



TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN
CAUCUS MEETING MINUTES
February 14, 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 and prayer was given asking for guidance and strength to do what is right for our town and our citizens.

ROLL CALL:

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

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

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

MUNICIPAL CORRESPONDENCE:

1. Letter from Dover Senior Citizen Association re: Donation
2. Invitation from Board of Chosen Freeholders to the 2012 County budget meeting
3. Notice from the Local Finance re: the updated CY 2012 Municipal Budget Calendar
4. NJLM* present 4th Annual Women in Municipal Government Day on 3/9/12
5. Membership Advisory from NJLM* re: Seminar “Leaves of Absence on NJ-A look at the Family Medical Leave Act, the NJ Family Leave Act and ADA Compliance”
6. Membership Advisory re: Development Program “Collection of Municipal Court Fees”
7. Membership Advisory re: Seminar “Conflict Resolution during the Shared Service Process”
8. December’s Minutes of the Morris County Planning Board
9. 2011 Police Department Report
10. January 2012 Fire Department Report
11. Email from NJ Redevelopment Training Institute re: 2012 Course Schedule

*NJLM = NJ State League of Municipalities

CONSENT AGENDA

1. Resolution Approving Tax Reimbursement Certification
2. Resolution Approving the Renewal of Social & Athletic Club Licenses – Dover Boxing Club
3. Resolution Approving the Application for 2011 Tonnage Grant
4. Resolution Approving Raffle License – Schedule A
5. Resolution Approving Limos – Schedule A

ORDINANCE FOR SECOND READING/PUBLIC HEARING

1. Ordinance #02-2012 – Providing for a Handicapped Parking Space at 14 Summer Ave.

AGENDA ITEMS:

RESOLUTIONS

1. Resolution Approving Bills List
2. Resolution Approving Mayor & Board of Aldermen Reorganization Meeting Minutes for 1/1/12
3. Resolution Approving Mayor & Board of Aldermen Meeting Minutes for 1/10/12
4. Resolution Approving Mayor & Board of Aldermen Meeting Minutes for 1/24/12
5. Resolution Approving Special Permit for Social Event for Dover Volunteer Dept.
6. Resolution Authorizing Approval of Institutional and Engineering Controls for Block 901, Lot 1.02, a portion of Commerce Center Drive and a portion of N. Sussex Street
7. Resolution Authorizing Postponement of Mortgage to Carol Yosh
8. Resolution Approving Volunteer Fire Dept. Member – Evan Ridner
9. Resolution Endorsing the inclusion of the Borough of Victory Gardens in the Joint Municipal Court of Dover
10. Resolution Approving Chief Public Defender

Alderman Picciallo will abstain from the bills list.

Alderwoman Blackman & Alderwoman Romaine will abstain on resolution #3 (Meeting Minutes 1/10/12).

REGULAR MEETING MINUTES
February 14, 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 7:13pm

ROLL CALL

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

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.

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

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

- He expressed that Dover has been one of the lead towns for shared services. He announced that the Town of Dover has negotiated with Victory Gardens to be part of Dover's Joint Municipal Court as of March 1, 2012. He noted that Dover continues to look at ways of cost saving measures.
- Mayor Dodd has been in contact with Capt. Michael Cruz of the local National Guard unit (Dover, NJ). The Mayor noted the importance in establishing communication with the National Guard for their assistance during catastrophic events. Capt. Cruz will hold a meeting with surrounding towns' Mayors and Administrator's on how to improve communications with the National Guard.
- He reminded the public that Pequannock Street is now open. Mayor Dodd is upset with the Route 46/Route 15 Bridge project being at a stalemate. He noted that NJ Department of Transportation can not pour concrete during winter months; activity will not be seen till the spring months.
- He thanked the Dover High School Band for their spaghetti dinner. Mayor Dodd and several board members attended the event and he's proud to support their efforts.

ATTORNEY'S REPORT: No Report

CONSENT AGENDA

TAX REIMBURSEMENT CERTIFICATION

WHEREAS, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants are made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Town of Dover that the Town of Dover hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chapter 311, in 2011 in the amount of \$16,203.24. Documentation supporting this submission is available at 37 N. Sussex St., Dover, NJ and shall be maintained for no less than five years from this date.

NOW THEREFORE BE IT FUTHER RESOLVED the tax reimbursement is certified by Kelly N. Toohey, Chief Financial Officer of the Town of Dover on February 2, 2012.

