



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
November 9, 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, Visioli, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd

Absent: Alderman Poolas (late 7:23pm) & Alderwoman Blackman

Also present were Administrator Close, Attorney Pennella and Maria Santana

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

PROCLAMATION: "PANCREATIC CANCER AWARENESS MONTH"

Mayor Dodd read the above proclamation.

MUNICIPAL CORRESPONDENCE:

1. Thank you letter from Mr. William Woodhull from the Dover Senior Citizen Association
2. Resolution from Township of Roxbury opposing assembly bill No. 2095 which revises requirement for medical service delivery
3. October 2010 Fire Department Report
4. October 2010 Health Department Report
5. October 2010 - NJ State League of Municipalities' Legislative Bulletin

CONSENT AGENDA

1. Resolution Approving Raffle License – Millpond Towers Residents Association
2. Resolution Approving the Settlement of a tax court appeal for Dover-Morris Properties, LLC
3. Resolution Approving Limos
4. Resolution Approving Tax Redemption – 333 E. Blackwell Street

AGENDA ITEMS:

RESOLUTIONS

1. Approving Bills List
2. Approving Mayor & Board of Aldermen Meeting Minutes – October 26, 2010
3. Approving Volunteer Fire Department Member – Rafael Ladino
4. Approving Transfer Resolution
5. Approving Renewal of Liquor License – Fresh Seafood Inc.

REGULAR MEETING MINUTES
November 9, 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 7:08 pm

ROLL CALL

Present: Aldermen Delaney, Poolas (late 7:23pm), Visioli, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Absent: Alderwoman Blackman

Also present were Administrator Close, Attorney Pennella and Maria Santana

Maria Santana stated adequate notice was given to the official newspaper.

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

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

MAYOR'S REPORT – Mayor Dodd commented on the following:

- Toys for Tots will have a special train to collect donated toys. The train will be stopping at town hall on December 12, from 1:30PM to 2:00PM
- The Turkestanian American Association has offered to buy and prepare holiday meals on November 24th from 3-7pm. Mayor Dodd noted that the town will partner with delivering food to seniors.
- The Recreation Commission will host the Annual Christmas Tree Lighting on December 1st
- Harding Avenue Road Improvement status: The top course of asphalt was put down; striping and signage have been completed.
- Chestnut Street Roadway Improvement status: Contractor has begun installation of new curbing and is expected to complete remaining curb work, milling & paving by Thanksgiving.
- Milling & paving projects have started and the streets include Garrison, Linwood, Highland, Lemar, Berry & Grant
- Department of Public Works (DPW) has completed the installation of new tables, benches, trash receptacles and recycling containers at JFK Park and they have been placed on new concrete pads to improve accessibility and maintenance.
- The signage required for the conversion of the street to a one-way should be completed tomorrow, if everything goes well.
- Letters have been sent to the residents of Monmouth Street regarding the parking decals. The signs are scheduled to be installed next week and that's when enforcement will begin.
- Leaf collection has started and will continue through December

ADMINISTRATOR CLOSE – No report

ATTORNEY'S REPORT – Attorney Pennella noted that there's a tax appeal on tonight's agency which is a continuation of the prior year settlement and there has been no change in status of litigation since the last meeting.

Alderman Timpani commented that flag football completed their season undefeated (9-0). Mayor Dodd will host the team for a presentation at the next town meeting.

Alderwoman Romaine commented on the transfer resolution and noted that the town has excessive funds within certain account balances for various departments which are transferred to certain areas that have a shortage. Alderwoman Romaine noted that transfer can only be down after November to help with certain deficiencies.

