



TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

MINUTES OF CAUCUS MEETING ON MAY 8, 2006

The Caucus Meeting of the Mayor and Board of Aldermen was held in council chambers, 37 North Sussex Street, Dover, New Jersey.

CALL MEETING TO ORDER

Meeting was called to order at 7:03 by Mayor Dodd

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 people.

ROLL CALL

Present: Aldermen Romaine, Poolas, Burbridge, Newman, Delaney, Ryan, Visioli and Mayor Dodd

Absent: Alderman Fahy

Also present: Administrator Garvin, Attorney Pennella and Clerk Verga

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.

MUNICIPAL CORRESPONDENCE:

1. NJ League of Municipalities re: DOT Seeks Property Tax Subsidy
2. NJ League of Municipalities re: Governor Corzine and Property Tax Reform
3. NJ League of Municipalities re: Proposed Change to Arbitration Law
4. NJ League of Municipalities re: 3rd Annual Property Tax Summit
5. NJ League of Municipalities re: Post-CO Construction Inspections
6. NJ League of Municipalities re: RPA Tax Reform Proposals
7. NJ League of Municipalities re: Smoke Free Air Act Update
8. NJ League of Municipalities re: Public Official's Right to Rely on Municipal Attorney's Advice
9. NJ Highlands Water Protection and Planning Council re: Meeting Agenda for 5/11/06
10. Morris County Community Development re: Home Program Federal Fiscal Years 2007 and 2008
11. Township of Mine Hill re: Special Meeting on 5/15/06 to discuss Re-examination of Master Plan
12. Resolution from Rockaway Township re: Supporting greater competition for video service
13. Ordinance from Rockaway Township re: Amending Chapters XXV Drainage and Surface Water Management and Chapter XIV Property Maintenance
14. Ordinance from Rockaway Township re: Amending Stormwater Management Ordinance
15. Ordinance from Township of Mine Hill re: Amending Stormwater Management Ordinance
16. Ordinance from Township of Mine Hill re: Amending Stormwater Management Ordinance
17. Dover Municipal Court re: Financial Report
18. Tax Collector's Report for April

AGENDA ITEMS FOR DISCUSSION:

ORDINANCE(S) FOR SECOND READING

1. Ordinance #16-2006 Vacating a portion of the Right of Way of North Sussex Street – Alderman Poolas

RESOLUTIONS

2. Resolution Approving Bills List
3. Resolution Approving Mayor and Board of Aldermen Meeting Minutes
4. Resolution Amending Introduced Budget
5. Resolution Amending Capital Budget
6. Resolution Authorizing Application for Tonnage Grants for 2005
7. Resolution Canceling Stale-Dated Checks
8. Resolution Tax Sale Certificate 200403 Block 1416 Lot 4
9. Resolution Tax Sale Certificate 200403 Block 1416 Lot 4
10. Resolution Urging Enactment of Legislation to Exempt Municipal Clerk's from Penalties for Violation of the OPRA

TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN

11. Resolution Urging Review and Modifications to Mandatory Training for Volunteer Fire Fighters
12. Resolution Approving Mobile Vendor License Class II
13. Resolution Approving Mobile Vendor License Class III
14. Resolution Approving Mobile Vendor License Class IV
15. Resolution Approving One-Day ABC License

TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

MINUTES OF REGULAR MEETING OF MAY 8, 2006

The regular Meeting of the Mayor and Board of Aldermen was held in council chambers, 37 North Sussex Street, Dover, New Jersey.

Mayor Dodd called the meeting to order at 7:31 pm.

ROLL CALL

Present: Alderman Romaine, Poolas, Burbridge, Newman, Delaney, Ryan, Visioli and Mayor Dodd

Absent: Alderman Fahy

Also present: Administrator Garvin, Attorney Pennella and Clerk Verga

Acting Clerk Verga stated this meeting is in compliance with the Open Public Meetings Act.

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

ADMINISTRATOR'S REPORT

Bassett Highway Redevelopment meeting will be held on May 15 at 7pm at the Dover High School Cafeteria. Draft documents are available for review. A business owner meeting was held on April 28 with approximately 80 in attendance. Resident concerns from previous meetings have been addressed.