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 Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd

Nays: None Absent: None Abstained: None

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
FOR THE RENEWAL OF SOCIAL AND ATHLETIC CLUB LICENSES

WHEREAS, any person or group of persons, association or corporation, which meets for the purpose of promoting athletic sports, contests, exhibitions, classes or gymnasium; and

WHEREAS, any person or group of persons, association or corporation which owns, leases, operates or controls premises for the purpose of social intercourse and entertainment; excluding organizations of state or national scope and religious organizations; and

WHEREAS, the appropriate fees have been received with the renewal applications;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the following Social and Athletic licenses are hereby approved:

SCHEDULE A

Dover Boxing Club
79B Bassett Hwy.

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPROVING APPLICATION FOR 2011 TONNAGE GRANT

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for calendar year 2011 will memorialize the commitment of this municipality to recycling and to indicate the assent of The Mayor and Board of Alderman to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris that hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates *William J. Isselin / Municipal Recycling Coordinator* to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

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

WHEREAS, the below listed organizations have applied for a Raffle/Bingo License; and

WHEREAS, such licenses have 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:

The below listed raffles for the date set forth following their names are hereby approved:

Schedule A

MILLPOND TOWERS RESIDENT ASSOC.

To be held on Friday, March 9, 2012 from 10:00am to 2:00 pm
(50/50)

ROTARY CLUB OF DOVER

To be held on Monday, May 14, 2012 at 12:30pm

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 Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: None 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

Axel's Express Taxi & Limo, LLC

YEAR/MAKE/MODEL	Vehicle Identification #	Plate #
'03 Ford Wagon (Limo)	2FMDA524X3BA04275	OL8336H

City Limo & Taxi, Inc

YEAR/MAKE/MODEL	Vehicle Identification #	Plate #
'02 Ford Econo	1FBSS31L52HA19682	OL3061H

Elite Limo & Taxi Service, LLC

YEAR/MAKE/MODEL	Vehicle Identification #	Plate #
'00 Lincoln (LIMO)	1L1FM81W3YY839490	OL4904H
'04 Lincoln (LIMO)	1LNHM81W34Y655197	OL4903H
'98 Toyota (LIMO)	4T3ZF13CXWU080428	OL3443H
'00 Toyota (LIMO)	4T3ZF19C1YU258544	OL3444H
'03 Chrysler (LIMO)	2C4GP54L73R156462	OL3440H

First Class of Dover, Inc.

YEAR/MAKE/MODEL	Vehicle Identification #	Plate #
'03 Lincoln (LIMO)	1LNHM81W53Y675028	OL4108H
'03 Dodge (LIMO)	1B4GP44332B715039	OL6091H
'04 Lincoln (LIMO)	1LNHM81W04Y682180	OL1459H
'04 Lincoln (LIMO)	1LNHM83W34Y619183	OL7849G

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

ORDINANCE FOR SECOND READING

**ORDINANCE NO. 02-2012
ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE
TOWN OF DOVER PROVIDING FOR HANDICAPPED PARKING SPACE AT 14 SUMMER AVE.**

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

SECTION 1. Description for handicap parking space to be located at 14 Summer Ave.

Said handicap parking space shall be located along the northerly curb line of Summer Avenue beginning at a point 372 feet east of the northeasterly curb line intersection of S. Morris Street and Summer Avenue, thence continuing in an easterly direction for a distance of 20 feet. End Description.

SECTION 2. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. The Ordinance shall take effect in accordance with law.

Alderman Visioli has moved the foregoing ordinance be adopted and duly seconded by Alderwoman Blackman 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 and hearing no voices, Mayor Dodd closed the meeting to the public

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

RESOLUTIONS

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:	\$69,053.65
CURRENT ACCT claims in the amount of:	\$519,374.27
CAPITAL ACCT claims in the amount of:	\$29,326.69
WATER UTILITY ACCT claims in the amount of:	\$53,166.91
WATER UTILITY RESERVE ACCT claims in the amount of:	\$15,822.09
WATER CAPITAL ACCT claims in the amount of:	\$13,048.75
PARKING UTILITY ACCT claims in the amount of:	-\$4,314.37
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$1,189.00
PARKING CAPITAL ACCT claims in the amount of:	
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$912.60
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	\$1,000.00
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	
TRUST/OTHER ACCT claims in the amount of:	\$10,203.26
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$708,782.85

