



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
December 14, 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 by Reverend Darcy 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, Blackman and Mayor Dodd

Absent: Alderman Poolas

Also present were Administrator Close, Attorney Pennella and Clerk Verga

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

MUNICIPAL CORRESPONDENCE:

1. Resolution from the Township of Millburn requesting Governor Christie to reconsider and support the ARC Tunnel Project if certain conditions are met.
2. Resolution from the Township of Union supporting the construction of the Trans-Hudson Express Tunnel (ARC)
3. Resolution of the Township of Parsippany-Troy Hills opposing Assembly Bill No. A-2095 and Senate Bill No.S-818 which revise requirement for medical service delivery
4. Notice of Hearing – Application to the Randolph Township Board of Adjustment for property known as 1040 Rt. 10
5. Notice of Public Hearing – NJ Natural Gas for approval of necessary changes to gas rates and tariff
6. Invitation to the official swearing in of Morris County Freeholder Cabana, Grossi, Mastrangelo and Sheriff Rochford on January 5, 2011
7. NJ State League of Municipalities’ invitation for Mayor’s and Council Member to attend the “Executive Leadership Training Program” on February 26th.
8. Fall 2010 “Touchstone” publication of the ARC/Morris
9. Calendar of Events from the County of Morris Dept. of Human Services - December 2010 – January 2011
10. Newsletter from The Land Conservancy of New Jersey “Outdoor Issues” - December 2010
11. Garbage – Recycling Report from the Health Department - November 2010
12. Fire Department Report - November 2010
13. Thank you card from Donald Costanzo
14. Thank you letter from Dorothy Barton re: Turkestanian Dinner
15. NJ Department of Environmental Protection’s - Area of Concern letter re: 32 Linwood Avenue
16. Letter from Cablevision regarding Game Show Network Package Change
17. Letter from Cablevision regarding the Launch of Fox Soccer Plus

CONSENT AGENDA

1. Resolution Approving Limo & Taxi - Schedule A
2. Resolution Approving Tax Redemption – 26-30 N. Morris Street
3. Resolution Approving Tax Redemption – 44 Princeton Avenue A&B
4. Resolution Approving Tax Redemption – 1 W. Dickerson Street
5. Resolution Approving Tax Redemption – 1-5 W. Blackwell St. & 10 Warren St.
6. Resolution Approving Refund Tax Payment for Block 901, Lot 2
7. Resolution Approving Raffle License – Millpond Towers Residents Association

ORDINANCE FOR SECOND READING

1. Ordinance #20-2010 – Amending Chapter 236 – Private Storm Drain inlet Retrofitting
2. Ordinance #21-2010 – Amending Chapter 333 – Covering of Refuse Containers/Dumpster
3. Ordinance #22-2010 – Amending Project Description of Bond Ordinance No. 29-2008

AGENDA ITEMS:

RESOLUTIONS

1. Approving Bills List
2. Approving Mayor & Board of Aldermen Meeting Minutes – November 23, 2010
3. Approving Mayor & Board of Aldermen Executive Session Meeting Minutes – December 2, 2010
4. Authorizing the Cancellation of Water Appropriations
5. Approving Volunteer Fire Department Members – Thomas Kratz & Andres Osorio
6. Removing Volunteer Fire Department Members – Brian Hulmes & Dominic Timpani
7. Approving Salary Resolution – White Collar, Public Works, Non-Union, SOA, PBA, FMBA
8. Amending the consent to transfer of the Mayor and Board of Aldermen of the Town of Dover acting as the redevelopment entity from Briad Lodging Group Dover LLC to MCRS Dover LLC
9. Authorizing the Mayor & Board of Aldermen to enter into Executive Session

**REGULAR MEETING MINUTES
December 14, 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 7:11 pm.

ROLL CALL

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

Absent: Alderman Poolas

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.

WARREN DARNULC – 151 Ann St – Mr. Darnulc wanted to know if the salary resolution was an increase for the police department. Mayor Dodd explained that the police department increases are part of an existing contract (3rd year). Mr. Darnulc wanted to know what would be the result if the town rejected the increases in the contract. Mayor Dodd responded that it would be unfair labor practice and there could be a possibility for litigation.

