



# TOWN OF DOVER

## MAYOR AND BOARD OF ALDERMEN

CAUCUS MEETING MINUTES  
March 11, 2008

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 Fahy, Delaney, Poolas, Visioli, Donofrio, Picciallo, Timpani, Romaine and Mayor Dodd

Also present were Administrator Garvin, Attorney Pennella and Clerk Verga

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

**PRESENTATION:** Awards presented to the 2007 Freedom Fall Soccer Teams  
Presentation from the students of the Dover High School

**UPDATE FROM ROBERT TAMBINI ON THE LIBRARY STATUS** - Library Director – During 2007, there were major projects that have been completed. Mr. Tambini presented the board with a list of objectives and goals. Library's roof has been repaired, all water damage to the ceilings and plaster work have been repaired and restored, interior public areas have been painted and the carpets have been replaced.

### **MUNICIPAL CORRESPONDENCE:**

1. Several introduced & passed ordinance from the Borough of Wharton
2. Ordinance from Rockaway Township to amend and supplement Chapter 54-29.20, Energy Conservation and Recycling, of the Land Use and Development Ordinance
3. Letter from DEP re: Quarterly Progress Report for Carrell St. & E. Blackwell Street, Rockaway Township
4. Letter from DEP re: Revised Tier 1 Risk Assessment for Carrell St. & E. Blackwell Street, Rockaway Township
5. Letter from DEP re: Suspected Hazardous Substance Discharge notification for 70 Penn Avenue
6. Letter from DEP re: Area of Concern: Underground Storage Tank at 108 Myrtle Avenue
7. Legal notice from the Borough of Wharton re: Planning Board meeting
8. Notification from Morris County Economic Development Corporation re: The 5<sup>th</sup> Annual Morris County Municipal Summit
9. Letter from the Township of Hanover re: Request to Amend the Police and Fire Firefighters Interest Arbitration Act of 1995
10. Notice from DOT re: Advance Traffic Impact Notice/Division of Traffic Operations
11. Letter from DOT re: the review to install railroad preemption at the highway-rail at-grade crossing of So. Morris St. intersecting NJ transit's Morristown line located in Dover
12. Bulletin (January 26, 2008) from NJLM
13. Tax Collector's Report for February
14. 2008 Morris County Municipal Summit
15. Letter from Maria Tchinchinian, Dover Little League Secretary requesting permission for their annual parade

### **AGENDA ITEMS:**

#### **ORDINANCE(S) FOR INTRODUCTION**

1. Ordinance #5-2008 Amending Code Section 57-19 "Organization of Dover Police Department/Timpani
2. Ordinance #6-2008 Amending & Supplementing Article 28A "Parking"/Timpani

#### **ORDINANCE(S) FOR SECOND READING AND PUBLIC HEARING**

1. Ordinance #4-2008 Re: Amending "Snow and Ice Removal" Ordinance/Mayor Dodd

#### **RESOLUTIONS**

1. Approving Bills List
2. Approving Emergency Temporary Budget 2008

**TOWN OF DOVER**  
**MAYOR AND BOARD OF ALDERMEN**

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3. Approving Application for 2007 Tonnage Grant
4. Approving a Redemption Certificate for 33-35 Hinchman Avenue
5. Approving Taxi/Limos as per Schedule A
6. Approving Special Permit for Social Event for Global Reach International to be held at the Baker Theater on March 22, 2008
7. Approving Special Permit for Social Event for Casa Puerto Rico to be held on March 28, 2008
8. Approving Special Permit for Social Event for Fiesta De Reyes, Inc to be held at Casa Puerto Rico on May 3, 2008
9. Approving Raffle License for El Primer Paso to be held on May 20, 2008
10. Approving the authorization of the advertisements of bids for the right to operate a flea market upon public property
11. Opposing the failure of the Governor's proposed state budget for the 2008-2009 fiscal year to treat property tax relief as our priority

# TOWN OF DOVER

## MAYOR AND BOARD OF ALDERMEN

### REGULAR MEETING MINUTES

March 11, 2008

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 8:05 pm

#### **ROLL CALL**

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

Also present were Administrator Garvin, 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.