BE IT FURTHER RESOLVED that the following claims have been paid prior to the Bill List Resolution in the following amounts:

CURRENT ACCT claims in the amount of:	\$308,879.33
WATER UTILITY ACCT claims in the amount of:	\$23,957.10
PARKING UTILITY ACCT claims in the amount of:	\$2,543.16
PAYROLL AGENCY ACCT claims in the amount of:	\$155,220.59
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$311.05
TOTAL CLAIMS PAID	\$490,911.23

TOTAL BILL LIST RESOLUTION **\$1,199,694.08**

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, Rutan, and Noriega
Nays: Alderman Timpani Absent: None Abstained: Alderman Picciallo, Downs & 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:

January 1, 2012 – Reorganization Meeting

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

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

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

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

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

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

January 10, 2012 – Caucus & Regular

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

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

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

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

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

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

January 24, 2012 – Caucus & Regular

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

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

RESOLUTION

WHEREAS, Dover Volunteer Fire Dept. filed an application for their **first** Special Permit for Social Affair to be held at the American Legion, which is their **first** event; and

WHEREAS, Dover Volunteer Fire Dept., a non-profit organization is permitted to have twelve events per year and American Legion, is permitted to have twenty-five; and

WHEREAS, the Police Chief will determine what special conditions if any are needed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the following applications for Alcoholic Beverage Social Affair Permit(s) be approved:

1. Dover Volunteer Fire Dept. is approved for a beefsteak dinner (#1) to be held on Friday, February 17, 2012 at Dover American Legion, 1 Legion Place, Dover NJ (1) from 6:30 pm through 11:00 pm.
2. This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

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

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

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
AUTHORIZING APPROVAL OF INSTITUTIONAL AND ENGINEERING CONTROLS
FOR BLOCK 901, LOT 1.02, A PORTION OF COMMERCE CENTER DRIVE
AND A PORTION OF N. SUSSEX STREET

WHEREAS, by Ordinance #34-99, the Town of Dover established a redevelopment plan for Block 901, Lot 1; and

WHEREAS, pursuant to such Plan, the Town of Dover advertised for proposals for the development of Block 901, Lot 1.02, the “Redevelopment Property”; and,

WHEREAS, Woodmont at Dover ET, LLC, hereinafter “Woodmont,” was named as the developer of the redevelopment property; and

WHEREAS, Woodmont, as part of the conditions of the transfer of title to them for Block 901, Lot 1, undertook the remediation of the property which contained the former Dover Landfill and also that part of the landfill located on Town of Dover property; and

WHEREAS, Woodmont is undertaking a remediation of the property identified as the Town of Dover Department of Public Works at Block 901, Lot 1.02 of the tax map of the Town of Dover, New Jersey, a portion of Commerce Center Drive starting at the southern end and extending 620 feet to the north for the entire width of the roadway, and a portion of North Sussex Street Extension starting 140 feet to the north of Roswell Street and extending 345 feet to the north, (“Property”), pursuant to the requirements of the New Jersey Department of Environmental Protection (“NJDEP”); and

WHEREAS, the Town of Dover is the owner of the property; and

WHEREAS, pursuant to a Remedial Action Work Plan, dated January 2007, locations on the property have been identified with levels of contaminants in excess of the unrestricted use standard(s) set by the NJDEP; and

WHEREAS, pursuant to its Technical Requirements for Site Remediation, N.J.A.C. 7:26E-1.1 *et. seq.*, the NJDEP provides for the establishment of institutional and engineering controls as a remedy for soil with concentrations of substances which are in excess of the unrestricted use standard(s) set by the NJDEP; and

WHEREAS, only the Town of Dover, as owner of the Property, has the authority to execute and record a Deed Notice.

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. Dover consents to the proposed institutional and engineering controls for Block 901, Lot 1.02, a portion of Commerce Center Drive starting at the southern end and extending 620 feet to the north for the entire width of the roadway, and a portion of North Sussex Street Extension starting 140 feet to the north of Roswell Street and extending 345 feet to the north as outlined in the 2007 Remedial Action Work Plan prepared by The Louis Berger Group, Inc. on behalf of Woodmont at Dover ET, LLC and submitted to the NJDEP.
2. The Mayor and Clerk are authorized to execute a deed notice in conformance with the Remedial Action Work Plan for institutional engineering control.
3. The Deed notice shall be in a form acceptable to the municipal engineer and municipal attorney.

