



**TOWN OF DOVER**  
**MAYOR AND BOARD OF ALDERMEN**  
**CAUCUS MEETING MINUTES**  
**April 10, 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, Romaine, Blackman, Downs, Noriega and Mayor Dodd

Absent: Aldermen Timpani & Rutan

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

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

Mayor Dodd welcomed the new Library Director, Bruce George.

**MUNICIPAL CORRESPONDENCE:**

1. Resolution from the Town of Boonton re: Opposing Senate Bills 1451 and 1452
2. Resolution from the Borough of Wharton re: Endorsing the Inclusion of the Borough of Victory Gardens in the Joint Municipal Court of Dover
3. Resolution from the Morris County Board of Chosen Freeholders re: Transmitting the Proposed Water Quality Management (WQM) Plan Amendment Entitled Draft Sewer Service Area Map for Morris County
4. Notice of Hearing to Property Owners for an application for development – Randolph Township, 22 Crestwood Drive
5. Letter from NJDEP re: Area of Concern – Suburban Baker Inc
6. March 2012 - Legislative Bulletin from the NJLM
7. Invitation from NJDEP to their meeting re “Statewide Scrape metal processing and Recycling General Permit – Issuance of Permit Renewal” on April 18<sup>th</sup>
8. NJLM Membership Advisory – Invitation to the 14<sup>th</sup> Annual League Baseball Appreciation Day on 6/19/12
9. NJLM Membership Advisory re: Pennsylvania Continuing Legal Education Credits (PACLE) Announcement
10. NJLM Membership Advisory – Invitation to the 2012 Annual Legislative Correspondents Club Show on 5/15
11. March 2012 “Outdoor Issues” News from The Land Conservancy of NJ

\*NJLM = NJ State League of Municipalities

\*NJDEP = NJ Department of Environmental Protection

**CONSENT AGENDA**

1. Resolution Approving Limos – Schedule A
2. Resolution Approving Raffle License – Schedule A
3. Resolution Approving One-Day Special Permit for Casa Puerto Rico to be held on May 12, 2012
4. Resolution Approving One-Day Special Permit for Casa Puerto Rico to be held on May 26 & May 27, 2012

5. Resolution Approving One-Day Special Permit for Morris County Organization for Hispanic Affairs to be held on May 18, 2012

Alderswoman Romaine wanted to know if the limousines have an age requirement. Mayor Dodd explained that taxis can not be older than ten (10) years however the age limit does not apply to limousines. Mayor Dodd expressed that his concern is the amount of vehicles per company because it poses a safety issue for pedestrians and other drivers. Mayor Dodd asked Attorney Downs to review the state statute and asked the board to table the resolution until further review of the statute.

#### **ORDINANCES FOR SECOND READING/PUBLIC HEARING**

1. Ordinance #03-2012 – Amending Chapter 236, Land Subdivision and Site Plan
2. Ordinance #04-2012 – Amending Chapter 236, Zoning
3. Ordinance #05-2012 – Amending the Code of the Town of Dover to Prohibit Acts of Graffiti pursuant to the Municipal Beautification Act
4. Ordinance #06-2012 – Amending and Supplementing Chapter 72, Salaries and Compensation – Police Aide

#### **AGENDA ITEMS:**

##### **RESOLUTIONS**

1. Resolution Approving Bills List

**REGULAR MEETING MINUTES**

**April 10, 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 7:20 pm

**ROLL CALL**

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

Absent: Aldermen Timpani & Rutan

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 thanked Lt. Governor Guadagno for coming to Dover to present the town with small cities grants one for \$400,000 which will be used for street improvements in the East Dover Area and one for \$200,000 to be used for housing rehabilitation. Mayor Dodd thanked Governor Christie and Lt. Governor Guadagno for selecting Dover in a very competitive bidding process as federal funds were cut in half this year. Dover was the only application in Morris County to receive the grants. He thanked Michael Hantson, Engineer for the fantastic job he did on the grant applications.