**Administrator Garvin's Report** – All items that were discussed at the last town meeting have been presented to each member of the board for their review but most importantly an update on the municipal budget. Members of the finance committee have been reviewing the budget, specifically to state aid where the state is proposing a reduction of municipal aid. Pension bills have increased of \$160,000, Ms Garvin is partnering with the finance committee and they are looking at ways to minimize the impact to the taxpayers.

**Mayor Dodd's Report** – Mayor Dodd has been notified by Bill Holts, the developer for Walgreens, they have opened and a grand opening will take place in the next couple of weeks. He mentioned that the lead article in the Morris County section of the Star Ledger is inaccurate and premature. He also stated, had the reporter not rushed to print and to judgment, she would have learned that there was no change in heart, no backtracking, no English only rule and no after all. The letter sent to Reverend Martinez stamped with the Mayor's name contains a statement that goes beyond the sentiments that he expressed to the administrator and has caused confusion and conflict. Mayor Dodd has been steadfast in the commitment to provide the documents, more information for translation or interpretation by those who work in the community with individuals who seek assistance. He has also been steadfast in refusing to create a bilingual town website. Mayor Dodd praised the church for its efforts to assist it's congregants but its governments' charge to work for the common good of all of it's citizens. The good recognizes that literacy promotes integration, understanding, financial gains, and social success. Its representatives, all of whom have come from immigrant stock, remember and recognize the difficult transition and cultural divide. America is the best of many worlds and it embraces and encourages the diversity that enriches our lives. Bilingualism connotes separate but equal but has a potential to divide rather than integrate. Mayor Dodd is currently composing a letter to more fully address Reverend Martinez's concerns and to more accurately represent his opinion.

#### **ALDERMEN/COMMITTEE REPORTS –**

**Alderman Fahy** – Library was very well handled by the director and Alderman Fahy thanked the director for a wonderful job and board members who volunteered their time to make sure the administration is properly handled. Alderman Fahy has a list of several street lights that are out and will forward the list the administrator. Street Department did a great job in the Third Ward after the storm. He hopes that the town reaches out to the Hispanic community.

**Alderman Picciallo** – Addressed many ward concerns throughout the first ward. He attended budget meetings with Alderwomen Romaine, the Mayor and Ms. Garvin. He addressed several code enforcement issues and the code enforcement has been reviewing all buildings in the downtown area and a report will be provided when completed.

**Alderman Poolas** – Attended the NJ Future's Seminar in New Brunswick. He thanked Ms. Garvin for sending the letter to the bank in reference to the first ward problem with the snow on private property being plowed.

**Alderman Donofrio** – Attended the Board of Health meeting and they have approved the price increase for the death certificates. There's a concern with the disposal of prescriptions because some of these prescriptions are appearing in the water testing results. It's now on our radar and from the municipal standpoint we should come up with a strategy. Alderman Donofrio complimented DPW for the street signs that have the larger bold print. He also thanked the Mayor for helping with the cones that were placed at the end of Park Heights for the flooding situation.

**TOWN OF DOVER**  
**MAYOR AND BOARD OF ALDERMEN**

**Alderman Timpani** – No report

**Alderman Delaney** – Due to the hour and presentations before hand there's nothing pressing to report.

**Alderman Visioli** – Personnel Committee has been very busy coordinating through the administrator, Mayor Dodd and particular departments in light of budget restraints. Some personnel issues must remain private but what can be shared with the public Alderman Visioli will share.

**Alderwomen Romaine** – For the past nine years, Alderwomen Romaine has attended Read across America campaign and has read to the students. Attended a Planning Board meeting and the final phase for the master plan recycling attribute has been completed. Alderwomen Romaine attended several meetings with the finance and personnel committees.