PHILIP ROSENBACH – Attorney for Briad Lodging Group, LLC – Mr. Rosenbach recommended that the board provide the town attorney with the authority to negotiate the final decisions that could not be resolved tonight.

WARREN DARNULC – 151 Ann St – Mr. Darnulc wanted to know if there would be any additional meetings (Mayor & Board of Aldermen) for the month of December. Mayor Dodd explained that the meeting for December is a scheduled meeting which was advertised on January 1, 2010 and noted that no further meetings have been scheduled unless a special meeting is called.

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

Attorney Pennella stated that the executive session resolution would also include discussion on litigation, the Town of Dover vs. Briad.

The Mayor and Board of Aldermen entered into executive session at 7:17 pm.

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER FOR EXECUTIVE SESSION**

WHEREAS, the Open Public Meeting Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, The Mayor and Board of Aldermen of the Town of Dover wish to discuss:

PERSONNEL ISSUES such as: any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public office officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this meeting.

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

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

Nays: None

Absent: Alderman Poolas

Abstained: None

MAYOR & BOARD OF ALDERMEN RETURNED FROM EXECUTIVE SESSION AT 8:01PM

Mayor Dodd has moved the motion to return from executive session and duly seconded by Alderwoman Romaine and passed by the following roll call vote.

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

MAYOR'S REPORT – Mayor Dodd attended multiple meetings to close out the 2010 year and prepare for 2011. He noted that 2011 is going to be an extremely difficult year in the town of Dover and sacrifices will have to be made which they'll try to keep minimal. Mayor Dodd noted that the Route 46 Bridge Project is on target to reopen by the end of December. He asked that a meeting be scheduled with the owner(s) of Pancho Villa and the alderman of that ward to discuss several complaints that have been received regarding quality of life issues. Mayor Dodd offered his thoughts and prayers to Alderman Poolas' father, Bill Poolas and the Poolas Family. Mayor Dodd thanked everyone involved with the Toy for Tots program.

ADMINISTRATOR CLOSE – He thanked John Rich and everyone involved in the Toys for Tots program. He noted that budget meetings have been scheduled and the recycling newsletter is in the process of being finalized. Public Works finished leaf collection. He wished a speedy recovery to PO Delaney after his motor vehicle accident

ATTORNEY'S REPORT – Attorney Pennella noted that the litigation with Jersey City has been delayed.

ALDERMAN DONOFRIO – He commented that the boiler and shed at the library have been replaced. He commented that Bonnieview Dr is sometimes forgotten during leaf collection and asked if they could be scheduled. Mr. Close noted Alderman Donofrio's comments.

CONSENT AGENDA

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING TAXIS/LIMOS TO BE LICENSED IN THE TOWN OF DOVER**

WHEREAS, the following companies, have applied for a license to operate the vehicle(s) listed below on Schedule A hereto and made a part hereof as taxicab(s)/limo(s) in the Town of Dover; and

WHEREAS, the appropriate municipal departments have reviewed the application(s) as required and have no objections to same being licensed as taxicabs/limos;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the taxicab(s)/limo(s) listed below are hereby approved for taxi/limo license(s) in the Town of Dover.

Schedule A

ELITE LIMO & TAXI SERVICE, LLC

1. 2003 Dodge (TAXI)	Passengers: 6	Color: Green	VIN: 241822	Plate# OXZ3172
2. 2001 Honda (LIMO)	Passengers: 7	Color: Gray	VIN: 605075	Plate# OL9815G
3. 2004 Lincoln (LIMO)	Passengers: 5	Color: Black	VIN: 655197	Plate# OL4903H
4. 2000 Lincoln (LIMO)	Passengers: 9	Color: White	VIN: 839490	Plate# OL4904H

FIRST CLASS OF DOVER INC

1. 2001 Chrysler (LIMO)	Passengers: 6	Color: Red	VIN: 121639	Plate# OL3278H
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Alderwoman Romaine has moved the foregoing resolution be adopted and duly seconded by Alderman Picciallo and passed by the following roll call vote.