MAYOR'S REPORT

Various meetings have been attended throughout the last two weeks. The Mayor met with owners of Baker Theatre to discuss opportunities to promote their facility. The business owners meeting was a success. A meeting was held with the Board of Education to encourage communication and work on issues that relate to both the schools and the town. He also attended ribbon cutting at St. Clare's new emergency room. Introduction of Holly from the Skyliners was made by the Mayor. She spoke briefly about the organization and their plans for an upcoming drum corps event they are hosting. Mayor Dodd discussed a memo from the Town Attorney regarding changing the term length for elected officials in Dover. This would not change our form of government per the opinion written. Mayor Dodd suggests this be put on ballot in November to go from 2 years to 3 or 4 years terms. Mayor Dodd asked the Aldermen to review this correspondence from our Town Attorney.

ALDERMEN/COMMITTEE REPORTS

Alderman Newman - Streets and Road Department has been doing all the work required of them.

Alderman Delaney – Reported on the increased activity by Community Policing foot and bicycle patrol. Two new officers will be on board shortly.

Alderman Visioli- Trying to resolve the oversized vehicle ordinance before it is presented for first reading. There are many ward issues that he has been working on. He also attended the ribbon cutting ceremony at Dover General.

Alderman Romaine- She attended the new emergency room ribbon cutting ceremony. Alderman Romaine and Finance Committee met to discuss and fine tune the town budget. She also met with Janet Foster of Preservation Commission. She worked at Saturday's down town clean up. Alderman Romaine worked on several ward issues.

Alderman Ryan – The High School construction is done with just a few punch list items to be resolved. The Middle School is making great progress. Target date for completion is mid-August. School construction is ahead of schedule and under budget.

Alderman Burbridge – Attended the business owners meeting as well as the Bassett Highway Redevelopment meeting. She reported on the Shade Tree Commission and their new plantings. Information on Project Acorn was presented to the board regarding pre-school education.

TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

Alderman Poolas – Was in attendance at the Business Owners meeting as well as the Arbor Day Celebration. The Dogs of Dover Auction was held on Sunday and very successful. Alderman Poolas attended the ribbon cutting ceremony at Dover General Hospital as well as participated in the clean up down town on Saturday. He took care of several resident complaints. The Rockaway River Friends had their first meeting their mission is to protect and enhance the Rockaway River.

ATTORNEY REPORT

Housing Partnership has filed an application for site plan approval for the Spring Street project. They will read a resolution authorizing the Town Administrator to sign the application. Documentation received from Verizon counsel will be reviewed and a memorandum will be prepared for the board.

CONSENT AGENDA

ORDINANCE(S) FOR SECOND READING

Ordinance #16-2006 Vacating a portion of the Right of Way of North Sussex Street- First Reading

ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER VACATING A PORTION OF THE RIGHT AWAY OF NORTH SUSSEX STREET

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 vacated from North Sussex Street, a seven foot strip along the westerly side of North Sussex Street between Clinton Street (Route 15) and East McFarland Street (Route 46) pursuant to N.J.S.A. 40:67-1.

Section 2. All ordinances or parts of ordinances contrary to or inconsistent with this 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. This ordinance shall take effect in accordance with law.

This portion of meeting was opened to public for a hearing on ordinance #16-2006. Seeing no hands and hearing no voices, Mayor Dodd closed this portion of the meeting.

Alderman Poolas has moved the foregoing Ordinance be adopted and was duly seconded by Alderman Visioli and was passed by the following vote.

AYES: Aldermen Burbridge, Poolas, Romaine, Ryan, Visioli, Delaney, Newman, Mayor Dodd
NOES: none ABSTAIN: none ABSENT: Alderman Fahy

Resolution Approving Bills List (attached at end)

Alderman Romaine has moved the foregoing resolution items be adopted and duly seconded by Alderman Delaney

Ayes: Alderman Romaine, Burbridge, Poolas, Newman, Delaney, Ryan, Visioli and Mayor Dodd.
Noes: none Abstain: none Absent: Alderman Fahy

TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

Resolution Approving Mayor and Board of Aldermen Meeting Minutes

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:

1. November 7, 2005 – Caucus and Regular
2. November 22, 2005 – Caucus and Regular
3. December 13, 2005 – Caucus and Regular
4. January 1, 2006 – Reorganization Meeting

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

Ayes: Aldermen Romaine, Burbridge, Newman, Visioli and Mayor Dodd.