**Attorney Pennella's Report** – There has been no change in the pending litigation.

**CONSENT AGENDA**

**ORDINANCE(S) FOR INTRODUCTION**

**ORDINANCE NO. 05-2008**  
**OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**  
**AMENDING CODE SECTION 57-19 "ORGANIZATION OF DOVER POLICE DEPARTMENT"**

**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:

1. Section 57-19 of the Code of Dover entitled "Organization of the Dover Police Department" is hereby amended to temporarily increase the number of sergeants in the department from five to seven. The increase in the number of sergeants will commence upon passage of this Ordinance. One of the new, i.e., the 6<sup>th</sup> or 7<sup>th</sup> positions shall automatically terminate on the earlier of the following: notice of disapproval of the settlement under the lawsuit bearing Docket #MRS-L-1083-05 by the Merit System Board of the State of New Jersey, nine months from the approval of the settlement by the Merit System Board, or a date prior to such nine month period that a lateral transfer occurs by the Plaintiff in the above lawsuit. The other new position shall terminate upon the completion of the terminal leave of the current sergeant in the Police Department, October 31, 2008. Upon the occurrence of the above described events, the organizational chart of the Dover Police Department will automatically revert to five sergeant positions.

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

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.

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

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

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

**ORDINANCE NO. 06-2008**  
**OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AMENDING AND**  
**SUPPLEMENTING ARTICLE 28A "PARKING" OF THE REVISED ORDINANCES OF THE TOWN OF**  
**DOVER 1969, SAVED FROM REPEAL**

**Be it ORDAINED** by the Mayor and Board of Aldermen of the Town of Dover, Morris County, New Jersey as follows:

1. Article 28A, entitled "Parking," is hereby amended and supplemented to establish no parking for the northeast side of Maple Avenue for its entire length from East McFarland Street (Route 46) to Mt. Hope Avenue.

# TOWN OF DOVER

## MAYOR AND BOARD OF ALDERMEN

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

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.

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

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

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

**Nays: None**

**Absent: None**

**Abstained: None**

### ORDINANCE(S) FOR SECOND READING

#### ORDINANCE NO. 04-2008

#### OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AMENDING THE CODE OF THE TOWN OF DOVER SECTION 337-29, ET. SEQ. "SNOW AND ICE REMOVAL"

**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:

Chapter 337, entitled "Streets and Sidewalks," Article VI, entitled "Snow and Ice Removal," Section 337-29 through 337-33 is hereby amended and supplemented pursuant to N.J.S.A. 40:65-12 as follows:

1. **Section 337-29. "Responsibility for Removal of Snow, Hail and Ice."** The owner of any lands abutting upon the public streets (as defined by N.J.S.A. 48:3-11) of the Town of Dover, shall, within 24 hours after every fall of snow or hail or the formation of ice, remove all snow and ice from the abutting sidewalks within 24 hours after every snow or hail or the formation of ice upon the sidewalks.

2. **Section 337-30. "Placing or Throwing Snow into Street Prohibited."** It shall be unlawful for anyone, after the snow has been plowed by a snow plow or removed by snow loader or other apparatus, to place or throw any snow from sidewalks, driveways or any private or public property onto any street or thoroughfare where cleared.

3. **Section 337-31. "Removal of Dangerous Snow and Ice Projections."** The owner of any lands abutting upon the public streets of the Town of Dover where the property is located within the C-1 zone as designated on the Town of Dover Zoning Map shall remove potentially dangerous snow or ice which could topple onto or which projects over the sidewalk or the adjacent right-of-way of the street. It is the intention of this provision to protect against overhangs or dangerously high piles of snow or ice which may threaten pedestrians or vehicles traveling alongside the snow or ice accumulation or pile.