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

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

CONSENT AND POSTPONEMENT OF MORTGAGES UNDER
TOWN OF DOVER REHABILITATION PROGRAM

WHEREAS, the Town of Dover Rehabilitation Program (the “Program”) provides financial assistance for the rehabilitation of owner-occupied one-family houses to assist residents in the removal of unsafe conditions in their

dwellings, interior improvements and premise repairs; and

WHEREAS, Carol J. Yosh, residing at 32 Audrey Place, Dover, New Jersey obtained funding from the Program in September 2001 and July 2010; and

WHEREAS, Carol J. Yosh is seeking to refinance her home with a private lender, requiring a Postponement of Mortgage; thereby, allowing the Program loans to be subject, subordinate, and inferior to the new mortgage; and

WHEREAS, Carol J. Yosh has requested that the Mayor and Board of Aldermen approve such Postponement of Mortgages, and the Mayor and Board of Aldermen agree that it is in the best interests of the Town to do so;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, the following: The Mayor and Board of Aldermen acknowledge and consent to the Postponement of Mortgages, and hereby authorize William Close, Administrator of the Program, to execute the documents necessary to effectuate the requested Postponement of Mortgages.

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 Visioli, Picciallo, Timpani, Romaine, Blackman, Downs, Rutan, Noriega and Mayor Dodd
Nays: None Absent: None 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 Evan Ridner; 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 Evan Ridner to the Volunteer Fire Department as a member of the Dover Engine Co #2.

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
ENDORING THE INCLUSION OF THE BOROUGH OF VICTORY GARDENS
IN THE JOINT MUNICIPAL COURT OF DOVER**

WHEREAS, the Town of Dover of the County of Morris, State of New Jersey, has established a Joint Municipal Court serving the Town of Dover, Township of Mine Hill, Borough of Mt. Arlington, Borough of Rockaway and Borough of Wharton under a Shared Services Agreement with the Town of Dover as lead agency; and

WHEREAS, the Borough of Victory Gardens currently operates its own municipal court in the town adjoining the Town of Dover; and

WHEREAS, the municipalities have determined it to be in their mutual best interests to provide for joint municipal court facilities, personnel and resources for use by their respective municipal courts with Dover as the lead agency; and,

WHEREAS, the agreement is established in accordance with the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:61-1 et. seq.; and

WHEREAS, each of participating municipalities will realize a savings to their respective tax payers in entering into this Shared Service Agreement; and

WHEREAS, the scope of services provides that Dover will make the necessary facilities available by way of courtroom, offices and storage space; and

WHEREAS, the Dover Municipal Court personnel will include judges, prosecutors and public defenders, interpreters and court administrators as well as security personnel; and

WHEREAS, the municipal court operations will be managed by Dover as a joint court using one set of books and one court calendar; and

WHEREAS, all municipalities will each receive and retain all net revenues generated by each of their respective cases; and

WHEREAS, the supported municipalities have agreed to pay increases based upon increases in the cost of the operation of the joint municipal court; and

WHEREAS, Dover will be able to obtain a substantial annual cost savings benefit which benefit must continue into the future of the agreement; and

WHEREAS, additional municipal participants may become part of the joint municipal court; and

WHEREAS, there will be two judges and two prosecutors appointed with Dover making a recommendation for the presiding judge and the presiding prosecutor and a committee to be established to make a recommendation for the second judge and prosecutor; and

WHEREAS, based on the formula of the Joint Court Advisory Committee Victory Gardens shall pay a base fee of \$10,720.00 annually for their use of the Dover Joint Court; and

WHEREAS, Dover will continue to use its current court administration personnel, and

WHEREAS, the inclusion of the Borough of Victory Gardens in the Joint Municipal Court of Dover would result in both the Borough of Victory Gardens and the Joint Municipal Court of Dover benefiting from operational effectiveness and cost efficiency;

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 Mayor and Clerk are hereby authorized to execute an agreement for a joint shared court with Dover as the lead agency and the inclusion of the Borough of Victory Gardens effective March 1, 2012 upon the terms and conditions set forth herein and to hereby authorize its inclusion in the joint municipal court pursuant to N.J.S.A. 2B:12-1 et. seq. and N.J.S.A. 40A:65-1 et. seq.; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Borough of Victory Gardens, Township of Mine Hill, Borough of Mt. Arlington, Borough of Rockaway, and Borough of Wharton which are hereby being requested to consider adoption of a similar Resolution.