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

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 18, 2008, a lien was sold on Block 1327 Lot 1, also known as 26-30 North Morris Street, Dover, New Jersey for delinquent 2007 taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 07-00009 was sold to Plymouth Park Tax Services and,

WHEREAS, redemption fees for Certificate No.07-00009 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 \$162,221.39 for Redemption and Premium paid at sale, payable to Plymouth Park Tax Services LLC.

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

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

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

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 19, 2007, a lien was sold on Block 317 Lot 8, also known as 44 Princeton Avenue A & B, Dover, New Jersey for delinquent 2006 taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 6-00001 was sold to Stuart Lasher and,

WHEREAS, redemption fees for Certificate No.06-00001 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 \$28,050.00 for Redemption, payable to Stuart Lasher, PO Box 83, Milltown, NJ 08850.

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

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

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

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 18, 2008, a lien was sold on Block 1217 Lot 20, also known as 1 West Dickerson Street, Dover, New Jersey for delinquent 2007 taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 07-00002 was sold to Jesse Wolosky and,

WHEREAS, redemption fees for Certificate No.07-00002 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 \$23,338.77 for Redemption and Premium paid at sale, payable to Jesse Wolosky.

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

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

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

RESOLUTION

WHEREAS, at the Municipal Tax Sale held on December 1, 2009, a lien was sold on Block 1207 Lot 2 also known as 1-5 West Blackwell Street & 10 Warren Street, Dover, New Jersey for delinquent 2008 taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 08-00040 was sold to Royal Tax Lien Service LLC; and,

WHEREAS, redemption fees for Certificate No.08-00040 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 \$265,954.79 for redemption payment, payable to Royal Tax Lien Service LLC, 179 Washington Lane, Jenkintown, PA 19046.

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 Picciallo and passed by the following roll call vote.

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

Nays: None Absent: Alderman Poolas Abstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
REFUNDING TAX PAYMENT FOR BLOCK 901, LOT 2

WHEREAS, A.C. Moore Arts & Crafts filed State Tax Court appeals bearing Docket # 000695-2008, 000864-2009 and 001156-2010 for Block 901, Lot 2; and

WHEREAS, these tax appeals were settled, such settlements being approved by Resolution of the Mayor and Board of Aldermen, # RL 147; and

WHEREAS, the settlement provided that the refund of excess tax payments would be by means of credit and not refund; and

WHEREAS, A.C. Moore Arts & Crafts mistakenly sent a check for the fourth quarter 2010 taxes in the amount of \$47,425.87; and

WHEREAS, this tax payment was mistakenly accepted; and

WHEREAS, the fourth quarter taxes for 2010 had already been credited pursuant to the settlement agreement; and

WHEREAS, this payment needs to be refunded to A.C. Moore Arts & Crafts;

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 Chief Financial Officer is hereby authorized to issue a check in the amount of \$47,425.87 made payable to A.C. Moore Arts & Crafts, Inc. and forwarded to them at 130 A.C. Moore Drive, Berlin, NJ 08009.

2. Two certified copies of the Resolution shall be forwarded to the Tax Collector of the Town of Dover.

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, Blackman and Mayor Dodd

Nays: None Absent: Alderman Poolas 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:

Millpond Towers Residents Association
to be held on January 12, 2011 from 10:00 am to 3:00 pm
(50/50)

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, Blackman and Mayor Dodd

Nays: None Absent: Alderman Poolas Abstained: None

ORDINANCES FOR SECOND READING

ORDINANCE NO. 20-2010

**AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER,
COUNTY OF MORRIS AND THE STATE OF NEW JERSEY AMENDING CHAPTER 236 – LAND USE
AND DEVELOPMENT OF THE CODE OF THE TOWN OF DOVER TO CREATE
ARTICLE VC – PRIVATE STORM DRAIN INLET RETROFITTING.**

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

Section 1

Chapter 236, Land Use and Development, is supplemented with Article VC – Private Storm Drain Inlet Retrofitting as follows:

ARTICLE VC, Private Storm Drain Inlet Retrofitting

§ 236-63.23. Purpose.