4. **Section 337-31. "Violations and Penalties."** Any owner who violates a provision of this article shall, upon conviction, forfeit and pay a fine of \$50.00 for the first offense, \$150.00 for the second offense, and for a third or subsequent offense be subject to one or more of the following: (a) A fine not less than \$250.00 but not exceeding \$1,250.00, and/or (b) a term of imprisonment not exceeding 90 days or a period of community service not exceeding 90 days.

In addition, where the owner of any real estate shall fail to remove the snow or ice as provided in this ordinance, the enforcing official may employ the necessary labor and materials to perform the required work of removal as expeditiously as possible. The cost of such removal shall be the responsibility of the owner.

In the event of non-compliance with the within provisions, any person authorized to enforce this ordinance may provide notice to the owner of the property of such non-compliance and the intention within 24 hours of such notice of having the snow and ice removed at the owner's expense. Notice shall be by personal service upon the owner, or service may be made by posting upon the property on the main entry door a copy of the Ordinance and a statement that an inspection has determined that the property is in violation of this Ordinance and that, unless the snow and ice is removed within 24 hours of the delivery or posting of the notice, the enforcing official may employ the necessary labor

**TOWN OF DOVER**  
**MAYOR AND BOARD OF ALDERMEN**

and materials to perform the required snow and ice removal as expeditiously as possible and the cost of same shall be borne by the owner of the property. If the enforcing official causes the necessary labor and materials to be utilized to perform the required work, the costs of the removal shall be certified by the enforcing official to the governing body of the municipality. The governing body shall examine such certificate and, if found to be correct, shall cause such cost to be charged against such real estate so abutting upon such sidewalk covered by snow and ice and the amount so charged shall thereupon become a lien and tax upon such real estate and be added to and be part of the taxes next to be levied and assessed thereon and enforced and collected with interest by the same officers in the same manner as other taxes.

5. **Section 337-33. "Enforcement."** This article shall be enforced by the Dover Police Department, any code enforcement inspectors, or any housing inspectors of the Town of Dover.

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

7. 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.

8. The Ordinance shall take effect in accordance with law.

Mayor Dodd opened the meeting to the public for a hearing.

**Remus Klimaski** - 53 Searing Street: He is concerned with this ordinance because it makes no provision for length of time. First, Second & Third offense goes on indefinitely.

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

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

**RESOLUTIONS:**

**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 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:	\$106,853.13
CURRENT ACCT claims in the amount of:	\$339,270.02
CAPITAL ACCT claims in the amount of:	\$12,560.89
WATER UTILITY ACCT claims in the amount of:	\$197,327.21
WATER UTILITY RESERVE ACCT claims in the amount of:	\$48,169.56
WATER CAPITAL ACCT claims in the amount of:	
PARKING UTILITY ACCT claims in the amount of:	\$2,198.89
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$77.58
PARKING CAPITAL ACCT claims in the amount of:	
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$146.60

# TOWN OF DOVER

## MAYOR AND BOARD OF ALDERMEN

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:  
 FEDERAL FORFEITED ASSETS ACCT claims in the amount of:  
 TRUST/OTHER ACCT claims in the amount of: \$5,250.66  
 DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:  
**TOTAL CLAIMS TO BE PAID \$711,854.54**

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: \$282,653.07  
 WATER UTILITY ACCT claims in the amount of: \$22,570.93  
 PARKING UTILITY ACCT claims in the amount of: \$2,969.34  
 PAYROLL AGENCY ACCT claims in the amount of: \$153,122.45  
 UNEMPLOYMENT TRUST ACCT claims in the amount of: \$291.01  
**TOTAL CLAIMS PAID \$461,606.80**

***TOTAL BILL LIST RESOLUTION \$1,173,461.34***

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

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

### TOWN OF DOVER EMERGENCY TEMPORARY BUDGET 2008

WHEREAS, N.J.S.A. 40A:4-19 provides for the making of temporary appropriations to finance the operations of municipal government between the first day of January of the budget year and the date of the adoption of the budget for such year;  
 NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover that there be and is hereby appropriated as follows:

