



TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

CAUCUS MEETING MINUTES
APRIL 9, 2019 10:00 AM

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

ROLL CALL:

Present: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Wittner, Quinones, Valencia and Mayor Dodd
Absent: None

Also present were Administrator Donald Travisano, Town Attorney Jarrid Kantor and Municipal Clerk Tara Pettoni.

Municipal Clerk Tara Pettoni 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.

PRESENTATION OF NATIONAL DONATE LIFE MONTH PROCLAMATION

PRESENTATION—John Mooney & Andrew Kucinski from Nisivoccia LLP attended the Town Meeting to discuss the 2019 Municipal Budget.

MUNICIPAL CORRESPONDENCE:

1. Received from NJ League of Municipalities—Weekly Update—March 29, 2019
2. Received from the NJDEP—Weekly Update— March 29, 2019
3. Received from the NJDEP—Weekly Update—April 5, 2019
4. Received from the Dover Senior Citizen Association—Re: Thank You Letter

CONSENT AGENDA

1. Resolution No. 92-2019—Authorizing a Waiver of Sewer Fees—91 Randolph Avenue
2. Resolution No. 93-2019—Approving Bills List
3. Resolution No. 94-2019—Providing the Cancellation of Grant Balances
4. Resolution No. 95-2019—Approving a Class III Mobile Retail Food Establishment – Kona Ice
5. Resolution No. 96-2019—Approving a Tax Redemption – 188 Baker Street
6. Resolution No. 97-2019—Approving Taxi Cab Driver's Licenses as per Schedule A
7. Resolution No. 98-2019—Approving Taxis
8. Resolution No. 99-2019— Approving the Minutes for the January 29, 2019 Caucus and Regular
9. Resolution No. 100-2019—Approving the Minutes for the March 12, 2019 Caucus and Regular
10. Resolution No. 101-2019—Approving the Minutes for the March 26, 2019 Caucus and Regular
11. Resolution No. 102-2019—Resolution for Self-Examination of the 2019 Municipal Budget

ORDINANCE(S) FOR FIRST READING

1. Ordinance No. 04-2019—Calendar Year 2019 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)—Alderswoman Romaine
2. Ordinance No. 05-2019—Regulating Puppy Mills—Alderman Visioli

ORDINANCE(S) FOR SECOND READING

NONE

RESOLUTIONS

1. Resolution No. 103-2019—Approving the Minutes for the February 14, 2019 Caucus and Regular
2. Resolution No. 104-2019—Approving the Minutes for the February 26, 2019 Caucus and Regular
3. Resolution No. 105-2019—For the Introduction of the 2019 Municipal Budget
4. Resolution No. 106-2019—Approving a Person-to-Person Liquor License Transfer—Attilio's Tavern, LLC

REGULAR MEETING MINUTES
April 9, 2019

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 7:00 PM

ROLL CALL:

Present: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Wittner, Quinones, Valencia and Mayor Dodd

Absent: None

Also present were Administrator Donald Travisano, Town Attorney Jarrid Kantor and Municipal Clerk Tara Pettoni.

Municipal Clerk Tara Pettoni stated adequate notice was given to the official newspaper.

Mayor Dodd opened the meeting to the public on any agenda items.

Larry Cohen—Fanwood, NJ—Volunteer for the Humane Society of the US—Mr. Cohen thanked the Board for introducing Ordinance 05-2019. He informed the Board that protestors will come forward. Gave examples of the American Kennel Club and owners of Pet Stores and how they are conducting their business and their opposition of Legislation relating to animal welfare. Mr. Cohen also provided the Mayor and Board with additional literature.

Catherine—Budd Lake, NJ—Catherine expressed her gratitude regarding Ordinance 05-2019. She further discussed the Pet Purchasing Protection Law and presented details about inspection reports.

CONSENT AGENDA:

RESOLUTION NO. 92-2019

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING A WAIVER OF CERTAIN SEWER FEES

WHEREAS, the owner of **91 Randolph Avenue** has contacted Dover Water Commission seeking a waiver for certain Sewer Charges due to a water leak; and

WHEREAS, the owner has corrected the leak and it was verified that the loss of water had not entered the sewer system; and

WHEREAS, he is requesting an adjustment on the sewer portion of his utility bill; and

WHEREAS, the Dover Water Board Commissioners recommend that the owner of account **#303170-0** be credited **\$126.80**.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Board of Aldermen of the Town of Dover that a sewer credit be issued in the amount of **\$126.80**.