The purpose of this Article is to meet the requirements of the Town of Dover’s Municipal General Stormwater Permit - Statewide Basic Requirement F.5.h., requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Town of Dover so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 236-63.24. Definitions.

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Town of Dover or other public body, and is designed and used for collecting and conveying stormwater.

PERSON – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

STORM DRAIN INLET- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

WATERS OF THE STATE – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

§ 236-63.25. Prohibited Conduct

A. No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

- (1) Already meets the design standard below to control passage of solid and floatable materials; or
- (2) retrofitted or replaced to meet the standard in Section V below prior to the completion of the project.

§ 236-63.26. Design Standard.

Storm drain inlets identified in Section 64.25 above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 63.26.C. below.

A. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

- (1) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the

(NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or;

(2) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

B. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

C. This standard does not apply:

(1) Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;

(2) Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

[a] A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or

[b] A bar screen having a bar spacing of 0.5 inches.

(3) Where flows are conveyed through a trash rack that has parallel bars with one-inch (1”) spacing between the bars; or

(4) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Section 2

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

Section 3

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

Section 4

This ordinance shall take effect immediately upon the approval by the county review agency, or sixty (60) days from the receipt of the ordinance by the county review agency if the county review agency should fail to act.

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

Mayor Dodd opened the meeting to the public for a hearing, seeing no hands, hearing no voices Mayor Dodd closed the meeting to the public.

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

ORDINANCE NO. 21-2010
AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER,
COUNTY OF MORRIS AND THE STATE OF NEW JERSEY AMENDING
CHAPTER 333 – SOLID WASTE DISPOSAL OF THE CODE OF THE TOWN OF DOVER
TO CREATE ARTICLE IIIA – COVERING OF REFUSE CONTAINERS / DUMPSTERS.

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

Section 1

Chapter 333, Solid Waste Disposal, is supplemented with Article IIIA – Covering and Leaking of Refuse Containers / Dumpsters as follows:

ARTICLE III – Covering and Leaking of Refuse Containers / Dumpsters

§ 333-9.1. Purpose.

The purpose of this Article is to meet the requirements of the Town of Dover’s Municipal General Stormwater Permit - Statewide Basic Requirement F.5.f., requiring dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Town of Dover and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 333-9.2. Definitions.

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater.

PERSON – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

REFUSE CONTAINER – any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

LITTER – Litter is garbage discarded in a public place that has not been properly disposed. The terms "garbage" and "public place" are defined at Chapter 333 of this Code. EN "Litter" is also defined as any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper or other natural or synthetic material, or any combination thereof, including but not limited to any bottle, jar or can, or any top, cup or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material.

LITTER RECEPTACLE - A container suitable for the depositing of litter.

STORMWATER – means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

WATERS OF THE STATE – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

§ 333-9.3. Prohibited Conduct

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Town of Dover.

§ 333-9.4 Exceptions.

- A. Permitted temporary demolition containers
- B. Litter receptacles (other than dumpsters or other bulk containers)
- C. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
- D. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

Section 2

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

Section 3

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

Section 4

This ordinance shall take effect immediately upon the approval by the county review agency, or sixty (60) days from the receipt of the ordinance by the county review agency if the county review agency should fail to act.

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

Mayor Dodd opened the meeting to the public for a hearing, seeing no hands, hearing no voices Mayor Dodd closed the meeting to the public.