**ATTORNEY’S REPORT:** No Report

**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 Limo & Taxi**

<b>Year/Model/Make</b>	<b>Vehicle Identification Number</b>	<b>Plate #</b>
2001 Chrysler	2C4GP44311R279312	OL7593G
2001 Lincoln Towncar	1LNHM81W81Y636639	OL7851G
2002 Chrysler Towncar	2C4GP34322R556223	OL7869G
2002 Dodge Caravan	1B4GP24362B632807	OL7862G
2002 Chrysler T&C	2C8GP34342R639974	OL2667H
2003 Mazda	JM3LW28A330374263	OL2660H
2003 Dodge Caravan	1D4GP25313B219585	OL6092H

2003 Dodge Caravan	1D4GP25373B219574	OL7850G
2003 Dodge Caravan	1D4GP25363B208730	OL6878G
2003 Chrysler Voyager	1C4GJ45363B129410	OL7858G
2003 Ford Windstar	2FMDA524X3BA04275	OL8336H
2003 Chrysler TC	2C8GP74L73R196700	OL6079H
2004 Lincoln T&C	1LNHM81W84Y659147	OL2669H
2005 Toyota Sienna	5TDZA23C15S286712	OL7592G
2005 Dodge Caravan	1D4GP24R85B226736	OL5083G
2005 Lincoln Towncar	1LNHM84W75Y600264	OL3398G
2007 Dodge Wagon	1D4GP24R97B186962	OL6080H

**ELITE LIMO & TAXI SERVICES, INC**

<b>Year/Model/Make</b>	<b>Vehicle Identification Number</b>	<b>Plate #</b>
'98 Lincoln Towncar	1LNHFM81WOWY731906	OL3258H
'00 Lincoln Towncar	1LNHM81W6YY914755	OL6133H
'00 Chrysler	1C4GP44G4YB617782	OL9821G
'01 Honda Ody	2HKRL18661H605075	OL9815G
'01 Chrysler Town & Country	2C8GP74L21R406441	OL3257H
'01 Dodge Caravan	2B8GP44371R403370	OL2652H
'01 Dodge Caravan	2B8GP44G21R100872	OL8361G
'02 Chevy Venture	1GNDV03E52D165703	OL8369G
'02 Lincoln Towncar	1LNHM84W12Y603348	OL2670H
'03 Dodge Caravan	1D4GP24393B241822	OL6129H
'03Hummer H2	5GRGN23U73H128539	OL6143H
'03 Dodge Caravan	1D4GP25R03B325692	OL6128H
'03 Lincoln Towncar	1LNHM82W43Y675200	OL9818G
'03 Lincoln Towncar	1LNHM82W23Y667385	OL9834G
'03 Lincoln Towncar	1LNHM81WX3Y697218	OL9819G
'03 Lincoln Towncar	1LNHM81W63Y703029	OL9816G
'03 Dodge Caravan	1D4GP25B23B169688	OL3256H
'03 Lincoln Towncar	1LNHM84W13Y690816	OL9833G
'03 Dodge Caravan	1D8GP24RX3B281703	OL3253H
'04 Lincoln Towncar	1LNHM81W34Y622362	OL2671H
'05 Chrysler Town & Counrty	1C4GP45R45B174920	OL2651H
'05 Nissan ARM	5N1AA08A55N700875	OL6144H