CURRENT FUND	<b>8,719,768.00</b>
WATER UTILITY	<b>1,064,947.00</b>
PARKING UTILITY	<b>103,665.00</b>

as temporary appropriations for the year 2008

<u>FCOA</u>	<u>GENERAL GOVERNMENT</u>		
20-100	Administrative & Executive -	Salaries & Wages	100,000.00
		Other Expenses	57,000.00
20-110	Mayor & Board of Aldermen -	Salaries & Wages	24,636.00
		Other Expenses	18,000.00
20-120	Town Clerk -	Salaries & Wages	54,000.00
		Other Expenses	9,000.00
20-130	Financial Administration -	Salaries & Wages	88,000.00
		Other Expenses	3,000.00
20-145	Collection of Taxes -	Salaries & Wages	31,000.00
		Other Expenses	5,000.00
20-150	Assessment of Taxes -	Salaries & Wages	39,000.00
		Other Expenses	16,000.00
20-155	Legal Services & Costs -	Other Expenses	70,000.00

# TOWN OF DOVER

## MAYOR AND BOARD OF ALDERMEN

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20-165	Engineering Services -	Salaries & Wages	68,000.00
		Other Expenses	29,000.00
20-167	Planning Consultant	Other Expenses	3,000.00
20-175	Historic Preservation	Salaries & Wages	2,800.00
		Other Expenses	10,000.00
21-180	Planning Board -	Salaries & Wages	2,800.00
		Other Expenses	4,200.00
21-185	Board of Adjustment -	Salaries & Wages	2,800.00
		Other Expenses	4,000.00
22-195	Construction	Salaries & Wages	60,000.00
		Other Expenses	5,000.00
22-200	Code Enforcement	Salaries & Wages	180,000.00
		Other Expenses	3,200.00
23-210	Other Insurance		81,940.00
23-215	Workers Compensation		104,810.00
23-220	Group Insurance		1,300,000.00
25-240	Police	Salaries & Wages	1,800,000.00
		Other Expenses	90,000.00
25-252	Office of Emergency Mgmt.	Salaries & Wages	2,600.00
		Other Expenses	-
25-265	Fire	Salaries & Wages	210,000.00
		Other Expenses	50,000.00
25-265	Uniform Fire Safety Act	Salaries & Wages	36,000.00
		Other Expenses	3,500.00
25-275	Municipal Prosecutor		20,000.00
26-290	Streets & Roads -	Salaries & Wages	337,000.00
		Other Expenses	35,000.00
26-292	Snow & Ice Removal S & W	Salaries & Wages	20,000.00
		Other Expenses	30,000.00
26-295	Solid Waste & Recycling	Salaries & Wages	55,000.00
		Other Expenses	600,000.00
26-300	Sewer-	Salaries & Wages	100,000.00
		Other Expenses	4,200.00
26-310	Public Buildings & Grounds -	Salaries & Wages	33,000.00
		Other Expenses	25,000.00
27-330	Health	Salaries & Wages	107,000.00
		Other Expenses	50,000.00
27-347	Sr. Citizen Services -	Salaries & Wages	17,400.00
		Other Expenses	6,000.00
28-370	Parks & Playgrounds-	Salaries & Wages	30,000.00
		Other Expenses	27,000.00
28-375	Shade Tree -	Other Expenses	15,000.00
		Temporary Budget-	
		2007	
29-390	Maintenance of Free Public Library-	Salaries & Wages	140,000.00
		Other Expenses	140,000.00
31-430	Utilities & Bulk Purchases	Other Expenses	800,000.00
43-490	Municipal Court -	Salaries & Wages	125,000.00
		Other Expenses	21,000.00
43-495	Public Defender	Other Expenses	9,000.00







**TOWN OF DOVER**  
**MAYOR AND BOARD OF ALDERMEN**

place for this event.