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

ORDINANCE NO. 22-2010

BOND ORDINANCE AMENDING SECTION 3 OF BOND ORDINANCE NO. 29-2008 ADOPTED SEPTEMBER 9, 2008 TO AMEND THE PROJECT DESCRIPTION OF THE PROJECTS TO BE UNDERTAKEN IN AND BY THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. Section 3 of Bond Ordinance No. 29-2008 adopted September 9, 2008 entitled: “**BOND ORDINANCE CANCELING APPROPRIATIONS IN THE AMOUNT OF \$171,955.51 FROM PREVIOUSLY ADOPTED BOND ORDINANCES AND DETERMINING THAT SAID APPROPRIATIONS, INCLUDING BOND PROCEEDS, ARE NO LONGER NEEDED FOR THE PURPOSES SET FORTH IN SAID ORDINANCE AND TRANSFERRING SAID AMOUNT TO THE CAPITAL SURPLUS FUND AND APPROPRIATING THE SUM OF \$171,955.51 TO FUND THE COST OF CERTAIN GENERAL IMPROVEMENTS TO BE UNDERTAKEN IN AND BY THE TOWN OF DOVER, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY**” be and is hereby amended to read as follows:

Section 3. The amount of \$171,955.51 is hereby appropriated from the Capital Surplus Fund as a supplemental appropriation for the improvement hereby authorized and reauthorized as follows:

<u>Improvement/Acquisition</u>	<u>Capital Surplus Fund</u>
1) NJ DOT - Thompson Avenue, including all costs, equipment, improvements, and/or appurtenances necessary therefor or related thereto.	\$60,000.00
2) Small Cities - Belmont Avenue area, including all equipment, improvements, appurtenances and cost related thereto or necessary therefor.	\$32,000.00
3) Hurd Park Walkway, including all costs, equipment, improvements, and/or appurtenances necessary therefor or related thereto.	\$8,100.00
4) Town Hall Improvements including all costs, equipment, improvements, and/or appurtenances necessary therefor or related thereto.	\$58,855.51
5) Library Improvements including all costs, equipment, improvements, and/or appurtenances necessary therefor or related thereto.	\$13,000.00
TOTALS	\$171,955.51

SECTION 2. The Capital Budget of the Town is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board of the New Jersey Department of Community Affairs showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Town Clerk and is available there for public inspection.

SECTION 3. To the extent that any previous ordinance or resolution is inconsistent with or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

SECTION 4. The provisions of this bond ordinance are severable. To the extent any clause, phase, sentence, paragraph, or provision of this ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

SECTION 5. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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

Mayor Dodd opened the meeting to the public for a hearing, seeing no hands, hearing no voices Mayor Dodd closed the meeting to the public.

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

AGENDA ITEMS

BILL 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 have been charged.

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:	\$3,250.00
CURRENT ACCT claims in the amount of:	\$1,083,617.52
CAPITAL ACCT claims in the amount of:	\$20,109.21
WATER UTILITY ACCT claims in the amount of:	\$49,298.24
WATER UTILITY RESERVE ACCT claims in the amount of:	
WATER CAPITAL ACCT claims in the amount of:	\$140.49
PARKING UTILITY ACCT claims in the amount of:	\$3,603.52
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:	\$571.80
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	\$261.00
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	\$1,000.00
TRUST/OTHER ACCT claims in the amount of:	\$72,165.09
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$1,234,016.87

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:	\$309,717.65
WATER UTILITY ACCT claims in the amount of:	\$22,263.44
PARKING UTILITY ACCT claims in the amount of:	\$3,573.59
PAYROLL AGENCY ACCT claims in the amount of:	\$146,665.59
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$17.15
TOTAL CLAIMS PAID	\$482,237.42
TOTAL BILL LIST RESOLUTION	\$1,716,254.29

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, Blackman and Mayor Dodd
Nays: None Absent: Alderman Poolas Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER FOR APPROVAL OF MINUTES**

WHEREAS, In accordance with the provisions set forth in the Open Public Meeting Law, annual notice has been provided for all Mayor and Board of Aldermen meetings; and

WHEREAS, The Mayor and Board of Aldermen of the Town of Dover held their Public Meetings, and minutes of those meetings were transcribed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey for approval the minutes for the following meetings:

November 23, 2010 – Caucus and Regular

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, Romaine and Mayor Dodd
Nays: None Absent: Alderman Poolas Abstained: None**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER FOR APPROVAL OF MINUTES**

