

## TOWN OF DOVER MAYOR AND BOARD OF ALDERMEN

#### CAUCUS AGENDA MINUTES MARCH 27, 2007

## CALL MEETING TO ORDER: Meeting called to order at 7:00pm by Mayor Dodd

## FLAG SALUTE

## INVOCATION

## ROLL CALL

Present Aldermen Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, Timpani and Mayor Dodd Absent Alderman Poolas

Also present were Administrator Garvin, Attorney Pennella and Clerk Verga

Clerk Verga stated adequate notice was given to the official newspaper

## SUNSHINE LAW STATEMENT

In accordance with the provisions set forth in the Open Public Meeting Law, notification of this meeting has been sent to all officially designated Town newspapers and notice is posted in the Town Hall.

## **PROCLAMATION – Harriet Buono**

## MUNICIPAL CORRESPONDENCE:

- 1. Notice from NJ League of Municipalities re: League Labor Relations Seminar
- 2. Notice from NJ League of Municipalities re: The Benefits of Historic Preservation
- 3. Letter from HNTB Corporation re: Application for permits to NJDEP for Route 46 and 15 Interchange Improvements
- 4. Ordinance from Borough of Rockaway re: Amending Land Use Administration and Procedures Fees and Escrow Deposits
- 5. Ordinance from Borough of Rockaway re: Amending Land Subdivision and Site Plan Review Off-Street Parking, Traffic Aisles and Driveways
- 6. Notice from Picatinny Arsenal re: Site 180 Proposed Plan
- 7. Letter from Nancy Weiss re: Issues concerning the Colombian Festival
- 8. Minutes of the Morris County Planning Board held on 2/15/07

## **ITEMS FOR DISCUSSION:**

- 1. Ordinance re: Historic Preservation Commission
- 2. Ordinance re: Prohibiting smoking in parks and playgrounds
- 3. Ordinance re: Establishing procedures to adopt Policies and Procedures by resolution

## **AGENDA ITEMS:**

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

- 1. Ordinance #08-2007 re: Limiting and restricting parking on N. Sussex Street/Ald. Picciallo
- 2. Ordinance #09-2007 re: Amending Chapter 337, adding Article X-parking of certain vehicles/Visioli
- 3. Ordinance #10-2007 re: Designating smoking and nonsmoking zones at municipal building

#### **ORDINANCE(S) FOR SECOND READING**

- 1. Ordinance #06-2007 re: Handicapped parking space located at 39 Baker Avenue/Ald. Poolas
- 2. Ordinance #07-2007 re: Limiting parking permits/Ald. Delaney

## RESOLUTIONS

- 1. Approving Bills List
- 2. Approval of Executive Session Minutes
- 3. Emergency Temporary Budget for 2007
- 4. Upper Rockaway River Watershed Association be Category One Antidegradation Designation
- 5. Approval of Raffle License for Dover Boxing Club to be held on 7/07/07
- 6. Approval of One-Day ABC License for Global Reach International to be held at Baker Theatre on 4/14/07
- 7. Rejecting proposals for property re-valuation

#### REGULAR MEETING AGENDA March 27, 2007

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 7:31 pm

### **ROLL CALL**

Present Aldermen Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, Timpani and Mayor Dodd Absent Alderman Poolas

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.

#### **PUBLIC COMMENTS**

**Matthew Barrett**-107 Bassett Hwy.- Mr. Barrett commended the Board for coming up with the parking ordinance. However, the ordinance dates back to the early 80's with revisions during this time left the Chief of Police in charge with day to day operations. The Chief of Police has nothing to do with the parking, knows nothing about it. The Town of Administrator has no knowledge about the parking utility. Someone should be put in charge of the day to day operations. This is the time to address the problem. There's some concerns regarding the waiting list for parking permits; the process of the waiting list & how many permits are issued to a business at one time.