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

**RESOLUTION**

**WHEREAS**, Casa Puerto Rico, Inc filed an application for their **second** Special Permit for Social Affair to be held at 50 W. Blackwell Street, Dover; and

**WHEREAS**, Casa Puerto Rico Inc., 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. Casa Puerto Rico, Inc. is approved for a dance (#2) to be held on Friday, March 28, 2008 at Casa Puerto Rico, 50 W. Blackwell Street, Dover, NJ from 7:00pm through 2:00 am.
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 Fahy and passed by the following roll call vote.**

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

**RESOLUTION**

**WHEREAS**, Fiesta De Reyes, Inc filed an application for their **first** Special Permit for Social Affair to be held at the Casa Puerto Rico, Inc., which is their **third** event; and

**WHEREAS**, Fiesta De Reyes, Inc., a non-profit organization is permitted to have twelve events per year and Casa Puerto Rico, Inc. 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. Fiesta De Reyes, Inc. is approved for a dance (#1) to be held on Saturday, May 3, 2008 at Casa Puerto Rico, 50 W. Blackwell Street, Dover, NJ (#3,) from 7:00pm through 2:00 am.
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 resolutions be adopted and duly seconded by Alderman Delaney and passed by the following roll call vote.**

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

**TOWN OF DOVER**  
**MAYOR AND BOARD OF ALDERMEN**

**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 Raffle Licenses; 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:

1. The below listed raffles for the dates set forth following their name are hereby approved:

A. El Primer Paso - 29 Segur St. to be held on May 20, 2008

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

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

**Nays: None**

**Absent: None**

**Abstained: None**

**RESOLUTION AUTHORIZING THE ADVERTISEMENT OF BIDS  
FOR THE RIGHT TO OPERATE A FLEA MARKET UPON PUBLIC PROPERTY**

**BE IT RESOLVED THAT**, sealed Request for Proposals for **THE RIGHT TO OPERATE A FLEA MARKET UPON PUBLIC PROPERTY** has been prepared by the ADMINISTRATION and same is hereby approved; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk be and is hereby authorized and requested to advertise in an Official Newspaper in accordance to Law, for Requests for Proposal. Said Proposal to be received in the Main Meeting Room (Council Chambers) of the Dover Town Hall; **THURSDAY, APRIL 2, 2008 at 10:00 A.M. prevailing time.**

**Alderman Visioli has moved the foregoing resolutions be adopted and duly seconded by Alderman Fahy and passed by the following roll call vote.**

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

**Nays: Alderman Donofrio**

**Absent: None**

**Abstained: None**

**RESOLUTION OPPOSING THE FAILURE OF THE GOVERNOR'S PROPOSED STATE BUDGET FOR  
THE 2008-2009 FISCAL YEAR TO TREAT PROPERTY TAX RELIEF AS OUR PROPERTY**

**WHEREAS**, on February 26, 2008, in Trenton, Governor Jon S. Corzine presented his FY 2009 Budget proposal to a Joint Session of the State Legislature, which proposal now goes to the Legislature, which must pass a balanced budget by the start of the State's next Fiscal Year, which begins on July 1; and

**WHEREAS**, the proposal, which represents what the Governor called "many unpleasant choices," calls for the elimination of two Departments of State Government (the Departments of Agriculture and Personnel) and the State Commerce Commission, and asks all other Departments to absorb funding cuts, and further calls for sacrifice in a number of other areas, including direct property tax relief, hospital aid, higher education assistance and Medicaid, with the inordinately deep cuts in municipal property tax relief funding; and

**WHEREAS**, one year after the historical Special Session for Property Tax Reform, which purportedly eliminated the need for a Citizens' Convention, our property taxpayers will once again be asked for patience, and they will be asked to shoulder more than their fair share of the funding burden; and

**WHEREAS**, municipal property tax relief will be slashed by \$189.6 million and all municipalities will receive level Energy Tax Receipts Property Tax Relief funding, despite State Law that 'requires' annual inflationary adjustments of this funding; and