Noes: Abstain: Aldermen Poolas, Delaney, Ryan, Absent: Alderman Fahy

Resolution Amending Introduced Budget

Alderman Burbridge has moved the foregoing resolution items be adopted and duly seconded by Alderman Visioli

Ayes: Alderman Romaine, Burbridge, Poolas, Delaney, Ryan, Visioli and Mayor Dodd.

Noes: Alderman Newman Abstain: none Absent: Alderman Fahy

Resolution Amending Capital Budget

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

Ayes: Alderman Romaine, Burbridge, Poolas, Ryan, Visioli, Delaney, Newman, and Mayor Dodd.

Noes: none Abstain: none Absent: Alderman Fahy

Resolution Authorizing Application for Tonnage Grants for 2005

Resolution Canceling Stale-Dated Checks

RESOLUTION CANCELLING STALE-DATED CHECKS

WHEREAS, the following checks have been outstanding for more than one year; and

WHEREAS, the Municipal Auditors have recommended they be reviewed and cancelled;

TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN

Central Disbursement Account-

| | | | |
|------|---------|-----------------------|--------|
| 1307 | 3/22/05 | Dover Emergency Squad | 125.00 |
| 1366 | 3/22/05 | Verizon | 7.58 |

Payroll Account-

| | | | |
|-------|---------|-------------|--------|
| 77016 | 3/19/04 | Valerie Ang | 130.07 |
|-------|---------|-------------|--------|

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen, Town of Dover, County of Morris, State of New Jersey, that the abovementioned checks are hereby cancelled.

Resolution Tax Sale Certificate 200403 Block 1416 Lot 4

RESOLUTION

WHEREAS, Tax Sale Certificates 200403 for unpaid 2004 water/sewer bills on Block 1416 Lot 4 also known as 32 Guy St held by Chun T Li; and

WHEREAS, the amount necessary to redeem certificates has been received by the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Aldermen, Town of Dover, County of Morris, State of New Jersey that the Treasurer be authorized to issue a check in the amount of \$255.56 be issued to Chun T. Li on this 8th day of May 2006,

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

Resolution Tax Sale Certificate 200403 Block 1416 Lot 4

RESOLUTION

WHEREAS, Tax Sale Certificates 200403 on Block 1416 Lot 4 also known as 32 Guy St held by Chun T Li; and

WHEREAS, there was a premium collected at Tax Sale in the amount of \$200.00 and the amount necessary to redeem certificates has been received by the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Aldermen, Town of Dover, County of Morris, State of New Jersey that the Treasurer be authorized to issue a check in the amount of \$200.00 be issued to Chun T. Li on this 8th day of May 2006.

BE IT FURTHER RESOLVED that two certified copies of this resolution be returned

Resolution Urging Enactment of Legislation to Exempt Municipal Clerk's from Penalties for Violation of the OPRA

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF DOVER URGING ENACTMENT OF LEGISLATION TO EXEMPT MUNICIPAL CLERK'S FROM PENALTIES FOR VIOLATION OF THE OPEN PUBLIC RECORDS ACT

WHEREAS, legislation had been introduced in the New Jersey assembly during the 2004-005 year (A-4063); and

TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN

an additional 100 hours of training; and

WHEREAS, other mandatory courses include ICS 200, ICS 300, ICS 700, dealing with Right to Know and Blood Borne Pathogens; and

WHEREAS, there is currently being planned a new course requirement before becoming a chief of the department; and

WHEREAS, local volunteer fire departments also conduct their own regular training in-house; and

WHEREAS, it is necessary for firefighters to become proficient in the latest techniques and equipment used in today's firefighting; and

WHEREAS, it is becoming more and more difficult to obtain volunteers for local fire departments; and

WHEREAS, the ever increasing training requirements is discouraging volunteers to participate in their local fire departments thereby sounding the death knell for volunteer fire departments which would result in full paid departments which would be directly borne by taxpayers of each community; and

WHEREAS, steps could easily be taken to reduce the time requirements for training and make courses more streamlined and accessible to volunteers; and

WHEREAS, examples of this would be eliminating yearly course requirements of the same information; eliminating redundant material and scheduling of classes other than working hours where the volunteers would have to lose wages in order to attend training; and

WHEREAS, certain members of the Dover Fire Department believe the training to be excessive and beyond that necessary to provide for the safety of the firefighters and the public; and

WHEREAS, the Mayor and Board of Aldermen of the Town of Dover strongly support the Town of Dover Volunteer Fire Department and wish to insure its continued success;

NOW, THEREFORE, IT IS HEREBY 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 Town of Dover hereby supports a review and modification of training requirements for volunteer fire departments throughout the State to lessen the burden on volunteers currently existing and removing a deterrent for recruiting new volunteers.