**Jim Mullen**-W. Fairview Avenue. Mr. Mullen wanted to know it the readings of the ordinances are read? Are the ordinances available to anyone in the audience to read? Jim Mullen suggested that copies of the ordinance should be made available at the town meeting instead of having to go out to the bulletin board. What are the rules for weekend permits parking? (Monday-Saturday and Sunday's are free) My experience and observation is that the handicapped parking space by the cleaners is a detriment to the business in the area. Mr. Mullen is happy to hear that the property revaluations are taking place. Attorney Pennella shouldn't place blame on the delay in revaluations due to the past administration since this administration had been in place since '06 which means we wasted one year.

Administrator Garvin's Report –At the last meeting, there were a few action items that needed to be followed-up upon. Specifically, the meetings with Global Reach and Colombian Festival which has been schedule for this Thursday to review the facility use application and to insure we have adequate coverage from both the police and fire departments' stand point. An attempt to contact DOT was made regarding public notice for the So. Salem Street Bridge Project and the Mayor will be following up with DOT since they were not receptive to hosting another public information session despite the fact that residents received empty envelopes. Finally, we are in the process of negotiation and those are still on target however more details cannot be provided. As an update we will be accepting bids for the solid waste and recycling contract on April 5<sup>th</sup>. Once, those bids come out that will be a major part of our budget and we anticipate amending that so that way the Mayor & Board can introduce the budget with confirmed numbers.

**Mayor Dodd's Report** – Mayor Dodd had two meetings with the owners of the flea market, the Brumales, since we are in the fifth year of a five year contract. We have asked the Brumales to consider the relocation of the flea market since it's not the same as it use to be; there are fewer vendors and more spaces in between. The new location would be Crescent Field Parking lot. We also have asked them if they are not willing to relocated to the Crescent Field Parking lot if they would consider decreasing their footprint and looking at different alternatives. We have provided them with street maps in an attempt to hopefully keep the flea market here because it does serve a purpose. But no longer believe it's beneficial on Blackwell Street in the Downtown area. The public will be informed as to the progress we make. We are obligated to allow them to remain where they are for this year, if they choose to do so. We are attempting to at least negotiate with them to improving the traffic flow in the downtown area.

In the last two weeks, Town Engineer Mike Hantson and I have met with the Morris County Planning Board. We provided them with a presentation on our downtown area. Currently, there's a petition to the DEP to name every stream and river from Boonton to Water Works, a C-1 designated zone. It would be devastating to the town of Dover, if the DEP granted that C-1 designation. Basically, what it states that no development or re-development could occur within 300 ft. of the Rockaway River that puts us on the other side of Blackwell Street. It's not appropriate for dense community like ours, Rockaway Borough and the amazing part to me is that people that file the petition with DEP are friends of the Rockaway River. We have copies of a plan that was done in 1998 by Friends of the Rockaway that actually suggest we develop Basset Hwy. On one hand, we have them saying that we should develop the River and use it as an asset in our community and then on the other hand we have them saying we can't develop within 300 ft. They don't know what there asking for and we need to not allow C-1 to occur. The DEP fails to recognize, is they speak about what you cannot do but they don't speak about what you can do. We do intend to oppose this and resolution is in the works.

The Economic Development/Basset Hwy. Redevelopment Committee had a meeting with the proposed developer for the Bassett Hwy. area. The committee has requested them to provide us with some renderings of the redevelopment area. The drawings are not what we expected to see, two meeting were attended. The committee has made some suggestions on what we like to see for the building. A

meting should be scheduled for presentation of the area. A special meeting should be scheduled on April 17<sup>th</sup> for public comments regarding the Bassett Hwy. area.