# TOWN OF DOVER

## MAYOR AND BOARD OF ALDERMEN

**WHEREAS**, last year, municipal efficiency was promoted to the tune of \$34.8 million, but in this proposal, this funding has been eliminated; and

**WHEREAS**, last year's \$32 million in Municipal Homeland Security Funding is gone, Special Municipal Aid funding is cut from \$153 million to \$145.4 – a loss of \$7.6 million, Extraordinary Aid funding is reduced by \$1.7 million – from \$34 million to \$32.3 million, and the \$8 million Regional Efficiency Aid Program will not be funded; and

**WHEREAS**, beyond these cuts, Homestead Rebates for Homeowners will be cut by \$257 million, and for Renters by \$124 million; and

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Board of Aldermen of the Town of Dover hereby calls on its elected representatives in Trenton, Senator Anthony R. Bucco and Assembly members Carroll and Merkt, to work with their colleagues in the Legislature and with the Governor to take affirmative action to restore program funding sufficient to honor state statutes and their stated commitment to the cause of property relief in all New Jersey municipalities; and

**BE IT FURTHER RESOLVED**, that copies of this resolution will be forwarded to Governor Jon S. Corzine, Acting State Treasurer R. David Rousseau, Senate President Richard J. Codey, Senate Minority Leader Thomas H. Kean, Assembly Speaker Joseph J. Roberts, Assembly Minority Leader Alex DeCroce, the Chairs and Members of the Senate and Assembly Budget and Appropriations Committees, our own Senator Bucco and Assembly members Carroll and Merkt and to the New Jersey State League of Municipalities.

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

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

**Nays: Alderman Donofrio**

**Absent: None**

**Abstained: None**

### **PUBLIC COMMENTS – Three Minutes per Person**

**Kay Walker** – 72B E. Blackwell Street – Ms. Walker read several quotes from Andy Rooney who's a reporter from CBS and works on the TV show 60 minutes. Ms. Walker stated, "Although Andy Rooney targeted the Black community it applies to all of us here in Dover." When you have a large Hispanic community and multi-family housing and the authority are looking for stacking and code violations it stands to reason that the majority of complaints that come from the Hispanic community are the ones because they're the ones doing the violating. Ms. Walker resents going to a store that has Spanish on the loud speaker and she resents seeing awnings and store windows all with Spanish. She believes that if you come to this country you should try to speak and read English, she doesn't go to other countries and tell them to speak English. She has worked with immigrants to help them try to achieve homeownership; she's not against immigrants just the illegal immigrants that come here and take advantage of the system.

**Robin Foster** – 90 Penn Avenue – Mr. Foster read a statement from the Teddy Roosevelt, Ex-President of the United States. Mr. Foster made an announcement that the Easter Egg Hunt will be held on Saturday at JFK Park.

**Luis Gomez** – 172 So. Morris St – Mr. Gomez wanted to know when Congressman Frelinghuysen would be attending a town meeting.

**Robert Tambini** – 10 E. Blackwell Street – Mr. Tambini noted that the Mayor was donated a film on a parade that took place on Blackwell Street in 1926. The film was given to Mr. Tambini to pursue grant opportunities and the opportunity of having it restored so that it could be made available to the public. The grant process is moving forward. The grant application requires two estimates and by the end of next week the grant application will be submitted to the NFPA and hopefully within 6-8 weeks the town should have a decision. Based on the estimates that he has been getting it should cover the restoration 100%. The film is 950 feet which is approximately 10 minutes. This was a short film which was intended to be shown between two feature films. Based on some additions made at the end of the film, it was then picked up for regional and then finally national distribution. We may have the oldest existing Columbia Logo film; there might be historic importance.

**George Laurie** – 10 Hillside Ave. – Thanked the Mayor and the Mayor's Assistance Program for their assistance with the Museum House. There's a major movie about to be filmed at the Baker Theater. This movie will be the second

# TOWN OF DOVER

## MAYOR AND BOARD OF ALDERMEN

major motion picture to be filmed at the Baker Theater. The first movie was called the Early 20's-Dover Romance.