2. This Resolution shall be sent to Governor Corzine, all members of the State Legislature, The League of Municipalities and surrounding municipalities.

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

Ayes: Alderman Romaine, Poolas, Ryan, Burbridge, Visioli, Delaney, Newman, and Mayor Dodd.

Noes: none

Abstain: none

Absent: Alderman Fahy

16. Resolution Approving Mobile Vendor License Class II

Alderman Burbridge has moved the foregoing resolution items be adopted and duly seconded by Alderman Romaine

Ayes: Alderman Romaine, Poolas, Ryan, Burbridge, Visioli, Delaney, Newman, and Mayor Dodd.

Noes: none

Abstain: none

Absent: Alderman Fahy

TOWN OF DOVER

MAYOR AND BOARD OF ALDERMEN

- 17. Resolution Approving Mobile Vendor License Class III
- 18. Resolution Approving Mobile Vendor License Class IV

Vote to be taken to table item 13 and 14. Discussion was held and the attorney will put on agenda for next meeting.

- 19. Resolution Approving One-Day ABC License

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

Ayes: Alderman Romaine, Ryan, Burbridge, Visioli, Delaney, Newman, and Mayor Dodd.

Noes: none

Abstain: Alderman Poolas

Absent: Alderman Fahy

UNFINISHED OR NEW BUSINESS

Town Attorney David Pannella made the following resolution:

That the Town and Board of Alderman of the Town of Dover authorizing signing of the site plan application for the Housing partnership.

Whereas, the Mayor and Board of Alderman of the Town of Dover had approved the transfer of municipally owned property to the Housing Partnership Community Development Corp., to develop housing for low and moderate income owners; and

Whereas, this transaction will serve to meet the Town of Dover's COAH obligations; and

Whereas, the housing partnership has filed an application for site plan approval with the Dover Planning Board.

Now therefore be it resolved that the Mayor and Board of Aldermen of the Town of Dover as follows:

1. The Town Administrator is hereby authorized to sign the site plan application.

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

Ayes: Alderman Romaine, Poolas, Ryan, Burbridge, Visioli, Delaney, Newman, and Mayor Dodd.

Noes: none

Abstain: none

Absent: Alderman Fahy

PUBLIC COMMENTS –

Connie Sibona-Foster 90 Penn Ave. Asking for a follow up regarding the washed away dirt which resulted from the Penn Ave. repaving project.

Rosetta Davis – 45 Foxhill Rd. The Foxhill Condo complex – she was told taxes went up 13% and that water and sewer taxes have gone up. Mayor Dodd has the document and will research it. The Town Administrator reports that the town figure does not go near that 13% figure.

Sue Shauer – 346 W. Clinton St. Comments regarding to take a look at a hole in front of her home that is on Rt. 15. She has been trying for two years to have someone take a look at this. The problem is exasperated by the large dump trucks making turns that encroaches on to her property and are inches from her water main. She was told that this would be addressed when the weather becomes warmer.

TOWN OF DOVER
MAYOR AND BOARD OF ALDERMEN

Jon Sperry – 58 N. Essex St. The sign in front of town hall was incorrect with date for this evenings meeting. Regarding fire training, he still has not received definite answer as to whether it is mandatory or not. The loading zone area is still a problem. Mayor Dodd reported that police have stepped up patrol – he asked Administrator Garvin make sure that police actively patrol that area.

This portion of the meeting was closed to the public.

Alderman Romaine made a motion to adjourn the meeting at 8:34 PM duly seconded by Alderman Burbridge.

Ayes: Alderman Romaine, Poolas, Ryan, Burbridge, Visioli, Delaney, Newman, and Mayor Dodd.

Noes: none

Abstain:none

Absent: Alderman Fahy