Met with the Town Engineer and NJ Futures, we are being considered to receive the NJ Future award for the DOT Plan/Redevelopment. DPW and Water committee have met and the merge negotiations are still in the process. Met with Woodmont Properties and the Hilton Hotel project is still moving forward. There was a McFarland Street meeting regarding parking. Meeting with Taxi Owners to address some of there concerns, even though there's litigations there's still an obligations to address their concerns. We met with the Recreation Committee regarding Crescent Field Turf regarding the field's use. We've asked them to establish a policies and guidelines for the use of the field. DPW is working on cleaning up the downtown area. Home Depot supplied Hope House with refrigeration & stove as per the request of the Mayor. Hope Depot filled the request. Home Depot as requested to work with the Town. The Mayor's Assistance Program is moving forward with possible referrals from different areas like the Morris County Probation Dept.

#### ALDERMEN/COMMITTEE REPORTS -

Alderman Fahy –Attended the Fourth Annual Morris County Municipal Summit to discuss economic growth hosted by the Morris County Economic Development Corporation. Soccer will be opening on this Sunday and hopefully a ribbon cutting ceremony will take place. Attend the High School play which was very well attended. Finally, one of my other role is I'm a member on the Morris County Head start Board and they would like to meet with the Shade Tree Commission because they would like to participate in the annual Arbor Day.

Alderman Picciallo – Attended the play Guys & Dolls at the high school on Friday. Commended the children, staff, musical direction, set designing, ect. This takes a lot of work, the audience was great and the kids and everyone involved should be commended on a job well done. Commended the road dept. for handling the last storm they were right on top of the situation. Also, agrees that alternative side of street parking on a lot of streets should be addressed. It's unproductive when the street dept. has to return two-three times to clean the spots were cars were sitting. It's also a hazard to the citizens when ambulance and fire trucks cannot get through because of the areas not plowed. Attended many ongoing budget meetings with the Mayor and Administrator and we are making progress. Alderman Picciallo commended the Mayor's Assistance Program and supervision of Robert Tambini for a job well done with the renovation of the Library. The downstairs is over 50% painted and things are moving along. Great progress has been made; when people see that public buildings are being cared for then they will take pride in their own home.

#### Alderman Poolas - Absent

Alderman Ryan – A negotiation meeting with the Police Committee took place on March  $22^{nd}$ . Can't comment on the negotiations but it was a productive meeting. The next police committee meeting will take place April 5<sup>th</sup>. On March  $23^{rd}$  a meeting with three taxis cab owners which involved Mayor Dodd who already commented on this issue, Alderman Visioli and Alderman Ryan. We discuss the recently ordinance and Mayor Dodd addressed the owners in an honest and open manner. The town made an effort to keep the lines of communication open.

Alderman Donofrio – Hope House parade/walkathon is scheduled for April 6<sup>th</sup>. Alderman Donofrio asked the town administrator to speak about the children's food program. The town administrator, Bibi explained how the Neighborhood House would like to partner with the Town pending ironing out some details. The Child Nutrition Program which is held during the summer months through the recreation program will be a zero cost to the town. It would just require some oversight and completing federal application and it's based on financial needs on our demographics which our town will well qualified. Upper Rockaway River Watershed Association (URRWA) resolution there's a big C-change where we're starting to value water like we value oil. There was a story in the paper regarding Congressman Frelinghuysen was overjoyed by getting the federal government to release several millions of dollars for the Highlands project. This resolution takes place in the context of that, sometimes we can be a bit myopic and it's less threatening when we see in the context. Alderman Donofrio is certain that they won't have plans to do to Dover what they did to the old Boonton where's it's now at the bottom of the Jersey City Water Works.

**Alderman Timpani** – On the  $22^{nd}$ , attended the Board of Heath, DDA, & Recreation meeting. Attend the Chief dinner for Ed Ridner on the  $25^{th}$ . On the  $27^{th}$  we had an AIDS Walk meeting with Hope House as well as today and everything seems to be going well. A lot of work has been going on at Crescent Field for there opening first game ceremony on April  $1^{st}$ . March  $31^{st}$  there's a breakfast with the Easter Bunny at Sacred Heart. There's five opening for the Historical Trip to Boston on May  $2^{nd}$  if anyone is interested.