**Reverend Martinez** – 15 Lawrence St. – He's in receipt of your letter however he's concern that it's not the official response from the administration. It's important that when correspondences is sent from the Mayor's Office is should be verified if it's a response from the Mayor. There has been no ill intention in anyway. He wishes that we can come together in dialogue as stated in the letter, to talk about different issues and why we feel it's important for some documents to be translated in Spanish. He's has been to the library which has improved greatly. The library offers an option that at a touch of a button you can translate a document into many languages. The only concern they had was that people would not be able to understand certain rules and ordinances and for that matter they were receiving fines. The Church is unable to translate the documents due to the lack of funds. The church is very well aware of their concern and supports their efforts. There are people from the communities who are working towards these efforts and he opens himself in any way and he offers those who have worked with him.

**Ed Correa** – 88A E. Blackwell St. – Mr. Correa wanted to know how many affordable housing units would be available in the Bassett Hwy. Redevelopment Project. Mayor Dodd stated, that currently the second-third round ruling COAH obligation is 1 in every 5 which or 20% of the project would be required to provide low-to-moderate income housing. Mayor Dodd said the town would be committed to whatever COAH's requirement is. Mayor Dodd does not agree with this ruling because it puts a huge burden on developers to make enough profit to build a site as large as Bassett Hwy. Project. The town is looking into a joint venture with the Morris County Housing Authority to provide some affordable housing in Dover.

Mr. Correa wants to know how it inhibits growth. Mayor Dodd stated that when you require 20% of any project to be sold below market value, it's difficult for a developer to construct those units. Developers are in business to make a profit and when 20% of any project is below market value it makes it very difficult. Developers are holding back on projects to see the final second-third round ruling is finalized.

**Ed Lopez** – Mr. Lopez would like know if he needs to obtain permission to do some clean up at the creek near Byram Street. Mr. Lopez was told to notify the board of the address and they'll provide him with the property owner's information. Mr. Lopez wants to know what is municipal aid funding and what is extraordinary aid funding?

**Emilio Lemos** – 48 Second Street – Mr. Lemos wants to know, if the project needed to have 20% of the units sold below market value, what would be the difference in price. Attorney Pennella stated that the state provides a formula and the town must use that formula. The Post Office and Orchard Street Cemetery properties are in terrible condition. He agrees with the order and justice and appreciates what the police department is doing in town. However, they're setting a bad example when the police department violates the law i.e. car maintenance, parking, etc. The police department has to set an example. What part of Second Street would be available for soccer field parking and was there a survey. Alderman Visioli stated that it would be an option if needed. Mr. Lemos wants to know if the letters that were sent to the Maple Avenue residents were in Spanish. Mr. Lemos is requesting that the town website and documents be translated to Spanish due to the population.

**Connie Foster** - 90 Penn Ave-Ms. Foster sent Congressman Frelinghuysen a letter about the post office's property maintenance. She was there on Saturday to pick up a lot of garbage. The Mayor's Assistance program did provide help with clean-up at the cemetery however the cemetery does not have any money to do on-going maintenance. Ms. Foster asked for volunteers to assistance with the maintenance projects.

**Alderman Poolas** - Alderman Poolas supports Mayor Dodd in his decision. He's requesting that Mr. Lemos, Mr. Correa, and Reverend Martinez come up with solutions to the problems instead of complaining. There have been a lot of changes throughout town. The solution to all the problems is to join together and be proactive.

**Carolyn Blackman** – 27 Brook Dr. – She was very moved by Alderman Poolas statement and believes everyone should hold hands and come together.

**Motion made by Mayor Dodd to adjourn at 9:40 p.m., seconded by Alderwoman Romaine and passed by the following voice vote. All ayes.**

Respectfully submitted,

Margaret J. Verga, Municipal Clerk