CONSENT AGENDA

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:

Millpond Towers Residents Association
to be held on December 6, 2010 from 10:00 am to 3:00 pm
(50/50)

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING THE SETTLEMENT OF A TAX COURT APPEAL FOR
DOVER-MORRIS PROPERTIES, LLC

WHEREAS, Dover-Morris Properties, LLC, hereinafter ‘Taxpayer’, is the owner of property located at 42-60 Richboynton Road, Dover, NJ, also known as Block 603 Lot 3; and

WHEREAS, Taxpayer filed an appeal with the Tax Court of New Jersey for the year 2010 bearing Docket No.: 005415-2010; and

WHEREAS, the Tax Assessor has reviewed answers to interrogatories and consulted with the expert appraiser for the Town of Dover, Robert J. Edgar of Certified Valuations, who has thoroughly reviewed the discovery presented; and

WHEREAS, a settlement value of \$6,250,000.00 for the year 2010 was recommended by the expert appraiser for the Town of Dover; and

WHEREAS, the Assessor and the Taxpayer have accepted the market value offered judgment; and

WHEREAS, the original assessment and requested Tax Court judgment are as follows:

<u>Year: 2010</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Tax Court Judgment</u>
Land	\$ 990,000.00	Direct	\$ 990,000.00
Improvements	<u>\$6,310,000.00</u>	Appeal	<u>5,260,000.00</u>
Total	\$7,300,000.00		\$ 6,250,000.00;

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. Tax Court Appeal bearing the above referenced docket number is authorized to be settled for the fair market value of \$6,250,000.00 for the year 2010.
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 Stipulate of Settlement upon the terms set forth above.

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

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

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

FIRST CLASS OF DOVER, INC

1. 2002 Chrysler (LIMO)	Passengers: 6	Color: Blue	VIN: 514762	Plate# OL2662H
2. 2003 Lincoln (LIMO)	Passengers: 5	Color: Gold	VIN: 627814	Plate# OL8852G
3. 2004 Lincoln (LIMO)	Passengers: 5	Color: White	VIN: 601319	Plate# OL3261H

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

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

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 6, 2006, a lien was sold on Block 2317 Lot 1 also known as 333 E Blackwell Street, Dover, New Jersey for delinquent 2005 taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 05-00005 was sold to Plymouth Park Tax Services, LLC and assigned to Home Equity Savers, LLC and,

WHEREAS, redemption fees for Certificate No.05-00005 have been received.

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 \$30,875.99 for Redemption and Premium paid at sale, payable to Home Equity Savers, LLC, 173 Route 46, Rockaway, New Jersey 07866.

BE IT FURTHER RESOLVED that two certified copies of this resolution be returned to the Tax Collector.

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

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

AGENDA ITEMS

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:	
CURRENT ACCT claims in the amount of:	\$499,363.68
CAPITAL ACCT claims in the amount of:	\$20,495.49
WATER UTILITY ACCT claims in the amount of:	
WATER UTILITY RESERVE ACCT claims in the amount of:	
WATER CAPITAL ACCT claims in the amount of:	
PARKING UTILITY ACCT claims in the amount of:	\$2,874.12
PARKING UTILITY RESERVE ACCT claims in the amount of:	
PARKING CAPITAL ACCT claims in the amount of:	
ANIMAL CONTROL TRUST ACCT claims in the amount of:	
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	\$175.50
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:	\$9,361.31
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$532,270.10

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:	\$319,883.86
WATER UTILITY ACCT claims in the amount of:	\$22,876.12
PARKING UTILITY ACCT claims in the amount of:	\$4,211.27
PAYROLL AGENCY ACCT claims in the amount of:	\$152,121.98
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$25.03
TOTAL CLAIMS PAID	\$499,118.26

TOTAL BILL LIST RESOLUTION **\$1,031,388.36**

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 Delaney, Visioli, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd
Nays: None Absent: Alderman Poolas & Alderman Blackman 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 26, 2010 – Caucus and Regular

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

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

RESOLUTION APPROVING VOLUNTEER FIRE DEPARTMENT MEMBER

WHEREAS, the Town of Dover Fire Department has received an application for membership in the Fire Department from Rafael Ladino; 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 Rafael Ladino to the Volunteer Fire Department as a member of Engine Company No. 1.

