57-22 Appointment of Auxiliary Police Department Members

The Mayor and Board of Aldermen may appoint from time to time auxiliary police officers in accordance with New Jersey laws for terms not exceeding one year. They shall possess and exercise all the powers and duties provided by said laws consistent with this ordinance during their term in office, but shall not be considered as regular members of the Police Department and shall not be entitled to tenure.

§ 57-23 Term of Appointment; revocation

Auxiliary police shall be appointed annually by the Mayor and Board of Aldermen for a term of one year, and the appointment may be revoked by the Mayor and Board of Aldermen without cause and without a hearing. Auxiliary police so appointed shall not be members of the police force.

Section 2.

If any chapter, article, section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction such decisions shall not affect the remaining portions of this Ordinance.

Section 3.

Except to the extent amended hereunder, all other parts or sections of Chapter 57, Police, shall remain in full force and effect. All parts and provisions of any ordinance, which are inconsistent with the provisions of this ordinance, shall be repealed to the extent of such inconsistency.

Section 4.

This Ordinance shall take effect 20 days after final adoption and publication as provided by law.

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

**Ayes: Aldermen Visioli, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Picciallo & Timpani 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:	\$7,067.77
CURRENT ACCT claims in the amount of:	\$1,661,932.26
GENERAL CAPITAL ACCT claims in the amount of:	\$323,026.83
WATER UTILITY ACCT claims in the amount of:	\$61,619.47
WATER UTILITY RESERVE ACCT claims in the amount of:	\$58.00
WATER CAPITAL ACCT claims in the amount of:	\$149,737.35
PARKING UTILITY ACCT claims in the amount of:	\$5,660.69
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:	\$15.00
EVIDENCE TRUST ACCT claims in the amount of:	\$0.00
RECYCLING TRUST ACCT claims in the amount of:	\$270.00
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	\$2,147.06
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	\$165.33
TRUST/OTHER ACCT claims in the amount of:	\$13,459.45
COAH TRUST Acct claims in the amount of:	\$0.00
TOTAL CLAIMS TO BE PAID	\$2,225,159.21

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:	\$634,469.80
WATER UTILITY ACCT claims in the amount of:	\$41,913.80
PARKING UTILITY ACCT claims in the amount of:	\$5,175.15
PAYROLL AGENCY ACCT claims in the amount of:	\$236,730.64
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$46.02
TOTAL CLAIMS PAID	\$918,335.41

TOTAL BILL LIST RESOLUTION \$3,143,494.62

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

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

**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 9, 2012 – Caucus & Regular

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

**Ayes: Aldermen Visioli, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Picciallo & Timpani 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 Dishant Patel; 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 Dishant Patel to the 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, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: Alderman Picciallo & Timpani 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: 2012

Water OE	Tax Assessor OE	Police OE
Parking S & W	Fire OE	
Streets OE	Mayor and Board 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: 2012

Water S & W	Fire S & W	Recreation S & W
Parking OE	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	
Parking OE	1,800.00	Parking S & W	1,800.00
Water S & W	30,000.00	Water OE	30,000.00
Fire S & W	15,000.00	Streets OE	6,000.00

Recycling OE	48,500.00	Mayor and Board OE	35,000.00
Recreation S & W	12,500.00	Tax Assessor OE	15,000.00
		Fire OE	15,000.00
		Police OE	5,000.00
	107,800.00		107,800.00

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

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

SALARY RESOLUTION

BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, 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, 2012 as listed on Schedule A.

NON UNION SCHEDULE A YEAR 2012

NAME/TITLE	2012-2%
Harold Valentine, Police Chief	\$ 132,359
Harold Valentine, Dep. Emerg. Man. Coord.	\$ 1,188
William Close, Administrator	\$ 142,800
Margaret Verga, Municipal Clerk	\$ 89,035
Andrea Coroneos, Tax Collector	\$ 57,120
Zoraida Ryerson, Code Enforcement Officer	\$ 44,799
Patrick Laverty, Code Enforcement Officer	\$ 55,141
Louis Avevedo, Superintendent Street	\$ 90,252
Richard Cole, Supervisor Street	\$ 61,803
Carlos Chaparro, Supervisor Water	\$ 61,803
Kelly Toohey, CFO/Treasurer	\$ 82,640
Therese DePierro, Tax Assessor PT	\$ 39,923
Robert Lin, Librarian	\$ 49,788
Bruce George, Library Director	\$ 69,325
Natalie Riggs, Supv. Library Asst.	\$ 39,174
Sonia Barria, Municipal Court Administrator	\$ 78,936
Lisa Newkirk, Sen. Clerk Typist	\$ 50,399
William Isselin, Mun. Recycling Coord/ Eng Aide	\$ 98,844
Michael Hantson, Municipal Engineer	\$ 126,297
Bridgette Toback, Clerk Typist	\$ 39,925
Maria Santana, Deputy Clerk	\$ 54,631