WHEREAS, In accordance with the provisions set forth in the Open Public Meeting Law, annual notice has been provided for all Mayor and Board of Aldermen meetings; and

WHEREAS, The Mayor and Board of Aldermen of the Town of Dover held their Public Meetings, and minutes of those meetings were transcribed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey for approval the minutes for the following meetings:

December 2, 2010 – Executive Session

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, Romaine and Mayor Dodd
Nays: None Absent: Alderman Poolas Abstained: None**

RESOLUTION

WHEREAS, the following Water Utility budget appropriation balances remain unexpended:

Water OE	\$33,000.00
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WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be formally credited to Surplus;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey that the above listed unexpended balance of the Water Utility be canceled.

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, Romaine and Mayor Dodd
Nays: None Absent: Alderman Poolas 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 Thomas Kratz & Andres Osorio; and

WHEREAS, they have 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 Thomas Kratz & Andres Osorio to the Volunteer Fire Department as a member of Engine Company No. 2.

Alderswoman 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, Romaine, Blackman and Mayor Dodd
Nays: None Absent: Alderman Poolas Abstained: Alderman Timpani**

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
REMOVING BRIAN HULMES AND DOMINIC TIMPANI FROM THE
DOVER VOLUNTEER FIRE DEPARTMENT**

WHEREAS, Brian Hulmes and Dominic Timpani have submitted their resignations as a members of the Dover Volunteer Fire Department.

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. Brian Hulmes and Dominic Timpani are hereby removed from the rolls of the Dover Volunteer Fire Department.

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

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

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, 2011.

White Collar

Rosa Santiago, Dep. Court Admin/B.L.	\$ 50,448
Colleen Cicchetti, Dep. Court Admin	\$ 49,217
Linda Cook, Dep. Court Admin	\$ 57,226
Geraldine Romansic, Dep. Court Admin	\$ 54,590
Alvalino Fernandez, Pub. Safety Tel. Comm. BL	\$ 43,172
Regina Nee, Tech Asst.	\$ 43,172
Regina Nee, Sect. Board/Commission	\$ 11,860
Debbie Nunn, Senior Clerk Typist	\$ 43,172
Alice Gilbert, Senior Clerk Typist	\$ 43,172
Frances Stacey, Account Clerk	\$ 43,172
Zoraida Lopez	\$ 44,366
Maria Acuria, Sen. Principal Cashier/Typist B	\$ 52,587
Angelica Lorenzo, Account Clerk	\$ 49,968
Belinda Lorenzo, Sr.Clerk Typist	\$ 43,172

Irina Catano, Sr. Clerk Typist	\$	43,172	
Erin Kent, Sr. Clerk Typist	\$	43,172	
Linda Malcolm, Clerk Typist/Shade Tree	\$	39,933	
Reynoldo Jolve, Sen. Clerk Typist	\$	43,172	
Kathleen Minahan, Sr. Assessing Clerk Typing	\$	43,172	
Gladys Brownlee, Clerk Typist	\$	39,933	
Arecelis Orama, Clerk Typist 95% 10	\$	39,933	
Victoria Forgione, Library Asst. FT 90%-10	\$	37,936	
Benito Falco, Sanitarian	\$	28.98	hr.
Merrilyn Anderson, Library Asst./pt 95% 08	\$	16.61	hr.
Patricia Stewart, Library Asst./pt	\$	16.61	hr.
Tina Roth, Library Asst./pt	\$	16.61	hr.
Gabriela Luna, Library Asst/pt. 90% 10	\$	15.78	hr.