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

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

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: 2010

- Finance OE
- Tax Collection OE
- Other Insurance OE
- Fire Prevention S & W
- Water - PERS

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: 2010

- Engineering OE
- Code Enforcement S & W
- Construction S & W
- Tax Collection S & W
- Recreation S & W
- Fire S & W
- Group Insurance OE
- Water 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

Engineering OE	\$ 1,500.00
Code Enforcement S & W	\$ 7,000.00
Construction S & W	\$ 1,500.00
Tax Collection S & W	\$ 7,500.00
Recreation S & W	\$ 4,000.00
Fire S & W	\$ 10,900.00
Group Insurance OE	\$ 2,990.00
Water OE	\$ 2,954.00
Total	\$ 38,344.00

TO

Finance OE	\$ 5,000.00
Tax Collection OE	\$ 1,500.00
Other Insurance OE	\$22,990.00
Fire Prevention S & W	\$ 5,900.00
Water – PERS	\$ 2,954.00
Total	\$38,344.00

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

RESOLUTION

WHEREAS, the herein named duly filed an application for renewal of their Alcoholic Beverage License for their respective premises as shown below for July 1, 2010 to June 30, 2011; and

WHEREAS, no objections have been received from the public; and

WHEREAS, the required fees have been paid and all premises have been inspected and approved by the Police Department, Board of Health and the Bureau of Fire Prevention.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover that said applications be approved and that the respective licenses be granted; and

BE IT FURTHER RESOLVED that the Town Clerk or Director in the case of a conflict license be and hereby is authorized to issue license certificates accordingly as listed below.

2010/2011 LIQUOR LICENSES

FRESH SEAFOOD INC

INACTIVE LICENSE

1409-33-012-003

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, Visioli, Donofrio, Picciallo, Timpani, and Romaine

Nays: None

Absent: Alderman Poolas & Alderwoman Blackman

Abstained: Mayor Dodd

PUBLIC COMMENTS – Three Minutes per Person

JON SPERRY – 58 North Essex Street – Mr. Sperry expressed his frustration with the piles of leaves and asked if a leaf vacuum could come through North Essex Street. Mayor Dodd asked if he has seen a difference from this year to any other year with the leaf pick-up. Mr. Sperry noted that he hasn't seen the leaf vacuum come through, this year. Mayor Dodd noted that there will be a leaf vacuum in the area tomorrow.

JIM MULLIN – 150 Ann Street – Mr. Mullin wanted clarification on the transfer resolution, specifically, on the line item for "other insurance." Mr. Close clarified that it's an installment payments on a pre-existing claim.

NANCY HAGERICH – Munson Avenue – Ms. Hagerich thanked the board for the tables that she requested at the last town meeting. Ms. Hagerich will contact the recreation commission about their month meetings.

DAWN DEL GUERCIO – 122 Watson Drive – Mrs. Del Guercio expressed that during the past several years, there has been a hazardous condition during the winter months caused by water gathering in front of her driveway. She noted that department of public works does come around to salt and plow the area of concern. Mrs. Del Guercio commented that the streets in Salem Village were paved but Watson Drive was excluded and she wanted to know the reason for the exclusion. Mayor Dodd noted that the Engineer Department will have to look into the drainage problem because safety is an important factor. Mayor Dodd explained that the Engineering Department makes the recommendation of the streets that need to be paved. He noted that there might be circumstances that prevented Watson Drive to be paved. Mr. Close commented on several steps that are being taken and will be in contact with Mrs. Del Guercio.

Alderman Poolas arrived at 7:23 PM.

Alderman Poolas announced that the Memorial Association will host a candle light vigil at Hurd Park for Veteran's Day.

Motion to adjourn made by Alderwoman Romaine at 7:30 p.m., and duly seconded by Alderman Timpani and passed by the following voice vote.

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

Nays: None

Absent: Alderwoman Blackman

Abstained: None

Respectfully submitted,

Margaret J. Verga, Municipal Clerk