Richard Sodano, Const. Official/Code Enf.	\$ 60,282
Donald Costanzo, Aide	\$ 26.02
Greg Chontow, Electrical SCO PT	\$ 34.37
Ben Falco, Santarian PT	\$ 29.56
Ronald Auth, Bldg. Sub Code Official PT	\$ 40.80
Phillip Wilk, , Fire Sub Code Official PT	\$ 40.80
Police Matron	\$ 25.11
Special Police	\$ 17.21
School Guards	\$ 17.21
James Dodd, Mayor	\$ 7,432
Christine Noriega, Alderman	\$ 5,572
Michael Picciallo, Alderman	\$ 5,572
Paul Downs, Alderman	\$ 5,572
Cindy Romaine	\$ 5,572
James Visioli, Alderman	\$ 5,572
Carolyn Blackman, Alderman	\$ 5,572
Robert Rutan, Alderman	\$ 5,572
Dominic Timpani, Alderman	\$ 5,572

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

RESOLUTION APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR TARGETED IMPAIRED DRIVING ENFORCEMENT.

NOW, THEREFORE, BE IT RESOLVED that Council of the Town of Dover formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MOB-YEDS-2013-Dover Town-00174 to the New Jersey Department of Transportation on behalf of the Town of Dover.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Dover and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER CHANGING THE DECEMBER 11TH MEETING DATE TO DECEMBER 18TH FOR THE YEAR 2012

WHEREAS, the Mayor and Board of Aldermen designated meeting dates by resolution at the Reorganization Meeting of January 1, 2012; and

WHEREAS, the regular meeting dates for the Town of Dover are normally the second and fourth Tuesdays of the month; and

WHEREAS, the Mayor and Board of Aldermen wish to change this meeting date;

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 meetings date for December 11, 2012 shall be changed to December 18, 2012.

BE IT FURTHER RESOLVED that the regular public caucus meetings of the Mayor and Board of Alderman shall be held at 7:00 p.m. and the regular public meeting shall be held immediately following the conclusion of the caucus meeting at the Dover Town Hall, 37 N. Sussex Street.

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

Ayes: Aldermen Visioli, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd

Nays: None Absent: Alderman Picciallo & Timpani Abstained: None

PUBLIC COMMENTS

ANTONIO ACOSTA – 130 Madison Street – Mr. Acosta expressed his concern with the status quo of the town. He showed the board several pictures that consisted of graffiti, landscaping and property maintenance issues in the town parks and municipal parking lots. Mayor Dodd expressed that there is a process to remove graffiti. He provided a timeline for the graffiti in the Water Works Park which was identified by code enforcement and then investigated by the police department within three days. Mayor Dodd agreed with Mr. Acosta's complaint about the sign at Crescent Field and noted that it shouldn't be his responsibility to notify the town on these issues. Mayor Dodd noted that the employees need to take a better initiative in identifying (maintenance) issues. He noted that there's room for improvement, however there are several things that are against the town for example lack of manpower, financial issues and many other issues that the public doesn't see. Discussions continued on the maintenance issues in town.

MARIA TCHINCHINIAN – 30 Hillcrest Avenue – She thanked the board and employees for their assistance through Hurricane Sandy and expressed that the warming center was an excellent idea, as well as, the phone calls which provided resident with updates. She also thanked the town for allowing her to borrow a generator. Mayor Dodd explained that twenty-eight generators were provided by JCP&L which were made available to the public. Mr. Close noted that JCP&L is in the process of donating the generators to the town.

Mayor Dodd thanked OEM Coordinator Rich Riley and noted that the amount of time he dedicated during Hurricane Sandy is phenomenal. Mr. Riley noted that it's truly his pleasure to serve his community. He also thanked the Police Department, Fire Department Staff and Volunteers and noted that without them things would have been difficult.

**Motion to adjourn made by Mayor Dodd at 7:57 pm,
and duly seconded by Alderwoman Romaine passed by the following voice vote.**

Ayes: Aldermen Visioli, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd

Nays: None Absent: Alderman Picciallo & Timpani Abstained: None

Respectfully submitted,

Margaret J. Verga, Municipal Clerk