BE IT FURTHER RESOLVED that upon adoption of said resolution by the Borough of Victory Gardens, Town of Dover, Township of Mine Hill, Borough of Mt. Arlington, Borough of Rockaway and Borough of Wharton, a copy of said Resolutions shall be forwarded to the Honorable Thomas L. Weisenbeck, Assignment Judge Superior Court, and the Honorable Michael Luther, Chief Judge of the Joint Municipal Court of Dover.

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

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER
APPOINTING CHIEF PUBLIC DEFENDER FOR THE JOINT MUNICIPAL COURT OF DOVER**

WHEREAS, the Town of Dover of the County of Morris, State of New Jersey, has established a Joint Municipal Court serving the Town of Dover, Township of Mine Hill, Borough of Mt. Arlington, Borough of Rockaway and Borough of Wharton under a Shared Services Agreement with the Town of Dover as lead agency; and

WHEREAS, the Town of Dover has a need to acquire Legal Services for the Joint Municipal Court as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the CFO has determined and certified in writing that the value of the acquisitions will exceed \$17,500 and that the funds are available for this award pursuant to the provisions of N.J.A.C. 5:30-5.4; and

WHEREAS, the anticipated term of this contract is for year 2012; and

WHEREAS, Alexa Perry, Esq. of Hanlon, Dunn and Robertson, Attorneys at Law, have completed and submitted

Business Entity Disclosure Certifications which certifies that they have not made any reportable contributions to a political or candidate committee in the Town of Dover with the Mayor and Board of Aldermen, and that the contract will prohibit Alexa Perry, Esq. of Hanlon, Dunn and Robertson, Attorneys at Law, from making any reportable contributions through for the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey authorizes the Mayor and Municipal Clerk to enter into a contract as described herein; and

A. Hanlon, Dunn and Robertson, Attorneys at Law, to be appointed as Conflicts Public Defender effective February 15-29, 2012 for the customary remuneration, but effective March 1, 2012, Alexa Perry, Esq. of Hanlon, Dunn and Robertson, Attorneys at Law shall transition to Chief Public Defender of the Joint Court of Dover, serving the Town of Dover, Township of Mine Hill, Borough of Mt. Arlington, Borough of Rockaway, Borough of Wharton, and Borough of Victory Gardens, at an annual salary of \$18,816 retainer for year 2012, but shall be pro-rated to \$15,680 plus \$500 per extra session; and

BE IT FURTHER RESOLVED, the appointment of Chief Municipal Public Defender and for the Joint Municipal Court is made without competitive bidding as it is a “professional service” under the provisions of the Local Public Contracts Law, because attorneys are a recognized profession, licensed and regulated by law.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Township of Mine Hill, Borough of Mt. Arlington, Borough of Rockaway, and Borough of Wharton which are hereby being requested to consider adoption of a similar Resolution.

BE IT FURTHER RESOLVED that upon adoption of said resolution by the Town of Dover, Township of Mine Hill, Borough of Mt. Arlington, Borough of Rockaway and Borough of Wharton, a copy of said Resolutions shall be forwarded to the Honorable Thomas L. Weisenbeck, Assignment Judge Superior Court, and the Honorable Michael Luther, Chief Judge of the Joint Court of Dover.

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

PUBLIC COMMENTS

Jennifer Laskaras – Ms. Laskaras’ son received a summons for playing on the Crescent Field Park Soccer Field without a permit. She expressed that she would like to see the field opened to the public without having to go through the permit process since the requirements can be a hardship to the families in town. Attorney Downs advised the board to withhold their comments on the summons until the matter is resolved in court. Mayor Dodd didn’t comment on the summons but noted that it’s impossible for the field to be open without permits due to the cost to maintain the field. He also noted that the matter should be brought to the attention of the Recreation Commission, as they are the entity that oversees all the parks and fields in town. Conversation continued on the field use matter.

**Motion to adjourn made by Alderwoman Romaine at 7:47 pm,
and duly seconded by Alderman Picciallo passed by the following voice vote.**

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

Respectfully submitted,

Margaret J. Verga, Municipal Clerk