Public Works

Joseph E. Carlson, Sr. Mechanic	\$	53,289	
James Ayers, Senior Public Works Repairer	\$	53,289	
Eugene Machado, Se. Water Repairer	\$	53,289	
Joffrey Guevara, Equipment Operator	\$	51,956	
Johnny Johnson, Equipment Operator	\$	51,956	
Nicholas Cicak, Equipment Operator	\$	51,956	
Michael Stalter, Equipment Operator	\$	51,956	
Scott Mack, Equipment Operator	\$	51,956	
Michael Messuri, Mechanic	\$	51,956	
Michael Jacoby, Water Meter Reader/Rep	\$	51,071	
John Filipski, Water Repairer	\$	51,071	
Donald Doty, Water Repairer	\$	51,071	
Peter Fonda, Truck Driver	\$	47,029	
Richard Margavich, Truck Driver	\$	47,029	
Richard P. Kruzely, Truck Driver	\$	47,029	
Lee M. Velazquez, Truck Driver	\$	47,029	
Walter Fegeley, Truck Driver	\$	47,029	
John Nunn, Public Works Repairer	\$	44,174	
Maria Gutierrez, Public Works Repairer	\$	44,174	
Christopher Barrett, Laborer	\$	40,300	
Jesus Cordero, Bldg Maint Worker	\$	39,284	
Alvaro Ovalle, Building Maint Worker	\$	39,284	
Joan Smith, Parking Enforcement Officer FT	\$	39,933	
Dickson L. Bredbenner, Bldg Maint Worker	\$	18.42	hr.
John R. Rotondo, Motor Vehicle Operator	\$	19.01	hr.
Tina Ayala Parking Enforce Off/PT	\$	17.22	hr.

Non-Union

Santana, M. - Step	\$	46,940	
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Superior Officers

Peter Ugalde, Cpt	\$	129,514	
Joseph McGuire, Lt	\$	120,653	
Barry Young, Lt	\$	120,653	
Frank Coppinger, Lt	\$	123,041	
William Woodhull, Sgt	\$	116,748	
Richard Gonzalez, Sgt	\$	116,748	
Andy Milonas, Sgt	\$	116,748	
Chris Metzgar, Sgt	\$	116,748	
Anthony Smith, Sgt	\$	118,309	

PBA

Bostrom, Joseph, Police Officer	\$ 103,302		
Cachola, Jonathan, Police Officer	\$ 78,576	10/1/2011	\$ 86,480
Camacho, Ronald, Police Officer	\$ 94,164		
Cicchetti, Jr. Aldo, Police Officer	\$ 103,302		
Corona, Oxmani, Police Officer	\$ 78,576	7/1/2011	\$ 86,480
Delaney, Jonthan, Police Officer	\$ 71,870		
Flamia, Bryan, Police Officer	\$ 103,812		
Gabrys, Justin, Police Officer	\$ 103,812		
Galgano, Vincent, Police Officer	\$ 105,102		
Matos, Jose, Police Officer	\$ 86,480	12/1/2011	\$ 94,164
McCarthy, William, Police Officer	\$ 103,302		
Michalski, Walter, Jr., Police Officer	\$ 103,302		
Negron, Joaquin, Police Officer	\$ 103,302		
Newton, William, Police Officer	\$ 95,964		
Peterson, Charles, Police Officer	\$ 103,742		
Pier, Michael, Police Officer	\$ 88,280	2/1/2011	\$ 95,964
Pritchard, James, Police Officer	\$ 103,302		
Scinto, Anthony, Police Officer	\$ 103,302		
Smith, Keith, Police Officer	\$ 103,362		
Sperry, Louis, Police Officer	\$ 103,302		
Suarez, Oscar, Police Officer	\$ 78,576	7/1/2011	\$ 86,480
Thiel, Timothy, Police Officer	\$ 103,302		
Wilkes, Paul, Police Officer	\$ 103,902		

FMBA

Cloughley, R.	\$ 84,328		
Hammond, D.	\$ 84,328		
Sperry, J.	\$ 78,372		
Bell, A.	\$ 37,879	9/1/2011	\$ 50,763
Waagner, B.	\$ 37,879	9/1/2011	\$ 50,763

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER ACTING AS THE REDEVELOPMENT ENTITY AMENDING AND SUPPLEMENTING A RESOLUTION CONSENTING TO TRANSFER FROM BRIAD LODGING GROUP DOVER, LLC TO MCRS DOVER, LLC