**First Class of Dover, Inc**

<b>Year/Model/Make</b>	<b>Vehicle Identification Number</b>	<b>Plate #</b>
'01 Chrysler Voyager	1C4GJ25G31B121639	OL3278H
'01 Ford Crown	2FAFP74W31X195646	OL5367G
'01Chrysler	1C4GJ25391B121609	OL6072H
'01 Honda Ody	2HKRL18681H006744	OL3047H
'02 Dodge Car	1B4GP25372B710705	OL3265H
'02 Dodge GCV	1B4GP34302B560315	OL3046H
'02 Dodge Caravan	1B4GP44332B715039	OL6091H
'02 Chrysler Voyager	1C4GJ25382B514762	OL2662H
'02 Dodge Caravan	1B4GP24372B691641	OL6118H
'02 Lincoln Wagon	1B4GP25302B703952	OL8856G
'03 Lincoln Towncar	1LNHM81W43Y607528	OL1100H
'03 Lincoln Towncar	1LNHM81W53Y675028	OL4108H
'03 Dodge Caravan	1D4GP24323B119609	OL8359G
'03 Lincoln Towncar	1LNHM81W23Y613456	OL7595G

'03 Chrysler Voyager	1C4GJ453X3B129409	OL7861G
'03 Lincoln Towncar	1LNHM84WX3Y669947	OL8358G
'03 Lincoln Towncar	1LNHM82W33Y617384	OL4107H
'03 Dodge Caravan	1D4GP25383B235301	OL5091G
'03 Lincoln	1LNHM84W63Y673901	OL5771H
'03 Chrysler	2C4GP44303R221985	OL5369G
'03 Lincoln	1LNHM84WX3Y673920	OL8409G
'03 Lincoln Towncar	1LNHM81W63Y627814	OL8852G
'03 Lincoln Towncar	1LNHM81W03Y610376	OL8356G
'03 Ford Crown Victoria	2FAFP71W23X174407	OL6641G
'03 Lincoln Towncar	1LNHM81W03Y619269	OL4986G
'04 Lincoln Towncar	1LNHM83W34Y619183	OL7849G
'04 Dodge Caravan	1D4GP24R24B524455	OL9830G
'04 Toyota Sienna	5TDZA23C94S164999	OL3048H
'04 Lincoln TC	1LNHM81W64Y651306	OL2016H
'04 Ford Crown Victoria	2FAFP71W54X162270	OL8367G
'04 Ford Crown	2FAHP71WX4X181891	OL6642G
'04 Lincoln Towncar	1LNHM84W54Y681697	OL6073H
'04 Lincoln Towncar	1LNHM83W74Y663493	OL5772H
'04 Lincoln Towncar	1LNHM84W14Y637213	OL6106H
'04 Lincoln Towncar	1LNHM81WX4Y645993	OL5374G
'04 Lincoln LT	1LNHM81W94Y675194	OL8838G
'05 Mercury	2MEFM75W95X644219	OL4106H
'05 Lincoln	1LNHM81W15Y603813	OL6159H
'05 Mercury	2MEFM75W75X660886	OL8837G
'05 Lincoln	1LNHM82W45Y619387	OL5351G
'06 Lincoln	1LNHM85W16Y643904	OL4105H

**City Limo & Taxi, Inc.**

<b>Year/Model/Make</b>	<b>Vehicle Identification Number</b>	<b>Plate #</b>
'99 Lincoln Towncar	1LNHM82W3XY712856	OL9799G
'01 Dodge Caravan	2B4GP44331R278305	OL8835G
'01 Dodge Caravan	2B4GT54L41R244763	OL5756H
'02 Chrysler TC	2C4GP443X2R616352	OL6100H
'03 Lincoln Towncar	1LNHM81W93Y676862	OL6132H
'03 Lincoln Towncar	1LNHM84W13Y627960	OL7867G
'03 Lincoln Towncar	1LNHM81WX3Y607467	OL6131H
'03 Lincoln Towncar	1LNHM81W83Y616152	OL3064H
'03 Lincoln Towncar	1LNHM84W13Y629191	OL6139H
'03 Lincoln Towncar	1LNHM81W53Y690869	OL9789G
'03 Chrysler Voyager	1C4GJ25303B250664	OL8834G
'03 Lincoln Towncar	1LNHM82W63Y626189	OL6116H
'03 Lincoln Towncar	1LNHM84W43Y669930	OL8403G
'03 Lincoln Towncar	1LNHM84W63Y630160	OL8404G
'03 Lincoln Towncar	1LNHM84W33Y669935	OL2490H
'03 Lincoln Towncar	1LNHM84W83Y643959	OL3066H
'03 Lincoln Towncar	1LNHM84W13Y633628	OL3063H
'03 Lincoln Towncar	1LNHM81W33Y694368	OL6062H
'03 Lincoln Towncar	1LNHM81W03Y606778	OL6075H
'03 Lincoln Towncar	1LNHM81W63Y695031	OL3079H
'03 Lincoln Towncar	1LNHM8283Y684420	OL7860G
'03 Lincoln Towncar	1LNHM81WX3Y684369	OL9357H
'04 Lincoln Towncar	1LNHM81W54Y647358	OL6104H