RESOLUTION NO. 94-2019

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY PROVIDING THE CANCELLATION OF A GRANT BALANCE

WHEREAS, there is an older grant appropriation and receivable balance remaining on a completed grant project and

WHEREAS, it is necessary to formally cancel this balance.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen of the Town of Dover, County of Morris, State of New Jersey that the following grant appropriation and receivable balance be cancelled:

Grant Title

Amount to be cancelled

Dover Farmers' Market at JFK Park
Total

7,753.50
7,753.50

RESOLUTION NO. 95-2019
RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
TOWN OF DOVER APPROVING A MOBILE RETAIL FOOD ESTABLISHMENT

WHEREAS, Steve Good of Kona Ice has filed for a Class III Mobile Retail Food Establishment License; and

WHEREAS, a Class III license is for the sale of frozen dairy products and frozen snacks from a motorized vehicle. The licensee may sell in any zone, provided that no sale stops shall be for more than ten (10) minutes in any residential zone and thirty (30) minutes in any other zone.

WHEREAS, they have provided proof of insurance, sales tax certificate, physician certificate(s), photograph(s) of employees, proof of citizenship and proof of payment of sales tax; and

WHEREAS, the appropriate fees have been paid.

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 of Kona Ice for a Mobile Retail Food Establishment, Class 3 License be approved.
2. This approval is conditioned upon approval of the Health Officer's satisfactory inspection of the vehicle for said license.

RESOLUTION NO. 96-2019
RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF
MORRIS, STATE OF NEW JERSEY APPROVING A TAX REDEMPTION

WHEREAS, at the Municipal Tax Sale held on June 1, 2017, a lien was sold on Block 707 Lot 12 also known as 188 Baker Street, Dover, New Jersey for delinquent 2016 taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate 16-00002 was sold to FWDSL & Associates LP; and then assigned to Arianna Financial Corp. LLC; and,

WHEREAS, redemption fees for Certificate No.16-00002 were received in full.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen, Town of Dover, County of Morris, State of New Jersey that the Treasurer is authorized to issue a check in the amount of \$49,292.71 for redemption payment and premium made at time of sale, payable to Arianna Financial Corporation, LLC, 917 Mountain Avenue, Suite 1A, Mountainside, NJ 07092..

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

RESOLUTION NO. 97-2019
RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF
MORRIS, STATE OF NEW JERSEY APPROVING TAXICAB DRIVER LICENSES

WHEREAS, applications for taxicab drivers licenses have been made by the people listed on Schedule A attached hereto and made a part hereof; and

WHEREAS, the Police Department of the Town of Dover has reviewed their applications and has advised that there is no prohibition to the issuance of their license; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, County of Morris and State of New Jersey that the taxi driver licenses for those people listed on Schedule A attached hereto and made a part hereof are hereby approved.

SCHEDULE A

CITY TAXI & LIMO, INC.

Argemiro Cardona

RESOLUTION NO. 98-2019

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY 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.

PREMIER CAR SERVICES

2015 TOYOTA	S629412	OT403C	TAXI #19
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AXEL'S EXPRESS TAXI & LIMO

2012 DODGE	R334391	OT4535	TAXI #41
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RESOLUTION NO. 102-2019

SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Town of Dover has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2017 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Town of Dover that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- A. Payment of interest and debt redemption charges
- B. Deferred charges and statutory expenditures
- C. Cash deficit of preceding year
- D. Reserve for uncollected taxes
- E. Other reserves and non-disbursement items
- F. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- A. All estimates of revenue are reasonable, accurate and correctly stated,
- B. Items of appropriation are properly set forth
- C. In itemization, form, arrangement and content, the budget will

permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Vote recorded as follows:

AYES: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Wittner, Quinones, Valencia & Mayor Dodd

NAYS: NONE

ABSTENTIONS: NONE

ABSENCES: NONE

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

Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Wittner, Quinones, Valencia & Mayor Dodd

Nays: None

Absent: None

Abstained: None

RESOLUTIONS:

RESOLUTION NO. 93-2019
BILLS LIST RESOLUTION

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.