Alderman Delaney – Sat in on the meeting regarding the Flea Market and the proposed developers for the Bassett Hwy. area and they've come a long way however we need a little bit more. Met with the Town Engineer about the parking grant on McFarland plans, the angle parking doesn't work for the area so other plans are under review. At the last BOE meeting they expressed that they want to take advantage of the Mayor Assistance program. BOE will be going out to bid for their schools' playground and once that finished clean-up and landscaping will be needed. Budget meeting is coming along great. Spoke with the BOE to see if they were interested in having the Art Dept. do a community service project at the JFK Park. Superintendent Mr. Becker is drilled and they would like to re-paint the mural at JFK Park. Ex-Alderman Cindy Romaine would like to participate with the supervision and coordination of this project, if the Mayor permits it. The BOE will be announcing there will be a zero increase in school board's budget. Kathy Casiano, from the High School held a Parent Advisory Counsel Meeting which was a huge success and they discussed recreations and support services for families & children with disability, the Forgotten People of our public. Dover High School held a

parent summit, to discuss substances abuse and Dover's schools zero tolerance policy on drugs.

Alderman Visioli – We spoke regarding some issues of C-1 and that effects it would have on the Town. Master Plan is hot off the press, it list 8-9 different sections. The Plan was dedicated to Mr. Bob Hooper and the first few pages were read in the memory of Mr. Robert Hooper. Copies of the Master Plan are not available but the members of Planning Board and this Board have to be commended for its efforts. The fire official vehicle is in service. Personnel issues and or purchase orders/housing have to be addressed. The Fire Dept. has been moving along and we are in the process of interviewing for new members.

Attorney Pennella's Report – There has been no change in any of the litigation matters. Several meetings have taken place with the municipal official offering them legal advice. Attorney Pennella has been working on the revaluation analysis and we're coming up memo and a resolution has been drafted.

**Robert Tambini: Library Director**-The Mayor Assistance Program (MAP) has helped will the progress of the Library. Significant progress has occurred with the last 8-12 weeks. We've cleaned out the basement (6 dump trucks), there's shelve space available, old magazine have been thrown out and there now available on electronic databases. There's space available for meetings to take place. The Children's Room had been neglected; water leaks have been repaired. Mr. Tambini noted that with the MAP workers many projects have been completed. We are about two weekends away from having a completed, beautiful Children's Room. The upstairs are is coming together and the Library Board has chosen to close the library to the public to complete additional work. Thanked Alderman Picciallo for his assistance as well as the Mayor for his program.

## CONSENT AGENDA

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

#### ORDINANCE NO. 08-2007 AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER AMENDING ARTICLE 28, "PARKING"

**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. There is hereby imposed a 30 minute time limit for parking at the following location between the hours of 8:00am and 6:00pm:

On both the east and west sides of North Sussex Street beginning at the northerly curb line intersection of Blackwell Street and North Sussex Street thence continuing in northerly direction for a distance of 475 feet along the westerly curb line.

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

Ayes: Aldermen Fahy, Delaney, Ryan, Visioli, Picciallo, Timpani & Mayor DoddNays: Alderman DonofrioAbsent: Alderman PoolasAbstained: None

#### ORDINANCE NO. 09-2007

## AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMAN OF THE TOWN OF DOVER, COUNTY OF MORRIS AND THE STATE OF NEW JERSEY AMENDING CHAPTER 337, STREETS AND SIDEWALKS OF THE CODE OF THE TOWN OF DOVER TO ADD ARTICLE X – PARKING OF CERTAIN VEHICLES AS FOLLOWS:

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

#### Section 1

Chapter 337, STREETS AND SIDEWALKS, Article X, Parking of Certain Vehicles, is added as follows:

#### § 337-43. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

COMMERCIAL VEHICLE - includes every type of motor/driven vehicle used for commercial purposes on the highways, such as the transportation of goods, wares, and merchandise, excepting such vehicles as are run only upon rails or tracks and vehicles of the

passenger car type used for touring purposes or the carrying of farm products and milk, as the case may be.

NONCOMMERCIAL TRUCK - means every motor vehicle designed primarily for transportation of property, and which is not a "commercial vehicle".

PARKING - means the standing or waiting on a street, road or highway of a vehicle not actually engaged in receiving or discharging passengers or merchandise, unless in obedience to traffic regulations or traffic signs or signals.

PERSON - includes natural persons, firms, co-partnerships, associations and corporations.

RECREATION VEHICLE - means a self propelled or towed vehicle equipped to serve as temporary living quarters for recreational, camping, or travel purposes and used solely as a family or personal conveyance.

ROAD TRACTOR - means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

SEMI-TRAILER - means every vehicle with or without motive power, other than a pole trailer, designed or carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and out of its load rests upon or is carried by another vehicle.

TRAILER - means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing of vehicle.

TRUCK - means every motor vehicle designed, used or maintained primarily for the transportation of property.

TRUCK TRACTOR - means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of vehicle and load so drawn.

VEHICLE - means every device in, or upon or by which a person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks or motorized bicycles.

#### § 337-44. Prohibited Parking.

No person shall park any:

- A. commercial or non-commercial motor vehicle or truck with more than four (4) wheels/tires
- B. road tractor
- C. trailer
- D. semi-trailer
- E. truck tractor
- F. recreational vehicle

on any street within the Town of Dover between the hours of 9:00 p.m. through 7:00 a.m.

#### § 337-45. Exemptions.

- A. Exempt from this Article are commercial vehicles that are parked to deliver services or goods or are performing approved construction related activities to a site within the Town of Dover provided that they first notify the Town of Dover Police Department of their location and the time period.
- B. Also exempt from this Article are two (2) axle pickup trucks with no more than four (4) wheels/tires on the rear axle.

#### § 337-46. Sign Posting.

There shall be posted an appropriate sign on each street entering the Town of Dover, at or near the Town's municipal boundary line giving notice of the terms of this Article.

#### § 337-47. Enforcement.

This Article shall be enforced by the Police Department of the Town of Dover.

#### § 337-48. Penalty.

Any person, firm or corporation who or which shall violate any of the provisions of this article shall be subject to one or more of the following: imprisonment in the county jail or in any place provided by the municipality for the retention of prisoners, for a term not exceeding 90 days; or by a fine not exceeding \$1,250.00; or by a period of community service not exceeding 90 days.

#### 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 final publication as provided by law.

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

# Ayes: Aldermen Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, Timpani & Mayor Dodd<br/>Nays: NoneAbsent: Alderman PoolasAbstained: None

#### ORDINANCE NO. 10-2007

## AN ORDINANACE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER DESIGNATING SMOKING AND NON-SMOKING ZONES AT THE MUNICIPAL BUILDING

**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. There is hereby designated a no smoking zone in the following locations at the Municipal property located at 37 North Sussex Street, Dover, NJ as follows:

a. From the outside face of the entrance door measured from the door's centerline at the southern side entrance of Town Hall for a distance of twenty-five (25') feet in all directions.

b. From the outside face of the entrance door measured from the door's centerline at the North Sussex Street entrance of Town Hall for a distance of twenty-five (25') feet in all directions.

Section 2. There is hereby designated an employees smoking area at the northern entrance of the Municipal Building located at 37 North Sussex Street, Dover, NJ.

Section 3. All ordinances or parts of ordinances inconsistent with this within ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. 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 5. The Ordinance shall take effect in accordance with law.

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

Ayes: Aldermen Fahy, Delaney, Ryan, Visioli, Picciallo, Timpani & Mayor DoddNays: Alderman DonofrioAbsent: Alderman PoolasAbstained: None

#### ORDINANCE(S) FOR SECOND READING

#### ORDINANCE NO. 06-2007

#### AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER PROVIDING FOR HANDICAPPED PARKING SPACE AT 39 BAKER AVENUE

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 39 Baker Avenue.

Said handicap parking space shall be located along the westerly curb line of Baker Avenue beginning at a point 35' south of the southwesterly curb line intersection of Lehigh Street and Baker Avenue, thence continuing in an southerly direction for a distance of 20' to a point.

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

## Ayes: Aldermen Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, Timpani & Mayor DoddNays: NoneAbsent: Alderman PoolasAbstained: None

Mayor Dodd opened this portion of the meeting to the public. Seeing no hands and hearing no voices, this portion of the meeting was closed to the public by Mayor Dodd.

#### ORDINANCE NO. 07-2007

#### ANORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER <u>AMENDING AND SUPPLEMENTING REVISED ORDINANCES 1969</u> <u>ENTITLED "PARKING," Title 28, SAVED FROM REPEAL</u>

**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:

Title 28 of the Revised Ordinances 1969 of the Town of Dover, Saved from Repeal under the Code of the Town of Dover is hereby supplemented and amended as follows:

1. The total number of parking permits that may be held by any one individual or business in all public parking lots in the Town of Dover shall not exceed five (5%) percent of the total available permit parking spots in the Town of Dover.

2. In the event spaces are unavailable for permit parking in any of the municipal lots, a waiting list is hereby established for each lot. An application for a permit may be for more than one lot. In determining the distribution of spaces as they become available, preference is to be given to Dover residents and local Dover business owners. However, said preference will only be given to residents or business owners when property taxes are current.

3. Permits may not be pre-paid by more than three consecutive months.

4. In the event payment is not received by the day prior to the permit(s)' becoming effective, the space shall be deemed available and subject to assignment through the waiting list. The waiting list shall be formed on a first come first served basis and available spaces shall be offered to those individuals or businesses on the list in the chronological order that the request has been received. If an individual or business on the waiting list is notified that a space(s) is available, and that individual or business either requests removal from the list or does not make payment for the space(s) within 48 hours of notification of its availability, the person shall be removed from the list. Any person who, either by non-payment or request for removal from the list, is removed from the list may on his/her own initiative request to be placed back on the list whereby he/she shall be placed at the bottom of the list. A person or business shall not be placed on the waiting list for a number of permits that would place that individual or business in violation of paragraph 1 above for number of permits.

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

6. 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.

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

Mayor Dodd opened this portion of the meeting to the public. Seeing no hands and hearing no voices, this portion of the meeting was closed to the public by Mayor Dodd.

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

Ayes: Aldermen Fahy, Delaney, Ryan, Visioli, Picciallo, Timpani & Mayor DoddNays: Alderman DonofrioAbsent: Alderman PoolasAbstained: None

#### **RESOLUTIONS**

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:	\$1,190.75
CURRENT ACCT claims in the amount of:	\$1,623,495.54
CAPITAL ACCT claims in the amount of:	\$7,199.69
WATER UTILITY ACCT claims in the amount of:	\$189,698.41
WATER UTILITY RESERVE ACCT claims in the amount of:	\$42,507.25
WATER CAPITAL ACCT claims in the amount of:	\$5,500.00
PARKING UTILITY ACCT claims in the amount of:	\$240.00
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$172.75
PARKING CAPITAL ACCT claims in the amount of:	
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$126.60
EVIDENCE TRUST ACCT claims in the amount of:	
RECYCLING TRUST ACCT claims in the amount of:	\$72.00
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:	\$165.00
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$1,870,367.99

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:	\$297,549.24
CAPITAL ACCT claims in the amount of:	
PARKING UTILITY ACCT claims in the amount of:	\$3,339.64
PAYROLL AGENCY ACCT claims in the amount of:	\$86,830.21
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$284.06
TOTAL CLAIMS PAID	\$388,003.15

TOTAL BILL LIST RESOLUTION

\$2,258,371.14

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

Ayes: Aldermen Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, Timpani & Mayor DoddNays: NoneAbsent: Alderman PoolasAbstained: None

#### <u>RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN</u> OF THE TOWN OF DOVER FOR APPROVAL OF EXECUTIVE SESSION 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:

- 1. April 5, 2006 Executive Session
- 2. April 11, 2006 Executive Session
- 3. September 26, 2006 Executive Session
- 4. October 24, 2006 Executive Session
- 5. December 12, 2006 Executive Session

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

# Ayes: Aldermen Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, Timpani & Mayor Dodd<br/>Nays: NoneAbsent: Alderman PoolasAbstained: None

### TOWN OF DOVER EMERGENCY TEMPORARY BUDGET 2007

**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	6,704,804.00
WATER UTILITY	847,956.00
PARKING UTILITY	58,707.00

as emergency temporary appropriations for the year 2007

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

Ayes: Aldermen Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, Timpani & Mayor Dodd<br/>Nays: NoneAbsent: Alderman PoolasAbstained: None

## **RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**

**WHEREAS**, the Upper Rockaway River Watershed Association (URRWA) has petitioned the New Jersey Department of Environmental Protection (NJDEP) to request specific water bodies in the Upper Rockaway River Watershed be Category One Antidegradation Designation, and

WHEREAS, many of the water bodies on the list for upgrade, including the Rockaway River, McKeel Brook and their tributaries which drain to the Jersey City Reservoir flow through the Town of Dover, and

WHEREAS, the URRWA asserts that the requested upgrades are necessary to protect the Jersey City Reservoir, and

**WHEREAS**, a Category One designation would require three hundred foot (300') buffers on each side of the water bodies and said buffers would prevent appropriate redevelopment from occurring in said buffers, and

WHEREAS, the redevelopment of developed areas within said buffer would in fact improve the quality of surface water runoff into said water bodies, and

**WHEREAS**, urban areas within the drainage basin of the Jersey City Reservoir watershed are in need of redevelopment which would improve the quality of surface water runoff into the Jersey City Reservoir, and

**WHEREAS**, the Town of Dover lies in a designated Regional Center and lies in Planning Area 1 of the State Development and Redevelopment Plan (SDRP), and

**WHEREAS**, the Town of Dover has prepared a new Master Plan, Transportation Oriented Development Plan and Redevelopment Plan to undertake "Smart Growth" redevelopment in accordance with the planning principles outlined in the SDRP, and

**WHEREAS**, the Town of Dover lies in the Highlands Planning Area and redevelopment will promote the redirection of growth away from undeveloped areas in the Highlands Protection Area and into designated Centers,

**WHEREAS**, Category One Designation in the Town of Dover would result in a disincentive toward redevelopment which would promote blight and further degrade the water quality of the Jersey City Reservoir,

## NOW THEREFORE BE IT RESOLVED, that

1. The petition of the URRWA and any future petition to designate water bodies in urban areas, SDRP Designated Centers, and more specifically, the Town of Dover, be denied by the NJDEP, and

- 2. The NJDEP's approach to redevelopment in areas such as the Town of Dover be viewed as having a positive impact on water quality; and
- 3. A copy of this Resolution be sent to NJDEP Commissioner Lisa Jackson and Deputy Commissioner Adam J. Zellner; and
- 4. Copies of this Resolution be sent to the Municipal Clerk's of Wharton, Rockaway Borough, Denville, Parsippany and Boonton, and the Clerk of the County of Morris and the Morris County Planning Board, requesting support for this resolution; and
- 5. Copies of this resolution be sent to Senator Anthony R. Bucco, Assemblyman Michael Carroll and Assemblyman Rick Merkt, requesting support for this resolution.

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

Ayes: Aldermen Fahy, Delaney, Ryan, Visioli, Picciallo, Timpani & Mayor DoddNays: Alderman DonofrioAbsent: Alderman PoolasAbstained: None

#### RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER APPROVING OF RAFFLE LICENSE(S)

WHEREAS, the below listed organizations have applied for Raffle License(s); 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. Dover Boxing Club on July 7, 2007 at 8:00pm – 79 B Bassett Hwy

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

# Ayes: Aldermen Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, Timpani & Mayor DoddNays: NoneAbsent: Alderman PoolasAbstained: None

## **RESOLUTION**

**WHEREAS**, the Global Reach International has applied for their **second** Special Permit for a Social Affair to be held at the Baker Theater, which is their **fourth** event; and

**WHEREAS**, Global Reach International, a non-profit organization is permitted to have twelve events per year and the Baker Theater is permitted to have twenty-five events per year; 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 as follows:

1. That the application for Global Reach International be approved for an Alcoholic Beverage Social Affair Permit to be held on April 12, 2007 at the Baker Theater, 41 West Blackwell Street, Dover, NJ from 7:30p.m. to 1:30a.m.

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 Delaney and passed by the following roll call vote.

Ayes: Aldermen Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, Timpani & Mayor DoddNays: NoneAbsent: Alderman PoolasAbstained: None

## RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER REJECTING PROPOSALS FOR RE-EVALUATION

WHEREAS, the Town of Dover solicited requests for proposals ("RFP") from qualified vendors to provide the Town with property

**WHEREAS**, three requests for proposals were received on March 2, 2007 from Realty Appraisal Company with a bid of \$290,000.00, Appraisal Systems, Inc. with a bid of \$299,800.00 and Certified Valuations, Inc. with a bid of \$333,600.00; and

WHEREAS, the Municipal Administrator has reviewed the proposals to insure their compliance with the request for proposals; and

WHEREAS, the proposals do not comply with the request for proposals in the following areas:

A. Description of the overall ability of the vendor to mobilize, undertake and successfully complete the contract providing a contract management plan including the vendor's contract organizational charts, pursuant to RFP 3.2.3.

B. Specifically identifying field personnel as having the requisite experience and training as set forth in RFP 5.1.2 (c).

C. Providing sufficient information demonstrating compliance with RFP 5.12(d) as to field workers speaking Spanish; and

**WHEREAS**, the Town of Dover reserved the right to reject all responses to the RFP utilizing the same provisions as for rejection of bids pursuant to N.J.S.A. 40A:11-13.2;

**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 Requests for Proposals submitted by the above three listed companies are hereby rejected.

2. The Administrator is hereby authorized to proceed to obtain new proposals either through competitive contracting or pursuant to the exception provisions of the Public Contracts Law.

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

Ayes: Aldermen Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, Timpani & Mayor DoddNays: NoneAbsent: Alderman PoolasAbstained: None

## SPECIAL MEETING RESOLUTION

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

Ayes: Aldermen Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, Timpani & Mayor DoddNays: NoneAbsent: Alderman PoolasAbstained: None

#### UNFINISHED OR NEW BUSINESS

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

Each person wishing to address the Mayor and Board of Aldermen on any item shall step up to the microphone and shall give his or her name in an audible tone for the record. All members of the public are expected to conduct themselves in a proper manner. Any derogatory, abusive or threatening statements will not be permitted.

**Marie Tambini**-10 E. Blackwell Street-Did the Mayor offered the flea market the Crescent Field Location? Clarification was made that the relocation would be Crescent Field Parking lot. Ms. Tambini attended the meeting regarding Morristown Mayor's idea on deputizing the police dept. The meeting was well attended but disorganized. Mayor Dodd does not agree with this idea because it should the Immigration's responsibility.

Alderman Fahy asked Mayor Dodd to provide any information in regards to the special meeting for Bassett Hwy, Redevelopment for review prior to voting on the resolution. Information will be ready the day prior to the special meeting and it will be passed along.

Motion made by Alderman Delaney to adjourn at 9:47 and seconded by Alderman TimpaniAyes: Aldermen Fahy, Delaney, Ryan, Visioli, Donofrio, Picciallo, Timpani & Mayor DoddNays: NoneAbsent: Alderman PoolasAbstained: None