'04 Ford Van	1FBSS31L74HA42500	OL5747H
'04 Lincoln Towncar	1L1FM81W04Y655117	OL3080H
'05 Dodge Caravan	1D4GP25R45B103188	OL2489H

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

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

**CONSENT AGENDA**

**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**

**MORRIS COUNTY ORGANIZATION FOR HISPANIC AFFAIRS**  
To be held on Friday, May 18, 2012  
(Casino Night)

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

**RESOLUTION**

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

**WHEREAS**, Casa Puerto Rico, Inc., a non-profit organization 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 that the following applications for Alcoholic Beverage Social Affair Permit(s) be approved:

1. Casa Puerto Rico is approved for an event to be held on Saturday, May 12, 2012 (#2) from 8:00 pm 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 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, Romaine, Blackman, Downs, Noriega and Mayor Dodd  
Nays: None Absent: Aldermen Timpani & Rutan Abstained: None**

### **RESOLUTION**

**WHEREAS**, Casa Puerto Rico, Inc., filed an application for their **third & fourth** Special Permit for a Social Affair to be held at the 50 W. Blackwell Street; and

**WHEREAS**, Casa Puerto Rico, Inc., a non-profit organization 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 that the following applications for Alcoholic Beverage Social Affair Permit(s) be approved:

1. Casa Puerto Rico is approved for an event to be held on Saturday, May 26, 2012 (#3) and Sunday, May 27, 2012 (#4) from 12:00 pm through 10:00 pm.
2. This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

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

### **RESOLUTION**

**WHEREAS**, the Morris County Organization for Hispanic Affairs filed an application for their **first** Special Permit for Social Affair to be held at the Club Colombia, which is their **first** event; and

**WHEREAS**, Morris County Organization for Hispanic Affairs, a non-profit organization is permitted to have twelve events per year and the Club Colombia 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. Morris County Organization of Hispanic Affairs is approved for an event to be held on Friday, May 18, 2012 (#1) at Club Colombia (#1) 11 E. Blackwell Street from 6:00 pm to 10:00 pm.

2. This approval is conditioned upon security satisfactory to the Town of Dover Chief of Police being in place for this event.

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

## **ORDINANCE FOR SECOND READING/PUBLIC HEARING**

**ORDINANCE NO. 03 -2012**  
**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE**  
**TOWN OF DOVER AMENDING CHAPTER 236, LAND USE AND DEVELOPMENT,**  
**ARTICLE V, LAND SUBDIVISION AND SITE PLAN.**

**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**

The Code of the Town of Dover, Chapter 236, LAND USE AND DEVELOPMENT Article V, Land Subdivision and Site Plan. shall be amended as follows to exempt the construction of Trash Enclosures from the requirement of Site Plan review.

§ 236-47. A. Exceptions, is supplemented as follows:

- (3) Construction of a Trash Enclosure in accordance with the requirements of § 236-54M.
- (4) that is reviewed and approved by the Town Engineer and Town Recycling Coordinator.

### **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 ordinance be adopted and duly seconded by Alderman Romaine and passed for second reading by the following roll call vote.**

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

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

**ORDINANCE NO. 04-2012**  
**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER**  
**AMENDING CHAPTER 236, LAND USE AND DEVELOPMENT, ARTICLE IV, ZONING.**

**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**

The Code of the Town of Dover, Chapter 236, LAND USE AND DEVELOPMENT Article IV, Zoning, shall be amended as follows to provide for certain uses on floors above and/or below street level.

Table 236-17.1 – 3 is replaced with the following:

Permitted Uses By Building Type Summary table											
Building Types	Permitted Uses										
	Dwelling Unit	Hotel	Business/Professional Office	Bank	Retail Sales and Service	Drive-Through Uses	Restaurant	Theater	Music & Dance Studios, And Fitness Centers	Club /Fraternal Organization	Civic Use/Community Center
<b>Commercial Block (CO)</b>	Pu	P	Pul	P	P	N	P	P	Pul	Pu	P
<b>Liner Building (LB)</b>	Pu	Pu	P	P	P	N	P	P	P	Pu	P
<b>Townhouse (TH)</b>	P	N	N	N	N	N	N	N	N	N	N
<b>Courtyard Building (CY)</b>	Pu	Pu	P	P	P	N	P	P	P	Pu	P
<b>Corner Building (CR)</b>	Pu	P	Pul	P	P	N	P	P	Pul	Pu	P
<b>Civic Building (CI)</b>	N	N	N	N	N	N	N	N	P	P	P
<b>Multi-Family Building (MF)</b>	P	N	N	N	N	N	N	N	N	N	N
<b>All Existing Buildings</b>	<b>Pu</b>	<b>P</b>	<b>Pul</b>	<b>P</b>	<b>P</b>	<b>N</b>	<b>P</b>	<b>P</b>	<b>Pul</b>	<b>Pu</b>	<b>P</b>
P	Permitted (All Floors) Principal Use – Use may be provided on all floors in this Building Type										
Pu	Permitted (Upper Floors – Above Street Level) Principal Use – Use may only be provided on the upper floors (above street level) of this Building Type										
Pul	Permitted (Upper or Lower Floors – Above or below Street Level) Principal Use – Use may only be provided on the upper or lower floors (above or below street level) of this Building Type										
N	Not Permitted – Use is prohibited in this Building Type										

**Table 236-17.1- 1**

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

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

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

**ORDINANCE NO. 05-2012**

**AN ORDINANCE AMENDING THE CODE OF THE TOWN OF DOVER TO PROHIBIT ACTS OF GRAFFITI PURSUANT TO THE MUNICIPAL BEAUTIFICATION ACT**

**WHEREAS**, the “Municipal Beautification Act” provides that the governing body of a municipality may make, amend, repeal, and enforce ordinances to prohibit acts of graffiti on buildings, structures and other exposed surfaces located within the municipality and to require the owner of a building, structure or other exposed surface located in the municipality to remove graffiti; and

**WHEREAS**, the Town desires to amend the Code of the Town of Dover to include a new Chapter to adopt the provisions of the “Municipal Beautification Act” pursuant to N.J.S.A. 40:48-2.59; and

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and the Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey, that a new Chapter of the Town Code entitled, “Municipal Beautification Act” is hereby added to read in its entirety as follows:

§ \_\_\_\_-1. Municipal Beautification Act.

a. For the purposes of this section, “graffiti” shall mean any drawing, painting or making of any mark or inscription on public or private real or personal property without the prior written permission of the owner of the property.

b. It shall be prohibited for a property owner to maintain graffiti on buildings, structures and other exposed surfaces within the Town of Dover.”

c. (1) The owner of record of the property that contains graffiti shall be entitled to written notice of an order to remove graffiti and that the notice shall be delivered to the owner by certified and regular mail. The order shall afford the owner the opportunity to remove the graffiti within 90 days from the date that the notice is sent, however, the Department of Transportation shall be afforded 120 days from the date a notice is sent to remove graffiti from property owned by the department. Such notice shall be in writing and have substantially the following form:

**NOTICE TO REMOVE GRAFFITI FROM PROPERTY**

**TO THE OWNER, AGENT OF THE OWNER OR PERSON MANAGING THE PROPERTY HEREINAFTER DESCRIBED**

**YOUR ATTENTION IS HEREBY DIRECTED TO THE PROVISION OF THE CODE OF THE TOWN OF DOVER ON FILE IN THE OFFICE OF THE TOWN CLERK IN**

**THE MUNICIPAL BUILDING. PURSUANT THERETO, YOU ARE HEREBY NOTIFIED THAT A CERTAIN UNSIGHTLY CONDITION EXISTS ON PREMISES SPECIFICALLY DESCRIBED AS \_\_\_\_\_ WHICH INJURES NEIGHBORING PROPERTY AND THE PUBLIC**

HEALTH, SAFETY AND WELFARE. YOU ARE HEREBY NOTIFIED TO IMMEDIATELY REMOVE SUCH GRAFFITI FROM THE PROPERTY AND THEREAFTER TO KEEP THE PROPERTY FREE THEREFROM. UPON REMOVAL OF SUCH GRAFFITI, YOU MUST NOTIFY THE UNDERSIGNED IN WRITING, WHICH SHALL INCLUDE A CERTIFICATION THAT THE GRAFFITI HAS BEEN REMOVED. SAID CERTIFICATION SHALL BE UNDER OATH AND SUBJECT TO THE SAME PENALTIES AS PROVIDED BY LAW FOR PERJURY.

IN THE EVENT YOU FAIL TO COMPLETE SUCH WORK, THE UNDERSIGNED SHALL CAUSE THE SAME TO BE REMOVED AND YOU WILL BE RESPONSIBLE FOR THE COST OF REMOVAL OF THE CONDITION FROM THE PROPERTY INCLUDING IMPOSITION OF THE COST AS A MUNICIPAL LIEN UPON THE PROPERTY.

(2) An owner who has been ordered to remove graffiti shall respond to the Town by personal delivery or by certified mail:

(i) of any objection to the order, within 30 days of the date of the order, or

(ii) of notice that the graffiti has been removed, within 90 days of the date of the order, or in the case of the Department of Transportation, within 120 days of the date of the order.

d. An owner who objects to an order to remove graffiti, pursuant to paragraph (2) of subsection b. of this section, may institute an action challenging the order before a court of competent jurisdiction within 60 days of the date of the order.

e. If a property owner does not undertake the removal of graffiti within 90 days of the date of the order, or in the case of the Department of Transportation, within 120 days of the date of the order, unless an action challenging the order to remove graffiti is still pending pursuant to subsection c. of this section, the municipality may remove the graffiti from that property and present the property owner with a detailed itemization of the costs incurred by the municipality, by certified and regular mail, for reimbursement from the property owner.

f. Whenever a municipality undertakes the removal of graffiti from any building, structure or other exposed surface, the governing body of the municipality, in addition to assessing the cost of removal as a municipal lien against the premises, may enforce the payment of such assessment, together with interest, as a debt of the owner of the property and may authorize the institution of an action at law for the collection thereof. The Superior Court shall have jurisdiction of any such action.

**BE IT FURTHER ORDAINED**, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

**BE IT FURTHER ORDAINED**, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

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

Mayor Dodd opened the meeting to the public. (Member of the public: Name inaudible) asked for clarification on the ordinance. Mayor Dodd provided clarification explaining the dual process for property owners. Attorney Downs explained the court procedure when it involves graffiti on state property.

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

**ORDINANCE NO. 06-2012**  
**AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER,**  
**COUNTY OF MORRIS AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING**  
**CHAPTER 72, SALARIES AND COMPENSATION**

**BE IT ORDAINED** by the Mayor and Board of Aldermen, Town of Dover, County of Morris, NJ as follows:

A. CHAPTER C. "Salaries and Compensation for Certain Employees" is hereby amended and supplemented by the following:

CHAPTER C.  
SALARIES & COMPENSATION FOR CERTAIN EMPLOYEES

1. Effective March 1, 2012 as indicated below, salaries, compensation or fees are hereby established for the following named officers, employees or positions in the Town of Dover at the rate of or within the salary ranges listed.

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

C. This ordinance shall take effect immediately upon final passage and publication.

Job Title White Collar

Police Aide	\$ 33,500	\$ 46,000
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**Alderman Visioli has moved the ordinance be adopted and duly seconded by Alderwoman Romaine and passed for second reading by the following roll call vote.**

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

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

**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:	\$12,932.38
CURRENT ACCT claims in the amount of:	\$2,999,257.58
CAPITAL ACCT claims in the amount of:	\$1,282.59
	\$98,812.81

WATER UTILITY ACCT claims in the amount of:	
WATER UTILITY RESERVE ACCT claims in the amount of:	\$3,950.50
WATER CAPITAL ACCT claims in the amount of:	\$33,303.18
PARKING UTILITY ACCT claims in the amount of:	\$16,472.82
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$4.00
PARKING CAPITAL ACCT claims in the amount of:	\$603.57
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$156.60
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:	
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	
TRUST/OTHER ACCT claims in the amount of:	\$18,045.30
COAH TRUST Acct claims in the amount of:	
DOVER MARKETPLACE INC TRUST ACCT claims in the amount of:	
<b>TOTAL CLAIMS TO BE PAID</b>	<b>\$3,184,821.33</b>

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

CURRENT ACCT claims in the amount of:	\$309,495.87
WATER UTILITY ACCT claims in the amount of:	\$20,039.05
PARKING UTILITY ACCT claims in the amount of:	\$2,543.17
PAYROLL AGENCY ACCT claims in the amount of:	\$110,777.83
UNEMPLOYMENT TRUST ACCT claims in the amount of:	\$294.84
<b>TOTAL CLAIMS PAID</b>	<b>\$443,150.76</b>

***TOTAL BILL LIST RESOLUTION*** **\$3,627,972.09**

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

**PUBLIC COMMENTS**

**Christine Jaeger** – 430 Quaker Church Rd., Randolph – Ms. Jaeger wanted to know the status of the field use at Hedden Park and the status on the field for opening day. Mayor Dodd expressed to the public and Ms. Jaeger that she provided the public with half the information at our last meeting. Mayor Dodd explained the procedure with the Recreation Commission for facility application permits, which Ms. Jaeger’s brother should have been aware since he sits on the board. Discussion continued with Ms. Jaeger not agreeing with the Mayor’s comments. Mayor Dodd feels that Ms. Jaeger should have known which fields are being used since she’s the field scheduler and she should consider the amount of applications being accepted knowing the amount of field space that’s available. Ms. Jaeger wanted to know what the appropriate number would be since the board doesn’t give them any fields. Mayor Dodd expressed that it’s not a fair comment since he has worked very hard to give the kids a field. He convinced the board to put in an artificial turf field even though he received opposition for same. Ms. Jaeger expressed that she just wanted to know the status of Hedden Park. Mayor Dodd noted that there are still logistical issues that need to be worked out. It was noted that Ms. Jaeger is the contact person for any feedback on the fields.

Mayor Dodd addressed Alderman Picciallo in his comments to Ms. Shauer (President of the Board of Education BOE) that the Mayor is extremely upset with the BOE because of the soccer field. Mayor Dodd expressed that

he never made those comments to Alderman Picciallo. He noted that the BOE is trying to build a bridge and commended the BOE for their improvements on the fields. He is not upset with the BOE and noted that there are some details that need to be worked out.

**Motion to adjourn made by Alderwoman Romaine at 7:50 pm,  
and duly seconded by Alderman Visioli passed by the following voice vote.**

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

**Respectfully submitted,**

**Margaret J. Verga, Municipal Clerk**