CURRENT APPROPRIATIONS RESERVE ACCT claims in the amount of:	\$39,790.78
CURRENT APPROPRIATIONS ACCT claims in the amount of:	\$1,710,737.17
GENERAL CAPITAL ACCT claims in the amount of:	\$152,344.95
WATER UTILITY RESERVE ACCT claims in the amount of:	\$12,300.00
WATER UTILITY ACCT claims in the amount of:	\$29,416.28
WATER CAPITAL ACCT claims in the amount of:	\$43,342.93
PARKING UTILITY RESERVE ACCT claims in the amount of:	\$10,037.50
PARKING UTILITY ACCT claims in the amount of:	\$3,373.15
PARKING CAPITAL ACCT claims in the amount of:	\$0.00
ANIMAL CONTROL TRUST ACCT claims in the amount of:	\$66.60
EVIDENCE TRUST ACCT claims in the amount of:	\$0.00
RECYCLING TRUST ACCT claims in the amount of:	\$812.00
COUNTY FORFEITED ASSETS TRUST ACCT claims in the amount of:	\$0.00
FEDERAL FORFEITED ASSETS ACCT claims in the amount of:	\$0.00
TRUST/OTHER ACCT claims in the amount of:	\$44,557.61
COAH TRUST ACCT claims in the amount of:	\$0.00
TOTAL CLAIMS TO BE PAID	\$2,046,778.97

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

TRUST/OTHER ACCT claims in the amount of:	\$0.00
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CURRENT APPROPRIATIONS ACCT claims in the amount of:	\$0.00
GENERAL CAPITAL ACCT claims in the amount of:	\$0.00
WATER UTILITY OPERATING claims in the amount of:	\$485.04
TOTAL CLAIMS PAID	\$485.04
TOTAL BILL LIST RESOLUTION	\$2,047,264.01

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

Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Wittner, Quinones, Valencia & Mayor Dodd
Nays: None Absent: None Abstained: None

RESOLUTION NO. 99-2019
RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER FOR APPROVAL OF MINUTES

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

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

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

January 29, 2019 – Caucus & Regular

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

Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Wittner, Quinones, Valencia & Mayor Dodd
Nays: None Absent: None Abstained: None

RESOLUTION NO. 100-2019
RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER FOR APPROVAL OF MINUTES

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

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

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

March 12, 2019 – Caucus & Regular

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

Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Wittner, Quinones, Valencia & Mayor Dodd
Nays: None Absent: None Abstained: None

RESOLUTION NO. 101-2019
RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER FOR APPROVAL OF MINUTES

Offer for Sale means to sell offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

Pet shop means a retail establishment where dogs and cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined.

Section 2. Restrictions on the Sale of Animals.

No pet shop shall sell, deliver, offer for sale, barter, auction, give away or otherwise transfer or dispose of cats or dogs. Nothing in this section shall prohibit stores from collaborating with animal care facilities or animal rescue organizations to offer space for such entities to showcase adoptable dogs and cats.

Section 3. Severability.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 4. Effective Date.

This ordinance shall become effective 90 days after passage.

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

**Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Wittner, Quinones, Valencia & Mayor Dodd
Nays: None Absent: None Abstained: None**

ORDINANCE(S) FOR SECOND READING:

NONE

RESOLUTION NO. 103-2019
RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER FOR APPROVAL OF MINUTES

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

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

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

February 14, 2019 – Caucus & Regular

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

**Ayes: Aldermen Visioli, Romaine, Blackman, Toth, Wittner, Quinones, Valencia & Mayor Dodd
Nays: None Absent: None Abstained: None
Recuse: Alderman O'Connor**

RESOLUTION NO. 104-2019
RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF DOVER FOR APPROVAL OF MINUTES

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Dover, does hereby approve, April 10, 2019, the transfer of the aforesaid Plenary Retail Consumption License to 19 Bassett Highway, LLC as an active license with the mailing address of 19 Bassett Highway, Dover, New Jersey 07801.

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

Ayes: Aldermen Visioli, Romaine, Blackman, Toth, O'Connor, Wittner, Quinones, Valencia & Mayor Dodd
Nays: None Absent: None Abstained: None

Mayor Dodd opened the meeting to the public.

Noreen Staples—Brookside, NJ—Ms. Staples requested clarification regarding the OPRA comment made by the Municipal Clerk. She also requested that the Town film their meetings.

Dominic Timpani— 2 Elm Street, Dover—Mr. Timpani questioned if the contracts with the FMBA, SOA and PBA were signed. He also commented on the October 22nd fire.

Adrian Ballesteros—11 Julia Terrace, Dover—Mr. Ballesteros questioned if the opening of Aldermen Reports prior to the close of public comments would occur at that meeting.

Mayor Dodd made the motion to adjourn at 7:51 PM and Alderman Romaine the motion and duly seconded and passed it by the following voice vote.

Respectfully submitted,

Tara Pettoni, Municipal Clerk