WHEREAS, the Mayor and Board of Aldermen of the Town of Dover acting as the Redevelopment Entity adopted a resolution at a special meeting held on Thursday, December 2, 2010 consenting to the transfer of Lot 1.05, Block 901 from Briad Lodging Group Dover, LLC, hereinafter "Briad," to MCRS Dover, LLC, hereinafter "MCRS"; and

WHEREAS, one of the conditions to such consent was that MCRS hold as an escrow from the closing proceeds the sum of \$250,000.00 pending the outcome of the case entitled "Town of Dover, a municipal corporation of the State of New Jersey, and Town of Dover acting as the Redevelopment Entity, Plaintiffs, vs. Briad Lodging Group Dover, LLC, a New Jersey limited liability company, Defendant" in Superior Court of New Jersey, Law Division, Morris County, Docket # MRS-L-3426-09; and

WHEREAS, Briad has petitioned the Town to post a letter of credit rather than holding an escrow of \$250,000.00 from the closing proceeds and its sale to MCRS; and

WHEREAS, the Town believes that a letter of credit may be accepted without any jeopardy or downside to the Town; and **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the Town of Dover acting as the Redevelopment Entity, County of Morris and State of New Jersey as follows:

1. The Resolution of the Mayor and Board of Aldermen of the Town of Dover acting as the Redevelopment Entity consenting to transfer from Briad Lodging Group Dover, LLC to MCRS Dover, LLC is hereby amended to change 1. C to read as follows:

c: The attorneys for MCRS are to hold in escrow from the closing proceeds the sum of \$250,000.00 pending the outcome of the above mentioned litigation. In the alternative, Briad may post a letter of credit in the amount of up to \$250,000.00 with the Town of Dover.

2. The form and content of the letter of credit shall be in a form satisfactory to the business administrator of the Town of Dover and the municipal attorney.

3. The balance of the terms of the initial Resolution is hereby continued in full force and effect.

4. It is hereby acknowledged that MCRS has complied with condition 1. a and 1. b having agreed to assume all obligations of the redeveloper and having executed a Developer's Agreement and Redeveloper's Agreement in a form satisfactory to the Town.

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, Romaine, Blackman and Mayor Dodd
Nays: None Absent: Alderman Poolas Abstained: None**

**A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AMENDING THE EMPLOYMENT AGREEMENT OF WILLIAM E. CLOSE, JR.**

WHEREAS, the Town of Dover, a municipal corporation of the State of New Jersey, hereinafter "Dover," entered into an Employment Agreement with William E. Close, Jr., hereinafter "Administrator," to engage his services as the administrator of Dover pursuant to N.J.S.A. 40A:9-137; and

WHEREAS, Paragraph 5 of the Administrator's Employment Agreement provides for annual incremental adjustments of \$2,500.00 per year to the base salary; and

WHEREAS, the Administrator has requested that the governing body allow him to defer the \$2,500.00 salary stipend scheduled to be received this year, 2010, and to be paid in 2011; and

WHEREAS, it appears that non-union supervisory personnel are not going to receive a salary increase this year and the Administrator feels it is appropriate to not accept the stipend this year but to defer it until next year to demonstrate shared sacrifice with other Town employees;

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

1. The Employment Agreement dated April 14, 2009 between Dover and Administrator is hereby amended to provide that the annual incremental adjustment to base salary of \$2,500.00 per year for the current year is deferred until 2011.

2. All other terms and conditions of the Employment Agreement dated April 14, 2009 shall continue in full force and effect.

3. The Mayor and Clerk are authorized to execute an Amendment to the Administrator's Employment Agreement as set forth above.

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

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

PUBLIC COMMENTS – Three Minutes per Person

MARIE TAMBINI – 10 E. Blackwell St – She expressed that the fire department did an excellent job during a call at her building.

Mayor Dodd welcomed MCRS to the community and he looks forward to a long working relationship.

Mayor Dodd thanked Alderman Donofrio for his service to the community.

Motion to adjourn made by Mayor Dodd at 8:18 p.m., and duly seconded by Alderwoman Romaine and passed by the following voice vote.

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk